CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FORTY-NINTH CONGRESS, FIRST SESSION;

ALSO,

SPECIAL SESSION OF THE SENATE.

VOLUME XVII.

WASHINGTON: GOVERNMENT PRINTING OFFICE. 1886.

CONGRESSIONAL RECORD.

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THE FIRE (LEDINGS AND DEBATES

MILL TO

FORTY-NINTER CONGRESS, PIRST SESSION:

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SPECIAL SESSION OF THE SENATE.



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VOLUME XVII, PART VIII.

CONGRESSIONAL RECORD,

FORTY-NINTH CONGRESS, FIRST SESSION.

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CONGRESSIONAL RECORD.

FORTY-NINTH CONGRESS. FIRST SESSION.

vide for the erection of a public building at Charlotte, N. C.; which was read a first and second time, and referred to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT OWENSBURG, KY.

The SPEAKER also laid before the House the bill (S. 1536) for the purchase of suitable grounds in the city of Owensburg, in the State of Kentucky, and the erection thereon of a public building for the post-office, United States collector's office, United States commissioner's office, and for the use of other United States officers in said city, and appropriating money for said purpose; which was read a first and second time.

Mr. LAFFOON

Mr. LAFFOON. I ask unanimous consent that this bill be taken up now and put on its passage. The Committee on Public Buildings and Grounds of this House has unanimously reported a similar bill.

The bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BYNUM. I object.

The bill was referred to the Committee on Public Buildings and Grounds.

Mr. McMILLIN. Let us have the regular order.
The SPEAKER. This is the regular order.

PUBLIC BUILDING AT HAVERHILL, MASS.

The SPEAKER also laid before the House the bill (S. 2194) for the erection of a public building at Haverhill, Mass.; which was read a first and second time, and referred to the Committee on Public Building at Haverhill, Mass. ings and Grounds.

PUBLIC BUILDING AT LA CROSSE, WIS.

The SPEAKER also laid before the House the bill (S. 2242) to change

the limit of appropriation for the public building at La Crosse, Wis.; which was read a first and second time.

Mr. THOMAS, of Wisconsin. I ask unanimous consent that this bill be considered at the present time. It merely extends the limit of appropriation.

The bill was read.
The SPEAKER. Is there objection to the consideration of this bill at the present time?
Mr. STORM. I object.

The bill was referred to the Committee on Public Buildings and Grounds.

MILITARY POST NEAR DENVER, COLO.

The SPEAKER also laid before the House the bill (S. 2477) making appropriations for the erection of a military post near the city of Denver, in the State of Colorado; which was read a first and second time, and referred to the Committee on Military Affairs.

CLAIMS AGAINST THE GOVERNMENT.

The SPEAKER also laid before the House the bill (S. 2643) supplemental to an act approved March 3, 1883, entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government;" which was read a first and second time.

Mr. SPRINGER. I ask unanimous consent that this bill be considered at the present time, my object being to propose an amendment to the bill and have the matter sent to a conference committee with the understanding that the committee shall not report until the next session. This measure embraces the subject of the consideration of private claims, and it is desirable that there be reported by a committee of conference to the two Houses at the next session a measure which will cover the whole subject of adjudication of private claims and the ascertainment of facts in such cases. I ask unanimous consent for the present consideration of the bill for the purpose I have stated.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] asks unanimous consent for the present consideration of this bill for the pur-

pose of having an amendment adopted and the bill sent to a committee

of conference.

Mr. RANDALL. What is the bill?

The SPEAKER. The bill had better be read.

The bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. REED, of Maine. I shall have to object. This is too impor-tant a matter to be passed upon without a word of explanation. Mr. SPRINGER. I desire to make an explanation. The amend-

ment I propose to offer embraces three sections-[Cries of "Regular

Mr. REED, of Maine. What is it the gentleman desires?
Mr. SPRINGER. If the gentleman from Maine will permit, I will

explain.

The SPEAKER. But the gentleman from Maine has not control of the matter. Three or four other gentlemen have demanded the regu-

Mr. SPRINGER. I ask unanimous consent to make a statement.
The SPEAKER. Is there objection?

Mr. RANDALL. I object. These explanations of measures which are not under consideration take up time to no profit.

The bill was referred to the Committee on Claims.

LAND OFFICE AT LAMAR, COLO.

The SPEAKER also laid before the House the bill (S. 2796) to establish a land office at Lamar, Colo.; which was read a first and second time.

Mr. VOORHEES. I ask unanimous consent for the consideration of this bill at the present time.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That all that portion of the State of Colorado bounded and described as follows: Commencing at a point on the eastern boundary line of said State where the second correction line south intersects said boundary line, and running thence on said second correction line south to the line dividing ranges numbered 52 and 53; thence south on said range line to the southern boundary line of said State; thence east on the southern boundary line of said State; thence east on the southern boundary line of said State to the eastern boundary line of said State; thence north on the castern boundary line of said State to the place of beginning, be, and is hereby, constituted a new and separate land district, to be called the Bent land district, the land office for which shall be located in the town of Lamar, county of Bent, in the said State of Colorado.

SEC. 2. That the President, by and with the advice and consent of the Senate, shall appoint a register and a receiver of public moneys for said district; and said officers shall reside in the place where said land office is located, and shall have the same powers and shall discharge similar duties and receive the same fees and emoluments as other officers discharging like duties in tife other land offices of the State of Colorado.

There being no objection, the House proceeded to the consideration

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

Mr. SYMES moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SENATE BILLS REFERRED.

The following Senate joint resolution and bills were respectively

read a first and second time, and referred as indicated:
Joint resolution (S. R. 73) authorizing the Secretary of War to grant
a permit to John F. Chamberlin to erect a hotel upon the lands of the United States at Fortress Monroe, Va .- to the Committee on Military Affairs.

The bill (S. 368) for the relief of Susan E. Alger—to the Committee on Invalid Pensions.

The bill (S. 2587) granting a pension to Elizabeth Ward—to the Committee on Invalid Pensions.

The bill (S. 2682) granting a pension to Thomas W. Egan—to the Committee on Invalid Pensions.

The bill (S. 2686) granting a pension to Maurice T. Mantor-to the Committee on Invalid Pensions.

The bill (S. 2790) granting a pension to Catharine M. Lee—to the Committee on Invalid Pensions.

The bill (S. 2730) granting an increase of pension to Elizabeth S. De Krafft-to the Committee on Invalid Pensions.

The bill (S. 2797) granting a pension to Lizz'e Wright Owen—to the Committee on Invalid Pensions.

The bill (S. 2868) granting a pension to Mary Ann Dougherty—to the Committee on Invalid Pensions.

DEATH OF VICE-PRESIDENT HENDRICKS.

The SPEAKER also laid before the House the following concurrent resolution of the Senate:

Resolved by the Senate (the House of Representatives concurring), That the proceedings of the Supreme Court, as they appear on page 707 of volume 117 of the Supreme Court Reports, on the death of Thomas A. Hendricks, late Vice-President of the United States, be printed with the memorial addresses already authorized by Congress.

Mr. HOLMAN. That seems to be a very proper resolution, and I ask that it be disposed of now.

Mr. RANDALL. There is no objection to that.

The concurrent resolution was agreed to.

Mr. HOLMAN moved to reconsider the vote by which the concurrent resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LOANS AND CURRENCY.

The SPEAKER also laid before the House a concurrent resolution of the Senate providing for printing a compilation of the laws of the United States relating to loans and currency, &c.; which was referred to the Committee on Printing.

PUBLIC BUILDING, OWENSBOROUGH.

Mr. LAFFOON. Mr. Speaker, a few moments ago I asked unanimous consent to consider the bill (S. 1536) providing for the purchase of suitable grounds in the city of Owensborough, in the State of Kentucky, for the erection of a public building, which request was objected to by the gentleman from Indiana [Mr. BYNUM]. I understand he now desires to withdraw his objection.

The SPEAKER. The gentleman is in his seat.

Mr. BYNUM. I withdraw the objection.

Mr. STORM. Let this bill be read again.

The bill was read at length.

The SPEAKER. Is there further objection to the consideration of the bill?

Mr. REED, of Maine. Before this matter gets beyond the point of objection, I would like to ask the Chairman of the Committee on Public Buildings and Grounds how many unanimous consents have been granted on the other side? It looks to me as if this were all one way?

The SPEAKER. The gentleman will understand that the Chair is simply laying these bills before the House as they come from the Senate; and any gentleman upon the floor on either side has the right to ask consent for their consideration.

Mr. REED, of Maine. Of course I understand that. I am making no reflection whatever upon the Chair.

Mr. HEMPHILL. The gentleman from South Carolina the chairman of the Committee on Public Buildings and Grounds is not present. It appears as though the South is to be pretty Mr. REED, of Maine.

nearly covered with public buildings. Mr. HIESTAND. Has that bill been before the House committee?

This is a Senate bill. The SPEAKER.

Mr. LAFFOON. A similar bill has been before the House commit-

Mr. BURROWS. I gathered from the reading of this bill that there is no United States court held there. I wish to inquire of the gentleman from Kentucky if that is correct, whether there vis a court held there or not?

Mr. LAFFOON. No, sir; they have had no building for one.

Mr. BURROWS. I understand then there is no court. May I ask

what the population is? Mr. LAFFOON. Ab About 15,000.

Mr. SOWDEN. I demand the regular order.

Mr. BURROWS. I do not object

The SPEAKER. The regular order is demanded, which is equivalent to an objection.

LEAVE OF ABSENCE.

Leave of absence was granted by unanimous consent as follows:

To Mr. Cutcheon, on and after Thursday next, for the remainder of
the session, on account of an important engagement.

To Mr. Fisher, indefinitely, on account of sickness.

To Mr. Dibble, for three days, on account of business.

WITHDRAWAL OF PAPERS.

By unanimous consent leave was granted to Mr. Grosvenor to withdraw the petition of Isaac Carleton from the files of the House without leaving certified copies of the same.

IMPROVEMENT OF MISSISSIPPI RIVER.

On motion of Mr. DUNN, by unanimous consent leave was granted to print the following communication:

[The Mississippi River Commission; president's office, Army building, 33 West Houston street.]

NEW YORK, June 11, 1886.

My Dear Sir: In answer to your letter of the 27th of May, and in response the suggestions and questions contained therein, I have the honor to submit

New York, June 11, 1886.

My Dear Sir: In answer to your letter of the 27th of May, and in response to the suggestions and questions contained therein, I have the honor to submit the following:

First. If I understand the river and harbor bill, as it passed the House on the 6th ultimo, those portions of it appropriating \$2,250,000 for the improvement of the Mississippi below Cairo, and defining the authorities under which it shall be expended, are left in a most awkward and impracticable shape. The money is to be expended under direction of the Secretary of War, without the intervention of the Mississippi River Commission, provided that the works on the Lake Providence and Plum Point reaches are to be completed, by whom it does not say; and provided that the commission may build and repair levees as heretofore, as part of the system of improvement.

The commission has also to decide about spending \$100,000 for dredging Vicksburg Harbor. It would be entirely feasible to expend the appropriation in completing the works on the two reaches named, and in carrying on improvements at the several points mentioned below, as exempt from the commission's supervision, namely, New Orleans, Red, Atchafalaya, and Old Red Rivers, Greenville, Memphis, Hickman, and Columbus, and to do all this in such a manner that not a dollar would be available for the two items left in charge of the Mississippi River Commission. There can, of course, be no want of accord between the Secretary of War and the commission, because the latter would most cheerfully accele to any decision the former might make. You will doubtless agree with me, however, that the duties and responsibilities of the commission should be rather sharply defined in the bill, otherwise the friends of the improvement who look for certain results may meet with bitter disappointment in the way the money is allotted. The useful functions of levees in the scheme of improvement have been reaffirmed with more or less emphasis in every report of the commission where they have been

ment is restricted to localities hemmed in by bad river above and below. Two or three additional reaches of shoals and bars should be attacked with the money that first becomes available, with a view to gradually extending the limits of improved navigation. As we already have a fine plant, fully equipped for service, nearly all the money allotted for works of improvement would be applied directly to them.

Third. The provision of the House bill for beginning the rectification of the Red and Atchafalaya would doubtless be satisfactory to the commission if the source of responsibility for expending the \$250,000 were definitely fixed. The members of the commission are in substantial accord with regard to the initial stages of this work, which provide for preventing the further enlargement of the Atchafalaya and restricting its outlet capacity by the construction of six low dams in that stream near its head. These dams ought to be begun at the earliest possible day. The only suggestion I have to make with respect to the work provided for in the House bill at Old Red River, Greenville, Vicksburg, Memphis, Hickman, and Columbus is the same as the one last named, as to the responsibility for devising plans and expending the appropriations. This should not be left in doubt.

Fourth. In submitting the foregoing suggestions, I have tried to avoid the ex-

routh. In submitting the foregoing suggestions, I have tried to avoid the expression or implication of any desire on the part of the Mississippi River Commission to retain any control or supervision over works of improvement on the Mississippi River. They entertain no such wish beyond a laudable desire to see the river improved, but nothing beyond this. I greatly fear that the outlet fallacy, by which it is persistently claimed that destructive floods can be prevented by drawing off the flood waters and conveying them by separate routes to the Gulf, is destined to have a costly and abortive trial at Government expense. The commission has held this great disaster at bay for six years. There never was anything to support it that could withstand the logic of facts for one moment. Its plausibility, however, commends it strongly to many persons, and especially to those whose superficial knowledge blinds them to the essential difference between a clear stream like the Saint John, the Hudson, and the Penobscot, with a firm-bottom capable of resisting erosion and scour, and a sedimentary stream flowing through an alluvial bed of its own creation, like the Missouri and Mississippi. In the cases first named, the opening of an outlet will invariably lower

He plausibility, however, commends it strongly to many persons, and especially to those whose superficial knowledge bilinds them to the essential difference between a clear stream like the Saint-John, the Hudson, and the Penobscot, with a firm-bottom capable of resisting crosson and soon, and a sedimentary stream flowing through an alluvial bed of its own creation, like the Missouri and Missouri and Missouri them to the property of the current in a sedimentary stream is diminished from any cause or at any stage of the river, a dechannel depths can ensue from the diminished velocity in the main stream. It is an undeniable fact that whenever the velocity of the current in a sedimentary stream is diminished from any stage of the river, a dechannel depths and the property of the current in a sedimentary streams flowing through alluvial beds, and its operation has enabled us, on the Pinnb Point and Lake Providence reaches, to narrow the water way and build up new banks and new shore lines by means of permeable dikes, which check the current without deflecting or arresting it. It is equally true, and has been thoroughly verified by instrumental measurements, that the immediate can develop the property of the stream strange, due to a diminition of volume; but this condition of lowered flood surface is temporary; it will last until the sectional area of the bod of the stream is so far reduced by the fill or shoaling referred to as to render it incapable of carrying even the diminished volume except structive overflow. In other words, the stream below the outlet was made being smaller, all its elements, including its channel depth, are correspondingly smaller. If the outlet remains open the fill below goes on until an equilibrium is restored with the reduced channel below the outlet and a velocity capable of carrying the structure of coverflow. In other words, the structure of c

therefore, the not extraordinary flood of 1880 came, it encountered a big bar in the main stream, and one outlet partially closed, and therefore rose to a higher level in effecting a discharge than it otherwise would have done.

Fifth. The bill before Congress to make the Lake Borgne outlet, in order to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., is no novelty. The idea was advanced by Charles Ellet, jr., in 1852, was afterward discussed, by Humphreys and Abbot, and rejected by them as impracticable. It was again investigated by the Levee Commission in 1875, and by the Mississippi River Commission in 1880, and rejected by both. Evidence based on measurements proved that the effects of an outlet are never felt more than about 100 miles above. On this head attention is invited to the report of the board of engineers on the low-water navigation of the Mississippi River below Cairo, in which they say of the great Bell crevasse, which occurred just above New Orleans, on the right bank, in 1853:

"Its maximum discharge occurred August 1-17, and was 80,000 cubic feet per second. This lowered the water surface 1.5 feet at its site, and produced no sensible effect at Baton Rouge, 124 miles above. The Red River and Raccourci cutoffs, which shortened the Mississippi 39 miles, near the mouth of Red River, lowered the high-water mark there 4.6 feet in the flood of 1851. This beneficial effect diminished rapidly at points higher up, and was not felt at all at a distance of 100 miles."

Even the influence of the Gulf tides upon the river at high stages is not felt.

of 100 miles."

Even the influence of the Gulf tides upon the river at high stages is not felt above the mouth of Red River, 315 miles distant. Numerous additional instancemight be cited on this point, but are deemed unnecessary. In view of the cares ful observations that have been made, very few will question the correctness of the statement that "the effect of lowering the river surface at a given point dies out rapidly in ascending."

A scheme which, by means of a simple outlet at Lake Borgne, proposes, as this does, to improve the channel of navigation over the shoals as high up as Cairo, 970 mil.s distant, and protect the valley lands of the Mississippi River and tributaries from overflow, must be regarded as visionary in the last degree. I can not believe that a single hydraulic engineer of respectable standing in his profession can be found among its advocates.

We have seen that Cubit's Gap or crevasse occasioned an average fill in the main stream below, amounting to nearly one-seventh of the flood river section, over an area of 2½ square miles. Evidence of the same character is furnished by other outlets and cut-offs.

The Bell crevasse, 2 miles above New Orleans, and the Lebranche crevasse, 20 miles higher up, both on the right bank, occurred in 1858. Mr. G. W. R. Bayley says:

20 miles higher up, both on the right bank, occurred in 1858. Mr. G. W. R. Bayley says:
"Soundings taken by A. S. Phelps, in 1856, across the Mississippi River opposite the upper line of New Orleans, established the fact that 120 feet was the maximum river depth then at that point. Again, in February, 1859, Messrs. Phelps and D'Hernecourt found the maximum depth to be 78 feet."
Mr. Bayley further says:
"The mean depth in February, 1859, below both of these crevasses, and before the river had again risen to its ordinary high-water mark, was ascertained to be 42 feet less than in 1856, and beyond question the diminution was caused by the two great outlets of 1858."

The great Bounet Carré crevasse took place in 1850, attaining a width of nearly 7000 feet and discharging over 100 000 cubic feet per second. On the 30th of July

the river had again risen to its ordinary high-water mark, was ascertained to be 42 feet less than in 1856, and beyond question the diminution was caused by the two great outlets of 1858."

The great Bounet Carré crevasse took place in 1850, attaining a width of nearly 7,000 feet and discharging over 100,000 cubic feet per second. On the 30th of July, after the fall of the river, examinations by Professor Forshey and others showed that the section of the river below the crevasse had 12 feet less mean depth than the section above. As there were no soundings taken here before the crevasse occurred, the evidence is not conclusive that the shoal was caused by it; but a comparison of the surveys of 1882 and 1883, the former of which was made before and the latter after the crevasse was closed, shows that a scour below the site of the crevasse of approximately 12 per cent. of the low-water area promptly followed the closing of this outlet, and can not be attributed to any other cause. The history and effects of Cubit's Gap or crevasse have been described at some length, for the reason that the conditions accompanying and surrounding it are essentially the same as those which will be produced by an outlet at Lake Borgne. We are not justified in looking for exemption from any of the threatening and unpromising results developed in the parallel case. There will be gradual and progressive shoaling in the main stream below the outlet, and there will be a gradual closing of the outlet itself, from natural bank-building and delta-forming processes, carried on after the mischief has been accomplished in the main stream. An ordinary flood arriving at that time will find opposed to its discharge not only a contracted river, but a contracted and contracting outlet also. These two causes, acting in conjunction, as they would in all cases, might convert into a damaging overflow a flood which would have passed off harmlessly before the outlet was formed.

There is no room for doubt that the first or initial effect of an outlet of

of the Mississippi River. Its low-water navigation would then be improved, &c.

On this it may be remarked that one of the leading points to be settled by the outlet experiment is whether or not a Lake Borgne outlet will produce an improvement in low-water navigation for nearly a thousand miles up-stream, and the assertion that it will seems to be begging the whole question. I feel quite certain that it will have no such result, and there are few, if any, hydraulic engineers of experience and standing who will not concur with me in this view.

The committee quotes General A. A. Humphreys, Chief of Engineers, United States Army, as saying that "if outlets are to be made, Lake Borgne is the place to try them." This was only General Humphreys's choice of the least of several evils. It is known that he was opposed to outlets, and he is on record officially and unofficially to that effect.

The committee also state that—

"The revetment and abutment systems of the river commission, at an expense of about \$3,000,000, have resulted equally disastrous," &c.

In reply to this I have to state that the plan of the Mississippi River Commission has not in any sense been a failure or resulted disastrously. Two of the worst stretches of the river, where there was only 4½ to 5 feet of water over a length

of 70 miles before the commission began its work, have been improved so that there is a continuous low-river channel 15 feet deep through one reach and 12 feet through the other. The entire cost of the works below Cairo, including the first cost and maintenance of plant, less its present value, but not including the cost of levees, has been less than \$5,000,000. The aggregate loss and damage of works amounts to 24 per cent. of their cost, which can not be considered unreasonable, in view of the novel character of the work.

The committee further say that—
"By opening that outlet the water of the river will reach the same ocean level in only 10 miles, whereas by the jetties the same river reaches the same ocean level by coursing 110 miles. That fact seems the only argument necessary."

I concur in this last stated opinion, but the argument proves that the outlet should not be made, for the steep slope at high water, between the river and the lake, amounting to 2½ feet per mile, would be most disastrous in its effects, and the outlet would be impracticable as a channel for navigation.

Very respectfully, your obedient servant,

Q. A. GILLMORE,

Q. A. GILLMORE,

Col. Engs., Bvt. Maj. Gen. U. S. A., Pres. Miss. River Commission.

Washington, D. C.

FORFEITURE NORTHERN PACIFIC LAND GRANT.

The SPEAKER announced as the conferees on the bill (H. R. 2172) forfeiting lands granted to the Northern Pacific Railroad Company Mr. Cobb, Mr. Van Eaton, and Mr. Payson.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

wing titles; when the Speaker signed the same:
A bill (H. R. 3551) granting a pension to George W. Culter;
A bill (H. R. 3851) granting a pension to William P. Shelton;
A bill (H. R. 3948) granting a pension to James F. Salyers;
A bill (H. R. 4032) granting a pension to John McGowan;

A bill (H. R. 5041) granting a pension to Sallie A. Stone; A bill (H. R. 5389) granting a pension to Ann Kinney

A bill (H. R. 5950) granting a pension to Catharine Reisinger; A bill (H. R. 6425) granting a pension to Jonathan S. Lents;

bill (H. R. 6606) granting a pension to Sallie B. Bent; bill (H. R. 6824) granting a pension to James Savercool;

A bill (H. R. 6824) granting a pension to James Savercooi;
A bill (H. R. 7163) granting a pension to Peter Adams;
A bill (H. R. 7169) granting a pension to James Robinson;
A bill (H. R. 7234) granting a pension to Susan Hawes;
A bill (H. R. 7244) granting a pension to Robert B. Kirkpatrick;
A bill (H. R. 7517) for the relief of Warren L. Rice;
A bill (H. R. 7712) granting a pension to Virginia Taylor Randall;
A bill (H. R. 7721) granting a pension to Virginia Taylor Randall;

A bill (H. R. 7721) granting a pension to Virginia Taylor Randal A bill (H. R. 7728) granting a pension to Ellen J. Welch; A bill (H. R. 7728) granting a pension to Mrs. Elizabeth Collins; A bill (H. R. 7736) to increase the pension of George W. Parks; A bill (H. R. 7749) granting a pension to Aretus M. Butler;

A bill (H. R. 8046) granting a pension to Erastus W. Kennedy; A bill (H. R. 8057) for the relief of Theodore Dunmire;

bill (H. R. 8333) granting a pension to Lucinda Sawyer;

A bill (H. R. 8334) for the relief of Jacob Nix;

A bill (H. R. 8352) for the relief of Levi A. Cronkhite;

A bill (H. R. 8374) granting a pension to Mrs. Mary M. Gillham; A bill (H. R. 8556) granting a pension to Abraham Points;

A bill (H. R. 8635) granting a pension to Irene Googins; A bill (H. R. 8663) to increase the pension of Jonas Schoonover; A bill (H. R. 8963) granting a pension to Michael Fitzpatrick; A bill (H. R. 8977) to restore to the pension-roll the name of Samuel

Bulman:

A bill (H. R. 9050) granting an increase of pension to Capt. John F. Morris; and
A bill (H. R. 9457) granting a pension to Martin V. Curry.
Mr. NEECE, from the Committee on Enrolled Bills, reported that the

committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 260) for the relief of Margaret S. Fain; A bill (H. R. 578) for the relief of Emma J. Halloway; A bill (H. R. 658) for the relief of Francis W. Haldeman;

A bill (H. R. 887) granting a pension to Thomas S. Duvall; A bill (H. R. 1249) for the relief of Margaret F. Ryan; A bill (H. R. 1511) for the relief of Sidney R. Smith;

bill (H. R. 1584) for the relief of Aurelia C. Richardson;

A bill (H. R. 1617) for the relief of George H. Laurence; A bill (H. R. 1681) for the relief of William Hicks; A bill (H. R. 1802) for the relief of Moses B. Walker;

A bill (H. R. 1802) for the relief of Moses B. Walker;
A bill (H. R. 2027) granting a pension to Joshua Armstrong;
A bill (H. R. 2475) to amend an act approved May 25, 1882, entitled
"An act for the construction of a public building at Galveston, Tex;"
A bill (H. R. 2964) to restore to the pension-list the name of Abel

Mishler, of Pennsylvania;
A bill (H. R. 3118) granting an increase of pension to William H.

A bill (H. R. 4503) to authorize the Secretary of War to permit the Carrollton and Lock Number One Turnpike Road Company to locate and construct its road on land belonging to the United States at lock
No. 1, on the Kentucky River, in the State of Kentucky;
A bill (H. R. 5552) for the relief of James Cain;
A bill (H. R. 5872) for the relief of R. D. Beckley and Leon Howard;
A bill (H. R. 8481) granting a pension to Thomas Walsh; and

A bill (H. Res. 138) to print 10,000 copies of the Report of the Commissioner of Agriculture on the International Sheep and Wool Show held in Philadelphia in September, 1880.

ORDER OF BUSINESS.

Mr. SPRINGER I ask unanimous consent that there be considered at this time a resolution that on Thursday, July 29, the House take a recess at 5 o'clock p. m. until 8 o'clock p. m.; the evening session to be devoted to the consideration of Senate bills on the Private Calendar to which there may be no objection, and the session not to continue beyond 11 o'clock p. m.

Mr. RANDALL. I object, until the appropriation bills have been

taken care of.

Several members called for the regular order.

The SPEAKER. The regular order is the call of committees for re-

Mr. RANDALL. I move to dispense with the morning hour for the call of committees.

The motion was agreed to, two-thirds voting in favor thereof.

LEGISLATIVE APPROPRIATION BILL.

Mr. HOLMAN. I desire to submit as a privileged question the report of a committee of conference.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, having met, after full and free conference have been unable to agree.

WM. S. HOLMAN,
GEO. C. CABELL,
J. G. CANNON,
Managers on the part of the House.
W. B. ALLISON,
H. L. DAWES,
F. M. COCK RELL,
Managers on the part of the Senate.

The SPEAKER. The rule does not require any statement when

Mr. HOLMAN. The report merely presents the same facts which I submitted to the House a few days ago. The conferees have found it impossible to agree on the first subject of disagreement, the item for clerks for Senators who are not chairmen of committees. As has been stated to the House twice already, I think there is no material difference between the conferees of the two bodies in regard to the other two amendments. The stumbling-block is the Senate provision appro-priating \$23,250 for clerks for Senators. The conferees upon the part of the Senate will not consent to yield that point. I believe this is the third time that this report has been made to the House that the conferees are not able to agree. I mentioned also on a former occasion the fact that this bill materially reduces the number of employés in the Departments, so that there is necessarily a loss of several thousand

dollars every day this bill fails to go into effect.

Mr. WILLIS. How many?

Mr. HOLMAN. I can not state at this moment, but several thousand dollars are lost every day by the failure of the two Houses to agree upon this bill.

Mr. BLOUNT. You mean by the failure to put into effect the reduction in the force which the bill would make.

Mr. HOLMAN. Yes. The bill effects a material reduction in the number of employés, and of course in the amount required for their compensation; but, necessarily, the basis of expenditure is present law until there is further legislation. I have always heretofore held, as a member of the House, that the Senate provision, which has been now upon the appropriation bills for three successive years, once as a part of the contingent fund of the Senate and twice as an independent poposition, was subject to severe criticism, inasmuch as it is an indirect method of increasing the compensation of Senators, and I have thought heretofore that the House should not recede from its disagreement. Nevertheless the House has uniformly receded, and it would appear that this bill can not become a law unless the House recedes in this case, the conferees on the part of the Senate asserting that this is an item affecting solely that branch of the public service, and that the views of Senators should be regarded in the matter, inasmuch as they do not interfere with the action of the House in making provision for its own employés. is further stated, also, that the Senate has been all along a unit on this subject and is so still, and that this bill can not pass unless the House yields the point.

Mr. REED, of Maine. Have the conferees agreed upon everything

Mr. HOLMAN. Substantially.
Mr. REED, of Maine. Then why not put the disagreement upon that point, and let us see if the Senate will make an extra session on account of it.

Mr. HOLMAN. That is exactly where we want to put it, but my friend is sufficiently familiar with the course of transactions between the two Houses to know that in a case like this neither body permits the question to come directly upon one single point, and as a matter of 1

course we can not agree upon the other two points of difference so as to report an agreement to the House and Senate while this provision

stands undisposed of.

Mr. REED, of Maine. Agree on the others and try that.

Mr. HOLMAN. The Senate declines considering the other two unless this also is considered; but there is no substantial disagreement as to the others.

Mr. PAYSON. What are the other two points?
Mr. HOLMAN. One is the increase of the appropriation for gaugers, storekeepers, and other employés of the Internal Revenue Bureau, and the other is the appropriation of \$10,000 to provide for collecting statistics of marriage and divorce.

Mr. CUTCHEON. What is the amount involved in this amend-

ment?

Mr. HOLMAN. Twenty-three thousand two hundred and fifty dollars, I think

Mr. CUTCHEON. And about what is the daily loss which the gentleman says is sustained by the failure of this bill to go into effect?

Mr. HOLMAN. I have not had time to ascertain the exact amount,

Mr. HOLMAN. Have not had this baseliant the baseliant but it is several thousand dollars daily.

Mr. PAYSON. How is there any loss?

Mr. HOLMAN. By the fact that this bill materially reduces the number of employés in the service of the Government, and that that

reduction is delayed by our failure to pass the bill.

Mr. DUNN. Is the gentleman from Indiana [Mr. HOLMAN] will-

ing to make the motion that the House recede?

Mr. HOLMAN. I wish to say this—

Mr. DUNN. I hope the gentleman will supplement his speech with a motion to recede.

Mr. HOLMAN. The gentleman sees very clearly that I think that

is the proper course to pursue. I have no concealment about it.

Mr. DUNN. I am satisfied that if the gentleman will make the
motion the House will recede, but I do not think it will until he does make the motion.

Mr. WARNER, of Ohio. If the committee recommend that the House recede and the gentleman makes the motion—
Mr. HOLMAN. The committee does not recommend it. On the

contrary, a portion of the conferees on the part of the House are op-posed to the House yielding this point. I have stated why I think it should be done, but it has not been the custom for the conferees in either House to make such a motion. I voted yesterday in favor of the House receding and will so vote again.

Mr. DUNN. I think the House will sustain the gentleman from Indiana if he will make the motion to recede.

Mr. HOLMAN. Oh, well, Mr. Speaker, the gentleman suggests that as a matter of form I make the motion to recede, and accordingly make the formal motion for the purpose of testing the sense of the House

Mr. WILSON. Mr. Speaker, when the last vote was taken on the motion to recede from our disagreement on this point I voted in favor of receding, although in all previous votes on this subject cast in the last Congress and in this I had voted to insist upon the disagreement.

Mr. WARNER, of Ohio. That is true of many others also.
Mr. WILSON.. I understand the report made by the chairman of
the committee of conference to be this: That although the country is losing several thousand dollars every day by this protracted disagreement notice has been practically served upon the House conferees, and through them upon the House, that unless the House will recede from its disagreement to this small item that great bill for the expenses of the legislative, executive, and judicial departments of the Government shall by the action of the Senate fail. Now, when that issue is tendered to the House I for one am in favor of accepting the issue; and I rise now to move that the House instruct its conferees to recede from the disagreement as to the other two items of difference between the two Houses, and thus reduce the matter of disagreement to the single one upon which the Senate insists; and then let us understand whether the Senate is willing that the legislative, executive, and judicial ap-propriation bill shall fail at this session if we do not concede this matter which Senators ask for their own personal convenience.

Mr. HOLMAN. The House can not properly recede as to the two matters which the gentleman from West Virginia [Mr. Wilson] indicates. The appropriation proposed by the Senate for the Internal Revenue Bureau is believed to be largely beyond what is required; and I feel authorized to say that the Senate would recede to the extent of \$80,000 upon that item. The increase proposed by the Senate amendment is \$150,000; but I think I can say with entire safety that there will be no trouble in coming to an agreement upon the basis of the Senate receding to the extent of \$80,000 and the House assenting to

that modification of the Senate amendment.

I therefore think the proposition that the House shall recede from its disagreement as to those two amendments, leaving pending alone the amendment in regard to clerks of Senators, is not a practical solution of the difficulty. The House, it seems to me, can not properly yield the point as to the amount to be appropriated for the Internal Revenue Bureau; at least that is the judgment of the majority of the conferees

on the part of the House.

I will yield now for a few moments to the gentleman from Virginia

Mr. BURROWS. Before the gentleman from Indiana takes his seat, allow me to say I think there is some misunderstanding in this part of the Hall. Some gentlemen here understand the gentleman from Indiana to move that the House recede from its position with regard to

Mr. HOLMAN.

That is my motion.

The gentleman makes that motion.

The SPEAKER. Mr. RANDALL. The motion is that the House recede from amendments numbered 2 and 17.

The SPEAKER. Amendments numbered 2 and 17.

What course does the gentleman from Indiana Mr. McMILLIN. propose shall be taken with regard to the other two amendments?

Mr. HOLMAN. As to those I hope the House will further insist. Mr. Speaker, I feel that I am occupying time which ought to be devoted to other business. I will therefore ask my friend from Virginia [Mr. CABELL] how much time he wishes.

Mr. CABELL. Three minutes will suffice. Mr. HOLMAN. I yield to the gentleman I yield to the gentleman for that time.

Mr. CABELL. Mr. Speaker, I merely wish to call the attention of the House to the fact that one of these matters of disagreement between the Senate and House conferees has been twice voted upon by the House. The House, I take it for granted, understands that perfectly. I think there is a likelihood of our agreeing upon that question; and I do not think that my friend from West Virginia [Mr. WILson], a member of the Committee on Appropriations, ought to make the motion which he has indicated, that we recede from the amendment relating to internal-revenue agents, &c. I think the conferes can come together. Certainly the House at this stage of proceeding ought not to order us to recede from the remaining amendments before another attempt has been made to reach an agreement.

The House knows perfectly well my ideas as one member of the conference committee upon the amendments with regard to clerks to Senators. I do not think we ought to agree to those amendments; and I have not yielded on that point, nor do I intend to do so unless in-

structed by the House.

Mr. WILSON. I understood the gentleman from Indiana to say that the Senate conferees would not consider the other two matters of dis-

agreement until that point had been conceded.

Mr. HOLMAN, The other two matters have been substantially

agreed upon, though not formally.

Mr. CABELL. After the consultations we have had, the point of disagreement now is substantially in regard to clerks to Senators; and we come to the House now and ask the House to instruct us upon that question, because the House conferees do not altogether agree upon it. For myself, as I have said, I am against yielding to the Senate.

Mr. HOLMAN. I yield five minutes to the gentleman from Georgia

[Mr. BLOUNT].

Mr. BLOUNT. Mr. Speaker, it does seem to me we have taken up enough time about this matter, and that there are other important measures which the country would like to see considered. The gentleman from Texas [Mr. REAGAN] has in charge the interstate-commerce bill; the Committee on Public Lands have important reports ready for consideration. There are various questions which ought to be considered by the House, and which are kept back for no practical purpose, because, I take it, every gentleman on this floor who has been here for any considerable length of time understands perfectly well that we are ultimately to concede the demand of the Senate in reference to these

Mr. HOPKINS. Will the gentleman yield for a question?
Mr. BLOUNT. I do not want to answer questions. I rose to state briefly the reasons for my course in reference to this question, and I trust gentlemen will not interrupt me.

No gentleman on this floor has been more persistent than the gentleman from Indiana in attempting to keep out of the appropriation bills the addition of clerks to Senators. Nobody knows better than that gentleman how useless this struggle is. It has been with more reluctance he has yielded than any other gentleman would have had in this

The gentleman has already stated, finding himself in this situation, that the postponement of the enactment of this bill into law was costing every day more than the amount contended for on account of the delay in the reduction of the number of employés, and the gentleman from Indiana has stated to the House that he felt it to be his duty from that standpoint, as well as from the other, that there was no hope from past experience of the two Houses that anything would come from it but failure. He was not willing longer to continue the struggle. And for one, sir, I am not willing to continue it.

The gentleman from West Virginia [Mr. Wilson] has stated he would be to continue to the struggle.

not consent to a motion to recede on the question and wanted to make a square issue with the Senate on the question of the Senate employés. He asserts his determination is to stand to it if the Senate shall throw down the gage. I am not willing to do it even if the Senate are willing to throw down the gage.

Mr. WILSON. I voted to recede.

Mr. BLOUNT. Yes; I understand. I am not willing to do it if the Senate shall throw down the gage. I am not willing to take every gage which may be thrown down. I want the House to stand by the gentleman from Texas [Mr. REAGAN], so that he may be able to take up and have acted upon the interstate-commerce bill, or in order that the Public Lands Committee may take up some other measure of importance. I am willing to do that, and not trifle away the time of the House, for it is neither more nor less than that.

I care not whether somebody thinks he will be able to find in the record somewhere that it will disclose I have voted to allow these salaries. aries. My position I have taken and acted on as far as I could consistaries. My position I have taken and acted on as far as I could consistently. Whatever it has been, I am not now willing to trifle away the time of the House. I am not willing to say, as the gentleman from Arkansas [Mr. Dunn] has said, that if the gentleman from Indiana will move to recede the House will go with him. I am not disposed to follow any such suggestion, and I do not care from whence it comes or by whom the motion may be made.

Mr. REED, of Maine. I am glad to find that gentlemen on the other

side have grown so harmonious. [Laughter.]

Mr. TOWNSHEND. Mr. Speaker, what is the question before the

House? [Laughter.]
The SPEAKER. The gentleman from Indiana moves that the House recede from the disagreement to the amendments of the Senate num-

bered 2 and 17, and agree to the same.

Mr. TOWNSHEND. But what does it do with the other?

The SPEAKER. The House insists on its disagreement to the other,

and requests a conference.

Mr. WILSON. I withdraw the motion which I made.

Mr. TOWNSHEND. I am glad, Mr. Speaker, that the Senate stands up to their amendment in regard to the appropriation for the revenue.

A MEMBER. They do not stand to it.

Mr. TOWNSHEND. I am glad they firmly stand by that amendment, and I hope they will stand there, for I feel convinced this House has not appropriated a sufficient sum for the efficient carrying on of the internal-revenue system of the country. In a few days undoubtedly the oleomargarine bill will become a law, and there will be thrown upon that Internal Revenue Bureau additional duties and additional expense. The amount appropriated by the Senate for the internal revenue is not more than sufficient to meet the requirements of the service. the purpose, Mr. Speaker, of expressing the hope the House will recede from its disagreement to that Senate amendment concerning the Internal Revenue Bureau.

Mr. HOLMAN. I will yield now for three minutes to the gentleman from Illinois [Mr. CANNON]. [Cries of "Vote!"]
Mr. CANNON. Mr. Speaker, I think if the House will consider this matter for a few moments we may save, possibly, a good deal of time.

A MEMBER. And money.

Mr. CANNON. Yes; and money. It is a great bill, which has to pass in some shape or the other before we adjourn. If it is not passed we must extend the law until the next session as we have done during the present month.

In view of that necessity I thought it well to take up the time of the House for a few moments. Now this matter of clerks for Senators had its inception in the first session of the Forty-seventh Congress by the payment of those clerks from the contingent fund of the Senate. House, when it came to appropriate for the contingent fund of the Senate, refused to do it unless the Senate would put in specifically that it was for the payment of clerks for Senators. The Senate did it.

Mr. REED, of Maine. I do not think the gentleman is substantially

Mr. CANNON. It is substantially correct. From that time to this the appropriation has been made specifying in each case the appropriation was to pay these clerks for Senators, until the present Congress. The Senate regarded this matter as one concerning their own business. They are willing the House shall have anything it may deem for its own interest. The Senate is determined to adhere to its position. If it does and the bill fails we will have to pass a resolution continuing the appropriation until the next session, and that continuance of the appropriation will carry along with it the contingent fund, as it has done during the present month, and also provision for the employment and payment of these clerks for Senators. Therefore, while we shall not accomplish anything in this matter by refusing to recede, we shall deprive the country of the benefit of the proposed reduction of employés which this bill carries with it.

Now, I am perfectly willing to admit that I have always felt somewhat mortified at this distinction between the House and the Senate, but I am not altogether prepared to say that it is the fault of the Senate. We have not had the courage to enact proper legislation providing necessary clerical assistance for ourselves. I hope to see the time come when the House, looking to the future so that there can be no backpay grab to scare gentlemen, will insist upon proper legislation in this regard. But I am satisfied that in some shape or other, either in this shape or by continuing the appropriations as now existing until the next session of Congress, there must be the adoption of this bill; and the House will be called upon to recede, so that we had just as well do

it now as hereafter.

The question being taken on the motion of Mr. HOLMAN, that the House recede from its disagreement to the amendments of the Senate numbered 2 and 17, there were on a division—ayes 122, nays 43.

Mr. PAYSON demanded the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were-yeas 143, nays 94, not voting 85; as follows: YEAS-143.

		1.0	
Adams, G. E.	Eden,	Jackson,	Snyder,
Allen, C. H.	Eldredge,	Johnson, F. A.	Spooner,
Atkinson,	Evans,	Jones, J. T.	Springer,
Barnes,	Farquhar,	Lawler,	Stephenson,
Bayne,	Felton,	Libbey,	Stewart, J. W.
Belmont,	Findlay,	Long,	St. Martin,
Bingham,	Fisher,	Lore,	Stone, E. F.
Blanchard,	Fleeger,	Lovering,	Stone, W.J., M.
Blount,	Foran,	Mahoney,	Storm,
Boutelle,	Forney,	Markham,	Strait,
Boyle,	Frederick,	Martin,	Struble,
Brady,	Funston,	Maybury,	Swinburne,
Breckinridge, C. R.	Gay.	McKinley,	Symes,
Breckinridge, WCP	.Gibson, C. H.	Millard,	Tarsney,
Browne, T. M.	Goff,	Moffatt,	Taulbee,
Brown, C. E.	Grosvenor,	Morgan,	Thomas, O.B.
Buck,	Grout,	Morrill,	Tucker,
Butterworth,	Guenther.	Morrison,	Turner,
Bynum,	Hale,	Negley,	Van Eaton,
Campbell, Felix	Hall,	Nelson,	Viele,
Cannon,	Harmer,	Norwood,	Wade,
Carleton.	Harris,	O'Neill, Charles	Wakefield.
Catchings,	Hayden,	O'Neill.J.J.	Wallace,
Clardy,	Heard,	Outhwaite.	Warner, A. J.
Clements,	Hemphill,	Payne,	Weber.
Compton,	Henderson, D. B.	Peel.	West.
Comstock.	Henderson, T.J.	Perkins.	Wheeler,
Conger,	Hepburn,	Perry,	White, A. C.
Crain,	Hermann,	Plumb,	Whiting,
Crisp,	Hewitt,	Reagan,	Wilkins,
Croxton,	Hiestand,	Rice,	Wilson,
Cutcheon,	Hires,	Romeis,	Winans,
Dargan,	Holman,	Rowell,	Wolford.
Dougherty,	Holmes,	Sawyer,	Woodburn,
Dunham,	Howard,	Seymour,	Worthington.
Dunn,	Irion,	Skinner,	worthington.
Duni,	arron,	Distinct,	

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		19	Ÿ.	-1	.77.

Allen, J. M. Anderson, J. A. Ballentine, Bennett, Bland, Bound, Brown, W. W. Buchanan, Bunnell,	Fuller, Geddes, Glass, Green, R. S. Green, W. J. Halsell, Hatch, Henderson, J. S. Herbert,	Lehlbach, Little, Lowry, Lyman, Matson, McComas, McKenna, McMillin, McMillin, McRae.	Richardson, Ryan, Sayers, Scranton, Seney, Singleton, Sowden, Stahlnecker, Stewart, Charles
Burnes, Burnows, Cabell, Caldwell, Campbell, J. M. Cobb, Cooper, Cox,	Hitt. Hopkins, Hudd, Hutton, James, Johnston, J. T. Johnston, T. D. Jones, J. H.	Miller, Mills, Neal, Neece, O'Ferrall, Osborne, Payson, Peters,	Stone, W. J., Ky. Swope, Taylor, J. M. Taylor, Zach, Thompson, Townshend, Trigg, Wait,
Culberson, Daniel, Dingley, Dockery, Dorsey, Ely, Everhart,	Kelley, Kleiner, Laffoon, Laird, Landes, Lanbam, Le Fevre,	Pettibone, Pidcock, Pindar, Price, Randall, Reed, T. B. Reid, J. W.	Ward, T. B. Warner, William, Weaver, A. J. Weaver, J. B. Willis.

	NOT VO	LING-So.	
Adams, J. J. Alken, Anderson, C. M. Arnot, Baker, Baker, Barbour, Barksdale, Barry, Beach, Bliss, Bragg, Brumm, Burleigh, Campbell, J. E. Campbell, T. J. Candler, Caswell, Collins, Cowles, Curtin, Davenport, Davidson, A. C.	Davidson, R. H. M. Davis, Dawson, Dibble, Dowdney, Ellsberry, Ermentrout, Ford, Gallinger, Gilson, Eustace Gilfillan, Glover, Hammond, Hanback, Haynes, Henley, Hill, Hiscock, Houk, Ketcham, King, La Follette,	Lindsley, Louttit, McAdoo, McCreary, Merriman, Milliken, Mitchell, Morrow, Muller, Muller, Murphy, Oates, O'Donnell, O'Hara, Owen, Parker, Phelps, Pirce, Ranney, Reese, Riggs, Robertson, Rockwell,	Rogers, Sadler, Sadler, Sessions, Shaw, Smalls, Spriggs, Steele, Taylor, E. B. Taylor, I. H. Thomas, J. R. Throckmorton, Tillman, Van Schaiek, Wadsworth, Ward, J. H. Weilborn, White, Milo Wise.

So the motion was agreed to. On motion of Mr. STORM, by unanimous consent the reading of the names was dispensed with.

The following pairs were announced until further notice:

Mr. DAVIDSON, of Florida, with Mr. GALLINGER. Mr. ARNOT with Mr. THOMAS, of Illinois.

Mr. Dawson with Mr. Ranney. Mr. Barksdale with Mr. Davenport.

Mr. BRAGG with Mr. CASWELL.

Mr. Robertson with Mr. Steele.

Mr. Anderson, of Ohio, with Mr. Hanback. Mr. Rogers with Mr. E. B. Taylor, of Ohio. Mr. Barbour with Mr. Libbey.

Mr. THROCKMORTON with Mr. WADSWORTH.

Mr. Harocknorfon with Mr. Wadsv Mr. Hammond with Mr. O'Donnell. Mr. Riggs with Mr. Haynes. Mr. Candler with Mr. Louttit. Mr. Wellborn with Mr. Phelps. Mr. Sadler with Mr. Van Schaick. Mr. Hill with Mr. Houk.

Mr. Dibble with Mr. Milliken, until 31st July.
Mr. Adams, of New York, with Mr. Ketcham, for to-day.
Mr. King with Mr. Baker, for this day.
Mr. Campbell. of Ohio, with Mr. Morrow, for this day.

Mr. MULLER with Mr. ROCKWELL, on this vote.

The result of the vote was then announced as above recorded.

Mr. HOLMAN. I move that the House further insist upon its disagreement to the remaining amendments of the Senate, and agree to a further conference on the same; and on that I demand the previous

question.

Mr. WEAVER, of Iowa. I ask the gentleman to allow me to move to concur in the amendment numbered 179 with an amendment striking out "10,000" and inserting "5,000."

Mr. HOLMAN. I hope that will not be done.

Mr. RANDALL. Let it go into conference as it is.

Mr. WEAVER, of Iowa. Very well; I will not insist.

The motion of Mr. HOLMAN was agreed to.

The SPEAKER appropried the appointment of Mr. HOLMAN Mr.

The SPEAKER announced the appointment of Mr. Holman, Mr. Cabell, and Mr. Cannon as managers at the conference on the part of

Mr. RANDALL. I yield to the gentleman from Missouri to make a motion in reference to the deficiency bill.

DEFICIENCY APPROPRIATION BILL.

Mr. BURNES. I am instructed by the Committee on Appropriations to report back the general deficiency bill with the Senate amendments, numbering 122. In many of these amendments the committee have recommended concurrence. In many others they recommended nonconcurrence. I ask unanimous consent that this bill may now go at once into conference with the amendments specified in the report

The Clerk read as follows:

The Clerk read as follows:

The Committee on Appropriations, to which was referred the bill (H. R. 9726) making appropriation to supply deficiencies in the appropriations for the fiscal year ending June 30,1886, and for prior years, and for other purposes, together with the amendments of the Senate thereto, having considered the same, beg leave to report as follows:

They recommend concurrence in the amendments numbered 1, 2, 6, 8, 9, 19, 29, 37, 38, 39, 40, 41, 42, 44, 47, 48, 68, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 94, 95, 96, 97, 101, 188, and 121.

They recommend non-concurrence in the amendments numbered 3, 4, 5, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 43, 33, 43, 44, 46, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 85, 92, 93, 99, 100, 102, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, and 122,

Mr. BURNES. I move the adoption of the report.
Mr. BLOUNT. I ask the gentleman to yield to me for a moment to make a request.

Mr. BURNES. Certainly.

Mr. BLOUNT. I ask unanimous consent to be allowed to print some remarks in reference to the postal administration.
The SPEAKER. On this bill?
Mr. BLOUNT. Yes, sir.

There was no objection, and leave was granted.

The SPEAKER. The gentleman from Missouri [Mr. BURNES] moves that the House agree to the report of the committee. That motion is a proper one unless some gentleman desires separate votes on some of the amendments

Mr. BURROWS. I notice from the reading of the report of the committee that there are something over one hundred amendments. In a portion of these the committee recommend concurrence; to a portion of them they recommend disagreement. I have sent for the bill containing the Senate amendments, and learn that it has not yet been printed.

The House has not the slightest knowledge of what these amendments are; and I must make the point of order that they must have their first consideration in the Committee of the Whole House on the state of the Let the amendments meanwhile be printed and numbered.

The SPEAKER. The gentleman from Michigan makes the point of order that the Senate amendments must have their first consideration in the Committee of the Whole House on the state of the Union. The Chair thinks an order was made to print the Senate amendments.

Mr. BURNES. An order was made to print them, and the amend-ments have been printed and are before the House now, printed and

numbered as completely as they can be.

The SPEAKER. The gentleman from Michigan [Mr. Burrows] makes the point of order, and the Chair sustains it.

EVIDENCE IN CERTAIN STATE CLAIMS.

Mr. TUCKER. I present the report of a committee of conference. The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (8, 71) "for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory," having

met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments numbered 1 and 3 and agree to the same.

That the Senate recede from its disagreement to the amendment numbered 2, and agree to the same with the following amendment: Strike out all after the word "copy," in line 14, down to and including the word "evidence," in line 18, where it occurs a second time, and insert in lieu thereof the words "of such paper may be certified by the proper officers of such State or Territory under their seals of office, or, if such copy can not be furnished, any other competent secondary evidence of the contents of such paper;" And add at the end of the section the following words: "All provisions of this section applicable to States shall be equally applicable to the Territories;" and the House agree to the same.

J. R. TUCKER,

D. B. CULBERSON,

L. B. CASWELLI,

Managers on the part of the House.

J. N. DOLPH,

J. N. DOLPH, JNO. C. SPOONER, GEO. GRAY, Managers on the part of the Senate.

The statement of the conferees on the part of the House was read, as

follows:

House of Representatives, United States,
Washington, D. C., July 14, 1886.

The undersigned, managers on the part of the House, make the following statement in respect to the conference report on Senate bill No. 71:

First. The Senate disagreed to the amendment of the House numbered 2, which restricted the latitude in admitting evidence in these cases allowed by the Senate bill; and recede from the disagreement upon condition that a copy of an original paper be admissible when certified under official seals by the proper officers of State or Territory; and if such copy can not be given, then that competent secondary evidence of the contents be admitted. With this limitation, the undersigned agree with the Senate.

Second. By verbal omission in the original text of the bill the word "Territories" was omitted after the word "States," and the benefit of the bill might by construction have been denied to Territories. Hence the added words, which have Senate propose as a condition of receding from its disagreement.

The Senate recede from their disagreement to amendments numbered 1 and 3 of the House and agree thereto.

And the undersigned recommend to the House the adoption of the conference report herewith presented.

J. R. TUCKER

J. R. TUCKER. L. B. CASWELL. D. B. CULBERSON.

Mr. HOLMAN. I hope there will be a word of explanation. I do not understand from the reading of the report and the statement the force and character of the bill as it stands now.

Mr. TUCKER. The gentleman from Indiana [Mr. Holman] is aware that this bill passed the Senate, having reference to the claims of the State of Texas and other States and a number of Territories against the United States for expenditures in matters of military operation. The bill provides for the settlement of those accounts, and the disagreement between the two Houses was upon the question of the evidence that might be adduced in reference to the claims. The bill as amended by the House provided that certain papers other than original papers might be introduced as evidence. The result of the conference is that the only thing that is now admissible is the original paper in reference to the claim, which shall be certified by the proper officer, and if that can not be furnished, then secondary evidence of the contents of the paper shall be admitted.

Mr. HOLMAN. I would ask the gentleman how many States does this apply to and how far back does it go?
Mr. TUCKER. It goes pretty far back. It applies to the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the territories of Washington and Idaho, and Nevada when a Territory. And it applies to claims arising under acts of Congress approved July 27, 1861, and June 27, 1882.

Mr. HOLMAN. These are claims arising out of Indian wars? Mr. TUCKER. Yes, sir.

Mr. REAGAN. An amendment to this bill was made by the Senate, appropriating \$10,000 to aid in the investigation of claims of various States for the expenses incurred in the public defense. I understand there is a recommendation of non-concurrence.

Mr. TUCKER.

Mr. TUCKER. Oh! no.
Mr. REAGAN. I trust it will be the pleasure of the committee not to non-concur.

Mr. TUCKER. This is a conference report in which we agree. The Senate has already adopted it, and it is here for adoption now.

The report of the conference committee was agreed to.

Mr. TUCKER moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. I ask consent of the House to consider the Senate amendments to the sundry civil appropriation bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the Senate amendments to the sundry civil appropriation bill be considered in the House as in Committee of the Whole. Is there

Mr. REED, of Maine. I object, if I understand the request cor-

in the House as in Committee of the Whole. I do not see that it makes any particular difference; and I do not know why the gentleman from Maine objects.

Mr. REED, of Maine. If the gentleman does not intend to use the difference of forms to lessen the amount of discussion, all right. If

we can have that understanding, I will not object.

Mr. RANDALL. It is not my intention to restrict reasonable dis-But it is quite evident I am in duty bound to endeavor to cussion. But it is quite evident I am in day bound to chack to abridge discussion within strictly reasonable limits. I do not make this request with any view of cutting off discussion.

Mr. REED, of Maine. I do not make the objection.

Mr. RANDALL addressed the Chair.

Mr. HEPBURN. I did not understand that the gentleman from Maine had withdrawn the objection. I renew it.

Mr. RANDALL. I think that comes too late. I had taken the

Mr. HEPBURN. I was under the impression the gentleman from Maine had made the objection and insisted on it.

Mr. RANDALL. There will be no advantage taken of the gentleman, I assure him.

Mr. REED, of Maine. The gentleman from Iowa [Mr. HEPBURN] had no opportunity to hear my withdrawal. I had made the objec-tion, and he did not know that I had withdrawn it. I spoke in a low tone of voice, not thinking that anybody else was disposed to insist

upon the objection. Mr. RANDALL. I assure the House that there is no purpose on

my part at least to abridge discussion.

Mr. REAGAN. I hope there will be no assurance given by the gentleman from Pennsylvania that will enable other gentlemen to waste the balance of the time of this session upon this bill to the exclusion of other measures.

The SPEAKER. The Chair will entertain the objection of the gentleman from Iowa [Mr. HEPBURN] upon his statement that he did not know that the objection of the gentleman from Maine [Mr. REED] had been withdrawn, and that if he had known it he was ready to object

Mr. RANDALL. Then I move that the House resolve itself into Committee of the Whole for the consideration of the Senate amendments to this bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. BLOUNT in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of considering the Senate amendments to the sundry

or the purpose of considering the Senate amendments to the sundry civil appropriation bill.

Mr. RANDALL. I desire to say to the committee that there are two hundred and forty-three of these amendments. The net addition made to the bill by the Senate amounts to \$3,106,850.08. The bill as it passed the House appropriates \$21,311,525.24. The bill as it passed the Senate appropriates \$24,413,375.32. The first forty-five amendments related appropriates \$24,413,375.32. The first forty-five amendments related appropriates \$24,413,375.32. ments relate to public buildings under the Treasury Department, and I think that time would be saved if the committee would from time to time in the consideration of this bill group the amendments which relate to particular subjects. I now ask that the Clerk be allowed to read the first forty-five amendments, all relating, as I have said, to public buildings under the Treasury Department. I shall then have a motion to make as to the action of the committee upon those amend-

Mr. ADAMS, of Illinois. I desire to ask the gentleman from Pennsylvania whether it will be necessary for gentlemen desiring action on amendments to call the attention of the committee to each amendment as it is read? I desire to occupy two or three minutes in calling attention to a particular amendment, and I do not desire to be cut off by a technical objection.

Mr. RANDALL. I do not design to take any advantage or to restrict any member of the House in any particular in discussing this bill, but it occurred to me that time would be saved by considering the amendments relating to particular subjects in groups, as I have suggested.

Mr. ADAMS, of Illinois. I do not object to that, and I shall not delay the committee more than two or three minutes.

Mr. HEPBURN. It seems to me, Mr. Chairman, that the better course to pursue is to follow the usual order prescribed by the rules. The Clerk read the first amendment in the paragraph providing for repairs to custom-house and post-office at Buffalo, N. Y., as follows:

Strike out "for approaches complete, exclusive of iron fence, \$5,000," and insert "for repairs to building and sidewalk, \$16,000."

Mr. RANDALL. The committee recommend non-concurrence in that amendment.

Mr. FARQUHAR. I move concurrence in the amendment of the Senate.

The amendment was non-concurred in. Amendments numbered 2, 3, and 4 were non-concurred in. Amendment numbered 5 was read, as follows:

Mr. RANDALL. I ask to have the Senate amendments considered S55,000." For custom-house and post-office at Chicago, Ill., for extra repairs,

Mr. ADAMS, of Illinois. What is the recommendation of the committee as to that amendment?

Mr. RANDALL. The committee recommend non-concurrence.
Mr. ADAMS, of Illinois. I want to bring to the attention of the committee this particular amendment. I am perhaps to blame for not having endeavored to have it incorporated in the bill before it left the

Mr. TOWNSHEND. If my colleague will allow a suggestion, I had myself intended to move concurrence in this amendment in the Committee on Appropriations, but it was thought best to let all these amendments relating to public buildings go into conference. The matter can

doubtless be arranged there.

Mr. ADAMS, of Illinois. I do not wish to detain the committee. All I want to say to the gentlemen of the Committee on Appropriations is that I have personal knowledge of the necessity of these repairs and that they are required not for the convenience of the office-holders there, but absolutely for the protection of the Government property. I had a misunderstanding about the \$200,000 that was in the bill before or I should have endeavored to get this provided for while the bill

was still in the House.

Mr. RANDALL. I think the gentleman had better accept the suggestion of his colleague [Mr. Townshend] and let it go to conference.

Mr. ADAMS, of Illinois. I will not detain the committee by mak-

ing any motion.

Mr. RANDALL. Let it go into conference and be fairly considered there.

The amendment was non-concurred in.

Amendments numbered 6 and 7 were non-concurred in.

Amendment No. 8 was read as follows:

For custom-house, court-house, and post-office at El Paso, Tex.: For procuring site, commencing the erection of-building, \$50,000.

Mr. RANDALL. The committee recommend non-concurrence in that amendment. Since this bill passed the House there has been a separate act passed in relation to this building.

Mr. HISCOCK. Has there not been a bill passed providing for a

public building at El Paso?

Mr. RANDALL. Yes, since the passage of this bill by the House a separate bill has been passed and has become a law.

The amendment was non-concurred in.

Amendments numbered 9, 10, and 11 were non-concurred in.

The twelfth amendment was read, as follows:

Insert the following:
"For court-house and post-office at Fort Wayne, Ind.: For heating apparatus, elevator, and approaches complete, \$20,000."

Mr. RANDALL. The committee recommend non-concurrence in this amendment

Mr. LOWRY. The facts in this case warrant concurrence in the amendment. I understand, however, that it is the arrangement that all these matters shall go into conference—
Mr. TOWNSHEND. We propose that they all go to the conference

Mr. RANDALL. It is best to let them all take that course. will have the fullest consideration at the hands of the conference com mittee; and we shall be enabled to ascertain the exact grounds on which the Senate has inserted these various amendments.

Mr. LOWRY. There was a full statement of the facts before the Senate committee at the time of the insertion of the amendment.

Mr. RANDALL. The conferees will have the benefit of that statement when the question comes before them.

The amendment was non-concurred in.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nine-teenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, and twenty-fifth amendments were read and non-concurred in in accordance with the recommendation of the Committee on Appropri ations.

The twenty-sixth amendment was read, as follows:

Insert the following:
"For custom-house at Saint Louis: For reconstructing and paving Eighth and Ninth streets adjacent to the Saint Louis custom-house, \$4,053.26."

Mr. RANDALL. The Committee on Appropriations recommend

non-concurrence in this amendment.

Mr. GLOVER. The facts in this case justify concurrence in this amendment; but as I understand the order now being pursued by the House is to pass these matters without discussion for the present of the merits, I will ask permission to print some remarks on this subject.

There being no objection, leave was granted.

The amendment was non-concurred in.

The twenty-seventh amendment was read, as follows:

Insert the following:
"For post-office at New Bedford, Mass.: For the purchase of land adjoining and additional to that authorized to be purchased by the act of February 20, 1885, \$50,000."

Mr. RANDALL. I am directed by the Committee on Appropriations to move non-concurrence

Mr. LONG. Mr. Chairman, recognizing the propriety of the order of procedure which is being pursued here, I desire merely to say that this priation is in violation of the rule of the House.

amendment is recommended by the Supervising Architect upon an inspection made by a special representative from his office. Since the original occupation some years ago of the present post-office building New Bedford has grown from a town of some seven or eight thousand population to a city of thirty-seven or thirty-eight thousand. There are some four million pieces of mail matter handled at that office every year. The room in which the business of the post-office is transacted is only 48 feet by 12, and in it there are engaged more than twenty employés. There are ninety-two mails a day at that office. I desire to lay the facts before the conferees.

Mr. RANDALL. I hope the gentleman will be kind enough to furnish to the conferees, whoever they may be, all the information he has on the subject.

Mr. LONG. The information is very clear in favor of the adoption

of this amendment.

The amendment was non-concurred in.

The twenty-eighth amendment was read, as follows:

Insert the following:
"For the post-office, custom-house, internal-revenue office, and court-house at New Haven, Conn.: To pay an assessment for the connection with the city sewer, \$210."

Mr. RANDALL. The committee recommend non-concurrence in that amendment.

Mr. BUCK. I desire to ask the gentleman from Pennsylvania [Mr. RANDALL] who has charge of this bill whether the Committee on Appropriations recommend non-concurrence in all these amendments.

Mr. RANDALL. Yes, sir, for the purpose of getting the information

on which the Senate acted.

Mr. BUCK. I do not wish to occupy time; but this amendment in relation to New Haven and the next one in reference to Hartford ought to prevail. However, as the Committee on Appropriations recommend that all these propositions be non-concurred in for the purpose of having the questions considered in conference, I will not resist that course.

The amendment was non-concurred in.

The twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth amendments were read and non-concurred in.

The thirty-ninth amendment was read, as follows:

Insert the following:

"For court-house and post-office at Savannah, Ga.: For purchase of site and commencing the erection of building, \$100,000."

Mr. RANDALL. The committee recommend non-concurrence.
Mr. NORWOOD. I trust the gentleman from Pennsylvania will give

some explanation for the reasons for that recommendation.

Mr. RANDALL. The bill authorizing the construction of this building was enacted after this appropriation bill had been passed by the House. Since the Senate inserted this amendment, we have not had opportunity to examine the law. There are at least two cases of this kind, with regard to public buildings at El Paso and Savannah; and there may be one or two others. We have recommended non-concurrence in regard to El Paso as well as Savannah. That does not imply adverse action by the conference committee; but we desire to investigate the law.

The amendment was non-concurred in.

MESSAGE FROM THE SENATE.

The committee rose informally; when a message from the Senate, by Mr. Johnson, one of its clerks, announced that the Senate further insisted on its amendments, disagreed to by the House (including the clauses referred to in the message of the House), to the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of cartain miblic works on rivers and harbors, and for other nurroses. certain public works on rivers and harbors, and for other purposes, agreed to the further conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. McMILLAN, Mr. CONGER, and Mr. RANSOM.

SUNDRY CIVIL APPROPRIATION BILL

The Committee of the Whole House on the state of the Union resumed its session.

The fortieth and forty-first amendments were read and non-concurred in.

The forty-second amendment was read, as follows:

Insert the following:

"For the completion of the public building at Montpelier, Vt., in addition to the sum appropriated by the act entitled 'An act for the erection of a public building at Montpelier, Vt.,' approved March 3, 1885, \$50,000."

Mr. RANDALL. The Committee on Appropriations recommend

non-concurrence.

Mr. GROUT. The provisions of this item are embodied in a bill which has already passed the Senate and been favorably reported by the Committee on Public Buildings and Grounds of this House. I hope the gentleman in charge of this bill will see the distinguishing grounds which justify concurrence in this amendment.

Mr. RANDALL. As the gentleman states, a bill extending the limit of the appropriation for this building has passed the Senate; but it is not a law. I believe the full limit of appropriation authorized by exnot a law. I believe the full limit of appropriation authorized by existing law has been given in this case; and of course a further appro-

Mr. GROUT. The Senate bill has been reported favorably by the House committee.

Mr. RANDALL. But it is not a law. There is no law authorizing this increase

Mr. GROUT. I do not understand what rule of the House is violated.

Mr. RANDALL. The rule that there shall be no legislation on a general appropriation bill. This proposition does legislate by increasing the limit of appropriation for this public building. The committee recommend non-concurrence.

Mr. GROUT. I do not desire to interrupt the progress of the Committee of the Whole at this time in reaching a conference, unless—

Mr. RANDALL. I will state that the Senate rules in this particular are similar to our own; but for some reason or other the Senate in this case has not adhered to its rule.

Mr. GROUT. This will be found to be an exceptional case as it stands; but if the gentleman does not see fit to move concurrence without further discussion-

Mr. RANDALL. I am acting under instructions from the Committee

Mr. RANDALL. I can not make any promise of that kind.

The amendment was non-concurred in. Forty-third amendment of Senate:

Add the following:
"To put the Treasury building in a proper sanitary condition by improved plumbing, sewerage, and drainage, \$67,000, to be expended under the direction of the Secretary of the Treasury."

Mr. RANDALL. The Committee on Appropriations recommends

I hope the amendment will be concurred in. Mr. GLOVER. an urgent case. Agreement in the Senate amendment would not only tend to the protection of life and health of the employés of the Treasury Department, but also to a wise economy on the part of the Government.

Not wishing to detain the committee, I ask to print some remarks on

this subject.

There was no objection, and it was so ordered.

Mr. TOWNSHEND. Mr. Chairman, I want to say that I have been fully impressed with the necessity of the appropriation being adopted. As a member of the Committee on Appropriations, I have been well arrived of the propriety of making this provision. I do not wish to As a member of the committee on Appropriate convinced of the propriety of making this provision. I do not wish to disturb the order of the committee, but will allow this to go with the shall urge the appropriation be made. I am convinced the appropriation should be made and the work done as soon as possible.

Mr. HEPBURN. What is the necessity of non-concurrence when

there seems to be agreement?

Mr. RANDALL. There is none.

Mr. HEPBURN. I understand the gentleman from Illinois proposes to agree to this amendment?

Mr. RANDALL. I never heard of it.

Mr. TOWNSHEND. I said so far as I am concerned individually. I did not refer to the committee's action.

Mr. HEPBURN. It seems to me matters of this kind should be con-

Mr. HEPBURN. It seems to me matters of this kind should be considered in the committee and not remanded to three members as a conference committee to put in what things they want and preclude others from securing things they regard as necessary.

This bill comes to the House carrying \$3,000,000 in addition to the sum it bore when it left the House. Suppose this was an original appropriation carrying \$3,000,000, would not the House insist on its proper consideration, the consideration of every item in it? Would they consent the whole subject should be remanded to three gentlemen to fix it up as they pleased in conference committee? It seems to me this is mere child's play in this wholesale way to give to the committee the power child's play in this wholesale way to give to the committee the power to indulge in such trades as they may think just. I do not think that, Mr. Chairman, is in compliance with the rules of the House. I do not think it conforms with the dignity of the subject-matter or the character of the legislation which ought to be indulged in.

Mr. RANDALL. There has been no effort whatever to restrict de-Mr. RANDALL. There has been no effort whatever to restrict debate. If any gentleman desires it, all he has to do is to rise in his place. In regard to this item the committee recommend non-concurrence. This Treasury building has been occupied for many years, and we have not heard about its sanitary condition being bad until the advent of the present officials. We now find the present officers desire to secure an appropriation of \$67,000, a very large sum for such a purpose.

Mr. TOWNSHEND. I wish to remind my friend from Pennsylvania that he is mistaken when he says this subject has not been heretofore considered. Its sanitary condition has been considered by the sanitary condition to the sanitary condition to

considered. Its sanitary condition has been considered heretofore.

Mr. RANDALL. This is the very first time formal application has been made, in this connection, to Congress.

Mr. BUCHANAN. I desire to say simply this: Before the Committee on Labor abundant testimony was produced showing the present condition of the Treasury building has led to serious impairment of the health of the large number of employés in that building, especially

those engaged in the lower rooms, and in some instances life itself has been seriously endangered. Unfortunately that testimony was not

taken down, and so not printed.

I had hoped the committee would recommend concurrence in this item. As I understand, under the order under which we are proceeding non-concurrence will not be taken as final, but this amendment will go unimpaired to the conference, and I hope the conference on the part of the House will carefully consider this amendment, and consent to withdraw their non-concurrence and allow it to pass unanimously. is in the interest of the life and health of the employés of that Department, and, as remarked by the gentleman from Illinois [Mr. Town-SHEND], will virtually increase the efficiency of their service.

The amendment was non-concurred in.

Amendments numbered 44 and 45 were non-concurred in.

Mr. RANDALL. The amendments from No. 46 to and including No. 66 relate to the same subject, that is, with reference to the lighthouses and fog-signals. The committee recommend non-concurrence, the object being to get correct information upon the subject as to what were the reasons that induced the Senate to insert these amendments. I therefore ask unanimous consent that the amendments I have named be considered as read and a vote be taken upon them in gross, so as to save time.

I have no objection to that. I simply desire to say that Mr. LONG. the most of these have been reported by the Committee on Commerce, and would have been put into the bill originally if the law had been passed in time. I have no objection to having them considered together.

Mr. SKINNER. I do not want to object to the request of the gentleman from Pennsylvania, but I ask unanimous consent, so as to avoid taking up the time of the committee, to be allowed to print a few remarks at the end of the sixty-sixth amendment.

There was no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HEPBURN. I think they had better take the usual course. The CHAIRMAN. The Clerk will report the amendments. Amendments numbered 46, 47, 48, 49, 50, and 51 were non-concurred

in.

Amendment numbered 52 was read, as follows:

Insert as a new paragraph:

"(52) Castle Hill light-house and fog-signal, Rhode Island: For the establishment and completion of a light-house and fog-signal on Castle Hill, Rhode Island, at the entrance to Newport Harbor, \$10,000: Provided, That a suitable site for the same can be obtained without expense to the Government, upon terms and conditions to be agreed upon by the Light-House Board with the owner of the land at Castle Hill."

Mr. DAVIS. Mr. Chairman, I would simply say that that bill has already passed the House, but if it is thought best to non-concur I shall not make objection. Mr. RANDALL. We

We want to have an opportunity of examining all of these laws

The amendment was non-concurred in.

Amendments numbered 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, and 67 were non-concurred in.

Amendments numbered 68 and 69 were concurred in.

The Clerk proceeded to read amendment numbered 70. Mr. BLAND. I have an amendment that I desire to offer to amend-

ment numbered 69. Mr. RANDALL. I suggest to the gentleman that we had better allow the whole paragraph as proposed to be amended by the committee to be read and get it into proper shape, and then he may offer his proposition as a substitute. There will be no advantage taken.

Mr. BLAND. Very well.

Amendments numbered 70, 71, 72, and 73 were concurred in.

Amendment numbered 74 was read, as follows:

Strike out the words—
"And shall be redeemable in standard silver dollars on demand, and when paid into the Treasury shall be reissued, subject to the provisions herein for the redemption of the same,"
And insert:
"Provided, That said denominations of one, two, and five dollars may be issued in lieu of silver certificates of larger denominations in the Treasury, and to that extent said certificates of larger denominations shall be canceled and destroyed."

Mr. RANDALL. I have an amendment to this which I will send

up.
The Clerk read as follows:

In lieu of the matter proposed to be inserted insert the following:

"And denominations of one, two, and five dollars may be issued in lieu of silver certificates of larger denominations in the Treasury or in exchange therefor upon presentation by the holders; and to that extent said certificates of larger denominations shall be canceled and destroyed."

Mr. RANDALL. Mr. Chairman, the committee recommend concurrence in this amendment numbered 74 with an amendment; and in order that the House may clearly understand the language which will remain in the paragraph in case the recommendation of the Committee on Appropriations is concurred in by the House, I will read the paragraph in full as it will stand if amended:

(69) And the Secretary of the Treasury is hereby authorized and required to issue silver certificates in denominations of one, two, and five dollars, and the

silver certificates herein authorized shall be receivable, redeemable, and payable in like manner and for like purposes as is provided for silver certificates by the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar and to restore its legal-tender character."

And denominations of one, two, and five dollars may be issued in lieu of silver certificates of larger denominations in the Treasury, or in exchange therefor, upon presentation by the holders; and to that extent said certificates of larger denominations shall be canceled and destroyed.

It will be observed that the Senate amendment in the first place gives to the silver certificates authorized here the exact character and right that is given under the act authorizing the original issuance of the certificates. In other words, it gave it a legal-tender quality different from the coin upon which it is issued, and confined it only to the payment of customs, for taxes, and other public dues. The provision of the Senate amendment also was in the opinion of the Committee on Appropriations somewhat indefinite. The use of the words, "provided that said denominations," would seem to imply some connection with the denominations authorized in the first part of the paragraph. The Committee on Appropriations, it will be observed, by their amendment leave the first part of the paragraph as it stands as a substantive proposition, and make a further substantive proposition relating to the exchange of one, two, and five dollar certificates in lieu of larger certificates, whether in the Treasury or held by the citizen.

Mr. BLAND. I offer an amendment to the amendment of the com-

mittee.

The Clerk read as follows:

Provided further, That said certificates shall be issued on all surplus standard silver dollars in the Treasury, and paid out on the expenditures and obligations of the Government; and when received in the Treasury shall be reissued.

Mr. BLAND. Mr. Chairman, the provision as it passed the House and the object the House had-

Mr. HEWITT. I reserve the point of order on that amendment before the discussion begins.

Mr. BLAND. It is not subject to any point of order. This is simply reinserting the matter which was stricken out by the Senate.

Mr. LONG. It is new legislation.

Mr. HEWITT. A vote of non-concurrence would meet the case.
Mr. BLAND. This is matter which has been stricken out by the

Mr. HEWITT. I submit if it has been stricken out in the Senate the motion of non-concurrence is the proper remedy.

Mr. HOLMAN. You can concur with an amendment.

Mr. LONG. This is not a law, and you propose to make it a law; therefore it is new legislation.

Mr. BLAND. The time to make the point that it is new legislation was when it was first offered in the House.

Mr. HEWITT. But it has been stricken out by the Senate and you must either concur or non-concur.

Mr. LONG. I make the point I have indicated as an additional point to that made by the gentleman from New York [Mr. HEWITT]. Mr. BLAND. The amendment is simply an amendment to the

amendment offered by the committee.

The CHAIRMAN. The Chair understands the gentleman from New

York to raise the question of order. That must be first disposed of.

Mr. BLAND. I was speaking to the point of order, and I say the Committee on Appropriations have proposed an amendment that no point of order is raised upon, and this is simply an amendment to that amendment, and it is germane to the whole paragraph. And further-more, Mr. Chairman, I desired to offer that amendment when the matter stricken out was being read, but the gentleman from Pennsylvania [Mr. RANDALL] asked me as a matter of form and courtesy to wait until all of the amendments on this subject were before the committee.

Mr. RANDALL. I take no advantage of that arrangement.

The CHAIRMAN. The Chair will submit the amendment to the

committee, believing it is in order.

Mr. BLAND. I was about to remark one of the main objects the House had in authorizing the issue of these certificates was to utilize the coin now in the Treasury, the standard silver dollars. Therefore the House incorporated this provision that one, two, and five dollar certificates should be issued on all the standard silver dollars in the Treas ury, and that they should be paid out on the appropriations in this bill and on other public expenditures and obligations of the Government.

That is substantially the provision that was stricken out by the Sen-Yet without that provision there is nothing in the whole thing. The object of this provision was to utilize the coin in the Treasury. The amendment as it comes from the Senate, and as it is proposed to be agreed to by the committee, simply leaves it discretionary with the Secretary of the Treasury-and I do not know he would even have that discretion-to issue upon coin in the Treasury. It simply provides that these ones, twos, and fives may be issued in lieu of certificates now outstand-So that we have accomplished nothing except to convert larger denominations into smaller; that is the effect of the Senate amendment

as proposed to be concurred in.

Now what the House wanted, what the House adopted, and what we ought to adhere to is that these certificates shall be issued on the coin in the Treasury in order to utilize it; not only that certificates outstanding and in circulation may be converted into ones, twos, and fives, but that the Secretary of the Treasury shall utilize this coin in payment of this Government of dollars that are not worth 100 cents for debts and

Government expenditures; and shall do so by issuing ones, twos, and fives and paying them on the expenditures of the Government. I hope the House will adhere to the provision as it passed the House. The amendment I have offered simply restores to that provision the efficiency it had when it went to the Senate. If the House agrees to the amend-ment as proposed by the committee and by the Senate it simply authorizes the Secretary of the Treasury to convert large denominations of certificates now outstanding into ones, two, and fives, and that is all there

I say we desire this money to be paid out on Government expenditures; that the coin in the Treasury shall be utilized; and that that shall be done by issuing one, two, and five dollar certificates on the silver dollars now in the Treasury and paying them out on Government expenditures. That is the proposition which went to the Senate, and it is the proposition I desire to maintain by that amendment; and I hope this House will maintain its position on this matter, and not permit the whole thing to be nullified and made a farce of in that way.

Mr. DINGLEY. I hope, Mr. Chairman, the committee will reject the amendment of the gentleman from Missouri [Mr. BLAND] and concur in the recommendation of the Committee on Appropriations. We all agree that silver certificates of the denominations of one, two, and an agree that silver certificates of the denominations of one, two, and five dollars shall be issued, but if issued they should be issued in the same manner, be receivable for the same purpose, and redeemable in the same way as all other certificates. It is objectionable certainly to attempt to issue silver certificates of the denominations of one, two, and five dollars in a manner different from that in which we issue all other certificates. A certificate relates to that which has been deposited, and very properly the act of 1878 provides that silver certificates shall issue on the deposit of silver dollars, which is strictly the use of a silver certificate.

Now, the gentleman from Missouri proposes to issue certificates of the denominations of one, two, and five dollars, not on the deposit of silver dollars, as all other certificates are issued, but to issue them on the silver dollars in the Treasury that have not been deposited.

It is certainly objectionable in the highest degree to issue these certificates, ones, twos, and fives, in a different manner from that in which we issue all other certificates. Secondly, the gentleman's amendment is objectionable for the reason that it provides that these silver certificates shall be paid out first and before any other money, for expenditures authorized by this bill and for all other expenditures of the Govthree authorized by this bill and for all other expenditures of the covernment. Certainly an amendment of that kind requiring the payment of \$96,000,000 at once in ones, twos, and fives, withholding higher denominations, would be objectionable from any point of view. I hope this committee will concur in the recommendation of the Committee on Appropriations.

Mr. BAYNE. I hope the amendment of the gentleman from Missouri [Mr. Bland] will be voted down. I think the legislation of this kind already embraced in the bill is subject to very serious objection. It is perfectly manifest upon the face of that legislation that it creates a discrimination in favor of silver as against the other money of the It creates a discrimination in favor of silver as against the gold coin in the Treasury, and the result of the amendment proposed by the gentleman from Missouri, if adopted, would be to compel the Government to go on coining silver and hoarding it, issuing silver certificates—ones, twos, and fives—and paying them out broadcast over the country and reissuing them as they might disappear. In my opinion the provision already adopted is fraught with serious consequences to the Government and to the people of this country. I believe it to be about as certain as anything can be that the silver certificates, whether ones, or twos, or fives, will flow to the money centers of the country, notably to New York. We can not prevent even the subsidiary coin from flowing into that great money center, and since these certificates will be available for the payment of all dues to the Government, will be receivable for customs duties and all other debts due to the Government, they will be used for that purpose to a very considerable extent,

and the Government will be deprived pro tanto of gold.

The effect must be—and it will be developed sooner or later just as surely as water runs down hill-that the Government will be taking 74-cent or 75-cent dollars, or whatever they may depreciate to, for 100-cent dollars, the kind it ought to have, not only for the protection of the industries of the country, but also in the interest of a sound financial system and of having for this country the best money in the world. I hope that the "surplus resolution" introduced by the chairman of the Committee on Ways and Means and passed through the House, which has gone to the Senate and been amended, will pass and go to the President, because I believe that that resolution, if signed by the President, will bring this silver craze to a culmination at an earlier day than it would otherwise be arrived at. But I object to having go on, contemporaneously with that, the creation here of money which in the transactions of the people will supplant the good money that we now have and lead inevitably to the hoarding of gold and to the use of this inferior money among the people of the country. I protest against it, not only in the name of a sound theory of finance, but as a discrimination made in favor of silver against all the other money of the country. I protest against it as leading to the acceptance by

obligations due to the Government and for the revenues which the Government must derive from its impost duties, and I hope this amendment will be voted down.

For the purpose of showing whither we are drifting on the silver question, I ask leave to add to my remarks the extract from the Lancaster (Pa.) New Era, which I hold in my hand. This is the extract:

(Pa.) New Era, which I hold in my hand. This is the extract:

One of the most significant lessons presented to our Government in a long time was the sale last week of fifty-one hundred and fifty-nine silver trade dollars by the comptroller of the city of Buffalo to the highest bidder. These coins had been lying in the city treasury for years, in consequence of the Government's failure to redeem them, and, having use for the money, the city determined to sell them. They were sold at 75.4 cents each, resulting in a loss of nearly 25 cents on each coin sold. The "trade" silver dollar contains 420 grains of pure silver; the legal-tender silver dollar which the Government is now coining contains 412 grains of silver, and is, therefore, 7½ grains lighter than the trade-dollar, and therefore worth several cents less. If the legal-tender feature was taken away from the Bland dollar, it would be worth only the silver which it contains; if sold in the open market, as the trade-dollars above mentioned were sold, it would fetch, perhaps, 72½ cents. Yet this is the coin which the Government coins by millions monthly, and issues to the people for 100 cents. It has repudiated the trade-dollar; what is there to prevent it from repudiating the Bland dollar? It would result in a direct loss of \$50,000,000 to innocent holders. Is it not time to call a halt on this 74-cent coin?

Mr. WARNER, of Ohio. Mr. Chairman, I think the gentleman from Missouri, if I understand him rightly, somewhat misapprehends the force of this paragraph or the force it will have when amended as proposed by the committee. As explained by the chairman of the committee, it will then contain two substantive propositions: First, anybody desiring to have one, two, or five dollar certificates can obtain them just as he can now obtain ten-dollar certificates or certificates of larger denominations. He can deposit silver coin or accept certificates in lieu of coin on payments tendered him, as has been the practice of the Treasury Department since the passage of the act of 1878— Mr. BLAND. I do not dispute that at all, Mr. Chairman; but my

point is this, that the only way to get ones and twos out is to require them to be issued on the coin in the Treasury. We all understand that parties having silver dollars can go and get certificates of \$10 or up-ward, and under this amendment they can get ones and twos and fives. Mr. WARNER. Not only that, Mr. Chairman, but whenever money

is paid out now the person to whom payment is made has the option of taking certificates. He is not required to take the coin first and then redeposit it and get certificates. He can have the certificates in the first instance if he desires them.

Mr. BLAND. But the money is not paid out. That is the difficulty. Mr. WARNER, of Ohio. And in reply I remind the gentleman from Missouri that his amendment does not get any more money out of the Treasury than will come out otherwise. Money can come out of the Treasury only upon appropriations by Congress, or in payment of the public debt. His amendment will simply require that what does go out shall be money of a particular kind; that is all. It does not increase by a dollar the amount that is paid out. It does not change in the least the store of money in the Treasury. I think, therefore, the amendment offered by the committee to the amendment of the Senate accomplishes all the good that can be accomplished in this direction.

I am in favor and always have been in favor of allowing the one who receives money to take it in such denominations as he pleases, reserving always to the Treasury the right to determine the kind of money in which it will pay; that is an option that always rests with the payer. Without that there would be no force in the legal-tender laws. But as to the denominations, the man who receives payment from the Treasury ought to be permitted to say what denominations of money he will take. When we authorize the issue of one, two, and five dollar notes on silver in the Treasury I think we have gone as far as the existing condition of things requires. I think therefore the amendment as reported by the Committee on Appropriations accomplishes all that is necessary and should be adopted as reported.

Mr. BLAND. Mr. Chairman, I am somewhat astonished at the posi-tion of my friend from Ohio [Mr. WARNER]. I have always regarded him heretofore as an advocate of the coinage of silver and its circulation when coined. I supposed he understood very well that ever since we commenced the coinage of silver each successive Secretary of the Treasury has done what he could to discriminate against that coinage, has refused to pay out silver when it could be avoided, and has denounced the silver coinage as we hear it denounced here to-day on this floor. Hence we may assume that unless the law compels the Treasury officials to pay out silver they will not do so. What is the necessity of going on and coining silver at the rate of \$2,000,000 worth of bullion

a month and hoarding it in the Treasury?

Mr. WARNER, of Ohio. But the Morrison resolution which we have passed carries it out.

Mr. BLAND. The Morrison resolution has not passed; that is the

difficulty.

Mr. WARNER, of Ohio. It has passed the House.

Mr. BLAND. It has not become a law, and there is no knowing

whether it will or not.

Mr. WEAVER, of Iowa. There is no probability of it.

Mr. BLAND. No friend of the silver dollar, it seems to me, can oppose my proposition on principle. I am not astonished that the gentleman from Pennsylvania [Mr. BAYNE] and the gentleman from Maine

[Mr. DINGLEY], who have denounced the silver coinage from the very beginning because they favor the gold standard, should oppose my amendment. They have given good reasons from their standpoint for the faith which is in them. They do not want the silver paid out, because they say it is an inferior currency. Their position, if they thus believe, is consistent and intelligible; but when the gentleman who claims to be in favor of silver coinage opposes a provision by which that coin can be utilized, I do not understand his position.

The House adopted the original proposition on this subject almost unanimously; but I repeat, unless some such provision as I now offer be adopted the provision will be almost worthless so far as regards getting the silver out of the Treasury. We can to-day obtain silver certificates

of \$10, \$20, and upward on deposit of silver.

Mr. WARNER, of Ohio. But we do not propose to get the silver only to get the certificates instead of the coin.

Mr. BLAND: It does not matter whether it be the coin or the pa-

Mr. WARNER, of Ohio. Let the people have their own choice.
Mr. BLAND. So say I—let the people have their own choice, as they have to-day. Let them have their choice in regard to one, two, or five dollar bills the same as they have to-day in regard to tens and twenties.

But this proposition aims at another thing—to condemn the manner in which the Treasury officials of this Government have up to

this time treated the coinage of silver. I want to see the man on this floor who claims to be a friend of the silver dollar who will vote against sir, when this question was up a short time ago we had a vote of 200 against 84. Two hundred received as the control of the co against 84. Two hundred members of this House voted against suspending the coinage of silver. Did they mean by so voting that they intended to have the money coined and locked up in the Treasury? Certainly not. Then, why should not these two hundred members join with me in saying that this silver coinage shall be utilized?

Mr. WEAVER, of Iowa. One of them at least will do so.
Mr. BLAND. I do not understand how any gentleman can claim that the simple deposit of silver will get the silver out of the Treasury, when you can not deposit a dollar of it until it is paid out; and the Treasury officials at present refuse to pay it out. The object of my proposition is to compel the payment of this money from the Treasury to utilize the silver dollars after they are coined. That is my ob and that was the object of the House when it passed the measure. That is my object,

Here the hammer fell.

Mr. ADAMS, of Illinois, obtained the floor.

Mr. RANDALL. I would like to have some understanding touching the length of debate on this proposition. I am willing to make it ten or fifteen minutes

Mr. ADAMS, of Illinois. I believe I have been recognized. I do not intend to occupy the floor more than one or two minutes.

Mr. RANDALL. I did not mean to interrupt the gentleman, but

only to reach some conclusion as speedily as possible.

Mr. ADAMS, of Illinois. Mr. Chairman, this discussion about one and two and five dollar notes seems to have drifted—perhaps rather naturally, in view of the remarks of the gentleman from Pennsylvania Mr. BAYNE —into one phase of the silver discussion. But I think there is an objection to the provision proposed by the gentleman from Missouri [Mr. Bland] which would be equally valid if the proposition were to issue the same number of one-dollar and two-dollar and five-dollar gold certificates, or one-dollar, two-dollar, and five-dollar greenbacks. subject was adverted to, but not at as much length as it ought have been, by the gentleman from Ohio [Mr. WARNER]. He said he was in favor of allowing the citizens of the country perfect liberty to receive from the Treasury such denominations of money as they may choose. Now, the fact is there is a general commercial law which governs the amount of each denomination of currency which can be easily and conveniently kept in circulation at a distance from the Treasury; and that law applies not only to one-dollar, two-dollar, and five-dollar notes, but also to tens and twenties and fifties in almost the same way.

There is a certain number of small bills which, in a given state of the business of the country, can be kept in circulation. When that amount is exceeded the small bills become unpopular, and every one who handles them gets them into some central depository. This tendency to crowd these small bills from distant parts of the country toward the money centers would be precisely the same whether the small bills represented silver or represented gold. I believe in the doctrine of the gentleman from Ohio, that there should be the largest possible freedom on the part of citizens to determine whether they will take the small or the large denominations in payments which they receive from the Treasury, because the result of this will be after a while that precisely the amount of ones, twos, fives, tens, and twenties which the business interests of the country require in circulation will settle generally over

the country away from the great business centers.

As the law is now the silver dollar in the Treasury sustains the onedollar certificate and also the twenty-dollar certificate. And when the gentleman from Missouri [Mr. BLAND] claims that no friend of the silver dollar could vote for this resolution it seems to me that he is wrong. The silver dollar might far better be allowed to represent in a natural way small denominations as well as large than for an inordinate amount of small denominations to be issued perforce and thereby lead to a tendency all over the country to make them drift back to the money centers of the country.

[Here the hammer fell.] Mr. RANDALL. I hope Mr. RANDALL. I hope by unanimous consent some arrangement will be come to for closing debate on the pending Senate amendment. I suggest the debate be closed at half past 2 o'clock.

There was no objection, and it was so ordered.

Mr. PETERS. Mr. Chairman, the provision the Senate struck out, as I understand it, provides that for a certain amount of money now in the Treasury which does not form a part of our circulating medium it shall be lawful to issue ones, twos, and fives. The great objection to paying out these silver dollars in the Treasury is based on the score of inconvenience in handling them, in carrying them, and in transporting them. That is the objection made to issuing this money as a circulating medium. The object of the proviso inserted in the House bill was to supply evidence of that circulating medium which would not be lightly to the objection made. not be liable to that objection, namely: Silver certificates in ones, twos, and fives, which would be as convenient to carry and to use in the ordinary transactions of business as one, two, or five dollar greenbacks or five-dollar national-bank notes.

The objection made to this provision, emasculated as I think it is by the Senate amendment, the real objection, is they do not want this circulating medium added to the circulating medium of the country I desire the silver dollar in the Treasury shall be in fact a part of the circulating medium of the country. If we can secure that object by issuing one, two, and five dollar silver certificates, then I am in favor of it, and consequently would be opposed to anything that would tend to destroy the effect sought to be accomplished by this

original provision.

My friend from Maine [Mr. DINGLEY] says this is the creation of a new money. No; that is not the case. The silver dollars in the Treasury are money, and the creation of these silver certificates does not create any new money, but simply creates a convenient representative of the silver dollars in the Treasury. No man would object to taking a five-dollar silver certificate any more than he would object to taking a five-dollar greenback or a five-dollar national-bank note. One is as convenient as the other.

It seems to me, Mr. Chairman, the truth is that the silver in the Treasury should be added to the ordinary body of the circulating medium of the country. Our business is rapidly increasing, our country is enlarging, our population is every day growing larger, every interest is being developed, and we need every dollar of circulating medium provided by law. Therefore I think the proposition which the gentleman makes to non-concur in the amendments of the Senate should be

Mr. WEAVER, of Iowa. Mr. Chairman, the objection of the gentleman from Pennsylvania [Mr. BAYNE] is to the silver dollar. This silver certificate will be of equal value to the dollar it represents. Hence his position in this: He is opposed to paying out the silver dollar for the current expenses of the Government. I am glad to have him take

the current expenses of the Government. I am giad to have limit take that position here to-day.

The amendment offered to this bill by the gentleman from Missouri is designed to compel the Treasury officials to pay out the silver dollar now discriminated against. It is true it can only be paid out on appropriation. The gentleman from Ohio [Mr. WARNER] is correct, it will not put any more money in circulation. That is true; but it does make an issue strong and sharp between the law-making power and the Treasan issuestrong and sharp between the law-making power and the Treasury officials. It gives a construction on the part of Congress to the Treasury officials. They must obey the law and issue any form of money declared to be so by the law-making power. And for one I shall support the amendment of the gentleman from Missouri, being unwilling to consent, now that it is in the bill, that it shall ever be taken out of the bill, but on the contrary that it shall be obeyed and become the law

of the country.

Mr. WARNER, of Ohio. Mr. Chairman, the gentleman from Missouri [Mr. Bland]—I do not see him now in his seat, but he is in the Hall—very energetically calls on the advocates of silver to support his Hall—very energetically calls on the advocates of silver to support his amendment and reads out of the party gentlemen who do not support his particular views of the question, or who propose to vote against his amendment. Now, Mr. Chairman, I hope I can advocate the cause of silver without becoming crazy on that subject. [Laughter and applause.] For one, I do not believe the proposition of the gentleman from Missouri would prove any advantage to silver. You will get no more money out of the Treasury by that proposition than by the amendment proposed by the committee. As I said before the money will ment proposed by the committee. As I said before, the money will come out of the Treasury on appropriations and in no other way; and I do not think it is in the interest of silver to compel the Treasury to pay out silver certificates on all the silver in the Treasury in denominations of one, two, and five dollars, whether the people want these de-

I think this would be overdoing the matter, and by forcing the use of silver in this form would tend to make it odious. Besides, what would be gained by requiring that the next hundred millions paid out should be all in the form of one, two, and five dollar certificates? I want to see as much coin go into circulation as possible, and I see no reason why

the people should not be left to choose between certificates in any denominations and the coin.

But suppose the next hundred millions paid out to be in the form of small silver certificates. Will that in itself reduce the surplus in the Treasury or put any more money in circulation? No; not a dollar. will simply change the form of the reserves or surplus retained in the Treasury. That is all. Now, for my part, I would as soon have silver held in reserve as any other kind of money. What difference can it make? It is only by drawing down the entire surplus that more money can be put into circulation, and when it comes to that I do not care much which kind of money is paid out first. I will leave the option in that respect to the Government. There is where it should always rest.

Mr. BLAND. Your crazy spell is the same as that of the Treasury Department against silver. Mr. WARNER, of Ohio.

Mr. WARNER, of Ohio. I do not yield to the gentleman now.
When, therefore, we provide for the issuance of certificates in denominations of ones, twos, and fives for those who prefer them to coin we have gone just as far, it seems to me, as prudence would dictate.
Why should we discriminate against other kinds of money and in favor of silver? I have believed in and advocated the absolute equality of

I want silver to stand, so far as the Government is concerned, upon precisely the same ground that gold stands upon and greenbacks stand upon; that no discrimination shall be made by the officials of the Government or others for or against either kind of money; and when we have put them in that position we have done all that can be done in this regard. Anything further is, in my judgment, overdoing it, and will react against silver and not in its interest.

Mr. BAYNE. I ask leave to print with my remarks made this morning an extract from a Pennsylvania newspaper with reference to this

question.

There was no objection.

[The article is printed with Mr. BAYNE's remarks above.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Missouri to the amendment of the gentleman from Pennsylvania.

The question was taken; and on a division there were-ayes 53, noes 77

Mr. BLAND. No quorum has voted.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. BLAND and Mr. RANDALL were appointed tellers.

The committee again divided; and the tellers reported-ayes 81, noes 87.

So the amendment to the amendment was rejected.

The question recurring upon the amendment of Mr. RANDALL, it was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DOCKERY having taken the chair as Speaker protempore, a message from the Senate, by Mr. SYMP-SON, one of its clerks, announced that the Senate still further insisted on its amendments disagreed to by the House of Representatives to the legislative appropriation bill, and agreed to the further conference asked by the House on the disagreeing votes thereon; and had appointed Mr. Allison, Mr. Dawes, and Mr. Cockrell as conferees on the part of the Senate.

Also, that the Senate had passed without amendment the bill (H. R. 3014) providing for terms of court in Colorado.

Also, that the Senate requested the House to return to the Senate the bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama.

The Committee of the Whole resumed its session.

SUNDRY CIVIL APPROPRIATION BILL. The CHAIRMAN. The Clerk will report the next amendment. Amendments 75, 76, and 77 were non-concurred in. Amendment 78 was read, as follows:

Saint John's River, Florida; Columbia and Willamette Rivers, Oregon; Great Kanawha River, West Virginia.

Mr. RANDALL. I am directed by the committee to move to concur in that amendment with an amendment, by adding after the word "Virginia" the words "Tennessee River."

The amendment was agreed to.

Amendments numbered 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, and 116 were non-concurred in.

Amendment numbered 117 was concurred in.

The CHAIRMAN. The Chair is informed that the committee's report recommend non-concurrence in this amendment.

Mr. RANDALL. That is a mistake. Amendments numbered 118, 119, 120 were non-concurred in.

Amendment numbered 121 was read, as follows:

Fish-hatchery at Duluth, Minn.: For the establishment of a fish-hatchery on Lake Superior, at or near Duluth, Minn., \$10,000.

Mr. RANDALL. The committee recommend non-concurrence in

this amendment, with some sort of an understanding that if the Senate

was to insist it ought to be amended——
Mr. NELSON. If the gentleman from Pennsylvania will yield to me I shall move concurrence in the amendment with an amendment.

Mr. RANDALL. If the gentleman will hand me his amendment, and let this be non-concurred in, I think the object he has in view can be reached in some way.

Mr. NELSON. Very well, I withdraw the motion to concur. The amendment was non-concurred in.

Amendments 122 to 130 inclusive were non-concurred in.

Mr. WILSON. The committee recommend non-concurrence in amendments 131 to 134 inclusive. I ask that they be non-concurred in without reading. Mr. HEPBURN.

Mr. HEPBURN. I object. Amendments 131 to 143 inclusive were non-concurred in.

Amendment 144 was concurred in. Amendment 145 was non-concurred in.

The committee recommended non-concurrence in amendment 146; which was read, as follows:

In line 1600 strike out "\$90,000" and insert "\$75,000;" so that it will read:
"Protecting public lands: For the protection of public lands from illegal and
fraudulent entry or appropriation, \$75,000."

Mr. HOLMAN. I desire to submit an amendment to the Senate amendment. I move that the House concur in the Senate amendment with an amendment making the sum \$125,000 instead of \$75,000.

I wish to submit a word on the subject. It will be observed this appropriation to enable the Commissioner of the General Land Office to take measures for protecting the public lands from illegal and fraudulent entry or appropriation was in the first place \$90,000. The Senate lent entry or appropriation was in the first place \$90,000. The Senate reduces the amount from \$90,000 to \$75,000. And the motion made by the chairman of the Committee on Appropriations is that the House I move concurrence, with an amendment, making the amount \$125,000 instead of the \$90,000 in the bill as it passed the

The House will remember that the year before last the then Commissioner of the General Land Office, Mr. McFarland, asked for an appropriation of \$400,000 for this purpose, alleging that the frauds on the land laws in the land States and Territories were widespread, and that at least \$400,000 should be appropriated to enable him to prevent those frauds, and restore the public lands to the public domain and to prevent fraud in the future. But Congress only appropriated \$90,000. The present Commissioner asked for the appropriation for that purpose of \$300,000, and pointed out with great elaborateness the importance to the public interest of this appropriation. He showed that millions and millions of acres of the public lands were being monopolized, entered unlawfully entered in large estates entered the public land. tered unlawfully, entered in large estates, entered through fraud, and asked Congress to give him the means to restore these lands to the public domain that they might be disposed of for the benefit of the homestead settlers.

Now, if there is any high duty resting on Congress at this hour it is to protect what remains, growing smaller every year, of the public lands for the benefit of actual settlers. I think every quarter-section of land saved from monopoly and speculation for homesteads is a blessing, the benefit of which in the future can not be overestimated. I do not hesitate to say from the examination I have given to the subject that millions of acres of land, with proper power placed in the hands of your Interior Department—millions of acres now doomed to monopoly and speculation can be restored to the public domain and secured for the benefit of actual settlers.

I think, sir, that this opens up a field that ought to challenge the earnest inquiry and thought of every member of this House. I know of nothing so well calculated to inspire earnestness and even eloquence on the part of any man who is capable of uttering grand thoughts in grand words inspired by a theme such as this—the saving to coming generations and to the landless now among us to the extent of millions of acres from speculation and the building up of great landed estates. The future of this country, like its past, is to depend largely on the number of your freeholders; and I know of no higher duty that can rest on Congress than the promotion of any line of policy that can secure the largest possible number of freeholders among our people. I ask but a small amount, an increase of \$35,000.

Mr. RYAN addressed the committee. [See Appendix.]

Mr. TOWNSHEND was recognized and offered to yield additional

Mr. RYAN.

Mr. RYAN. I am perfectly willing to have the vote taken now.

Mr. TOWNSHEND. The very fact that the gentleman is in favor of an appropriation of \$90,000 for this purpose is evidence that there is of an appropriation of \$90,000 for this purpose is evidence that there is need for a force of this character. Therefore, Mr. Chairman, it is simply a question as to how much money is needed for this purpose. The gentleman from Kansas [Mr. Ryan] certainly will not claim that he has had as full opportunity of knowing the needs of the service as the former Commissioner of the General Land Office, who held that position for a number of years, who was a very honest and upright officer, and who had had more than the former than the service who had been constructed for the property of the content of the co who had had great opportunity for knowing just what the public service required in order to protect the Government from these frauds. Neither will my friend from Kansas, I imagine, claim that he has any

better opportunity of forming an accurate judgment upon this point than the present Commissioner of the General Land Office, who was a member on this floor for some eight years, and who has been for one year past in charge of the Land Office. It is simply, then, a question as to the amount that ought to be appropriated. Now the gentleman from Kansas [Mr. Ryan] says that \$90,000 is enough to guard the public domain from the land robbers that are constantly marauding upon it. The former Commissioner of the General Land Office, a gentleman who was in political accord with my friend from Kansas, declared that \$400,000 was required for that purpose.

Mr. Ryan. No.

Mr. RYAN. No.

Mr. TOWNSHEND. Am I not correct in that?

Mr. RYAN. No.

Mr. TOWNSHEND. I appeal to the gentleman from Indiana [Mr. HOLMAN] upon that point.

Mr. HOLMAN. I think the amount asked for was \$400,000.

Mr. RYAN. It was \$300,000. Mr. HISCOCK. How much did you appropriate for this purpose

after full investigation?

Mr. TOWNSHEND. The Committee on Appropriations at the last session recommended, I believe, \$90,000, but the committee of the prior year recommended \$100,000, and it was voted by both Houses of Congress. So, gentlemen will see, after all, that it is simply a question as to the amount that is required to guard the public domain against the robberies and frauds that we who live in the West know are constantly being perpetrated. Mr. RYAN. T

The gentleman does not live far enough West to know

anything about it.

Mr. TOWNSHEND. But I have been far enough West, and I have indisputable evidence that these frauds are being constantly perpetrated

and have been going on for years.

Mr. RYAN. How long has the gentleman had that information?

Mr. TOWNSHEND. I have had it for years.

Mr. RYAN. Then why did you not insist upon raising the appropriation to the amount which the former Commissioner of the Land

Office, Mr. McFarland, asked for?
Mr. TOWNSHEND. If I had been a member of the Committee on Mr. TOWNSHEND. If I had been a member of the Committee on Appropriations then, as I am now, I would have joined hands with the gentleman from Kansas [Mr. RYAN] and with other gentlemen upon this floor who desired to protect the public domain.

Mr. RYAN. But you were a member of the House, occupying a seat

upon this floor.

Mr. TOWNSHEND. Well, I am not going to debate that question with the gentleman, for I have only a few minutes. Mr. Chairman, what harm can result from this appropriation? For what purpose is

Mr. RYAN. To make places for political friends.

Mr. TOWNSHEND. The money is asked for the purpose of protecting the public domain from fraud. Would any one who wants to protect the public domain complain of an appropriation of \$200,000 if it were needed for that purpose? The object that this money is intended to be used for is to protect the public domain. There are men who sometimes raise their voices here in denunciation of the robbery of the public domain by railroads, but when a question of this kind comes up they do not seem to realize that the railroads are not the only robbers of the public lands. They do not seem to realize that there are others who commit frauds upon the public domain as well as the rail-roads. We have turned our faces in the direction of protecting the public lands from the railroads; let us also strengthen the hands of hon-est officers of the Government who desire to guard the public domain as well from private robberies and fraud.

Mr. RANDALL. Mr. Chairman, I would like to have consent to limit the debate on this paragraph to twenty minutes.

Mr. HISCOCK. I wish to ask the gentleman whether he believes

there is in conference any such question as the increase of the amount above that contained in the House bill, or whether it can be put in

Mr. RANDALL. I do not think a conference committee has a right to increase the amount above what the two Houses have indicated as a

Mr. TOWNSHEND. Where is the rule to that effect?

Mr. HOLMAN. There is no such rule.

The CHAIRMAN. The Chair will submit the request of the gentleman from Pennsylvania [Mr. RANDALL] that all debate on this paragraph and amendments thereto be closed in twenty minutes. Is there objection? The Chair hears none.

Mr. COBB addressed the Chair.

Mr. RANDALL. I will make it ten minutes, if the House will agree to it.

Mr. BURROWS. The gentleman had better make it ten minutes.
Mr. RANDALL. I modify my proposition, and ask that the debate
on this paragraph and amendments thereto be closed in ten minutes.
We want to finish this bill if possible before 5 o'clock.
The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that debate on this paragraph and amendments thereto

be closed in ten minutes. Is there objection?

My colleague [Mr. COBB] has the floor, I believe, Mr. HOLMAN.

and I hope he will be heard.

Mr. RANDALL. He will be heard.

The CHAIRMAN. Does the gentleman from Indiana [Mr. Hol-MAN object?

Mr. GAY. I object

Mr. RANDALL. Then I move that the committee rise for the purpose of closing debate.

Mr. TOWNSHEND. I think the gentleman from Indiana [Mr. COBB] has the floor.

The CHAIRMAN. The gentleman from Pennsylvania moves that the committee rise.

Mr. HOLMAN. I rise to a question of order. Was not my colleague

[Mr. Cobb] recognized?

The CHAIRMAN. He was not. The gentleman rose, and the Chair intended to recognize him, when the gentleman from Pennsylvania submitted his request for unanimous consent.

Mr. RANDALL. I presume the Chair would be bound to give pref-

erence to the member in charge of the bill.

The CHAIRMAN. The Chair of course observes the practice in that respect

Mr. HENDERSON, of Iowa. The twenty-minutes' limitation was agreed to by unanimous consent.

Mr. RANDALL. I desire to modify the proposition so as to fix ten minutes as the limitation.

Mr. HENDERSON, of Iowa. But if the ten-minutes' proposition

fails I suppose the twenty-minutes' arrangement obtains.

The CHAIRMAN. The Chair thinks the gentleman from Iowa is correct. The Chair submitted the proposition to close debate in twenty minutes; there was no objection, and the Chair declared it was agreed to. If objection is now made the Chair does not feel at liberty to ignore the order which was made by unanimous consent. The gentleman from Indiana [Mr. COBB] will proceed.

Mr. COBB. Mr. Chairman, I have heretofore discussed this question

to some extent, and I do not know that I can advance anything which has not already been said. But I must say I am astonished that the gentleman from Kansas [Mr. RYAN] should come here and declare to this House that frauds are not now being committed every day upon The evidence is overwhelming against the gentlethe public lands. man's statement.

Mr. RYAN. Can the gentleman point to any evidence that frauds on the public lands have been perpetrated within the last year?

Mr. COBB. Of course I can.

Mr. RYAN. I do not think you can.

Mr. COBB. I have not the proof here, because I can not carry the documents constantly in my pocket; but the evidence is on file in the Interior Department showing frauds in the gentleman's own State-

Mr. RYAN. Frauds perpetrated three or four years ago. Mr. COBB. Perpetrated within the last year.

Mr. RYAN. I contend that no frauds have been perpetrated there

within the last year.

Mr. COBB. The gentleman, although he thinks he knows all about this subject, is mistaken. I take issue with him, and call his attention to evidence now on file in the Interior Department showing frauds in his own State and in every other State of the Union where there are public lands.

Mr. RYAN. I do not wish to be misrepresented. I do not deny that there have been frauds perpetrated in the past, but I do not believe there is any evidence of frauds perpetrated in connection with the public lands either in my own State or elsewhere within the last year.

Mr. COBB. All I have to say is that the evidence does not bear out

the gentleman's statement.

Now, I do not ask any larger expenditures with reference to the public lands than are necessary to afford protection against fraud. But I say the evidence is overwhelming against the gentleman that his own State is honey-combed to-day with frauds, committed in the past and to-day. Why gentlemen come here and make these assertions without proof and against the proof on file I can not conceive. I know they are honorable men, but they ought not to make statements which are not sustained by the evidence. No longer ago than yesterday I talked with a special agent who has been in Dakota, and he told me that so far as he has examined 90 per cent. of the recent entries in that Territory have been fraudulent.

Mr. ROWELL. Is the evidence which the gentleman speaks of as being on file the ex parte statements of agents, or is it evidence taken according to the forms of law and with proper opportunity for crossexamination?

Mr. COBB. I can only say that this agent told me he put the evi-

dence on file the day before yesterday.

Mr. ROWELL. But it was the ex parte statement of an agent, and not testimony taken according to ordinary judicial forms and upon proper cross-examination. Is not that true?

Mr. COBB. These agents are officials of the Government as much so as the gentleman or myself; they are as solemnly bound to do their duty, to report the facts which they ascertain, as the gentleman and I are bound to do our duty on this floor; and I presume those officials

are honest men and do their duty. These facts have been testified to by agents of the Government under former administrations as they are testified to to-day. The reports are coming in every day. last four months an agent has reported seventy-three cases of fraud where he has taken the affidavits of the men themselves who made the entries; they swear to their own fraudulent acts. Those affidavits with hundreds of other such affidavits are upon record.

I have talked with the Commissioner of the General Land Office and I have talked with these agents. I have informed myself as best I could with reference to the needs of the Government in the protection of the public lands. These officers inform me that if the force of the Land Department be cut down below what it is the work can not be efficiently done. They all concur in saying that we ought to increase in-

stead of diminishing the appropriation.

I say \$125,000 is too little. Two hundred thousand dollars could be used profitably and would hand down to posterity hundreds of thousands of acres to be occupied by bona fide settlers, which otherwise without these investigations of land frauds would be taken up by speculators and entered without their having seen an acre of them.

Here the hammer fell.

Mr. NELSON. I move to strike out the last word. Mr. Chairman, I had intended not to say a word on this subject, but to let the matter pass in silence. But I am surprised to have it iterated and reiterated again and again on this floor that 90 per cent. of the entries of public lands in the Northwest are fraudulent. The gentleman from Indiana [Mr. COBB] must bear in mind that Dakota has a population of half a million or more and that they are farmers and tillers of the soil. Nearly all the men who have gone into that Territory are men who have gone

there to take up the public lands for actual settlement and cultivation.

Mr. COBB. I simply give the affidavits.

Mr. NELSON. They are men who go there under the homestead law; and when the gentleman undertakes to say that 90 per cent. of these people, or those who go and enter upon the public lands—I say that when he or any other man says it-

Mr. COBB. I say it.
Mr. NELSON. I say that he or the man from whom he gets his authority slanders the people of the Northwest.

Mr. COBB. It is not a slander at all; it is true.

Mr. NELSON. I wish to submit a word or two in reference to these special agents. These special agents of the Interior Department are a lot of cheap men. I can tell the gentleman from Indiana they have a bad reputation. In my State and district the land frauds have been committed in connection with pine lands, and not in connection with agricultural lands. These special agents go there, and what do they do? It is a notorious fact that the big men, who make large entries and who send out men from the mills to enter the lands, are not touched. These special agents levy tribute on them. The small fry, the men who take up a quarter or a half section, are pulled up. In my district, which is in the northwest corner of the State, this administration last fall sent up an agent into the Crookston district. He remained there some weeks. He discovered what three brothers were at, but the great monopolists he never discovered at all; he found out these three men, and they were reported to the Government. He was an agent appointed by this administration, and he was so corrupt this administration were compelled to get rid of him.

Mr. REED, of Maine. Horrible! [Laughter.]
Mr. NELSON. In districts where it is said the greatest frauds have been found out these special agents with \$1,000 or \$1,500 a year have been stopping at hotels, paying \$3 and \$4 a day, riding in carriages, and living otherwise in an extravagant way. It is a fact they levy tribute. Now, what you are asked to do here is to increase the appropriation

to pay for these political pets-to keep up these political bummers under the pretense they are attending to the public service. It may be possible for you to deceive the people here, but let me tell you, gentlemen, that in the Northwest this whole thing is looked upon as very cheap clap-trap. [Laughter.] There the whole thing is not misapprehended nor misunderstood. [Laughter and applause.]

Here the hammer fell.

Mr. COBB. These speeches, Mr. Chairman, come from the districts where the fraud is asserted to prevail and where it is proved to exist. The gentleman speaks of his district and other districts and of Dakota. If he will go and examine the affidavits on file in the Interior Department, if he will examine the reports of the special agents who have gone there and examined into these matters-

Mr. NELSON. Allow me a question.
Mr. COBB. If the gentleman would examine the proof he would find lands are being entered without being occupied.

Mr. NELSON. Let me make a statement.

Mr. COBB. That there is not one out of a thousand acres which is occupied by the man who entered it.

Mr. NELSON. I ask the gentleman to allow me to make a statement. I want to say to the gentleman from Indiana that in ninety cases out of one hundred the people of the Northwest would not believe these special agents on oath.

Mr. PERKINS. They know better than to do that.

Mr. NELSON. Yes; they know better.

Mr. COBB. Yes, you all know better; but the proof is on file that these great frauds have been committed, and that the facts are just as they have been stated.

Mr. RYAN. Why, there have not been half a dozen men sent to

the penitentiary for frauds on the public lands.

Mr. COBB. No, but there may be, and probably will be, a number. The truth about the matter is that it is not the honest men who are objecting to these investigations. It is the men whose entries are fraudulent, whose rights are not properly acquired. That is the fact about

it, and the evidence shows it.

I have myself a hundred letters at my room, letters coming from the gentleman's own State, and from other States and Territories; letters from honest men, who say that they do not object to these investigations, but that it is the men around them, men that are guilty of the frauds, who are making the objection. I take it that is true, and if you were to put the question before a jury the proof would be overwhelming against them as to the fraudulent character of many of the

Mr. CUTCHEON. Then why do you not put it before a jury?

Mr. NELSON. There is a difference between asserting a thing and proving it

Mr. COBB. The gentleman asks why it does not go before a jury. I tried to get your Commissioner to do it. I tried to get Commissioner McFarland to do it without success

Mr. DORSEY. Does the gentleman know how many of Mr. Com-missioner Sparks's decisions have been reversed by the Secretary of the Interior in my district, those decisions in which he claimed that fraudulent entries were charged?

Mr. COBB. Ido not know, nor does the gentleman know the number.
Mr. DORSEY. In every case filed in the last few months, some seven
or eight in the third district alone, they have been overruled.
Mr. COBB. How many fraudulent entries are charged that have not

Mr. DORSEY. Hundreds are charged, and they will be reversed as soon as the Secretary of the Interior gets to them on the appeals.

Mr. COBB. That is just what I wanted the gentleman to say. evidence shows that where a wrong decision has been made it is corrected under the law; and hence there can be no wrong done to the actual and bona fide settlers. That is the case everywhere. If an agent happens to make a mistake in reporting one of these cases, his mistake is corrected by the Department. If a man has a good case who is ruled against by the Commissioner, he has his appeal to the Secretary of the

Every man will get his rights, no injustice will be done, and his title will be perfected as soon as the proper proofs are presented. If it turns out that he has got a good case, if the evidence is shown in his favor, he has nothing to fear. But you gentlemen are not willing to allow the frauds to be examined into. It is a good deal like the reports of the agents—they say that good men out there enter into conspiracies against the Government, men whose characters are good, and I do not impugn their characters, but I do impugn their acts. When you come to investigate the cases they are all alike; they all got a piece of the pork, and they are willing to stand by it. It illustrates the condition of affairs there, and my friends over the way occupy that position. do not mean to say that they got any of the pork, but their neighbors have, and their constituents have, and they are simply standing by them in their frauds against the Government and the law.

Mr. DORSEY. There is no fraud.
Mr. COBB. Yes; you say so. You are one of the men perhaps the agent had in view.

Mr. DORSEY. No, sir; the gentleman must not make that remark to me. He charged that once before on a gentleman from Nebraska, but do not charge it against me; you charged it against one of my col-

Mr. COBB. The gentleman is speaking out of time. I have the cor. I am not making any charge, and shall not make any that the proof does not show.

Mr. DORSEY. You must not make any charge against me.
Mr. COBB. I make no charge against the gentleman; I am speaking of the general principle that seems to govern these entries.

Mr. DORSEY. Well, you said I was one of the men—

Mr. COBB. No; I meant that you were like one of the men the agent reported.

Now this \$125,000 ought to be appropriated. It is necessary to protect the public lands. These officers have no interest as I can conceive in making reports that are false.

[Here the hammer fell.]

Mr. PERKINS. Mr. Chairman, the gentleman from Indiana suggests that it is remarkable that the Representatives from the Western States, those who have the honor to speak on this floor for the settlers who are defamed, traduced, and vilified by men who should be engaged in better business, should do so-that it is remarkable that we stand and speak in their defense. The men who make these accusations know that the Representatives of all the Western States and Territories, as well as the people living there, are most anxious that these public lands should be preserved to the honest and bona fide settlers. It is not to

our interest that they should be occupied by cattle syndicates or rings organized to secure unlawful control of the public lands, thereby robbing the settlers of the possibility of acquiring homes upon the public

We, of all others, are interested in protecting the settlers, in strengthening the arm of the Government so that the lands may be preserved for honest occupants. But we do protest against titles being disturbed; we do protest against entries being stricken down; we do protest against honest frontiersmen being defamed, traduced, and vilified in this way by the Executive Departments of the Government and their apologists upon this floor. They have said that there are 90 per cent. of these settlements fraudulent; and yet the men who know the character of these settlers, who know the condition of affairs existing in those Western communities, know when they make that insinuation that they falsify the facts and defame as honest men as ever contributed to the growth and development of any community.

Is it possible that the great Territory of Dakota is settled by men 90 per cent. of whom are engaged in making fraudulent land entries? Is it possible that the rapidly growing and newly organized counties of Kansas are devoting themselves to a larceny of the public domain? Is it true that the people of Nebraska and the new West are devoting their energies and consuming their time in plundering lands from the Gov-

ernment of the United States?

Men go to the West with as honest purposes as they go into any other section of the country, and they settle upon these vacant prairies to make homes for themselves and to bear their full share of the burdens of honest government, and I protest against any appropriation that is to be used to take from them their honest settlements or to embarrass them

in their struggle for life.

Instead of engaging in the investigation of entries that may be fraudulent and promoting the unlawful occupation of public lands I have information recently from home that the Commissioner of the General Land Office is now sending his spies and informers into communities where there has not been an acre of public land for ten years. morning I was at his office for the purpose of finding out the condition of an entry that was made on the 2d of July, 1877. Nine years ago that entry was made and was proved up according to law and the requirements of the act of 1876, and I find that entry not approved but held up until some spy and informer can be sent there to secretly investigate the antecedents of the man who occupied the land nine years ago and

men went there, invested their money, built houses, broke the prairie, made fences, and cultivated the fields—they have done this for years, and in many instances sold to those who came subsequently, and yet they can get no patent, no title, because the Commissioner wants to send some spy and informer into that community to investigate a settlement made nine years ago for 160 acres of the public lands. And what is true of the tract of land I particularly speak of is true of all that ter-

ritor

Here the hammer fell.

Mr. RANDALL rose.
The CHAIRMAN. The gentleman from Pennsylvania is recognized for the three minutes that remain of the time allotted for debate on this

Mr. RANDALL. I think in this connection I may claim to be a dispassionate man. On the one side great frauds are alleged. On the other they are denied. It does not matter to me as to this particular paragraph whether the amount is \$90,000 or \$75,000. If there be frauds they ought to be investigated.

Mr. TOWNSHEND. And you ought to give money enough to in-

investigate them.
Mr. RANDALL. Mr. RANDALL. The Committee on Appropriations based their action not upon allegations, on the one side that the object of increasing the appropriation was to give additional patronage to the officials, nor on the other hand that it was sought to make the amount low so as to prevent the discovery of frauds in this connection. The committee based their recommendation on the expenditures of the two past years.

Mr. TOWNSHEND. Will the gentleman allow me?

Mr. RANDALL. You had your time; allow me to proceed.
Mr. TOWNSHEND. The Commissioner expended the amount that

was appropriated. The reason he did not expend more was because you did not give him more to expend.

Mr. RANDALL. We gave him, in 1885, \$100,000, and there was expended \$91,000. We gave for 1886, \$90,000, and there was, during the first six months of that year only \$31,000 expended. But rather than give any reason whatever for the allegation that there was not money enough given in this connection we gave the \$90,000 in this bill; and I anticipate the House will adhere to that position.

But suppose the Commissioner of the General Land Office and the Secretary of the Interior should find an additional number of officials was essential to the securing to the Government lands fraudulently entered, I suggest that we will be here again in a few months, and if enough is not given now, we can correct it then. That is about the position of the matter; and there is no danger, in my judgment, in adhering to \$90,000. I trust the committee and the House will adhere to The CHAIRMAN. Debate on this amendment is exhausted.

Mr. RYAN. I ask leave to extend my remarks in the RECORD.

There was no objection.

The CHAIRMAN. The question is on the motion of the gentleman from Indiana [Mr. HOLMAN] to concur with an amendment making the amount \$125,000.

The question being taken, there were—ayes 56, noes 111.

So the amendment was not agreed to.

The CHAIRMAN. The question is now on the motion of the gentleman from Pennsylvania [Mr. RANDALL] to non-concur in the Senate amendments.

The motion to non-concur was agreed to. Amendment 147 was concurred in.

Amendments 148 to 155, inclusive, were non-concurred in.

Amendments 156, 157, and 158 were concurred in.

Amendments 159 to 169, inclusive, were non-concurred in.

Amendment 170 was concurred in.

Mr. LONG. I ask that the reading of amendment 171 be dispensed with. The committee recommend concurrence.

There was no objection.

Amendment 171 was concurred in.

Amendment 172 was non-concurred in.

Amendment 173 was read, as follows:

For the education of the children of school age in the Territory of Alaska, without regard to race, \$25,000.

The committee recommended non-concurrence

Mr. NEECE. I object to non-concurrence. The Territory of Alaska belongs to the United States and is being opened up to settlement. It equals in extent of territory one-sixth of the United States, and has 30,000 inhabitants, with no power to levy one cent of school tax. If you do not make some provision of this kind, it will be left without a school. I think we ought to adopt this amendment of the Senate. school. I think we ought to adopt this amendment of the Senate. Having opened up that vast Territory to settlement, you deprive the people there of the power to levy a school tax. Books have been bought, the schools are ready to run, but you close up the school-houses, and you will not give them a single dollar to carry them on with.

Mr. RANDALL. The committee recommend non-concurrence in this amendment. We have provided elsewhere for the object for

which the gentleman contends.

Mr. NEECE. Where? Mr. HOLMAN. In the Indian appropriation bill.

The amendment was non-concurred in.

Amendment number 174 was read, as follows:

That the sum of \$37,500 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of a school farm and the repair of old and the erection of new buildings and outhouses for the Indian industrial school at Carlisle, Pa., to be expended under the direction of the Secretary of the Interior.

Mr. RANDALL. The committee recommend non-concurrence in that amendment

Mr. NELSON. If it is agreeable to the chairman of the Committee on Appropriations, I should be glad to hear a statement of the reason why this item is to be non-concurred in. It seems to me that it is necessary for the institution to have an additional farm. I am not advised, however, in the premises, and I ask this question rather for in-

Mr. RANDALL. Regardless of the question whether or not an additional farm should be provided for that institution, it came to the knowledge of the Committee on Appropriations from what we considered the considered was a superior of the considered was a lateral to the considered was a l ered a reliable and authentic source that the price asked was altogether

Mr. McCOMAS. In support of that I can state to the gentleman from Pennsylvania that the actual price paid for that farm when it was purchased by the present holder was \$18,500.

Mr. RANDALL. How long ago was that?

Mr. McCOMAS. Within the last month or two.

Mr. RANDALL. That is the reason that the committee have recommended non-concurrence.

Mr. NELSON. Well, for the present I make no adverse motion.

The amendment was non-concurred in.

Amendment number 175 was, on motion of Mr. CANNON, considered as read, and non-concurred in.

Amendment number 176 was non-concurred in.

Amendment number 177 was read, as follows:

For construction of a fire-proof building to be used as a milling-shop, \$30,000.

Mr. ROCKWELL. Mr. Chairman, in reference to this matter I will say that it was recommended in the Book of Estimates. A hearing before the Committee on Appropriations was asked for in the early part of the session. When the time for that hearing arrived it was decided by the chairman that this being an application for an appropria-tion for a new building at the Springfield arsenal, should be referred under the new rule to the Committee on Public Buildings and Grounds. A bill was introduced and referred to that committee, and that committee have made a favorable report, which is House Report No. 2233. In that report is cited a letter from the acting Secretary of War, General Benét, setting forth the reasons why this new building is necessary.

He says that there is great danger of fire, that the building is old, and that there is urgent necessity for the erection of a new one.

In addition to the age of the building, its overcrowding with machinery, insufficient light, the dangerous condition of the floors saturated with oil, the danger from fire, which might destroy the machinery and suspend work, and the generally unsafe condition as set forth in the letter referred to in the report and the other reasons given in the report of the Committee on Public Buildings and Grounds, I desire to call attention to the fact that if a fire should occur there, or any accident arising from the unsafe condition of the building, besides the pecuniary loss that the Government would suffer there might be great loss of life, because the building is now thoroughly crowded and weighted down with machinery and the floors are saturated with oil. It is an old building, which was constructed originally for a storehouse, and was not intended for what it is now used. The workmen employed have a right to ask that a safe building be erected.

A new building is a necessity. Wise forethought and true economy demand that it be built. This is an item that should receive attention, and I make these few remarks in order that the committee may not

pass it over without realizing the urgency of the case.

Mr. RANDALL. The committee found no law authorizing the insertion of this paragraph, and were not convinced of the immediate

necessity for a new building there.

Mr. ROCKWELL. I should like to inquire of the gentleman from Pennsylvania how the committee can say that they were not convinced of the necessity for this appropriation when they gave no hearing on the subject, while another committee did give a hearing and were convinced.

Mr. LONG. It is a very proper matter to go to a conference.

The amendment was non-concurred in.

Amendments numbered 178, 179, 180, 181, 182, 183, 184, 185, 186, and 187 were non-concurred in.

Mr. WILSON. I ask unanimous consent that amendments numbered 188 to 201, inclusive, relating to the Signal Service, be considered as read and non-concurred in.

Mr. SPOONER. Amendments 189 and 190 of the Senate are sub-

stantially the same provisions

The CHAIRMAN. Does the gentleman from Rhode Island [Mr. SPOONER] object to the request of the gentleman from West Virginia [Mr. WILSON]?

I do not think he will. Mr. LONG. Mr. LONG. I do not think he will.

Mr. SPOONER. I object only for the purpose of saying a word.

The amendments to which I have just referred are substantially the same provisions which were inserted in this bill by the House Committee on Appropriations, and which, when the bill was under consideration here, went out on a point of order. I had hoped the Committee on Appropriations would recommend concurrence in these amendments of the Senate without the necessity of carrying the matter to a conference; but I do not desire to interfere with the progress of the bill; and if the committee has determined that it is best to allow this matter to go into conference, I will not object, trusting that in the conference the

matter may be satisfactorily disposed of. The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia [Mr. WILSON] that the amendments down to 201 inclusive be non-concurred in without reading? The Chair

hears no objection, and it is so ordered.

MESSAGE FROM THE SENATE.

The committee rose informally, when a message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on amendments numbered 88, 179, and 180, to the bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL

The two hundred and second and two hundred and third amendments were read and non-concurred in.

The two hundred and fourth amendment was read and concurred in. The two hundred and fifth, two hundred and sixth, two hundred and seventh, two hundred and eighth, two hundred and ninth, two hundred and tenth, two hundred and eleventh, two hundred and twelfth, two hundred and thirteenth, two hundred and fourteenth, two hundred and fifteenth, two hundred and sixteenth, and two hundred and seventeenth amendments were read and non-concurred in.

The two hundred and eighteenth amendment was read and con-

curred in.

The two hundred and nineteenth, two hundred and twentieth, two hundred and twenty-first, and two hundred and twenty-second amendments were read and non-concurred in.

The two hundred and twenty-third, two hundred and twenty-fourth,

and two hundred and twenty-fifth amendments were read and concurred in.

Amendments numbered 226, 227, 228, 229, and 230 were read and non-concurred in.

Amendment numbered 231 was read and concurred in.

Amendment numbered 232 was read, as follows:

Insert the following:
"For the purchase of the painting of 'The First Fight of Ironclads,' by W. F. Halsall, \$7,500."

Mr. RANDALL. The committee recommend non-concurrence.

Mr. LONG. In regard to this amendment, I desire only to say that I trust the conferees will assent to the purchase of this picture. gress has entered upon the policy of buying every year one or two pictures for the Capitol. This certainly is a very desirable picture, on account of the subject it commemorates as well as its artistic execution.

The amendment was non-concurred in.

Amendments numbered 233, 234, 235, and 236 were read and non-

concurred in.

The two hundred and thirty-seventh amendment was read, as fol-

Insert the following:

"And the scientific reports known as the monographs and bulletins of the Geological Survey shall not be published until specific and detailed estimates are made therefor, and specific appropriations made in pursuance of such estimates; and no engraving for the annual reports or for such monographs and bulletins, or of illustrations, sections, and maps, shall be done until specific estimates are submitted therefor and specific appropriations made based on such estimates: Provided, That these limitations shall not apply to the current fiscal year, nor to any of the reports, mineral resources, monographs, or bulletins that may have been transmitted for publication to the Public Printer prior to the passage of this act: Provided further, That all printing and engraving for the Geological Survey, the Coast and Geodetic Survey, the Hydrographic Office of the Navy Department, and the Signal Service shall hereafter be estimated for separately and in detail, and appropriated for separately for each of said bureaus."

Mr. RANDALL. The committee resources and the stable resources.

Mr. RANDALL. The committee recommend that the House nonconcur in this amendment.

Mr. LONG. Why not concur in it? Mr. RANDALL. We do not fully understand the scope of the proposition.

Mr. BOUTELLE. I would like to hear some reason given for nonconcurrence

Mr. RANDALL. The committee proposes that the whole paragraph in relation to public printing go into conference with a view to more clearly learning what the Senate desires.

The amendment was non-concurred in.

The two hundred and thirty-eighth amendment was read, as follows:

Insert the following:
"To enable the Public Printer to comply with the provisions of the law granting fifteen days' annual leave to the employés of the Government Printing Office, \$95,000, or so much thereof as may be necessary."

Mr. RANDALL. The Committee on Appropriations recommend non-concurrence in this amendment.

Mr. ADAMS, of Illinois. I move that the House concur.

Mr. RANDALL. The question involved here is whether the appropriation embraced in the previous paragraph is not sufficient to cover this expenditure of \$95,000.

Mr. ADAMS, of Illinois. I fully agree that many of these provisions may advantageously go into conference where information is desired on the part of the House; but the question presented by this amendment is so simple it seems to me our duty to express at once our opinion one way or the other. I do not care to detain the Committee of the Whole with any remarks.

Mr. REAGAN. I want to express my opinion here and now that it is not the duty of Congress to pay men for doing nothing. Our constituents at home are not paid for doing nothing, though they work harder than these employés of the Government and get less pay. I hope this House does not intend to go on with this business of creating an official class to batten and fatten in comparative idleness upon the labor of other people. It seems to be the idea that when a man gets into a Government office he is employed to be a gentleman, to have elegant leisure, and to do little work. I hope the House will go no further in this matter.

Mr. CANNON. I wish to ask the gentleman whether it is not true that legislation has already been had granting fifteen days live of absence with pay to these employés, and whether this is not merely an

appropriation to comply with the existing law.

Mr. RANDALL. We do not propose to nullify any law; but I for Mr. RANDALL. We do not propose to nullify any law; but I for one am tired and sick of the attempt on the part of the employes of this

Government to run this House.

Mr. CANNON. Still, I understand that legislation authorizing this

eave of absence has already been had.

Mr. RANDALL. That is not disputed. I have given as a reason thy this matter should go into conference that we want to discover whether the appropriation embraced in the preceding paragraph is not

sufficient to cover this expenditure.

Mr. PLUMB. Mr. Chairman, it seems to me that we should concur in the Senate amendment. There is already in force, as I understand, a provision of law giving to employés of the Government Printing Office fifteen days' leave of absence with pay in each year. Here is an appropriation to meet that expenditure. There is no need of raising any question whether some other appropriation may not be sufficient to cover this expenditure; for if this appropriation be made, it can not be used unless the expenditure be required by law. I do not think we ought to run any hazard of leaving this expenditure unprovided for;

and we should not appear as seeking to withhold from the employés in the Government Printing Office that which we promised by law to give them.

Mr. BUCHANAN. Mr. Chairman, it seems to me that this proposition is, as the gentleman from Illinois [Mr. ADAMS] has well said, so plain, that this House ought to act upon it at once and without awaiting further information. It is not a specific appropriation of a certain amount, but the appropriation of that amount or so much thereof as may be necessary.

My apprehension in the matter is this: In case this item fails to become the law the authorities will hold that there is no distinct appropriation for this leave of absence, and they will nullify it, and the employés will be deprived of that leave of absence which this Congress I wish it to be so arranged there can be no misapprehen-

sion. If all the sum here provided is not required it will not be used. I do not believe in the employés of the Government running this House, nor do I believe in submitting so simple a matter as this is to three conferees on the part of this House. The three hundred and twenty-five members of this House are as competent to vote on this matter as when it is brought back with a report of the conferees on the subject.

I wish to say my only apprehension in reference to the matter is that this item may not be adopted, and under cover of the law these employés may be deprived of this leave of absence which Congress has resolved to give them. I yield the remainder of my time to the gentleman from Pennsylvania [Mr. BAYNE].

Mr. BAYNE. Mr. Chairman, in my judgment we ought to pass this appropriation for the payment of these men during their leave of absence. We ought not to have passed the law granting the leave of absence unless

we intended to pay them during that time.

Mr. RANDALL. There is no effort to nullify the law.

Mr. BAYNE. Of course we do not want to nullify that law. do not want to keep the promise to the ear and break it to the hope. I ask, therefore, we will concur in the amendment and appropriate this amount, or so much thereof as may be necessary. There is no fear

they will pay out more than is necessary to pay these men.

Mr. RANDALL. As I have already stated there is no effort to evade
the law, but this should be non-concurred in so the exact amount may be provided. When that is ascertained it will be put in the bill.

The question recurred on concurrence in the Senate amendment.

The committee divided; and there were—ayes 56, noes 84.

Mr. BAYNE. No quorum.
Mr. RANDALL and Mr. ADAMS, of Illinois, were appointed as tellers.
The committee again divided; and the tellers reported—ayes 77, noes 90.

So the amendment was non-concurred in.

The Senate amendments numbered 239 and 243 were non-concurred in, and amendments numbered 240, 241, and 242 were concurred in.

Mr. RANDALL moved that the committee rise and report the amendments of the Senate to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BLOUNT reported that the Committee of the Whole House on the state of the Union had had under consideration the amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, and had directed him to report the same back with various recommendations.

Mr. RANDALL. I move the House concur in the report of the Committee of the Whole; and on that motion I demand the previous ques-

Mr. BLAND. I demand a separate vote on the Senate amendments numbered 69, 70, 71, 72, 73, and 74, in reference to silver certificates. The SPEAKER. The committee recommend concurrence, with an amendment.

The House divided; and there were-ayes 115, noes 35.

Mr. BLAND demanded the yeas and nays.

The House voted; and there were 27 in the affirmative.

Mr. BLOUNT. Count the other side.

The other side was counted, and 27 voted, which was not one-fifth of those present.

Mr. BLAND. Tellers on the yeas and nays. Tellers were not ordered.

So the yeas and nays were refused.

The amendments of the Senate were concurred in, with the amendment of the House.

On motion of Mr. ADAMS, of Illinois, a separate vote was asked on the following amendment of the Senate.

The Clerk read as follows:

Add the following:
"To enable the Public Printer to comply with the provisions of the law granting fifteen days' annual leave to the employés of the Government Printing Office, \$95,000, or so much thereof as may be necessary."

The SPEAKER. The Committee of the Whole recommend non-con-

Mr. RANDALL demanded a division.

The SPEAKER. The question recurs on the recommendation of the committee to non-concur.

The House divided; and there were-ayes 81, noes 74. Mr. ADAMS, of Illinois, demanded the yeas and nays. The yeas and nays were ordered.

Mr. RANDALL. I ask by unanimous consent that the adjournment be extended beyond 5 o'clock and until after this bill has been disposed of, and also until the gentleman from Indiana [Mr. HOLMAN] has submitted a conference report on the legislative bill. There was no objection, and it was ordered accordingly.

The question recurred on the report of the committee to non-concur in Senate amendment numbered 238, on which the yeas and nays had been ordered.

The question was taken; and it was decided in the affirmative—yeas 117, nays 105, not voting 100; as follows:

	***	TAN ALI.	
Allen, J. M.	Dowdney,	Kleiner,	Skinner,
Ballentine,	Dunn,	Laffoon,	Sowden,
Barnes,	Eden,	Landes,	Springer,
Barry,	Eldredge,	Lanham,	Stahlnecker,
Bennett,	Ellsberry,	Le Fevre,	Stewart, Charle
Blanchard,	Ermentrout,	Lore,	St. Martin,
Bland,	Fisher,	Lowry,	Stone, W. J., K
Blount,	Ford,	Mahoney,	Stone, W. J., M
Boyle,	Forney,	Martin,	Storm,
Breckinridge, C. F.	L. Gay,	McCreary,	Swope,
Bynum,	Gibson, C. H.	MeMillin,	Tarsney,
Cabell,	Glass,	McRae,	Taulbee,
Campbell, Felix	Green, R.S.	Mills,	Taylor, J. M.
Carleton,	Green, W.J.	Morgan,	Townshend,
Catchings,	Hall,	Morrison,	Trigg,
Clardy,	Halsell,	Neal,	Turner,
Clements,	Harris,	Norwood,	Van Eaton,
Cobb,	Hatch,	O'Ferrall,	Viele,
Collins,	Heard,	Outhwaite,	Wallace,
Compton,	Hemphill,	Peel,	Warner, A. J.
Cowles,	Henderson, J.S.	Pideock,	Weaver, J. B.
Cox,	Herbert,	Randall,	Wheeler,
Crisp,	Hewitt.	Reagan,	Wilkins,
Croxton,	Holman,	Reid, J. W.	Willis,
Culberson,	Howard,	Richardson,	Wilson,
Curtin,	Hutton,	Sayers,	Winans,
Dargan,	Irion,	Seney,	Wolford.
Davidson, A. C.	Johnston, T. D.	Seymour,	- United States 11 10
Dockery,	Jones, J. H.	Shaw,	
Dougherty,	Jones, J.T.	Singleton,	1011/17

	NA	YS-105.	
Adams, G. E. Allen, C. H. Anderson, J. A. Baker, Bayne, Bingham, Boutelle, Browne, T. M. Brown, C. E. Brown, W. W. Brumm, Buehanan, Buehanan,	Evans, Everhart, Farquhar, Felton, Fleegor, Frederick, Fuller, Funston, Giffillan, Goff, Grosvenor, Grout, Guenther,	La Follette, Laird, Lehlbach, Libbey, Lindsley, Little, Long, Lovering, Lyman, McComas, McKenna, McKinley, Milliken,	Rice, Rockwell, Rowell, Ryan, Sawyer, Scranton, Sessions, Spooner, Stephenson, Stone, E. F. Strait, Struble, Swinburne,
Bunnell, Burleigh, Burrows,	Hayden, Henderson, D.B. Hepburn,	Moffatt, Morrill, Neece,	Symes, Taylor, I. H. Taylor, Zach.
Butterworth, Campbell, J. M. Cannon,	Hermann, Hires, Hiscock.	Negley, Nelson, O'Neill, Charles	Thomas, O. B. Wade, Ward, T. B.
Conger, Cooper,	Hitt, Holmes,	Osborne, Perkins,	Warner, William West,
Cutcheon, Davis, Dingley, Dorsey,	Hopkins, Hudd, Jackson, James,	Peters, Pettibone, Pirce, Plumb,	White, A. C. Whiting, Worthington.
Dunham.	Johnson, F. A.	Price.	

Reed, T. B.

	NOT VO	OTING-100.	
Adams, J. J.	Dawson, Dibble,	Maybury, McAdoo.	Romeis, Sadler.
Anderson, C. M.	Findlay,	Merriman.	Scott,
Arnot,	Foran,	Millard,	Smalls,
Atkinson,	Gallinger,	Miller,	Snyder,
Barbour,	Geddes,	Mitchell,	Spriggs,
Barksdale,	Gibson, Eustace	Morrow,	Steele.
Beach,	Glover,	Muller.	Stewart, J. W.
Belmont,	Hale,	Murphy,	Taylor, E. B.
Bliss,	Hammond,	Oates,	Thomas, J. R.
Bound,	Hanback,	O'Donnell,	Thompson,
Brady,	Harmer,	O'Hara,	Throckmorton,
Bragg,	Haynes,	O'Neill, J.J.	Tillman,
Breckinridge, WCI	Henderson, T.J.	Owen,	Tucker,
Burnes,	Henley,	Parker,	Van Schaick,
Caldwell,	Hiestand,	Payne,	Wadsworth,
Campbell, J. E.	Hill,	Payson,	Wait,
Campbell, T. J.	Houk,	Perry,	Wakefield,
Candler, •	Johnston, J. T.	Phelps,	Ward, J. H.
Caswell,	Ketcham,	Pindar,	Weaver, A. J.
Comstock,	King,	Ranney,	Weber,
Crain,	Lawler,	Reese,	Wellborn,
Daniel,	Louttit,	Riggs,	White, Milo
Davenport,	Markham,	Robertson,	Wise,
Davidson, R. H. M.	Matson.	Rogers.	Woodburn.

Kelley,

Ely,

So the amendment was non-concurred in. On motion of Mr. RANDALL, by unanimous consent the reading of the names was dispensed with.

Mr. SNYDER with Mr. WAIT, for the remainder of the day. Mr. SPRIGGS with Mr. MILLARD, for the rest of the day. Mr. REESE with Mr. PAYNE, for the rest of the day.

Mr. CRAIN with Mr. HARMER, for the rest of the day.

Mr. KING with Mr. WEBER, for the rest of the day.

Mr. LAWLER with Mr. ATKINSON, for the rest of the day. Mr. O'NEILL, of Missouri, with Mr. WAKEFIELD, for the rest of the

Mr. GEDDES with Mr. HAYNES, for the rest of the day.

The result of the vote was then announced as above recorded.

The recommendation of the Committee of the Whole House on the state of the Union as to the other amendments was agreed to.

Mr. RANDALL moved to reconsider the several votes taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. RANDALL. In order now to expedite the progress of this bill, I ask that the conferees be appointed at once, and also that the House request a conference with the Senate on the disagreeing votes of the two Houses.

There was no objection, and it was so ordered.

The SPEAKER appointed as managers at the conference on the part of the House Messrs. RANDALL, FORNEY, and RYAN.

COMMITTEE REPORTS.

Mr. BROWN, of Pennsylvania. I rise to ask unanimous consent that those having reports from committees may be permitted to file them with the Clerk for to-day.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

BRIDGE ACROSS THE SAINT LOUIS RIVER.

Mr. HENDERSON, of Iowa, by unanimous consent, introduced a bill (H. R. 9987) to authorize the construction of a bridge across the Saint Louis River at the most accessible point between the States of Minnesota and Wisconsin; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. HOLMAN. I desire to submit a conference report on the legislative bill.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 88, 179, and 180 to the bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 179.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,970,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$52,960;" and the Senate agree to the same.

WM. S. HOLMAN,

GEO. C. CABELL,

J. G. CANNON,

Managers on the part of the House.

W. B. ALLISON,

W. B. ALLISON, H. L. DAWES, F. M. COCKRELL,

Managers on the part of the Senate.

The statement of the conferees is as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 88, 179, and 180 to the bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year 1887, submit the following written statement in explanation of the action agreed upon by the conference committee, as submitted in the accompanying report:

"On amendment numbered 88: Fixes the amount for salaries and expenses of agents and surveyors, for fees and expenses of gaugers, for salaries of store-keepers, and for miscellaneous expenses of the internal-revenue service, at \$1,970,000.

"On amendments 179 and 180: Strike out the proposed sum of \$10,000 for the

\$1,970,000.

"On amendments 179 and 180: Strike out the proposed sum of \$10,000 for the collection of statistics relating to marriage and divorce."

The total amount appropriated by the bill as it has been finally agreed upon is \$20,654,346.37, being \$899,219.25 less than the estimates submitted for 1887, \$722,362.33 less than the law for 1886, \$80,786 less than it was passed by the Senate, and \$70,117,20 more than it was passed by the House.

WM. S. HOLMAN,

GEO. C. CABELL,

J. G. CANNON,

Managers on the part of the House.

Mr. HOLMAN. Mr. Speaker, I wish to add a few words. It will be seen by this report that this bill, when it becomes a law, will appropriate \$869,219.25 less than the estimates for this branch of the public service and appropriates \$722,362.33 less than the corresponding bill for the last year. While this reduction is considerable in a bill of this proportion, it is not in my judgment, and I think in the judgment of other members of the Committee on Appropriations, anything near what it should have been. There has been such a steady and persistent growth of appropriations on this bill from year to year for many years, and so many personal interests connected with it, that it is one of the most difficult bills to deal with in the whole round of our legis-The following additional pairs were announced:

Mr. Tucker with Mr. Stewart, of Vermont, until further notice. lation, the pressure being constantly in favor of new employments and increased appropriations. I trust, sir, with the experience that has

been acquired in the last eight months, that the bill can be framed for the next fiscal year with a better understanding of the requirements of the public service, as there are many sources of expense that can mani-festly be largely reduced with increased efficiency. The steady growth of this bill from year to year ought to arrest public attention, as it is in a large degree the measure of the growth of public employments in the ciril service. the civil service.

I wish to add to my remarks a table showing the appropriations carried by this bill for the last fourteen years.

Mr. HISCOCK. I wish to ask the gentleman whether the table to which he refers for the last fourteen or fifteen years adds the items provided for in the deficiency bills wherever they have occurred?

Mr. HOLMAN. I am not aware of any material deficiencies that

have occurred in the appropriations covered by this bill.

Mr. HISCOCK. Oh, yes.
Mr. HOLMAN. I do not think they would reach beyond a few thousand dollars in any one year. It is a mere bagatelle as compared with other bills. In this bill, except the contingencies, the appropriations are specific.
Mr. HISCOCK.

Mr. HISCOCK. I think the gentleman is mistaken in that.
Mr. HOLMAN. I think that from 1873 down to the present time
the whole amount of deficiencies in the appropriations covered by this

bill will be found a comparatively small sum.

Mr. HISCOCK. Do you know the amount of the deficiency in the items carried by the legislative bill for the last fiscal year which should be included in such an estimate?

Mr. HOLMAN. It is very inconsiderable.

Mr. HISCOCK. Have you estimated them?

Mr. HOLMAN. I repeat they are very inconsiderable, but I have not the figures before me. This bill has never been a subject of any material deficiency except as to occasional contingencies. The appropriations have been generally up to the current expenses of the Government for salaries of the civil officers and employés. The great de-

ficiencies occur elsewhere.

The table of the appropriations under this bill since 1873, showing the amount appropriated for each of the following years, is as follows:

Amount ap	propriated.
1874	\$17, 120, 496
1875	20, 783, 900
1876	18, 902, 236
1877	15, 417, 933
1878	15, 450, 345
1879	15, 438, 881
1880	16, 287, 457
1881	16, 274, 223
1882	17,677,679
1883	20, 038, 000
1884	20, 454, 246
1885	21, 393, 141
1886	21, 376, 708
1887	20, 654, 346

I now demand the previous question on the adoption of the report. The previous question was ordered; and under the operation thereof the report of the committee of conference was agreed to.

Mr. HOLMAN moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORTS OF COMMITTEES.

Under the previous order of the House reports from committees were filed with the Clerk and referred as follows:

PUBLIC BUILDING AT DETROIT, MICH.

Mr. WORTHINGTON, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation the bill (8. 1131) to amend an act to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich., approved March 2, 1885; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be

JAMES H. KING.

Mr. MATSON, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 362) granting a pension to James H. King; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY ANN VARS.

Mr. LOVERING, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1570) granting a pension to Mary Ann Vars; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JUDITH PLUMMER.

Mr. LOVERING, from the Committee on Invalid Pensions, also reported back with amendments the bill (H. R. 4038) for the relief of Judith Plummer; which was referred to the Committee of the Whole

House on the Private Calendar, and, with the amendments and accompanying report, ordered to be printed.

LIGHT-HOUSE, GREAT WICOMICO RIVER.

Mr. CLARDY, from the Committee on Commerce, reported, as a substitute for H. R. 3732, a bill (H. R. 9988) for the establishment of a light-house at the mouth of Great Wicomico River, Virginia; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT LA CROSSE, WIS.

Mr. BROWN, of Pennsylvania, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation the bill (S. 2242) to change the limit of appropriation for the public building at La Crosse, Wis.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT WILKES BARRE, PA.

Mr. BROWN, of Pennsylvania, from the Committee on Public Buildings and Grounds, also reported back with an amendment the bill (H. R. 2147) to authorize the purchase of a site and the erection of a suitable building for a post-office and other Government offices in the city of Wilkes Barre, Pa.; which was referred to the Committee of the Whole House on the state of the Union, and, with the amendment and accompanying report, ordered to be printed.

ELLEN SPAULDING.

Mr. REED, of Maine, by unanimous consent, introduced a bill (H. R. 9989) for the relief of Ellen Spaulding; which was read a first and second time, referred to the Committee on Claims, and ordered to be

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the fol-

lowing titles; when the Speaker signed the same:
A bill (S. 1227) granting a pension to William P. Squires; and
A bill (S. 2349) granting a pension to Catharine Lanigan.

ORDER OF BUSINESS.

Mr. SPRINGER. I ask unanimous consent to have an evening session to-morrow assigned for the consideration of private Senate bills on the Calendar against which there is no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the House will on Thursday, July 29, take a recess from 5 o'clock p. m. until 8 o'clock p. m., the evening session to be devoted to the consideration of Senate bills on the Private Calendar to which there may be no objection, and the session not to continue beyond 11 o'clock p. m.

Mr. McCOMAS. I object, unless the order includes House bills on the Private Calendar to which there is no objection.

Mr. SPRINGER. The Senate bills are the only ones that can go through this session.

Mr. McCOMAS. I object. Mr. SPRINGER. I will agree to what the gentleman suggests, and

Mr. SPRINGER. I will agree to what the goald and agree will modify my resolution accordingly.

Mr. BLAND. I move that the House adjourn.

The SPEAKER. It was the order of the House that it should adjourn as soon as the business specified was completed.

Mr. BRECKINRIDGE, of Arkansas. The objection to the resolution of the graphsman from Illinois [Mr. SPRINGER] as now modified tion of the gentleman from Illinois [Mr. Springer] as now modified is withdrawn. [Cries of "Regular order!"]

The SPEAKER. The condition was that no other business was to

be transacted.

The House accordingly, under its previous order (at 5 o'clock and 15 minutes p. m.), adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. DOUGHERTY: Petition of M. M. Levey, for increase of pension—to the Committee on Invalid Pensions.

By Mr. MOFFATT: Resolution of Albert Jackson Post, No. 300,

Grand Army of the Republic, in favor of the passage of Senate bill 1886-to the same committee.

By Mr. MORRISON: Petition of citizens of Illinois for the passage of Senate bill 1886, granting pensions to dependent soldiers-to the

By Mr. REAGAN: Memorial and protest of the Teachers' Association of Texas, on the subject of Federal aid to education in the States-to the Committee on Education.

By Mr. SENEY: Memorial of Thomas W. Prentiss and others, of Putnam County, Ohio, against pension bills indicating the objects to be taxed for the payment of pensions-to the Committee on Invalid Pen-

stores, &c., taken and used by the United States Army-to the Com-

mittee on War Claims.

By Mr. TAULBEE: Petition of William G. Dunn, administrator estate of Cooper Dunn, deceased, of Garrard County, Kentucky, asking compensation for stores, &c., taken and used by the United States Army-to the same committee.

By Mr. J. M. TAYLOR: Petition of Robert Brown, sr., of Madison County, Tennessee, asking that his claim be referred to the Court of

Claims—to the same committee.

By Mr. ZACH. TAYLOR: Petition of Benjamin Holt, of Wayne County, and of Grace Ann Mitchell, of Shelby County, Tennessee, asking that their claims be referred to the Court of Claims—to the same committee.

Also, papers relating to the claim of Holmes Sells, of Atlanta, Ga.-

to the same committee

By Mr. TUCKER: Petition of Rev. Byron Sunderland and others, for such action as will avoid sessions of Congress on the Sabbath day—to

the Committee on Rules.

By Mr. WILLIAM WARNER: Petition of Israel Blagg, of Barbour County; of Miles Harrington, and of Sarah A. Cox, administrator of William G. Cox, deceased, of Platt County, Missouri, asking compensation for stores, &c., taken and used by the United States Army the Committee on War Claims.

The following petitions, asking for the passage of House bill 7887, repealing timber-culture, pre-emption, and desert-land acts; of House bill 7021, for adjustment of railroad and other land grants; of bill forfeiting all railroad land grants the conditions of which have not been strictly complied with; of House bill organizing the Territory of Oklahoma; of Senate bill opening a portion of the great Sioux reservation to settlement; of bill prohibiting aliens from holding land in the United States; of bill making Presidential and Congressional election days holidays, and punishing bribery; and of bill directing disbursement of at least \$200,000,000 Treasury surplus, and substituting Treasury notes for bank notes retired, were severally referred to the Committee on the Public Lands:

By Mr. ATKINSON: Petition of Morris Snider and 18 others and of H. D. White and 120 others, citizens of the eighteenth district of Penn-

sylvania.

By Mr. BLISS: Petition of John Roach and 61 others and of Frank Flippinger and 31 others, citizens of the fifth district of New York. By Mr. DOWDNEY: Petition of Charles Newman and 39 others and

of Albert A. Rowlett and 46 others, citizens of the twelfth district of New York.

By Mr. LAFFOON: Petition of L. H. Page and 75 others, citizens of

the second district of Kentucky.

By Mr. WADE: Petition of John Maynard and 206 others, of James Kennedy and 110 others, of J. A. Sweeds and 126 others, of F. Gibson and 175 others, of J. Fairbanks and others, and of C. H. Allen and others, citizens of the thirteenth district of Missouri.

SENATE.

THURSDAY, July 29, 1886.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D. The Secretary proceeded to read the Journal of yesterday's proceedings, and after reading for seven minutes, Mr. CULLOM. I ask that the further reading of the Journal be dis-

pensed with.

The PRESIDENT pro tempore. If there be no objection the further reading of the Journal will be dispensed with.

Mr. INGALLS. Is there a quorum present? We might as well hear the Journal as do anything else if there is no quorum. The PRESIDENT pro tempore. The Chair does not find a quorum

present. Mr. CULLOM. I withdraw the request if there is no quorum pres-

The PRESIDENT pro tempore. The roll will be called.

Several SENATORS. Let the Journal be read.

The PRESIDENT pro tempore. The Secretary will call the roll. Where a quorum does not appear, and that statement is made by the Chair, the rule requires peremptorily that the roll shall be called.

The Secretary called the roll, and the following Senators answered to their names:

Allison, Spooner, Teller, Vance, Van Wyck, Voorhees, Walthall, Whithorne, Edmunds, Mahone, Allison, Beck, Berry, Blackburn, Blair, Brown, Call, Cockrell, Cullom, Dawes. Eustis, Evarts, Frye, Gibson, Hale, Harris, Palmer, Payne, Plumb, Pugh, Ransom, Riddleberger, Saulsbury, Harrison. Wilson of Iowa, Wilson of Md. Hawley, Hoar, Ingalls, Sawyer, Sewell, Sherman, Dolph,

The PRESIDENT pro tempore. Forty-two Senators having answered | endar.

to their names, if there be no objection further proceedings under the call will be dispensed with, and the further reading of the Journal will also be dispensed with if there be no objection. The Journal will stand approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented the proclamation of the gov-The PRESIDENT pro tempore presented the proclamation of the governor of Utah relative to violation of the law in respect to marriage by members of the Church of Jesus Christ of Latter Day Saints; which was referred to the Committee on Territories.

Mr. CALL presented the petition of C. M. Furman and others, citizens of South Carolina and Florida, praying for the confirmation of land grants in Florida; which was referred to the Committee on Public Lands.

Mr. DAWES. I present a petition of the executive board of the Woman's National Indian Association, praying for an appropriation for education in Alaska. I move that the petition lie on the table, inas-

education in Alaska. I move that the petition lie on the table, inasmuch as the Senate has already taken favorable action upon the matter. The motion was agreed to.

Mr. McMILLAN presented a memorial of La Grange Post No. 79, Grand Army of the Republic, of Windom, Minn., remonstrating against any tax on the pension system; which was referred to the Committee

on Pensions.

Mr. McMILLAN. I present a petition of ministers and other citizens of the District of Columbia, praying Congress to so regulate the final adjournment as to avoid a session on Sunday, which I ask may be printed in the RECORD.

The petition was referred to the Committee on Appropriations, and

ordered to be printed in the RECORD, as follows:

To like honorable Senate and House of Representatives of the United States:

The undersigned would respectfully petition your honorable bodies to so order the day of your adjournment as to avoid a session upon the Sabbath. The day has been guarded by both Divine and human laws. The Sabbath sessions of Congress in the past have done violence to the deepest and most sacred convictions of multitudes of our fellow-citizens. With the hope that your honorable bodies will take such action as shall avoid this result, we will ever pray.

Washington, D. C., July 27, 1886,
B. SUNDERLAND.

Pastor First Presbyterian Church,
T. S. CHILDS.
A. GREENLEES.
JOSEPH T. KELLY,
Pastor Fourth Presbyterian Church.
GEO. P. VAN WYCK.
J. E. NOURSE.
JOHN CHESTER,
Pastor Metropolitan Church,
WESTEL WILLOUGHBY.

Mr. PALMER presented the memorial of John J. Bagley & Co. and 24 other manufacturers and dealers in tobacco, of Detroit, Mich., remonstrating against the passage of House bill 8738, changing the method of packing tobacco; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 2532) for the relief of Mary H. Casler, reported it with amendments, and submitted a report thereon.

Mr. MAHONE, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 2539) authorizing the Secretary of the Treasury to exchange property purchased at Abingdon, Va., as a site for a public building for more suitable property, reported it with an amendment.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1968) to authorize the Postmaster-General to allow to the American Bank Note Company in the settlement of its account credit for the cost of certain postage-stamps furnished to the Post-Office Department, reported it without amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Fisheries, to whom was referred the bill (H. R. 5538) relating to the importing and landing of mackerel caught during the spawning season, reported it with an amend-

ment, and submitted a report thereon.

Mr. SEWELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment,

ferred the following bills, reported them severally without amen and submitted a report thereon:

A bill (H. R. 7698) granting a pension to Robert K. Bennett;

A bill (H. R. 6819) granting a pension to William Conner;

A bill (H. R. 8826) granting a pension to John Patton;

A bill (H. R. 8835) granting a pension to Jacob Case; and

A bill (S. 2486) granting a pension to John Spruce.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the bill (H. R. 3504) to amend section 4414 of the Revised Statutes, relating to inspectors of hulls and boilers, reported it without amendment.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 2877) to promote the efficiency of the General Land Office, reported it without amendment, and submitted a report thereon.

Mr. BECK. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 8585) to provide for the inspection of to-bacco, cigars, and snuff, and to repeal section 3151 of the Revised Statutes, to report it without amendment. There is no report in the case

The PRESIDENT pro tempore. The bill will be placed on the Cal-

Mr. CONGER, from the Committee on Commerce, to whom was referred the bill (H. R. 9728) to authorize the Chicago, Saint Louis and New Orleans Railroad Company and the Illinois Central Railroad Company, or either of them, to construct a bridge over the Ohio River at or near Cairo, Ill., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1718) authorizing the Chicago, Saint Louis and New Orleans Railroad Company and the Illinois Central Railroad Company, or either of them, to construct a bridge over the Ohio River at or near Cairo, Ill., moved it is independent. its indefinite postponement; which was agreed to.

AMERICAN ANNIVERSARY CELEBRATION.

Mr. HOAR. I am directed by the Committee on the Library to report the following resolution, and ask its present consideration:

Whereas the approaching centennial anniversary, in 1889, of the adoption of the Constitution of the United States, and that of the four hundredth anniversary, in 1892, of the discovery of America by Christopher Columbus, are two important historical events, fraught with great patriotic interest, not only to the citizens of this Republic and of the governments of the western hemisphere, but also mark occasions of transcendent importance in the history of the civilized world; and

Whereas it is proper that the people should commemorate these great events in a manner becoming the greatness and dignity of the United States: Therefore.

fore, Be it resolved, That a committee of five members of the Senate, of whom the President of the Senate shall be one, be appointed to consider, formulate, and report at the next session of Congress a plan for properly celebrating, at the capital of the Republic, these two illustrious anniversaries. Said committee are authorized to act in concert with any similar committee of the House of Representatives, and to sit during the recess.

The PRESIDENT pro tempore. Is there objection to the present consideration of this resolution?

Mr. HALE. I object.
The PRESIDENT pro tempore. The Senator from Maine objects, and the resolution goes over under the rule.

COMMITTEE ON RULES.

Mr. FRYE. I am directed by the Committee on Rules to report the following resolution:

Resolved, That the Committee on Rules be, and is hereby, continued and authorized to sit during the recess of Congress, and that the necessary expenses thereof be paid out of the miscellaneous items of the contingent fund of the Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. VAN WYCK. Let it go over until to-morrow.

The PRESIDENT pro tempore. The resolution goes over under objection.

PACKING AND SELLING CUT TOBACCO.

Mr. ALDRICH. I am directed by the Committee on Finance to ask that House bill 8738, Order of Business 1725, be recommitted to that committee for further consideration.

The PRESIDENT pro tempore. The Senator from Rhode Island moves to recommit to the Committee on Finance the bill (H. R. 8738) to so further amend section 3362 of the Revised Statutes, as amended, and section 3363, as makes a distinction in the mode of packing and selling cut tobacco. If there be no objection the bill will be recommitted to the Committee on Finance.

Mr. EUSTIS. I should like to have the Senator from Rhode Island give the reasons for a recommittal.

Mr. ALDRICH. I said for further consideration by the Committee on Finance, the fact being that the report was ordered to be made under a misapprehension of the facts in the case. It was supposed that the bill

was satisfactory to the trade as well as to the Department.

Mr. BECK. If I may be permitted, I will state that I reported the Mr. BECK. If I may be permitted, I will state that I reported the bill from the Committee on Finance some time ago, by order of the com-mittee, on a letter from the Commissioner of Internal Revenue, addressed to myself, saying that he had prepared the bill, he believed it was right, and would save the Department from embarrassment, and that the Secretary of the Treasury had made a similar request of the House of Representatives, and the bill was passed by that body upon his statement. The letter was printed and laid upon the desks of

Since that time men from various parts of the country have sent pro-tests against the bill, asking to be heard, and I think they ought to be heard, and that the committee ought to look further into it. Although I can see nothing wrong in it, yet very many people engaged in the trade believe that it is objectionable, and they have had no hearing and no chance to be heard.

Mr. EUSTIS. Under ordinary circumstances I should interpose no objection to the motion to recommit, but as it involves the defeat of the bill, on account of the late hour of the session, I deem it my duty to explain to the Senate the reasons why I oppose the motion.

I will first state that it is a very unusual motion. I do not recollect that at this session I have heard such a motion made; that is, when a bill has been passed by the House of Representatives, referred to a committee of the Senate, and favorably reported to the Senate, that the Senate should not consider that bill because a few rich manufacturers make a protest against such legislation.

The PRESIDENT pro tempore. The Senator from Louisiana will

The Chair is of opinion that this motion is not debatable, but goes over under objection. If the Senator objects the motion goes over until to-morrow, and therefore it is not debatable.

Mr. EUSTIS. I would just as lief have it acted upon now if I can

The PRESIDENT pro tempore. According to the express rule morning business can not be interrupted by debate. Therefore if there is objection made, the motion must go over under the rule.

Mr. VANCE. Can not the Senator from Louisiana be heard by unan-

imous consent?

The PRESIDENT pro tempore. If there be no objection.
Mr. MILLER. The other side has to be heard.
Mr. HALE. This will evidently lead to debate.

Mr. ALLISON. I think it is rather too important a matter to debate this morning

The PRESIDENT pro tempore. Objection being made, debate is not in order, and the motion goes over under objection.

COMMITTEE ON EXPENDITURES OF PUBLIC MONEY.

Mr. CULLOM, from the Committee on Expenditures of Public Money, submitted the following resolution; which was read:

Resolved, That the Committee on Expenditures of Public Money, or a subcommittee thereof, be, and is hereby, authorized to sit during the recess of the
Senate to continue the investigation ordered by the Senate resolution of January 27, 1886, with the same authority given by said resolution. Said committee
shall have power to employ a clerk and a stenographer, and the expenses of
such investigation shall be paid from the appropriation for expenses of inquiries
and investigations ordered by the Senate.

I ask that the resolution be acted upon at this time. The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. COCKRELL. That had better lie over. The PRESIDENT pro tempore. The resolution goes over under the

BILLS INTRODUCED.

Mr. WHITTHORNE. Mr. President, is it now in order to move to

take up from the table a bill which I introduced some days since?

The PRESIDENT pro tempore. Morning business is not yet concluded. The introduction of bills and joint resolutions is next in order.

Mr. BERRY introduced a bill (S. 2882) for the relief of Levander Jenkins; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 2883) granting a pension to James E. Abbs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PALMER introduced a bill (S. 2884) granting a pension to Mrs. Anna Etheridge Hooks; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BROWN introduced a joint resolution (S. R. 79) referring the title of Mary A. Washington to property referred to in 92 United States Reports, page 698, to the Court of Claims; which was read twice by its title, and, with the accompanying memorial, referred to the Committee on Private Land Claims.

STATISTICS OF WHEAT CROP.

Mr. WILSON, of Iowa, submitted the following resolution; which was read:

Resolved, That the Commissioner of Agriculture be directed to report to the Senate, at the commencement of the next session of Congress, the amount in bushels of wheat harvested in each wheat producing country during the present year, and the amount harvested in each during the preceding five years; the average increase or decrease in the world's consumption of wheat during said years; the probable requirements of each wheat-importing country prior to September 1, 1887, and the probable surplus in each wheat-exporting country to meet such requirements; with the number of acres of wheat in the ground in each to make the crop of 1887 at the date of said report as compared with like date in 1885; said report to be as brief and concise as a clear statement of the information called for will admit.

Mr. PLUMB. I object to the consideration of that.

The PRESIDENT pro tempore. Objection being made, the resolution goes over.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to some and disagreed to other amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RANDALL, Mr. FORNEY, and Mr. RYAN the managers at the conference on the part of the House.

TREASURY SURPLUS.

Mr. ALLISON. I move that the Senate proceed to the considera-

tion of the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. McPHERSON. Before considering that question, let me ask the Senator from Iowa if he would not yield to me long enough to call up a resolution to place back where they belong certain naval cadet engineers in their proper place in the Navy. It is a Senate resolution and must go to the other House for concurrence. If it provokes a particle of discussion I am perfectly willing to have it displaced, but I think it will not. They were restored by the action of the courts, and all we

wish to do is to place them in their proper positions.

Mr. ALLISON. I should like very much to yield, but—
The PRESIDENT pro tempore. No debate is in order.

Mr. ALLISON. I should like to yield to the Senator, but I can not

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of the joint resolution indicated by him.

The motion was agreed to.

Mr. BLAIR. I suppose the majority of the Senate may deem that a more important measure to attend to, but I give notice that as soon as there is opportunity I shall move to take up the pension cases, as I have previously given notice.

Mr. COCKRELL. I should like to ask the Senator from New Hamp-

shire if he proposes to take up the vetoed pension bills in the order in

which they appear on the Calendar?

Mr. BLAIR. That was my desire. I wish to begin with the first one on the Calendar. I do not know how it may be subsequently. It may be that if there are particular cases subsequently which Senators choose to call up I should interpose no objection.

TREASURY SURPLUS.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

The joint resolution was reported from the Committee on Finance

with an amendment, to add the following proviso:

with an amendment, to add the following proviso:

Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned: And provided further, That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20,000,000; and in the case of any extraordinary emergency, and when, because thereof, in the opinion of the Secretary of the Treasury, the public interests shall require it, he may, by written order, suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired.

Man ALLISON. The President this injurt receiving the organization in every connection.

Mr. ALLISON. Mr. President, this joint resolution in one sense is an important one. In the consideration of it naturally the whole scope and range of financial discussion would be in order, but at this late stage of the session and under the circumstances surrounding the measure I think it will be apparent to every Senator that the discussion upon it should be confined to the real questions involved here.

There are two distinct points involved in the joint resolution. first relates to the currency; the next, to the management of the current business of the Government; and in the discussion I hope these

two things will not be confounded.

The joint resolution of the House of Representatives denominated the Morrison resolution is a resolution respecting, first, the reserve in the Treasury which is to be held for the redemption of United States notes, and secondly, as to what shall be done with the surplus revenue in the Treasury after disposing of the current expenditures of the Gov-

ernment.

It has been a mooted question whether up to the time of this resolution there has been any distinct setting apart of any specified sum for the purpose of maintaining the redemption of United States notes. For myself I do not believe there is any specific legislation now upon the statute-book requiring the absolute reserve of any particular sum of money, although I think it can be fairly stated that there is in the Treasury a reserve which, without further legislation, we are bound under existing statutes to use only for one purpose.

The statute of 1875, which authorized the resumption of specie payments on the 1st of January, 1879, gave a very large power to the Sec-

ments on the 1st of January, 1879, gave a very large power to the Secretary of the Treasury to make preparation for that purpose and to maintain that resumption when it once began. Under the law of 1875 the Secretary of the Treasury was authorized in his discretion to gather into the Treasury by the 1st of January, 1879, such surplus revenues as he might deem necessary, and in addition to that he was authorized in his discretion to sell bonds of the United States to any extent that he deemed necessary for the purpose of making resumption effectual. Under that authority the presiding officer of this body, then Secretary of the Treasury, did dispose in the market of \$95,500,000 of bonds for the purpose of beginning and maintaining the resumption of specie pay-

That authority to him was specific. He was authorized to sell bonds, That authority to him was specific. He was authorized to sell bonds, not for the general purposes of the Government, but for this one purpose and this one purpose only. So I take it a fair interpretation of the original law of 1875 would dedicate the proceeds of the sale of these bonds to this single purpose and to no other. So, while a specified sum was not set apart by the Secretary of the Treasury for the purposes of resumption, I take it that that \$95,500,000 which the Secretary of the Treasury purchased under this authority of law could not, without further authority of law, be diverted from that purpose.

In 1882 there was further legislation on this subject in connection with the act to authorize the reorganization of national banks whose

with the act to authorize the reorganization of national banks whose

charters had expired or were about expiring. Under the twelfth section of that act gold certificates were authorized to be issued by the Secretary of the Treasury upon deposits of gold in sums of \$20 or multiples of \$20; and as a proviso to that section this provision was in-

Provided, That the Secretary of the Treasury shall suspend the issue of such gold certificates whenever the amount of gold coin and gold bullion in the Treasury reserved for the redemption of United States notes falls below \$100,000,000.

Although this was not a dedication or a setting apart of \$100,000,000 for the redemption of United States notes, it was a recognition of the obligation of the resumption act of 1875 whereby if this contingency should arise that reserve for resumption should not fall below \$100,000,-

So, then, there has been, as I maintain, by these two acts of Congress a devotion or dedication of \$100,000,000 to be held in the Treasury for the purpose of maintaining at par in coin all the paper money issued by the Government of the United States.

At this moment or at any time I shall not undertake to discuss the question whether \$100,000,000 is enough for the purpose indicated in these two acts to which I have called the attention of the Senate, or whether it is too much. That question at this stage of the proceeding under this resolution is not involved. I can only say that since the 1st of January, 1879, up to this present moment only about \$22,000,000 of United States notes have been presented under the redemption act for redemption.

Mr. INGALLS. From what date?

Mr. ALLISON. From the date of resumption, the 1st day of January, 1879, up to the present moment. But I take it that that reserve fund of \$100,000,000 is held there for the purpose of meeting any extraordinary emergency that might arise requiring the redemption of United States notes, not intended, certainly not required, for the ordinary purposes of the redemption of these notes from time to time, as experience has shown. That is the situation of the law up to this mo-

Now what is the resolution of the House of Representatives? That resolution in specific, in absolute terms sets apart, dedicates, and devotes \$100,000,000 for this specific purpose of redeeming United States notes and for no other purpose whatever. If this resolution as it came to us from the House of Representatives should be passed without the dotting of an "i" or the crossing of a "t," it would compel the Secretary of the Treasury from that moment to set aside and devote \$100,tary of the Treasury from that moment to set aside and devote \$100,000,000 to that purpose; and if to-morrow the Secretary of the Treasury was compelled to send the Government of the United States to protest upon any of its current obligations outside of United States notes this House resolution would stand in his pathway if he undertook to disturb one single dollar of that \$100,000,000 surplus dedicated and devoted to the redemption of United States notes.

Mr. PLUMB. Will it embarrass the Senator if I ask him to read the resolution or that part of the resolution on which he bases that extraor-

dinary statement?

Mr. ALLISON. I will do so with great pleasure. The unequivocal designation and devotion of this resolution. That is the plain

Mr. TELLER. Did you not say that was the law by the acts of 1875 and 1882?

Mr. TELLER. But the Senator said it was the law all the same.

Mr. ALLISON. I did not say it was the law. Mr. ALLISON. I did not say it was the law. I said it was to be fairly inferred that Congress intended to devote \$100,000,000 by the act of 1882 or \$95,500,000 by the act of 1875 for the purpose of redeeming United States notes.

Mr. TELLER. I should like to ask the Senator a question, if he

will allow me?

Mr. ALLISON. Certainly.
Mr. TELLER. Has he any idea that when Congress passed the act of 1875 they had in mind how much was to be forever dedicated to the

of 1875 they had in mind how much was to be forever dedicated to the purpose of the redemption of greenbacks?

Mr. ALLISON. No, sir, I do not suppose they had. It was impossible for them to have. Of course it would require very much more to redeem all of them. There was a maximum limit. The Senator from Kansas [Mr. Plumb] asks me to read that portion of this resolution, and I will do so with pleasure, although I think there can not be a single question as to its construction:

That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums not less than ten millions per month, during the existence of any such surplus or excess, to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government.

That is the first part of the resolution. Then, when the House of Representatives undertook to state and to limit and crib and confine the Secretary of the Treasury with reference to this first clause which I have read, they say:

The surplus or balance herein referred to shall be the available surplus, ascertained according to the form of statement of the United States Treasurer, of the assets and liabilities of the Treasury of the United States employed on June 30, 1896.

If this House resolution had incorporated in the body of it in specific words, in hac verba, the debt statement of June 30, 1880, they could not more definitely or more distinctly have given direction as to how this surplus should be devoted and handled with reference to this statement which is made an absolute part of the House resolution and every word of it. Under this statement the Treasurer of the United States has reserved for the redemption of United States notes by the acts of 1875 and 1882 \$100,000,000.

Then taking the words of the resolution, stating the surplus, and stating how that surplus is to be ascertained and devoted and what

means are specifically set apart, they make distinct reference to this statement of the Treasurer of the 30th day of June, 1886.

So, Mr. President, I repeat that this resolution as it comes to us provides and sets apart what was of doubtful statement before, and so you make \$100,000,000 which can be devoted to no other purpose than the redemption of United States notes; and a Secretary of the Treasury who would undertake to use any portion of the \$100,000,000 after this House resolution shall have pessed if it posses with our property of the states and the states are stated in the states are stated as the stat House resolution shall have passed, if it passes without amendment, would violate a distinct and clear provision of law.

This being the plain and manifest interpretation and intention of this House resolution, as we are bound to draw from its terms, what is the situation of the Treasury? It is that unless we amend this resolution in some form this great Government of ours will be compelled to run upon its current receipts with reference to all its daily expenditures. That is the situation according to this resolution of the House

of Representatives. So the Senate Committee on Finance, a majority of them, believed that it was not wise to undertake to run the Government upon its daily receipts without having one dollar of surplus beyond this \$100,-000,000, dedicated and devoted as it is to a single and specific purpose. Therefore, having this \$100,000,000 set apart and segregated from all the ordinary uses and purposes of the Treasury, we felt that before the Secretary of the Treasury should be required to make a call for bonds he should have in the Treasury a sufficient sum of money to justify him in making that call, and that he should not rely wholly upon any surplus beyond the current expenditures that might come in within the thirty days next forthcoming.

Therefore we provided by this amendment that the Secretary may make a call for bonds, whether it be a million, or two millions, or three millions, or four, or even ten millions, and no Secretary of the Treasury who would administer the Treasury wisely would call for \$10,000,000 of bonds at one time when he could call for two, or four, or five, or six millions. He would distribute and divide the calls so as not to disarrange in any way the current operations of the business of the country or the current operations of the Treasury. So when the Secretary of the Treasury had \$1,000,000 above the amount necessary for the ordinary receipts and expenditures of the Government, under this proviso he is at liberty to make a call.

That is the first proviso, to make perfectly clear and distinct what it is said by the promoters of this resolution is already its meaning. If

so, that first proviso can do no harm.

The second proviso is one which provides—

That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20,-000,000.

That is a discretionary provision inserted in order that the Secretary of the Treasury, if he think it necessary so to do, may hold over and above this \$100,000,000 and the sum necessary for the call \$20,000,000

as a working balance in the Treasury.

In the ordinary operations of our Government with the amount of revenues we now have, and if no extraordinary expenditures should intervene, \$20,000,000 of working balance would not be required. deed, in my judgment, it is more than is necessary, although I think, if we are to give any discretion to the Secretary of the Treasury, who now has all discretion, no great harm would result from extending it even a few million beyond what in our wisest judgment, not having

all the facts at all times before us, might seem to be sufficient.

Why should this be \$20,000,000? Every one familiar with the oper-Why should this be \$20,000,000? Every one laminar with the operations of our Government knows that at certain times extraordinary payments are to be made. I have seen, and you have seen large sums appropriated and devoted by single acts of Congress. We saw of money appropriated and devoted by single acts of Congress. We saw here some years ago an act passed by Congress known as the arrears-ofpensions act, which by its terms added from \$25,000,000 to \$30,000,000 per annum to the expenditures of our Government.

If this resolution of the House of Representatives had been in existence at that time the Government of the United States would have been obliged to go to protest. I believe just and fair principles require that we should now provide additional legislation respecting pensions. The Senate of the United States at this session has passed a law which confessedly will add to the pension-list from twelve to fifteen million dol-lars perannum, which bill lies now in the committee-room of the House of Representatives and is likely to be brought forth before this session closes, as I hope it will be and become a law. If that shall be true, here is an extraordinary annual expenditure not provided for, and yet if this resolution of the House of Representatives were in full play at this moment it would have to be repealed or changed before we could

apply the sums of money which we pledge by legislation to the payment

pensions. So I might go on.

Take for instance the Alabama claims award for an illustration. am assuming now that we are down to the working balance proposed in this amendment. On the 2d day of June we passed a law respecting the Alabama claims, so called. That law prescribed certain methods of computation in the Treasury and certain requirements on the part of the claimants, and when those requirements are fulfilled \$6,000,-000 will go out of the Treasury in a single day to pay these Alabama claims. If this resolution of the House of Representatives was in full play, that could not be done until we had accumulated revenue sufficient to meet that obligation; in other words the Government of the United States would be compelled to go to protest and wait for the ordinary processes of the collection of taxes from internal revenue and other sources in order to meet a claim against the Government of the United States. But the ordinary expenditures of our Government running from time to time vary, as we know, very largely from month to month. Take for example the pension appropriation law. At this session of Congress, that appropriates \$75,000,000 for the payment of pensions. We know that these pensions are to be paid quarterly. At the beginning of each quarter warrants are issued from the Treasury amounting in round numbers to \$18,500,000. If this House resolution was in full play, that payment of \$18,500,000 could not be made, because there would not be money in the Treasury on which to draw the warrants. There is a single item of \$18,500,000 under existing law if we pass no more statutes.

It will not do for us to say when we are putting a law on the statute-book that current receipts will meet current expenditures. Current receipts and current expenditures vary from month to month and from time to time. I have before me a statement of the receipts from customs month by month, beginning in July, 1885, and ending in June, 1886. I find on a comparison of these monthly receipts from customs

that there are variations amounting to \$10,000,000 in a month.

Now suppose it shall turn out that the month when these extraordinary payments are to be made happens to be a month when the receipts fall down \$10,000,000? Then you have a dedication and devotion of eighteen and a half millions of payments on one side and a reduction of receipts from duties on imports of ten millions, making a variation in a single month of \$28,500,000. So the Committee on Finance believed that it was necessary in the prudent administration of the great affairs of a great Government like ours, having an annual expenditure in round numbers of \$300,000,000, and an annual revenue of a considerably greater amount, to be reduced undoubtedly if this resolution stands to the amount of our current expenditures, it may be-we believed it wise to have \$20,000,000 as a pliable, flexible fund that could be drawn upon at times when the Treasury was depleted. That could fill up again and be used in the discretion of the Secretary of the Treas-

init up again and be used in the discretion of the Secretary of the Freasury for the purpose of placing the Treasury in such condition as, come what will, it can pay its current obligations.

I have stated as briefly as possible the reason why the committee recommend this working balance of \$20,000,000. Perhaps it should be more; perhaps it should be less; but on a fair adjustment and comparison of views those who favored these provisions and favored a working balance believed that \$20,000,000 was a fair sum.

Now I come to the last provision in the committee's amendment:

And in the case of any extraordinary emergency, and when, because thereof, in the opinion of the Secretary of the Treasury, the public interests shall require it, he may, by written order, suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired.

I have been told on this floor privately by Senators-it has not been publicly stated—that this last proviso leaves the Secretary of the Treasury with precisely the same discretion he now has. If that be true, or if there be the slightest occasion for the justification of that statement, I desire that provision so amended as to make it absolutely clear that no such construction can be placed upon it by a Secretary of the Treasury. What do we mean by an "extraordinary emergency?" Do we mean the present condition, the present status? Some people think we are in an "extraordinary emergency" now. I do not so believe. This amendment implies that something must arise which does not now exist, and it is only to be used when such condition arises. I can imagine two or three such cases. I can illustrate by one that was in my mind when I agreed for one to this provision, although I would much prefer that this discretion should be exercised by the President rather than by the Secretary of the Treasury. Let me illustrate an "extraor-dinary emergency" which I think comes within the meaning of this

Suppose it shall turn out six months from now, instead of the greenback being what it now is, the most popular currency in our country, and the most sought after, that there is a run made upon the Treasury for coin for the redemption of greenbacks, and the \$100,000,000 which by this resolution is dedicated and devoted only to that purpose shall run down to a million, then what is the duty of the Secretary of the Treasury? It is his duty under the laws as they stand to-day to go into the markets of the world and sell bonds if need be, and secure coin to continue the redemption of greenbacks in coin.

Mr. TELLER. Suppose he had ninety-six million silver dollars at

that time in the Treasury; would he sell bonds?

Mr. ALLISON. Not if he knew what he was about. He would redeem these greenbacks in silver dollars or in gold dollars, whatever he had in the Treasury. This House resolution has dedicated \$100,000,000 in coin—I do not say what coin—for the redemption of United States notes. I say suppose that runs down to a million, then he is bound to sell bonds to maintain the credit of the Government so far as the redemption of United States notes is concerned. If this proposed law stands as it came to us from the House, the Secretary of the Treasury would be engaged in the ridiculous and absurd performance of selling bonds on one side and giving notice to redeem them on the other.

I have stated what I understand to be an extraordinary emergency as

defined in this last proviso; and as we are putting here on our statutebook a law which is to remain a permanent law and which undoubtedly if it remains will find the conditions indicated here, not this year nor next year, as I shall presently show, but possibly five years or ten years

or twenty years hence.

So, in making these provisos we take into account the fact that this is a permanent statute and not a statute made to condemn the existing policy of the Secretary of the Treasury only, because that is what it clearly does. This House resolution, if passed as it came from the House,

clearly does. This House resolution, if passed as it came from the House, or if passed as proposed to be amended by the Senate Committee on Finance, is a condemnation of the present policy of this administration. Mr. CULLOM. I desire to inquire of the Senator from Iowa whether, if this resolution as proposed to be amended by the committee were to pass and become a law, if the Secretary of the Treasury were to determine immediately after \$10,000,000 of money had come into the Treasury over and above the \$100,000,000 that an emergency existed such as would prevent him from paying out this surplus that is designed to be placed in the Treasury he would be violating this law in coming to that conclusion?

that conclusion?

Mr. ALLISON. Beyond question; and a Secretary of the Treasury who would do that would deserve to be impeached by the House of who would do that would deserve to be impeached by the House of Representatives, and if I would not be giving judgment in advance I should say he would at least be tried by this body. We are to presume in dealing even with political opponents that they have some honor, that they have some integrity, that they do not regard the statutes of the United States as toys and playthings; and a Secretary of the Treasury who in the face of this statute would say next month or is reacher from now, where some of the conditions of a discussion. six months from now, unless some of the conditions of a disruption which I have already alluded to are in existence creating an extraor-dinary emergency, that he could use this power as a plaything to meet his own caprice would be unworthy of the position he holds or of any position of trust.

Mr. CULLOM. The reason I made the inquiry of the Senator is because I have been told myself by prominent gentlemen, members of Congress, that this amendment was simply to leave the question entirely in the hands of the administration and that the administration

would determine that the emergency always existed.

Mr. PLUMB. I should like to ask the Senator from Iowa in that

connection, in view of his recognized authority upon the laws of finance, whether since this administration came in he knows of any defect in the financial horizon, of any occurrence or occurrences which have taken place which indicated that the country was on the verge of a panic or that the Treasury was confronted by an emergency? Does he know of any such?

Mr. ALLISON. I know of no such. I not only do not know of any such, but I do not see it within my brief vision.

Mr. PLUMB. Does not the Senator know that the present head of the Trasury believed the such an emergency existed just about twelve months ago, to wit, on the 20th day of July, 1885, if he did not resort to some considerable genuflexion (if I may use that term in regard to the operations of an impersonal body like the Treasury Department) to avoid what he believed to be impending disaster of the greatest possible consequence to the people of the United States?

Mr. ALLISON. The Senator may have some letter of the Secretary of the Treasury—I think I know to what he alludes—when the Secretary of the Treasury deposited with New York bankers \$10,000,000 of fractional silver coin which, in the statement we are called upon by the House of Representatives to indorse, is not money at all. The present Secretary of the Treasury and the Treasurer of the United States, in the statement which the House of Representatives ask us to vote in this resolution, say twenty-nine and a half millions of it is not money at all, and yet they deposited \$10,000,000 of that with the associated banks of New York, and placed in the Treasury \$10,000,000 of gold instead. Why? Because they knew that under the law the men who held this \$10,000,000 of fractional currency could at any hour of any day they saw proper cart it over to the subtreasury in New York and demand

for it greenbacks, because that is the law.

Mr. PLUMB. Then I ask the Senator from Iowa, if the present Secretary of the Treasury believed that there was an emergency of that kind last year, is it not fair to presume that he thinks that emergency has continued, or he would have paid out this money; and if he does so believe, however mistaken he may be, I should like to know what foundation there would be for the extraordinary proposition impeach-

ing him of which the Senator has spoken?

Mr. ALLISON. The Senator from Kansas takes no account of the fact that the Secretary of the Treasury was new in July last in his

Mr. PLUMB. He knows more now, the Senator thinks.

Mr. ALLISON. Let me proceed. The Secretary of the Treasury at that time was not as familiar with the affairs of the Treasury and of our Government as he doubtless is now. They accumulated money in the Treasury, already plethoric, because when the Republican administration went out of power, under the guidance of Mr. Hugh McCulloch, who was Secretary of the Treasury for three or four months preceding the 4th of March, 1885, there was an accumulation in the Treasury, and the Democratic party hammered it home on the Republicans dur-ing the contest of 1884 that we were holding in the Treasury more money than was needed there for its ordinary operations, and that that money should be devoted to the payment of the public debt, and upon that pretense and pretext they carried enough votes certainly in the State of Indiana to make the change.

In July, 1885, after they came in, under a new guidance and under a new direction, this Democratic administration changed the policy of the Republican party, which had a uniform and steady purpose, which was to pay the debt of the Government of the United States, reserving only a sufficient sum to meet the current obligations and demands, and to meet what this \$100,000,000 of money was devoted to, the redemp-

tion of the greenback currency.

Many of us believed that the Secretary of the Treasury at that time held more than he ought to have held; but none of us had the responneid more than he ought to have held; but none of us had the responsibility that the Secretary had; and, therefore, while we were disposed now and then to quarrel with our own Secretary upon the pretenses and pretexts of the Democratic party of 1884, we supposed that this policy would be reversed when the Democratic party came into power in 1885; but, as I say, with a Treasury fuller in March, 1885, than it had been at any time since resumption because of the accumulations made by Secretary McCulloch in the last two or three months, this administration beginning on the 4th of March, 1885, accumulated surplus money from that hour until the 29th day of December last, when they made the first call of \$10,000,000 for payment of the public debt.

I think the country owes a debt of gratitude to that distinguished Democrat who sits on the other side for exposing the shams of the Treasury policy between the 4th day of March, 1885, and the 1st day of January, 1886; and when he in his speech, able as it was, showing how this Democratic party, with all its pretensions and promises, had accumulated money in the Treasury for nine long months without paying out a single dollar, then it was that the Treasury Department reversed its policy of July, 1885, to which the Senator from Kansas has alluded,

and has paid out from time to time, as calls have been made, until within the last six months they have called \$54,000,000 of bonds.

Mr. McPHERSON. Will the Senator from Iowa yield?

Mr. ALLISON. So I say to my friend from Kansas that I believe light has been thrown in upon this darkened Treasury Department of

the year 1885.
Mr. PLUMB. I wish to ask the Senator from Iowa in that connection if he does not know personally and Senatorially that the present head of the Treasury, its vital power, believes to-day that all the money in the Treasury ought to be retained there for the purpose of meeting just such emergencies as are spoken of in the concluding portion of this

Mr. ALLISON. Well, Mr. President, I do not hesitate to say that if by construction or otherwise that last provision can be tortured into a suggestion that the status quo is to remain, I should vote against it a thousand times if I had the votes; but I understand that we are legislating now with reference to the existing status of things. We are only putting this proviso here for an extraordinary emergency, which has not existed, which does not exist, and which we hope never will exist; but if it should come and in the mean time Congress not be in session, that we may do the small thing of suspending for the time these calls for bonds, if need be, it is necessary to do so in order to maintain the credit of the Government unimpaired, and I should be willing to trust any Secretary of the Treasury upon that statement of facts. But if this is a mere juggle, if we have instead of a Secretary of the Treasury having responsibility and trust and power and having a station so high that he will not violate that trust, then there is, in my judgment, no harm in this last provision.

Mr. McPHERSON. Will the Senator from Iowa now be so kind, that he has got through with the Senator from Kansas, as to answer me specifically what he means by the "shams" in the Treasury Department which were exposed by a distinguished Senator on this side of the Chamber?

Mr. ALLISON. I do not know what language I used.

Mr. McPHERSON. The Senator made a very grave charge against the Treasury Department. I should like to have it specifically stated.

Mr. ALLISON. I thank the Senator for giving me that opportunity, because I may have done them injustice. My statement was that this administration came into power by criticising adversely the financial policy of its predecessors, saying that we held more money in the Treasury than was necessary to carry on its ordinary operations and to maintain the paper money of the country at par with coin, and, thus coming into power, from the 4th day of March until the 29th day of December,

1885, they reversed the policy of the Republican party, which was to apply the surplus to the public debt, and hoarded the money until they had more than \$50,000,000 in the Treasury over and above what they found there, which was a plethoric Treasury on the 4th of March, 1885, because Mr. McCulloch being rather an intermediary Secretary, and only in for a few months, did not desire to establish a policy with reference to the payment of the public debt.

So when the Democratic party came into power they came there with a Treasury fuller than it had been for three or four years, if I am not mistaken in my recollection, and instead of carrying out the promises and pledges they had made to the people, and which they put in their platforms, they straightway reversed the policy of the Republican party by hording money for nine months until the speech of the Senator from Kentucky [Mr. Beck] brought them forth and they made the first call

for \$10,000,000 of bonds.

Mr. McPHERSON. Then, if I understand the Senator from Iowa correctly, the sham consists in the campaign stories that were told that brought the Democratic party into power; but the Democratic administration came into power pledged in its platform to carry out the policy of honest money and honest payment of obligations. But when your party went out of office it left the Treasury depleted of gold; and it has been the desire and the earnest effort of the Treasury Department since that time to lay up a gold surplus in order that it might redeem the silver dollar and the silver certificates presented for redemp-tion to the Treasury. That is the policy of the Democratic party; and if you call that a sham policy it is the same policy pursued by your party.

If you had left the Treasury full of gold, as you ought to have done at the end of your administration, there would have been no difficulty with a Democratic Secretary of the Treasury in pursuing the like policy and paying the Government obligations faster than he has done.

Mr. ALLISON. Well, Mr. President, whatever the policy was or is, here is a resolution that comes from the House of Representatives ut-

terly and absolutely condemning it, and while we have modified and in some respects sugar-coated this condemnation, we propose by the amendments which we have here to condemn that policy, and it will stand condemned when this resolution passes either with or without these amendments before the country. Of course I do not care to go

into a debate on political questions.

Mr. McPHERSON. I should like to have the Senator from Iowa or any other Senator point me to one single word in the Democratic plat-form adopted in 1884 which encourages or in the least form countenances any such resolution, with the necessary results which follow in its wake, as has come to us from the House of Representatives. I will show you from the reading of that platform that it goes exactly in the opposite direction. The Democratic party in that convention declared in favor of an economical administration of this Government and the honest payment of the public debt in honest money.

Mr. ALLISON. I hope we shall have no political debate. I do not

wish to be drawn into it if I can avoid it.

Mr. President, I have explained (and that was all I intended to do) what I conceive to be the provisions recommended by the Commit-tee on Finance to the Senate. These provisions we think are neces-essary provisions in order to maintain the public credit in view of the facts which I have stated respecting the House resolution unamended. We believe that it is necessary that the Secretary of the Treasury should have a working balance to enable him to meet extraordinary demands and extraordinary contingencies, and this resolution having by its terms especially and specifically set apart this one hundred millions so that it will not be touched for any purpose except the one I have named, it seems to me that the House of Representatives would at once, their attention being called to it, agree to the several provisions which I have named, unless it be the last amendment.

Now, what is to be the effect of this resolution if amended or without amendment? It will not come into play under the amendments of the Committee on Finance until April next. In the ordinary course of affairs, unless we meet with some great reverse, this resolution as amended by the committee will not come into play before April or May. What will be the condition then? This Forty-ninth Congress will have been dispersed and a new House of Representatives elected, with eight or nine months intervening before their assembling. I ask Senators whether it is wise, with our shifting and changing revenues—I know increasing now, but taking into account the possible legislation of next winter—whether it is wise to leave the Treasury Department of our Government without one single dollar to play as a balance to meet current expenditures, as will be the case if this resolution should be passed

as it came to us from the House of Representatives.

Mr. McPHERSON. May I ask the Senator from Iowa a question entirely for information? I should like to have his construction of the resolution, because it may be of vital importance hereafter, the Senator from Iowa having charge of the resolution as the organ of the commit-tee. Although a member of the committee myself, there are certain features of the resolution which had not suggested themselves to me forcibly until the Senator took the floor to debate the resolution. I should like now to ask whether, in his opinion, the resolution as it now stands would include, as the payments under the resolution are to be

made monthly, the amount already provided by law to go into the sinking fund? In other words, there is a law to-day which requires that the sinking fund shall be 1 per cent. of the amount of the national debt. This resolution proposes to pay out, if it be in the Treasury, \$10,000,000 monthly, but let the Senator observe that there is a limit in both directions, the limit of \$100,000,000 which shall not be impaired, as he says, without further legislation, and the limit of \$20,-000,000 additional which shall be the extreme working balance of the Treasury. I take it then, whatever may have been the form of book-keeping in the past, the United States Treasurer under the law will be required to deduct first the amount due the sinking fund. pose there are \$15,000,000 at the end of a given month in the Treasury, we will suppose that \$4,000,000 of that belong to the sinking fund, will the Senator tell me, under his construction of the resolution, how much money that month will be applicable under the provisions of this

Mr. ALLISON. This resolution does not deal with the sinking fund; it leaves it out of the account entirely. The debt statement is a part of the resolution; but as we are paying \$10,000,000 a month of the debt, it is presumed that the framers of this resolution intended that pro tanto the sinking fund should be provided for, and by this pro-

vision it is not only provided for but far beyond, so that there is no question of difficulty respecting the sinking fund in my judgment.

Mr. McPHERSON. Then, if I understand the Senator aright, the \$4,000,000 would be put into the sinking fund, and then if \$6,000,000

were paid out of the surplus in the Treasury it would answer all the requirements of the law under the resolution.

Mr. ALLISON. No doubt of it. The sinking fund is not applied each month. It is applied during fiscal years.

Mr. McPHERSON. I want to say that I am not satisfied that the resolution makes such provision in express terms. However, I wanted to get the opinion of the Senator who has charge of the resolution.

Mr. ALDRICH. I wish to say a few words in answer to the Senator from Kansas. I am not here as the defender or the exponent of the Secretary of the Treasury, but justice to that officer demands that some answer should be made to the rather extraordinary statement of the Senator from Kansas

He believes and states that in the opinion of the Secretary of the Treasury such an extraordinary financial emergency arose last July and still continues as would authorize and require him, under the last proviso of the amendment, to practically nullify the provisions for the pay-

ment of the debt.

Now, what are the facts? On the 29th of December last, when the Treasury was practically in the same condition that it is to-day, when the available surplus was within two or three million dollars, as I remember it, of the very amount that it is this day, the Secretary of the Treasury commenced calling bonds and has continued to call the species of bonds in the manner provided for in this resolution to the extent of \$10,000,000 a month. In other words, he has practically complied with the provisions of the resolution, which shows conclusively to my mind that in his opinion no extraordinary emergency has existed within this time which required him to suspend the payment of the debt to the extent at least which is provided for in this pending resolution either as it came from the other House or as it is proposed to be amended in the Senate. I know of no reason why the Secretary of the Treasury should not proceed to call bonds to the amount of \$10,000,000 a month as he has done for the last seven months, unless some extraordinary emergency should arise.

Mr. PLUMB. I only want to say that the Senator will bear in mind that the sinking fund was got hold of at the time they commenced under the requirement that so much each year should be applied to that

The PRESIDENT pro tempore. The Chair will call the attention of the Senate to the fact that interruptions in a debate like this, without the consent of the person speaking and without first addressing the

Chair, are in violation of the rules and greatly promotive of disorder.

Mr. BECK. I desire to say in the first place that Senators on either side of this question may as well dismiss all apprehension relative to the motives and purposes of the House of Representatives in the passage of this resolution; they may as well assume that the House of Representatives, constituted as that body is, in accord with the executive branch of this Government, did not undertake by their action either to the Government, and not undertake by their action either to censure, condemn, or embarrass the action of the executive branch of the Government. It is fair to say, looking at the resolution itself, looking at the objects and purposes of it, carefully considered and fully debated as it was in the House, that the Representatives of the people believed that it would promote the public welfare and would not in any form embarrass the Treasury Department. On the contrary, the House proposed to assume the responsibility of ordering payments to be made, so that the Secretary of the Treasury might be relieved from embarrass-

ment, when urged by interested parties not to do anything, by pointing to the law which Congress required him to obey.

There can be no other purpose that I can imagine in amending it here, because the principle of the resolution is admitted by the amendments, except to assert before the country that a Democratic House of Representatives was not able or willing to pass a proper measure and

that a Republican Senate had to amend it and improve it and deprive it of its vicious provisions. Not believing that there is any vice in it, but on the contrary believing that in view of our failure to reduce taxation, and in the present condition of the Treasury, and the revenues now being daily collected under the existing law, it is fair and just to the administration and can not by possibility bring about any of the embarassments suggested by the Senator from Iowa as even among the possibilities, I shall vote for the resolution just as it came from the House of Representatives.

The first thing to get at always in discussing any question is the exact facts. The first thing to settle is, What does this resolution propose? It proposes to deal only with the existing 3 per cent. bonds now payable. Let me read:

That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums not less than ten millions per month, during the existence of any such surplus or excess—

To what?

to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government.

When the interest-bearing indebtedness of the United States now payable at the option of the Government is paid off the mandate of the resolution terminates. The next question is, What is the amount of the present interest-bearing indebtedness of the United States payable at the option of the Government to which this resolution can apply? The Treasurer of the United States tells us that on the 12th day of this month, July, 1886, it amounted to \$136,000,000. No other interest-bearing indebtedness of the United States can be paid at the pleasure or option of the Government until September, 1891—more than five years from this time. Therefore the resolution of the House is limited by its language, by its terms, by its conditions, to the payment of the 3 per cent. bonds now payable at the option of the Government. The next thing to consider is, What is the condition of the Treasury and on what resources can it rely? We must assume that the House of Representatives understood all these questions, looked carefully at them all, and acted in view of all the facts, connected not only with the few bonds, because \$136,000,000 is a small amount compared with the whole number outstanding that will mature in 1907 and 1891—they looked, of course, carefully not only at the condition of the Treasury and the amount of surplus revenue that was coming in month by month, but they looked also at the legislation of Congress, its appropriations and its failures to reduce taxation, so that they knew absolutely what means the Treasury had to meet these and all other obligations with; the closing days of the session had been reached, so that no change could be made in the revenue; they considered what laws had been passed and how they would stand. Therefore they acted advisedly, having only \$136,000,000 that we can pay before 1891, and that this resolution applies to. What does the Secretary of the Treasury show on the same 12th day of this month as to our resources?

Taking out the amount of gold certificates from the gold and bullion he had \$180,000,000 in the Treasury on the 12th day of this month, \$80,000,000 more than the \$100,000,000 required. But assume that he had not that much. The House of Representatives acted in view of the fact also that the \$29,000,000 of subsidiary coin which they if you the fact also that the \$29,000,000 of subsidiary coin which they if you please properly excluded from the calculation is, for all practical purposes as much money, which can be utilized by the Secretary of the Treasury, as any other money. The \$29,000,000 of fractional coin will be gladly received by the laboring people for all the labor they perform on public works, on rivers and harbors, public buildings, Indian contracts—anywhere, by anybody other than a bondholder—and the moment they are paid out they can be taken to any subtreasury and greenbacks can be demanded for them all. They are excluded from this resolution and left as a working balance in the Treasury, in addition to the \$100,000,000 in gold standing upon the \$180,000,000 of gold, or \$160,000,000 if you like, for either is more than enough. I turn to the Bureau of Statistics for the last six years, and have before me a statement which the House of course knewall about and considered. This

is part of the resources they had a right to rely upon.
On the 1st day of July, 1880, the total debt was \$1,942,172,295; on the 1st of July, 1881, it was \$1,840,598,811, a reduction of \$101,573,484. For the year 1882 there was a reduction of \$151,684,351; for the year 1883 there was a reduction of \$137,823,253. In that year we took off half the tax on tobacco and cigars and by our tariff reduced duties on some other things somewhat; still the surplus in 1884 was \$101,040,972, and on the 1st day of July, 1885, \$63,494,708, and on the 1st day of July, 1886, \$96,000,000. The total surplus of revenue received from taxation, beyond all the requirements of the Government for its ordinary expenditures during these six years was \$651,616,768, making an annual average surplus of \$108,602,794 per annum, or over \$9,000,000 per month aver-

The House of Representatives knew all that. It is no chance or accidental sum; it is the average per month for the last six years; over \$9,000,000 a month surplus coming in is a better, surer basis for banking than any bank in the country has. They knew that that ratio would not be reduced during this session of Congress. They knew that the

appropriations have not been increased to any appreciable extent, even with the additional naval appropriations thrown in. They knew that that surplus was coming in with the regularity of death every month far in excess of all requirements; and they only propose that \$10,-000,000 a month shall be paid out of all the vast sums now in the Treasury, supplemented by the \$9,000,000 a month coming in every month to add to that. So in fact they are only taking \$1,000,000 a month from the funds now in the Treasury to add to the \$9,000,000 surplus coming in, and that only to last till the \$136,000,000 is paid. In thirteen and a half months the present surplus in the Treasury will not be reduced \$20,000,000 after all the 3 per cent. bonds are paid off. Our statistics show that all existing conditions are favorable at home and abroad for an increase on duties from imports of about 20 per cent. during this year and of 10 per cent, on all internal-revenue taxes. Our increase of tariff duties is owing to the rise in prices here and the depression in England, Belgium, and Germany.

It is stated that \$20,000,000 revenue will be received this year alone on imported rails and other things for railroads that are being built. In view of these and other facts how can any gentleman assume that the House of Representatives acted imprudently when it directed the Secretary of the Treasury to pay \$10,000,000 a month, with such an immense amount of surplus gold and silver now, and with \$9,000,000 excess a month coming in? In requiring \$10,000,000 a month, to be paid off month by month, how are they seeking to embarrass the Secretary or the administration in the control and management of the Treasury Department? Remember, all I am speaking of is over and above the \$100,000,000 so-called reserve. I do not care to meddle with that. Taxation is not being reduced. Therefore the revenue is not diminished, but, on the contrary, it is increasing and swelling as prosperity returns. Yet it is intimated that this House resolution will

embarrass the administration!

Senators, it will not, it can not do it; it has no such purpose and can not be tortured in face of the facts to have any such meaning. If I may be allowed to guess I could guess that it has a very proper Last year the Secretary of the Treasury was induced to lock meaning. up money in the Treasury, as we all agree now, greatly beyond what the interest of the people required, and very much beyond what was needed for the wants or security of the Government, because of combinations of men of wealth and power in New York and elsewhere, many of whom held bonds as security for national-bank circulation. did not want to have the bonds paid and the circulation based upon them withdrawn, and they determined that they would ruin the country rather than receive any part of their principal or interest in silver coin. They made earnest and successful efforts through their combinations to alarm our Treasury officials. They endeavored to make them believe that they would bring on a panic in regard to the finances of the country unless all the surplus money was held in the Treasury; and their demand for gold, and gold alone, was acceded to. I believe they alarmed the Secretary of the Treasury. I believe that much of the useless locking up of our money was because of that apprehension, and I do not speak of these things without authority. I have before me a very able review, though a somewhat bitter one, of the speech I made in the Senate last winter, by Hon. Horace White, of New York, a very well-informed man. In that review he said, among other things:

well-informed man. In that review he said, among other things:

A sort of panie ensued in the money market, and it came to my knowledge that Governor Tilden was one of a considerable number of persons who, without any concert of action, had bought large amounts of sterling exchange in order to protect themselves against loss in case silver should become our monetary standard. Sterling exchange means gold in London. Why was Governor Tilden buying sterling exchange? Because, happening to have on hand a certain number of dollars worth 100 cents each in gold and apprehending that if left in bank they would presently be worth only 90 or 90 or perhaps 75 cents each, he took the precaution to insure that they should continue to be worth 100 cents. He had only to write a few lines to his banker to insure this result. This was a typical case of the domineering "organizations of wealth" that Mr. Beck has conjured up.

And so on.

A very able man—perhaps as able as Mr. White, and as well informed—Mr. ABRAM HEWITT, of New York, make a speech very lately, in which he said:

in which he said:

I have reason to know when the present administration came into power its first and chiefest concern was to avoid the danger which had been predicted by the Republican Secretary in his official statement and in his private communications. The amount of gold in the Treasury on the 4th of March, 1885, was \$125,000,000. This was a much smaller sum than had usually been held in the Treasury in gold since the resumption of specie payment. It was steadily running down. The public confidence was gone. The hoarding of gold had begun—not by the mass of the people, not in stockings, not in secret hiding places, but by the masters of finance, the men whose business it is to handle millions and to prevent their deterioration; they began to prepare for the hour of danger and the collapse which they thought was impending.

I know three of the greatest institutions in the city of New York—I shall not name them lest it might possibly bring down upon them the condemnation of those who are prejudiced against banks—but I know three institutions in the city of New York which had accumulated more than \$25,000,000 of gold as a preparation for the collapse they thought was coming.

These men ware conspiring to break us down. It was a well-overhan

These men were conspiring to break us down. It was a well-organized effort, no doubt. They sent their emissaries from one end of the land to the other, they held their conventions all over the country, seeking to alarm the laboring masses, and to make good their threats if we dared to say that silver and gold should stand upon an equality before the law and that they should be required to take either at the option of

the Government, like other people. It was these combinations, whose power our executive officers knew, which actuated the Secretary of the Treasury to make, at their suggestion or demand, the miserable, abortive, absurd effort last summer to save the country from ruin by the exchange for gold of \$10,000,000 of fractional currency. That abortion I need not do more than allude to, because it was too contemptible to deceive anybody and fell flat before it was consummated.

Now what does the House of Representatives say? They say, Mr. Fairchild is only acting Secretary; you are a new man; this Congress is about to adjourn. You have about \$180,000,000 of gold; you have \$224,000,000, counting silver and fractional coin; you have \$60,000,000—\$80,000,000 more than you need. We will continue to furnish you additional surplus revenue at the rate of \$9,000,000 or \$10,000,000 a month, month by month, from our custom-houses and from our internal-revenue offices. We insist that it is the interest of the people not to have money locked up in the Treasury; in our opinion no calamity can be greater than that, because it is the worst sort of contraction. We know the pressure put on Secretary Manning last year. Notwithstanding the pressure the combinations of national bankers may seek to put upon you when our backs are turned, notwithstanding they may insist that "you are only acting and your chief is not in his place, and that they do not want to give up the bonds which are the basis of circulation; and that they do not want to give up the bonds which are the basis of circulation; and that they do not want to give up that circulation and deposit greenbacks in lieu of it and surrender bonds when the premium on the others is so high that they can not buy them, we will relieve you from all responsibility or annoyance from any quar-The House of Representatives undertakes to determine what the policy as to future payments shall be. It says: "We furnish the money we, the representatives of the people, have placed in your hands, Mr. Secretary, this great surplus; we are sending it in month by month at a rate almost equal to the amount that we are directing you to pay out. If any mistake or unforeseen accident occurs we meet again in December; whatever happens in the mean time to change present conditions we will correct." In short, the House says: "The power of taxation is in our hands; we order you, Mr. Secretary, not to heed, not to be intimidated by any action of any combinations of men, who care nothing for any interest but their own; pay \$10,000,000 a month, reduce the interest of the tax-payer, keep our money in circulation, and we will take all the responsibility."

The House resolution furnishes the Secretary an answer to every man who seeks to control him because of the assumption that a bad condition of things is coming and that he ought therefore to suspend payment of bonds. All he has to answer is, "I obey the law. I obey the orders of Congress; I obey the representatives of the people; therefore there is no use in appealing to me." It is a relief from embarrassment rather than an embarrassment to our Secretary to tell him that he shall pay out only a moderate sum, a sum far less than Congress might have required him to pay, and have done it with safety, if we had so desired, \$10,000,000 a month, limited only to the 3 per cent. bonds which can now be paid, with a gap of five years or four years before any more can be called in at our option. When Congress says, "Mr. Secretary, you shall do this," we do not reflect upon his integrity, his capacity or fidelity, but we simply announce our policy and say to all the world that we take the responsibility. The Secretary shall not be blamed for any we take the responsibility. The Secretary shall not be blamed for any mistake in regard to it, and no set of men need try to persuade him to deviate from it; the representatives of the States and people have settled that to suit themselves, right or wrong.

It must never be forgotten that the Secretary of the Treasury is only

the fiscal agent of Congress, vested with such discretion as we see fit to give him. When this resolution was first presented by the Senator from Iowa, and it was so published in all the papers, the proposition was to vest in the President of the United States the responsibility of stopping these payments if in his opinion any exigency arose. committee was too wise to do that. We did not propose to hold the President of the United States responsible for the distribution of the revenues Congress had provided. We did not intend to embarrass the Chief Magistrate by requiring him to attend to the distribution of the

proceeds of the taxes imposed by Congress.

The President has quite enough to attend to without that sort of work being imposed upon him. The Secretary of the Treasury is the fiscal agent of Congress. He occupies a different relation to Congress and to the President from any other of the Secretaries. Turn to the old laws organizing the Department and see an act to establish an Executive Department, to be denominated the Department of War, approved Au-

gust 7, 1789, which provides-

That there shall be an Executive Department, to be denominated the Department of War; and that there shall be a principal officer therein, to be called the Secretary for the Department of War, who shall perform and execute such duties as shall, from time to time, be enjoined on or intrusted to him by the President of the United States, agreeable to the Constitution, relative to military commissions or to the land or naval forces, ships, or warlike stores of the United States, or to such other matters respecting military or naval affairs as the President of the United States shall assign to the said Department or relative to the granting of lands to persons entitled thereto for military services rendered to the United States, or relative to Indian affairs; and, furthermore, that the said principal officer shall conduct the business of the said Department in such manner as the President of the United States shall from time to time order or instruct.

Turn to the Navy. In regard to the Navy Department there is the same provision. The act of April 30, 1798, provides

That there shall be an Executive Department under the denomination of the Department of the Navy, the chief officer of which shall be called the Secretary of the Navy, whose duty it shall be to execute such orders as he shall receive from the President of the United States, relative to the procurement of naval stores and materials and the construction, armament, equipment, and employment of vessels of war, as well as all other matters connected with the naval establishment of the United States.

Turn to the Attorney-General's Department. The act of September 24, 1789, says:

And there shall also be appointed a meet person, learned in the law, to act as Attorney-General for the United States, who shall be sworn or affirmed to a faithful execution of his office, whose duty it shall be to prosecute and conduct all suits in the Supreme Court in which the United States shall be concerned, and to give his advice and opinion upon questions of law when required by the President of the United States, or when requested by the heads of any of the Departments, touching any matters that may concern their Departments, and shall receive such compensation for his services as shall by law be provided.

Turn to the act creating the office of Secretary of the Treasury and see how that reads. A Secretary of the Treasury shall be appointed, whose duty it shall be (without reading all) to attend to the collection, &c., of the revenues, "to execute such services relative to collection, &c., of the revenues, "to execute such services relative to the sale of the lands belonging to the United States as may be by law required of him, to make report and give information to either branch of the Legislature, in person or in writing (as he may be required) respecting all matters referred to him by the Senate or the House of Representatives, or which shall appertain to his office, and generally to perform all such services relative to the finances as he shall be di-

rected to perform."

He reports directly to Congress. We have a right to bring him on this floor to question him day after day. He shall report verbally or in writing as either House may direct. He is our officer, and not the President's adviser merely in the sense that the Secretary of War, the Secretary of the Navy, and the Attorney-General are executive officers subject alone to the will and order of the President. "We with the Secretary of the Treasury manage the purse; the President and the other Secretaries control the sword. Therefore it is that we deal with the Secretary of the Treasury and order him what he shall do, and he deals with us and tells us what he thinks is best for us to do, and we take his advice or not as we like. We impose the taxes, place the proceeds in his hands, tell him what to do with them, and that is all that this resolution of the House does. It says, "Mr. Secretary, we have placed this much money in your hands. We know it is much more We know we have done wrong in not reducing taxa-We will do the next best thing; we will pay our debts promptly. We know that money taken from the people ought to be restored to ' them as soon as possible, because we believe that no greater evil can befall the country than to have its circulation locked up in the Treas-Therefore, so believing, we order you as our agent to pay it out. You must not hold or lock it up at the request or the solicitation or the threats of any body of men. We will relieve you of all responsibility on that account. We have furnished you enough at least to pay off the \$136,000,000 of 3 per cent. bonds." That once done, this resolution operates no further. We will wait and see what is needed next. I insist that the House resolution is in the interest of the Secretary. It is better for him, better for everybody, than the present condition of

I am not going to say anything now about or against the \$100,000,-000 reserve; that will not be endangered by the House resolution. I never have believed there was any necessity for \$50,000,000 of reserve; I do not believe it now. It becomes more and more absurd every day to hear about \$100,000,000 guarding greenbacks. I do not believe the credit of this Government would be impaired one penny if we were today to take \$50,000,000 or all of that reserve and pay off the 3 per cent.

bonds with it.

Whatever may have been thought to be prudent in 1879 when the resumption act was an experiment, eight years of experience have shown that the greenback needs no protection. When we paid off \$50,000,000 of 3 per cent. bonds between the 1st day of January and the 1st day of July last, nearly \$40,000,000 of them were paid in greenbacks at the request of the men who held the bonds. When the character of money in which our customs dues were paid at the great port of New York during the month of June was looked into it was found that nearly 82 per cent. of all the taxes were paid in greenbacks, although the law requires coin, and coin alone, for customs dues. The greenbacks in the Treasury held for the redemption of national bank-notes have been increased in the last five months from \$30,000,000 to \$60,000,000. Everybody wants greenbacks; nobody wants to have them redeemed, so that there is no sense in holding or hoarding gold for their redemption, far less \$100,000,000 that costs us \$5,000,000 of interest annually, as we paid 5 per cent. for \$6,000,000 of it, and 42 per cent. for the balance. But I am not going to argue that question now. It will be swept away some day along with the other rubbish.

fire 3 per cent. bonds provided for in the resolution will all be paid off long before it is possible for the surplus funds, backed by the monthly surplus, to come anywhere near low enough to interfere with

this \$100,000,000 so-called reserve. Mr. President, this question has been argued all the time as though the Treasury was a great bank and the people of the United States a great private banking corporation, and as though everybody connected with the Treasury or managing its operations had to keep as much reserve in the Treasury of the people as a private banker would have to keep in order to save himself from unforeseen reverses. There is no analogy between them. Whatever there may be in the theory the common sense of the proposition is all against the comparison and the assumption. The Senator from Maryland [Mr. Gorman] and myself may be carrying on a bank in Baltimore. We may have the best men in Baltimore as our depositors; we bank on our deposits, of course; that is all we want them for. But these depositors, when they see that the Senator from Maryland and myself are making money as bankers, and are making it out of their deposits, may say, "It is too good a thing to let Beck and Gorman have this; we will set up a bank of our own." When they do they of nave this; we will set up a bank of our own." When they do they of course take away the money they deposited with us, and they take away the business of their friends, who are also our depositors. The two banks divide the profits. We must have a reserve to meet unexpected calls like that upon us. If our depositors who are left think that in Chicago, Saint Paul, Minn., or somewhere else money can be loaned at 10 or 15 per cent. instead of 3 per cent., which is all they make by depositing in our bank, they draw their money out. We must have a reserve to meet all these contingencies or fail. have a reserve to meet all these contingencies, or fail.

The United States have no such contingencies to guard against. The United States have no competitor in their financial affairs. The money derived from our custom-houses and our internal-revenue offices and from our miscellaneous sources comes, as I said, with the certainty of death, and the more prosperous the country is the larger the receipts are. Nobody can divide with us or take from us any of our depositors.

Mr. President, no condition of things can break the United States. When the reserve of a private man is gone he fails. When the reserve of the United States is gone the Congress of the United States imposes a "5 per cent. tax on all incomes over \$5,000," and \$30,000,000 flows into the Treasury; or "5 cents a pound on tea; 10 cents a pound on coffee; double up the tax on whisky and tobacco," and untold millons roll in. The world knows that; the plain people of the country un-derstands it; and to argue here that we are no better off than a private man who must keep a reserve because he has no other means of payment except his own property is to my mind preposterous. No man's credit can be compared with that of the United States, whose power of taxation extends over a continent and over all the wealth of 60,000,000 people. Everything every bank has can be called on and be required to come to the rescue of the credit of the United States at any moment when any deficiency is likely to occur. It is therefore an absurd proposition for meaning the reserved to the rescue of the credit to account the reserved that we occur the reserved to the reserve sition from a business standpoint to assume that we occupy the relation of private bankers, although that assumption has alarmed many people and made them believe that we were in danger of being broken down financially unless we keep this reserve intact. Even when at the end of each quarter when pensions and wages are paid, it is thought to be horrible to reduce that \$100,000,000 reserve for a day, although it may be known that it will accumulate and be in large excess for three

months thereafter, or until the next general quarterly pay-day comes.

Suppose Congress had passed my friend BLAIR's educational bill, doubled up if you like, and had taken one hundred or two hundred million out of the Treasury as we might have done, or suppose we had pensioned everybody and given arrears of pensions to everybody, would it have laid in the mouth of the Secretary of the Treasury to have entered a protest against our action because we were taking more money from his vaults than he thought he could afford to let go? We would have said to him, "It is your business to obey the law; pay out these pensions; pay out the money devoted by us to this educational fund; pay out these arrears of pensions. It is our business to impose taxes upon the people to meet them. You have nothing to do with our legislation or demands on the Treasury. That is our business. You must see that our orders are faithfully obeyed. We are not asking you to exercise any discretion; we do not think it well for you or us that you should. You may advise us from time to time as to the state of the Treasury, and if you do not want to do it we can send for you to come here and on this floor we can question you as to anything we want to know; but as to the payment of money of which you are our custodian, that is our business, not yours, and we mean no reflection on you when we tell you so.

Therefore I repeat, whatever alarm may at any time have existed when the reserve seemed to be in dauger, none exists now. There is too much money in the Treasury. There is too much surplus revenue coming in month by month. There is no reduction of taxation—that

is at the root of all our trouble—and consequently no diminution of surplus revenue, unless we squander it by extravagant appropriations

My friend from New Jersey a little while ago asked the Senator from Iowa what about the sinking fund. He inquired seriously, is that provided for? Sir, that sinking fund has been at the bottom of much of our trouble. It can not be provided for any longer; the bonds now man, and Secretary Morrill, who preceded him, prove by their official statements in 1876 and 1877 that we were then \$225,000,000 ahead of tion and high protection, which always go hand in hand, have kept it up to the highest point possible until it has destroyed the national now, which I do not propose to do about a thing the absurdity of main-

banking system by forcing us to pay off all the bonds held for circulation. If we had abolished the sinking fund ten years ago and reduced taxation \$50,000,000 a year we would have had enough bonds to secure our bank circulation until 1891, when the \$250,000,000 of 4½ per cent. bonds mature. The bankers would have kept up their circulation based upon the 3 per cent bonds, which by excessive taxation under pretense of providing for a sinking fund we have taken away from them until they only hold now, as the Treasurer shows, \$275,000,000 all told of our bonds of all denominations, which brings their circulation down to \$250,000,000. Of the bonds they hold nearly \$107,000,000 are of 3 percents which must be swept away in the next year or the money must lie in the Treasury idle, and not only idle but withdrawn from circu-

Mr. McPHERSON. The Senator refused to yield to me a few moments ago, and therefore I had passed over many things that I should like to have asked him some questions about, feeling reluctant to do so.

If not reluctant, perhaps he would answer a question for me just now.

Mr. BECK. Certainly, I will.

Mr. McPHERSON. The sinking fund having been made a condition in the issue and sale of the bonds for the payment of the public debt, let me ask the Senator if in his opinion before the bonds are paid it would be an honest transaction to do away with the sinking fund?

Mr. BECK. In the first place there was no such condition made. We said we would set apart 1 per cent. of the debt and the interest upon the bonds we purchased as a sinking fund in order to give assurance to the people that their bonds would be paid or that we were diance to the people that their bonds would be paid of that we were diminishing the debt rapidly enough. That was what we did. Now, then, what have we done? We so arranged our public debt that we can not pay any more than \$136,000,000 of our bonds until 1891, when we can only pay \$250,000,000, and then we can pay no more until 1907, when the last \$737,000,000 falls due. Does the Senator from New Jursey or any other gentleman contend that we agreed that we would bry at any premium that anybody might ask the bonds of 1891 and 1977 before they were due in order to make a sinking fund? before they were due in order to make a sinking fund? No.

Mr. McPHERSON. But after the issue of the 3 per cent. bonds is paid, the \$136,000,000—let them be paid in any manner, whether by the form proposed by the Senator from Kentucky or that proposed by the Committee on Finance-I claim that we are in duty bound to maintain the sinking fund in order that we may pay the bonds falling due in

Mr. BECK. Then I understand the Senator from New Jersey to contend that we must impose taxation to the amount of \$50,000,000 more than the country needs from now until 1891 to buy bonds at any premium that the holders see fit to ask, or allow \$50,000,000 a year, which is \$250,000,000 in five years, to be locked up in the Treasury and lie there to await the maturity of the bonds.

Mr. McPHERSON. I say we are bound to live up to our contracts

whether they are to our advantage or not.

Mr. BECK. The trouble is, the suggestion of the Senator from New Jersey that we must live up to our contracts is assuming that we made an absolutely ridiculous contract, which we never did make and never thought of making and that nobody ever thought of suggesting when the sinking fund was created. As I showed the other day in an argument that I made, that in order to swell the annual amount required for this sinking fund all sorts of expedients were resorted to. Surely the 1 per cent. on the debt of the United States on which it was based did not mean to charge us as owing all the money in the Treasury. Here is the case. I can state it better by reading it:

.. \$1,800,000,000 400,000,000 Debt in the Treasury. Cash in the Treasury......

Debt, less cash in the Treasury...... 1,400,000,000

Now, the sinking fund is 1 per cent. of the debt. Will the Senator from New Jersey say that 1 per cent. upon the debt is 1 per cent. upon

the \$400,000,000, or 1 per cent. as well on the \$1,400,000,000 so as to charge 1 per cent. on \$1,800,000,000 so as the basis of a sinking fund of 1 per cent. on the debt?

Mr. McPHERSON. I am not going to enter into that question, because it would carry us beyond any point that is necessary for the solution of the difficulty now before us: but I wish to say that when the tion of the difficulty now before us; but I wish to say that when the Congress of the United States or the Government of the United States provided a sinking fund for the liquidation of the public debt, that very moment it increased the value of the bonds outstanding; and when the Senator talks about the great premium to pay upon the mar-ket value of the bonds, that premium has arisen very largely and almost entirely, I might say, from the practice of the Government in maintaining and keeping up the payments in the sinking fund and thereby reducing the measure of the obligation.

Mr. BECK. Nobody has ever denied that we proposed in the law to reduce our debt on the average 1 per cent. per annum, so that our creditors would have assurance that it would be paid at its maturity and not become a permanent debt like that of England. Secretary Sherman, and Secretary Morrill, who preceded him, prove by their official statements in 1876 and 1877 that we were then \$225,000,000 ahead of taining which I think every Senator understands, I would go over it again. I have the official statement of the Treasury Department, showing everything that has been done for the sinking fund, giving in detail every bond, and showing that we are to-day \$501,000,000 ahead in the reduction of our debt over any possible requirement of the sinking fund. Will the Senator from New Jersey claim now, when we have reduced the debt \$501,000,000, according to the Treasury statement, more than the

sinking fund required, that there is a solemn obligation upon us to keep up taxation \$50,000,000 a year beyond the wants of the Government under some pretense of a bargain that we should do so?

There is the statement and the recapitulation. I gave the recapitulation the other day. It shows that we are \$501,000,000 ahead now. But I do not care to argue that question again. The complete table is as follows, with recapitulation attached:

United States interest-bearing obligations, issued, refunded, redeemed for sinking fund and otherwise, and outstanding June 30, 1885.

Obligations issued.			Refunded, exchanged, or converted into-			Redeemed or purchased.		Total retired			
	Title.	Amount.	Interest rate.	Loan.	Amount.	Rate.	For sinking fund,	Not applied to sinking fund.	by refund- ing, redemp- tion, and purchase.	Outstand- ing.	Total retired and outstand- ing.
1	Five-twenties of 1862	\$514,772,100 00	Pct.	Funded loan of 1881 Balance of fund in	\$401, 143, 750 307, 700				\$514,743,450 00	\$28,650 307,700	\$514, 772, 100 00
23	Loan of February, 1861 Oregon war debt	18, 415, 000 00 1, 090, 850 00 189, 321, 350 00	6	Treasury.			256, 800 00	7, 795, 000 00 830, 000 00	1,086,800 00	8,000 4,050	1,090,850 00
1	Loan of July and August, 1861.	The state of the s	200	Continued at 3½ per cent.		4.5		12,791,200 00	189, 165, 100 00	11 11 20 20 20	189, 321, 350 00
6	Loan of 1863 Five-twenties of March, 1864.	75, 000, 000 00 3, 882, 500		Continued at 3\frac{1}{2} per cent. Funded loan of 1881		3½ 5	19, 854, 250 69 361, 600 00	4,655,050 00 2,193,800 00	74, 967, 250 00 3, 882, 500 00	32,750	75, 000, 000 00 3, 882, 500 00
7	Five-twenties of June,	125, 561, 300	6	Funded loan of 1881	59, 185, 450	5	29, 423, 900 00	36, 951, 850 00	125, 561, 200 00	100	125, 561, 300 00
	1864.			Including balance of fund in Treasury.	0.00	200	and the second second	Constant of		1.30	
8	Five-twenties of 1865	203, 327, 250	6	Funded loan of 1881 Funded loan of 1891 Balance of fund in	9, 708, 450 150, 436, 050 36, 600	41			203, 326, 700 00		203, 327, 250 00
9	Consols of 1863	332, 998, 950	6	Treasury. Funded loan of 1881 Funded loan of 1891	8, 673, 950 34, 563, 950	41			332, 998, 950 00		832, 998, 950 00
1	THE RESERVE AND ADDRESS.			Consols of 1907	168, 099, 150 228, 650	4			••••••	228 250	
10	Consols of 1867	379, 618, 000 00	6	Including balance of fund in Treasury. Funded loan of 1881 Consols of 1907	5, 801, 050 310, 622, 750	5	32, 131, 350 00	31, 062, 850 00	379, 618, 000 00		379, 618, 000 00
			93	Including balance of fund in Treasury.	474, 100					474, 100	
11	Consols of 1868	42, 539, 350 00	G	Funded loan of 1881 Consols of 1907	203, 250 37, 473, 800	5			42, 539, 350 00		***************************************
			1	Including balance of fund in Treasury.	86, 800					86, 800	
12	Ten-forties of 1864	196, 118, 300 00	5	Consols of 1907 Including balance of fund in Treasury.	193, 890, 250 99, 350	4	676,050 00	1,552,000 00	196, 118, 300 00	99, 350	196, 118, 300 00
13	Funded loan of 1881	517, 994, 150 00	5	Continued at 31 per	401, 504, 900	37	68, 616, 900 00	47, 673, 850 00	517, 793, 650 00	198,500	517, 994, 150 00
14	ing refunding certifi-	740, 879, 300 00	4	cent.			1,500,000 00	1, 418, 850 00	2, 918, 850 00	737, 960, 450	740, 879, 300 00
15	1861, continued.	127, 597, 200 00	2.20		100000000000000000000000000000000000000		The House are	70, 898, 500 00			
17	Loan of 1863 continued Funded loan of 1881 con- tinued.	50, 457, 950 00 401, 504, 900 00	3½ 3½	3 per cent, loan of 1882 3 per cent, loan of 1882	13, 231, 650 292, 349, 600	3	LANGE OF STREET	65, 380, 250-00		19,750 302,700	50, 457, 950 00 401, 504, 900 00
18	Loan of 1882	305, 581, 250 00 678, 362 41	3				57, 836, 150 00 678, 000 00	52, 308, 300 00 362 41	110, 144, 450 00 678, 362 41	195, 436, 800	305, 581, 250 00 678, 362 41
20	Loan of 1858	20,000,000 00	5	Funded loan of 1881	13, 957, 000	5		5,781,000 00	19, 998, 000 00	2,000	20,000,000 00
21	Funded loan of 1891	250, 000, 000 00	41	Consols of 1907	260,000	4				250, 000, 000	250, 000, 000 00
	Totals	4, 497, 338, 062 41			2, 280, 487, 250		531, 156, 300 00	501, 341, 362 41	3, 312, 984, 912 41	1, 184, 853, 150	4, 497, 338, 062 41
is:	Fund in Treasury for re-	demption of bo	nds.	l	1, 281, 250					1, 281, 250	
	Add to sinking fund Unit Add to sinking fund fract	ted States notes	s				. 29,090,564 00				
	Total sinking fund						Contract Con				La La Valla

United States Treasurer's Office, June 12, 1886.

RECAPITULATION.

Requirement of bond payments on account of interest on redemptions for sinking fund. 1886.

Description of securities.	Redemptions prior to July 1, 1885.	Rate per finance report of 1885 and prior years.	Amount required,	Rate pro- posed.	Amount required.
Bonds, as above, Nos. 1 to 11, and No. 19	68,616,900 00 1,500,000 00 137,175,000 00	Per cent. 6 5 5 4 4 3 4 3 6 6	\$15, 921, 132 00 33, 802 50 3, 430, 845 00 60, 000 00 4, 801, 125 00 1, 735, 084 50 3, 315, 551 50	Per cent. 4 4 3 4 3 3 4 3 3 3	\$10, 614, 088 00 27, 042 00 2, 058, 507 00 60, 000 00 4, 115, 250 00 1, 735, 084 50 1, 657, 775 78
Total principal of sinking fund	586, 415, 491 60		29, 297, 540 50		20, 267, 747 25

It shows, however, that we have already paid \$500,000,000 more of the principal of our debt than any creditor had any right to expect or require, and that is all I care to say about it. I have only to add that I am glad that the House of Representatives have taken hold of this subject of payment of money held in the Treasury as they ought. The great mass of the Democratic party, true to the pledges of its plat-form and true to what common sense and sound principles requires, tried to reduce the taxes now needlessly imposed on the country, honestly and earnestly. Eighty-five per cent. of them voted for a measure proposing to give relief from unjust and unnecessary taxation. One hundred and thirty-six Democrats with only four Republicans supporting them, making one hundred and forty in all, struggled, under the lead of Mr. Morrison and my colleague, Colonel Breckingidge, whom I see before me, to reduce unjust taxation. They failed, because the great mass of the Republican party, all but four, protested and voted against their action. What was left for those gentlemen to do? Nothing, except to say "If you will not reduce taxes, let us pay our debts with the money the tax-gatherer takes from the people; then the country will see what the effect of your failure in the reduction of taxes means. You have money enough now locked up, and more than enough, with the revenues that are coming in through the customhouses and internal-revenue offices this year, to pay off every outstanding bond that we can pay before 1891. You have a surplus of \$60,-000,000 or \$80,000,000 now above and beyond all the reserve fund, that anybody asks for. The taxes which Congress insists on maintaining produce about \$10,000,000 a month in excess of all the wants of the Government. All that we demand is that our debts shall be paid out of our surplus, and when they are paid off our true condition will be developed. It will then be seen that we will have to use the surplus revenue which is surely being piled up at the rate of \$110,000,000 a year or over \$9,000,000 a month. When we have no longer any bonds to pay, what is left for us when that is done? Shall we lock it up in the Treasury?

The people will not submit to that. Shall we buy bonds at any premium the holders of them may see fit to ask? The country will rebel against that because it is not fair or even decent to take money by taxation from men that is worth to them 6 or 8 per cent. to pay off bonds bearing 4 per cent. and pay 27 per cent. premium to buy before maturity the outstanding 4 per cent. bonds. Mr. President, we can not, therefore, lock up all that great surplus in the Treasury without bankrupting the country. We can not get the consent of the people to buy the bonds not due at the premium that the holders ask for them. We can not force the holders to surrender them unless we pay whatever premium they ask for them. What remains? Nothing is left except to make extravagant expenditures. The country will not and ought not to allow that. What follows? We must reduce taxation. The House of Representatives in a manly, fair, straightforward, direct way have by this resolution taken the only step that remains to bring the true condition of things before the people after they failed to reduce taxation, that is, to let the country determine whether it will buy bonds at a premium, lock up money in the Treasury, or whether it will make extravagant expenditures? These things being repudiated, then the representatives can with earnestness and force demand a fair and honest reduction of taxation.

That is the issue which I hope the Democratic party will make all over the country, confessing their failure now, but proving, as they can, that it is easier to build up a majority with 136 to start on than for their opponents to reach a majority with only 4 to begin with.

We had one hundred and thirty-six out of one hundred and forty in

a division of the two political parties, both of which were pledged to a reduction of taxation. But I do not want to enter into a political discussion here at this time. I repeat and insist that the only remedy is the reduction of taxation. The House resolution presents that issue It means that instead of reflection on the administration it proposes that Congress shall take the responsibility, instead of holding the Secretary responsible, when he is compelled as he soon will be to purchase bonds at a high premium, this resolution recognizes the fact (and that is one reason why I am in favor of it more than for any other reason) that the Democratic administration shall not be held responsible for any of these wrongs. Congress by its legislation, or failure to legislate, brings about good or bad conditions. This resolution takes the responsibility and says, "Mr. Secretary, pay out the surplus money. As we direct we assume the responsibility. If any wrong or ill comes of it, we are responsible. We say if there is too much of a surplus in the Transport was written to the responsibility. the Treasury you will not be responsible for its being locked up. If you are compelled to buy bonds at a premium throw the blame on us. We forced the money upon you against your will and it may be against your judgment. We will take care that extravagant expenditures are not made. We propose to be in a condition and position to force the issue in regard to the reduction of taxation. If we have adopted an unwise method we will hold you harmless because we have taken the discretion away from you as to the time and amount of payments. have taken the responsibility upon ourselves because we think it devolves on us as the representatives of the people to regulate this matter.

I insist again that the House resolution, so far from being a reflection on the Secretary, so far from being an embarrassment to him, so far possibility of these great combinations of capital being able to intimi-

from crippling the management of the Treasury Department, is in all regards the action that a wise administration would desire Congress to ke. I think that it is wise to throw the responsibility of our financial management on the Congress of the United States; it is the taxing power, the law-making power, whose agent the Secretary of the Treas ury is, and if we by our action or non-action lock up too much of the people's money there will not be any responsibility on the Secretary of the Treasury. As the Committee on Ways and Means of the House have said, stop excessive taxation; bring down the revenues so as to meet only ordinary expenditures; do not bring about conditions that embarrass the Treasury by such exorbitant surpluses as we now have, and which are increasing every day. I protest that we shall not make the people pay interest upon their own money when it is lying idle; let us pay it out and take the responsibility, as the Department of the Government which is responsible for the proper administration of its fiscal affairs. I propose to deal with these questions on the basis of an earnest desire to reduce taxation, and to take responsibility on ourselves, so as not to have it said that our officials have failed to comply with the law, or have usurped authority or power not conferred upon them.

I have spoken a good deal longer than I intended, but for the reasons I have given and many others I might give I shall support the House of Representatives in the resolutions which they have sent to us.

Mr. PLUMB obtained the floor.

Mr. GEORGE. I wish to ask the Senator from Kentucky a ques-

The PRESIDING OFFICER (Mr. EDMUNDS in the chair). Does the Senator from Kansas yield?

Mr. PLUMB. Yes, sir. Mr. GEORGE. I desire to know from the Senator from Kentucky if he regards the power of the moneyed men, to whom he alluded in one part of his speech, to embarrass the Treasury and to throw the finances of the country into confusion, as unequal to the threat which they made to do these things, and therefore whether the Treasury was not justified in entertaining the apprehension which they did entertain from the acts and threats of those men.

A great and influential body of men like that might Mr. BECK. well cause apprehension in the mind of any careful official. I have always thought that much of what our Secretary of the Treasury did not do that I desired he should do was done from an honest apprehension that these men had more power than they had. He might well believe that they could embarrass him. But when you come to look at it there was no reason for apprehension. Only think of it for a moment, We have no debt at home that we can pay except \$136,000,000. We are getting nine or ten million dollars more surplus than we can pay out for ordinary expenditures. Who can make any run upon the Treasury? Who can break us when these conditions exist? And when it is understood, notwithstanding the Senator from New Jersey and others have contended, and although the Treasury still contend, that gold has to be paid to these gentlemen, although they only pay their own bank notes in lawful money and that lawful money is only a silver certificate, for it can be paid off in the standard silver dollar—when they are so contending for untenable propositions I am glad, for the edification of the Treasurer, because I do not think the Secretary undertakes to say so, and for the edification of gentlemen on both sides of this Chamber, to read from the RECORD of July 25 the opinion of the distinguished chairman of the Judiciary Committee, fortifying, sustaining the views given by Mr. Devens when he spoke or wrote as Attorney-General at the request of Mr. SHERMAN in 1877:

Mr. EDMUNDS. It may be that I should agree with the Senator from Kentucky, I certainly agree with him that the silver coin of the United States is just as good a legal tender for every bond and debt of the United States that does not say gold coin exclusively, if there be such a one, as the gold is, and so far and to that extent I am just as strong a silver man as my friend from Kentucky is.

And so every lawyer who has looked at this question will say.

Mr. McPHERSON. Will the Senator from Kentucky permit me to ask him a single question before he takes his seat?

Mr. BECK. I will, if I may be allowed to do so by the Senator from

Mr. McPHERSON. If I understand the House resolution together with the Senate committee amendment, the amendment proposes only to give to the Secretary of the Treasury, a Democratic Secretary of the Treasury who I think has performed every duty in that office in a man-ner very commendable to him and to the interests of the Government, and a member of the same political party with the Senator from Kentucky, himself a distinguished member—the Senate committee amendment simply proposes to give to that Secretary an additional working balance of \$20,000,000 above what the House resolution proposes, a balance that every merchant, every manufacturer, every sagacious, prudent business man of this country keeps as a working balance in his trans-actions, and upon that question the distinguished Senator from Kentucky has even fought himself into a perspiration this morning in his attempt to defeat the effort of those of us in the Senate who think it is wise and prudent to give a working balance of at least \$20,000,000.

In addition to that let me ask another question, considering as I must the answer the Senator made to the Senator from Mississippi as to the

date the Treasury and to make and produce a withdrawal of confidence in the business interests of the country. I ask the Senator from Kentucky if he thinks it is not wise to give the Secretary discretionary power even above that limit, when every other Secretary of the Treasury from the foundation of the Government to this hour has had the exercise of full discretion, and never at any time in the history of the Government has there been such a thing as withdrawing from the Secretary of the Treasury the power to meet any and every emergency? This is the most astonishing thing that I have ever witnessed since I have been a member of this body.

Mr. BECK. The difficulty with the Senator from New Jersey is that he has not got the facts in regard to this resolution in his mind.

that he has not got the facts in regard to this resolution in his mind. If he would sweat a little more perhaps he would think more rapidly and clearly. I showed him that there were about \$80,000,000 of surplus over the \$100,000,000. I showed him that about \$10,000,000 were coming into the Treasury every month above all our expenditures. I showed him that there are only \$136,000,000 of bonds to which the House resolution applies, and I showed, or at least if I have not satisfied him I have everybody else in the Senate but him—

Mr. McPHERSON. Prove it.

Mr. BECK. I have proved it by official records furnished by the Treasurer himself, and by the records for the last six years of our surplus revenue, that we can not by any reasonable possibility come down.

plus revenue, that we can not by any reasonable possibility come down to within ten or twenty or thirty millions of the working balance he speaks of before the 3 per cent. bonds are all paid off, and that the effect of the Senate amendment is to catch just such gentlemen as the Senator from New Jersey by making them believe that we will embarrass the administration, when we are doing no such thing. The Senator from Iowa presented plausible difficulties by supposing troubles that do not, can not exist, and by assuming that they are or may be true when they can not by possibility be true. He has managed to frighten the Senator from New Jersey by charging us with having a lack of confidence in our own officials because we do not follow up every imaginable Will-with-the-wisp that our political opponents may throw in to catch us.

Mr. McPHERSON. Where do you find the \$180,000,000 of gold in

the Treasury?

Mr. BECK. I will read it to you from the Treasurer's statement of July 14. Here it is. My colleague in the other House, Colonel Breck-INRIDGE, wrote the letter and received the answer. It would edify the Senator from New Jersey if he would read two more letters that I read Senator from New Jersey it he would read two hiore levels that I read the other day. They would show him how ridiculous it was to prate about what Jay Cooke said. I hope he will read from my speech of last Saturday the letter of Mr. Sherman, Secretary of the Treasury, and the answer of Mr. Devens, which shows that silver coin is just as available as gold coin in the payment of all our public debts. Mr. Devens was quite as emphatic as the Senator from Vermont [Mr. EDMUNDS] was the other day on that subject, the Senator from New Jersey to the contrary notwithstanding.

Colonel BRECKINRIDGE put the question on the 12th day of July.

TREASURY OF THE UNITED STATES, Washington, July 12, 1886. Sir: Your letter of the 12th instant is before me, asking—
First. What is the number of 3 per cent. bonds now outstanding, and of this number how many have been called for and not presented?

Second. What number of bonds of each issue of 3 percents, 4½ percents, and 4 percents are deposited by national banks to secure national-bank currency?

Third. What was the total cash in the Treasury July 10, and of what did this cash energist? cash consist?

Fourth. What have been the daily receipts of the Treasury during the month Fourth. What have of July?
To the first question I reply as follows:
Amount of 3 per cent. bonds outstanding, to include July 10, 1886...
Of this amount bonds of the one hundred and thirty-eighth call not due until August 1, 1886...
3 per cent. bonds called and matured not yet presented for payment...

7, 770, 200
11, 777, 900 Actually outstanding...
To the second:
Currency sixes.
Four-and-one-halfs.
4 percents...
3 percents... 136, 057, 050 3,565,000 50,821,700 114,212,500 106,783,600 275, 382, 800 To the third:
Total cash in Treasury July 10, 1886:
United States notes...
National-bank notes...
Standard silver dollars.
Gold coin...
Subsidiary silver coin.
Gold certificates.
Silver certificates.
Gold bullion.
Silver bullion.
Minor coin.
In national-bank depositories. 35, 998, 623 296, 309 180, 903, 221 189, 877, 431 28, 786, 635 52, 414, 110 27, 529, 320 42, 137, 404 3, 547, 831 380, 496

A copy of this reply has been forwarded to the Secretary of the Treasury. Very respectfully,

C. N. JORDAN, Treasurer United States. Hon. WILLIAM P. C. BRECKINGIDGE, House of Representatives.

I commend that letter and answer to the careful consideration of the Senator from New Jersey.
Mr. PLUMB obtained the floor.

Mr. McPHERSON. Mr. President—
Mr. PLUMB. I assume the Senator from New Jersey is likely to

make some extended remarks on this subject.

Mr. McPHERSON. No, I do not intend to make any extended remarks, because it is entirely unnecessary, and upon so plain a question as this a waste of valuable time. I hold in my hand the statement made by the Treasurer of the United States June 12, 1886. I find he there makes the statement that he has on hand in gold coin in the Treasthere makes the statement that he has on hand in gold coin in the Treasury \$156,973,748. I find that against this amount there are charges as follows, \$22,791,647, which it has been the practice of the Treasury and the determination of the Treasury so far as it can, except otherwise ordered by Congress, to pay in gold, leaving a balance of gold coin in the Treasury of only \$134,000,000; while the Senator from Kentucky states it to be \$180,000,000 on July 12. If the Senator from Kentucky will take the moneys which have been received by the Treasury from all sources since the 30th day of June, it now being the 29th day of July, he will find that every dollar which has come into the Treasury in gold will not make up a tithe of the amount needed to increase it from \$134,000,000 to \$180,000,000 from \$134,000,000 to \$180,000,000.

Mr. TELLER. How do you make that out?

Mr. McPHERSON. To that is to be added, as a matter of course,

hat has accumulated from the 30th of June.

Mr. TELLER. On the 30th of June they had \$156,973,748, indeendent of certificates, in gold. Since that time they have accumulated still more

Mr. McPHERSON. Against the \$156,973,748 charges will be found as follows: Public debt and interest accrued and unpaid, above twentytwo millions

Mr. TELLER. That is not the only money they have got. There \$156,000,000 in the Treasury against which no certificates are out.
Mr. McPHERSON. Very true.
Mr. TELLER. There are \$30,000,000 more gold in the Treasury

than there was when this administration went into power—net, I mean.
Mr. McPHERSON. At the time this statement was made, that Mr. McPHERSON. At the time this statement was made, that there was \$156,000,000 in the Treasury in gold, there was then due a debt against that amount of money of \$22,791,647 in gold, because it is the policy of the Treasury, it is the policy of the President to continue to make payment of the public debt and interest on the public debt in gold. Therefore, deducting that sum which has already accrued, which is due and payable, there was only remaining \$134,000,000 of gold in the Treasure.

of gold in the Treasury.

Mr. TELLER. Is not that enough?

Mr. McPHERSON. I am coming to that.

Mr. TELLER. You mean after deducting the \$100,000,000 from

\$134,000,000?

11, 994, 308

Mr. McPHERSON. One hundred and thirty-four million dollars. Of course, when I said \$34,000,000 I meant the excess above \$100,000, 000. I had intended somewhat at length to discuss this question when it came before the Senate, but as the time is very short from now till the hour of adjournment, and as the honorable Senator from Iowa who has charge of this resolution, as the organ of the committee, has explained very minutely and very forcibly all its provisions, there is no necessity whatever for my entering into any discussion of the particular features of the resolution. It shows for itself exactly what it proposes to do; and in my opinion unless the amendment of the Finance Committee is agreed to by the Senate it will work very great hardship upon the Treasury.

There is no possibility to my mind of maintaining the parity of gold

There is no possibility to my find of maintaining the partey of gold and silver now in circulation unless you give to the Secretary of the Treasury a large amount of gold reserve with which to do it.

If there is any one thing for which the Republican party is entitled to all commendation, it is for its faithful guardianship of the public faith and the maintenance of the public credit. The public debt at the close of the war, amounting to upward of twenty-seven hundred millions, has been paid off in the very best money known to the civilized world until barely one hundred and thirty-six million remain in sight, this being the amount of 3 percents outstanding and subject to

In addition to the bonds now subject to call there are outstanding two hundred and fifty millions of $4\frac{1}{2}$ percents, which we can not pay before 1891, and which the accumulations in the sinking fund, as now required by law, will be sufficient to pay by the time they become due and payable. In addition to the $4\frac{1}{2}$ percents we have seven hundred and fifty millions of 4 percents outstanding which we can not pay before 1907, too far away, in a growing and prosperous country like ours, to even think about them.

Therefore we have only to deal with one hundred and thirty six

Therefore we have only to deal with one hundred and thirty-six millions of debt in the lifetime of almost every member of the Senate now present. If the Treasury is left unhampered and unrestricted, as it has ever been under former administrations, within two years it can all be honorably paid and at the same time the Treasury reserves so employed as to maintain the parity of gold and silver coins, or their representatives in actual use as money.

More than one-half of the debt has been honorably paid, and because

honorably paid, the interest burden on what remains yields to the holder to-day less than $2\frac{1}{2}$ per cent. on the market value of the bonds, and our credit is higher and better than that of any other nation on earth; and yet it is proposed to take a departure from that policy which wisdom dictated and experience proves to have been best. It is proposed to deal with the surplus now in the Treasury in such a manner as will trench upon the reserve specifically pledged for the redemption of the Treasury notes, or on the other hand in effect require the Treasury to pay the 3 per cent. bonds in silver dollars. To both of these propositions the Democratic President and his Treasury Secretary are unalterably opposed. The President of the United States, when he accepted the nomination of his party, planted himself firmly upon the declarations of the platform, which reads as follows:

We believe in honest money, the gold and silver coinage of the Constitution, and a circulating medium convertible into such money without loss.

The management of the Treasury Department since Mr. Cleveland became President leaves us in no doubt as to how he construed that declaration of the platform. Any other construction before the election would have lost to the party more than 100 electoral votes. The President of the United States has tried, diligently and faithfully, to perform not only this pledge, but each and every pledge made by his party in national convention. It is just to say he has succeeded wonderfully well, considering the obstacles and hinderances that have been thrown in his path.

At the inception of his administration the Treasury was depleted of gold and the retiring finance minister predicted that the country would be upon a silver basis in less than sixty days. This has been avoided by wise and prudent administration of the Treasury, resulting in con-tinuing gold payments to the credit of the sinking fund, and by reason tinuing gold payments to the credit of the sinking fund, and by reason of the gold reserves thus accumulated has maintained the parity between the gold and silvercoins, although the silvercoin is worth intrinsically 27 cents on the dollar less than the gold coin. And now to aggravate the situation you propose to rob the Treasury of its gold reserve while continuing to coin the troublesome silver dollar at the rate of two and one-half millions per month. In short, you propose in this resolution to deal with the surplus in the Treasury and dictate to the Secretary specifically what he shall do with it, and just to the extent Secretary specifically what he shall do with it, and just to the extent you pile up silver dollars in the vaults of the Treasury, which the Treasurer can not get out," his surplus becomes unavailable. I say unavailable, unless it be the purpose of the resolution to compel the holder of the Government obligations to accept silver in payment instead of gold when he had the right to expect gold.

Every bimetallic nation in Europe is strengthening its gold reserve. France has increased hers seventy millions during the past year and is not adding to her silver. Her mints are closed to silver; ours are open. The policy here proposed is to exhaust our gold reserve and at the same time vastly increase the accumulation of silver, except, as I have already stated, you give it to the public creditor. The future policy of France and Germany is made apparent from the fact that both are gradually but surely adding to their gold reserve, while the Bank of England is as steadily and surely diminishing. The reserve in the Bank of England to-day is less than it has been for many years, and its condition already begins to excite alarm.

As England is our market for breadstuffs and raw materials it means low prices for our products. As England in the past and now is the principal market for our bonds and securities, national, railroad, and municipal, it means the return of our securities for the purchase of gold needed in her trade transactions. Every Government creditor can to-day obtain from the Treasury in payment any kind of money he desires, be the same gold, silver, gold or silver certificates, Treasury notes, or national-bank notes. Gold is the unit of value, and all the paper issues rest upon it, with only one hundred millions of gold coin specifically pledged to its redemption. You place behind the gold and the silver certificate dollar for dollar, while behind the paper issues you have a pledged redemption fund of about 29 per cent., and you do not hesitate to say that you are willing that it should be impaired. How this can be done without a weakening in public confidence I can not conceive. Silver and silver certificates on the other hand occupy a different position and are redeemable and interchangeable only in kind.

The Government does not redeem its coin, and the silver certificate has no redeemer save the silver dollar. The silver dollar is to-day worth 73 cents plus the value given it by law. If you dispossess the Treasury of the gold reserve needed to supply the option of creditors, or pay the called bonds in silver dollars, one of which alternatives you or pay the called bonds in silver donars, one of which accentaives you must accept if you pass the House resolution, you are then upon a silver basis at once. It is notice from the Treasury that it can no longer maintain a parity between the two coins, and the public will begin to look out for themselves. I am astonished that any Senator favoring the continued coinage of the silver dollar would tolerate such a scheme as this bill proposes for a single moment. Our safety as bimetallists is found in the other direction. For the brief reasons I have given I am opposed to the House resolution, and for like reasons with many misgivings, because I do not think it goes far enough, though a member of the committee, and voting to report the resolution in its present form to the Senate, I shall vote for the committee amendments.

Mr. PLUMB addressed the Senate. [See Appendix.]

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 295) permitting the public building authorized by act of Congress approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 50 feet, as provided in said

act; in which it requested the concurrence of the Senate.

The message further announced the House had agreed to the report The message further announced the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes.

The message also returned to the Senate, in compliance with its request, the bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:
A bill (S. 2794) to amend an act entitled "An act for the erection

and construction of a public building at Oxford, Miss.," approved July

A bill (S. 2796) to establish a land office at Lamar, Colo.;
A bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887; and

Joint resolution (S. R. 71) for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory.

SUNDRY CIVIL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, disagreed to by the House of Representatives, and the amendments of the House to the amendments of the Senate numbered 74 and 78 to the said bill.

On motion of Mr. ALLISON, it was

Resolved. That the Senate insist upon its amendments to the said bill disagreed to by the House of Representatives, and disagree to the amendments of the House to the seventy-fourth and seventy-eighth amendments of the Senate to the said bill, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President pro tempore.

The PRESIDENT pro tempore appointed Mr. Allison, Mr. Hale, and Mr. BECK.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to some and disagreed to other amendments of the Senate to the bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes; that it had agreed to the one hundred and eighth amendment of the Senate to the said bill with an amendment; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURNES, Mr. LE FEVEE, and Mr. McComas the managers at the conference on the part of the House.

The message also announced that the House had passed the following

bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1741) for the relief of William E. Bond; and A bill (H. R. 9644) for the erection of a public building at Jefferson,

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 1227) granting a pension to William P. Squires; A bill (S. 2349) granting a pension to Catharine Lauigan; and A bill (H. R. 3014) to provide for terms of court in Colorado.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President of the United States had, on the 28th instant, approved and signed the following acts and joint resolution:

An act (S. 57) for the erection of a public building at Oshkosh, Wis.; Au act (S. 2322) to authorize the Secretary of War to credit the State of Kansas with certain sums of money on its ordnance account with the

General Government; An act (S. 582) for relief of the board of field officers of the Fourth

Brigade of South Carolina Volunteer State Troops; and Joint resolution (S. R. 62) authorizing the publication of an edition of A Digest of International Law, edited by Francis Wharton.

DEFICIENCY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes, disagreed to by the House of Representatives, and the amendment of the House to the one hundred and eighth amendment of the Senate to the said bill.

On motion of Mr. HALE, it was

Resolved, That the Senate insist upon its amendments to the said bill disagreed to by the House of Representatives, and disagree to the amendment of the House to the one hundred and eighth amendment of the Senate to the said bill, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the

The PRESIDENT pro tempore appointed Mr. HALE, Mr. ALLISON and Mr. COCKRELL the conferees on the part of the Senate.

TREASURY SURPLUS.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. VEST. Mr. President, it is not my purpose to detain the Senate

with any elaborate argument upon this question. I just want to emphasize one or two suggestions in regard to the pending resolution.

In the first place, let me say most emphatically that there can, by no possibility, be anything like a political direction given to this debate. The Senator from Kansas who has last spoken is a most emphatic Republican and I am equally as pronounced a Democrat; yet our views are entirely in unison in regard to this House resolution. It is a business question, and the glamour which is thrown over this whole thing under the idea that different principles are to be applied to the business of the Government of the United States and the business of the people of the United States than those which are in the experience of every business man of intelligence throughout the country is simply a monstrous absurdity and a relic of barbarism.

| The same principles apply to the Treasury as to an individual. What would be thought of a business man with \$100,000 idle in his vaults and \$100,000 on 8 per cent. paper outstanding? There is not a merchants' exchange in this country that would not unanimously vote him a lunatic when the facts came to the attention of his brothers in business. But we are told that we are to hold \$228,000,000 of surplus idle money in the Treasury to redeem, forsooth, \$346,000,000 of greenbacks that never will be presented. That is the whole argument, and no other argument can be made.

We have to-day, by the actual figures, \$228,945,560.99, over and above demand liabilities in the Treasury of the United States, lying idle. When the Secretary of the Treasury is told of this his reply is it is to be kept there in order to redeem the greenbacks as they are brought for redemption to the national Treasury. Let us see how many of these greenbacks have come for redemption since January 1, 1879, when we

resumed specie payment.

Out of the \$346,000,000 how many of them have ever come to the Treasury Department where the holders wanted gold for greenbacks? From January 1, 1879, to June 30, 1881, there were \$7,976,000; July 1, 1879, \$3,780,000; the next fiscal year, \$271,000; the next, \$40,000, and in 1883, \$590,000; in 1884, \$2,222,000, and from July 1, 1885, to December 1, 1885, there were \$925,400, making in the whole term of years from the 1st of January, 1879, \$15,806,485 in greenbacks that were brought to the Treasury upon which holders asked gold; and we are to hold \$228,500,000 of money in the Treasury now to meet this enormous demand on the part of the greenback holders of the country for the hard red gold, as Mr. Benton termed it. It is a monstrous for the hard, red gold, as Mr. Benton termed it. It is a monstrous proposition, when we take into consideration at the same time, as shown by the receipts and expenditures of the last year, that we are collecting from the people \$45,000,000 a year over and above the obligations and expenses of the Government, and besides we are required to hold this amount of \$228,000,000.

I have taken the pains to copy from the last London Economist a statement of the reserve fund of the different European nations. Let us look at it. The United States, as I have said, has a surplus of \$228,000,000 over and above demand liabilities. We have some \$343,-000,000, if the demand liabilities are included. England has, by the last statement for June, \$30,000,000 only; France has \$21,299,000; Germany has \$11,500,000. These are the reserves of these great continental nations, and we are to have two hundred and twenty-eight and a half million dollars.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. VEST. Certainly.

Mr. ALDRICH. Where does the Senator get the authority for making the statement in regard to Germany?

Mr. VEST. I took it from the London Economist. Mr. ALDRICH. I should be very glad to have the Senator point out the page and the place.

Mr. VEST. I will give the Senator the paper and show it to him. Eleven million five hundred thousand dollars are in the Imperial Bank of Germany to the credit of that government. That is the reserve fund of the German people to-day, no more and no less, unless this paper has willfully misstated it, and it is the highest financial authority.

It is an incident, and an unvarying incident of all moneyed institu-

tions, of all individuals that come into the control of them officially or otherwise, to pile up and hoard money. The Senator from Kansas [Mr. Plumb] stated the whole question in one single sentence. It is a fight not between Democracy and Republicanism, it is a fight between gold and silver, gold and greenbacks, between the creditors and the debtors of the country, between the men who want to make money scarce and high and dear and to increase the price of it and the interest of the country, and the men who are laboring and who borrow money; and unless this trouble is terminated upon equitable and fair terms it will result in a sectional struggle between East and West. That is the plain meaning of this whole thing.

Sir, look at the national-bank system. I have here a statement which

I obtained from the acting Secretary of the Treasury this morning. I wish to show to Senators exactly the conditions of these banks to-day

as to their reserve fund:

Statement of lawful money reserve held by all national banks, by those not a reserve cities, by those in all reserve cities except New York, and finally y those in New York.

Here is the statement tabulated:

	Total 1	reserve.	Cash reserve.		
National banks.	Required.	Held.	Required.	Held in cash and with U.S. Treas- urer.	
All in United States Out of reserve cities In reserve cities, exclud-	\$262,758,283 91,760,069	\$394, 192, 310 181, 552, 648	\$163, 911, 218 32, 988, 213	\$261,165,183 88,092,935	
ing New York In New York	96, 810, 237 74, 187, 977	122, 784, 157 89, 855, 515	47, 166, 218 73, 756, 787	83, 216, 734 89, 855, 514	

Thus it will be seen that in the city of New York, the great financial center of the country, the law requires them to hold \$74,187,977. They actually have to-day \$89,855,515. Their cash reserve required by law should be \$73,756,787, and they hold \$89,855,514. That is the state of the national banks of the United States to-day.

Mr. ALLISON. May I ask the Senator to explain why that excess

of reserve exists?

Mr. VEST. I do not know except it is upon the general principle

to get money and to hoard it and to make interest higher.

Mr. ALLISON. Banks are usually supposed to be organized to loan

Yes; that is the supposition.

Mr. McPHERSON. They can not loan the money.
Mr. VEST. The Senator from New Jersey says they can not loan
. Why can they not loan it? It is because they do not get the interest they want to charge.

Mr. McPHERSON. Or the security.

Mr. VEST. Or the security, the Senator says, but it is for one reason or another. There is an exhibit showing the amount of money that to-day is idle in the vaults; that with this amount tied up in the that to-day is idle in the valuts; that with this amount fied up in the financial agencies of the Government we are now to hold \$228,500,000 in order to meet a redemption of \$340,000,000 of greenbacks, when but \$15,000,000 of greenbacks have come to the Treasury for redemption since the 1st of January, 1879.

Mr. HOAR. I should like to ask the Senator before he sits down what he supposes the banks could do with this reserve that he criticises them for holding? Does he suppose that they could loan it at 3 per cent, on good security at this moment?

per cent. on good security at this moment?

Mr. VEST. I am not criticising the banks; I am giving a statement taken from the Treasury of the United States showing the amount of idle money in the Treasury, and I simply give that in order to add force to the argument that we should not now hold \$228,000,000 more of idle money. That is the whole of it. of idle money. That is the whole of it.

Mr. HOAR. I understood the Senator to say that the reason why

the banks hold on to this reserve, larger than they were required to hold, was in pursuance of their policy to hold on to money unless they could get an extravagant rate of interest upon it. I ask him if he believes they could loan it out on good security at 3 per cent.?

Mr. VEST. I do not do business in the East, and I can not speak for the rates of interest in New England. I will inform the Senator and the banks of New York that they can loan every dollar of it in the portion of country where I live for 5 and 6 and even 7 per cent.

with as good security as there is in the city of New York.

Mr. SHERMAN. Mr. President (Mr. HALE in the chair): I do not intend to detain the Senate long, and I wish to regard this question precisely as the Senator from Missouri does, as a purely business proposition.

The joint resolution undertakes to regulate the fund for the redemption of United States notes. Hitherto that has been left to the discretion of the Secretary of the Treasury under certain limits defined by law. There are three reserves in the Treasury of the United States. These are not separated from each other, but still there are three independent reserves either provided for by existing law or made necessary by the daily business of the Government.

First and chief is the fund for the redemption of United States notes and for the maintenance of specie payments. By this measure as reported from the Senate Committee on Finance that is fixed at \$100,-000,000. Hitherto it has not been defined by express terms. The resumption act of 1875 authorized the Secretary of the Treasury to provide for and maintain resumption, and the first step was to accumulate in the Treasury a fund that would be amply sufficient to maintain re-

sumption.

When this matter was discussed before the Committee on Banking and Currency in the House in March, 1878, the whole subject was considered with great particularity. Mr. Buckner, a member from Missouri, was the chairman of the committee. That was at a time when the Department under the law was making preparations for resumption, which was to accrue ninemonths later, and the question of the amount of reserve was the one mainly which was then considered. At that time the history of all the banking institutions of the United States and of the world was carefully and amply explored and fully explained to the committee, and formed the subject of repeated interviews. It was shown that every successful system of banking which had been established, either by a government or by individuals, assumed that from 30 to 40 per cent. in coin was the minimum reserve which should be maintained for the maintenance of specie payment.

Mr. CHACE. And deposits in circulation.
Mr. SHERMAN. Both against deposits and notes in circulation, but the United States hold no deposits except what are kept intact, and I do not refer to these.

At that time there were in the Treasury about \$70,000,000 of gold coin, either the proceeds of bonds that had then been sold for the purpose of resumption, or surplus revenue which had accrued. The Secretary of the Treasury said to the Committee on Banking and Currency that in his judgment in order to prepare for and to maintain resumption upon a sure basis it would be necessary to borrow \$50,000,000 more of gold coin by the sale of bonds, and he stated his purpose to go to New York the next week, if he was not prevented by the action of Congress, and would then raise by the sale of bonds \$50,000,000 in coin, which he could do by selling 4½ per cent. bonds at a premium.

At that time no one pretended that the amount of reserve should be

less than \$100,000,000. On the other hand General Ewing, Mr. Buckner, and others insisted that this sum would not be a sufficient basis for the maintenance of resumption, but that the Secretary was undertaking an impracticable task, and produced evidence from the records of the Bank of England, and from the Bank of Germany, and from the Bank of France and other authorities to show that the amount of reserve that I proposed to establish was not sufficient. I contended, however, that it was sufficient, and mainly because the United States had not to provide against deposits which were fully covered by cash in hand, but only had to provide for the redemption of \$346,000,000 of notes widely circulated and in active use throughout the United States.

Upon that statement members of the Committee on Banking and Cur-

rency tacitly declared that they would not interfere with the plan proposed by the Secretary but that he might take the risk as the discretion was by law left to him to fix the basis of resumption. At that time there was no distinction made between what is called a working balance for the ordinary operations of the Government and the reserve for resumption. At that time bonds were being called very largely, and continued to be called very largely, and it was known that there must be necessarily in the Treasury a reserve equal to the amount of calls to be made within a period of three months. At that time the law required for a call of existing outstanding bonds a notice of three months, and it was conceded that no Secretary could safely call for the payment of bonds until he had the money on hand to pay them. By existing law, however, under the 3 per cent. loan, the length of the call is reduced to thirty days.

So upon the principles thus adopted and acquiesced in by all parties a sum of money should be in the Treasury sufficient at the date of the call to pay the call when it matured, because, forsooth, no one cantell exactly what thirty days will bring forth. In addition to that there is absolutely necessary a working balance to carry on the ordinary oper-

ations of the Government.

Neither Congress at that time nor the Secretary of the Treasury thought it wise to separate the various redemption funds, and it was concluded on the whole, and was announced as the policy of the administration subject to the approval of Congress, that the aggregate reserve in the Treasury to include a working balance, a bond reserve, and the resumption fund, should be about \$140,000,000, which was between 30 and 40 per cent. of the whole amount of greenbacks outstanding, and that this sum was the lowest that could safely be adopted. That was founded treat the received of all patients of the state of the stat founded upon the experience of all nations, our own among the rest, and it is adopted and acted upon by all commercial nations now.

I was somewhat surprised when my friend from Missouri gave us figures a while ago that startled me, but I happen to have before me the last number of the London Economist, which shows that to-day in the Bank of Germany, the Bank of England, and the Bank of France, which are really government institutions, although they are owned to some extent by individual capital, their reserves are larger than that proposed by this measure. I find here in the Economist of July 17, 1886, the statement of the Bank of England. It appears that the circulation, excluding bank post bills, of which there are not many, was £25,335,290-sterling, not dollars, but £25,335,290 sterling, or equiv-

alent to over \$126,000,000.

Mr. TELLER. To what date does that bring it up?

Mr. SHERMAN. The date of the statement is July 14, 1886. The reserve of notes and coin on hand then was £11,555,438; the amount of coin and bullion on hand was £21,140,728. This data extends from 1876 to 1886. It shows that on July 14, 1886, the date of this statement, the amount of cash reserve for all liabilities was 39 per cent. in coin. That is more than is proposed now. Let me give these figures

Mr. GEORGE. Does that reserve mean circulation and deposits

Mr. SHERMAN. Yes, sir.

I have before me the statements of the Bank of France made up to The amount of gold coin and bullion on hand July 15. 1886, was £54,361,000, not dollars; July 8, 1886, £54,614,000; July 16, 1885, a year ago, it was £45,924,000 in gold, not silver. This is the Bank of France, where they have a great quantity of silver. The amount Bank of France, where they have a great quantity of silver. The amount of silver coin and bullion on hand July 15, 1886, was £44,885,000; July 8, 1886, £45,042,000; July 16, 1885, £43,031,000. On the 15th of July, 1886, the circulating notes of the Bank of France were £114,011,000; the government deposits were £7,907,000, and the private deposits were £14,390,000; so that the ratio of actual coin and bullion on hand to the whole liabilities, including circulation and private and public deposits

and notes, was over 60 per cent.

Mr. TELLER. Will the Senator give us the government deposit?

Mr. SHERMAN. I have stated that already. It is £7,907,000.

Mr. TELLER. About \$40,000,000.
Mr. SHERMAN. Yes. That \$40,000,000 is more than we propose

here as the working balance for our operations.

Mr. VEST. If the Senator from Ohio will permit me, I do not want to be put in the position of misstating. My quotation is made from the London Economist of June. I see from that that on the 18th of June the Government of England had on deposit in the Bank of England, exchequer, savings-bank, national debt, dividend account, &c., £6,404,000, or \$30,000,000; and so the Government of France had on deposit in the Bank of France on the 18th of June last, to its credit in

the Bank of France, £4,259,000, which would make \$21,000,000.

Mr. SHERMAN. The Senator will see how easy the explanation is.

Mr. VEST. I only want to set myself right about it. The Senator

ant. VEST. I only want to set myself right about it. The Senator is giving now the entire business of the bank, not the Government account. I quoted from the Government account alone.

Mr. SHERMAN. Now let me answer. In the first place, neither Great Britain, France, nor Germany is responsible for the issue of notes. The notes are issued by private corporations which are organized, a government institution; and the reserve therefore that is held to secure those notes is the money of the bank. The government of Great Britain had, it seems, £8,000,000 as stated.

Six million four hundred and four thousand pounds. Mr. SHERMAN. That is over \$32,000,000. That is over \$12,000,000 more than the working balance we provide, and in France they had \$40,000,000 deposited by the government on call.

Mr. TELLER. I should like to call the attention of the Senator to

the fact that in December last the public deposit of the Bank of England ran below £3,000,000.

Mr. SHERMAN. Three million pounds is \$15,000,000, and under this very measure ours will fall below that no doubt at times, as I will

show you. I do not want to be led into a long debate.

Mr. JONES, of Nevada. I should like to call the attention of the Senator to the fact that in the very last statement made the Government of Great Britain borrowed of the Bank of England £8,500,000 for

Mr. SHERMAN. Certainly; and it is a very good thing to have a powerful institution from which the Government can borrow, and for that very reason they can leave their balances lower than they probably would otherwise do. I hope Senators will not interrupt me because I do not want to be led off into a long debate, for it is too hot.

ause I do not want to be led on lines and will give you the figures and they are here.

Coin and bullion in the Bank of Germany July 7, 1886, £35,317,
Coin and advances, £24,701,000. The notes in circulation 000; discounts and advances, £24,701,000. were £43,613,000; the current accounts, £13,480,000; so that the Bank of Germany was stronger than is proposed here.

Now, let us go a little further. I will show you that this amendment is founded upon the experience not only of other countries but that

it is founded upon our own. As to this \$100,000,000 it would be wrong to tamper with that reserve thus established by the consent of all the branches of the Government and sanctioned further by the currency act of Congress of 1882. This declares that when the gold coin and bullion in the Treasury is less than \$100,000,000 no further coin certificates shall be issued, thus stopping the issuing certificates; so that the hundred million dollars should always remain intact. It has never been proposed by Congress seriously to tamper with that reserve. This Government insists upon issuing its own currency and is subject to the same law of redemption as other banking institutions and must provide the same safeguards. It can only maintain the credit and convertibility of its notes by the same rules applicable to other banks. Legal-tender laws and pains and penalties can not keep United States notes at par in coin, but this can only be done by redeeming them on demand with coin, and to make this sure the coin must be on hand. But the Senators from Kansas and Kentucky and others say that we do not want any such reserve as one hundred million-that \$50,000,000 will be too much, that \$25,000,000 is enough. Experience is a better guide and counselor than they are. The whole of our financial system rests upon that fulcrum of solid coin. Not only would confidence in the bank circulation be affected by it and the stability of our greenback circulation, but the whole financial operations of Government would be disturbed by any serious reduction of this redemption fund.

You may say that men who have devoted their lives to this kind of rou may say that men who have devoted their lives to this kind of business are a little too timid, a little too conservative; but that is the merit and safety of all banking, and no government ought to enter into the business of banking until it adopts all the conservative habits of other successful bankers. Even the United States is not exempt from this duty. Otherwise a Black Friday or some other unforeseen event such as has happened in my legislative experience would topple our whole financial business into ruin. I remember that in 1857 we were here trying to distribute our surplus revenue just as you are doing now. We adjourned in March that year, and when we came back to Congress we had to borrow money to pay the salaries of mem-These sudden changes may occur, and therefore we bers of Congress.

ought always to be strong.

Now, let me go a little further to show that the Government of the United States is subject to sudden fluctuations in its revenue and expenditures. After setting aside this hundred millions as provided by law to protect our currency from depreciation we must provide ways and means to pay our bonds and current expenditures. You must accumulate money for the call of bonds. The amendment proposed by the Senator from Iowa simply says that you can not make a call for bonds until you have the money in the Treasury in excess of the call. You shall call \$10,000,000 a month, but you shall not make the call at any time unless you have money enough to pay that call thirty days hence without trenching on the reserve of \$100,000,000. Is not that a wise provision? Otherwise, in order to issue a call of \$10,000,000 a month you might be compelled whenever your surplus rose above a hundred millions, according to one construction—I think an erroneous one—you might be compelled to call the \$10,000,000. That is a doubt which is removed by the amendment. It is not to be presumed that the Secretary of the Treasury will call \$10,000,000 at a time. Herehe is required to call \$10,000,000 in a month, but he ought to do it in calls ten days apart. He ought not to make a call the first of the month, for that is the pinching time when other liabilities accrue. He ought to call, say, on the fifth, the fifteenth, and twenty-fifth three or four millions to make up the amount in the month; but when he makes the call he must have the three million or the four million dollars on hand, because he can not anticipate and can not take any risks that

when the time comes he will not have the money.

I was caught that way once. In November, 1877, when Congress met they were going to repeal the resumption act. There was passed through the House of Representatives in hot haste a bill repealing the through the House of Representatives in not haste a bill repealing the resumption act. It stopped at once as by a clamp the sale of bonds. In order to save interest, which was a very desirable thing to do, I had made a call of \$10,000,000, in anticipation of the sale of 4 per cent. bonds. The call then ran for ninety days. The sudden action of the House stopped the operations of the Treasury Department, and we had to pay that call out of the current revenues and some of it out of the reserve which had been accumulated by the sale of bonds for re-

sumption purposes.

Certainly Senators do not desire, I do not want, to put this Democratic administration in any worse predicament than Republican administrations have been put in. I want to give them the same degree of confidence, the same degree of reasonable latitude and discretion that has been given to others. Therefore, when you provide that you shall not make a call under this proposed law until you have got the excess on hand you only make a provision which any private citizen would make to be certain to have the money on hand before he offered to pay it, for when the call is made it must be paid. That is the only explanation needed of that provision.

But what more? Under the operations of the resolution as it came to us from the House, without providing any working balance in the Treasury, the Treasury would be compelled at the beginning of every month, especially at the beginning of every quarter, to draw largely upon the reserve, from \$10,000,000 to \$20,000,000. Here is a statement

going back to 1876, running up to this time, which shows that every prudent Secretary would in May commence to provide for July. July 1 is the hard period of the year, because that is the time when a great many expenditures have to be made, new accounts and new appropriations have to be opened, and money distributed to disbursing officers. The quarterly payment of pensions, amounting now to \$18,000,000, has to be provided on the 1st of July, October, January, and April. So with the interest of the debt and other expenditures that come due in monthly or quarterly payments. There has not been a period in a single year, by this statement, when the variations between June and July have not been as high as from \$10,000,000 to \$15,000,000. No one knows beforehand. When General Garfield died the shock and effect upon the public were so great that in a single month \$30,000,000 was drawn from When General Garfield died the shock and effect upon the the Treasury, and the balance on hand was reduced that sum.

Suppose you have no working balance over and above a reserve nothing on hand but that. Under this proposed law, on the 15th of June, when a prudent Secretary, who had been accumulating \$10,000,000 or \$20,000,000 ahead to meet the payments to be made in July, whenever that amount went over \$10,000,000, would be bound to call the That occurred this year. It has occurred while we have whole excess. been here. In June the amount ran up, and in July the Secretary of been here. In June the amount ran up, and in July the Secretary of the Treasury was called upon to pay more than \$20,000,000. So if such a law had been in operation in June when the balance ran up high he would have been compelled to call, under the operations of the law, not less than \$10,000,000, while on the 1st day of July following, a fact that he knew and had provided for, he would not have the money on hand to meet current payments then due except by drawing on the gold redemption reserve in the Treasury.

So it is necessary to provide for a warking balance. The great reserve in the Treasury.

So it is necessary to provide for a working balance. The great governments to which I have referred keep to their credit in bank thirty to fifty millions for this purpose. It always has been deemed necessary. It never has been denied to any administration, and unless you really intend to impinge upon and reduce this great balance-wheel of the Treasury, this \$100,000,000 of coin, you have got to give the Secretary of the Treasury some leeway from month to month. This statement is shown by months. It shows the fluctuations and vibrations up and down, varying anywhere from \$2,000,000 a month up to \$30,000,000 a month; so that under the operations of this joint resolution, taking it as it came to us, the Secretary could not accumulate money to meet the quarterly balances due on the first of each quarter. He would not be able to meet even the monthly variations that occur. The Treasury statements are made on the last day of each month, and on the 30th day of June the balances are the very largest in the whole year. The time when the Treasury statements to which I shall refer in a moment are made up is when the amount on hand must necessarily be larger than at any other period of the year. They are made in view of what is to come on the next day. The interest on the public debt accrues on the 1st day of July, so that \$9,000,000 is to be paid out at once for that, and about \$17,000,000 for pensions, together with the various appropriations made by Congress from time to time. So it is impossible unless you give the Secretary of the Treasury some working balance that he could meet his necessary payments without drawing upon this great reserve.

Now, let us go a little further about this. What amount ought he to have? Some say \$5,000,000. That would not pay one-third of the pensions due on a particular day. Some say \$10,000,000; some say \$20,000,000; some say \$25,000,000. For myself I would have been willing to give him a discretionary power-not an absolute power but

a discretionary power.

Mr. PLUMB. Pardon me if I suggest that we start the Secretary of the Treasury with more than \$75,000,000 to begin with now.

Mr. SHERMAN. I will come to that in a few moments. My friend

will see that I shall not avoid that.

What is a fair working balance no man can say, but the Committee on Finance have placed it at twenty million, the very minimum which any government of our population and wealth ever undertook to carry on its operations. The Senator himself showed that France has about forty million, and Great Britain thirty-odd million of credit in the Bank of England. All I want to do is to give to this Democratic administration such a reasonable and fair balance as may enable them with security and safety to comply with the acts of Congress made from time to time appropriating the public money; no more and no less. Even the sum named I believe is rather less than on the whole it might be, but there are other things that enable me to vote for this proposition.

One of the mistakes I think made by this administration was that the Secretary of the Treasury changed the familiar form of stating the public debt. In the new debt statement they count as accrued interest that which is only accruing; that is, the interest accruing but not due is shown in the last debt statement as \$9,000,000, but this is counted as having accrued when in fact it will not accrue or become due until September when ample revenues will come in to meet it; and therefore I think the Treasury has a margin that way, but I suppose this change was made to excuse their policy of coin and currency accumulation, I would not say to cover up a balance but at any rate to be sure to be on the safe side.

Another thing they have done which was never done before in Republican times, they have failed to count the fractional silver coin as a

part of the money of the country. It is not available for the payment of debts, it is not available for the payment of appropriations, it is only available for paying small sums when demanded by the people, and experience shows that when paid out it soon returns. The amount has now so accumulated that it is \$29,000,000. If you would authorize the Secretary of the Treasury to recoin all that minor coin into standard dollars he could use those or issue certificates based upon them but it is a to could. them, but it is not counted. In one sense it is not an available asset, but all his predecessors got along by counting it. It is true when I was there the amount was not so large as it is now; I think it was about \$12,000,000 to twenty millions, if I remember aright, but we counted it as so much money on hand, although we knew it was unavailable, because that seemed to be the proper thing to do. It is money in one sense, and it is not money in the general sense for broad national payments.

I believe that the amount reported by the Committee on Finance is the very lowest sum that, according to the experience of mankind, it would be safe to provide as a working balance; and I would be willing to give to the Secretary of the Treasury even more discretion. You need not be afraid he will abuse it. Great trusts like his are performed under the light and are not likely to be abused. He has a public policy differing entirely from that of my friend from Kansas about what is necessary in order to maintain the credit and power of the Government. It is an honest difference of opinion; he does not conceal it.

Indeed, when Mr. Fairchild came before us, I could not help but feel a kind of sympathy for him when he declined to give us his opin-ion of this measure, saying at the same time that heretofore this power had been left to the Secretary of the Treasury, and it seemed that Congress did not desire to confer this power on the present administration, or words to that effect, and he thought it was indelicate for him to give any advice. It seemed a kind of an appeal that you should give at least the same opportunities to carry on the operations of the Gov-ernment that you had given to the Republicans who had preceded him, and I believe it was a proper appeal to be made under the circum-

This statement shows the average balance. If the fractional silver coin had not been deducted on the 2d day of January, 1880, the balance in the Treasury would have been \$139,000,000, but deducting the \$18,000,000, Treasury would have been \$139,000,000, but deducting the \$18,000,000, the balance in the Treasury was \$120,426,000. That is about the lowest. I certainly would be willing to give this administration that which we thought necessary at the time to give when the operations or the Government were even less than they are now. Give him a minimum. First there is the minimum of the redemption fund. Let that stand intact. It is said that nobody calls for it. I hope nobody ever will; but dissipate that fulcrum and then you will find plenty of people to call for it. It is the basis upon which the whole thing stands. Let that stand as long as the pyramids stand as the basis of \$346,000,000 of our promises to pay. Senators say that nobody doubts the integrity of the United States or its ability to redeem the greenbacks. Nobody does now, but yet it is only eight years since these notes were at a discount, and within twenty years they have been at a discount. at a discount, and within twenty years they have been at a discount of 40, 50, and 60 per cent.

If Senators will have the kindness to turn to Mr. Jordan's statement

before the Committee on Finance, they will find there the reasons given by Mr. Jordan why this unusual balance had been accumulated. I believe there was probably a little too much timidity in regard to this matter, but still he makes a very strong statement to show that at one time the gold reserve had been reduced to \$123,000,000, and he feared that the great bankers and men interested in our financial system would entertain the fear that at some not far distant day the dollar which they held in their hands as the trustee of great properties would, by some sudden change, by the dissipation of this gold reserve, be payable in silver worth 74 to 80 cents on the dollar. That was a fear.

How is this silver coin maintained at par with gold? It is said that it goes as good as gold everywhere, but why? It is maintained at par with gold in the properties of the properties of

with gold just like your paper money, because it is redeemed, it is received, it is used by the Government in exchange for gold; but if you once establish a fear in the minds of men engaged in large business interests that you will not maintain it at par with gold, then the silver dollar will fall to its market value. It will become the sole standard of value. If the Government were to compel the people to take that which is intrinsically worth less than a dollar, then gold will disappear, and we will have contraction, hoarding, exportation, and all the evils which I have sometimes feared when they did not exist, just as people sometimes frighten themselves with imaginary dreams. Yet if you raise the impression that it is your deliberate purpose to go on with this theory that the standard of 4122 grains of silver shall be the standard and purchasing power of the dollar, you must expect the men who not only represent great private business interests of their own but represent the property of other people to take pains to protect themselves by securing gold coin or its representation. Whether you like it or not they will not do it. It seems Mr. Tilden did it—I did not know that until it was mentioned by my friend from Kentucky—and other great bankers protected themselves by buying foreign exchange. They will do that; the self-interest of mankind will prompt them to do it.

But as long as you maintain your silver at par with gold, as you do ator is correct.

now, and as France does with the utmost care and watchfulness, then there is no danger. I think our friends in New York have a little natural fear and a good deal of artificial fear in regard to that subject. I do not believe the people or Congress of the United States will ever bring us to a single silver standard. If they do, it will be a far greater calamity to the poor men of this country, the men whose wages will be measured by this inferior standard, than it will be to the rich men, who can protect themselves.

Mr. JONES, of Nevada. I should like to ask the Senator if the ca-

lamity which he has so graphically depicted should occur and some \$400,000,000 or \$500,000,000 of gold should be taken out of the country, how the remaining volume of currency could be depreciated in value? Does he mean to say that when the volume of currency becomes less it becomes cheaper?

Mr. SHERMAN. Our silver then will be measured just as our wheat is measured, by its price in the foreign markets. The pound sterling will be worth \$6.25 instead of \$4.84, and the franc 24 cents. But we maintain and intend to maintain the silver at its present standard. I agree with my friend from Nevada that we must do it. We can not do otherwise, although I think if we continue the present policy indefinitely the time will come when we can not do it. It has not been yet reached, but whenever it is done then you will have cheated the laborer out of a portion of the purchasing power of his dollar, while the capitalist, watching eagerly the signs and chances of the market, will place his securities where they will be counted in gold.

Mr. JONES, of Nevada. I should like to have the Senator answer

specifically in what manner gold now protects silver? Silver is not redeemable in gold, and in what manner does the gold in the country protect the value of silver?

Mr. SHERMAN. I will talk to my friend from Nevada some time when we are quietly together about these conundrums.

Mr. JONES, of Nevada. I was afraid the Senator would not answer the question.

Mr. SHERMAN. It is a practical business question with which I deal now, and not one of the theoretical questions in which my friend loves to indulge. I have often talked to him, and he knows my opinions and I know his.

Mr. JONES, of Nevada. I should like to have an answer.

Mr. SHERMAN. To show that the fear at that time was not un-Mr. SHERMAN. To show that the fear at that time was not unnatural, let me take the total net reserve as stated by the Secretary of the Treasury, \$179,689,862, including all forms of money, notes and coin, silver and gold certificates, and all other money except fractional silver coin; the balance is \$179,000,000. At this time we have in the Treasury 82,980,559 silver dollars. We have in the Treasury silver certificates to the amount of \$33,978,767. In all, we have in silver, because the certificates are specifically payable in silver, \$116,959,326.

Suppose we should now force the Secretary of the Treasury to pay

out these silver dollars and the silver certificates, force them upon the people whether they are willing to take them or not, refuse to pay gold, refuse to pay greenbacks, force out this \$118,000,000, what effect would that have at once in bringing you to the silver standard? I will allow every Senator to answer that for himself. Sir, we are only kept from meeting this possible calamity by redeeming and taking in this silver, and the very fact that the silver dollar is safely stored in the Treasury is the best protection to the value of silver.

I have thought all along—and that is another criticism of this administration which I would wish to make in all kindness—that they ministration which I would wish to make in all kindness—that they have not availed themselves of the legal power to use silver certificates in accumulating gold coin and bullion. I never could understand why that process was permanently stopped. There are four distinct provisions of law which authorize the use of any money in the Treasury for the purchase of gold and gold bullion. We have in the Treasury \$32,000,000 of silver certificates. This fall when the demand for cotton and wheat and the other productions of the country begins to be active the gold will come from foreign countries, because there is no active the gold will come from foreign countries, because there is no balance of trade against us to settle. But few of our securities are held abroad, or if they are held they are held firmly. The demand will come here for our natural productions, and I do not see then why the Secretary of the Treasury does not do as his predecessors did, buy gold to fortify the gold reserve. If he has any fear of the disappearance of gold, instead of borrowing a ridiculous sum from the bankers in order to support his reserve, it seems to me he might have got gold in the Treasury in exchange for certificates. His predecessors bought eighty-odd millions of gold by silver certificates; and why? This money is brought here in the form of bullion or foreign coin, not immediately convertible and not in form for ready use.

Mr. COCKRELL. I know the Senator wishes to be accurate. Did

not the last Secretaries of the Treasury under Republican administra-tions cease that process? Was it not stopped long before the present Secretary of the Treasury came in?

Mr. SHERMAN. It was stopped for a time because the certificates

ran out; that is, they had paid out all they had.

Mr. COCKRELL. And it had not been renewed, and has not been

renewed by the present Secretary.

Mr. SHERMAN. It has not been renewed by him.

Mr. COCKRELL. I think he ought to renew it. I believe the Sen-

Mr. SHERMAN. He has in his hands \$32,000,000 of silver certifiates. There is no reason why these should not be converted into gold. It is true the silver certificates come back for customs duties and for all the other operations of the Government. Still to that measure it would be a relief. As they come back they are paid out, if the state of the market will justify it. Why, you may ask, do the owners of gold coin and bullion take silver certificates? Because coin in any form, especially as imported, is not in an available condition for use. If there and bullion take silver certificates? Because coin in any form, especially as imported, is not in an available condition for use. If there was a tightness in the money market, or rather a scarcity of currency, then the issue of these certificates for gold coin or bullion would supply an active currency, while the gold rarely is active currency. It must be represented by some form of paper money, and the silver certificates will be received, sent down to New Orleans, sent West to the great plains and there applied to the purchase of all the productions of the country for export abroad. In due time the silver certificate flows the country for export abroad. In due time the silver certificate flows back into the Treasury, but the gold is there and remains, while the certificate in due course may be again used to purchase more gold or to pay current expenditures, and in that way the reserve may be fortified.

As I said, this is not an administration of which I am any part or lot, but I want to be fair by it, treat it as I would our own. In proposing this amendment, the Committee on Finance, a majority of which is Republican, propose to do by this administration what has been done by a Democratic Senate and by a Democratic House in a Republican administration, not to cripple the Secretary, not to compel him to do what his judgment condemns, but to allow him reasonable discretion. If there is anything clear, Mr. Jordan and Mr. Fairchild are firmly opposed to the House resolution. They said so to us. They gave us their reasons for it. We thought on the whole that they were accumulating a greater reserve than was necessary to protect the public credit and the public interest, yet we did not feel justified in compelling them to go to the extent in dissipating the reserve as required by the House, which they regarded as injurious to the public service, to the credit and public faith of our country. We therefore provided for this movable discretionary balance of \$20,000,000. We put it lower than experience shows has been required every year for the last eight or ten years. The fluctuation, the ebb and flow of the currency, demand this sum of money. The table to which I have already referred shows that even in ordinary times at special periods of the year increased payments in a single day must be made and must be provided for by previous accumulations equal to this floating balance. To deny it is to open the resumption reserve for ordinary wants of the Treasury.

There is another probable effect of this measure to be noticed. My

friend from Kansas and also my friend from Kentucky talked about contracting the currency. There never was a more severe, harsh contraction of the currency than is proposed by this joint resolution. How will that happen? You call bonds. You ought to call them and pay them off. You call them at the rate of \$10,000,000 a month. When you call \$10,000,000 of bonds \$8,600,000 of these belong to the national banks and are the basis of your banking system.

Mr. TELLER. How many? Mr. SHERMAN. Eight million six hundred thousand dollars out of \$10,000,000; that is, there are \$136,000,000 of outstanding bonds redeemable, and the amount held by the national banks is \$114,000,000 or \$115,000,000.

The banks hold \$118,000,000 all told. Mr. TELLER.

Very well. There is some little difference be-Mr. SHERMAN. tween gentlemen.

Mr. ALLISON. I made the calculation that they hold \$106,000,000.

Mr. TELLER. And then they hold \$14,000,000 more.

Mr. SHERMAN. When you pay for the bonds the banks are deprived of their circulation. They are compelled to gather in the United States notes and bring them to the Treasury and there deposit them in the Treasury, which assumes the payment of the outstanding bank notes. But the law of Congress is so firm and strong that every note of the bank which comes into the Treasury has to be sent to Washington and here retired and canceled. At this time under previous calls there are \$60,000,000 of the United States notes tied up by the express provisions of the law which can not be paid out, but will lie there to redeem an equal amount of bank circulation which you have with-

drawn or driven out of circulation. If this measure passes, and they call for \$116,000,000 of these bonds, the banks will be compelled to retire about \$100,000,000 of their circulation, and the pending the presentation of the notes the bank must gather up United States notes equal in amount to the bank bills to be retired and deposit them in the Treasury for the sole purpose of redeeming the bank bills when pre-From the beginning of this operation the volume of currency is reduced to the extent of 90 per cent. of the bonds called held by the bank.

Sir, so sharp a contraction has never happened since our financial, system was started as will be required by the operation of this joint resolution. It was not so designed. The gentlemen who framed this measure and supported it did not intend to contract the currency; but

such is its effect as often happens with unwise financial legislation.

It is said these notes will all come in rapidly. They will not. The fact is, your \$60,000,000 of greenbacks are now held to redeem outstanding notes heretofore retired by the compulsory action of the Government. Experience shows that they do not come in. They are circulating, but the greenbacks are tied up, and the law requires that the greenbacks when deposited shall be kept there intact for the sole and only purpose of redeeming the bank notes retired.

Still, all things considered, the Committee on Finance came to the conclusion that they would report an amendment which would require, according to the House provision, about \$50,000,000 to be retired. That is an enormous contraction. It seems to me that is far enough, I do not want to take the responsibility of going further. Indeed I sometimes doubt whether in interfering with the discretion of the Secretary of the Treasury in regard to this matter we have not gone too At all events he ought to be left free to meet a possible emergency in the future.

There is one amendment and one amendment only which I wish to suggest to my friend from Iowa, that I think would remove a trouble in the minds of some Senators who have spoken. It was said that if we pass the joint resolution as the Senate committee have reported it the Secretary of the Treasury would hold that the contingency provided for here had already arrived and was upon him, and that as an emergency existed he would not obey the law. I take it that a Secretary of the Treasury who disregards the provision of this law would find himself in a very dangerous position. I do not believe he would put that construction upon it. I give Mr. Jordan and Mr. Fairchild credit for supposing that if the law is passed just as we have it they would do just what the law requires in case it became the law; but I would put in after the words "and in the case of any extraordinary emergency" the words "not now foreseen," so as to make an emergency to happen in the future independent of existing fact.

Mr. JONES, of Nevada. I should like to ask the Senator if half a

dozen of these same people in New York can not get up an emergency

to order whenever they want, as they did last summer?

Mr. SHERMAN. Is our credit so poor that half a dozen millionaires can get up a scare and break the Government? I do not fear them at all.

Mr. JONES, of Nevada. Did they not do it last summer?
Mr. SHERMAN. No, sir; they frightened somebody, but why was it?
Mr. JONES, of Nevada. They frightened the Secretary of the Treas-

ury.

Mr. SHERMAN. That may be, but they did not disturb, nor can they disturb, the security of our currency. Nothing will disturb this, unless it should be the settled conviction of the people that Congress is determined to change the standard of all value in this country and make it rest entirely upon 412½ grains of silver instead of 25.8 grains of gold. If Congress is determined to bring us to a single silver standard they can do so, but it will be by Congress not by the bankers. The bankers will take advantage of their opportunities and will protect themselves, and the burden of that loss will be made to fall upon the people, whose daily labor will be measured by a depreciated dollar with less purchasing power than the gold dollar. This is the uniform result of

financial fallacies and depreciated currency.

Mr. President, this is all I desire to say about this matter. I shall vote for the amendment as it stands and against the resolution if not amended.

The tables referred to are as follows:

Subjoined is our usual table, affording a comparative view of the bank returns, the bank rate of discount, the price of consols, the price of wheat, and the leading exchanges during a period of four years corresponding with the present date, as well as ten years back, namely.:

At corresponding dates with the present week.	July 12, 1876.	July 18, 1883.	July 16, 1884.	July 15, 1885.	July 14, 1886.
Circulation (excluding bank post-bills) Public deposits. Other deposits. Government securities. Other securities. Other securities. Other securities. Other securities. Reserve of notes and coin Coin and bullion Proportion of reserve to liabilities. Bank rate of discount. Price of consols. Average price of wheat Exchange on Paris (sight) Exchange on Amsterdam (sight) Exchange on Hamburg (3 months).	£28, 272, 045 4, 810, 839 27, 635, 123 15, 399, 705 17, 493, 334 17, 704, 436 39, 976, 481 54 per cent. 2 per cent. 488, 6d. 25 27½ 37½ 12 2½ 3½ 20 74 £88, 856, 000	£26, 096, 765 4, 473, 285 23, 830, 383 11, 965, 643 22, 632, 913 11, 842, 694 22, 159, 459 41‡ per cent. 4 per cent. 4 per cent. 25, 27‡ 32‡ 12, 24, 32 20, 68, 72 £132, 735, 000	£26, 014, 190 5, 153, 481 26, 870, 198 13, 579, 571 22, 248, 669 14, 310, 668 24, 574, 858 44‡ per cent. 2 per cent. 2 per cent. 100 368, 9d. 25 15 20 12 11 21 20 58 62 £126, 407, 000	£25, 398, 855 4, 882, 976 34, 244, 417 17, 054, 990 22, 338, 959 17, 837, 457 27, 486, 312 45‡ per cent. 2 per cent. 5 99‡ 33s, 8d. 25 17‡ 22‡ 12 0‡ 1‡ 29 5 56 £113, 387, 000	£25, 335, 290 4, 260, 598 25, 117, 066 15, 932, 597 19, 945, 152 11, 555, 438 21, 140, 728 39 per cent. 24 per cent. 24 per cent. 25 21 20 20 £94, 676, 000

The principal items in the latest weekly accounts published by the following Continental and American banks are compared below with the previous statement and with the corresponding statement of last year:

BANK OF FRANCE.

	July 15, 1886.	July 8, 1886. July 16, 1885.	Comparative increase or decrease.		
		1272346		Last week.	Last year.
Coin and bullion: Gold. Silver. Fovernment securities. Fryivate securities.	£54, 361, 000 44, 885, 000 14, 104, 000 34, 569, 000	£54, 614, 000 45, 042, 000 14, 104, 000 34, 339, 000	£45, 924, 000	- £253,000 - 157,000 + 230,000	+ £8, 437, 000 + 1, 854, 000 - 9, 000 - 7, 231, 000

IMPERIAL BANK OF GERMANY.

	July 7, 1886. June 30, 1886.	. June 30, 1886.	July 7, 1885.	Comparative increase or decrease.	
			Last week.	Last year.	
Coin and bullion	£35, 317, 000	£35, 259, 000	£29, 527, 000	+ £58,000	+ £5,790,000
	24, 701, 000	26, 898, 000	23, 595, 000	-2,197,000	+ 1,106,000
Notes in circulation	43, 613, 000	45, 506, 000	39, 354, 000	-1,893,000	+ 4,259,000
	13, 480, 000	13, 697, 000	11, 567, 000	- 216,000	+ 1,913,000

Mr. TELLER. I do not intend to detain the Senate with any lengthy discussion of this question. I am not intending to vote for the amendment proposed by the Committee on Finance.

The question seems to me to be entirely devoid of politics, as has been suggested, and to be one simply of business. I think every body admits that if this money can be properly paid without disturb-ing the credit of the Government it ought to be paid. So it comes down to the simple question whether we have the means to meet the demands made by this resolution as it came from the House.

As it is amended by the Committee on Finance, it is practically setting apart \$120,000,000, never to be used at all unless some man holding a greenback should go to the Treasury Department to have it re-deemed in gold. The excess over \$100,000,000, which is not to be used at all, will be an absolute dedication forever, until at least the law is repealed or a new administration with different ideas shall come into power, forever to be kept in the Treasury for the purpose of strengthening, it is said, the national credit.

The principal objection I have to this resolution is that it recognizes the necessity of maintaining and keeping at all times in the Treasury of the United States \$100,000,000 in com for the purpose of meeting an imaginary demand, a demand that seven years' experience has taught us is not likely to be made. But I believe it may be necessary and proper for those who believe the public debt should be paid to vote for this resolution in order that the excess over and above the \$100,000,000 may be paid out upon the public debt and the burden of the people so far at least reduced.

I stated that in my judgment this is a practical dedication of \$20,-000,000 in addition to what is already locked up in the Treasury for specific purposes. If there is any merit in that resevation it is that it may meet a possible demand. That twenty millions will not meet any possible demand at all. The Department will regard it as its duty to keep the \$20,000,000 before a call is made, and the call must be made thirty days in advance.

Mr. EDMUNDS. Not by law.

Mr. TELLER. Yes, by law. The call must be made thirty days in advance, and during that time the money will come in.

Mr. COCKRELL. When was that law changed? It used to be ninety

Mr. TELLER. It is thirty days now. I do not remember when it was changed. The Senator from Ohio [Mr. Sherman] I think gave the date, but I did not notice it. I know that is the law now.

During that time the revenues are coming in at the rate of a million dollars a day, and the expenditures are going on fortunately at considerably less than that sum. Everything to-day in the financial world indicates that there will be more money taken by the Government for the fiscal year in which we are now than there was for the last. The imports are increasing, and the revenues from that source and other sources are increasing.

to pay. For the preceding four years before this administration came into power, with no greater revenues, with greater prospects now for revenue than then, the Government of the United States reduced its debt at the rate of something over \$10,000,000 a month.

In 1885 there was a change in the administration and a change in the methods of keeping the books. Every item that could be passed to the liability account was there passed. Interest was accounted day by day and put in the list of liabilities, although it might not be due for months. The hundred millions that had stood as a reserve by order of the Secretary of the Treasury and not by law-by order, I repeat, of the Secretary of the Treasury, and that only, and not by law—was put on the 1st of April, or soon after, in the liability account of the Government; and then when the balance was struck on the 4th day of March, 1885, there was less than \$9,000,000 standing to the credit of the Government of the United States in the Treasury, according to the statement of the Secretary of the Treasury that came to us last November.

Mr. EDMUNDS. Have you the statement? Mr. TELLER. The Senator from Vermont asks me if I have the statement

Mr. EDMUNDS. I do not doubt it at all, but I should like to have it appear in the RECORD.

Mr. TELLER. On page 13 of the Secretary's report it will be found. This is dealing with the time the administration changed, the 4th of March, 1885:

Net balance in the Treasury, \$8,764,590.11.

I read from the report of the Secretary of the Treasury for 1885, signed by Daniel Manning, made up to November last. On page 14 I find this statement:

Net balance in Treasury, \$66,818,292.38. The balance in the Treasury has therefore been increased within the above period by the sum of \$58,053,702.27.

On the 4th of March, 1885, there was in the Treasury of the United States \$379,166,353.40. On June 30 there was in the Treasury, as shown by the financial statement of the Government, \$509,894,109.67. On November 1, 1885, the balance, as I have said, was \$66,818,292,38. On the 30th of June, 1886, the balance was \$104,473,605.61. I am speaking of the net balance now. In other words, there had been \$95,000,000 accumulated in the Treasury from March 4, 1885, to June 30, 1886, and during that time the Secretary of the Treasury had paid of the public debt about \$50,000,000. By my statement it is \$50,135,-000, and according to the statement made by the Senator from Iowa [Mr. ALLISON] it was \$54,000,000.

There, then, are the two sums, \$95,000,000 in the course of a year, the net balance, and \$50,000,000 to add, making \$145,000,000 of net accretion, or what is equivalent to that, in the United States Treasury, or a sum in excess of the ordinary expenditures of the Government of \$145,000,000.

I said a moment ago that it is a simple business proposition. Are we able to pay \$10,000,000 a month on the public indebtedness? I do not think it is a matter of discussion that if we are able we ought so \$72,000,000. Sixty-one million dollars of that amount was by the

cancellation of silver certificates and gold certificates as they came in, and gold was paid out or silver was paid out for them. The balance, nearly \$12,000,000, was for certificates that came in in the ordinary way in the payment of the revenues of the Government, that were canceled and destroyed by the Department. So that, too, must be added to the sums I have mentioned.

It is apparent that during a very long period of years last past there has been an income to the Government of the United States over and above its current expenses, or a surplus, of not less than \$10,000,000 a month, and since this administration has been in power, counting all the sums as charged to liabilities that ought not to be so charged, but allowing them to go there, upon their own book-keeping there has been \$9,812,000 of surplus every month of this administration; and yet we are told that starting with \$101,000,000 of balance they can not

honestly pay \$10,000,000 a month.

Why, Mr. President, if the surplus continues as it has they need to touch the balance in the vaults for only \$200,000 a month. Two hundred thousand dollars a month added to the surplus, if the surplus continues for the next fourteen months as it has continued for the last sixteen, will pay, without any further diminution of the \$104,000,000 standing to the credit of the Government unused, independent of the question of \$100,000,000 for the reserve.

The honorable Senator from Iowa [Mr. ALLISON] and the honorable Senator from Ohio [Mr. Sherman] talk about the danger of putting the Government to paying out this surplus without a working balance when there is a working balance now to begin with of \$104,000,000 practically that can be expended under any view of the case, and \$75,000,000 that may be used, \$75,000,000 if you discard the minor coin, \$75,000,000 with a surplus coming in almost equivalent to the payment that is to be made, with every prospect that the surplus will be increased much in the coming months over what it was in the past, and yet we are told that you must set apart a sum of \$20,000,000, lock it up where it never will draw interest, and keep it out of the circle of business and trade for the purpose of strengthening the public credit. Mr. President will be strengthening the public credit. ident, the public credit will be strengthened by the payment of our honest debts. When the people shall be convinced that the Treasury Department does not intend to create an increased value for money by locking up the funds of the people in the Treasury the credit of the Government will be promoted.

Mr. President, a Senator asks me in an undertone what is the present rate of interest, and I suppose that is for the purpose of intimating to

me that money is already too cheap.

Mr. EDMUNDS. No, I did not mean any such thing.

Mr. TELLER. What does the Senator mean?

Mr. EDMUNDS. I merely mean to get information.
Mr. TELLER. I will admit that every moneyed center is full of money; I will admit that there never has been a time in the history of this country when the coffers of bankers and millionaires were so overflowing as to-day; and it is not only so in this country, but it is so all over the world. It is as much so to-day in England, in France, and in Germany as it is in the United States, and it is owing to the legislation of the various governments of the world carried on in the interest, not of the men who do business, but in the interest of the men who own the money. It is a conspiracy against labor, against production, against industry, in the interest of the men who have grasped the wealth of the world; but it is not a conspiracy that started in this country; it had its origin abroad and we have fallen into it, and the Government of the United States for ten years has been its willing and its active agent. I say that of my own political party, which has been guilty in many instances, and it has been the active, efficient agent of the conspiracy for the purpose of increasing the value of the dollar and decreasing the value of the productions of men everywhere in the world.

Mr. EDMUNDS. What is the present rate of interest? That is my

question

Mr. TELLER. Mr. President, I will say again the interest is not high. The men who hold the money are looking to legislation and are trusting that there shall be an appreciation of their dollars by law as

has been done for ten years.

Mr. EDMUNDS. Why, Mr. President, if the Senator will pardon me, because I am merely a neophyte in this business struggling for information, I want to ask him whether he does or does not know that in Colorado and New York and Vermont and Mississippi and everywhere people can borrow money on a reasonable and fair security at a less rate than they could at any time in the history of this Government for the last one hundred years, and that takes in the whole Government?

Mr. TELLER. That is true the world over.

Mr. EDMUNDS. Yes; but is it not true here?
Mr. TELLER. If a man owns a Government bond he can borrow money upon it, if that is what it means, cheaper than he could at any other time in the history of the world; but if he owns a manufactory that makes cloth, a mill that makes iron, a farm that produces wheat, he can not borrow the money for the same rate that he could fifteen That is what the trouble is. The men who hold money will lend it upon money; they will not lend it upon anything else, and they have wisely held it, and the men, who five years ago put their

money in their coffers and sat down and waited have got more money than they would if they had put it in any enterprise, although it never has moved a wheel or turned a furrow in all that time. The accretion, the increase has been to them more than to have put it in any productive pursuit in the world.

Gentlemen talk to-day about the 74-cent dollar. Why, Mr. President, it will buy more to-day of everything that a man eats and drinks and wears than it would twenty years ago, and I am prepared at any time to show, from the official publications of prices, that this is no mere statement, but a fact. It will buy more to-day than it would in 1876, ten years ago. Why? Because there has been an appreciation of money and a depreciation of everything else in the world in the last decade.

So the Senator asks, "What is the rate of interest." Why is it that men are prepared to loan upon bonds at 2 per cent. who will not loan upon a mill at 5 per cent? They fear that they may be compelled to take the mill in payment of the debt. Men will loan money at 2 per cent. upon bonds who will not put their money in a farm or in a man-Why? They fear ufactory or in a railroad or in any public enterprise. they will get the property and not the money.

With five hundred millions of money locked up in the national Treas ury, with millions locked up by every bank which can lock it up, with all business in the country standing still, with no new enterprises being started, we are told that we must keep locking up the money, that we must keep a great sum of money in the Treasury to preserve our credit! must keep a great sum of money in the Treasury to preserve our credit! A hundred million was locked up in 1879 for the purpose of making the greenback as good as gold. Nobody doubted the propriety of the Treasury strengthening itself at that time, nobody doubted that it was wise and prudent, for nobody could quite foretell what would be the demand made upon the Treasury by the holders of national notes. In the first year \$11,000,000 of greenbacks were exchanged for gold, in the next six years \$4,000,000, or thereabouts, were exchanged for gold. You would have supposed, with a debt that was payable and bearing interest, that the Government might have put forth an effort to take interest, that the Government might have put forth an effort to take in the bonded debt and reduce the interest on the money that experience had demonstrated was not needed and was not wanted for the purpose of maintaining the public credit, so far as the greenback was

But no, it is a part and parcel of the idea that money is not to be used in the ordinary and legitimate channels of trade, but it is to be held for its appreciative power. It is to be held that it may grow, not by performing the functions and duties of money, but lying idle in the coffers—it may grow in potency by the depreciation and by the degradation of everything that goes to make life comfortable and valuable in this country in its material interests.

Mr. GEORGE. Will the Senator from Colorado allow me to ask him

question? Mr. TELLER.

Certainly.

Mr. GEORGE. I am very much impressed by the remarks the Senator has made in reference to the amount of money held in the vaults of the banks and their failure to use it. What I desire to ask the Senator is this: Does he know of any feasible plan by which he can compel the men who have money to put it out in circulation?

Mr. TELLER. I do not.
Mr. JONES, of Nevada. I should like to answer that question.
Mr. GEORGE. I should like to have the answer.
Mr. TELLER. I will yield with pleasure to the Senator from Ne-

Mr. JONES, of Nevada, addressed the Senate. [See Appendix.] Mr. HALE. I move that the Senate proceed to the consideration of executive business

The PRESIDENT pro tempore. The Senator from Colorado [Mr. Teller] is entitled to the floor.

Mr. TELLER. I will yield for a motion to adjourn or to proceed to the consideration of executive business.

Mr. HALE. I move that the Senate proceed to the consideration of executive business

The PRESIDENT pro tempore. The Chair will present certain bills for reference.

HOUSE BILLS REFERRED.

The bill (H. R. 1741) for the relief of William E. Bond was read twice by its title, and referred to the Committee on Finance.

The following bill and joint resolution were severally read twice by their titles, and referred to the Committee on Public Buildings and

A bill (H. R. 9644) for the erection of a public building at Jefferson,

Joint resolution (H. Res. 295) permitting the public building authorized by act of Congress approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building instead of 50 feet, as provided in said act.

NORTHERN PACIFIC RAILROAD LANDS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2172) restoring to the United States certain of the lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound and to restore the same to settlement, and for other

Mr. DOLPH. The amendment of the House is to strike out all of the bill except the enacting clause and insert what is known as the House bill forfeiting all the grant west of the Missouri River. I move that the Senate disagree to the amendment and agree to the conference asked for by the House. The House has asked for a conference on the

disagreeing votes.

The motion was agreed to; and by unanimous consent the President votempore was authorized to appoint the conferees on the part of the

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the considcration of executive business. After eleven minutes spent in executive session the doors were reopened, and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Friday, July 30, 1886, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate this 29th day of July, 1886. SECOND ASSISTANT SECRETARY OF STATE.

Alvey A. Adee, of the District of Columbia, now Third Assistant Secretary of State, to be Second Assistant Secretary of State, vice William Hunter, deceased.

THIRD ASSISTANT SECRETARY OF STATE.

John B. Moore, of Delaware, to be Third Assistant Secretary of State, vice Alvey A. Adee, nominated to be Second Assistant Secretary.

MINISTER RESIDENT AND CONSUL-GENERAL.

E. Spencer Pratt, of Mobile, Ala., to be minister resident and consulgeneral of the United States to Persia, vice Frederick H. Winston, resigned.

ASSOCIATE TERRITORIAL JUSTICE.

Thomas C. Beach, of Montana, to be associate justice of the supreme court of the Territory of Montana, office created by an act of Congress approved July 10, 1886.

COLLECTOR OF CUSTOMS.

Thomas J. Arnold, of San Diego, Cal., to be collector of customs for the district of San Diego, Cal., vice George A. Johnson, whose com-mission will expire July 29, 1886.

COLLECTOR OF INTERNAL REVENUE.

John B. Redman, of Maine, to be collector of internal revenue for the district of Maine, vice Franklin J. Rollins, who was suspended; the nomination of Charles H. Chase, who was designated and afterward nominated to the Senate, having been rejected.

INDIAN AGENTS.

Melmoth C. Williams, of Statesville, N. C., to be agent for the Indians of the Pueblo agency in New Mexico, vice Pedro Sanchez, resigned. The nomination of Delores Romero for said office, delivered to the Senate December 15, 1885, is this day withdrawn.

Elmer A. Howard, of Fairfield, Iowa, to be agent for the Indians of the Pima agency in Arizona, vice Roswell G. Wheeler, resigned.

FOR PROMOTION IN THE ARMY.

Medical Department.

Lieut. Col. David L. Magruder, surgeon, to be surgeon, with the rank of colonel, July 26, 1886, vice Brown, retired from active service.

Maj. Charles T. Alexander, surgeon, to be surgeon, with the rank of lieutenant-colonel, July 26, 1886, vice Magruder, promoted.

Capt. Henry M. Cronkhite, assistant surgeon, to be surgeon, with the rank of major, July 26, 1886, vice Alexander, promoted.

Twentieth Regiment of Infantry.

Second Lieut. Henry A. Greene, to be first lieutenant, July 24, 1886, vice Low, deceased.

Second Regiment of Cavalry.

Second Lieut. Thomas J. Lewis, to be first lieutenant, July 26, 1886, vice Dinwiddie, retired from active service.

FOR APPOINTMENT IN THE ARMY.

Medical Department.

Freeman V. Walker, of Georgia, to be assistant surgeon, with the rank of first lieutenant, July 27, 1886, vice Cronkhite, promoted.

PROMOTION IN THE NAVY.

Assistant Paymaster Eustace B. Rogers, of California, to be a passed assistant paymaster from the 2d of November, 1884, vice Rand, promoted, and Allen, resigned.

SOLICITOR-GENERAL.

George A. Jenks, of Pennsylvania, to be Solicitor-General, vice Samuel F. Phillips, resigned.

RECEIVERS OF PUBLIC MONEYS.

Thomas B. Davis, of Lincoln, Nebr., to be receiver of public moneys at Lincoln, Nebr., vice Henry D. Root, term expired.

Bradley M. Thompson, of East Saginaw, Mich., to be receiver of public moneys at East Saginaw, Mich., vice George B. Brooks, term ex-

POSTMASTERS.

George E. Lorenz, to be postmaster at Toledo, Lucas County, Ohio, vice Patrick H. Dowling, whose commission expired April 26, 1886.

James L. Mathews, to be postmaster at Ellicott City, Howard County, Maryland, vice James G. Kirkwood, term expires August 4,

WITHDRAWAL.

Henry Stowell, nominated to be postmaster at Seneca Falls, N. Y.

CONFIRMATION.

Executive nomination confirmed by the Senate July 27, 1886. TERRITORIAL JUDGE.

James H. McLeary, of Texas, to be associate justice of the supreme court of the Territory of Montana.

HOUSE OF REPRESENTATIVES.

THURSDAY, July 29, 1886.

The House met at 11 o'clock a. m. Prayer by Rev. Dr. Bullock, of Washington, D. C.

The Journal of the proceedings of yesterday was read and approved. CORRECTION.

Mr. COBB. I desire to make a correction. The RECORD makes me say that 90 per cent. of the people of the Northwest are dishonest men. I did not mean to say that. I meant to say that 90 per cent. of the entries of which I was speaking were fraudulent.

PERSONAL EXPLANATION.

Mr. KELLEY. Mr. Speaker, I desire to say that on the question of concurring in the Senate amendment providing for the pay of clerks to Senators I voted "no" yesterday under a misapprehension, in contradiction of every vote that I have heretofore cast upon that subject. If I had voted otherwise it would not have changed the result, but I feel it due to myself to make this explanation of what must seem an eccentric vote.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows: To Mr. SADLER, for the remainder of the session, on account of im-

portant business.

To Mr. Grosvenor, for the remainder of the session, to enable him to attend the Grand Army of the Republic reunion at San Francisco. To Mr. Henley, indefinitely, on account of illness. To Mr. Stone, of Missouri, indefinitely, on account of important

busines

To Mr. Long, on and after July 31.

To Mr. Storm, for the remainder of the session, on account of illness in his family.

WILLIAM E. BOND.

Mr. SKINNER. Mr. Speaker, I ask unanimous consent that the Committee of the Whole be discharged from the further consideration of the bill (H. R. 1741) for the relief of William E. Bond, and that the same be put upon its passage.

The SPEAKER. The bill will be read, after which the Chair will

ask for objections.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and is hereby, directed to pay to William E. Bond, late internal-revenue collector for the first district of North Carolina, the sum of \$398.50, out of any moneys in the Treasury not otherwise appropriated, being the sum paid into the Treasury by the said William E. Bond, while collector of internal revenue, in excess of the taxes actually collected by him.

The SPEAKER. Is there objection to the present consideration of

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SKINNER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BARRACKS IN WYOMING AND NEBRASKA.

Mr. DORSEY. Mr. Speaker, I ask unanimous consent that the Committee of the Whole be discharged from the further consideration of Senate bill No. 1935, authorizing and directing the Secretary of War to enlarge, repair, and complete certain military quarters and barracks in Wyoming Territory and in the State of Nebraska.

The SPEAKER. The bill will be read, after which the Chair will ask for objections.

The Clerk proceeded to read the bill.

Mr. RANDALL. There is an appropriation of \$200,000 in the sundry civil appropriation bill to be expended in connection with the military posts.

Mr. DORSEY. But there is an amendment which cuts it down to

\$150,000.

Mr. RANDALL. There is already an appropriation for such purposes, and I object to the consideration of this bill.

PUBLIC BUILDING AT JEFFERSON, TEX.

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 9644) for the erection of a public building at

Jefferson, Tex., and that the bill be put upon its passage.

The SPEAKER. The bill will be read, after which the Chair will

ask for objections.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a site and cause to be erected thereon a substantial and commodious building, with fire-proof vaults, for the use and accommodation of the United States district and circuit courts, and for accommodation of the post-office, revenue, and other Government offices, and for other Government uses, at Jefferson, in the State of Texas. The site, and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of \$50,000; nor shall any site be purchased until estimates for the crection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site, nor plan for said building, shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of \$50,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of a least 40 feet, including streets and alleys: Provided, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Texas shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CULBERSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

ORDER OF BUSINESS.

Mr. HAYDEN. Mr. Speaker, I ask by unanimous consent the Committee of the Whole be discharged from the further consideration of the bill (H. R. 1143) authorizing the Secretary of War to deliver four condemned gun-carriages to the Grand Army of the Republic of

Somerville, Mass., to be used for monumental purposes.

Mr. BYNUM. I call for the regular order.

Mr. BURNES. Mr. Speaker, I move to dispense with the morning hour.

The motion was agreed to.

SALLY ANN BRADLEY.

Mr. GROSVENOR. Mr. Speaker, I rise to a privileged motion. I move that the consideration of the bill (H. R. 5394) granting a pension to Sally Ann Bradley, with the veto message of the President, be postponed until the second Tuesday of the next session of Congress.

Mr. HENDERSON, of Iowa. Mr. Speaker, I rise to a parliament-

ary inquiry.

The SPEAKER. In relation to this bill?

Mr. HENDERSON, of Iowa. I desire to know whether the vetoed bills going over to next session will lose their present status.

The SPEAKER. They will not.

The motion of Mr. GROSVENOR was agreed to.

ORDER OF BUSINESS.

Mr. LAIRD. Mr. Speaker, I desire to present a resolution, and ask unanimous consent for its immediate consideration.

The SPEAKER. The regular order is insisted upon.

Mr. LAIRD. I understand that the demand for the regular order has been withdrawn.

The SPEAKER. If it is withdrawn, then the gentleman from Mas-

sachusetts [Mr. HAYDEN] has been recognized.

Mr. RANDALL. I insist upon the demand for the regular order.

Mr. LAIRD. This is a matter which involves the expenditure of \$160,000 appropriated by the Forty-eighth Congress to purchase the Fort Brown reservation in Texas, for which money it is now alleged there is no adequate consideration.

The SPEAKER. The Chair would recognize the gentleman, but the regular order is insisted upon by gentlemen on both sides of the House.

DEFICIENCY APPROPRIATION BILL.

Mr. BURNES. I ask by unanimous consent the House proceed to

the consideration of the Senate amendments to the general deficiency bill as in Committee of the Whole.

Mr. HEPBURN. I object.
Mr. BURNES. Then I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the Senate amendments to the general deficiency bill.

The motion was agreed to.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. HATCH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering the amendments of the Senate to the bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes.

Mr. BURNES. These amendments are one hundred and twenty-

Mr. BURNES. These amendments are one hundred and twenty-two in number. They aggregate the sum of \$1,892,195.77. The amount of the increase by the Senate committee on the bill as it passed the House is \$650,850.94. The additional items placed upon the bill by the Senate amount to \$1,241,344.83. As members are aware, the Committee on Appropriations recommend concurrence in a large number of these amendments and non-concurrence in the remainder. the purpose of expediting business, and trusting that with the thermometer showing largely up in the nineties we may be able to pass upon these amendments within an hour, I ask that we proceed to the reading of the first amendment.

Mr. HOLMAN. In order to facilitate the disposition of so large a number of amendments I ask unanimous consent (without, however, having consulted the gentleman from Missouri) that as these various amendments are read by the Clerk and the gentleman in charge of the bill announces concurrence or non-concurrence, the recommendation of the Committee on Appropriations shall be considered agreed to nem. con. unless a vote is called for. This will save the time which would be required for submitting each proposition to a separate vote.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana [Mr. HOLMAN]?

The CHAIRMAN. Is there objection to the request of the german from Indiana [Mr. Holman]?

Mr. HISCOCK. I ask the chairman to state the proposition.

could not hear the statement of the gentleman from Indiana.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that as each amendment is read, and as the gentleman in charge of the bill indicates the recommendation of the Committee on Appropriations for concurrence or non-concurrence, the action indicated be considered as taken by the Committee of the Whole unless some gentleman objects and asks for a vote.

Mr. BRECKINRIDGE, of Arkansas. Would that cut off explana-

Mr. BRECKINKIDGE, of Arkansas. Would that ear of esplaintion of any amendment?

The CHAIRMAN. It would not.
Mr. HISCOCK. Well, I object.
Amendments numbered 1 and 2 were read and concurred in.
Amendments numbered 3, 4, and 5 were read and non-concurred in.
Amendment numbered 6 was read and concurred in.
Amendment numbered 7 was read, as follows:

Insert the following:
"To pay Fulton Paul, late consul-general at Bucharest, for protest fees and expenses incurred by him on his draft for contingent expenses for second quarter of 1884, while consul at Odessa, Russia, returned to him on account of the exhaustion of the appropriation for contingent expenses United States consulates for the fiscal year ending June 30, 1884, \$22.50."

Mr. BURNES. The Committee on Appropriations recommend non-

concurrence in this amendment.

Mr. BUCHANAN. Will the gentleman please state some reason for non-concurrence? This money was undoubtedly expended by this officer, and necessarily expended. I trust the gentleman will give us some information in support of the motion to non-concur.

Mr. BURNES. I will answer the inquiry of the gentleman from

New Jersey by saying that the committee was desirous of having the views of the Senate conferees with regard to the twenty-odd dollars charged for protesting a single draft. It is a small matter and will probably be concurred in finally; but in view of the fact that the Committee of the Whole House had a vote on this proposition when the bill was first considered, we desire to learn from the Senate conferees their views with regard to the seeming extravagance of this charge.

Mr. BUCHANAN. Then the motion to non-concur will have no special significance?

special significance?

Mr. BURNES. Not at all. It simply carries the item into confer-

The amendment was non-concurred in.

Amendments numbered 8 and 9 were read and concurred in.

Amendments numbered 10, 11, 12, 13, 14, 15, 16, 17, and 18 were read and non-concurred in.

Amendment numbered 19 was read and concurred in.

Amendments numbered 20, 21, and 22 were read and non-concurred

Amendment numbered 23 was read, as follows:

Insert the following:

"In case where vouchers and accounts based upon expenditures under appropriations heretofore made have been suspended or disallowed since January 1, 1885, the Secretary of the Treasury is hereby authorized and directed to cause to be revised by the accounting officers of the Treasury such disallowed or sus-

pended accounts and vouchers; and upon such revision such accounts and vouchers, and payments covered by the same, shall be allowed by such accounting officers where it appears that the United States received and used or retained the consideration and value stipulated for by the appropriate executive officer of the Government who authorized and directed the payments in such cases to be made, or who authorized or directed the services rendered or the supplies or materials so furnished: Provided, That no fraud appears or is shown in such transaction."

Mr. BURNES. The committee recommend non-concurrence.

Mr. REED, of Maine. Will the gentleman from Missouri explain this paragraph?

Mr. BÜRNES. This may be regarded as a general relief act in regard to all these claims heretofore rejected by the accounting officers. Mr. BURNES.

Mr. REED, of Maine. Rejected since January 1, 1885.
Mr. BURNES. It has occurred to me, and I think it did to the committee, that this would be almost equivalent to the establishment of a new tribunal for the purpose of reviewing the action of the former accounting officers of the Treasury.

Mr. REED, of Maine. Not former accounting officers; the present

accounting officers. Is not that so?

Mr. BURNES. I think it will be found that this proposition is in conflict with all the existing laws with regard to these matters. But I will say to my friend from Maine that we have not given this subject as thorough examination as we desire; we wish to learn from the conferees on the part of the Senate their reasons and views in reference to it, so that ultimately, if necessary, we may report to the House all the facts and law bearing upon the subject.

Mr. REED, of Maine. I suppose this provision results from what is considered on the part of the Senate unreasonable decisions of the Comp-

trollers of the Treasury.

ollers of the freesury.

Mr. BURNES. It may be so.

Mr. REED. of Maine. There have been public rumors of very queer

The amendment was non-concurred in.

Amendments numbered 24, 25, 26, 27, and 28 were read and nonconcurred in.

Amendment numbered 29 was read and concurred in.

Amendments numbered 30, 31, 32, 33, 34, 35, and 36 were read and non-concurred in.

Amendments numbered 37, 38, 39, 40, 41, and 42 were read and concurred in.

Amendments numbered 43 and 44 were non-concurred in.

Amendment numbered 45 was concurred in.

Amendment numbered 46 was non-concurred in.

Amendments numbered 47 and 48 were concurred in.

Amendments numbered 49 to 61, inclusive, were non-concurred in. Amendment numbered 62 was read, as follows:

To enable the Secretary of the Treasury to pay the United States and Brazil Mail Steamship Company for carrying the United States mails during the fiscal year ending June 30, 1886, \$36,000.

Mr. BURNES. The committee recommend non-concurrence.

Mr. DINGLEY. Before the order to non-concur is made on this amendment I will ask if it is a mere formal non-concurrence; for it seems to me it is a claim that should be paid. The Postmaster-General entered into an arrangement with this steamship company to carry the Brazilian mails for \$30,000, or agreed to recommend to Congress the payment of that sum.

Mr. BURNES. At present, so far as the committee has information, it is probably a mere formal non-concurrence for want of sufficient data on which to base action. At the same time I will say we intend in conference to give it a thorough investigation, and if occasion arise will report it back to the House for instruction.

The motion to non-concur was agreed to.

Amendments numbered 63 to 67, inclusive, were non-concurred in.

Amendment numbered 68 was concurred in.

Amendment numbered 69 was read, as follows:

Strike out of the original bill, beginning with line 1460, the words: "And hereafter the whole of the compensation and fees paid a commissioner, and to which he may be entitled, for services in the examination of criminal charges, shall not exceed \$800 per annum, or exceed that rate for any time less than a

The committee recommend non-concurrence.

Mr. HENDERSON, of Iowa. I think that is a matter which should be reported back to the House before the conferees finally settle upon it. I would be glad to have my colleague on the committee give his attention to this matter.

Mr. BURNES. I will say to my friend from Iowa that he knows it will be a great pleasure to me to report back any item which any gentleman desires to have further considered by the House. But he will remember that this matter has been heretofore fully considered in the Committee of the Whole; and if I shall be named as one of the conferees, and can get the Senate conferees to recede from their position I

shall be inclined to accept their surrender.

Mr. HENDERSON, of Iowa. That was a matter put through the House hastily, I think, and without much understanding of its provisions. It was subject to a point of order in the House, though none was There is a strong feeling growing in the House that injustice

has been done by this action. For my own part, I think a different result might be had in the House now if it was fully considered.

Mr. BURNES. It will have full consideration; the gentleman can trust the conference, I am sure.

The motion to non-concur was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Lore having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 9798) making appropriations for fortifications and other works of defense and for the armament thereof for the fiscal year ending June 30, 1887, and for other purposes; in which concurrence was requested.

DEFICIENCY APPROPRIATION BILL.

The Committee of the Whole resumed its session.

Amendments numbered 70 and 71 were non-concurred in.

Amendment numbered 72 was concurred in.

Mr. BURNES. Mr. Chairman, all of the amendments from No. 73 to and including 82, are merely corrections in the spelling of proper names of those parties who are judgment creditors of the United States by the decisions of the Court of Claims. If this statement is satisfactory to the House, I shall ask unanimous consent to concur in all of the amendments I have named.

Mr. CANNON. That is right.

There being no objection, the amendments from No. 73 to 82, inclu-

sive, were concurred in.

Amendments numbered 83 and 84 were concurred in.

Amendment numbered 85 was non-concurred in.

Amendment numbered 86 was read, as follows:

To enable the Secretary of the Senate to pay to Mary C. Miller, widow of Hon. John F. Miller, late a Senator from the State of California, deceased, the amount of compensation as a Senator from March 9, 1886, to March 3, 1887, inclusive, \$4,931.50.

Mr BURNES Mr. BURNES. The committee recommend concurrence. The CHAIRMAN. Without objection—

Mr. PRICE. I object.

The question was taken; and the motion of Mr. BURNES was agreed to.

Amendments numbered 87, 88, 89, 90, and 91 were concurred in. Amendments numbered 92 and 93 were non-concurred in. Amendments numbered 94 to 97, inclusive, were concurred in.

Amendments numbered 98, 99, and 100 were non-concurred in. Amendment numbered 101 was read, as follows:

To pay to the widow of the late Hon. WILLIAM H. Cole the amount of salary and allowance for stationery for the unexpired term of his service as a member of the Forty-ninth Congress, \$3,458.

Mr. BURNES. The committee recommend concurrence.

Mr. PRICE. I demand a vote on that.

The motion to concur was agreed to.

Amendments numbered 102 to 107, inclusive, were concurred in. Amendment numbered 108 was read, as follows:

To enable the Clerk of the House of Representatives to pay A. Vangeuder \$300 for extra compensation as assistant clerk to the Committee on Invalid Pensions during the present session of Congress.

Mr. REED, of Maine. I believe the committee recommended concurrence in that amendment?

Mr. BURNES. Yes, sir.
Mr. REED, of Maine. I offer the amendment I zend to the desk. The Clerk read as follows:

That the House concur in the amendment of the Senate numbered 103 with an amendment as follows: After said amendment insert as a separate paragraph the following:
"To enable the Clerk of the House to pay to the legal representatives of William Blair Lord, late one of the Official Reporters of the House, a sum equal to six months' salary and not exceeding \$500 for funeral expenses; in all, \$3,000."

Mr. REED, of Maine. I understand there will be no objection to

Mr. PRICE.

Mr. PRICE. I object.
Mr. CANNON. Mr. Chairman I would be glad to know what the circumstances of this case are, whether this man left any children or widow?

Mr. REED, of Maine. He did not.

Mr. CANNON. No dependent relatives?
Mr. REED, of Maine. He left a brother, and the son of his wife, to whom he was very much attached, and whom he made a member of his family in every way.

Mr. CANNON. An adult or minor?

Mr. REED, of Maine. An adult.

Mr. CANNON. What amount of property did he leave?

Mr. REED, of Maine. I do not know.

Mr. CANNON. 'I have an impression that he left a very considerable estate

Mr. REED, of Maine. That is a mistake. I do not know the amount, but I have understood that it was not a large amount.

Mr. CANNON. Well, now, I knew Mr. William Blair Lord very

well, and esteemed him very greatly. He was for a long time at the reporters' desk—I do not know how long, but some twenty or thirty

Mr. REED, of Maine. Twenty years.

Mr. CANNON. Twenty years. But I very much doubt the pro-Mr. CANNON. Twenty years. But I very much doubt the propriety of following precedents any further in cases of this kind. Already at this session of Congress it is true we have given by a separate bill a year's salary to a deceased Doorkeeper of the House.

Mr. CUTCHEON. Not to the Doorkeeper; to the other fellow. Mr. OWEN. Nor to his wife, nor his children, nor to his dependent

Mr. CANNON. That is true. But I am not here to talk about that.
Mr. CUTCHEON. I believe that was on the motion of the distin-

mr. COTCHEGN. I believe that was on the motion of the distinguished economist from Texas.

Mr. CANNON. I believe it was under the lead of the distinguished gentleman from Texas; and I think many gentlemen of this House have regretted their action in that particular.

But here is a proposition to pay to the legal representatives, not creditors as I understand, because I understand he did not owe anything, but the level corrections of a man having a considerable setate. but to the legal representatives of a man having a considerable estate— a brother advanced in years, not shown to be a dependent, there being no children—here is a proposition to give him a sum equal to six months'

salary.

Now, if this has been usual, I believe the custom would be honored in the breach and not in the observance. Gentlemen must recollect, and I say it not to excite prejudice against this measure, that after all is said and done the money comes from the Treasury, and is raised by taxation which is inexorable, reaching every man, woman, and child taxation which is inexorable, reaching every man, woman, and child that is a consumer of the whole sixty millions of our people; some of them rich, some of them poor. If, I grant you, there were minor children that had not anything to live upon, if there was somebody dependent, I think it would be well to do this; but I doubt the propriety of following this precedent further. And I feel more free to make the objection here, because I will say of this late employé of the House he was a magnificent man in every respect. But I do not think his memory requires this appropriation. ory requires this appropriation.

Mr. HITT. Will the gentlemen permit me a question?

Mr. CANNON. Yes, sir.

Mr. HITT. Did not the House take exactly the action that is here

proposed in the case of Mr. Hincks, the colleague of Mr. Lord, at the

Mr. CANNON. Possibly; I do not recollect.
Mr. REED, of Maine. Not exactly this action, because in that case a full year's salary was given.

Mr. HITT. And he left a sister? Mr. CANNON. But the sister, as I recollect, was dependent, and it was a somewhat distressing case. Nobody is dependent here. a proposition in the name of the memory of a deceased employé of this House to give this sum, without any showing of necessity therefor, from the Treasury of the people to adults who are in no sense dependent; and I do not know whether they are worth more or less; whether they are worth \$100,000 or \$50,000 or half a million dollars, or nothing. There appears to be no information about that.

Mr. REED of Maine I should not be able to record a market.

Mr. REED, of Maine. I should not be able to reconcile myself to the amendment I have proposed upon the grounds upon which the gentleman from Illinois [Mr. CANNON] announces he would be reconciled to it. I am very glad for my part he has brought up the question, because I do not desire that this thing should be done except by the con-

currence of the judgment of this House.

I do not believe that we ought to encourage the growing disposition of giving sums out of the Treasury to the House officials simply because they are House officials. But I do believe that it is fair and just that we should give a reasonable sum as a recognition of faithful services long continued.

Let me give an example. In this very bill there is a proposition which has been passed over without objection to pay the full salary of the late Assistant Secretary of State, Mr. Hunter, in recognition of his

long and useful services to the country.

Mr. CANNON rose.

Mr. CANNON rose.

Mr. REED, of Maine. Allow me to finish this statement. I believe that such an expenditure, instead of being charity, which we have no right to give, is a fair and legitimate expenditure of the public treasure in order to procure faithful service. I believe that such a recognition of long-continued work, of long-continued faithful service, is an incentive to faithful service, and therefore a justifiable expenditure.

Mr. LONG. Is the gentleman aware that the committee refused to

concur in the amendment to which he has just referred?

Mr. REED, of Maine. They will eventually pay it, no doubt, be-

cause these are only formal non-concurrences.

Now, what is the particular case? For twenty consecutive years Mr. Lord was the reporter of this House, without any superior in the corps. Perhaps it would be invidious for me to say more although I may think it.

Mr. PRICE. At what salary?

Mr. REED, of Maine. Five thousand dollars, subject to his expenses

know. I only know that for services such as he rendered much larger sums have been paid and are being paid to-day throughout the United States. Now, I feel that that is a proper expenditure of money. When his colleague died a sum equal to a full year's salary was given.

I propose that we should give six months' salary and the funeral expenses. He was, as I was saying when interrupted, for twenty years one of the best reporters we had in the House, and was for years before that in the employment of the Senate, giving thorough satisfaction at all times. Now, in this general payment of money to the estates of deceased officers an omission looks like a reflection, and I submit that on the grounds which I have stated it is reasonable and just that this sum

the grounds which I have stated it is reasonable and just that this sum should be paid.

Mr. OATES. Mr. Chairman, I most heartily concur in the views expressed by the gentleman from Illinois [Mr. CANNON]. If the Government owes the estate of the deceased anything, I am in favor of paying it; but, as I do not understand that any such claim is set up, I am opposed, notwithstanding the long line of precedents, to voting a gratuity to this man's or to any other man's estate. If the Government of the United States will payits honest debts it will have enough to do without voting charities. We ought to be just before we undertake to be generous, and I think the sooner Congress abandons the practice of voting six months' or twelve months' pay to the estates of deceased eming six months' or twelve months' pay to the estates of deceased employés or of members of this House or the other, the sooner they will evince by their action a just conception of the rights of the people and of their own powers under the Constitution. I trust that the amend-

ment will not be adopted.

Mr. PRICE. Mr. Chairman, I have but a word to say. I always listen with great interest to everything that is said by the gentleman Isten with great interest to everything that is said by the gentleman from the State of Maine [Mr. Reed], but the only arguments I have heard from him in favor of this proposition are two. The first is that he feels like giving this money. It does infinite honor to the gentleman's heart that he feels that way. So do I feel that way, but that is no reason for gratifying our feelings at the expense of the people of the United States. The gentleman's other reason is that this man worked twenty years for the Government and received \$100,000. Now, it may be possible that there are men in the country doing like work and receiving that amount of money, but is it not equally true that men of receiving that amount of money, but is it not equally true that men of greater skill are pursuing lines of business which require them to work much harder for less pay? In other words, is not this above the average of the wage that is received by the workers of the United States?

Mr. REED, of Maine. Has my friend noticed that there are quite a number of propositions to pay the estates of deceased members of Congress the full salaries of the members?

Mr. PRICE. Yes, sir; and I am the only one in the House that is in a position to oppose all such propositions consistently, because whenever I have had an opportunity to raise my voice or to cast my vote in this Congress or in the last Congress against propositions to pay anybody a dollar of anybody else's money of which I am the custodian, unless there has been value received, I have done so. The gentleman from Maine [Mr. REED] unfortunately is not in a position to consistently take that ground.

Mr. REED, of Maine. I think I am.

Mr. PRICE. And when men appeal to me to do a thing that is wrong Mr. PRICE. And when men appeal to me to do a thing that is wrong because similar wrong things have been done in years past, I must decline to do it unless some better reason can be given. It is sufficient for us to know that the bargain with this man for his services was \$5,000 a year, that he performed the service well, and that we paid him for it in full. That ends the matter. We may feel like relieving the necessities of every man, woman, and child in the world that needs relief, but we must get our philanthropy from our own hearts and put it in practice from our own pockets. tice from our own pockets.

Mr. CANNON. Let me say that the case is not at all upon all fours with the case of voting an allowance for the widows and children of deceased members. There the election is for two years, the man has arranged his business with reference to it, and the expenses of the campaign and other expenses incident to the position must be taken into

consideration.

Mr. PRICE. The cases are not exactly analogous, and there are infinitely stronger reasons for the rejection of this proposition than for the rejection of the other, although there is very little excuse for the other

either. [Laughter.]
Mr. BURNES. Mr. Chairman, I feel that I ought to say something Mr. BURNES. Mr. Chairman, I feel that I ought to say something in regard to the amendment proposed by the gentleman from Maine [Mr. REED]. If this were an original proposition I should not hesitate a moment to oppose it; but when I look back over our proceedings at this session of Congress and at preceding sessions I find almost innumerable instances of appropriations of this character. In this very bill we have half a dozen such instances, to each one of which I am unalterably opposed on principle; but when such allowances are made by the House I am unwilling so far as I am concerned, to draw the by the House I am unwilling, so far as I am concerned, to draw the line at the proposition of the gentleman from Maine, and I shall support it.

Mr. OATES. Allow me to ask how many wrongs it takes to make a right?

Mr. REED, of Maine. I call attention to the fact that we have which he had to pay for work done. What the net result was I do not | passed paragraph after paragraph similar in character to this; and it seems to me that objection, if there were ground for objection, ought to have begun earlier

Mr. PRICE. I did begin the objection earlier to exactly similar

propositions.

Mr. REED, of Maine. But the gentleman did not present the same

forcible arguments.

Mr. PRICE. Because I had no desire to occupy the time of the House; and I would not have discussed this amendment except in reply to the gentleman from Maine [Mr. Reed] and the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I know of no proposition similar to this on this

bill or at this session of Congress, except the passage of an independent measure for the relief of somebody who represented the late Doorkeeper

of the House.

Mr. REED, of Maine. I have submitted this matter to the House;

that is all the concern I have in it.

Mr. SPRINGER. As this gentleman was drawing a salary of \$5,000 a year this proposition to pay to his legal representatives six months' salary and his funeral expenses involves an appropriation of about \$3,000. and his tuneral expenses involves an appropriation of about \$3,000. I am informed by those who know the facts that when Mr. Lord died he left no children and his wife was not living; that his estate was in good condition; that, in fact, he was well off. His estate now goes to his brothers and sisters, or other legal representatives, who are already liberally provided for from means which he was fortunate enough to acquire from other sources than his earnings as a reporter. It is now proposed to give this additional allowance of six months' extra pay for services never rendered. If there were minor children who were in want or a widow who needed this money to console her declining years I would not object; but to vote \$3,000 to brothers and sisters of this deceased official, when they are already receiving a large sum of money from

his estate, is, I think, carrying this matter of charity a little too far.

Mr. REED, of Maine. You did it in the case of a Democratic Door-

Mr. SPRINGER. In that case I hope there were some mitigating circumstances

Mr. REED, of Maine. You ought to know, as you voted for it.
Mr. SPRINGER. If there were not, then I did wrong in supporting it; but I do know that in the case of the Doorkeeper the money went to pay funeral expenses which the relatives were not able to pay.
Mr. OATES. There was an allowance of \$500 for funeral expenses

besides the salary, which was wrong.

Mr. SPRINGER. Did he not leave a widow?

Mr. OATES. No.

A MEMBER. The money went to his father. Mr. DOCKERY. In that case there were absolutely no mitigating circumstances

Mr. SPRINGER. The gentleman from Missouri [Mr. Dockery] says in that case there were no mitigating circumstances. But if we

says in that case there were no intigating circumstances. But if we did wrong in that case, are we to do wrong again?

I do not know whether this gentleman, Mr. Lord, had any politics or not; I do not think he had. He remained here under all administrations. If he ever had any political views during the eight years of his service while I was here I never knew it; and I do not think any gentleman ever did. The question of politics does not cut any figure here, because this gentleman was entirely outside of all political considerations and sympathies and prejudices, so far as I know. But I do know that he has left a large estate to be inherited by his brothers and sisters; and we ought not to pay to them \$3,000 more.

The question being taken on the amendment of Mr. REED, of Maine,

it was rejected; there being—ayes 57, noes 64.

Mr. BURROWS. I offer the amendment which I send to the desk. The Clerk read as follows:

Insert after amendment 108 the following:
"To pay Henry H. Smith for additional services rendered as Journal Clerk under the resolutions of the House of February 23, 1882, and December 12, 1885, and for services rendered as clerk to the Committee on Rules during the present session, \$500."

Mr. BURROWS. Mr. Chairman, it will be remembered—
Mr. BURNES. I reserve a point of order on the amendment.
Mr. BURROWS. It will be remembered that by resolution of the House the Journal Clerk was authorized to make a compilation of the decisions on points of order and the revisions of the rules from the foundation of the Government, a work not only requiring great parliamentary knowledge, but involving very great labor. For this work he has received no compensation. Besides, he acts as clerk of the Committee on Rules. This amendment appropriates \$500 for the whole of Similar allowances were made in the Forty-sixth and Forty-seventh Congresses. I trust that the amendment may be adopted and that the matter may go to the committee of conference, so that they may have jurisdiction of the subject and make such report upon it as they think just and equitable.

Mr. PRICE. Does the gentleman know what the compensation of this officer is?

Mr. BURROWS. I do not know and do not care.
Mr. PRICE. I do care. But I did not ask the gentleman whether he cared; I asked him whether he knew.

Mr. BURROWS. This is for additional service rendered by order of the House, service which this officer was not called upon to perform at all as Journal Clerk.

The CHAIRMAN. Does the gentleman from Missouri [Mr. BURNES]

insist on the point of order?

Mr. BURNES I understand the point of order is based on the fact that it is the same proposition voted down during the first consideration of the him. tion of the bill.

Mr. BURROWS. I hope the gentleman will not insist on his point of order. Let the committee of conference have jurisdiction of the subject.

Mr. BURNES. I will withdraw the point of order.
Mr. REAGAN. I renew the point of order. I say that it is not Mr. REAGAN. I renew the point of order. I say that it is not authorized by law. It is giving a second salary after giving the first. Mr. BURROWS. But let it go to the conference committee. Mr. REAGAN. I do not want it to go; it has gone far enough now. The CHAIRMAN. The gentleman from Texas renews the point of

order against the amendment of the gentleman from Michigan.

Mr. BURROWS. Does the Chair think his point is good for any-

thing?

The CHAIRMAN. The Chair will have to sustain the point of order.
Mr. BURROWS. I should like to hear on what ground.
The CHAIRMAN. It is the same amendment offered in the Com-

mittee of the Whole when the bill was first under consideration in that committee.

Mr. BURROWS. I submit to the Chair that it is not the same amendment. No such amendment as the one pending was ever offered heretofore in the Committee of the Whole. Therefore that statement is a mistake. The Committee of the Whole never had it before it, and never voted on it. The amount was different; that was a proposition to The Chair will observe by the erasure that it is a different pay \$1,000. proposition.

The CHAIRMAN. The Chair does not think a mere change of

amount alters the character of the amendment.

Mr. BURROWS. It is a different proposition. The changes which have been made make it a different proposition. This substantial proposition has not been acted on in the Committee of the Whole. The substantial part of the proposition has been changed. [Laughter.]

The CHAIRMAN. The Chair sustains the point of order, and the

amendment is ruled out.

The question recurred on Senate amendment 108, which had been al-

ready reported.

The CHAIRMAN. The recommendation of the Committee on Appropriations is that the amendment be non-concurred in. If there be no objection, the amendment will be non-concurred in.

Mr. PRICE. I object.

The Senate amendment was again read.

Mr. PRICE. I ask for a division.

Mr. MORRILL. Before the vote is taken I should like to say a word.

The CHAIRMAN. The House is dividing.

The House divided; and there were-ayes 72, noes 14.

So the amendment was non-concurred in.

The one hundred and ninth amendment of the Senate was read, as

For payment of sixty-five printers regularly employed on the Congressional Record, \$90 each, for time unemployed during the present session, \$5,850.

The CHAIRMAN. The Committee on Appropriations recommend non-concurrence

Mr. FARQUHAR. I move to concur. I wish to say to the House, Mr. Chairman, that under the law creating the Government Printing Office printers of the Congressional Record are allowed 50 cents per thousand ems for composition, according to the scale of prices made in a neighboring city, and according to the scale of the Government Printing Office. These men on the RECORD do our work immediately; they ing Office. These men on the RECORD do our work immediately; they are our workmen; and a year ago, when this proposition was placed on the bill and carried through both Houses, the intention at that time was to amend the organic act so as to give these men 3 or 5 cents per thousand ems extra in order to pay them for the night-work which they performed. By some mistake, or by some misapprehension on the part of the person who was to bring forward the matter, it was not done, and so we find ourselves this year again passing this proposition.

These men, who are employed immediately by Congress, who are doing

Congressional printing, have harder and severer work to do than any other employes in that Government Printing Office, while they are

paid proportionately 20 per cent. less.

I simply ask in the interest of these men who do this Congressional work that they shall receive justice at the hands of this House. I do not wish any point to be made on it, that they are working now under contract, under the law, but I do ask they shall have fair wages—as fair wages as are paid by any firm in the city of Washington, or by any office in any other city of America. Now, 50 cents per thousand ems for composition is regarded as for plain news composition, but these men are compelled to do book-work for that price. I hope no line of economy, no line of precedent will step in this House now to take away from these

men the money they are fairly entitled in equity and justice to receive. I leave it entirely to the good sense of the House to adopt this amendment so it may go into the hands of the conferees with a favorable vote of the House of Representatives, the popular branch of this Government.

Mr. BURNES. There is good deal of truth in what the gentleman says, and the Appropriations Committee in recommending non-concurrence had no other desire than thereby to place the House in a position to ascertain exactly what was the average waiting of these Congressional Record printers.

SIONAL RECORD printers.

I will say, however, to the gentleman from New York [Mr. FAR-QUHAR] that we pay 55 cents instead of 50 cents per thousand ems, and that price is largely in excess of what is paid for similar services in the great printing offices of the country. But be that as it may, the motion to non-concur was made to allow the conference committee to ascertain something as to the average loss of time by waiting on occasions of adjournment and the like. I can assure the gentleman from New York we have no disposition to deal unfairly or illiberally with this class of employés, and will give him and other gentlemen ample oppor-

class of employes, and will give him and other gentlemen ample opportunity to express their views before any action is taken.

Mr. FARQUHAR. I am very glad to hear the gentleman in charge of this bill express his opinion so fairly as he has done. I think on full investigation it will be found that the money compensation as measured by the time is even less than that paid by the employing printers throughout the United States, and less for the standing time than is demanded by any of the typographical unions. With the gentleman's assurance I withdraw the motion to concur.

The metion to non-concurves acrosed to

The motion to non-concur was agreed to. Amendment numbered 110 was read, as follows:

Strike out of the paragraph the following words:

"Except the claims numbered forty-six thousand and fifty, forty-seven thousand three hundred and eighty-one, and forty-seven thousand four hundred and thirteen contained in said Exceutive Document Number Seventy, seventeen thousand one hundred and ninety-seven dollars and thirteen cents," and insert "thirty-nine thousand and twenty dollars and twenty-eight cents."

Mr. BURNES. The committee recommend non-concurrence.

Mr. KELLEY. It was my purpose to have made a different motion in reference to this amendment, but I see the earnestness with which the committee is expediting business, and believing that this motion to non-concur, as the gentleman in charge of the bill has said, is like many others on which we have passed, merely formal; and being convinced that at any rate there will be a better chance for calm and deliberate that at any rate there will be a better chance for calm and deliberate consideration of the facts by the committee of conference than there is here in a heated debate at this time, I merely signalize the fact that I was ready to ask the Committee of the Whole to take another position, but will yield to the good sense and good faith of the Committee on Appropriations in their formal motion to non-concur in this amendment.

The motion to non-concur was agreed to.

Amendments numbered 111 to 120, inclusive, were non-concurred in.

Amendment numbered 121 was concurred in.

Mr. BURNES. The remaining amendment, Mr. Chairman, numbered 122, embraces all the rest of the bill. It will require some time to read it; but, of course, if any gentleman desires to have it read I shall not complain. I ask unanimous consent, however, that it be non-concurred in without reading.

curred in without reading.

Mr. BAYNE. I have no objection to dispensing with the reading of the amendment, which is quite lengthy, but I desire to express the wish and hope that the committee will consider favorably the appropriations herein contained, and especially those cases that have been adjudicated by the Second Auditor and Comptroller.

Mr. BURNES. I will state to my friend from Pennsylvania the reason we moved to non-concur in this first paragraph is, that this list was sent from the Treasury Department since the bill was reported and has not yet been printed, and we have had no opportunity to examine the items in detail. We presume they will be found correct; but by the time we get the bill into conference the list will have been printed, and we will then be enabled to examine into the facts and give a satisfactory report to the House. satisfactory report to the House.

Mr. HOLMAN. I wish to add that the House called upon the ac-

counting officers for the statement which was compiled up to the 18th of June, and the accounts furnished up to that time were incorporated in the bill. The Senate subsequently called for this account up to the 1st of July or later, and they were furnished to the Senate, and they have also been put into the bill. I do not doubt that they are put in properly and that the conferees will agree upon them.

The CHAIRMAN. Without objection, the amendment will be non-

concurred in.

concurred in.

There was no objection, and it was so ordered.

Mr. BURROWS. Mr. Chairman, since the submission of the proposition I made a little while ago, providing payment for additional services to the Journal Clerk, against which the point of order was made by the gentleman from Texas, I have taken occasion to inquire into the facts whether as a matter of fact that proposition was submitted to the House; and I find that it was, by the gentleman from New York [Mr. HISCOCK], and a vote was taken on the resolution, or proposition, which was carried by quite a majority, but the point of no quorum was raised,

whereupon the resolution was withdrawn. It was never, therefore, passed upon by the House finally, and I submit under the circumstances that the Chair will doubtless reverse its ruling and submit the

amendment to a vote of the committee.

The CHAIRMAN. The Chair will state, upon reflection and examination of the RECORD, that the present occupant of the chair, presiding at that time, now recollects distinctly that the amendment was offered and the point of order was made against it. That was submitted to the committee, and the point of order was decided in favor of the amendment by a vote of the committee. When the vote was taken upon the adoption of the amendment a quorum failed to appear, the point of order was raised, and after some time spent in attempting to obtain a quorum the gentleman from New York withdrew the amendment, and it was not finally acted upon by the committee. The Chair supposes, therefore, that the amendment at this time is in order.

Mr. BURROWS. I trust the House will let it go to the conference

committee.

Mr. HOLMAN. I hope it will be again reported.

The amendment was again read. .

The question was taken on the adoption of the amendment; and

Mr. BURNES. I demand tellers, no quorum having voted.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. Burnes and Mr. Burnews were appointed tellers.

The committee again divided; and the tellers reported—ayes 112,

So the amendment was agreed to.

Mr. BURNES. I move that the committee rise and report the bill and amendments to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HATCH reported that the Committee of the Whole House on the state of the Union having had under consideration the Senate amendments to the general deficiency bill had directed him to report them back with various recommendations.

Mr. BURNES. I move the adoption of the report, and upon that de-

mand the previous question.

Mr. REAGAN. I demand a separate vote on the last amendment agreed to, allowing \$500 extra to the Journal Clerk of the House.

The SPEAKER. The gentleman from Texas demands a separate

wote on the amendment in relation to pay of the Journal Clerk of the House. Is a separate vote demanded on any other amendment?

Mr. BURROWS. I trust the gentleman from Texas will not insist on a separate vote on that amendment. It is a matter which might

on a separate vote on that amendment. It is a matter which might as well be determined by the conference committee. There is no use in taking up time with the yeas and nays on any of these things.

The SPEAKER. The question is on ordering the previous question on the report of the Committee of the Whole House on the state of the

The previous question was ordered.

The SPEAKER. If no further separate vote be demanded the question will be on concurring in the report of the Committee of the Whole House on the state of the Union, except as to the amendment indicated by the gentleman from Texas.

Mr. BURROWS. I think the gentleman from Texas will not insist

on a separate vote.

Mr. REAGAN. I do.

Mr. REAGAN. 1 do.

The report of the Committee of the Whole House on the state of the Union was agreed to, with the exception indicated.

Mr. BURNES moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The Clerk will report the amendment on which separate vote is demanded by the gentleman from Texas.

The Clerk read as follows:

Add to Senate amendment 108 the following:
"To pay Henry H. Smith, for additional service rendered as Journal Clerk under the resolutions of the House of February 23, 1882, and December 12, 1885, and for services rendered as clerk to the Committee on Rules during the present session, \$500."

Mr. REAGAN. I call for the yeas and nays.

The SPEAKER. The committee recommend concurrence in the Senate amendment with the amendment which has just been read; and upon that the gentleman from Texas demands the yeas and nays. The question being taken on ordering the yeas and nays, there were

The SPEAKER. No vote having been taken this morning, the Chair is unable to determine whether the affirmative vote is one-fifth or not. The Chair will count the other side.

The negative vote being taken, there were noes 112.

So (the affirmative being more than one-fifth of the whole vote) the

yeas and nays were ordered.

The SPEAKER. The question is on concurring in the Senate amendment with the amendment proposed by the Committee of the Whole House on the state of the Union.

Ely,

The question was taken; and there were-yeas 143, nays 74, not voting 105; as follows:

	YE.	AS-143.	
Allen, C. H.	Evans,	Kleiner,	Rowell,
Anderson, J. A.	Everhart,	La Follette,	Ryan,
Atkinson,	Farquhar,	Lawler,	Sawyer,
Baker,	Felton,	Libbey,	Scranton,
Bayne,	Findlay,	Lindsley,	Seney,
Belmont,	Fleeger,	Little.	Sessions,
Bingham,	Foran,	Long,	Shaw,
Bliss,	Frederick,	Lore,	Singleton,
Bound,	Fuller,	Lyman,	Skinner,
Boutelle,	Funston,	Markham,	Snyder,
Brady,	Gay,	Martin,	Spooner,
Breckinridge, C. R.	Gibson, C. H.	Maybury,	Springer,
Browne, T. M.	Goff,	MeAdoo,	Stahlnecker,
Brown, C. E.	Grosvenor,	McComas,	Stone, E. F.
Brown, W. W.	Grout,	McCreary,	Strait,
Brumm,	Hale,	McKenna,	Swinburne,
Buchanan,	Hall,	Merriman,	Tarsney, Taylor, I. H.
Bunnell,	Harmer,	Millard,	Taylor, I. H.
Burleigh,	Hayden,	Mitchell,	Thomas, O. B.
Burrows,	Henderson, D. B.	Moffatt,	Thompson,
Butterworth,	Hepburn,	Murphy,	Townshend,
Campbell, J. M.	Hermann,	Negley,	Van Eaton,
Cannon,	Hewitt,	Nelson,	Viele,
Carleton,	Hiestand,	O'Neill, Charles	Wait,
Catchings,	Hires,	Osborne,	Wakefield,
Collins,	Hiscock,	Owen,	Warner, William
Conger,	Hitt,	Parker,	Weaver, A. J.
Cooper,	Holmes,	Payne,	Weber,
Cutcheon,	Hopkins,	Perkins,	West,
Daniel,	Howard,	Peters,	White, A. C.
Davis,	Hudd,	Pettibone,	Whiting,
Dingley,	Jackson,	Pirce,	Wilkins,
Dorsey,	James,	Plumb,	Wolford,
Dowdney,	Johnston, J. T.	Reed, T. B.	Woodburn,
Eldredge,	Kelley.	Rockwell.	Worthington.

	NA	15-14.	
Allen, J. M. Bennett, Bland, Bland, Blount, Boyle, Burnes, Bynum, Cabell, Campbell, Felix Clements, Cobb, Cowles, Cox, Crain, Crisp, Croxton, Culberson, Curtin, Davidson, A. C.	Dockery, Dougherty, Eden, Ford, Forney, Geddes, Glass, Green, W. J. Halsell, Harris, Hatch, Heard, Hemphill, Henderson, J. S. Herbert, Holman, Hutton, Irion, Johnston, T. D.	Jones, J. H. Jones, J. T. Laffoon, Landes, Lanham, Le Fevre, Jehlbach, Matson, McRae, Morgan, Morrill, Neal, O'Ferrall, Outhwaite, Peel, Perry, Pidcock, Pindar, Price,	Randall, Reagan, Reid, J. W. Richardson, Sayers, Sowden, Stewart, Charles Stone, W. J., Ky. Swope, Taulbee, Taylor, J. M. Trigg, Turner, Warner, A. J. Weaver, J. B. Wheeler, Wise.

Romeis,

Ketcham,

	NOT V	OTING-105.	
Adams, G. E. Adams, J. J. Aiken, Anderson, C. M. Arnot, Ballentine, Barbour, Barksdale, Barnes, Barry, Beach, Blanchard, Bragg, Breckinridge, WCF Buck.	Dibble, Dunham, Dunn, Ellsberry, Ermentrout, Fisher, Gallinger, Gibson, Eustace Giffilan, Glover, Green, R. S. Guenther, Hammond,	O'TING—105. McMillin, Miller, Millis, Morrison, Morrow, Muller, Neece, Norwood, Oates, O'Donnell, O'Hara, O'Neill, J. J. Payson, Phelps,	Stephenson, Stewart, J. W. St. Martin, Stone, W. J., Mo. Storm, Struble, Symes, Taylor, E. B. Taylor, Zach. Thomas, J. R. Throckmorton, Tillman, Tucker, Van Schaick, Wade,
Caldwell, Campbell, J. E. Campbell, T. J. Candler, Caswell, Clardy, Compton, Comstock, Dargan, Davidson, R. H. M. Dawson,	Henderson, T. J. Henley, Hill, Houk, Johnson, F. A. King, Laird, Louttit, Lovering, Lowry,	Ranney, Reese, Rice, Riggs, Robertson, Rogers, Sadler, Scott, Seymour, Smalls, Spriggs, Steele,	Wadsworth, Wallace, Ward, J. H. Ward, T. B. Wellborn, White, Milo Willis, Wilson, Winans.

So the Senate amendment was concurred in with an amendment. Mr. BURNES. I ask unanimous consent that the reading of the names of members voting be dispensed with.

There was no objection.

The following pairs were announced until further notice: Mr. Tucker with Mr. Stewart, of Vermont. Mr. McKinley with Mr. Mills.

Mr. ADAMS, of New York, with Mr. KETCHAM.
Mr. DAVIDSON, of Florida, with Mr. GALLINGER.
Mr. ARNOT with Mr. THOMAS, of Illinois.

Mr. Dawson with Mr. RANNEY.

Mr. Barksdale with Mr. Davenport. Mr. Bragg with Mr. Caswell. Mr. Robertson with Mr. Steele.

Mr. ANDERSON, of Ohio, with Mr. HANBACK.

Mr. ROGERS with Mr. EZRA B. TAYLOR.

Mr. BARBOUR with Mr. LIBBEY. Mr. THROCKMORTON with Mr. WADSWORTH. Mr. HAMMOND with Mr. DINGLEY.

Mr. CANDLER with Mr. LOUTITT.

Mr. WELLBORN with Mr. PHELPS.

Mr. SADLER with Mr. VAN SCHAICK.

Mr. HILL with Mr. HOUK.

Mr. STORM with Mr. DUNHAM.

Mr. REESE with Mr. ADAMS, of Illinois.

Mr. DIBBLE with Mr. MILLIKEN, until July 30.

For this day:

Mr. CALDWELL with Mr. MORROW.

Mr. CAMPBELL, of Ohio, with Mr. HAYNES.

On this vote:

Mr. Green, of New Jersey, with Mr. Struble.

Mr. NEECE with Mr. Payson. Mr. DUNN with Mr. SYMES.

The result of the vote was then announced as above stated.

Mr. BURNES. To expedite business I move that the House request conference with the Senate on the disagreeing votes of the two Houses.

The motion was agreed to.

The SPEAKER. The Chair appoints as managers of the conference on the part of the House the gentleman from Missouri [Mr. BURNES] the gentleman from Ohio [Mr. LE FEVRE] and the gentleman from Maryland [Mr. McComas].

Mr. LIBBEY, by unanimous consent, introduced a bill (H. R. 9990) authorizing the Secretary of War to grant the right of way for a streetrailway from the Baltimore wharf, at Old Point Comfort, Elizabeth City County, Virginia, to and across the Mill Creek bridge, in the same county; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ORDER OF BUSINESS.

Mr. REAGAN. I call up the special order, the interstate-commerce

Mr. THOMAS, of Wisconsin. I call up as a question of privilege the bill H. R. 7406, with message of the President of the United States returning the same with his objections.

The SPEAKER. The Clerk will report the title of the bill called

up by the gentleman from Wisconsin.

Mr. REAGAN. Has that priority over the measure which I call

The SPEAKER. It has. It is a question of the highest privilege, but the question of consideration can be made against it.

FORTIFICATIONS APPROPRIATION BILL.

Mr. FORNEY. I ask the gentleman from Wisconsin to yield for a moment that I may call up the fortifications bill and have it referred

moment that I may can up the forthcations on and have to telested to the Committee on Appropriations.

Mr. THOMAS, of Wisconsin. I will do so if I lose no privilege.

The bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes, with amendments of the Senate, was referred to the Committee on Appropriations and ordered to be printed with the amendments.

MARY ANDERSON.

The SPEAKER. The Clerk will report the title of the bill called up by the gentleman from Wisconsin.

The Clerk read as follows:

Brady, Browne, T. M. Brown, C. E. Brown, W. W.

Butterworth, Campbell, J. M. Cannon, Carleton, Collins, Conger, Cooper,

Buchanan,

Buck, Bunnell, Burleigh,

Burrows,

A bill (H. R. 7436) granting a pension to Mary Anderson.

The SPEAKER. The gentleman from Texas [Mr. REAGAN] raises the question of consideration against this bill, and the question is, Will the House now proceed to consider the bill?

The House divided; and there were—ayes 77, noes 72.

Mr. REAGAN. I call for the yeas and nays.

The yeas and nays were ordered

The question was taken; and there were—yeas 112, nays 117, not voting 92; as follows: VEAS-112

		A ARCAN, A
Allen, C. H.	Cutcheon,	Hit
Anderson, J. A.	Davis,	Hol
Atkinson,	Dingley,	Ho
Baker,	Dorsey,	Jac
Bayne,	Ely.	Jan
Bingham,	Evans,	Joh
Bliss,	Everbart,	Joh
Bound,	Farquhar,	Kel
Boutelle,	Felton,	Ket
Dundler	TALL	771

Dingley,
Dorsey,
Ely.
Evans,
Everbart,
Farquhar,
Felton,
Fleeger,
Fuller,
Funston,
Geddes.
Gilfillan,
Goff,
Grosvenor,
Grout,
Harmer,
Hayden,
Henderson, D. B.
Hepburn,
Hermann,
Hiestand,
Hires,
Hiseock,

t, lmes, pkins, ekson, Jackson, James, Johnson, F. A. Johnston, J. T. Kelley, Ketcham, Kleiner, La Follette, Lehlbach, Lindsley, Little Little, Lovering, Lyman, Markham, Maybury,
McComas,
McKenna,
Millard,
Milliken,
Moffat,
Morrill,
Negley,

Nelson, O'Neill, Charles Osborne, Owen, Parker, Payne, Peters, Pettibone, Pirce, Pirce, Plumb, Price, Reed, T. B. Rice, Rockwell, Romeis, Rowell, Ryan, Sawyer, Scranton, Seymour, Spooner, Stephenson, Strait, Swinburne, Taylor, I. H.

1000.		CONGRESSIONAL		
Taylor, Zach. Thomas, O. B. Thompson, Wade.	Wait, Wakefield, Warner, William Weaver, A. J.	Weber, West, White, A. C. Woodburn,	Wilkins,	
		YS-117.		
Allen, J. M.	200		City of the same	
Ballentine,	Dowdney, Eden,	Lanham, Lawler,	Singleton, Skinner,	
Bennett,	Eldredge,	Le Fevre,	Snyder,	
Bland,	Ermentrout,	Lowry,	Sowden,	
Blount,	Findlay,	Martin,	Springer,	
Boyle,	Foran,	Matson,	Stahlnecker,	
Breckinridge, C. R.	Ford,	McAdoo,	Stewart, Charles	
Brumm,	Forney,	McCreary,	Stewart, Charles Stone, W. J., Ky. Stone, W. J., Mo.	
Burnes,	Frederick,	McMillin,	Stone, W. J., Mo.	
Bynum,	Gay,	McRae,	Struble,	
Cabell,	Gibson, C. H.	Merriman,	Swope,	
Campbell, Felix	Glass,	Morgan,	Tarsney,	
Campbell, J. E.	Green, W. J.	Morrison,	Taulbee.	
Catchings,	Hall,	Murphy,	Taylor, J. M.	
Clardy,	Halsell,	Neal,	Townshend,	
Clements,	Harris,	Norwood,	Trigg,	
Cobb,	Hatch,	Ontes,	Turner,	
Compton,	Heard,	O'Ferrall,	Van Eaton,	
Cowles,	Hemphill,	Outhwaite,	Viele,	
Cox, Crain,	Henderson, J. S.	Peel,	Warner, A. J.	
Crisp,	Herbert, Hewitt,	Perry,	Weaver, J. B.	
Croxton,	Holman,	Pideoek, Pindar,	Wheeler, Willis,	
Culberson,	Howard,	Randall,	Wilson,	
Daniel,	Hutton,	Reagan	Wise,	
Dargan,	Johnston, T. D.	Reagan, Reid, J. W.	Wolford,	
Davenport,	Jones, J. H.	Richardson,	Worthington.	
Davidson, A. C.	Jones, J. H. Jones, J. T.	Sayers,	Trotting ton.	
Dockery,	Laffoon,	Seney,		
Dougherty,	Landes,	Shaw,		
	NOT V	OTING-92,		
Adams, G. E.	Dunham,	Lore,	Sessions,	
Adams, J. J.	Dunn,	Louttit,	Smalls,	
Aiken,	Ellsberry,	Mahoney,	Spriggs,	
Anderson, C. M.	Fisher,	· McKinley,	Steele,	
Arnot,	Gallinger,	Miller,	Stewart, J. W.	
Barbour,	Gibson, Eustace	Mills,	St. Martin,	
Barksdale,	Glover,	Mitchell,	Stone, E. F.	
Barnes,	Green, R.S.	Morrow,	Storm,	
Barry,	Guenther,	Muller,	Symes,	
Beach,	Hale,	Neece,	Taylor, E. B.	
Belmont,	Hammond,	O'Donnell,	Thomas, J. R.	
Blanchard,	Hanback, Haynes,	O'Hara, O'Neill, J. J.	Throckmorton, Tillman,	
Bragg, Breckinridge, WCP		Payson,	Tucker,	
Caldwell,	Henley,	Perkins,	Van Schaick,	
Campbell, T. J.	Hill,	Phelps,	Wadsworth	
Candler,	Houk,	Ranney,	Wallace,	
Caswell,	Hudd,	Reese,	Ward, J. H.	
Comstock,	Irion.	Riggs,	Ward, T. B.	
Curtin.	King,	Robertson,	Wellborn,	
T 14 TO TT 35	Total	The second second second	7777-24- 7477	

Campbell, T. J. Hill,
Candler, Houk,
Caswell, Hudd,
Comstock, Irion,
Curtin, King,
Davidson, R. H. M. Laird,
Dawson,
Dibble, Libbey,
Long, So the House refused to consider the bill.

Mr. McMILLIN. I ask unanimous consent that the reading of the names of members voting be dispensed with.

Rogers, Sadler, Scott,

Wallace, Ward, J. H. Ward, T. B. Wellborn, White, Milo

Whiting, Winans.

Mr. REED, of Maine. I object.

The result of the vote was then announced as above recorded.

ORDER OF BUSINESS.

I move to proceed to the consideration of the inter-Mr. REAGAN.

Mr. KEAGAN. I move to proceed to the consideration of the interstate-commerce bill.

Mr. SAWYER. I rise to a privileged motion.

The SPEAKER. The gentleman will state it.

Mr. REAGAN. I hope, Mr. Speaker, that I shall not be supplanted again after having addressed the Chair first.

The SPEAKER. The Chair has simply to enforce the rules of the House. The gentleman from New York [Mr. SAWYER] states that he rises to a privileged motion, and the Chair does not yet know what his motion is. motion is

Mr. TOWNSHEND. But before the gentleman made the announcement the gentleman from Texas [Mr. REAGAN] rose and moved to take

up the interstate-commerce bill.

The SPEAKER. The gentleman from Texas moves to proceed to the The SPEAKER. The gentleman from Texas moves to proceed to the consideration of the bill to regulate interstate commerce, and pending that the gentleman from New York [Mr. SAWYER] states that he rises to make a privileged motion. The Chair must entertain the motion, at least to the extent of ascertaining what it is, and if it be a privileged motion, of course the Chair must entertain it.

Mr. SAWYER. My motion is that the House proceed to consider the bill (H. R. 7108) granting a pension to Andrew J. Wilson, with the veto message of the President thereon.

Mr. REAGAN. If the gentleman will allow a veto to be taken on

Mr. REAGAN. If the gentleman will allow a vote to be taken on the interstate-commerce bill it will take only a short time, and then we can proceed to other business

Mr. TOWNSHEND. But they will not allow a vote upon it.

Mr. SPRINGER. There is only one man interested in this pension case, and there are fifty-six millions of people interested in the interstate-commerce bill.

Mr. REED, of Maine. That is the way you state it.
Mr. O'NEILL, of Pennsylvania. There is a great big principle involved in this pension case which Congress ought to vindicate.

Mr. WEAVER, of Iowa. And there is a great big principle involved in the interstate-commerce bill, too.

Mr. Speaker, I understood the gentleman from Maine to propose, for gentlemen on the other side, that if we would take a vote upon one vetoed pension bill we could then go on to consider the interstate-commerce bill. Is that their proposition?

Mr. REED, of Maine. Regular order.
Mr. REAGAN. I raise the question of consideration against the bill.
The SPEAKER. The gentleman from Texas raises the question of consideration against the bill called up by the gentleman from New York. The question is, Will the House now proceed to consider the bill?

Mr. MORRILL. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 100, nays 120, not voting 102; as follows:

	18-	

Allen, C. H.	Evans,	Lindsley,	Reed, T. B.
Anderson, J. A.	Everhart,	Little,	Rice,
Atkinson,	Farquhar,	Long,	Rockwell,
Baker,	Felton,	Lovering,	Romeis,
Bayne,	Fleeger,	Lyman,	Rowell.
Bingham,	Fuller.	Maybury,	Ryan,
Boutelle,	Funston,	McComas,	Sawyer,
Browne, T. M.	Geddes,	McKenna,	Scranton,
Brown, C. E.	Grout.	Millard,	Spooner.
Brown, W. W.	Harmer,	Milliken,	Stephenson,
Buchanan,	Hayden,	Moffatt,	Stone, W. J., Mo.
Buck,	Henderson, D. B.	Morrill.	Strait.
Bunnell,	Hepburn,	Negley,	Swinburne,
Burleigh,	Hermann,	Nelson,	Taylor, I. H.
Burrows,	Hiestand,	O'Neill, Charles	Taylor, Zach.
Campbell, J. E.	Hires,	Osborne,	Thomas, O. B.
Carleton,	Hiscock,	Owen,	Wade,
Caswell,	Hitt.	Parker,	Wait,
Conger,	Hopkins.	Payne,	Wakefield.
Cooper.	Jackson,	Perkins,	Warner, William
Cutcheon,	James.	Peters,	Weber,
Davis,	Johnson, F. A.	Pettibone,	West,
Dingley,	Johnston, J. T.	Pirce,	White, A. C.
Dorsey,	Ketcham,	Plumb,	Whiting,
Ely,	Lehlbach,	Price,	Wilkins,

	NA	YS-120.	
Allen, J. M.	Dougherty,	Laffoon,	Seney,
Ballentine,	Dowdney,	Landes,	Seymour,
Belmont,	Dunn,	Lanham,	Shaw,
Bennett,	Eden,	Lawler,	Singleton,
Bland,	Eldredge,	Le Fevre,	Skinner,
Blount,	Ermentrout,	Lore,	Snyder,
Boyle,	Findlay,	Lowry,	Sowden,
Breckinridge, C. R.	Foran.	Martin,	Springer,
Breckinridge, WCP	.Ford.	Matson,	Stahlnecker,
Brumm,	Forney,	McAdoo,	Stewart, Charles
Burnes,	Frederick,	McMillin,	Stone, W. J., Ky.
Bynum,	Gay,	McRae,	Struble,
Caldwell,	Gibson, C. H.	Merriman,	Swope,
Campbell, J. M.	Glass,	Mitchell,	Tarsney,
Clardy,	Green, W.J.	Morgan,	Taulbee,
Clements,	Hale,	Morrison,	Taylor, J. M.
Cobb.	Hall,	Neal,	Townshend,
Collins,	Halsell,	Neece,	Trigg,
Compton,	Harris,	Norwood,	Turner,
Cowles,	Hatch,	Oates,	Van Eaton,
Cox,	Heard,	O'Ferrall,	Viele,
Crain,	Hemphill,	Peel,	Wallace,
Crisp,	Henderson, J.S.	Perry,	Ward, J. H.
Croxton,	Herbert,	Pidcock,	Ward, T. B.
Culberson,	Hewitt,	Pindar.	Weaver, J. B.
Curtin,	Holman,	Randall,	Wheeler,
Daniel,	Johnston, T. D.	Reagan,	Wilson,
Dargan,	Jones, J. H.	Reid, J. W.	Wise,
Davidson, A. C.	Jones, J. T.	Richardson,	Wolford,
Dockery,	Kleiner,	Sayers,	Worthington.

	DOCKETY,	aciemer,	ouyers,	worthington.
		NOT V	OTING-102.	* 12
	Adams, G. E. Adams, J. J. Ailken, Amderson, C. M. Arnot, Barbour, Barksdale, Barnes, Barrey, Beach, Blianchard, Bliss, Bound, Brady, Bragg, Butterworth, Cabell, Campbell, Felix Campbell, T. J. Candler, Cannon, Catchings, Comstock, Davenport, Davidson, R. H. M.	Dibble, Dunham, Ellsberry, Fisher, Gallinger, Gibson, Eustace Gilfillan, Glover, Goff, Green, R. S. Grosvenor, Guenther, Hammond, Hanback, Haynes, Henderson, T. J. Henley, Hill, Holmes, Houk, Howard, Hudd, Hutton, Irion,	La Follette, Laird, Laird, Libbey, Louttit, Mahoney, Markham, McCreary, McKinley, Miller, Miller, Miller, Muller, Muller, Muller, O'Donnell, O'Hara, O'Neill, J.J. Outhwaite, Payson, Phelps, Ranney, Reese, Riggs, Robertson, Rogers, Sadler,	Sessions, Smalls, Spriggs, Steele, Stewart, J. W. St. Martin, Stone, E. F. Storm, Symes, Taylor, E. B. Thompson, Throckmorton, Tillman, Tucker, Van Schaick, Wadsworth, Warner, A. J. Weaver, A. J. Welborn, White, Milo Willis, Winans, Woodburn.
ı	Dawson,	LLIUE,	Scott,	

So the House refused to proceed to the consideration of the bill. Mr. WEAVER, of Iowa. I ask unanimous consent that the reading of the names be dispensed with.

Mr. REED, of Maine, and others objected.

The following additional pairs were announced:

Mr. WILLIS with Mr. HENDERSON, of Illinois, for the rest of this day. The following-named members were announced as paired on this vote:

Mr. Green, of New Jersey, with Mr. Kelley.
Mr. Campbell, of Ohio, with Mr. Grosvenor.
Mr. Warner, of Ohio, with Mr. Thompson.
Mr. Gibson, of West Virginia, with Mr. Goff.
Mr. O'Neill, of Missouri, with Mr. Symes.

The result of the vote was announced as above stated.

MESSAGE FROM THE PRESIDENT

A message, in writing, from the President of the United States was communicated to the House by Mr. Pruden, one of his secretaries, who also announced that the President had approved and signed joint resolution and bills of the following titles:

Joint resolution (H. Res. 129) directing the Public Printer to for-

ward the CONGRESSIONAL RECORD to our legations abroad;

An act (H. R. 5866) to construct a road to the national cemetery at

Knoxville, Tenn.; and An act (H. R. 7627) providing for the construction of a light-house supply steamer for the Atlantic and Gulf coasts, and for other pur-

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill (H. R. 3014) to provide for terms of court in Colorado; when the Speaker signed the same.

ORDER OF BUSINESS.

Mr. REAGAN. I now ask that the House proceed to the consideration of the interstate-commerce bill.

Mr. MORRILL. I rise to a question of privilege.

The SPEAKER. The bill indicated by the gentleman from Texas

[Mr. Reagan] has been called up by him; but pending that other
gentlemen rise to privileged questions, which the Chair is bound to en-

Mr. MORRILL. I call up for consideration the bill (H. R. 6136)-granting a pension to John W. Farriss, which has been vetoed by the President and reported back from the Committee on Invalid Pensions.

Mr. REAGAN. I raise the question of consideration upon that bill. The SPEAKER. The Clerk will report the title of the bill called up by the gentleman from Kansas [Mr. MORRILL].
The Clerk read as follows:

A bill (H. R. 6136) granting a pension to John W. Farriss.

Mr. REAGAN. I raise the question of consideration on that bill. Mr. BAYNE. I ask the gentleman from Kansas [Mr. MORRILL] to yield that the gentleman fram Alabama [Mr. WHEELER] may make a

conference report.

Mr. MORRILL. I yield for a moment to the gentleman from Ala-

bama that he may make a privileged report.

The SPEAKER. Is it a conference report?

Mr. BAYNE. Yes, sir.

WILLIAM P. CHAMBLISS.

. Mr. WHEELER. On the 23d of July this House adopted a conference report in reference to the bill (H. R. 68) for the relief of William P. Chambliss, and the Senate adopted the same report. Afterward it was found that in printing the bill there had been a mistake in the was found that in printing the bill there had been a mistake in the middle name. The conferees, being again called together, decided to submit a new report, making the necessary correction. The Senate has adopted the new conference report; and I now offer that report for adoption by the House. First I will move to reconsider the vote by which the conference report was adopted on the 23d of July.

The SPEAKER. The gentleman from Alabama asks unanimous consent to reconsider the vote by which the report of the committee of conference on this bill was agreed to by the House on the 23d of July, it having been discovered that there was a mistake in the name of the party as mentioned in the encrossed bill. Is there objection?

party as mentioned in the engrossed bill. Is there objection? [A pause.] In the absence of objection that vote is reconsidered, and the matter is again referred to the same conferees. The Clerk will now read the report.

The Clerk read as follows:

The Clerk read as 1010ws:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 68, an act for the relief of William P. Chambliss, having met, after full and free conference have agreed to recommend and do recommend to their respective House as follows:

That the Senate recede from its amendment numbered 1, and agree to the following amendment: Strike out the name of "William B. Chambliss" wherever it appears in the bill and insert the name of "William P. Chambliss."

FRANK L. WOLFORD,

JOSEPH WHEELER,

Managers on the part of the House of Representatives.

CHAPLES F. MANDERSON

CHARLES F. MANDERSON, JOHN A. LOGAN, Managers on the part of the Senate.

Mr. REED, of Maine. How much does this involve? Mr. WHEELER. It involves the restoration of Major Chambliss to the retired-list of the Army, he having resigned nineteen years ago. It gives him no back pay.

Mr. REED, of Maine. It puts him on the retired-list?

Mr. WHEELER. It does.

Mr. REED, of Maine. On what ground? Mr. WHEELER. The report of the Committee on Military Affairs of this House states very lengthily the grounds. It appears that in two Congresses, the Forty-sixth and the Forty-seventh, a bill of this kind was passed by the House unanimously without division. At another time, I believe, a bill for the same purpose passed the Senate.

Major Chambliss was an officer of the Army and was very severely

wounded—so severely that he was unable to do duty. In 1867, before it was customary to place officers on the retired-list to the extent to which it was afterward done, he resigned, in the hope that he might recover his health, but in this he has been disappointed. The medical certificates and the certificates of various commanders state a case which, in the opinion of the Committee on Military Affairs, merited action of

this character. I think it is the only proposition favorably reported by the Committee on Military Affairs of the House to place on the retired-list an officer who had resigned.

The Committee on Military Affairs of this House has taken great care in considering bills of this character. A very large number of such bills have been referred to the committee, and I think I was quite correct in stating that this is the only one which has been reported favorably to restore a resigned officer.

The gentleman from Maine [Mr. REED] is well aware that the Committee on Military Affairs in former Congresses has encumbered the Calendar with a large number of bills restoring officers to the Army. did not anticipate any opposition to this report, and I shall not insist upon it if the time of the House is to be consumed.

Mr. REED, of Maine. But officers of the Army and Navy are placed

upon the retired-list on account of length of service.

The object of the retired-list is to free the service of men who are not

in fit condition, either by reason of age or some other reason, to perform the duties. It is not intended to take the place of a pension.

the duties. It is not intended to take the piace of a pension.

While this might be a case deserving of pension, it seems to me we are in great danger of misunderstanding the nature of the retired-list. We make a retired-list for the Army and Navy on precisely the same principle that we pension our judges. We pension them because of their length of service and to enable us to supply their places by men who are in the prime of life. That is the sole object and purpose of the retired-list. It is given always on account of length of service.

And it seems to me this is a case where an officer resigned and has

not been in the service for nineteen years. We are making the retired-list for a purpose which might be justifiable in our pension-list. There are a great many cases like that coming up, and wherever I have noticed them I have called the attention of the House to the matter. I think it is a great mistake.

Mr. BAYNE. This case is exceptional in every respect. It has been so regarded by the Committee on Military Affairs of the House and it has been so regarded by the Committee on Military Affairs of the Senate. This officer in the regular Army had served for a great many years with marked distinction. He received, I believe, seven wounds while he was in the Union service. He resigned from the Army in 1867 because he believed he would recover from his wounds and be able to earn a livelihood for himself outside of the Army.

Mr. LONG. Is he now in receipt of a pension?

Mr. BAYNE. I do not know. I believe he never has applied for a pension, but I do not know that. The Committee on Military Affairs in both branches of Congress after careful examination have found this case to be exceptional in its character, and have reported that this officer, having rendered long and faithful service to the Government in the Army, should be placed upon the retired-list. The bill was unan-imously recommended by the Committee on Military Affairs in the House of Representatives, and that committee has some members who look out in reference to those going upon the retired-list quite as closely

as the gentleman from Maine or any other member of the House.

Mr. REED, of Maine. I should not judge so by their reports.

Mr. BAYNE. The amendment reported by the conference commit-

tee is merely verbal in its character.

Mr. LONG. If this man is not in receipt of a pension he is entitled

to a pension.
Mr. BAYNE. I suppose he would be. I do not know whether he I have no doubt he would be if he applied for a pension. I know this is a strong case. I am sure this officer deserved the recommendation of the committee, or this bill would not have passed. The conference report has been adopted before. The object of the present conference is simply to substitute for the letter "B" the letter "P" in order to get the name right.

Mr. REAGAN. Does the gentleman from Alabama know whether

this man is drawing a pension?

Mr. WHEELER. Ido not, but I presume he must be, because there is not an officer under like circumstances who is not drawing a pension.

But this is in lieu of all pensions.

In respect to what gentlemen say about opposing these matters, I wish to say that this case was before the Forty-sixth Congress, when no one opposed it. It was before the Forty-seventh Congress, and no one opposed it. It was not only not opposed, but it passed the House without a division.

It has been brought here on a conference report, and that report was adopted without objection. The gentleman was here, and we heard no objection from him. He is generally here and attentive, and he says he always objects to questions of this character.

Mr. REED, of Maine. That is not an accurate statement-at least

is not quite an accurate statement of what I intended to say.

Mr. WHEELER. That may be.

Mr. REED, of Maine. Very often this question was raised and opposed. Once it was raised in the other House. I think in the last Congress it was raised.

Mr. WHEELER. In the last Congress this case was not before this

House.

Mr. REED, of Maine. I do not mean the case of this particular in-Mr. REED, of Maine. I do not mean the case of this particular individual. But in regard to General Pleasonton the question was raised, and my attention was attracted to it, and I have felt it to be my duty since when the matter is brought up before the Frouse to call attention to all these cases, because I think we are gradually, on account of our personal regard for individuals, turning all the laws with reference to the government of our military affairs, with reference to the retired-list, and with reference to restoration to rank—we are twisting them all aways from the purpose originally intended, and the only purpose upon awry from the purpose originally intended, and the only purpose upon which they can be justified or defended.

Upon what ground can we possibly justify the retirement of an officer upon two-thirds pay? It is solely upon the ground that we are rewarding a man who has passed his whole life in the public service, and finding old age coming on him, with consequent incapacity, we provide for that old age by retirement on reduced pay, for otherwise we might have to continue his full pay, although he may not be able to perform

full service.

Now we are having the effect of that other system in the Revenue-Marine Service. There we have no retired-list at all. The consequence is that there is a large number of officers who are incapable of performing the duties of their positions, but who nevertheless draw full pay, and no Secretary from motives of compassion will relieve them from duty

There are seven of them over eighty years of age.

Mr. LONG. There are seven of them over eighty years of age.

Mr. REED, of Maine. My friend from Massachusetts tells me there are seven persons in that service over eighty years of age. The result is that no Secretary will be guilty of the inhumanity of turning men of that age adrift, and no new ones can be appointed, because nominally they are fit for duty since they are receiving full pay. Now, it was that consideration, multiplied by the proportion that the Army bears to the Marine Corps, that caused the original formation of the retired-list. It is proposed here to use it not to retire officers on account of length of service, but to reward an officer for unexampled gallantry. I submit that is not the purpose nor the object, nor is it the ground upon which the retired-list was established.

Mr. WHEELER. I call for the previous question on the adoption of the report.

of the report.

The previous question was ordered.

The question being taken on agreeing to the report of the committee of conference, the House divided; and there were—ayes 33, noes 55.

Mr. WHEELER. I do not think it proper to take the time of the House, and I shall therefore ask unanimous consent to withdraw the

report for the present.

Mr. BAYNE. Oh, no, I would not do that; let us have a vote di-

rectly upon it.

The SPEAKER. The previous question having been ordered, it can only be withdrawn by unanimous consent.

Mr. WHEELER. Let us have tellers.

Mr. BAYNE. No quorum has voted.
Mr. MILLS. It is too late to make that point.
The SPEAKER. The Chair thinks not. The Chair only announced

the numbers voting, not the result of the vote.

Mr. Wheeler and Mr. Reed, of Maine, were appointed tellers.

Mr. BAYNE. I will withdraw the point of no quorum if the gentlemen from Alabama can be permitted to withdraw the report.

Mr. WHEELER. I ask unanimous consent to withdraw the report

for the present.

The SPEAKER. The gentleman from Pennsylvania withdraws the objection of no quorum, provided the gentleman from Alabama is granted permission to withdraw the report. Is there objection?

Mr. COX. I object.

The SPEAKER. The Chair hears no objection.

EVENING SESSION FOR PRIVATE BILLS.

Mr. SPRINGER. I ask unanimous consent to have an order made for the consideration of private bills to-night. Many gentlemen have insisted upon this, and I do it in the interest of many worthy claimants. The SPEAKER. The resolution will be read subject to objection.

The Clerk read as follows:

Resolved, That the House will on Thursday, July 29, take a recess from 5 o'clock p. m. until 8 o'clock p. m., the evening session to be devoted to the consideration of bills on the Private Calendar to which there may be no objection, and the session not to continue beyond 11 o'clock p. m.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. JOHNSTON, of Indiana. Is it in order to offer an amendment? The SPEAKER. It is in order, there being no objection to its con-

Mr. SPRINGER. I decline to yield for amendments. I can not yield if this is going to lead to discussion. I will state to the gentleman that it embraces all private bills which are not objected to.

man that it embraces all private bills which are not objected to.

Mr. JOHNSTON, of Indiana. I want to offer an amendment.

Mr. SPRINGER. I demand the previous question.

Mr. JOHNSTON, of Indiana. I want to move to strike out private
bills and insert Senate bill 1886, amending the pension law.

Mr. SPRINGER. I must decline to yield for the amendment.

The previous question was ordered.

The question being taken on the adoption of the resolution, there

were—aves 65 noss 23

vere—ayes 65, noes 23.

Mr. BENNETT. No quorum.
Mr. SPRINGER. I will withdraw the resolution rather than consume the time of the House. It is nothing to me—

The SPEAKER. The previous question having been ordered it can

only be withdrawn by unanimous consent.

Mr. BUCHANAN and Mr. ZACH. TAYLOR objected.
The SPEAKER. The Chair will appoint as tellers the gentleman from North Carolina, Mr. BENNETT, and the gentleman from Illinois, Mr. SPRINGER

Mr. BENNETT. I withdraw the point of no quorum. So (no further count being demanded) the resolution was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Texas raises the question of consideration against the bill and message called up by the gentleman

Mr. REED, of Maine. But the other question has not been with-The SPEAKER. It was withdrawn. The conference report is still before the House.

The SPEAKER. It was withdrawn.

Mr. REED, of Maine. It was objected to by the gentleman from North Carolina [Mr. Cox].

The SPEAKER. The Chair thinks it was not objected to at the time; certainly not as far as the Chair heard. The Chair stated that the gentleman from Pennsylvania [Mr. BAYNE] would withdraw the point of no quorum upon condition that the gentleman from Alabama should be allowed to withdraw the report he made.

Mr. REED, of Maine. But the gentleman from North Carolina ob-

iected.

The SPEAKER. The Chair did not hear the gentleman make any

objection.

Mr. COX. I did object, and thought I was recognized as having ob-

jected.

The SPEAKER. The Chair did not hear it, but of course accepts

the statement of the gentleman.

Mr. BAYNE. I do not for a moment question that the gentleman from North Carolina [Mr. Cox] objected. But business has intervened since. A motion has been considered and adopted since that time, and I submit it is rather too late to entertain the objection now.

The SPEAKER. But gentlemen have stated that they supposed the objection had been heard, and that the report was not withdrawn. The Chair is obliged to accept the statement of a gentleman on the floor as

to his own action.

Mr. BLAND. Suppose business had been allowed to run for an hour, would it not have been then too late to insist on the objection?

The SPEAKER. The Chair thinks it would be in the power of the gentleman to state even then that he had supposed his objection was heard. It is a matter which involves the privilege of the House. It was an error committed by the Chair when, not hearing the gentleman,

he stated that the report was withdrawn.

Mr. REAGAN. But if the gentleman did not call the attention of the Chair to the fact that he had made an objection can it now be en-

tertained?

The SPEAKER. Gentlemen were still under the impression that the objection had been heard.

Mr. COX. I withdraw the objection.

The SPEAKER. Is there any further objection? The Chair hears none, and the report is withdrawn.

JOHN W. FARRIS.

The SPEAKER. The question now is, Will the House proceed to consider the bill called up by the gentleman from Kansas [Mr. Morbill] with the message of the President.

Mr. BLAND. Is the bill called up by the gentleman from Kansas

the subject now under consideration?

The SPEAKER. It is not under consideration. The gentleman calls it up for consideration, and the gentleman from Texas [Mr. REA-GAN] raises the question of consideration against it.

Mr. BLAND. I ask if the question is debatable?

The SPEAKER. The question of consideration is not debatable.

Mr. BLAND. I desire to say I asked the gentleman from Kansas not to bring this bill up, and I regret very much that so meritorious a bill should be introdued here when it can not be considered and in

antagonism to the interstate-commerce bill. It is a meritorious bill, and ought to have a fair consideration, and I regret it is forced in here

when it can not have that privilege.

The SPEAKER. The order of business is not debatable. The guestion being taken, there were—ayes 65, noes 67.
Mr. MORRILL. No quorum
Mr. REAGAN. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were-yeas 102, nays 116, not voting 104; as follows:

	YEA	IS-102.	
Allen, C. H. Anderson, J. A. Atkinson, Bland, Bound, Brady, Browne, T. M. Brown, C. E. Brown, W. W. Buchanan, Buck, Bunnell, Burrows, Butterworth, Campbell, J. M. Cannon, Comstock, Conger, Cooper, Orisp, Outcheon, Dingley, Dorsey, Ely, Evans, Everhart,	Farquhar, Felton, Fleeger, Fuller, Funston, Geddes, Gilfillan, Goff, Grout, Guenther, Hayden, Henderson, D. B. Hepburn, Hermann, Hires, Hiscock, Hitt, Holmes, Hopkins, Jackson, James, Johnston, J. T. La Follette, Laird, Lehlbach,	Lindsley, Little, Long, Lovering, Lyman, Markham, McKenna, Millard, Milliken, Moffatt, Morrill, Negley, Nelson, O'Neill, Charles Osborne, Parker, Payne, Petris, Peters, Petibone, Pirce, Plumb, Rice, Rockwell, Romeis, Rowell,	Sawyer, Scranton, Sessions, Spooner, Stephenson, Stone, E. F. Strait, Swinburne, Symes, Taylor, I. H. Taylor, Zach, Thompson, Wade, Wait, Wakefield, Warner, Willia Weaver, A. J. Weber, West, White, A. C. Whiting, Wilkins,

NAYS-116. Seney, Seymour, Shaw, Singleton, Skinner, Allen, J. M. Barnes, Belmont, Bennett, Eden, Eldredge, Findlay, Lanham, Lawler, Le Fevre, Lore, Bennett, Foran, Ford, Boyle, Forekinridge, C. R. Frederick, Breekinridge, WCP, Gay, Burnes, Glisson, C. H. Glass, Glass, Green, W. J. Hale, Carleton, Catchings, Halsell, Clardy, Harris, Clements, Cobb, Heard, Collins, Cowles, Cari, Crain, Croxton, Culberson, Daniel, Dargan, Daniel, Davidson, A. C. Dockery, Dougherty, Dunn, Forman, Forman, Control, Culberson, Daniel, Davidson, A. C. Dockery, Cougherty, Dunn, Landes, Foran, Lowry, Mahoney, Martin, Matson, McAdoo, Blount, Ford. Skinner, Snyder, Sowden, Springer, Stahlnecker, Stewart, Charles St. Martin, Stone, W. J., Ky. Struble, Swope. McCreary, McMillin, McRae, Merriman, Mills, Struble, Swope, Tarsney, Taulbee, Townshend, Trigg, Turner, Van Eaton, Viele, Wallace, Warld, J. H. Warner, A. J. Weaver, J. B. Wheeler, Wilson, Morgan, Morrison, Murphy, Neal, Neal, Norwood, Oates, O'Ferrall, Outhwaite, Peel, Perry, Pidcock, Reagan, Reid, J. W. Richardson, Savers. Dockery, Dougherty, Dunn, Wilson, Landes, Sayers,

NOT VOTING-104. Hudd, Kelley, Ketcham, King, Libbey, Louttit, Maybury, McComas, McKinley, Miller, Mitchell, Morrow. Davenport,
Davidson, R. H. M.
Davis,
Dawson,
Dibble,
Dowdney, Riggs, Robertson, Rogers, Ryan, Sadler, Scott, Smalls, Adams, G. E. Adams, J. J. Aiken, Anderson, C. M. Arnot, Baker, Ballentine, Barbour, Barksdale, Dowdney, Dunham, Ellsberry, Ermentrout, Fisher, Gallinger, Gibson, Eustace Glover, Grosvenor, Hammond, Hanback. Smalls,
Spriggs,
Steele,
Stewart, J. W.
Stone, W. J., Mo.
Storm,
Taylor, E. B.
Taylor, J. M.
Thomas, J. R.
Throckmorton,
Tillman Barry, Bayne, Beach, Bingham, Blanchard, Mitchell,
Morrow,
Muller,
Neece,
O'Donnell,
O'Hara,
O'Neill, J. J.
Owen,
Payson,
Phelps,
Pindar,
Price,
Randall,
Ranney,
Reed, T. B.
Reese, Bliss, Boutelle, Throckmortor Tillman, Tucker, Van Schaick, Wadsworth, Weilborn, White, Milo Willis, Winans, Wolford, Worthington. Bragg, Brumm, Burleigh, Hanback, Harmer, Haynes, Henderson, T. J. Caldwell. Campbell, J. E. Campbell, T. J. Candler, Caswell, Compton, Curtin, Henley, Hewitt, Hiestand, Hill, Houk, Howard,

So the House refused to consider the bill H. R. 6136.

The following additional pairs were announced: Mr. CAMPBELL, of Ohie, with Mr. GROSVENOR, for the rest of this

Mr. John M. Taylor with Mr. Bingham, for the rest of this day.
Mr. Randall with Mr. Harmer, for the rest of this day.
Mr. Ballentine with Mr. Boutelle, for the rest of this day.
Mr. King with Mr. Baker, for the rest of this day.

Mr. Green, of New Jersey, with Mr. Kelley, on this vote. Mr. Ermentrout with Mr. Ryan, on this vote.

Mr. MILLS. My pair with the gentleman from Ohio [Mr. McKin- | names of members voting be dispensed with.

LEY] has been announced. Mr. McKinley stated that if present he w, ould vote for the Reagan interstate-commerce bill and for all the bills forfeiting unearned railroad land grants. In consideration of that fact, and as the gentleman calling up this bill stated he antagonized the interstate-commerce bill with it, I have voted in the negative.

The result of the vote was then announced as above stated.

MRS. MARIA HUNTER.

Mr. BURROWS. I call up for consideration the bill (H. R. 7167) for the relief of Mrs. Maria Hunter, with the veto message of the President.

Mr. REAGAN. I raise the question of consideration.

The SPEAKER. The question is, Will the House now proceed to consider the bill called up by the gentleman from Michigan

Mr. REAGAN. On that question I demand the yeas and nays

The yeas and nays were ordered.

The question was taken; and there were-yeas 93, nays 107, not voting 122; as follows:

Fleeger, Fuller, Funston, Geddes, Goff,	Lindsley, Little, Long, Lyman, Markham,	Rowell, Ryan, Seranton, Sessions, Spooner, Stephenson,
Hayden, Henderson, D. B.	Millard, Moffatt,	Stone, E. F. Strait,
Hermann,	Negley,	Swinburne, Symes, Taylor, I. H.
Hires, Hiscock,	O'Neill, Charles Osborne,	Taylor, Zach. Thomas, O. B.
Holmes,	Parker,	Wade, Warner, William Weaver, A. J.
Jackson, James,	Peters, Pettibone,	Weber, West,
Johnson, F. A. Johnston, J. T. Kelley,	Plumb, Reed, T. B.	White, A. C. Wilkins, Woodburn,
La Follette, Laird, Lehlbach,	Rice, Rockwell, Romeis,	
	Fuller, Funston, Geddes, Goff, Grout, Hayden, Henderson, D. B. Hepburn, Hermann, Hiestand, Hires, Hiscock, Hitt, Holmes, Hopkins, Jackson, James, Johnston, F. A. Johnston, J. T. Kelley, La Follette, Laird,	Fuller, Funston, Geddes, Goff, Grout, Hayden, Henderson, D. B. Hepburn, Hiermann, Hires, Histocok, Holmes, Hopkins, Jackson, James, Johnson, F. A. Johnston, J. T. Kelley, La Follette, Laird, Fundam, Little, Long, Markham, McComas, Millard, Morrill, Negley, Nelson, Nelson, Nelson, O'Neill, Charles O'Neill, Charles O'sborne, O'wen, Parker, Parker, Payne, Pettibone, Pirce, Pirce, Pittibone, Pitti

Farquhar, Felton.	Laird, Lehlbach,	Rockwell, Romeis,	
		YS-107.	
Allen, J. M. Barnes, Belmont, Bennett, Blount, Boyle, Breckinridge, C.R. Breckinridge, WCF Burnes, Cabell, Campbell, Felix Catchings, Clements,	Eden, Eldredge, Fisher, Ford, Forney, Frederick, Gay, Gibson, C. H. Glass, Green, W. J. Hale, Hall,	Laffoon, Lanham, Le Fevre, Lore, Love, Mahoney, Martin, Matson, McMillin, McRae, Merriman, Mills, Morgan,	Seney, Seymour, Shaw, Singleton, Skinner, Sowden, Springer, Stahlnecker, Stewark, Charles St. Martin, Swope, Tarsney, Taulbee,
Cobb, Collins, Comstock, Cowles, Cox, Orisp, Croxton, Culberson, Curtin, Dargan, Davidson, A. C. Dockery,	Harris, Hatch, Heard, Hemphill, Henderson, J. S. Herbert, Hewitt, Holman, Hudd, Hutton, Irion, Jones, J. H.	Morrison, Neal, Neece, Norwood, Oates, O'Ferrall, Outhwaite, Peel, Perry, Pidoock, Pindar, Reagan,	Townshend, Trigg, Turner, Van Eaton, Viele, Wallace, Ward, J. H. Ward, T. B. Weaver, J. B. Wheeler, Wilson, Wise,

Culberson,	Holman,	Peel,	Ward, T. B.
Curtin,	Hudd,	Perry,	Weaver, J. B.
Dargan,	Hutton,	Pidcock,	Wheeler,
Davidson, A. C.	Irion,	Pindar,	Wilson,
Dockery,	Jones, J. H.	Reagan,	Wise,
Dowdney,	Jones, J. T.	Richardson,	Worthington.
Dunn,	Kleiner,	Sayers,	11.000
		TING-122.	
Adams, G. E.	Daniel,	Landes,	Sawyer,
Adams, J. J.	Davenport,	Lawler.	Scott,
Aiken,	Davidson, R. H. M.		Smalls,
Anderson, C. M.	Dawson,	Louttit,	Snyder,
Anderson, J. A.	Dibble,	Lovering,	Spriggs,
Arnot,	Dorsey,	Maybury,	Steele,
Baker,	Donahorter	McAdoo.	Stewart, J. W.
Ballentine,	Dougherty, Dunham,	McCreary,	Stone W T Ww
Barbour,	Ellsberry,	McKenna,	Stone, W. J., Ky Stone, W. J., Mo.
		McKinley,	Storm,
Barksdale,	Ermentrout, Findlay,	Miller,	Struble,
Barry,	Foran,	Milliken,	Taylor, E. B.
Beach,	Gallinger,	Mitchell,	Taylor, J. M.
Bingham,	Cibera Frestons	Morrow,	Thomas, J. R.
Blanchard,	Gibson, Eustace	Muller,	
Bland,	Gilfillan,		Thompson,
Bliss,	Glover,	Murphy,	Throckmorton, Tillman,
Boutelle,	Green, R. S.	O'Donnell,	
Brady,	Grosvenor,	O'Hara,	Tucker, Van Schaick,
Bragg,	Guenther,	O'Neill, J. J.	
Brumm,	Hammond,	Payson,	Wadsworth, Wait,
Butterworth,	Hanback,	Perkins,	
Bynum,	Harmer,	Phelps,	Wakefield,
Caldwell,	Haynes,	Price,	Warner, A. J.
Campbell, J. E.	Henderson, T. J.	Randall,	Wellborn,
Campbell, T. J.	Henley,	Ranney,	White, Milo
Candler,	Hill,	Reid, J. W.	Whiting,
Carleton,	Houk,	Reese,	Willis,
Caswell,	Howard,	Riggs,	Winans,
Clardy,	Johnston, T. D.	Robertson,	Wolford.
Compton,	Ketcham,	Rogers,	
Crain,	King,	Sadler,	

So the House refused to consider the bill. Mr. REAGAN. I ask unanimous consent that the reading of the Mr. HISCOCK and others objected.

The result of the vote was then announced as above recorded.

JUDGE FOR SOUTHERN DISTRICT OF ALABAMA.

The SPEAKER laid before the House the following message from the Senate:

IN THE SENATE OF THE UNITED STATES, July 28, 1886.

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill of the House (28) to provide for the appointment and compensation of a district judge for the southern district of Alabama.

The SPEAKER. If there be no objection, the Committee of the Whole on the state of the Union will be discharged from the further consideration of this bill, and it will be returned to the Senate.

There was no objection, and it was so ordered.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 2794) to amend an act entitled "An act for the erection and construction of a public building at Oxford, Miss.," approved July

A bill (S. 71) for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory; and A bill (S. 2796) to establish a land office at Lamar, Colo.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate insisted on its amendments disagreed to by the House to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes; disagreed to the amendments of the House to the amendments of the Senate numbered 74 and 78; agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. ALLISON, Mr. HALE, and Mr. BECK.

The message also announced that the Senate insisted on its amendments disagreed to by the House to the bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes; disagreed to the amendment of the House to the amendment numbered 108; agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of

the Senate Mr. HALE, Mr. ALLISON, and Mr. COCKRELL.

ORDER OF BUSINESS.

Mr. REAGAN. Mr. Speaker, I now call up the interstate-commerce bill.

The SPEAKER. The gentleman from Texas calls up for consider-

ation the bill known as the interstate-commerce bill.

Mr. BURROWS. I rise to a privileged motion, but the gentleman from Georgia [Mr. Norwood] desires me to yield to him for a moment, which I gladly do.

PUBLIC BUILDING AT SAVANNAH, GA.

Mr. NORWOOD. Mr. Speaker, I move to take up the joint resolution (H. Res. 206) and to put it upon its passage. It is merely for the purpose of correcting a bill which has been passed at this session for the erection of a public building in Savannah.

The SPEAKER. The joint resolution will be read, after which the Chair will ask for objections.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, &c., That the public building authorized to be erected at Savannah, Ga., by act of Congress approved July 1, 1886, may be located not less than 40 feet from any other building, instead of 50 feet, as provided in said act.

The SPEAKER. Is there objection to the present consideration of this joint resolution?

Mr. REED, of Maine. Will the gentleman from Georgia [Mr. Non-

Mr. REED, of Maine. Will the gentleman from Georgia [Mr. NOR-WOOD] please explain the reason for passing this joint resolution?

Mr. NORWOOD. The reason is this; Gentlemen who have visited Savannah know that the plan of the city is somewhat singular, and it has been found difficult to get a lot upon which this proposed building could be located at a distance of 50 feet from any other building unless by paying a higher price than the Government would be justified in paying. Therefore it was proposed to amend the requirement of the original bill so as to permit the building to be located at a distance of 40 feet from any other building, and this joint resolution is for that purpose. I have asked the opinion of the architect upon the subject, and I have his letter upon my desk stating that 40 feet will be sufficely. and I have his letter upon my desk stating that 40 feet will be suffi-

Mr. SPRINGER. This joint resolution provides that this may be built within 40 feet of some other building now erected?

Mr. NORWOOD. Yes. The act as it now stands requires tha distance shall not be less than 50 feet.

Mr. REED, of Maine. Is not 50 feet the customary distance? The act as it now stands requires that the

city and other gentlemen has shown that it would be very difficult, or very inconvenient, to find a lot upon which this building could be located at a distance of 50 feet from any other building. I ask that this

joint resolution be passed.

The joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and

Mr. NORWOOD moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The Clerk will report the title of the bill called up by the gentleman from Michigan [Mr. BURROWS].

Mr. BURROWS. The gentleman from Pennsylvania on my right

[Mr. O'NEILL] asks me to yield to him for a moment.

Mr. O'NEILL, of Pennsylvania. Mr. Speaker, I ask unanimous con-

sent to take up Senate bill 1909.

Mr. WISE. I object.

Mr. O'NEILL, of Pennsylvania. I think that as one unanimous consent has been given on the other side one ought now to be given on

The SPEAKER. The gentleman from Michigan will indicate the title of the bill he calls up.

Mr. LAIRD. Mr. Speaker, I take it that gentlemen on the other side will not object to this resolution to prevent the payment of \$160,000 for the Fort Brown reservation without any adequate consideration. I ask to have it read for the information of the House.

Mr. REAGAN. I shall object to everything, if this filibustering is

to go on.

Mr. REED, of Maine. The gentleman has no right to make that remark. It is entirely unwarranted.

The SPEAKER. The gentleman from Michigan will indicate the

bill he desires to call up.

JOEL D. MONROE.

Mr. BURROWS. I move that the Committee on Invalid Pensions be discharged from the further consideration of the bill (H. R. 4058) for the relief of Joel D. Monroe, with the President's veto thereon, and that the same be now considered.

Mr. REAGAN. I move to postpone the consideration of that bill until after action on the interstate-commerce bill.

The SPEAKER. The motion of the gentleman from Michigan is to

discharge the Committee on Invalid Pensions from the further consideration of the bill. The bill is not before the House for consideration until the committee is discharged.

Mr. SPRINGER. I rise to a question of order.

The SPEAKER. The bill is still in the Committee on Invalid Pen-

Mr. TOWNSHEND. But the gentleman from Texas may ask unanimous consent to postpone the consideration of that bill until after the interstate-commerce bill is disposed of.

The SPEAKER. Of course the gentleman can ask unanimous con-

Mr. SPRINGER. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. My point is that it is not in order to move, as a privileged matter, to discharge a committee from the consideration of a bill. Although the bill is privileged, yet it is in the hands of the committee, and it is the duty of that committee to report it.

The SPEAKER. The Constitution of the United States provides that the third states is the duty of the committee to report it.

that when the President returns a bill to the House in which it originated with his objections, that House shall proceed to reconsider it and determine whether the bill shall be again passed, the objection of the President to the contrary notwithstanding. The Constitution of the United States provides also that each House shall judge of the election, returns, and qualification of its own members, and may make its own rules for the government of its proceedings; and yet it has been always held that under that provision of the Constitution, which does not in terms make it imperative upon the House to proceed to consider election cases, a motion to discharge the Committee on Elections from the further consideration of a contested case and bring the same before the House was privileged. The Chair so decided only a few days ago when the gentleman from Georgia [Mr. Turner] moved to discharge the Committee on Elections from the further consideration of a con-tested case from the State of Rhode Island. The Chair thinks that the privilege in the present case is certainly equal to that in the case of a contested election.

Mr. SPRINGER. But if our rules have sent this bill to a committee for its consideration the same Constitution gives us the right to make our own rules.

The SPEAKER. But the rules did not send it to the committee.

Mr. SPRINGER. The House did.

The House did in this case. The rules expressly The SPEAKER. Mr. REED, of Maine. Is not 50 feet the customary distance?

Mr. NORWOOD. It may be, but investigation by the mayor of the Committee on Elections, and yet the Chair holds that a motion to discharge that committee from the further consideration of such a case and bring it before the House is a privileged motion.

Mr. TOWNSHEND. Mr. Speaker, was there objection to my request for unanimous consent that the consideration of this bill be postponed until after we shall have considered the interstate-commerce bill?

The SPEAKER. The Chair has not yet stated that request. The gentleman from Illinois [Mr. Townshend] asks unanimous consent to discharge the committee from the further consideration of this bill and message, and postpone the consideration of it until after the bill known as the interstate-commerce bill has been disposed of. Is there objection?

objection?
Mr. BURROWS and others objected.
Mr. TOWNSHEND. Who objects?
The SPEAKER. Several gentlemen object.
Mr. REAGAN. I desire to inquire whether the committee in reporting a bill is not thereby discharged?
The SPEAKER. It is; but this bill has not been reported. The House has the power to discharge this committee from the consideration of a bill and bring it into the House for consideration.
Mr. SPRINGER. Is this a new means of filibustering against the interstate commerce bill?

interstate-commerce bill?

Mr. BURROWS. It is a means of considering the messages vetoing pension bills.

Mr. SPRINGER. There is only one person interested in this pension bill, while sixty millions of people are interested in the other measure.

Mr. REAGAN. I raise the question of consideration.

Mr. BURROWS. Regular order.

The SPEAKER. Debate is not in order under the rules. The gen-

tleman from Texas raises the question of consideration; and the question is, Will the House now proceed to consider the bill?

Mr. REED, of Maine. Mr. Speaker, can the question of consideration be raised on the motion to discharge a committee?

The SPEAKER. The Chair begs pardon. This is not a proposition to call up the bill for consideration but to discharge the committee.

The only way to defeat it is to refuse to agree to the motion. The bill is not now before the House for consideration.

Mr. MATSON. Is the motion divisible?

The SPEAKER. It is not; because if the committee is discharged the bill is then before the House as a privileged measure. The questions of the property of the second transfer of the seco tion now is upon discharging the Committee on Invalid Pensions from the further consideration of the bill.

The SPEAKER (having put the question). The ayes seem to have it. Mr. REAGAN. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. TOWNSHEND. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOWNSHEND. If the consideration of these messages vetoing pension bills be now postponed—if the House determines not to act on those questions at this time-would that bring up for consideration the interstate-commerce bill?

The SPEAKER. That would depend altogether upon the subsequent action of the House.

Mr. TOWNSHEND. It is generally admitted that would be the re-

Al Ba Ba Ba Ba Ba Ba Ba Ba Ba

The SPEAKER. The question of consideration can be raised against the interstate-commerce bill as well as against others. The Clerk will call the roll.

The question was taken; and it was decided in the negative-yeas 90, nays 117, not voting 115; as follows:

Allen, C. H. Atkinson, Bayne, Bound, Browne, T. M. Brown, C. E. Brown, W. W. Buchanan, Buck, Bunnell, Burleigh, Burrows, Campbell, J. M. Cannon, Carleton, Conger, Davis, Dorsey, Ellsberry, Ely, Evans,	Felton, Fleeger, Funston, Geddes, Grout, Hayden, Hepburn, Hermann, Hiestand, Hires, Hiscock, Hitt, Holmes, Hopkins, Jackson, James, Johnson, F. A Johnston, J. T. Kelley, Ketcham, La Follette,	Lindsley, Little, Long, McComas, Millard, Milliken, Moffatt, Morrill, Negley, Nelson, O'Neill, Charles Osborne, Parker, Payne, Peters, Pettibone, Pirce, Plumb, Price, Reed, T. B, Rice,	Rowell, Ryan, Sawyer, Seranton, Sessions, Spooner, Stephenson, Stewart, Charles Stone, E. F. Strait, Swinburne, Thomas, O. B. Thompson, Wade, Warner, William Weaver, A. J. Weber, White, A. C. White, Milo Wilkins, Woodburn.
Ely, Evans, Everhart, Farquhar,			

NAYS-117.

llen, J. M.	Cabell.	Cox.	Doughert
arnes,	Campbell, Felix	Crain,	Dowdney
elmont,	Catchings,	Crisp,	Dunn,
ennett,	Clardy,	Croxton.	Eden,
land,	Clements,	Culberson,	Eldredge.
lount,	Cobb.	Curtin,	Fisher,
reckinridge, C.R.	Collins,	Daniel,	Forney,
reckinridge, WC	P.Comstock,	Davidson, A. C.	Frederick
vnum.	Cooper,	Dockery,	Fuller,

ay.	Jones, J. T.	Neece.	St. Martin,	
ibson, C. H.	Kleiner,	Norwood,	Swope,	
lass.	Laffoon,	Oates,	Tarsney,	
off,	Landes.	O'Ferrall,	Taulbee,	
reen, W. J.	Lanham,	Outhwaite,	Taylor, Zach.	
Iall.	Lawler,	Peel.	Townshend,	
Ialsell,	Le Fevre,	Perry,	Trigg.	
Iarris,	Lore,	Pideock,	Turner,	
Iatch,	Lovering,	Pindar, .	Van Eaton,	
Ieard.	Lowry,	Reagan,	Viele,	
Iemphill,	Martin,	Reid, J. W.	Wallace,	
Ienderson, D. B.	Matson,	Richardson,	Ward, J. H.	
Ienderson, J. S.	Maybury,	Sayers,	Ward, T. B.	
Ierbert,	McCreary,	Seney,	Weaver, J. B.	
lewitt.	McMillin,	Seymour,	Wheeler,	
Iolman,	McRae,	Shaw,	Wilson,	
Ioward,	Mills,	Skinner,	Wise.	
Iutton,	Morgan,	Snyder,	Worthington.	
rion,	Morrison,	Sowden.		
ohnston, T. D.	Murphy,	Springer,		
ones, J. H.	Neal,	Stahlnecker,		

	NOT VO	TING-115.	
Adams, G. E. Adams, J. J.	Cutcheon, Dargan,	King, Libbey,	Singleton, Smalls,
Aiken,	Davenport,	Louttit,	Spriggs,
Anderson, C. M.	Davidson, R. H. M.	Lyman,	Steele,
Anderson, J. A.	Dawson,	Mahoney,	Stewart, J. W.
Arnot,	Dibble,	Markham,	Stone, W. J., Ky.
Baker,	Dingley,	McAdoo,	Stone, W. J., Mo.
Ballentine,	Dunham,	McKenna,	Storm,
Barbour,	Ermentrout,	McKinley,	Struble,
Barksdale,	Findlay,	Merriman,	Symes,
Barry,	Foran,	Miller,	Taylor, E. B.
Beach,	Ford,	Mitchell,	Taylor, J. H.
Bingham,	Gallinger,	Morrow,	Taylor, J. M.
Blanchard,	Gibson, Eustace	Muller,	Thomas, J. R.
Bliss,	Gilfillan,	O'Donnell,	Throckmorton,
Boutelle,	Glover,	O'Hara,	Tillman,
Boyle,	Green, R. S.	O'Neill, J. J.	Tucker,
Brady,	Grosvenor,	Owen,	Van Schaiek,
Bragg,	Guenther,	Payson,	Wadsworth,
Brumm,	Hale,	Perkins,	Wait,
Burnes,	Hammond,	Phelps.	Wakefield,
Butterworth,	Hanback,	Randall,	Warner, A. J.
Caldwell.	Harmer,	Ranney,	Wellborn,
Campbell, J. E.	Haynes,	Reese,	West,
Campbell, T. J.	Henderson, T. J.	Riggs,	Whiting,
Candler,	Henley,	Robertson,	Willis,
Caswell,	Hill,	Rogers,	Winans,
Compton,	Houk,	Sadler,	Wolford.
Cowles,	Hudd,	Scott,	March II I I I I I I I I I I I I I I I I I

So the House refused to discharge the committee from the further consideration of the bill.

During the roll-call,
Mr. BAYNE said: I move by unanimous consent that the reading of the names be dispensed with.

There was no objection, and it was so ordered.

Mr. LITTLE. Mr. Speaker, I am authorized to say that my colleague, Mr. McKinley, were he present and not paired, would vote "ay" on this question and similar ones.

The following additional pair was announced:

Mr. O'NEILL, of Missouri, with Mr. PAYSON, for the remainder of the day.

The vote was then announced as above recorded.

INTERSTATE-COMMERCE BILL.

Mr. REAGAN. I move to proceed to the consideration of the special

order, which is the interstate-commerce bill.

Mr. PERKINS. I desire to call up a matter of privilege. I move that the Committee on Invalid Pensions be discharged from the further consideration of the bill H. R. 7257 granting a pension to James H. Dar-

The SPEAKER. Does the gentleman ask unanimous consent or

does he make a motion?

Mr. PERKINS. I make the motion that the committee be discharged from the further consideration of that bill.

The SPEAKER. Is it a vetoed bill? Mr. PERKINS. It is.

Mr. PERKINS. It is.
Mr. MATSON. Mr. Speaker, I ask that by unanimous consent we may come to some agreement to take up pension bills and the accompanying veto messages of the President which have been reported and

panying veto messages of the President which have been reported and are now upon the Calendar. And after those bills have been disposed of we can then take up the interstate-commerce bill.

Mr. REED, of Maine. That is all right.

Mr. TOWNSHEND. That is accepted.

Mr. MATSON. So far as the bills on the Calendar are concerned, it is the purpose of the committee and everybody else to consider them. Those which have not been reported have not been reported because

they have not yet been considered by the committee.

The SPEAKER. The gentleman from Indiana [Mr. MATSON] asks that by unanimous consent the House shall proceed to the consideration of pension bills with the veto messages now on the Calendar in the order in which they stand, and after they have been disposed of that then the House shall proceed to the consideration of the interstate-commerce bill. [Cries of "All right!"]

Mr. REAGAN. Are they to be debated?

The SPEAKER. The Chair can not answer that.

Mr. BURROWS. They are to be debated, of course.

Mr. REAGAN. Mr. Speaker, my experience here to-day shows me this agreement would be of no avail if these bills are every one of them to be open to debate.

Mr. MATSON. For the purpose of testing the sense of the House I ask that these bills be considered without debate. [Cries of "Regu-

lar order!"

Mr. REED, of Maine. That is not right. I wish an opportunity to say a word. Now, it is not fair to strip us of that opportunity by calling the regular order after two gentlemen have spoken on the other side. I wish to say we want these pension vetoes considered. We want them considered fairly in proportion to their merits. There is no disposition on this side to consume time except so far as necessary to elucidate these pension cases and bring them fairly and justly before the House. I make that statement as to my intention, and I believe it is the intention of every man on this side of the House. We have been bringing them up for that purpose and for no other.

Mr. REAGAN. Let us dispose of this interstate-commerce bill,

which will not take longer than fifteen minutes, and then we can go on

with the other bills to which the gentleman has referred.

Mr. REED, of Maine. These are privileged under the Constitution. We have a right to consider them, and they ought to be considered. As soon as they are considered there will be unanimous consent granted to take up the other bill.

Mr. REAGAN. Yesterday was spent in a proceeding which might have been completed in an hour or two. Every opportunity was taken

have been completed in an hour or two. Every opportunity was taken advantage of to prevent calling up the interstate-commerce bill. To-day every time I called that bill up a pension bill was up to antagonize it.

Mr. REED, of Maine. That is not correct.

Mr. REAGAN. This is a bill which the country has been demanding the passage of for fourteen years.

Mr. PERKINS. The Senate or Cullom bill is far better than the one the gentleman is advocating.

Mr. REAGAN. The interstate-commerce bill is one which affects the interest of sixty millions of people, yet gentlemen stand up here and antagonize it by privileged motions of small importance in themselves simply for the purpose of defeating it.

Mr. REED, of Maine. I deny that statement in toto. It has no foundation in the actual facts which have occurred before this House. If the gentleman does not get up his interstate-commerce bill and have

If the gentleman does not get up his interstate-commerce bill and have it considered it is because he objects to-day and will not consent to the fair proposition of the gentleman from Indiana.

Mr. REAGAN. I am ready to vote on it now and have been ready all the time, and the gentleman from Maine will not succeed in deceiv-

ing the country.

Mr. REED, of Maine. I do not intend to deceive anybody.

The SPEAKER. The Chair understands the gentleman from Indiana desires to submit a further modification of the proposition.

Mr. MATSON. I will further modify it by limiting the debate upon each bill to ten minutes on each side. [Cries of "Very well!" on the Republican side.]
Mr. REED, of Maine. I agree to that.
Mr. REAGAN. That will be acceptable to me.

Mr. BROWN, of Pennsylvania. That is fair. [Cries of "All right!" on the Republican side.]

Mr. BURROWS. Ten minutes on each side I think will be entirely satisfactory to this side of the House.

satisfactory to this side of the House.

Mr. REAGAN. Does that include the reading of the reports?

Mr. REED, of Maine. Not to include the reading of the reports.

Mr. WEAVER, of Iowa. That is a new modification not embraced in the request of the gentleman from Indiana.

The SPEAKER. The reports are not lengthy.

Mr. SPRINGER. I rise to a parliamentary inquiry. Is it not necessary, under the Constitution, to have a yea-and-nay vote upon the passage of each of these bills?

The SPEAKER. It is

The SPEAKER. It is.

Mr. SPRINGER. There are six bills on the Calendar; it will take

all day to-day and all day to-morrow to complete this order.

The SPEAKER. The Chair will submit the request of the gentleman from Indiana to the House. The gentleman asks unanimous consent to proceed to the consideration of the pension bills with the veto messages of the President now on the Calendar in the order in which they stand, debate upon each bill to be limited to ten minutes on each side, not to include the time of the reading of the reports.

Mr. WEAVER, of Iowa. That was not the proposition. Mr. REED, of Maine. But that will be necessary; the reports must

be read and will not consume much time.

Mr. REAGAN. That is a new modification.

Mr. REED, of Maine. There will be no objection on this side with the modification. The reports ought to be read.

Mr. MATSON. Any gentleman can have the report read in his own

Mr. REED, of Maine. You will obviate all objection on the part of everybody on this side if that arrangement will satisfy gentlemen over there.

Mr. MATSON. The trouble is there will be objections on this side.
Mr. REED, of Maine. That, of course, is a different matter.
Mr. HISCOCK. We will agree with the other side to stay here a

month if necessary to consider the interstate-commerce bill. [Derisive laughter and cries of "Oh!" on the Democratic side.]

Mr. SPRINGER. I ask unanimous consent to take a vote upon the

interstate-commerce bill now.

Several members objected.

Mr. BURROWS. Will the Chair state the proposition of the gentleman from Indiana?

The SPEAKER. The Chair understands that the gentleman from Indiana declines to modify his first suggestion.

Mr. MATSON. I do decline.

The SPEAKER. The Chair will again state, then, that the gentleman asks unanimous consent to proceed now to consider the pension bills with the President's veto messages on the Calendar in the order in which they stand, the debate upon each bill to be limited to ten minutes on each side, and when these bills are completed that the House proceed to consider the interstate-commerce bill.

Mr. O'NEILL, of Pennsylvania. I wish to ask a question for information whether that gives the interstate-commerce bill any headway more than it is entitled to now?

The SPEAKER. That is not a question for the Chair to determine. Mr. O'NEILL, of Pennsylvania. If it does I shall object, for I do not want to give it any precedence other than it will have under the care and management of the gentlemen from Texas, and if this arrangement will bring it up positively I certainly would not accede to it.

Mr. RYAN. The gentleman in that statement does not represent

Mr. RYAN. The g

Mr. REED, of Maine. I do not object, I want it understood. I am perfectly willing to agree to the suggestion made with the modification

that the reports be read.

Mr. O'NEILL, of Pennsylvania. I object to the arrangement.

Mr. O'NEILL, of Pennsylvania. I object to the arrangement.
Mr. HENDERSON, of Iowa. I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. HENDERSON, of Iowa. Has the previous question been ordered on the interstate-commerce bill?

The SPEAKER. It has not.

Mr. REAGAN. I demand the regular order.

ONE II. of Pennsylvania. Let me ask for information again. Mr. O'NEILL, of Pennsylvania. Let me ask for information again. Perhaps I will withdraw the objection. I understand that ten minutes on each side is to be allowed for debate, not including the reading of the reports.

The SPEAKER. The gentleman from Indiana declines to modify

The SPEAKER. The gentleman from Indiana declines to modify it in that way.

Mr. O'NEILL, of Pennsylvania. At the suggestion of gentlemen around me I withdraw the objection.

Mr. CUTCHEON. I wish to make a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. CUTCHEON. Would the reading of the reports come entirely out of the time occupied in favor of the bills?

The SPEAKER. The reading of the report in each case would come out of the time of any gentleman who chose to ask for its reading. They will not be read at all unless some gentleman asks for their reading in his own time. ing in his own time.

Mr. DUNN. I desire to ask another question. I would like to ask the gentleman from Pennsylvania, and generally other gentlemen on that side of the House, if it is understood that nobody on that side is in any manner to oppose the consideration of the interstate-commerce bill? [Cries of "No!"]

Mr. MILLIKEN. Why, you do not expect us to take that bill with-

out some modification or amendment?

Mr. DUNN. I object.
Mr. BROWNE, of Indiana. Let us have the regular order.
Mr. REAGAN. I understand agreement is asked to the proposition that the bills on the Calendar—
The SPEAKER. The regular order is demanded. The Chair can

not hear a word the gentleman from Texas says in consequence of the confusion on the floor. [Cries of "Regular order!"]

Mr. REAGAN. Objection is made to the arrangement, I believe?

The SPEAKER. Objection has been made.

The question is, Will the House discharge the Committee on Invalid Pensions from the further consideration of the bill the title of which the Clerk will report?

The Clerk read as follows:

Abill (H. R. 7257) granting a pension to James W. Darling.

Mr. REAGAN. On that I raise the question of consideration. The SPEAKER. There is no question of consideration. This is a motion to discharge the committee.

Mr. REAGAN. On that I demand the yeas and nays.

The yeas and nays were ordered.

ENROLLED BILL SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the fol-

lowing title; when the Speaker signed the same:

A bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes.

JAMES H. DARLING.

The question was taken; and there were-yeas 87, nays 112, not voting 123; as follows:

	NA:	YS-112.	
Allen, J. M. Barnes,	Dougherty, Dowdney,	Jones, J. H. Jones, J. T.	Pindar, Reagan,
Belmont,	Dunn,	Kleiner,	Reid, J. W.
Bennett,	Eden,	Laffoon,	Richardson,
Bland,	Eldredge,	Landes,	Sayers,
Blount,	Fisher,	Lanham,	Seney,
Boyle,	Forney,	Le Fevre,	Seymour,
Breckinridge, C. F.		Lore,	Shaw,
Breckinridge, WC		Lovering,	Singleton,
Burnes,	Gay,	Lowry,	Skinner,
Bynum,	Glass,	Mahoney,	Sowden,
Cabell,	Goff,	Martin,	Springer,
Campbell, Felix	Hale,	McCreary,	Stewart, Charles
Clements,	Hall,	McMillin,	Swope,
Cobb,	Halsell,	McRae,	Tarsney,
Collins,	Harris,	Mills,	Taulbee,
Comstock,	Hatch,	Morgan,	Townshend,
Conger,	Heard,	Morrison,	Trigg,
Cooper,	Hemphill,	Murphy,	Turner,
Cowles,	Henderson, D. B.	Neal,	Van Eaton,
Cox,	Henderson, J.S.	Neece,	Viele,
Crain,	Herbert,	Norwood,	Ward, J. H.
Crisp,	Hewitt,	Oates,	Ward, T. B.
Croxton,	Holman,	O'Ferrall,	Weaver, J. B.
Culberson,	Howard,	Outhwaite,	Wheeler,
Daniel,	Hutton,	Peel,	Wilson,
Davidson, A. C.	Irion,	Perry,	Winans,
Dockery,	Johnston, T. D.	Pidcock,	Worthington.

	NOT VO	TING-123.	
Adams, G. E. Adams, J. J. Aiken, Anderson, C. M.	Davenport, Davidson, R. H. M. Dawson, Dibble,	Lawler, Libbey, Louttit, Matson,	Snyder, Spriggs, Stahlnecker, Steele.
Anderson, J. A.	Dingley,	Maybury,	Stewart, J. W.
Arnot.	Dunham,	McAdoo,	St. Martin,
Baker,	Ellsberry,	McKinley,	Stone, E. F.
Ballentine,	Ermentrout,	Merriman,	Stone, W. J., Ky.
Barbour,	Findlay,	Miller,	Stone, W. J., Mo.
Barksdale,	Foran,	Mitchell,	Storm,
Barry,	Ford,	Morrow,	Struble,
Beach,	Gallinger,	Muller,	Taylor, E. B.
Bingham,	Gibson, C. II.	Negley,	Taylor, I. H.
Blanchard,	Gibson, Eustace	O'Donnell,	Taylor, J. M.
Bliss,	Gilfillan,	O'Hara,	Taylor, Zach.
Boutelle,	Glover,	O'Neill, J. J.	Thomas, J. R.
Brady,	Green, R. S.	Owen,	Throckmorton,
Bragg,	Green, W.J.	Payson,	Tillman,
Brumm,	Grosvenor,	Phelps,	Tucker,
Burleigh,	Hammond,	Price,	Van Schaick,
Butterworth,	Hanback,	Randall,	Wadsworth,
Caldwell,	Harmer,	Ranney,	Wait,
Campbell, J. E.	Haynes,	Reese,	Wakefield,
Campbell, T. J.	Henderson, T. J.	Riggs,	Wallace,
Candler,	Henley,	Robertson,	Warner, A. J.
Caswell,	Hermann,	Rogers,	Wellborn,
Catchings,	Hill,	Romeis,	White, Milo
Clardy,	Houk,	Sadler,	Willis,
Compton,	Hudd,	Sawyer,	Wise,
Curtin.	King,	Scott,	Wolford,

Laird, So the motion was not agreed to.

Mr. BAYNE. I ask unanimous consent that the reading of the names be dispensed with.

Smalls.

There was no objection.

Dargan,

The following additional pairs were announced for the rest of the

Mr. LAWLER with Mr. BRADY.

Mr. SNYDER with Mr. LAIRD.

Mr. MATSON with Mr. SAWYER.

Mr. WALLACE with Mr. ZACH. TAYLOR.

The result of the vote was then announced as above stated.

ORDER OF BUSINESS.

Mr. REAGAN. I call up the special order. The SPEAKER. That has been already called up.

Mr. DUNN. I am satisfied the statement I made a few moments ago was not understood. I wish to repeat it-Mr. REED, of Maine. Regular order.

Mr. DUNN. I wish to repeat it, and then I shall withdraw my ob-ction. [Cries of "Regular order!"] I withdraw my objection. Mr. REED, of Maine. That is enough.

The SPEAKER. Objection is withdrawn to the request of the gentleman from Indiana [Mr. MATSON]. Is there any further objection?
Mr. BURROWS. Will the Chair please repeat what is the request?
Mr. REAGAN. I want to know if it is understood that when these pension bills have been voted on the interstate-commerce bill is to be taken un?

The SPEAKER. That is the request. The Chair was about to state it. The gentleman from Indiana [Mr. Matson] asks unanimous consent that the House proceed to the consideration in the order in which they stand on the Calendar of the pension bills with vetoes by the President; that ten minutes be allowed for debate on each bill on each side, and when the consideration of these bills is completed the House will proceed to the consideration of the interstate-commerce

Mr. O'NEILL, of Pennsylvania. I object to the latter part of the arrangement

Mr. BAYNE. I make the suggestion, Mr. Speaker, that it appears

to be in vain now to make efforts to bring up these bills—
Mr. O'NEILL, of Pennsylvania. I withdraw my objection for the

The SPEAKER. It is not enough to withdraw the objection for the present.

Mr. O'NEILL, of Pennsylvania. I want to know whether this arrangement, if it be agreed to, gives headway to the interstate-commerce

The SPEAKER. It is part of the arrangement that when the consideration of these pension bills is completed the House will proceed to the consideration of the interstate-commerce bill.

Mr. O'NEILL, of Pennsylvania. I am very much embarrassed. I want to see these pension bills passed over the President's veto, and I reluctantly withdraw my objection.

Mr. TAULBEE. I desire to ask a question with regard to this agreement. If the agreement is had, and the friends of any of these pension bills do not want them considered can they be passed over?

sion bills do not want them considered, can they be passed over?

The SPEAKER. When a bill comes up for consideration it can be postponed. There is consideration in some form or other to be completed. And so the interstaté-commerce bill, when it comes up, may be postponed by a vote of the House; but under the arrangement, after the consideration of the other bills is completed it will come up for consideration. The Chair hears no further objection to the arrangement. The Clerk will report the first pension bill on the Calendar returned by the President without his approval.

ANDREW J. WILSON.

The Clerk read as follows:

A bill (H. R. 7108) granting a pension to Andrew J. Wilson.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Wilson, late a private in Company F, Ninety-sixth Regiment New York Volunteers.

The SPEAKER. By order of the House twenty minutes are allowed for debate

Mr. REAGAN. Ten minutes.

The SPEAKER. Twenty minutes are allowed for debate, ten minutes on each side.

Mr. REAGAN. I did not so understand it.

The SPEAKER. The Chair stated it every time very distinctly. Mr. SAWYER. I desire to call the attention of the House to the facts in this case. I wish to state first that I am personally acquainted with the claimant in this case and with every witness who has given testimony before the Pension Office with the exception of three persons. The claimant, according to the undisputed evidence, was drafted in the month of March, 1862 or 1863, I have forgotten which year.

At the time he was drafted he claimed that he was exempt from the draft on account of his deafness and a spasmodic twitching of the eye which rendered it impossible for him ever to learn to read. He was notified that he must appear at the office of the provost-marshal in the city of Rochester. In accordance with that notice he appeared before the examining surgeon. Two gentlemen from the village of Albion, where the claimant lived, and where I have lived for forty years, were present. At the time he appeared before the provost-marshal two acquaintances of his were present; one of them, Mr. George W. Bedell, then a deputy in the provost-marshal's office, and the other a gentle-man named Spencer. They had known Wilson from his boyhood. They prepared certain papers for him, setting forth the disabilities which unfitted him for military service. Those papers were presented to the provost-marshal. He examined the papers, and then the surgeon proceeded to examine Wilson. After the examination the surgeon pronounced him "sound as a nut" (to use the language of Mr. Bedell), and said that he would make a good soldier, and he was ordered to report

Now I wish to call the attention of the House to the fact that in the

case of this man Andrew Wilson it can not be claimed that he was trying to procure the large bounty which was then being paid to volunreasons had never volunteered; but the Government, with its strong arm, took hold of him and said that he must enter the service, the examining surgeon, the agent of the Government, selected by it to examine every drafted man, reporting that he had examined him and prononneed him sound.

Wilson was ordered to report to the Ninety-sixth Regiment of New York Volunteers, in which regiment he did not know a solitary man. He went into the service and served in Virginia from March until September. Marching in the midst of storms, unprotected by blanket or tent, he contracted rheumatism, and he was also confined in the hos-

pital at one time for diarrhea.

At another time, going to the building in which the soldiers then had their barracks, in passing up an outer flight of stairs, the stairs broke and he fell and was injured. Still, the claim for pension is mostly on account of the rheumatism which he contracted in the service. He makes no claim whatever for deafness. In the month of September of the same year he was discharged on account of chronic nephritis, which, as I understand it, is some kind of a kidney difficulty, and also on account of deafness, and in the certificate of discharge the physician, who never had known him until he joined the regiment, made the statement that those disabilities had existed at the time of his enlist-ment. That is all the evidence there is in this case in any shape or form which refers to the disabilities having existed at the time of enlistment. I make this statement after a thorough examination of every paper in the case on file in the Pension Office.

The first point I make is this, that the Government having forced this man into its service, and the agent appointed by the Government to examine him having examined him and declared him sound at the time he entered the service, by all the rules of fairness and justice the Government ought now to be estopped from claiming that he was unsound at that time. I wish to appeal to every gentleman on this floor on both sides of the House to say whether it is right for the Government. ment when it lays its strong hand upon a man and drags him into its service, notwithstanding his protest that he is not liable to military duty on account of specific difficulties—whether it is right, after the Government forces him into the service and subsequently discharges him for certain disabilities, to turn around and say when he applies for a pension that those disabilities existed at the time when it forced him into the service.

Will the gentleman permit me a question?

Mr. SOWDEN. Mr. SAWYER.

Mr. SAWYER. Yes, sir.
Mr. SOWDEN. If this man was so disabled in the service I would like to know why he delayed making his application for a pension from

1865 to 1882, more than seventeen years?

Mr. SAWYER. I will answer the gentleman to the best of my ability. If the man was disabled when he left the service of the Government, and from that time until the present has been disabled, it is not fair for the Government to say to him, "You have deferred your application for a pension too long." During these seventeen years the man has not received one farthing of pension at the hands of the Government.

One further statement: It appears by the papers in the Pension Office that two examining boards have declared this man to be disabled, and the chairman of the board of review states in a certificate over his own

signature that the disability which the claimant proves by affidavit is the same disability for which he was discharged. The next point I desire to make is this: that the man when he entered the service was entirely sound, so far as regards any disease for which he claims a pension. He does not make claim for pension on ac-count of deafness, but he does on account of rheumatism. The claimant was a mason; and it appears by the testimony of men with whom he had worked for years that before entering the service of the Government he was a strong, able-bodied man, engaged daily in plastering walls and ceilings, handling heavy material and carrying large hods of mortar; that down to the time when he was drafted he was a sound and healthy man. It appears by the testimony of three men who have known him over twenty years that when he was drafted they had never heard of his having had anything like rheumatism. Yet at the Pension Office this claim was rejected on the ground that the disability existed at the time he was drafted.

Here the hammer fell.]

Mr. SAWYER. I will only add that the report of the Committee on Invalid Pensions is unanimous in favor of the passage of this bill not-

withstanding the veto.

The SPEAKER. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding? On this question the Constitution requires that the yeas and nays be taken. The Clerk will call the roll.

The question was taken; and there were-yeas 106, nays 85, not voting 131; as follows:

YEAS-106.

Atkinson, Baker, Barry, Bayne, Browne, T. M. Brown, C. E.

Brown, W. W. Brumm.

Buchanan. Buck, Bunnell, Burleigh, Burleigh,
Burrows,
Butterworth,
Campbell, J. M.
Cannon,
Comstock,
Conger, Cooper, Cutcheon, Davis, Dorsey, Eldredge, Ellsberry, Ely, Evans, Everbart, Farguhar, Felton, Fleeger, Frederick, Fuller, Funston,

Geddes, Goff, Grout, Hall, Hayden, Henderson, D. B. Hepburn, Hermann, Hires, Hiscock, Hitt, Holman, Holman,
Holmes,
Howard,
Jackson,
James,
Johnson, F. A.
Johnston, J. T.
Ketcham,
Kleiner,
La Follette,
Landes,
Lehlbach,
Little,
Long, Long,

Lyman, Markham, Maybury, McComas, McKenna. Millard, Milliken, Moffatt, Negley, Nelson, O'Neill, Charles Osborne, Parker,
Payne,
Perkins,
Peters,
Pettibone,
Pirce,
Plumb, Price, Reed, T. B. Rice, Rockwell,

Lovering.

Rowell, Ryan, Seney, Sessions, Spooner, Stephenson, Strait, Struble, Swinburne, Swope, Symes, Tarsney, Taulbee, Taylor, Zach. Thomas, O. B. Townshend, Viele, Wade, Warner, A. J. Weaver, J. B. Weber, West. Swope, West, White, A. C.

NAYS-85

Jones, J. H.
Jones, J. T.
Laffoon,
Lanham,
Lore,
Lowry,
Mahoney,
Martin,
McCreary,
McMillin,
McRae Daniel, Davidson, A. C. Dowdney, Dunn, Eden, Ermentrout, Fisher, Forney, Gay Allen, J. M. Barnes, Belmont, Bennett, Bland, Blount, Boyle, Breckinridge, C. R. Breekinridge, WCP. Gay, Gibson, C. H. Green, W. J. Halsell, Harris, Hatch, Cabell, Campbell, Felix Catchings, Clardy, Clements, McRae, Mitchell, Morgan, Morrison, Hatch,
Hemphill,
Henderson, J. S.
Herbert,
Hewitt,
Hudd,
Hutton,
Lrion Morrison, Neal, Norwood, O'Ferrall, Outhwaite, Peel, Reagan, Reid, J. W. Richardson, Cobb, Cowles, Cowles, Cox, Crain, Crisp, Croxton, Culberson, Curtin, Irion, Johnston, T. D.

Riggs, Sayers, Seymour, Shaw, Skinner, Skinner, Sowden, Springer, Stahlnecker, Stewart, Charles St. Martin, St. Martin, Trigg, Turner, Van Eaton, Wallace, Ward, T. B, Wheeler, Wilkins, Wilson, Wise. –

NOT VOTING-131.

Adams, G. E.
Adams, J. J.
Aiken,
Allen, C. H.
Anderson, C. M.
Annot,
Ballentine,
Barbour Dingley, Dockery, Dougherty, Dunham, Findlay, Foran, Lindsley, Smalls, Louttit, Matson, McAdoo, McKinley, Snyder. Shyder, Spriggs, Steele, Stewart, J. W. Stone, E. F. Stone, W. J., Ky. Stone, W. J., Mo. Merriman, Miller, Mills, Morrill, Morrow, Muller, Ford, Gallinger, Gibson, Eustace Gilfillan, Stone, W. J., Mo.
Storm,
Taylor, E. B.
Taylor, I. H.
Taylor, J. M.
Thomas, J. R.
Thompson,
Throckmorton,
Tillman,
Tunker Barbour, Barksdale, Beach, Bingham, Glover, Green, R. S. Grosvenor, Guenther, Hale, Hammond, Murphy, Oates, O'Donnell, O'Hara, O'Neill, J. J. Blanchard, Bliss, Bound, Boutelle, Boutelle,
Brady,
Bragg,
Burnes,
Bynum,
Caldwell,
Campbell, J. E.
Campbell, T. J.
Carleton,
Caswell,
Collins. Tucker, Van Schaick, Wadsworth, Wait, Wakefield, Owen, Hanback, Harmer, Haynes, Heard, Payson, Perry, Phelps, Pidcock, Ward, J. H. Warner, William Weaver, A. J. Wellborn, White, Milo Henderson, T. J. Pindar, Randall. Healey, Hiestand, Hill, Hopkins, Ranney, Reese, Robertson, Houk, Kelley, King, Laird, Lawler, Le Fevre, Libbey, Robertson, Rogers, Romeis, Sadler, Sawyer, Scott, Scranton, Singleton, Whiting, Willis, Wils, Winans, Wolford, Woodburn, Worthington. Collins. Compton, Dargan, Davenport, Davidson, R. H. M. Dawson, Dibble,

So (two-thirds not voting in the affirmative) the bill was not repassed.

Mr. SAWYER. Mr. Speaker, I had paired with the gentleman from Indiana [Mr. MATSON], not supposing that this bill would be reached; and that is the reason I have not voted. If not paired, I would vote

ay."
The following pairs were announced:
Mr. RANDALL with Mr. HARMER.

Mr. KING with Mr. GUENTHER, for the rest of the day.

Mr. DOCKERY with Mr. WARNER, of Missouri, for the rest of the day. Mr. RANDALL. I desire to withdraw my vote. I find I am paired with my colleague [Mr. HARMER], who, if present, would vote "ay." If at liberty to vote, I should vote "no."

The SPEAKER. On this question the yeas are 106, the nays 85.

I wo-thirds not having voted in the affirmative, the bill is not passed. The hour of 5 o'clock having arrived, the House now takes a recess until 8 o'clock, the evening session to be for the consideration of private bills in accordance with the special order.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) was called

to order by Hon. BENTON MCMILLIN, who directed the reading of the following communication:

SPEAKEE'S ROOM, HOUSE OF REPRESENTATIVES, July 29, 1886. Mr. McMillin, of Tennessee, is designated to preside as Speaker pro tempore for the session of the House of Representatives this evening.

JOHN G. CARLISLE, Speaker.

To Hon John B. Clark, Jr., Clerk House Representatives.

ORDER OF BUSINESS.

The SPEAKER pro tempore. The Clerk will read the resolution under which the House assembles to-night.

The order for the evening session was read.

Mr. SPRINGER. I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Cal-

endar under the special order.

Mr. DUNN. Will the gentleman allow me, before that is done, to make a request for unanimous consent in order to reach a bill which probably can not be reached to-night under the order? I will take it as a great favor.

Mr. SPRINGER. I think we can facilitate matters by proceeding

under some sort of a rule.

Mr. DUNN. It is not likely that the committee will reach this bill on the Calendar-

Mr. SPRINGER. I want to make a suggestion when the Kouse re-solves itself into Committee of the Whole that I think will facilitate

I will state to the gentleman that this bill is simp to grant the right of way through the Indian Territory from Fort Smith to Albuquerque, and it is a measure which we have attempted to get through a number of Congresses. It is of great importance to the whole

Southwest for railroad purposes.

Mr. HOLMAN. Let it rest until toward the last, and we can then take it up later in the evening.

Mr. DUNN. I fear it can not be reached.

Mr. SPRINGER. I desire to ask unanimous consent of the House that we first consider Senate bills on the Calendar against the considthat we first consider Senate bills on the Calendar against the consideration of which objection may not be made, and then proceed to take up such House bills on the Calendar, either by unanimous consent or in their regular order, as we may reach.

Mr. PAYNE. How many Senate bills are there?

Mr. SPRINGER. The difficulty is, I will state, that the House bills

which pass now must go to the Senate and be referred to the respective

The Committee on Claims of that body will not hold any more sessions during the present session of Congress, and it will simply be a waste of time to send House bills to them, for they can not be considered there. It will also entail a great deal of labor upon the engrossing clerks of the House, especially at a time when they are already overwhelmed with the important and responsible work of engrossing the appropria-tion bills. All Senate bills that we pass can become laws this session, and it is with a view to facilitating that business that we have asked

and it is with a view to lacintating that business that we have asked
the session to-night.

Mr. HERMANN. Is it intended that these bills are to be taken up
in their order as they appear upon the Calendar?

Mr. SPRINGER. Certainly.

Mr. HERMANN. Then I would suggest also, unless the consideration
of such bills be asked for as their titles are read, that they be considered as passed over, retaining their places on the Calendar.

Mr. SPRINGER. I make that request.

Mr. PAYNE How many of these Senate bills are there?

Mr. PAYNE. How many of these Senate bills are there? Mr. SPRINGER. I do not know the number, not having counted them.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. PAYNE. I object to taking up the Senate bills exclusively.
Mr. SPRINGER. All I ask is that one hour be devoted to the Senate bills in their order on the Calendar, no bill to be considered unless some gentleman present asks its consideration when the title is read, and then if there is objection after the title is read, that it shall be laid aside to retain its place on the Calendar.

The SPEAKER pro tempore. Is there objection to the request of the

gentleman from Illinois?

Mr. CAMPBELL, of Pennsylvania. I object.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois.

Mr. PRICE. I think there was no objection. The SPEAKER. Objection was made.

The motion of Mr. SPRINGER was agreed to.

The House accordingly resolved itself into Committee of the Whole,

Mr. HATCH in the chair.

Mr. SPRINGER. Mr. Chairman, before the first bill is reported I now renew my request that the first hour of this session to-night be devoted to the consideration of Senate bills on the Calendar in their regular order, and that no bill shall be considered to which there is objection, nor shall any bill be considered unless when its title is read some gentleman rises and asks its consideration.

To be taken up in their regular order? .

Mr. SPRINGER. Certainly.
The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection, and it was so ordered.

BILLS PASSED OVER.

The first Senate business on the Private Calendar was the bill (S. 574) for the relief of Robert Strachan.

Mr. NEAL. Mr. Chairman, this was reported by my colleague on the committee [Mr. GALLINGER]. I know he regards it as a meritori-ous case, and I would like to ask its consideration.

Mr. HEMPHILL. I will have to object to the consideration of that bill.

The CHAIRMAN. Objection being made, the bill retains its place on the Calendar.

The next Senate business on the Private Calendar was the bill (S. 390) for the relief of H. A. Meyers.

The bill was informally passed over.

KINSEY B. CECIL.

The next Senate business on the Private Calendar was the bill (S. 218) to confirm the title to certain lands in Platte County, Missouri, and authorize patents to be issued therefor to Kinsey B. Cecil.

Mr. BURNES. I ask consideration of that bill.

The bill was read, as follows:

The bill was read, as follows:

Whereas George Smith did, on the 9th day of April, A. D. 1862, make entry at the United States land-office at Booneville, in the State of Missouri, of the following described land situated in the county of Platte, in said State of Missouri, to wit: The northeast fractional quarter and the southeast fractional quarter (west of Bee Creek, section 31, township 53, range 35, containing 19.52 acres, per cash certificate numbered 38378, dated April 9, 1862; and
Whereas Joseph Meyer did, on the said 9th day of April, 1862, make entry at the said United States land-office at Boonville, Mo., of the following described land, to wit: The northwest fractional quarter of the northeast fractional quarter (west of Bee Creek), section 31, township 53, range 35, containing 1.73 acres, per cash certificate numbered 38377, dated April 9, A. D. 1862; and
Whereas the purchase-money for said fractions of land is still retained by the Government of the United States, and said lands have long since passed into the hands of innocent purchasers, who have occupied the same, paid taxes, and made valuable improvements thereon, having had no notice that said entries had been canceled until recently: Therefore,

Be ti enacted, &c., That the above-described entries be, and the same are, confirmed; and that patents are hereby authorized to be issued for said described lands to Kinsey B. Cecil, the assignee of said George Smith and Joseph Meyer.

Mr. HOLMAN. That is all right.

Mr. HOLMAN. That is all right. Mr. SPRINGER. Let it be laid aside.

The Senate bill was laid aside to be reported to the House with the recommendation that it do pass.

S. B. CRANSTON.

The next Senate business on the Private Calendar was the bill (S. 68) for the relief of S. B. Cranston, of Oregon.

Mr. HERMANN. I ask consideration of that bill. It involves a very small amount—only \$40.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay S. B. Cranston, of Oregon, the sum of \$40, on account of traveling and contingent expenses by him incurred in taking depositions in Oregon in the land case of William Bauermeister, as instructed by the Commissioner of the General Land Office, in 1877.

The Senate bill was laid aside to be reported to the House with the recommendation that it do pass.

FRANCIS GILBEAU.

The next Senate bill on the Private Calendar was the bill (S. 718) for the relief of Francis Gilbeau.

Mr. SAYERS. I ask consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the sum of \$2,600 is appropriated, out of any moneys in the Treasury not otherwise appropriated, to be paid to the legal representatives of Francis Gilbeau, deceased, in full of claims against the United States for the rent of houses and other buildings belonging to said Gilbeau, and all damages to the same, in Galveston and San Antonio, Tex., during the years 1865 and 1866.

Mr. EDEN. Let the report be read.

Mr. SAYERS. I can state briefly the facts in this case. This bill has already passed both Houses in the Forty-sixth Congress, but was lost in transmission to the Executive. It was reported favorably by the House committees of the Forty-seventh and Forty-eighth Congresses and passed the Senate in the Forty-seventh, Forty-eighth, and now again in the Forty-ninth Congress

Mr. HOLMAN. What is the amount claimed? Mr. SAYERS. Two thousand six hundred dollars. Mr. HOLMAN. This occurred in 1865 and 1866 This occurred in 1865 and 1866, and I infer was prior to August 20, 1866.

I must insist on striking out the words "and damages," even if we

pay the rent.

Mr. SAYERS. There is really nothing provided for in the bill but

Mr. HOLMAN. As I listened to the reading of the bill I understood it provided for both damages and rent. We can not afford to recognize the principle of providing for damages, it seems to me. I shall only insist on striking out the word "damages." Mr. McMILLIN. I had occasion to examine this claim in the last

ongress. I considered it then, and do yet, a just claim.
Mr. HOLMAN. I think where the word "damages" occurs it

should be stricken out. Let the bill be read again,

The bill was again read.

Mr. HOLMAN. I take it for granted whoever examined this claim, the gentleman from Tennessee [Mr. McMillin] or any other gentleman from Tennessee [Mr. McMillin] or any other gentleman from Tennessee [Mr. McMillin] man in past years, would not have allowed anything for damages. is against the uniform policy of the Government. I ask that the word "damages" be stricken out.

"damages" be stricken out.

Mr. McMILLIN. My recollection is that all that was included in the bill in the last Congress was for rent.

The CHAIRMAN. The gentleman from Indiana offers an amendment which the Clerk will report.

Mr. HOLMAN. Rather I ask unanimous consent that the words "and all damages to the same" be stricken out.

There being no objection, the amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

The CHAIRMAN. The Clerk will report the next bill. The Clerk read as follows:

A bill (S. 30) for the relief of Harry I. Todd, late keeper of the Kentucky penitentiary.

Mr. WARNER, of Ohio. Let me understand what is the order for this evening's proceedings. As I understand it, we consider only those bills that have friends. I will be riend this man and call for the consideration of the bill.

Mr. SPRINGER. I object to this bill.

The Clerk reported the title of the next Senate bill on the Calendar, as follows:

A bill (S. 699) to authorize the Secretary of the Interior to issue to George K. Otis duplicates of certain land-warrants lost while in the possession of the officers of the Government.

Mr. HERMANN. I ask for the consideration of this bill.

The CHAIRMAN. The Chair is informed by the Clerk that the bill can not be found at this moment.

Mr. PETTIBONE. I ask that until that bill is found we go on to the consideration of the next bill.

The Clerk read the title of the next Senate bill on the Calendar, as

A bill (S. 391) for the relief of A. A. Thomas.

The consideration of this bill was not called for.

J. A. HENRY AND OTHERS.

The Clerk read the title of the next Senate bill on the Calendar, as follows:

A bill (S. 289) for the relief of J. A. Henry and others.

Mr. RICHARDSON. I ask for the consideration of that bill. The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the Treasury not otherwise appropriated, to pay to the following-named persons, or to their legal representatives, the following amounts due on their contracts with the United States, as appears by certified accounts on file in the Treasury Department:

To J. A. Henry, \$52.

To Robert Stevenson, \$54.

To L. T. Green, \$51.

To Masonic Hall Company, Atlanta, Ga., \$475.

To E. Rouff, \$45.

To E. C. Clements, \$200.

To R. W. Corbin, \$22.50.

To Mrs. M. J. Donahoe, \$345.50.

To Mrs. J. P. Williams, \$900.

To Miles S. Draughn, \$90.

And the said sums shall be in full of all claims or demands arising under the said contracts against the United States.

Mr. WARNER of Ohio. Let us have some explanation of this bill.

Mr. WARNER, of Ohio. Let us have some explanation of this bill.

Mr. WARNER, of Ohio. Let us have some explanation of this bill.

Mr. SPRINGER. Are these 4th of July claims?

Mr. RICHARDSON. No, sir; they are claims based upon contracts for the use and occupation of property. There is one of the cases, the facts of which I personally know, being in my own town—the claim of N. C. Blonton for \$430. The United States officers occupied the claimant's blacksmith shop after the close of the war during 1866 under a contract made with him by the quartermaster.

Mr. SPRINGER. Are they all contract claims?

Mr. SPRINGER. Are they all contract claims?
Mr. RICHARDSON. They are all contract claims. They have passed the Senate and have been reported favorably by the House committee a number of times.

Mr. WARNER, of Ohio. Have they been reported by the commit-

tee of this House favorably during this session?

Mr. RICHARDSON. I have the report here, made by Mr. KLEINEB, of Indiana, from the Committee on War Claims, during the present session, after the bill passed the Senate.

The bill was laid aside to be reported to the House with the recom-

mendation that it do pass.

ORDER OF BUSINESS.

The Clerk reported the title of the next Senate bill on the Calendar, as follows:

A bill (S. 498) for the relief of George T. Dudley.

Mr. BUCHANAN. This is a bill which has already been passed once during this session and signed by the President, and I believe it was

Mr. LYMAN. That bill has passed.

The CHAIRMAN. The Clerk will report the next bill.

The Clerk read the title of the next Senate bill on the Calendar, as

A bill (S. 605) for the relief the estate of J. J. Pulliam, deceased.

Mr. ZACH. TAYLOR. I ask for the consideration of that bill.

The bill was read.

Mr. SPRINGER. I object to the bill.

Mr. ZACH. TAYLOR. Will the gentleman state the ground of his objection?

Mr. SPRINGER. It is an unadjusted account.

Mr. ZACH. TAYLOR. It provides for a settlement by the officers of the Treasury

The CHAIRMAN. The bill being objected to, the Clerk will report the next bill.

JOHN M. M'CLINTOCK.

The Clerk read the title of the next Senate bill on the Calendar, as follows:

A bill (S. 936) for the relief of John M. McClintock.

Mr. SHAW. I ask for the consideration of this bill.

The bill was read, as follows:

The bill was read, as follows: $Be\ it\ enacted,\ de.$, That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to reopen and reconsider the claim of John M. McClintock for the refunding of certain taxes alleged to have been improperly and illegally assessed and collected, namely, for the amount of \$3,600, as claimed by him in the papers now on file in the Treasury Department; and if, upon reopening and reconsidering said claim, said Commissioner shall find said taxes, or any part of the same, to have been illegally or improperly assessed and collected from said claimant, it is hereby made his duty to audit and ascertain the amount of taxes so illegally and improperly collected from said claimant, deducting, however, any legal unpaid taxes which claimant should have paid and did not, if any there shall be, under section 103 of the act of June 30, 1864, entitled "An act to provide internal revenue to support the Government, to pay interest on the public debt, and for other purposes." And the Secretary of the Treasury is hereby authorized and required to pay, out of any money in the Treasury is hereby authorized and required to pay, out of any money in the Treasury is hereby authorized as foresaid to have been illegally and improperly assessed and collected, to the said John M. McClintock.

The bill was laid aside to be reported to the House with the recom-

The bill was laid aside to be reported to the House with the recommendation that it do pass.

GEORGE K. OTIS.

The CHAIRMAN. The Clerk will now report the bill which was passed over a short time ago.

The Clerk read as follows:

A bill (S. 699) to authorize the Secretary of the Interior to issue to George K. Otis duplicates of certain land-warrants lost while in the possession of the officers of the Government.

of the Government.

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized to issue to George K, Otis duplicates of three Porterfield land-warrants, issued in pursuance of the act of Congress approved April 11, 1860, numbered 16, 17, and 120, respectively, upon satisfactory proof of ownership and loss of the same, and the execution of a bond, with good and sufficient sureties, in double the market value of the warrants so to be issued, to be approved by the Secretary of the Interior, conditioned to indemnify the United States against the presentation by an innocent holder of the alleged lost warrants; and that said duplicates shall have all the legal force and effect as had the originals: Provided, That the Secretary of the Interior may require further proof of the loss of said land-warrants than that on file in his Department before issuing said duplicates.

Mr. McMILLIN. Let us hear some statement in explanation of the bill or have the report read. I want to know something concerning this claim

Mr. HERMANN. I will state briefly that this involves three land-warrants, amounting to 40 acres each, which were lost while in charge of the local land office. The object of the bill is to confer on the Sec-retary of the Interior authority to issue duplicate land-warrants on proper proof being produced of the loss of the original warrants and the execution of a proper refunding bond double the value of the landwarrants.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ESTATES OF DECEASED KICKAPOO INDIANS.

The next Senate bill on the Private Calendar was the bill (S. 632) to provide for the settlement of the estates of deceased Kickapoo Indians in the State of Kansas, and for other purposes.

Mr. PERKINS. I ask for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the beneficial provisions of the amended third article of the treaty between the United States and the Kickapoo tribe of Indians of Kansas, made June 28, 1862, and proclaimed May 28, 1863, be, and the same hereby are, extended to all adult allottees under said treaty, without regard to their being "males and heads of families," and without right on as to sex. SEC. 2. That where allottees under the aforesaid treaty shall have died, or shall hereafter decease, leaving heirs surviving them, and without having obtained patents for lands allotted to them in accordance with the provisions of said treaty, the Secretary of the Interior shall cause patents in fee-simple to issue for

the lands so allotted, in the names of the original allottees, and such allottees shall be regarded, for the purpose of a careful and just settlement of their estates, as citizens of the United States and of the State of Kansas; and it shall be competent for the proper courts to take charge of the settlement of their estates, under all the forms and in accordance with the laws of the State of Kansas, as in the case of other citizens deceased; and where there are children of allottees left orphans, guardians for such orphans may be appointed by the probate court of the county in which such orphans may reside; and such guardians shall give bonds, to be approved by the said court, for the proper care of the person and property of such orphans as provided by law.

SEC. 3. That where allottees under said treaty shall have died, or shall hereafter decease, leaving no heirs surviving them, and without having become citizens and received patents for their allotments, as provided in the third article of said treaty, the Secretary of the Interior shall cause to be appraised and sold for each, in such manner as he may direct, the lands of such allottees; and after paying the expense incident to such appraisement and sale, the net proceeds thereof shall be deposited in the Treasury of the United States to the credit of the said Kickapoo tribe of Indians, to be expended in such manner as the Secretary of the Interior shall cause patents in fee-simple to be issued for the lands sold under the provisions of the preceding section, in the same manner as patents are issued for public lands.

Mr. WARNER, of Ohio. I should like to hear the report, or else

Mr. WARNER, of Ohio. I should like to hear the report, or else an explanation of the bill.

Mr. PERKINS. I think a brief explanation will satisfy the gentleman. In the Forty-eighth Congress a bill passed both Houses and was approved by the President, providing for the sale of the Kickapoo reservation, in the State of Kansas and for allotments to male adults. Objection is now made to that bill because it does not provide for allotments to female adults, and also because it fails to make the other provisions contained in this bill. This amendment is prepared by the Commissioner of Indian Affairs and is recommended by the Secretary of the Interior, and is sent to Congress as an executive document. is designed for the purpose of carrying out and executing the act passed by the Forty-eighth Congress, and is what the Indians desire. There being no objection, the bill was laid aside to be reported to the

House with the recommendation that it do pass.

CHARLES F. BOWERS.

The next Senate bill on the Private Calendar was the bill (S. 224) for the relief of Charles F. Bowers.

Mr. LYMAN. I ask the consideration of that bill.

The bill was read, as follows:

The bill was read, as follows:

Whereas, on or about the 9th day of August, in the year A. D. 1862, Charles F. Bowers, then first lieutenant and regimental quartermaster of the Eighth Regiment of New Jersey Volunteers, did receive from George H. Weeks, then captain and assistant quartermaster of United States volunteers, the sum of \$230, being funds of the United States belonging to the Quartermaster Department of the Army, and was unable technically to "account" for the same as required by the rules of the Treasury Department, because of the loss and destruction of his official books and papers during the campaign of 1862 under Gen. John Pope; and Whereas it appears by the evidence on file in the Third Auditor's Office of the Treasury Department that the said money was nevertheless actually and lawfully disbursed by the said Charles F. Bowers in the execution of the duties of his said office, though unable to furnish formal vouchers therefor because of said loss and destruction of his said books and papers: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a credit for the said sum of \$230 be allowed to the said Charles F. Bowers by the proper accounting officers of the Treasury Department.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM ERVIN.

The next Senate bill on the Private Calendar was the bill (S. 542) for the relief of William Ervin.

Mr. RICHARDSON. I ask for the consideration of that bill.

The bill was read, as follows:

Be il enacted, dc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William Ervin, his heirs or assigns, out of any money in the Treasury not otherwise appropriated, \$7,650, being the value of one hundred and eighty head of beef-cattle seized unlawfully and taken out of his possession, in the State of Kansas, in the year 1862, by order of Col. Charles R. Jennison, commanding the Seventh Regiment Kansas Cavalry, United States Volunteers, said beef-cattle having been used as subsistence for the officers and soldiers of said regiment.

Mr. EDEN. I would like to hear some explanation of that bill. Mr. SPRINGER. I object to its consideration at this time. The CHAIRMAN. Objection is made. The Clerk will report the

next bill.

ORDER OF BUSINESS.

The following Senate bills were read by title and passed over, no one calling for their consideration:

A bill (S. 269) for the relief of W. H. Powell; A bill (S. 267) for the relief of Edway A. Grant; and A bill (165) for the relief of William H. Gray, of Kentucky.

MARTIN MURPHY AND P. B. MURPHY.

The next Senate bill on the Private Calendar was the bill (S. 22) for the relief of Martin Murphy and P. B. Murphy.

Mr. FELTON. I ask the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and hereby is, authorized and directed to pay to Martin Murphy and P. B. Murphy the sum of \$10,000, with interest at 4 per cent. per annum from the 18th of April, 1881, in full payment and satisfaction for the site of the light-house on Point Conception, on the Pacific coast, conveyed to the United States by the said Martin Murphy and P. B. Murphy by deed dated April 18, 1881; said sum to be paid out of un-

xpended balances of appropriations made for the support of the Light-House loard and light-houses for the fiscal years ending June 30, 1881 and 1882. Mr. McMILLIN. Mr. Chairman, reserving the right to object, I ask

to have the report in that case read.

Mr. FELTON. I will make a brief statement, which I think will obviate the reading of the report.

Mr. McKENNA. The Committee on Claims recommend that the allowance of interest be stricken out of the bill.

Mr. FELTON. I was about to state that.

The CHAIRMAN. The Clerk will report the amendment recommended by the Committee on Claims.

The Clerk read as follows:

Amend by striking out in lines 5, 6, and 7 the words "with interest at 4 per cent. per annum from the 18th of April, 1881."

Mr. FELTON. A bill has already passed the House and gone to the Senate appropriating this money, in connection with some eight thousand more, making altogether \$18,000. This bill has passed the Senate and has come here. The facts of the case are these: The clerk of the ate and has come here. The facts of the case are these: The clerk of the engineer of the twelfth light-house district embezzled some \$90,000 of the appropriation made for the payment of this and other claims. The amount of the embezzlement was about \$90,000, and the amount of the indebtedness was some \$86,000. No less than three commissions appointed by the Treasury Department have examined this claim, and in each instance they came to the conclusion, unanimously, that the amount claimed was properly due and payable for goods furnished and services rendered. Aside from this, the balance of the claim is for services rendered by employees mechanics and laborates. ices rendered by employés, mechanics, and laborers.

Mr. WARNER, of Ohio. I thought the bill stated that this pay-

ment was for property conveyed for light-house purposes; but from the gentleman's statement it seems that it is for services.

Mr. FELTON. I was referring to the bill that passed the House making an appropriation which included this item. That bill passed here and went to the Senate. All the items of the claim have been reported upon favorably.

Mr. PAYNE. What is this item for?

Mr. FELTON. This is for materials it

This is for materials furnished.

Mr. WARNER, of Ohio. That is not what the bill says. Mr. McMILLIN. I think the bill had better go over

The CHAIRMAN. Objection is made. The Clerk will read the next

Mr. WARNER, of Ohio. This a very different bill from the one to which the remarks of the gentleman from California [Mr. Felton] appear to relate.

Mr. FELTON. I was speaking about the other bill, in order to show gentlemen of the House that they had already passed this claim in another bill. I undertake to say—and I can not afford to say anything which is not true—that a juster claim than this never came before Congress. It has received the favorable consideration of both the House committee and the Senate committee; it has been reported upon by three commissions, and it has passed the Senate.

Mr. PETTIBONE. Is this bill designed alone to cover a deed made

by this party to the United States for a certain light-house site?

Mr. FELTON. Yes, sir.

Yes, sir. NE. Then, if that is the whole case, we are all in Mr. PETTIBONE. favor of it.

Mr. HOLMAN. I understood the gentleman to say— Mr. FELTON. Allow me one moment. The bill which was passed by the House comprised other items; it included \$8,000 more for materials furnished.

Mr. HOLMAN. But it covered this also?

The CHAIRMAN. The gentleman from California [Mr. Felton] and the gentleman from Indiana [Mr. Holman] are not in order. Objection having been made, the bill is not before the committee.

The Clerk read the title of the next Senate bill, as follows:

A bill (8.570) for the relief of Jabez Burchard.

Mr. FELTON. I object.

The Clerk read the title of the next Senate bill, as follows:

A bill (S. 187) for the relief of Frederick W. Ruggles, of Westport, Nova

Mr. FELTON. I object.
Mr. SPRINGER. It is unnecessary for us to stay here and go through the Calendar if gentlemen are going to object to each bill as reached. I give notice that if we can not go on in good faith in the consideration of bills I shall move that the committee rise and the House adjourn. There is no use for us to remain here for the purpose of indulging in child's play. If the gentleman from California is going to object to every other bill simply because some gentleman here in the exercise of his rights as a member thinks that the bill just under consideration ought not to pass, then it is useless for us to continue this proceeding.

Mr. FELTON. If the gentleman objecting will give some reason why he objects, I will not press the matter further—

Mr. SPRINGER. It is unnecessary for him to give any reason. Mr. FELTON. But to have a bill objected to without a particle of reason, or to have the House stultify itself by refusing to pass this bill after having already passed the same claim in connection with other matters, is a style of legislation I do not understand.

Mr. McMILLIN. The gentleman, I think, loses his temper, if I may be permitted to say so, in an uncalled-for way. It will be shown by the RECORD when printed that the statement he has made does not apply to the claim which was read; and this being the case, any member ought to have the right to object, and I shall certainly not fail to exercise that right. I say this without any unkind feeling toward the Mr. PETTIBONE. But in answer to my question the gentleman cleared the matter all up. Why not now withdraw the objection?

Mr. McMILLIN. Let us have the report read.

Mr. BINGHAM. That is right.

Mr. McMILLIN. It may show what the

this on the Calendar, and meanwhile the gentleman from Tennessee [Mr. McMillin] can examine this bill. I am willing that the bill of the gentleman from California be brought up later in the evening by unanimous consent after gentlemen have had an opportunity to exam-

The CHAIRMAN. The Clerk will read the report.

Mr. SPRINGER. I ask unanimous consent that this bill be passed over for the present.

Several members objected.

The report (by Mr. McKenna) was read, as follows:

The report (by Mr. MCKENNA) was read, as follows:

The Committee on Claims, to which was referred the bill (S. 22) for the relief of Martin and P. B. Murphy, has considered the same, and report as follows:

That the claim in said bill is contained in House bill 190, and was reported favorably after due consideration. The committee therefore recommends the passage of the bill with the following amendment: Strike out the words "with interest at the rate of four per cent. per annum from the eighteenth day of April, eighteen hundred and eighty-one," in lines 3, 4, and 5.

Mr. McMILLIN. It will be observed that the report fails to shed any light on this matter. Is there a copy of the Senate report which speaks more explicitly in regard to the circumstances connected with

The CHAIRMAN. Objection being made, the Clerk will report the next bill on the Calendar.

Mr. WARNER, of Ohio. This goes over.

The CHAIRMAN. The bill is not before the committee.

Mr. SPRINGER. I am willing that by unanimous consent the bill be brought up later in the evening if gentlemen who now object should think, after examining it, that it ought to pass.

JABEZ BURCHARD.

The CHAIRMAN. The Clerk will again report the two bills which were read by title a few moments ago.

The next business on the Private Calendar was the bill (S. 570) for the relief of Jabez Burchard.

Mr. BINGHAM. I call for the consideration of this bill.

The bill was read, as follows:

Be it enacted, &c., That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to allow to Jabez Burchard, assistant engineer on the retired-list of the United States Navy, an amount which, with payments heretofore made to him, will be equal to 75 per cent. of the sea-pay of the grade or rank held by him at the date of his retirement by a naval board of the United States Navy; said amount to be paid out of any money in the United States Treasury not otherwise appropriated, and to take effect from and after the date of his retirement by said naval board.

The CHAIRMAN. If there be no objection, this bill will be laid aside to be reported to the House with a recommendation that it do

Mr. WARNER, of Ohio. Let us have the report read or let some

explanation be given.

The CHAIRMAN. The report will be read.

Mr. WARNER, of Ohio. The right to object is, of course, reserved.

The report (by Mr. SOWDEN) was read, as follows:

The Committee on Claims, to which was referred the bill (5.570) for the relief of Jabez Burchard, reports the same back to the House with the recommendation that the same do pass without amendment, and refers for its action to Report No. 875, accompanying House bill 2026, which has for its object the same pur-

Mr. WARNER, of Ohio. Is that all there is of it?
Mr. BINGHAM. That is the full report.
Mr. WARNER, of Ohio. That merely explains some other report.
Mr. SPRINGER. This bill has been recommended twice by the
Committee on Claims. First the House bill was reported. The Senate having passed the same bill, the committee next reported back the Senate bill and adopted the former report which accompanied the House

Mr. WARNER, of Ohio. That is the Senate report which was read. You have explained what the committee did. Now let us have an explanation of the case.

The CHAIRMAN. Is there objection?

Mr. WARNER, of Ohio. Let the gentleman tell us what this case is. Mr. BINGHAM. The report was submitted by my colleague [Mr. SOWDEN]. I have no details with me now. It has been recommended by the Senate and House. The report is unanimous. I hope it will be passed.

Mr. SPRINGER. Let the Clerk read the report, 975, accompanying the House bill.

The Clerk proceeded to read the report.

Mr. WARNER, of Ohio (interrupting). This is evidently rerating man on the retired-list. I object without further reading

The CHAIRMAN. Objection being made, the Clerk will read the next bill on the Calendar.

FREDERICK W. RUGGLES.

The next Senate bill on the Private Calendar was the bill (S. 187) for the relief of Frederick W. Ruggles, of Westport, Nova Scotia; reported adversely from the Committee on War Claims by Mr. LYMAN.

Mr. DOCKERY. That is an adverse report, and there is no use

spending any further time on it.

Mr. BAYNE. I object.

WILLIAM J. SMITH.

The next Senate bill on the Private Calendar was the bill (S. 13) for the relief of William J. Smith, late surveyor of customs for the port of Memphis, State of Tennessee.

Mr. ZACH. TAYLOR. I ask for the consideration of that bill.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That in the settlement of the accounts of William J. Smith, formerly surveyor of customs at the port of Memphis, State of Tennessee, the proper accounting officers of the Treasury be, and are hereby, authorized and directed to credit the said William J. Smith with the sum of \$2,004.99 in the settlement of his accounts as late surveyor of customs, on account of the embezzlement and defalcation of N. D. Smith, deputy to the said surveyor, he being no relative, and it clearly appearing that the embezzlement and defalcation were no fault of the surveyor.

There was no objection, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

SEWELL COULSON, AND PORTER, HARRISON & FISHBACK.

The next Senate bill on the Private Calendar was the bill (S. 249) for the payment of Sewell Coulson, and Porter, Harrison & Fishback for legal services

Mr. BROWNE, of Indiana. I ask for the consideration of that

Mr. BYNUM. I object.

PHŒNIX NATIONAL BANK.

The next Senate bill on the Private Calendar was the bill (S. 1599) for the relief of the Phœnix National Bank of the city of New York.

Mr. JAMES. I ask for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the sum of \$29,624.35 be, and the same hereby is, appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, to enable the Secretary of the Treasury to reimburse to the Phenix National Bank, of the city of New York, the amount paid by said bank in satisfaction of two certain judgments obtained against said bank in the supreme court of the State of New York, on the 14th day of February, 1878, and on the 20th day of November, 1879, in an action brought against said bank by David Risley to recover a certain deposit which had been illegally seized and confiscated by the United States of America.

Mr. HOLMAN. There should be some explanation of that bill. I also would like to have the report read.

Mr. JAMES. I will briefly explain the bill.
Mr. HOLMAN. Of course the right to object is retained.
Mr. JAMES. Prior to the civil war the Bank of Georgetown, of Georgetown, S. C., in its regular order of business, had on deposit with the Phoenix Bank, of the city of New York, a sum of money, which was confiscated and covered into the Treasury of the United States by action of the United States district court. Subsequently a demand was made on the bank for the money. Suit was instituted and decided in the supreme court of the State of New York. It was decided the bank should pay the money again. It went to the court of appeals in the State of New York, and on writ of error went to the Supreme Court of the United States. It appears from the report accompanying the bill that the conduct of the case on the part of the Phœnix Bank in the Supreme Court of the United States was submitted to the Department ustice, both in the brief in advance of the oral argument and at the oral argument, and the defense was approved by the Department as

wholly satisfactory. Mr. SPRINGER. To the Government of the United States?

Mr. JAMES. Yes; was covered into the Treasury. Mr. SPRINGER. How much? Mr. JAMES. The amount was \$12,117.78.

Mr. SPRINGER. No interest was allowed?

Mr. JAMES. No interest. Mr. HOLMAN. But I see

But I see the amount of the allowance is \$29,000. Mr. JAMES. That includes the expense of litigation and necessary incidentals.

Mr. SPRINGER. The only amount the Government should pay is the amount which the Government received.

Mr. HOLMAN. The bill provides for \$29,000.

Mr. SPRINGER. How much did the Government get? Whatever that amount is that is the amount we ought to pay back.

Mr. JAMES. It is only fair we should reimburse the bank the expenses of litigating and defending the suit.

Mr. SPRINGER. I think that involves a great many questions, whether the expense is legitimate or reasonable, and I object to passing anything but the amount received by the Government. If the gentleman will accept that amendment I will have no objection to the bill.

Mr. JAMES. I could not accept that amendment.

The CHAIRMAN. Does the gentleman object?

Mr. SPRINGER. I do, unless the amendment is made.

The CHAIRMAN. The Clerk will report the next bill on the Cal-

Mr. JAMES. Under the advice of some of my friends I am content to let the gentleman submit the amendment, and then permit the bill to go to the committee of conference in that shape with the hope that

they will remedy the injustice.

Mr. SPRINGER. The Senate will have to call for a conference.

Mr. JAMES. If the amendment is offered I shall not object to it.

Mr. SPRINGER. Then I move to strike out the amount fixed in the bill, \$29,635, and insert \$12,117.38; and add the words "this to be in full for all demands against the United States."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with

the recommendation that it do pass.

Mr. BUCHANAN. I only wish to add that I reported this bill, and think it due to myself to say that it met the unanimous approval of the Committee on Claims.

ALBERT H. EMERY.

The next Senate bill on the Private Calendar was the bill (S. 929)

for the relief of Albert H. Emery.

Mr. BUTTERWORTH. Let that be considered. I understand it has been reported unanimously from the committee.

The bill was read at length.

Mr. BUTTERWORTH. I understand that bill is to be amended.

Mr. TRIGG. I do not like to object to the consideration of that bill, but there is a minority report recommending an amended bill; and if it is to be considered I shall ask consent to substitute that bill.

Mr. BUTTERWORTH. I understand the committee have reported it back with an amendment reducing the amount.

Mr. TRIGG. Yes; reducing the amount to \$60,000.
Mr. SPRINGER. I must object. If we are going to amend this bill we will never get through with it to-night.

The CHAIRMAN. Objection being made, the Clerk will report the

next Senate bill.

Senate bill No. 94, for the relief of Mrs. Sarah Elizabeth Holroyd, was read by its title, and passed over informally, retaining its place on the Calendar.

THOMAS P. MORGAN, JR.

The next Senate bill on the Private Calendar was the bill (S. 972) for the relief of Thomas P. Morgan, jr. Mr. McCOMAS. I ask consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the sum of \$4,898.04 be, and the same is hereby, appropriated to Thomas P. Morgan, jr., this sum being the amount of work done by him on the Norfolk Harbor in the years 1881 and 1882, and declared forfeited to the United States by reason of the failure of said Morgan to perform his said contract within the time specified in his contract.

Mr. McCOMAS. The claimant in this case did the work and earned the money, and the only question is that it was not completed within the time fixed by the contract. Stormy weather prevented him from doing it within the time, but it was finally completed and accepted.

Mr. SPRINGER. I think that is a correct statement of the case. I have examined this case myself and know the facts in reference to it.

Mr. WARNER, of Ohio. Is there a report accompanying the bill? Mr. SPRINGER. There is a report accompanying it, but the facts

are very brief and can be stated in a few words.

Mr. WARNER, of Ohio. If I recollect aright this bill was under discussion in the Forty-sixth Congress, and was defeated. Am I correct in

Mr. BUTTERWORTH. Very likely, if we owed it. [Laughter.] Mr. McCOMAS. I was not a member of that Congress, but I know the work was done and the money was not paid. I understand this is unanimously reported by the Senate and also by the House committee.

It is a very plain case.

Mr. WARNER, of Ohio. They are all plain cases so far as that goes.

Mr. SPRINGER. I think I can satisfy the gentleman in a word.

This contract required this dredging to be done within a certain time; but owing to inclement and stormy weather it was not finished within the time, but he did subsequently finish it and to the full satisfaction of the Government only as to the time. The work was done and the penalty was reserved under the law.

Mr. WARNER, of Ohio. This is not the case I thought it was.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Bills of the Senate numbered 472, reported adversely from the Committee on Claims, and 2132, granting a pension to Fridoline Glasstetter, were informally passed over.

PAY OF CERTAIN PHYSICIANS.

The next Senate bill on the Private Calendar was the bill (S. 304) to compensate physicians for services rendered under an order of the United States court of the northern district of Alabama. Mr. WHEELER. I ask consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$400, jointly, to the following physicians: A. R. Erskine, J. J. Dement, H. W. Bassett, and A. R. Burnett; said sum of money to be received by said physicians jointly, as full compensation for all services rendered by them, pursuant to an order of the judge of the circuit court of the northern district of Alabama, in the conspiracy case in which F. M. Noogin and Berry O. Wood are defendants.

The bill was laid aside to be reported to the House with the recommendation that it do pass

Mr. PRICE (at five minutes after 9 o'clock). I desire to call attention to the fact that the hour has expired.

The CHAIRMAN. The hour commenced at ten minutes after 8. BOARD OF FOREIGN MISSIONS METHODIST PROTESTANT CHURCH.

The next Senate bill on the Private Calendar was the bill (S. 1008) to empower the Board of Foreign Missions of the Methodist Protestant

Church to hold property in the District of Columbia.

Mr. HEMPHILL. I ask consideration of that bill.

The bill was read, as follows:

The bill was read, as follows:

Whereas the Board of Foreign Missions of the Methodist Protestant Church was incorporated in the year of our Lord 1852 in accordance with the laws of the State of Pennsylvania; and

Whereas it is questioned whether said corporation can lawfully take and hold property in the District of Columbia without the leave and assent of Congress:
Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Foreign Missions of the Methodist Protestant Church, which is incorporated by the laws of Pennsylvania, is hereby empowered to hold real and personal property in the District of Columbia, acquired, or that shall be acquired, by gift, purchase, devise, or bequest, and the same enjoy or convey at pleasure as freely as any person or body corporate can do.

The committee recommend the following amendment:

Add to the bill the following proviso:
"Provided, That only so much real estate may be held by the said board of foreign missions as may be necessary for the proper transaction of its legitimate business, not to exceed an assessed value of \$50,000."

Mr. HEMPHILL. I think that amendment is unnecessary. Mr. HOLMAN. It seems to be a very proper amendment. The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

MARTIN AND P. B. MURPHY.

Mr. FELTON. Before the time for the consideration of Senate bills expires I ask that the bill (S. 22) for the relief of Martin and P. B. Murphy, which I called up some time ago, be again brought before the committee.

The CHAIRMAN. The gentleman from California again calls up the bill to which the gentleman from Tennessee [Mr. McMillin] objected. Does the gentleman from Tennessee [Mr. McMillin] still object?

Mr. McMILLIN. I said at the time the bill was called up I was

willing the report should be read.

The following report (by Mr. McKenna) was read:

The Committee on Claims, to whom was referred the bill (H. R. 190) for the relief of certain employés and others of the twelfth United States light-house district, having had the same under consideration, report as follows:

That some of said claimants were employés of, and others furnished materials for the use of, said light-house district. The claims were ordered to be paid, but were not, because the money was embezzled by John T. Best, the clerk of the engineer. Best was convicted of the embezzlement. The letter from the Secretary of the Treasury hereto attached explains and shows that the bill should pass. We therefore recommend its passage.

TREASURY DEPARTMENT, February 21, 1883.

TREASURY DEPARTMENT, February 21, 1883.

SIR: I have the honor to transmit herewith a copy of a letter of the 24th ultimo from the Light-House Board, with inclosure, in regard to claims against the United States arising from the defalcations and forgeries of John T. Best, late clerk of the engineer of the twelfth light-house district, from which it appears that the total amount of said claims, so far as known. is \$76,152.07, of which \$18,465.65, after careful examination, is believed to be indisputably due, and \$57,686.42 to require further evidence and investigation before payment. The board recommends that the latter class of claims be referred, under section 1063, Revised Statutes, to the Court of Claims for ascertaining of the legal liability of the United States and final judgment, and that application be made to Congress for necessary legislation to enable the board to discharge the claims included in the first class, in regard to which it is believed no question can arise from any available balances belonging to general appropriations for the light-house establishment for the fiscal years 1831-32. The claims thus recommended to be paid are as follows, namely:

Employés Point Conception light

Employés Point Conception light	\$3,784	70
Miguel Ortego	480	14
Charles Ashton	270	00
Pigeon Point light station	980	99
Sundry small bills*	1,200	95
Martin and P. B. Murphy	10,000	00
O. B. Shaw	1,748	
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I have accordingly respectfully to transmit this communication so that action may be taken by Congress in the matter if it appears wise to do so agreeably to the desire of the Light-House Board.

Very respectfully,

H. E. EDENCH, Asting Secretary

H. F. FRENCH, Acting Secretary.

Hon. J. Warren Keifer, Speaker of House of Representatives.

The CHAIRMAN. Is there objection to the present consideration of the bill?

Mr. HOLMAN. This bill I believe covers \$10,000 of the amount. Mr. FELTON. Yes, sir; the amount is \$10,000. The bill that passed the House was for \$18,000. This bill for \$10,000 has passed the Senate.

Mr. HOLMAN. If I can have the ear of the committee for a moment I will explain the position of this claim. It is quite apparent from the statement of the Light-House Board that this \$10,000 should be paid. We owe that amount for this property. But that \$10,000 is included in a bill which passed some time ago and is now before the Senate appropriating \$18,000, the \$10,000 being part of that. The thing to be apprehended is that the bill for \$18,000 will pass the Senate, and by passing this bill another \$10,000 is appropriated.

Mr. FELTON. The bill in the Senate in all human probability will If it does pass we will see that it is amended by striking out the \$10,000. I do not think any of us can afford to take \$10,000 improperly out of the Treasury.

Mr. EDEN. My recollection is that this is to pay for some land. Is that the indebtedness referred to in the report that has been read?

Mr. FELTON. It is included in the \$18,000.

The CHAIRMAN. The question is on the amendment submitted by the committee to strike out the words "with interest at the rate of 4 per cent. per annum from 18th of April, 1881," in lines 3, 4, and 5.

The amendment was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

The CHAIRMAN. The hour allotted for the consideration of Senate bills has expired.

Mr. SPRINGER. I ask unanimous consent that we extend the time for half an hour longer. I think in that time we may perhaps get through all the Senate bills on the Calendar.

Mr. TRIGG. I object.

ORDNANCE STORES FURNISHED TO COLORADO.

Mr. SYMES. I ask unanimous consent to consider Senate bill No. A duplicate bill of that which has passed the Senate, the bill H.

885. A duplicate bill of that which has passed the Senate, the bill H.
R. 5215, has been recommended by the House committee.
The CHAIRMAN. The Chair is informed that the Senate bill called up by the gentleman from Colorado is not on the Calendar.
Mr. SYMES. The House bill (H. R. 5215) is on the Calendar.
The CHAIRMAN. The Clerk will report the special order under which the House meets this evening.
The special order for the evening session was read.
Mr. SYMES. I ask unanimous consent that the Committee on Claims had isobarred from the further consideration of the bill S. 885, and that

be discharged from the further consideration of the bill S. 885, and that it be brought before the committee for consideration and substituted for the House bill. It takes no money out of the Treasury.

Mr. BAYNE. I call for the regular order.

The CHAIRMAN. This is the regular order if no objection is made to the consideration of the bill. The gentleman from Colorado asks unanimous consent to call up for consideration the House bill which is upon the Calendar, and to substitute therefor the Senate bill indicated by him, discharging the Committee on Claims from its further consideration.

Mr. McMILLIN. Let us hear the bill read. The CHAIRMAN. The Clerk will report the House bill. The Clerk read as follows:

A bill (H. R. 5215) to relieve the State of Colorado from charges on account of ordnance stores furnished to the State and Territory.

Be it enacted, &c., That the Chief of the Ordnance Bureau of the War Department be, and he is hereby, directed to cause the State of Colorado to be credited on its ordnance account with the amounts now charged against it for arms and ordnance stores issued to the Territory of Colorado and State of Colorado.

The Committee on Military Affairs recommended the following

In line 5 strike out the word "amounts."
In lines 6 and 7 insert "amount of \$33,891,"
In line 8 strike out the words "Territory of Colorado;" so that it will read:
"Directed to cause the State of Colorado to be credited on its ordnance account with the amount, \$33,891, now charged against it for arms and ordnance stores issued to the State of Colorado."

The CHAIRMAN. For this bill the gentleman from Colorado asks that the Senate bill be substituted. The Senate bill will be read. The Senate bill was read, as follows:

A bill (S. 885) to relieve the State of Colorado from charges on account of ordnance stores furnished to the State and Territory.

Be it enacted, &c., That the Chief of the Ordnance Bureau of the War Department be, and he is hereby, directed to cause the State of Colorado to be credited on its ordnance account with the amounts now charged against it for arms and ordnance stores issued to the Territory of Colorado, amounting to \$33,891.

Mr. McMILLIN. I think we should have the report read or that

some statement should be made.

Mr. SYMES. The Military Committee of the House and also the Military Committee of the Secretary of War and the Chief of Ordnance for information on the subject. They have reported the information, and stated that this amount should be credited to the

State of Colorado, because these arms and munitions of war issued to the governor under the direction of the military officers of the United States were used in Indian wars, and there is no reason why the State should not be credited with the amount. It takes no money out of the Treasury, and the Government would be laughed at if it attempted to refuse this credit. A dozen such bills have passed here.

The bill was laid aside to be reported to the House with the recom-

mendation that it do pass.

The House bill was ordered to be reported with the recommendation that it do lie on the table.

Mr. MORRISON. I ask to call up the bill which I send to the desk. Mr. BAYNE. I demand the regular order.

Mr. SPRINGER. I hope the gentleman from Pennsylvania will not call for the regular order now. Let us go on for a while considering Senate bills which members desire to call up.

Mr. BAYNE. Mr. Chairman, as I understand, the Calendar is to be called, and when a gentleman rises and asks for the consideration of a

bill, that bill is to be considered unless objected to.

The CHAIRMAN. That was the order made by unanimous consent with reference to Senate bills for one hour; but that hour has expired.

Mr. SPRINGER. I now ask, Mr. Chairman, that half an hour more be devoted to proceeding in the same way.

Mr. REED, of Maine. Mr. Chairman, there is a class of bills which have gone through both the House and the Senate and have been amended in the Senate; and it would seem proper that those bills should be first considered, because they are nearest passing. I therefore ask that bills of that class be considered first.

Mr. SPRINGER. That is what I propose, that we first consider bills that have passed the Senate and are favorably reported to the

Mr. MORRISON. That is the kind of bill I sought to call up.
The CHAIRMAN. The regular order is demanded. The Clerk will report the first House bill.

Mr. SPRINGER. Mr. Chairman, it is useless to begin that order of business, for we shall simply lose the remainder of the evening without

any good result. I therefore move that the committee do now rise.

Mr. TAULBEE. I call for the regular order.

Mr. SPRINGER. I want to call the attention of the committee to the fact that House bills which are now passed can not get through this session, while Senate bills that have come here from the Senate can?

Therefore I think we had better devote our time to the consideration of bills which have passed the Senate and have been reported to the House. [Cries of "Regular order!"] The Senate committees will not assemble any more this session to consider bills that are sent over from the House. In the interest of facilitating business I think we had better devote ourselves to such bills only as can become law this session. [Cries of "Regular order!"] I move that the committee do now rise.

Mr. PRICE. Mr. Chairman, I desire to make a suggestion. Would it not be good policy to take up the class of bills that do not involve the appropriation of any money, but simply authorize the parties to go to the Court of Claims? Having devoted an hour to the other class of bills, it seems to me that it would be well to give this class some atten-

tion, and that the most good would be accomplished in that way.

Mr. SPRINGER. If they are Senate bills they can pass; if they are

House bills they can not pass this session.

Mr. PRICE. The gentleman has no right to say that they can not pass the Senate this session. I have assurances that some of them at

pass the Senate this session. I have assurances that some of them at least can be got through in this way.

Mr. DOCKERY. Mr. Chairman, it is evident that the House has passed as many Senate bills as the President can examine.

Mr. BINGHAM. What do you know about that?

Mr. DOCKERY. We have passed as many as the President can examine, and if we press these Senate bills through now the chances are that they will meet a pocket veto.

Mr. GIBSON, of Maryland. Let us take the chances.
Mr. DOCKERY. We want to consider some of the House bills on
the Calendar, and I suggest that we have unanimous consent that gentlemen present who desire to call up bills may be permitted to do so, with this additional understanding, that gentlemen who have called up Senate bills this evening and got them passed shall modestly refrain from pressing other bills upon the attention of the House, and let us who have not occupied any time call up bills that we desire to have passed.

Mr. BUCHANAN. Mr. Chairman, there is this objection to that suggestion. The members of the committee have worked very laboriously during this session at the solicitation of members of the House example. ining and reporting their bills. Now, whenever we proceed here in the manner suggested by the gentleman from Missouri [Mr. DOCKERY], gentlemen generally are so clamorous for recognition that the members of the committee are crowded out. I noticed a few minutes ago that of all the gentlemen who were clamoring to be recognized by the Chair not one was a member of our committee. We also have our bills for which we would like to have recognition in some way. The very next bill on the Calendar, and one that would have been reached but for the delay that has occurred, is a bill that I desire to have action on

to-night. It is a Senate bill. Notwithstanding the number of bills that I have reported to the House, I have not asked for unanimous consent except in one instance, and then it was objected to.

Several MEMBERS. Ask it now.

Mr. BUCHANAN. I do ask it now.

Mr. BAYNE. Mr. Chairman, I wish to make a suggestion. I desire to say that bills on the House Calendar that are taken up now and passed will occupy a better position than the Senate bills that are passed. because if Congress adjourns on the 2d of August the Senate bills will not be in the President's hands long enough—— [Cries of "Regular not be in the President's hands long enough-

Mr. BAYNE. I ask unanimous consent that the Calendar be called, and that when a gentleman rises and asks for the consideration of a bill it shall be considered unless objected to, and that otherwise it shall be passed over retaining its place on the Calendar.

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] asks unanimous consent that the time for the consideration of Senate bills may be extended thirty minutes. Is there objection?

Mr. TRIGG. I object.

The CHAIRMAN. The gentleman from Illinois now moves that the committee rise

Mr. SPRINGER. And report to the House the bills which have already been acted upon.

Mr. TRIGG. I hope the gentleman will not insist on that motion.
The motion was not agreed to.
Several Members. Regular order.
The CHAIRMAN. The Clerk will now report the first bill on the

Private Calendar.

The following bills were read by title and objected to:

A bill (H. R. 4840) to confirm a certain private land claim in the Territory of New Mexico;

A bill (H. R. 218) to confirm a certain private land claim in the Territory of New Mexico;

A bill (H. R. 3216) to confirm the title to that certain land grant

Tres Alamos, in Arizona Territory;
A bill (H. R. 3235) to confirm title to certain private land grants in Arizona Territory; and

A bill (H. R. 2140) for the relief of the Columbia Bank in Pennsyl-

LUTHER F. WARDER.

The next business on the Private Calendar was the joint resolution (H. Res. 82) for the relief of Luther F. Worder.

Mr. HOWARD. I ask that this resolution be taken up for consideration.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, &c., That there be paid to Luther F. Worder, assistant doorkeeper of the House of Representatives, out of any money in the Treasury not otherwise appropriated, the sum of \$394.06, the said sum being the difference between the pay of Doorkeeper and assistant doorkeeper of the House of Representatives for the period of time between the 15th day of July, 1885, and the 7th day of December, 1885, he having acted as Doorkeer of the House during that time.

The CHAIRMAN. If there be no objection this joint resolution will be laid aside to be reported to the House with the recommendation that it do pass.

Mr. WARNER, of Ohio. Is there a report in this case?
Mr. HOWARD. There is a unanimous report.
The CHAIRMAN. The Clerk will read the report.

The report (by Mr. Adams, of Illinois) was read, as follows:

The Committee on Accounts, to whom was referred the accompanying joint resolution for the relief of Luther F. Worder, have duly considered the same,

resolution for the relief of Luther F. Worder, have duly considered the same, and respectfully report:

That a precedent for the payment provided for in this joint resolution is to be found in the deficiency appropriation bill, first session Forty-eighth Congress, in an appropriation to pay to George McNair the difference between the pay of Postmaster and that of assistant postmaster of the House of Representatives for the period of time between August 1, 1883, and December 5, 1883, he having acted as Postmaster of the House during that time.

The committee therefore report said joint resolution with a favorable recompanyation.

Mr. HOWARD. I ask unanimous consent that the joint resolution be corrected by inserting "Warder" instead of "Worder," wherever it occurs.

The CHAIRMAN. In the absence of objection, that correction will be made.

There being no objection, the joint resolution was laid aside to be reported to the House with the recommendation that it do pass.

The bill (H. R. 1773) for the relief of James J. Johnston was read, and, no member calling for its consideration, it was passed over.

HENRIETTA H. COLE.

The next business on the Private Calendar was the bill (H. R. 200) for the relief of Henrietta H. Cole.

Mr. LEHLBACH. I ask that this bill be considered.

The bill was read. Mr. DUNN. I object.

The CHAIRMAN. Objection being made, the bill will be passed

ORDER OF BUSINESS.

Mr. SPRINGER. In the next two cases upon the Calendar the reports are adverse, and I object to their consideration.

Objection being made, joint resolution and bill of the following titles

were passed over:

Joint resolution (H. Res. 60) granting a medal to Lieut, Louis F. Ellis for heroic conduct in joining the "forlorn-hope storming party" at Port Hudson, June 15, 1863; and
A bill (H. R. 4235) directing the Secretary of the Treasury to pre-

pare medals of honor to be bestowed upon certain Pennsylvania volunteer soldiers of the late war.

WILLIAM PIKE.

The next business on the Private Calendar was the bill (H. R. 527) for the relief of William Pike.

Mr. WARD, of Indiana. I ask the consideration of this bill.

The bill was read.

Mr. McMILLIN objected, and the bill was passed over.

GEORGE W. BALDWIN AND OTHERS.

The next business on the Private Calendar was the bill (H. R. 529) for the relief of George W. Baldwin, Charles L. Baldwin, and Dora

Mr. WARD, of Indiana. I ask consideration of this bill, and I trust

may be allowed to make an explanation of it. The bill was read.

Mr. McMILLIN. I desire to reserve the right to object, but will

hear the statement of the gentleman from Indiana [Mr. WARD].

Mr. WARD, of Indiana. The claimants in this case are the heirs of a person who in the fall of 1862 was drafted into the Army of the United States. After he had been so drafted he procured a substitute, to whom he paid \$850. After the furnishing of that substitute the drafted man, by some mistake or fault of United States officers, was compelled to go into the Army, where he served until he died. His substitute also entered the Army, so that both men rendered service. It seems to me this claim for the restitution of the money which was paid for the substitute is unimpeachable in equity.

Mr. BAYNE. How does it happen that there are so many of those

Mr. WARD, of Indiana. Well, sir, these men were all included in one draft, from the same county, and under the same circumstances. There were just four of them. They all went from Tipton County. The facts in all the cases are the same, so that the bills are similar.

Mr. McMILLIN. Will the gentleman state how it happens that

four such cases occurred in the same neighborhood?

Mr. WARD, of Indiana. Because there were four rascally officers of the Army who compelled these men to go into the service after they had furnished substitutes.

The CHAIRMAN. Is there objection to the consideration of the

Mr. McMILLIN. I think it had better go over.

The CHAIRMAN. Objection being made, the bill is not before the committee.

JOHN M. HIGGINS.

The next business on the Private Calendar was the bill (H. R. 940) for the relief of John M. Higgins, which was reported from the Committee on War Claims adversely by Mr. GEDDES

Mr. SPRINGER. It is an adverse report, and I object.

JOHN R. HARRINGTON.

The next business on the Private Calendar was the bill (H. R. 4594)

for the relief of John R. Harrington.
Mr. LEHLBACH and Mr. SPOONER asked for the consideration of the bill.

Mr. DUNN. I object.

Mr. ELY. Before objection is made I hope the gentleman will allow the report to be read.

The CHAIRMAN. Objection is made, and the bill will be passed

STEPHEN N. SMITH.

The next business on the Private Calendar was the bill (H. R. 3126) for the relief of Stephen N. Smith.

Mr. SPOONER. I ask for the consideration of the bill. The bill was read, as follows:

Be it enacted, &c., That the patent granted to Stephen N. Smith on the 13th day of June, in the year 1882, for "improvements in machines for making lacing-hooks," and which patent, on the face thereof, was granted for the term of seventeen years from the date of said patent, shall be, and the same is hereby, made a valid grant for the full term of seventeen years from the date of said patent, notwithstanding the fact that a patent had been previously granted to said Stephen N. Smith in Canada for the same invention.

Mr. SPOONER. Mr. Chairman, let me say in regard to that bill that it is not an extension of a patent, but merely for the purpose of validating a patent for the full term of seventeen years for which it was granted, as appears on its face. The difficulty was this: An application was filed in the United States for a patent, and at the same time an application was filed for a Canadian patent. The United States ap-

plication was put into interference, and without the knowledge or desire of the inventor the Canadian patent was issued. Under the inter-pretation of some of the United States courts it was held the United States patent was limited to the first term for which the Canadian patent might be granted, namely, five years. In consequence of his application for a patent in the United States having been put into interference the United States patent which was granted him has only two and a half years to run. All that is asked by this bill is that the time allowed by the general law for his valuable invention shall be allowed. It has reduced the price of lacing-hooks one-half of what they were.

Mr. WARNER, of Ohio. This is an extension of a patent.

Mr. REED, of Maine. Oh, no.

The CHAIRMAN. Does the gentleman object?

Mr. WARNER, of Ohio. I do not understand whether it is to validate a patent, or whether it has the effect to extend a patent.

Mr. SPOONER. It is not an extension of a patent, but simply to

validate this patent for the term of seventeen years for which it was originally granted. [Cries of "Vote!"]

There was no objection, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

ILLEGAL EXACTION OF TONNAGE DUES.

The next business on the Private Calendar was the bill (H. R. 4583) authorizing the Secretary of the Treasury to make final adjustment of claims of certain foreign steamship companies arising from the illegal exaction of tonnage dues.

Mr. BUCHANAN. I ask for the consideration of that bill. Mr. WALLACE. What is the amount involved in the passage of this bill?

Mr. DUNN. It is an indefinite amount. Mr. WALLACE. I object.

DR. W. S. HOSACK.

The next business on the Private Calendar was the bill (H. R. 2175) for the relief of Dr. W. S. Hosack, reported adversely from the Committee on War Claims by Mr. SMALLS.

Mr. SPRINGER. That is an adverse report, and I object.

CONVEYANCE OF AN ALLEY IN THE DISTRICT.

The next business on the Private Calendar was the bill (H. R. 4162) authorizing the District of Columbia to convey the alley, 15 feet wide, running east and west between lots 6 and 7 in square 635, comprising an area of 3,480 square feet of land, to the owner of said lots.

Mr. HEARD. The counterpart of that bill was passed two months

ago.

The CHAIRMAN. It should be taken off the Calendar.

Mr. HEARD. I move, then, that the bill be reported to the House with the recommendation that the bill be laid on the table.

The motion was agreed to.

ELON A. MARSH.

The next business on the Private Calendar was the bill (H. R. 5894) for the relief of Elon A. Marsh and Minard Lafever.

Mr. BUTTERWORTH. I ask for the consideration of that bill.

The bill was read.

Mr. MOFFATT. I object.

Mr. BUTTERWORTH. The Secretary of the Interior in signing patents slipped two along and omitted to sign this patent, and so these

men have been kept out of their patent for two years.

Mr. DUNN. What does the bill propose to do?

Mr. BUTTERWORTH. It simply provides for the correction of a clerical error. It rectifies that error on the part of the Secretary of the Interior and authorizes the patent to be signed.

Mr. SPRINGER. Does the gentleman from Ohio have knowledge

of these facts?

Mr. BUTTERWORTH. I do.

Mr. SPRINGER. I hope there will be no objection then. Mr. BUTTERWORTH. Who objects?

The CHAIRMAN. The gentleman from Michigan [Mr. MOFFATT]

SAMUEL H. MOER.

The next business on the Private Calendar was the bill (H. R. 3365) for the relief of the heirs and legal representatives of Samuel H. Moer. The CHAIRMAN. Nobody asks for the consideration of this bill, and it will be passed over.

WASHINGTON I. PARVIN AND HENRY A. GREENE.

The next business on the Private Calendar was the bill (H. R. 5535) for the relief of Washington I. Parvin and Henry A. Greene.

Mr. LYMAN. I ask for its consideration.

The bill was read.

Mr. HOLMAN. I hope there will be an explanation, or at least that the report will be read.

The CHAIRMAN. The gentleman from Iowa [Mr. LYMAN] is rec-

ognized to make a statement.

Mr. LYMAN. This is a claim that arose on account of the service performed by these officers at the beginning of the civil war in California in recruiting troops. Under the first call for troops by the Pres-

ident of the United States the State of California took no action whatever. Nothing was done by the Federal authorities there. General Sumner was subsequently sent to San Francisco and authorized to raise troops, and all of the expenditures for the service in that State, so far as I know, have been settled except the accounts of these two captains, Greene and Parvin. This is a claim for raising troops that went into the First California, for which these accounts are presented, and it is simply asked that the accounting officers of the Treasury make settlement with these gentlemen and pay them what is due ment with these gentlemen and pay them what is due.

Mr. SPRINGER. Why was it not paid before?

Mr. LYMAN. Because the accounting officers did not choose to do so for some reason; I do not know why. The accounts were in the Department, but they were not paid.

Mr. SPRINGER. Has the Secretary of War recommended the pay-

Mr. LYMAN. Not that I am aware of.

Mr. SPRINGER. Or the accounting officer? Mr. LYMAN. This authorizes the Secretary of War to settle with them. It does not appropriate anything whatever; it simply author-

izes the accounts to be investigated and settled.

Mr. SPRINGER. The Department ought to have audited the accounts and sent them here with some recommendation, so that if necessary an appropriation could be made for them. I have no objection essary an appropriation could be made for them. I have no objectionto paying what ought to be paid, but it is unaccountable that these
matters should have gone over so long. I object.

Mr. LYMAN. That may be said of any account, for only those which
are barred by the statute of limitation, or which can not be paid for
some other reason, come here at all.

Mr. SPRINGER. I object.

The CHAIRMAN. Objection being made, the bill is not before the

House.

The Clerk will report the next bill.

The next business on the Private Calendar was the bill (H. R. 331) for the relief of Patrick Flynn, reported adversely from the Committee on War Claims.

The bill was passed over informally.

ALEXANDER WORRALL.

The next business on the Private Calendar was the bill (H. R. 4476) for the relief of Alexander Worrall.

Mr. GEDDES. I ask for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c.. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander Worrall the sum of \$598.18, for the purpose of refunding and repaying to him the amount of judgment recovered from him for damages for the occupation of a property in the State of Virginia, the said damages having been recovered for occupation by the owner of said property during a period when said Worrall rented said property from the Government of the United States and paid rent therefor.

The committee recommend the adoption of the following amendment:

Strike out in lines 6 and 7 of the sum proposed in the bill the words "ninety eight" and "eighteen" and insert "seventy-six" and "thirty-three;" so that the amount will read "\$676.33."

Mr. GEDDES. I ask for the reading of the report, as that will show the merits of the claim. I examined the case carefully and drew the report myself, and should be glad to have it read.

Mr. HOLMAN. Let it be read.

The report (by Mr. GEDDES) was read, as follows:

Mr. HOLMAN. Let it be read.

The report (by Mr. GEDDES) was read, as follows:

Your committee find from the testimony in this case that Alexander Worrall, the claimant in this case, is now and has been since the year 1866 a citizen of the State of Pennsylvania, a civil engineer by profession, and as such was in the year 1864 placed on duty at the United States anavy-yard at Norfolk, Va., under orders of the Navy Department, and so continued for about three years.

In August, 1864, claimant rented a house in the city of Portsmouth, immediately opposite Norfolk, and occupied the same for eleven months. The house so rented was in the possession of the duly authorized agents of the United States as "abandoned property," under the laws of the United States. The claimant rented the property from said agents of the Government, and paid the rent therefor to them monthly in advance for all the time he occupied it. After the claimant surrendered the property to the quartermaster, it was thereafter used for about two years as a school-house for colored children. The property thus used and occupied by claimant belonged to one Ann McRae, who was then a widow, but who afterward intermarried with one George M. Bain.

If further appears that claimant had no knowledge of any claim on the part of any one for the rent of said property until in 1872, when he learned that a suit had been brought and a judgment recovered against him in the hustings court in said city of Portsmouth. It appears from the exhibits in this case that claimant was the owner of some stock in a railroad company at Norfolk, and in said suit against claimant the said railroad company was garnisheed. As soon as claimant was notified of said judgment against him he employed counsel and endeavored to have said judgment set aside in order that he might make a defense, as he had not been personally served with any process.

The court refused the application of claimant, and thereupon, by the advice of his attorney, he filed a bill in equity in the circuit court of

cost; thereupon, the said garnishee was compelled to pay, and did pay, in behalf of plaintiff, the said judgment and cost, amounting to the sum of \$673.33.

The claimant further claims that in consequence of said proceeding the railroad stock owned by him was sold at a sacrifice of \$500, in addition to which he was compelled to pay personal expenses in attending said suit, amounting to \$105.

The proof establishes the fact that claimant acted throughout in good faith, and relied upon the officers of the Government to protect him in said proceedings.

By the notice served on the officers of the Government they were called upon and endeavored to maintain the rights of the Government to the use and occupancy of the property rented to claimant by the authorized agents of the Government. Although the amount of the judgment and costs paid by claimant exceeded the amount of rent paid by him, your committee consider it just and right that the amount of the judgment and costs be refunded to him. The damages sustained by the sale of the stock of said claimant and the expenses in curred by him, your committee find should not be allowed.

Your committee therefore amend said bill by striking out in line 6 the words "ninety-eight" and "eighteen" and inserting in place thereof the words "seventy-sight" and "thirty-three;" and as so amended recommend the passage thereof.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDNANCE STORES FURNISHED COLORADO.

Mr. SYMES. Mr. Chairman, I find upon examination that the bill which was passed here to-night on my motion (H. R. 5215), a bill to relieve the State of Colorado from charges on account of ordnance stores furnished to the State and Territory, is not on the Private Calendar, as I was informed and believed, but on the Calendar of the Committee of the Whole on the state of the Union. I was paying particular attention to the Senate bill and thought it was on the Private Calendar. As I understand the order of business to night only those bills which are on the Private Calendar can be considered; and I shall therefore ask to have the order vacated passing this bill, as I would not mislead intentionally the House, and am satisfied that it was passed in

The CHAIRMAN. The committee will understand that it was simply an error on the part of the gentleman from Colorado and the officers of the House, who instructed the Chair that it was on the Private Calendar of the House. The order passing the bill will be vacated, and it will retain its place on the Calendar as if there was no order with reference to it to-night.

The Clerk will report the next bill. The Clerk read as follows:

A bill (H. R. 1604) for the relief of Mrs. Lizzie Myanadier Phelps.

WILLIAM J. OWINGS.

Mr. HALE. Mr. Chairman, there is a bill immediately preceding that on the Calendar which I wish to call up.

The CHAIRMAN. That appears to be a pension bill.

Mr. HALE. It is not a pension bill, properly speaking, although reported from the Pensions Committee.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 4097) for the relief of William J. Owings.

Whereas, in conformity with an act of Congress approved March 9, 1878, certificate numbered 25639, for original-service pension, dated March 6, 1883, was issued to Henry Owings, a private in Capt. James Dudley's company of Kentucky militia in the war of 1812; and

Whereas said Henry Owings died December 28, 1881, before said certificate was issued, leaving no estate whatever, and no widow or child under sixteen years of age; and

was issued, leaving no estate whatever, and no water or can direct spears of age; and
Whereas William J. Owings, of Randolph County, Missouri, a son of said
Henry Owings, had the entire care and support of his father, the said Henry
Owings, for ten years immediately preceding his death, he being then very old
and enfeebled by age, having died on the date aforesaid in his eighty-fourth

and enteebled by age, having died on the date aforesaid in his eighty-fourth year; and

Whereas under existing laws no money can be drawn on said pension certificate except an amount sufficient to pay the expenses of the last sickness and burial of said deceased pensioner, a sum wholly inadequate to reimburse said William J. Owings for his support of the deceased pensioner in his old age:

William J. Owings for his support of the deceased pensioner in his old age: Therefore,

Be it enacted, &c., That the Commissioner of Pensions is directed to pay to William J. Owings, of Randolph County, Missouri, the amount of pension which had accrued to Henry Owings, deceased, at the time of his death, December 28, 1831, by virtue of certificate numbered 25639, for original-service pension, dated March 6, 1883.

Mr. HOLMAN. It is not stated how much pension this grants. Mr. HALE. I will state that the amount is less than \$500 from the

year 1878, when it begins, until March, 1883, at \$8 a month.

Mr. SPRINGER. Is not this a pension bill?

The CHAIRMAN. The Chair will state that under the action of the House similar bills to this were declared not to be pension bills, and were improperly referred to the Committees on Pensions and Invalid Pensions, but should have been referred to the Committee on Claims. The Chair thinks under the special order made for this evening this bill is in order.

There being no objection to its present consideration, the bill was laid aside to be reported to the House with the recommendation that it do pass.

HENRIETTA H. COLE.

Mr. DUNN. I desire to withdraw the objection I made to each of the two bills called up by the gentleman from New Jersey.

Mr. LEHLBACH. I ask unanimous consent that the bill (H. R. 200) be again reported.

The bill was read, as follows:

Be it enacted, &c.. That the patent granted to Henrietta H. Cole, of New York, for improvement in fluting machines, reissue numbered 4349, on the 25th day of April, 1871, be, and the same is hereby, referred to the Commissioner of Patents, who shall determine the same upon testimony; and if, in his judgment, the petitioner has not been compensated for her time and ingenuity in perfecting her patent he shall have authority to extend it for seven years from the 12th day of June, 1883: Provided, however, That the use of said patent or improvement since the date of the expiration of said patent shall not be deemed an infringement thereof.

Mr. HOLMAN. What is the nature of the patent?
Mr. LEHLBACH. For an improvement in fluting irons. The patentee has received scarcely any compensation for the invention, and the Committee on Patents have-recommended this bill unanimously.

Mr. HOLMAN. All right.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. LIZZIE MAYNADIER PHELPS.

Mr. BUCHANAN. Mr. Chairman, House bill 1604, the title of which was read just preceding the last bill called up, is identical with Senate bill No. 1899, on page 58 of the Calendar. I therefore ask that the Senate bill be considered in place of the House bill. Mr. HOLMAN. Let the Senate bill be read.

The bill was read, as follows:

Be it enacted, &c., That there be appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to Mrs. Lizzie Maynadier Phelps, widow of Capt. Seth Ledyard Phelps, late envoy extraordinary and minister plenipotentiary of the United States to Peru, one year's salary as said minister, from June 25, 1885.

Mr. HOLMAN. I hope the gentleman from New Jersey [Mr. Buch-ANAN] will explain on what principle this bill rests. Is this a year's salary after the death of the minister?

Mr. BUCHANAN. It is a year's salary after the death of the min-ter. There are a large number of precedents for it.

Mr. HOLMAN. Has there been any uniformity in the precedents?
Mr. BUCHANAN. I am so informed by the State Department.
Attached to the report is a statement by the State Department giving a list begining with the widow of Bayard Taylor, and going down to the widow of Mr. Hunt, minister to Russia.

the widow of Mr. Hunt, minister to Russia.

Mr. HOLMAN. How many such cases are there?

Mr. BUCHANAN. I suppose a dozen.

Mr. WARNER, of Ohio. They all seem to be of recent date.

Mr. BUCHANAN. They may be the better for that.

Mr. WARNER, of Ohio. Perhaps not.

Mr. BUCHANAN. It has become the uniform practice to grant this; and in this case I happen to know it is very urgently needed.

The CHAIRMAN. Is there objection to substituting the Senate bill for the House bill? If there be no objection the House bill will be reported with the recommendation that it lie on the table, and the Senate bill that it do mass. ate bill that it do pass.

There was no objection, and it was so ordered.

CHRISTIAN BROTHERS' COLLEGE, SAINT LOUIS.

Mr. MORRISON. I ask unanimous consent to consider the bill (S. 2415) for the relief of the trustees of the Christian Brothers' College, of Saint Louis, Mo.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and directed to cause to be investigated by the Quartermaster's Department of the United States Army the circumstances, character, and extent of the alleged occupation by the United States authorities, for Government purposes, during the late war, of the college building and grounds of the Christian Brothers, in Saint Louis, Mo.; the actual value of the use and occupation of that portion of the property occupied, for the time it was occupied by the United States troops; the amount of damage to the real estate arising from and incident to such occupation; and to find and award and certify to the Secretary of the Treasury what amount, if any, is equitably due the said trustees from the United States as the reasonable value of such use and occupation of the portion of said premises so occupied and for damages to such buildings and grounds the natural result of such occupation; and that the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to said trustees or their successors, out of any money in the Treasury not otherwise appropriated, the amount, if any, so found to be due from the United States; and the acceptance by said trustees of any sum paid under the provisions hereof shall be in full satisfaction of all claim of every name and nature for said occupation, and all damages resulting therefrom.

Mr. REED, of Maine. I should like to hear some explanation of

Mr. REED, of Maine. I should like to hear some explanation of

this bill before giving consent to its consideration.

Mr. MORRISON. I have marked a portion of the report, which the

Clerk will please read. The Clerk read as follows, from the report (by Mr. TIMOTHY J. CAMP-

BELL) from the Committee on War Claims:

RELL) from the Committee on War Claims:

The facts stated in the memorial quoted in the foregoing report are not complete. It is further true that Saint Louis was during the entire time embraced in the period of the occupancy of the building and grounds in question in the exclusive, undisturbed, and secure possession of Federal forces, and that it was never a subject of attack, or even threatened by the confederates. There is not one thing in the general conditions or in the circumstances of the particular case to invoke the application of any rule different from such as would justly apply to New York, Chicago, or Boston. The building and grounds in question were appropriated to the public use, not as an exigency of war nor as an act of wantonness, but regularly in the line of military expediency and in the ordinary course

which involved their convenient and—not to the exclusion of others—their necessary use. Doubtiess a hundred equally as available buildings could have been had within the city limits as either the Christian Brothers' College or in the McDowell College adjoining it. The act of the Federal authorities in taking possession of the property for whose use compensation is asked and awarded by the House bill can not be regarded as like action in hostile territory, nor was there a contingency in the whole war at the seat of its occupancy which could bring it within the rule which has excluded compensation for property surrendered to the exigencies of military situation. The use is proved. The amount allowed by the House bill seems reasonable and just. If there was not a written or express contract for compensation there ought to have been. The sole question involved is whether, in a State loyal to the Government, in a city therein which remained in the uninterrupted occupancy and the unmenaced control of the loyal forces during the whole war, where every facility for the accommodation of all reasonable demands for supplies, quarters, prisons, &c., for the United States forces existed which could have been had in any city in the Union, and with the same security and safety, the property of private parties, and more especially that of a religious order devoted exclusively to educational purposes, could be taken and used continuously for four entire years without at least an implied contract that an honest Government, under the Constitution, would make honest compensation therefor.

We can not concur in the report, which would exclude such compensation, and we recommend the passage of the House bill.

JNO. E. KENNA.

J. Z. GEORGE.

JNO, E. KENNA, J. Z. GEORGE, GEO, F. HOAR, AUSTIN F. PIKE, JAMES G. FAIR,

Mr. REED, of Maine. I withdraw the request for any further read-g. Only hearing the latter part of the bill, I had thought the claim arose in the theater of war.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. PRICE was recognized. Mr. McMILLIN. My colleague [Mr. RICHARDSON] who was on the committee that examined the claim I objected to a few moments ago informs me he examined it carefully and that it is a just claim. I therefore ask the committee to allow me to withdraw my objection.

The CHAIRMAN. The Chair will recognize the gentleman from Tennessee in a moment. The gentleman from Wisconsin [Mr. PRICE]

has been recognized.

Mr. PRICE. I desire to have a claim sent to the Court of Claims. It is a claim upon which I spent three months in the Forty-eighth Con-

Mr. SPRIGGS. What claim is that?

Mr. PRICE. The Murphy claim. I examined it last Congress. The gentleman from Virginia [Mr. TRIGG] has examined it in this Congress. Here is a report, full and complete. I think no gentleman familiar with the case will prevent its going to the Court of Claims. The first two pages of the report contain the main facts.

Mr. CAMPRELL, of Pennsylvania. I object to any bill being taken

Mr. CAMPBELL, of Pennsylvania. I object to any bill being taken up out of its regular order. Let us have the regular order.

The CHAIRMAN. The Clerk will report the next bill on the Cal-

A bill (H. R. 2110) for the relief of the sufferers by the wreck of the United States steamship Ashuelot.

Mr. BUCHANAN. I call for the consideration of that bill; and I ask unanimous consent to substitute for it the bill S. 250.

The CHAIRMAN. The Clerk will report the House bill.

The bill (H. R. 2110) was read.

Mr. BUCHANAN. The Senate bill conforms to the House bill as recommended to be amended.

Mr. HOLMAN. I hope the report will be read.

Mr. WARNER, of Ohio. I think this is likely to lead to discussion.

It had better go over. Mr. BUCHANAN. I can state in a few moments what the bill is. The CHAIRMAN. Does the gentleman from Ohio [Mr. WARNER] object?

Mr. WARNER, of Ohio. I have no objection to the reading of the report.

Mr. BUCHANAN. I can state in one moment what the bill is.

Mr. TRIGG. I suggest to the gentleman from New Jersey that I hear several gentlemen around me state that they will object.

Mr. BUCHANAN. This is in a long line of precedents beginning in 1848. We have passed a similar bill this session.

The CHAIRMAN. The Chair understands the gentleman from Ohio

[Mr. WARNER] to object.
Mr. WARNER, of Ohio. Let it go over.
Mr. BAKER. I ask unanimous consent to call up a bill. [Cries of "Regular order!"]

The CHAIRMAN. The regular order is insisted on.

Mr. McKENNA. Is it in order to ask unanimous consent?

The CHAIRMAN. The gentleman from Pennsylvania on the left

[Mr. CAMPBELL] insists on the regular order.

Mr. SPRINGER. I move that the committee rise. It is impossi-

ble to get the bills passed which have been acted upon by the commit-tee unless we do so. I will state if any time is left after the bills are passed I am willing the Speaker shall then recognize gentlemen for requests for unanimous consent.

The question being taken, there were—ayes 44, noes 14. So the motion was agreed to.

The committee accordingly rose; and Mr. McMillin having resumed the chair as Speaker pro tempore, Mr. HATCH reported that the Committee of the Whole House having had under consideration the Private Calendar, under the special order of the House, had instructed him to report sundry bills with various recommendations.

BILLS PASSED.

Senate bills of the following titles, reported from the Committee of the Whole without amendment, were severally read the third time, and passed:
A bill (S. 218) to confirm the title to certain lands in Platte County,

Missouri, and authorize patents to be issued therefor to Kinsey B.

A bill (S. 68) for the relief of S. B. Cranston, of Oregon;
A bill (S. 289) for the relief of J. A. Henry and others;
A bill (S. 936) for the relief of John M. McClintock;
A bill (S. 699) to authorize the Secretary of the Interior to issue to

George K. Otis duplicates of certain land-warrants;

A bill (S. 632) to provide for the settlement of estates of deceased Kickapoo Indians in the State of Kansas, and for other purposes;
A bill (S. 224) for the relief of Charles F. Bowers;
A bill (S. 13) for the relief of William J. Smith, late surveyor of cus-

toms for the port of Memphis, State of Tennessee;
A bill (S. 972) for the relief of Thomas P. Morgan, jr.;
A bill (S. 304) to compensate physicians for services rendered under an order of the United States court of the northern district of Alabama;

A bill (S. 1899) for the relief of Mrs. Lizzie Maynadier Phelps; and A bill (S. 2415) for the relief of the trustees of the Christian Brothers'

College, Saint Louis, Mo.

Amendments reported from the Committee of the Whole to Senate Amendments reported from the Committee of the Whole to Senate bills of the following titles were severally agreed to; and the bills as amended were severally read the third time, and passed:

A bill (S. 718) for the relief of Francis Gilbeau;

A bill (S. 1599) for the relief of the Phœnix National Bank, of the city of New York;

A bill (S. 1008) to empower the Board of Foreign Missions of the Methodist Protestant Church to hold property in the District of Columbia: and

bill (S. 22) for the relief Martin Murphy and P. B. Murphy. The SPEAKER. The Clerk will now report House bills reported from the Committee of the Whole without amendment.

STEPHEN N. SMITH.

The first House bill reported without amendment from the Committee of the Whole was the bill (H. R. 2136) for the relief of Stephen N. Smith.

Mr. SPOONER. Mr. Speaker, I ask leave to substitute for this Senate bill No. 708, which is in the same words.

The SPEAKER pro tempore. Is there objection to the request of

the gentleman from Rhode Island?

Mr. HOLMAN. Is the Senate bill exactly the same as the House

The SPEAKER pro tempore. The Chair is informed that the Senate bill is identical in terms with the House bill.

There was no objection.

The Senate bill was ordered to a third reading; and it was accordingly read the third time, and passed.

The House bill (H. R. 2136) was laid on the table.

WILLIAM J. OWINGS.

The next bill reported from the Committee of the Whole without amendment was the bill (H. R. 4097) for the relief of William J. Owings; which was ordered to be engrossed and read a third time, and being engrossed, it was accordingly read the third time, and passed.

HENRIETTA H. COLE.

The next bill reported from the Committee of the Whole without amendment was the bill (H. R. 200) for the relief of Henrietta H. Cole. Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent to substitute for this bill Senate bill No. 380, which is in the same terms as

the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate bill was ordered to a third reading; and it was accordingly read the third time, and passed.

The House bill (H. R. 200) was laid on the table.

ALEXANDER WORRALL.

A bill (H. R. 447) for the relief of Alexander Worrall was reported from the Committee of the Whole with an amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

LUTHER F. WARDER.

The joint resolution (H. Res. 82) for the relief of Luther F. Warder was reported from the Committee of the Whole with an amendment. The amendment was agreed to.

The joint resolution was then ordered to be engrossed and read a

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and there were-ayes 29, noes 14.

So the joint resolution was passed.

By unanimous consent the title was amended so as to read: "Joint resolution for the relief of Luther F. Warder,"

BILLS LAID ON THE TABLE.

Bills of the following titles were laid on the table, in accordance with the recommendation of the Committee of the Whole House:

A bill (H. R. 1604) for the relief of Mrs. Lizzie Maynadier Phelps; and

A bill (H. R. 4162) authorizing the District of Columbia to convey the alley, 15 feet wide, running east and west between lots 6 and 7 in square 635, comprising an area of 3,480 square feet of land, to the owner of said lots.

ORDER OFBUSINESS.

Mr. SPRINGER. There is on the Calendar a Senate bill for the benefit of one of my constituents, a bill favorably reported by myself. It is Senate bill No. 2166, for the relief of John F. Cadwalader. It involves about \$400 for the payment of the clerk of a United States court for preparation of records by order of the court. The bill has been recommended in every annual report of the Attorney-General since the service was performed. I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill, and that it be now put on its passage.

Mr. CAMPBELL, of Pennsylvania. I object.
Mr. DOCKERY moved to reconsider the various vote by which bills reported from the Committee of the Whole House were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. SOWDEN. I move that the House do now adjourn.

The motion was not agreed to, there being—ayes 11, noes 43.
Mr. DUNN. I ask unanimous consent for the consideration of a bill which simply gives the right of way for a railroad from Fort Smith to Albuquerque. There is a unanimous report from the Committee on Pacific Railroads. As the bill is of some length I ask that the reading may be dispensed with, and that the bill be printed in the RECORD.

The Clerk read the title of the bill, as follows:

A bill (H. R. 9107) to incorporate the Arkansas and New Mexico and Pacific Railroad Company, and for other purposes.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent for the consideration of this bill.

Mr. CAMPBELL, of Pennsylvania. I object. Several members demanded the regular order.

Mr. TAULBEE. I move that the House resolve itself into Committee of the Whole.

The SPEAKER pro tempore. The regular order is demanded; and no bill on the Calendar can be considered under the rules except in Com-

no bill on the Calendar can be considered under the rules except in Committee of the Whole.

Mr. TAULBEE. That is the object of my motion.

The motion of Mr. TAULBEE was agreed to.

The House again resolved itself into Committee of the Whole House (Mr. Hatch in the chair) for the purpose of considering bills on the Private Calendar under the special order.

Mr. McKENNA. I ask unanimous consent to take up out of its order House bill No. 8761.

Mr. SOWDEN. Regular order.

Mr. CAMPBELL, of Pennsylvania. I object to the consideration of any bill unless it is taken up in its order on the Calendar.

The CHAIRMAN. The gentleman from Pennsylvania on the right [Mr. Sowden] and the gentleman from Pennsylvania on the left [Mr. CAMPBELL] both insist upon the regular order. Nothing is left for the Chair except to have the first bill on the Calendar reported.

Mr. McKENNA. Is it not in order for me to make a statement? The CHAIRMAN. The demand for the regular order cuts off all debate.

SUFFERERS BY WRECK OF STEAMER TALLAPOOSA.

The first business in order was the bill (H. R. 2258) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa.

Mr. NEAL. I ask that this bill be considered.

The Clerk proceeded to read the bill. Mr. WARNER, of Ohio (before the reading was concluded). bill is of the same character as the bill which was last read, and it certainly ought to have some discussion before being passed. If there are any bills which can go through without objection I think this had bet-

ter be passed over.

The CHAIRMAN. Objection being made, the Clerk will report the next bill.

ORDER OF BUSINESS.

The Clerk read as follows:

A bill (H. R. 633) for the relief of Maj. G. W. Candee.

Mr. HEARD. The Clerk has skipped the bill (S. 574) for the relief of Robert Strachan.

The CHAIRMAN. The Chair will state to the gentleman from Missouri [Mr. Heard] that the bill to which he refers has already been before the Committee of the Whole this evening and objected to.

Mr. HEARD. I did not understand that it was objected to, but merely that no member called for its consideration. That is my information. It is simply a proposition to refer a matter to the Court of

The CHAIRMAN. The bill has already had its consideration, and has been objected to.

MAJ. G. W. CANDEE.

The next business on the Private Calendar was the bill (H. R. 633) for the relief of Maj. G. W. Candee.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That there be paid to Maj. G. W. Candee, paymaster United States Army, out of any money in the Treasury not otherwise appropriated, the sum of \$2,650, being the amount stolen from him at Fort Arbuckle, Indian Territory, in the fall of 1869, and was restored by him out of private funds: Provided, That the Court of Claims shall find the loss of said funds to have been without fault or negligence on the part of said officer; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine such matter, without regard to the limitation imposed by section 1069, Revised Statutes, and render judgment accordingly.

Mr. HOLMAN. I hope the report in this case will be read. The CHAIRMAN. Does any gentleman ask for the consideration of

Mr. McKENNA. I promised a gentleman that I would ask for its consideration.

The CHAIRMAN. The report will be read. The Clerk commenced the reading of the report.

Mr. McKENNA (interrupting). I can make a statement. It is to reimburse him for the money he lost. He was paymaster in the Army, and he lost it. He promptly paid it to the Government. The strong presumption was that the officer in the room with him stole the money.

Mr. SPRINGER. How much was it?

Mr. McKENNA. It is \$2,650.

Mr. HOLMAN. Inasmuch as this bill provides the question of negligence on the part of the paymaster shall be inquired into by the Court of Claims, I am not inclined to insist on the further reading of the report; otherwise I would do so. But that being a subject of inquiry prior to the payment of the money, it seems to be safe enough.

Mr. SOWDEN. I would ask the gentleman from California what

evidence there is the money was stolen?

Mr. McKENNA. I think the gentleman from Pennsylvania was on the Committee on Claims, or ought to have been, when this case was considered. The evidence is it was in the safe in his office. The safe was opened and the money was stolen when his back was turned. theft was traced to the officer who was in the room with him. [Cries of "Vote!"]

There was no objection, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

FRANCIS M. BELL.

The next business on the Private Calendar was the bill (H. R. 2086) for the relief of Francis M. Bell.

Mr. HIRES. I ask for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Postmaster-General be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, whatever claim may be found due and audited by the Auditor of the Treasury for the Post-Office Department in favor of Francis M. Bell, postmaster at Tyrone, in the State of Pennsylvania, for clerk-hire from April 30, 1877, to June 30, 1878: Provided, That said claim and payment shall not exceed the sum of

The report (by Mr. Fleeger) was read, as follows:

The report (by Mr. Fleeger) was read, as follows:

The Committee on Claims, to whom was referred the bill (H.R. 2086) for the relief of Francis M. Bell, having had the same under consideration, submit the following report:

In May, 1877, Francis M. Bell was appointed postmaster at Tyrone, Pa. He was not advised that he was entitled to an allowance for clerical hire until September 11, 1880, at which time he received a letter from the acting First Assistant Postmaster-General stating that—

"Owing to the limited appropriation for clerical service in post-offices the Department is obliged to make an immediate and general reduction of the per cent, of the present allowances for clerical assistance in separating offices. Your annual allowance for clerical service in separating mails at your office is therefore hereby fixed at \$405 from October 1, 1889."

Upon receipt of said notice the postmaster sent in to the Department vouchers for the payments made by him, and he was allowed and paid for such service from June 30, 1878, but the amount from May 1, 1877, to June 30, 1878, was not paid, for the reason, as stated by the then Auditor of the Treasury for the Post-Office Department, that the money appropriated for that purpose had been covered back into the United States Treasury.

The bill provides for the payment of—

"Whatever claim may be found due and audited by the Auditor of the Treasury for the Post-Office Department in favor of Francis M. Bell, postmaster at Tyrone, Pa., for clerk-hire from April 30, 1877, to June 30, 1878, provided that the same shall not exceed \$525."

Your committee, believing said bill to be just, recommend its passage.

Mr. WARNER, of Ohio. Why can not this be paid as other clerical service by the Post-Office Department?

Mr. SPRINGER. It can not be allowed under the general law.

There was no objection; and the bill was laid aside to be reported to

the House with the recommendation that it do pass.

Mr. BUCHANAN. I move the committee rise, as we will hardly have time to pass the bills in the House.

The motion was agreed to.

The committee accordingly rose; and Mr. McMillin having resumed the chair as Speaker pro tempore, Mr. HATCH reported that the Committee of the Whole House had had under consideration the Private Calendar, and had directed him to report sundry bills with the recommendation that they do pass.

BILLS PASSED.

Bills of the following titles, reported from the Committee of the Whole House, were severally ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. 633) for the relief of Maj. G. W. Candee; and A bill (H. R. 2086) for the relief of Francis M. Bell.

Mr. SPRINGER moved to reconsider the vote by which the bills were passed; and also moved that the motion to reconsider be laid on

The latter motion was agreed to.

HYLAND C. KIRK.

Mr. SPRINGER. I yield to the gentleman from New York [Mr. BAKER], as there was one recognition on this side.

Mr. BAKER. I move that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 7649) for the relief of Hyland C. Kirk.

The bill and report were read.

The hour of 11 o'clock p. m. having arrived, the House (in accordance with the previous order) adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. CALDWELL: Petition of David A. Cobb and of J. M. Cobb, of McMinn County; of Charles Carmon, of Monroe County; of W. S. Bewley and of James S. Gentle, of Hamblin County; of John Thompson, of Hickman County; of Mary C. Dulany and of William Campbell, of Sullivan County; of W. R. Bailiff and of William G. Bratton, of De Kalb County; of J. S. Dellahanty (administrator of J. L. Green), of William P. Cloyd, of William A. Matthews, of William R. Whitfield, and of John B. Hope, of Davidson County; of James W. Harris (administrator of David A. Massey), of Humphreys County; of Jesse Hooper, of Cheatham County; of Elisha Kelley, of Stewart County; of John M. Winstead, of Williams County; of James M. Weatherly, of Rutherford County; of Uriah Jennings (administrator of William Jennings, deceased) and of Robert Bell, of Wilson County; of John Chetwood (excentor of W. W. Sharp, deceased) and of William M. Gossage, of Franklin County; and of the estate of Benjamin Adams, of Dickson County, Tennessee, severally asking compensation for stores, &c., taken By Mr. CALDWELL: Petition of David A. Cobb and of J. M. Cobb, County, Tennessee, severally asking compensation for stores, &c., taken and used by the United States Army—to the Committee on War

By Mr. CLEMENTS: Papers relating to the claim of Melvin J. Smith,

of Whitfield County, Georgia—to the same committee.

By Mr. DUNN: Papers relating to the claim of William J. Hendrick and of William A. Brown (administrator of Dedrick Pike), of Monroe

and of William A. Brown (administrator of Dedrick Pike), of Monroe County, Arkansas—to the same committee.

By Mr. HAIMER: Paper relating to the bill for the relief of H. Clay Fisher, United States Marine Corps—to the Committee on Claims.

By Mr. JAMES: Petition of Raphael C. Stearns and 104 others, of Harry Lee Post, Grand Army of the Republic, No. 21, asking for enactment of Senate bill 1886—to the Committee on Invalid Pensions.

By Mr. McMILLIN: Petition of Thomas O. Tighlman, for pay for property taken and used by the United States Army—to the Committee on War Claims.

Also petition and papers relating to the claim of John O. Care—to.

Also, petition and papers relating to the claim of John O. Cage-to

By Mr. McRAE: Papers relating to the claim of Henry H. Carter and of C.L. Thomas (administrator of Lewis Thomas), of Clark County, Arkansas—to the same committee.

By Mr. PETERS: Resolution of Benton Post, No. 61, Grand Army of the Republic, of Anthony, Kans., favoring the passage of Senate bill No. 1886—to the Committee on Invalid Pensions.

By Mr. SAYERS: Petition of citizens of Runnells County, Texas, for relief—to the Committee on Appropriations.

The following petitions, asking for the passage of House bill 7887, pealing timber-culture, pre-emption, and desert-land acts; of House bill 7021, for adjustment of railroad and other land grants; of bill for-feiting all railroad land grants the conditions of which have not been strictly complied with; of House bill organizing the Territory of Oklahoma; of Senate bill opening a portion of the great Sioux reservation

to settlement; of bill prohibiting aliens from holding land in the United States; of bill making Presidential and Congressional election days holidays, and punishing bribery; and of bill directing disbursement of at least \$200,000,000 Treasury surplus, and substituting Treasury notes for bank notes retired, were severally referred to the Committee on the Public Lands:

By Mr. PIRCE: Petition of Charles M. Smith and others, citizens of

Rhode Island.

By Mr. RANNEY: Petition of D. F. Coleman and 60 others, of P. J. Haynes and 122 others, and of L. Colundo and 201 others, citizens of the Third district of Pennsylvania.

SENATE.

FRIDAY, July 30, 1886.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. G. BUTLER, D. D. The Journal of yesterday's proceedings was read and approved.

EXECUTIVE SESSION.

Mr. EDMUNDS. Mr. President, I think it is as good a time as any now for a minute of executive session. I move that the Senate proceed to the consideration of executive business.

Mr. JONES, of Arkansas. Will the Senator withhold the motion for a moment that I may submit an amendment to a bill?

Mr. EDMUNDS. The morning business will go right on in two minutes, if the Senator will wait. It will not disturb the morning business at all.

ness at all.

Mr. JONES, of Arkansas. Very well.
The PRESIDENT pro tempore. The Senator from Vermont moves The PRESIDENT pro tempore. The Senator from Vermont me that the Senate proceed to the consideration of executive business

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened.

OHIO RIVER BRIDGE AT CAIRO.

Mr. CONGER. I ask leave to withdraw the report which I made yesterday from the Committee on Commerce on the bill (H. R. 9728) to authorize the Chicago, Saint Louis and New Orleans Railroad Company and the Illinois Central Railroad Company, or either of them, to construct a bridge over the Ohio River at or near Cairo, Ill., and to

have the bill recommitted to the committee.

The PRESIDENT pro tempore. If there be no objection the report will be withdrawn, and the bill will be recommitted to the Committee on Commerce. The Chair hears no objection. The Chair is advised that there is another bill. Does the Senator from Michigan include

that bill in his request?

Mr. CONGER. One was reported adversely and indefinitely post-

poned. Let them both be recommitted.

The PRESIDENT pro tempore. If there be no objection the vote by which the bill (H. R. 1718) authorizing the Chicago, Saint Louis and New Orleans Railroad Company and the Illinois Central Railroad Company and the Private of the Chicago, Saint Louis and New Orleans Railroad Company and the Illinois Central Railroad Company and the Orleans Railroad Company and the pany, or either of them, to construct a bridge over the Ohio River at or near Cairo, Ill., was indefinitely postponed will be reconsidered, and the bill will be recommitted to the Committee on Commerce.

DEPARTMENTAL CLERKS-CIVIL SERVICE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Civil Service and Retrenchment, and ordered to be printed:

To the Senate of the United States:

To the Senate of the United States:

I transmit herewith reports from the heads of the several Executive Departments of the Government in answer to a resolution of the Senate of June 18, 1886, which requested certain information regarding appointments in such Departments, and having relation to the civil-service law.

GROVER CLEVELAND.

EXECUTIVE MANSION, July 29, 1886.

PETITIONS AND MEMORIALS.

Mr. MILLER presented the memorial of Luther M. Wheeler Post, Grand Army of the Republic, of Saratoga Springs, N. Y., remonstrating against the proposition to attach to pension bills measures of taxation; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2883) granting a pension to James E. Abbs; and A bill (S. 2884) granting a pension to Mrs. Anna Etheridge Hooks. He also, from the same committee, to whom was referred the bill (S. 2774) to provide a pension for Mrs. Anna Etheridge Hooks, reported adversely thereon, and the bill was postponed indefinitely.

JOINT RESOLUTION INTRODUCED.

Mr. BUTLER introduced a joint resolution (S. R. 80) providing for

one month's extra pay for certain employés of the Senate and House of Representatives; which was read twice by its title.

The PRESIDENT pro tempore. Does the Senator from South Carolina ask to have the joint resolution placed on the Calendar?

Mr. BUTLER. I ask for its immediate consideration. I do not

want it to go on the Calendar.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent that the Senate proceed to the consideration of the joint resolution.

Mr. EDMUNDS. I object.

Mr. EDMUNDS. I object.

The PRESIDENT protempore. Objection is made.

Mr. BUTLER. I ask that the joint resolution lie on the table.

Mr. EDMUNDS. It will have to go somewhere.

The PRESIDENT protempore. Does the Senator from South Carolina wish to have the joint resolution referred to a committee?

Mr. BUTLER. Let it be referred to the Committee on Contingent

Expenses

The PRESIDENT pro tempore. The joint resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the

AMENDMENT TO A BILL.

Mr. JONES, of Arkansas, submitted an amendment intended to be proposed by him to the bill (H. R. 9736) to grant the Maricopa and Phenix Railway Company of Arizona the right of way through the Gila River Indian reservation; which was referred to the Committee on Indian Affairs, and ordered to be printed.

NORTHERN PACIFIC BAILROAD LANDS.

The PRESIDENT pro tempore appointed Mr. Dolph, Mr. Telles, and Mr. Cockrell the conferees on the part of the Senate on the disagreeing votes of the two Houses upon the amendment of the House of Representatives to the bill (S. 2172) restoring to the United States cer-tain of the lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound and to restore the same to settlement, and for other purposes.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 4476) for the relief of Alexander Worrall;

A bill (H. R. 633) for the relief of Maj. G. W. Candee;

A bill (H. R. 2086) for the relief of Francis M. Bell;

A bill (H. R. 4097) for the relief of William J. Owings; and

Joint resolution (H. Res. 82) for the relief of Luther F. Warder.

The message also announced that the House requested the Senate to return to the House the joint resolution (H. Res. 295) permitting the public building authorized by act of Congress approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building instead of 50 feet, as provided in said act.

The message further announced that the House had passed the following bills, with amendments, in which it requested the concurrence

of the Senate:

A bill (S. 22) for the relief of Martin Murphy and P. B. Murphy; A bill (S. 718) for the relief of Francis Gilbeau; A bill (S. 1008) to empower the Board of Foreign Missions of the Methodist Protestant Church to hold property in the District of Co-A bill (S. 1599) for the relief of the Phœnix National Bank of the city of New York.

The message also announced that the House had passed the following A bill (S. 13) for the relief of William J. Smith, late surveyor of cus-

toms for the port of Memphis, State of Tennessee;

A bill (S. 68) for the relief of S. B. Cranston, of Oregon;

A bill (S. 218) to confirm the title to certain lands in Platte County,

Missouri, and authorize patents to be issued therefor to Kinsey B. Cecil;

A bill (S. 224) for the relief of Charles F. Bowers; A bill (S. 289) for the relief of J. A. Henry and others; A bill (S. 304) to compensate physicians for services rendered under an order of the United States court of the northern district of Alabama;

A bill (S. 380) for the relief of Henrietta H. Cole; A bill (S. 632) to provide for the settlement of estates of deceased Kickapoo Indians in the State of Kansas, and for other purposes;

A bill (S. 699) to authorize the Secretary of the Interior to issue to George K. Otis duplicates of certain land-warrants lost while in the possession of the officers of the Government;

A bill (S. 708) for the relief of Stephen N. Smith;
A bill (S. 936) for the relief of John M. McClintock;
A bill (S. 972) for the relief of Thomas P. Morgan, jr.;
A bill (S. 1899) for the relief of Mrs. Lizzie Maynadier Phelps, widow of Capt. Seth Ledyard Phelps, late minister of the United States to Peru; and
A bill (S. 2415) for the relief of the trustees of the Christian Brothers'

College, of Saint Louis, Mo.

COMMITTEE ON ADDITIONAL LIBRARY ACCOMMODATIONS.

Mr. VOORHEES. I submit the following resolution and ask for its present consideration:

Resolved, That the Select Committee on Additional Accommodations for the Library of Congress be, and it is hereby, authorized to sit during the recess of Congress, and that any necessary expenses shall be paid out of the contingent fund of the Senate, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. VOORHEES. I simply desire to say that this step is taken not only in concurrence with but by the approval of the building commission which has the work in charge, and who think this is a proper and necessary step.

The resolution was considered by unanimous consent, and agreed to.

JUDGE FOR SOUTHERN ALABAMA-JUDICIAL SALARIES.

Mr. ALLISON. I move that the Senate proceed to the consideration of the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

The PRESIDENT pro tempore. Before the question is put on that motion the Chair will lay before the Senate the bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama, returned by the House of Representatives in accordance with the request of the Senate. There is a motion to reconsider pending, made by the Senator from Alabama [Mr. Pugh].

Mr. Pugh. I ask the consideration of the motion I entered to re-

consider.

The PRESIDENT pro tempore. The Senator from Alabama moves that the Senate reconsider the vote by which the bill was ordered to a third reading and passed. If there be no objection, the motion to reconsider will be considered as agreed to. The amendments made to the bill by the Senate will be stated.

The CHIEF CLERK. In section 1, line 6, after the word "receives," the Senate struck out "the same" and inserted "a;" in line 7, after the word "salary," the Senate struck out the words "and to be paid in the same manner that the judge of the other district court of said. State is allowed and paid" and inserted "of \$3,500, payable quarterly;" so as to read:

That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a district judge for the southern judicial district of the State of Alabama; and that said judge shall be entitled to receive (1) a yearly salary (2) of \$3,500, payable quarterly.

The Senate also struck out sections 2 and 3 in the following words:

SEC. 2. That terms of the district court for the southern district of Alabama shall, in addition to the regular terms as now provided by law, be held on the fourth Mondays in October, February, and April in each year, for the purpose of deciding causes of admiralty and maritime jurisdiction.

SEC. 3. That the district judge for the southern district of Alabama shall reside

And in lieu thereof inserted:

SEC. 2. That the jurisdiction of the present district judge for the several districts of Alabama, and his successors, shall hereafter be confined to the northern and middle districts of said State.

SEC. 3. That the salaries of the several judges of the district courts of the United States shall hereafter be at the rate of \$5,000 per annum.

SEC. 4. That no person related to any justice or judge of any court of the United States, by affinity or consanguinity, within the degree of first cousin, shall be appointed by such court or judge to, or employed by such court or judge in, any office or duty in any court of which such justice or judge may be a member.

The Senate also amended the title so as to read: "An act to provide for the appointment and compensation of a district judge for the southern district of Alabama, and to establish the salaries of the judges of the district courts of the United States."

Mr. PUGH. It is only section 3, in relation to the salaries of district judges, the amendment offered by the Senator from Illinois [Mr. Logan], that I make the motion to reconsider, with his knowledge and consent. The other amendments as recommended by the Judiciary Committee I do not wish to disturb.

The PRESIDENT pro tempore. The question is on agreeing to the amendment providing for uniform salaries for district judges.

Mr. EDMUNDS. The old amendment is now before the Senate, which has been reconsidered. Then the Senator from Alabama wants

which has been reconsidered. Then the Senator from Alabama wants to move to amend by striking out section 3 as it stands.

The PRESIDENT pro tempore. The question is on the amendment striking out that section. [Putting the question.] The ayes have it and the motion is agreed to, and the clause is stricken out. The remaining amendments will be regarded as agreed to, and the bill read the third time and passed.

Mr. EDMUNDS. I want to have it read by its title, so that everybed will know what we are doing. In this way we can not under-

body will know what we are doing. In this way we can not under-

stand.

The PRESIDENT pro tempore. The bill will be read by its title.

The CHIEF CLERK. A bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama

Mr. GEORGE. I should like to have the section which was stricken out read, so that we may know what it is.

Mr. PUGH. It is in relation to the increase of the salaries of judges.

The PRESIDENT pro tempore. The section will be read.

The Chief Clerk read section 3, as follows:

SEC, 3. That the salaries of the several judges of the district courts of the United States shall hereafter be at the rate of \$5,000 per annum.

The PRESIDENT pro tempore. The Chair will again put the question on striking out the third section of the bill. [Putting the question.] The ayes have it, and the motion to strike out is agreed to.

Mr. EDMUNDS. There is another section which relates to all the judges whose salaries were increased that ought to go out also, if the salary section goes out, so as to leave only a local bill for that place. That is section 4, about kinship, &c.

The PRESIDENT pro tempore. The section referred to will be read.

The Chief Clerk read as follows:

SEC. 4. That no person related to any justice or judge of any court of the United States, by affinity or consanguinity, within the degree of first cousin, shall be appointed by such court or judge to, or employed by such court or judge in, any office or duty in any court of which such justice or judge may be a member.

I ask to have the amendment which was declared stricken out by the Chair read again for the information of the Senate. The vote on this side of the Chamber was very largely in the negative. Mr. HALE. What has become of the clause just read? Has that

been stricken out?

been stricken out?

The PRESIDENT pro tempore. No; the vote has not been taken upon it. The Senator from New Jersey [Mr. Sewell] asks that the vote be taken on the preceding clause. The title of the bill will be again read if Senators will preserve some degree of order.

The CHIEF CLERK. A bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of

The PRESIDENT pro tempore. To this bill the Senate made amendments when it was before the Senate. The Senator from Vermont now moves to strike out the fourth section.

I ask for the reading of the amendment acted upon. The PRESIDENT pro tempore. The amendment will be read.

The Chief Clerk proceeded to read section 4.

Mr. EDMUNDS. That was just read. What the Senator from New Jersey asks is to have a vote on striking out section 3 of the amendment, the general salary provision. That is what he wants.

Mr. CHACE. I want to hear the amendment read.

The PRESIDENT pro tempore. That is the amendment which the

Chair directed to be read.

The Chief Clerk read section 3.

Mr. DAWES. The motion is, I understand, to strike that out.
Mr. SEWELL. I ask that the vote be taken again on striking out
section 3, for practically to my mind that is all there is in the bill.

Mr. PUGH. It is a local bill allowing an additional judge for the southern district of Alabama on the recommendation of the whole bar and of the circuit and district judges of the United States. They say it is indispensable to the administration of justice there in maritime cases. The Judiciary Committee reported it unanimously, and the bill as it stands now is for that local purpose, to answer that local demand.

The amendment of the Senator from Illinois [Mr. LOGAN] increasing the salary of all the district judges to \$5,000 was general legislation on this local bill, and if I may be permitted to say so, the bill increasing the salaries of these judges, which went from here to the other House, is on the House Calendar with a favorable report from the Judiciary Committee and that question is open there now and pending in the House. It does not belong to this bill at all, and it can not hasten the action of the House upon it. This bill was away behind the general bill to increase the salary, and there is no purpose at all that can be promoted by keeping this amendment in the bill. The Senator from Illinois who offered it agreed that it should be reconsidered, with a knowledge of the facts.

Mr. SEWELL. It is all very well for the Senator from Alabama to endeavor to get his local bill through, but the third section is an expression of the views of the Senate on this question. It has been passed upon on more than one occasion by the Senate and rejected by the House. I think the Senate should stick to its amendment, as it is evidently a very proper one.

idently a very proper one.

Mr. SAULSBURY. It is very certain that if this general provision is attached to this local bill the effect will be to defeat the local bill. It is an important matter to the people of Alabama; and the very question involved in the third section, as the Senator from Alabama says, has been before the Senate in an independent bill and is now pending in the House. What is the use, therefore, of defeating this local bill for the purpose of asserting again what the Senate has already asserted in reference to the question of salaries?

Mr. ALDRICH. I rise to make a parliamentary inquiry. I should like to know how this bill came before the Senate.

The PRESIDENT pro tempore. It came before the Senate by a request from the Senate to the House of Representatives to return the bill. Mr. ALDRICH. How does it come before the Senate for considera-

tion now? The PRESIDENT pro tempore. It comes before the Senate in the form of a message from the House of Representatives, which it was the duty of the Chair to lay before the Senate.

Mr. ALDRICH. On a question of reference, I suppose.

The PRESIDENT pro tempore. On a motion to reconsider, and that motion has been agreed to. The question is on striking out the third section of the bill.

Mr. SEWELL. I ask for the yeas and nays on that question.

The yeas and nays were ordered.

Mr. PUGH. It defeats the local bill if that amendment is kept in it, and without any possible advancement of the purpose to increase the salary. This proposed increase of salary is already in a general bill passed by the Senate, which has been reported favorably by the House Judiciary Committee; it is on the House Calendar and would be ahead of this bill on the Calendar if the amendment remains in this local bill.

It is putting general legislation on a local bill and defeats the local bill reported unanimously from the Judiciary Committee on a recommendation of the whole bar and the circuit and district judges of the United States court. It defeats this bill if that amendment is kept in there without any possible chance of promoting the passage of the general salary bill. I ask the Senate not to concur in this amendment because it accomplishes nothing except to defeat this local bill granted by the Judiciary Committee as of paramount necessity.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll and Mr. ALDRICH responded

to his name.

Mr. BERRY. Is the question on striking out the third section? The PRESIDENT pro tempore. The question is on striking out the

Mr. PUGH. The motion now is to disagree to the amendment. The PRESIDENT pro tempore. The motion is to strike out.

Mr. CHACE. I have been listening but I confess I do not understand the question as it is before the Senate.

The PRESIDENT pro tempore. The question is upon striking out of the bill the section which has been read. If the Senator is in favor of striking out, he will vote "yea."

Mr. CHACE. That is the motion of the Senator from New Jersey

[Mr. SEWELL]?
The PRESIDENT pro tempore. It is the motion of the Senator from

Alabama [Mr. Pugh].

Mr. Pugh. The Senator from Illinois [Mr. Logan], who offered this amendment to this local bill, was advised of all the facts and agreed that I might make this motion without his opposition, and I am doing this with his sanction, he having offered the amendment before he left here and he concurs in the vote now to strike it out-

Mr. ALDRICH. Is discussion in order.

Mr. PUGH. Because if it be kept in it will accomplish nothing in

securing this increase of salary but will defeat this local bill.

The PRESIDENT pro tempore. The Chair must insist upon the roll-call being completed when it is started. Debate is utterly out of

The Secretary resumed the calling of the roll.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The roll-call was concluded.

Mr. HAWLEY. I wish to announce that my colleague [Mr. PLATT] sends word to me that he is paired with the Senator from Kentucky [Mr. Blackburn]

Mr. MANDERSON. That releases me from my pair with the Senator from Kentucky, and I vote "yea."

The result was announced-yeas 35, nays 9; as follows:

YEAS-35.

Beck, Berry, Blair, Call, Coke, Conger, Cullom, Eustis, Frye,	George, Gibson, Gorman, Hale, Hampton, Hawley, Jones of Arkansas, McPherson, Manderson,	Maxey, Mitchell of Oreg., Palmer, Payne, Pugh, Ransom, Saulsbury, Sherman, Teller,	Vanee. Van Wyck, Vest, Voorhees, Walthall, Whitthorne, Wilson of Iowa, Wilson of Md.
	NA.	YS-9.	
Aldrich, Allison, Chace,	Dolph, Miller,	Riddleberger, Sawyer,	Sewell, Stanford.
	ABSE	NT-32.	
Blackburn, Bowen, Brown, Butler, Camden, Cameron, Cockrell, Colquitt,	Dawes, Edmunds, Evarts, Fair, Gray, Harris, Harrison,	Hoar, Ingalls, Jones of Florida, Jones of Nevada, Kenna, Logan, McMillan, Mahone,	Mitchell of Pa., Morgan, Morrill, Pike, Platt, Plumb, Sabin, Spooner.
The PRESI	DENT pro tempore.	So the clause is	stricken out. Th

Senator from Vermont moves to strike out section 4.

Mr. HOAR. I rise to a question of order. I understand that the Committee of the Whole recommended several amendments to the Senate, some of them coming from the Judiciary Committee, and the vote adopting those amendments was reconsidered. Therefore there was nothing in the bill of those amendments at all. There could be therefore no striking out of what was not in the bill. This vote should be treated by unanimous consent as a vote rejecting the amendment. Otherwise our Journal will be irregular and the whole thing will be irreg-

The PRESIDENT pro tempore. The Chair is of opinion that the motion of the Senator from Vermont to strike out this particular amendment is in order, but the most usual form would have been upon agree-

ing to the amendment. Either, however, is in order.

Mr. EDMUNDS. Why I made the motion was this: I had supposed, although perhaps I was in error in fact about it, that this amendment had been agreed to as in Committee of the Whole and was a part or a whole amendment reported from the Committee of the Whole, and my friend knows it would have been a motion to amend the amendment reported from the Committee of the Whole by striking out so much of it as embraced this clause. If I was correct about that, then the motion would have been in proper form, I think. If I was not correct about that, and this was a separate and independent and distinct amendment, then the form of the question should have been as the Senator from Massachusetts states.

The PRESIDENT pro tempore. The amendments were all made in Committee of the Whole and were all reported to the Senate. is now in the Senate, with this amendment pending. Prebably the more formal way would be to put the question on agreeing to the

amendment.

Mr. EDMUNDS. Let there be unanimous consent for the Chair and the Secretary to make up the Journal in the right way.

Mr. HOAR. That is all I desire.

The PRESIDENT pro tempore. If there be no objection the motion will be considered as one on agreeing to the amendment.

Mr. HOAR. As non-concurring in the amendment.

Mr. EDMUNDS. Now, let us non-concur in the next one, which is a part of the same general legislation, section 4, about the kinship business, which has been read twice already.

The PRESIDENT pro tempore. The Senator from Vermont moves to non-concur in the amendment, inserting section 4, which will be read.

The Chief Clerk read as follows:

SEC. 4. That no person related to any justice or judge of any court of the United States, by affinity or consanguinity, within the degree of first cousin, shall be appointed by such court or judge to, or employed by such court or judge in, any office or duty in any court of which such justice or judge may be

The amendment was non-concurred in.

Mr. EDMUNDS. That leaves it just the local bill that it was at first.

The amendments made were ordered to be engrossed and the bill to be read a third time. The bill was read the third time, and passed.

AMERICAN ANNIVERSARY CELEBRATION

Mr. HOAR. I ask that there be laid before the Senate the resolu-

tion reported yesterday by me from the Committee on the Library.

The PRESIDENT pro tempore. The Chair is of opinion that the resolution having been reported and objected to goes to the Calendar. It is not like an ordinary resolution objected to.

Mr. EDMUNDS. It goes to the Calendar like any other report.

The PRESIDENT pro tempore. It can only be taken up on motion.

Mr. HOAR. Does a resolution reported by a committee have less privilege than a resolution offered by a single Senator?

The PRESIDENT pro tempore. It goes to the Calendar under the

rule. Mr. HOAR. Then I ask leave to withdraw it and to introduce it in my own name at this time, so that it will be in order to-morrow.

Mr. HALE. I must object to that, because it will give rise to a long

Mr. HOAR. I have a right to introduce a resolution.
Mr. HALE. You can not withdraw a report without consent. This matter will give rise to extended debate whenever it comes up, and I must object to its being taken from the Calendar, where it properly belongs, and where it must take its course.

Without withdrawing it, I will introduce it, as I have Mr. HOAR.

a right to do.

The PRESIDENT pro tempore. The Senator from Massachusetts introduces a resolution, which will be read.

The Chief Clerk read the resolution, as follows:

Whereas the approaching centennial anniversary, in 1889, of the adoption of the Constitution of the United States, and that of the four hundredth anniversary, in 1892, of the discovery of America by Christopher Columbus, are two important historical events, fraught with great patriotic interest, not only to the citizens of this Republic and of the governments of the western hemisphere, but also mark occasions of transcendent importance in the history of the civilized world: Therefore,

Be it resolved. That a committee of five members of the Senate, of whom the President of the Senate shall be one, be appointed to consider, formulate, and report at the next session of Congress a plan for properly celebrating, at the capital of the Republic, these two illustrious anniversaries. Said committee are authorized to act in concert with any similar committee of the House of Representatives, and to sit during the recess.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

at this time, but I wish to express with great respect my dissent from the opinion of the Chair that a resolution, a Senate resolution only, reported by a committee has any less right than the same resolution offered by a single Senator. I believe, with much deference to the great experience of the Chair, that I should have a right to lay it before the Senate at this time; but I raise no question and let it go over.

The PRESIDENT pro tempore. The Chair must say in respect to that point that the universal custom of the Senate has been the other way.

point that the universal custom of the Senate has been the other way. A resolution reported from a committee is like any other report.

Mr. HOAR. It is not a joint resolution but a Senate resolution. The PRESIDENT pro tempore. A concurrent or any other resolution. They are all placed on the Calendar.

Mr. EDMUNDS. That has been the practice for years. Anything

reported from a committee goes on the Calendar.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution submitted by the Senator from Massachu-

Mr. HALE. Let it go over.

The PRESIDENT pro tempore. Objection being made, the resolution goes over.

STATISTICS OF WHEAT CROP.

Mr. WILSON, of Iowa. Yesterday I submitted a resolution and asked for its immediate consideration. The Senator from Kansas [Mr. PLUMB] objected, but he did so under a misapprehension of the character of the resolution.

The PRESIDENT protempore. The Chair lays before the Senate the resolution submitted yesterday by the Senator from Iowa.

The resolution was read and agreed to, as follows:

Resolved, That the Commissioner of Agriculture be directed to report to the Senate, at the commencement of the next session of Congress, the amount, in bushels, of wheat harvested in each wheat-producing country during the present year and the amount harvested in each during the preceding five years; the average increase or decrease in the world's consumption of wheat during said years; the probable requirements of each wheat-importing country prior to September 1, 1887, and the probable surplus in each wheat-exporting country to meet such requirements; with the number of acres of wheat in the ground in each to make the crop of 1887 at the date of said report, as compared with like date in 1885, said report to be as brief and concise as a clear statement of the information called for will admit.

PACKING AND SELLING CUT TOBACCO.

Mr. ALLISON. I move that the Senate proceed to the consideration of the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. EUSTIS. I rise to a parliamentary inquiry.
The PRESIDENT pro tempore. The Senator from Louisiana rises to a parliamentary inquiry.

Mr. EUSTIS. Yesterday the Senator from Rhode Island [Mr. AL-DRICH] made a motion to recommit the bill (H. R. 8738) to so further amend section 3362 of the Revised Statutes, as amended, and section 3363 as makes a distinction in the mode of packing and selling cut to-bacco. I understood the Chair to say that the motion would be considered this morning. What I desire to state is that it places me in a very peculiar position if the motion is not considered, for so long as the motion is pending I shall not feel at liberty to call up the bill itself for consideration. It seems to me it places me in a very unfair position by reason of that fact.

Mr. ALLISON. If the bill can be recommitted without debate I, of course, will not object; but if that question is to be taken up and to be debated the Senator from Louisiana will see that it is likely to occupy an hour or two.

Mr. EUSTIS. I simply wish to explain the bill and to make a state-

The PRESIDENT pro tempore. The Chair is clearly of opinion that the motion to recommit attaches itself to the bill, and that it can only be done when the bill is taken up by a vote of the Senate or by being reached on the Calendar.

Mr. EUSTIS. Do I understand the Chair to rule that a motion to recommit can not be considered?

The PRESIDENT pro tempore. A motion to recommit a bill which is on the Calendar can only be considered on a motion to proceed to the consideration of that bill on the Calendar or on reaching it on the Calendar or on the Ca The PRESIDENT pro tempore. endar. A motion to proceed to consider it would be in order at any time.

Mr. EUSTIS. I understood the Chair to decide yesterday that the

motion would come up this morning.

The PRESIDENT pro tempore. Not necessarily, unless the Senator should move it. The Senator can move it at any time when there is not another motion pending.

Mr. EUSTIS. I was prevented from making some remarks yester-day on the statements of the Chair. I yield to the Senator from Rhode

Mr. ALDRICH. I should be glad to have it disposed of now. The PRESIDENT pro tempore. It is not now in order except by

unanimous consent.

The PRESIDENT pro tempore. Is there objection to the present conderation of the resolution?

Mr. EUSTIS. I ask unanimous consent.

The PRESIDENT pro tempore. Pending the motion of the Senator from Iowa, the Senator from Louisiana asks the unanimous consent of

the Senate to proceed to the consideration of the motion to recommit House bill 8738 to the Committee on Finance.
Mr. CONGER. I object.

Mr. CONGER. I object.

The PRESIDENT pro tempore. Objection is made. It can only be done by unanimous consent.

TREASURY SURPLUS.

Mr. ALLISON. I renew my motion.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt

The motion was agreed to.
The PRESIDENT pro tempore. The Senator from Colorado [Mr. TELLER] has the floor.

Mr. MAXEY. I ask the Senator from Colorado to be kind enough to yield a moment to me to call up a bill from the other House with

an amendment, with a view to concurring in the amendment.

The PRESIDENT pro tempore. Does the Senator from Colorado

yield?

Mr. TELLER. I yield if it will take no time.

FRANCIS GILBEAU.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 718) for the relief of Francis Gilbean.

The amendment of the House of Representatives was, in lines 6 and 7, to strike out the words "and all damages to the same."

The amendment was concurred in.

WISCONSIN WESTERN JUDICIAL DISTRICT.

Mr. SPOONER. The Senator from Colorado yields to me to call up Mr. SPOONER. The Senator from Colorado yields to me to call up House bill 9857, and I ask unanimous consent that it may be taken.up. Mr. ALLISON. If it leads to debate I must object.

Mr. SPOONER. It is purely a local matter and will not lead to debate. If it does I will not ask to have it considered.

It will only take a moment, I understand. Mr. TELLER.

The PRESIDENT pro tempore. The Senator from Wisconsin asks unanimous consent that the Senate proceed to the consideration of the bill (H. R. 9857) in relation to the western judicial district of Wisconsin. Is there objection? The Chair hears none, and the bill is before the Senate as in Committee of the Whole.

The bill was reported from the Committee on the Judiciary with an amendment, to strike out section 2 of the bill and section 3 down to the word "that" in line 9, in the following words:

the word "that" in line 9, in the following words:

Sec. 2. And be it further enacted. That after the commencement of either of said terms of said courts to be held at Eau Claire and La Crosse respectively, as hereinbefore provided, and until the first day of the next succeeding regular term of said circuit and district courts herein appointed to be held in said western district, it shall be lawful for either or both of said circuit and district courts at any time to be open at Madison, and to there do and transact any business whatsoever therein not requiring the aid or intervention of a jury.

Sec. 3. And be it further enacted. That all provisions of law inconsistent with this act are hereby repealed; but nothing in this act shall interfere with the power now possessed by the judges of said courts to order special terms of the same, as now provided by law: Provided, however, That nothing herein shall be so construed as abolishing the provisions of law for a clerk and circk's office of said court at La Crosse and Madison, Wis.; but the same shall remain as now constituted, except that—

and to insert the word "and."

The amendment was agreed to.

The PRESIDENT protempore. If there be no further amendment as in Committee of the Whole the bill will be reported to the Senate

Mr. EDMUNDS. I wish to have the bill read when reported to the Senate, and every other bill. I know how anxious the Chair is to get on, but otherwise if a Senator's attention is withdrawn for a single moment a bill goes by. I ask the Chair to have every bill take its regular report, third reading, and passage in a regular and formal way. Then nobody can say that anything has slipped through without our I ask the Chair to have every bill take its regknowing it

The PRESIDENT pro tempore. The bill will be reported as it stands.

The Chief Clerk read the bill as amended, as follows:

That the regular terms of the circuit and district courts in the western district of Wisconsin shall be held at the times and places following: At Eau Claire on the first-Tuesday in June, at La Crosse on the third Tuesday in September, and at Madison on the first Tuesday in December in each year. And the clerk residing at Madison shall attend all terms of said courts at Eau Claire as clerk thereof.

The PRESIDENT pro tempore. The bill having been reported to the Senate, the question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. SPOONER. I move that the Senate insist on its amendment and request a conference with the House of Representatives.

The motion was agreed to.

By unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had non-concurred in the amendments of the Senate to the concurrent resolution of the House for the printing of the report of the Director of the Mint on the production of the precious metals in the United States, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Reid, of North Carolina, Mr. Farquiar, and Mr. Bland the managers at the conference on the part of the House.

The message also announced that the House had non-concurred in

the message also amounted that the Frouse had not content in the amendments of the Senate to the joint resolution (H. Res. 201) for printing report of Commissioner of Agriculture, agreed to the confer-ence asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Reid, of North Carolina, Mr. Far-QUHAR, and Mr. HATCH the conferees on the part of the House

The message also announced that the House had passed the bill (S. 2530) for the relief of the legal representatives of John Wightman, de-

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:
A bill (H. R. 9371) for the completion of a public building at Santa

Fé, N. Mex.; and
A bill (H. R. 1143) authorizing the Secretary of War to deliver to the Somerville Grand Army of the Republic, of Somerville, Mass., four condemned gun-carriages to be used for monumental purposes.

Mr. CULLOM and others addressed the Chair.
Mr. EDMUNDS. I call for the regular order.
The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. Res. 126) directing payment of the sur-The PRESIDENT pro tempore. The Senator from Colorado [Mr. Teller] is entitled to the floor.

Mr. ALLISON. Before the Senator from Colorado proceeds I desire

to ask unanimous consent that at 5 o'clock or earlier we proceed to vote upon the joint resolution and all amendments, without further

Mr. EDMUNDS. I object.
The PRESIDENT pro tempore. Objection is made.
Mr. HALE (to Mr. Allison). Try 4 o'clock, and then I think there

will be no objection.

Mr. ALLISON. Will the Senator from Vermont agree to 4 o'clock?

Mr. EDMUNDS. I do not know. I have the intention of saying something about this business myself, and as I am somewhat modest, after all the leading financiers have spoken and the real representatives.

of the people wish to be heard the time may be gone. I think we had better go on a little while.

Mr. TELLER. Mr. President, yesterday I yielded the floor to a question the Senator from Mississippi [Mr. George] had asked me, a very pertinent inquiry. When I complained that there were hoarded in all the moneyed centers of this country and the world vast quantities of money not discharging the proper functions of money, he inquired if I knew of any method by which the owners of this money could be compelled to put it in circulation. I replied that I did not, and I do not now know of any method by which the private banker, or even the public banker, whether it be a corporation or an individual that holds the money, can be compelled to pay it out and put it in circulation; but I was about to add that this resolution was looking to the end of compelling the Government of the United States to put its money out, the money that it had locked up in its Treasury beyond the reach of

the money that it had locked up in its Treasury beyond the reach of the business enterprises of the country.

Then the question arose, largely brought about by an interrogatory put by the Senator from Rhode Island [Mr. Aldrich] whether this was not after all a measure of contraction, whether we were not by this proceeding to contract the money of the country. I think the Senator from Rhode Island proceeded upon the hypothesis that all of the currency in the country was discharging the functions of money, that it was in circulation, that it was out. There is where the honorable Senator from Rhode Island is in error. The money that is locked up in the Treasury of the United States is not performing the functions of money: it is not intended to perform the functions of money. The money; it is not intended to perform the functions of money. The honorable Senator from Ohio [Mr. Sherman] declared that its principal function was to strengthen the credit of the Government of the United States. It is not in active use and is not intended to be in active use at all.

If the \$106,000,000 of bonds held by the national banks to secure their circulation, upon which they have issued something over \$90,-000,000 of currency, shall be called in there will not be a reduction in the proper sense of the circulating medium of the country, there will not be contraction to the extent of the national-bank notes that are retired, and it can be readily seen why that will not be so. For every \$100,000 that they bring into the Treasury they have \$90,000 in currency out; they will receive from the Government \$10,000 of good money now locked up in the Treasury, not now performing the func-tions of money. When the holders of their bills—not the banks themselves, but the holders of their bills-shall come to the Treasury with the bills they will receive in exchange for those bills an equal number of greenbacks or gold or silver, as the case may be, which will go out to fill the void made by the return to the Treasury of the national-bank notes. Then one fills the place of the other and increases circulation to the extent of ten or more million dollars on this transaction. It is plain, there can be no question about it, and as I said the error proceeds on the theory that the \$100,000,000 that the Government has locked up in its Treasury is doing the duty of money when that is not the fact.

Mr. President, in the course of this debate it has been asserted over and over again that the Treasury Department is a bank of issue. It has been asserted over and over again that the Government of the United States was bound by the same rules that bind banks and corporations doing business. The fallacy of the whole argument proceeds on the theory that the Government is bound by the same rules and is subject to the same casualties that individuals are, which is not true.

The Senator from Ohio said yesterday that the \$100,000,000 in the national Treasury for the redemption of greenbacks was the basis of the credit of the United States; that but for that the silver dollar would not be at par. Mr. President, the silver dollar is at par with gold because it has the purchasing-power of a gold dollar; because the Government of the United States receives it for its revenues, its internal and its gustoms duties; because it is a local tonder between year and and its customs duties; because it is a legal tender between you and me, between every debtor and every creditor in the United States. That is what keeps it at par, and not because there is \$100,000,000 in the Treasury. Shear it of the legal-tender quality and it would not be at par if there were a thousand million of dollars in the Treasury and it bore the imprint of the Government of the United States as it now does

In my judgment it is necessary that the people should be satisfied that they can exchange the greenback for the gold dollar when they want it in order that the greenback may be kept at par.

Mr. DAWES. I should like to ask the Senator why a bank bill is

at par that is not a legal tender?

Mr. TELLER. The national-bank bill is at par because without trouble to the holder he may exchange it for a legal-tender note.

Mr. DAWES. Would not that be true of all the rest?

Mr. TELLER. That is not true of all the rest. They may have the same quality in law that the gold dollar has, but a man may say with as much propriety and with as much truth that the gold dollar is kept at its place by the silver dollar as that the silver dollar is by the gold dollar.

Mr. DAWES. It was not because it was exchangeable for a coin dollar that it was kept at par, but it was solely in the legal-tender quality. Now I ask the Senator why, without the legal-tender quality, a national-bank note is at par, and he says because that can be exchanged for something else.

Mr. TELLER. Exactly, because it can be exchanged. Mr. DAWES. So the other could.

Mr. TELLER. It can be exchanged for a legal-tender note of the United States without expense and without trouble.

Mr. DAWES. That is the true reason, and that would be the same

of the greenback.

Mr. TELLER. Admit it. I have never taken the position that there was money in a paper dollar. I have never believed that the Government by its fiat could create money. I do not belong to that school. I know that there are but two kinds of money in the world. The one is gold and the other is silver. I know that the consent of mankind has made these money from the time that history gives us an account of commercial transactions. But when it is stated here that the credit of the Government of the United States is dependent upon the amount of coin in the Treasury, I say that is not borne out and supported by facts. Back of all this, back of the \$100,000,000, is the certain knowledge to every man who holds a greenback that if that money should be taken for any purpose the promise of the Government is to get another gold dollar for him, or a silver dollar if he wants it, and every holder of a greenback knows that there is a provision in the statute which will authorize the Secretary of the Treasury day by day to put out the bonds of the United States for the purpose of securing gold or silver to make good its promise to pay the greenback. The credit of the United States is back of it. The credit of the United States will not always sustain its paper money. The credit of the United States was back of the paper dollar in 1863 and it failed to sustain it. Why? Because in the first place the Government distrusted its own money; it denied it full legaltender equality; it did not make preparation for exchanging it for the metallic dollar; and therefore the people were given notice by the Government that they could not exchange the paper dollar for the metallic dollar, and hence it was at a discount. But when there is a law on the statute-book providing that every holder of a greenback shall have a gold dollar or a silver dollar for his greenback, and there is in the minds of the people of the United States the knowledge not only of the willingness but of the ability of the Government of the United States to make

good its promise, there can be no question but what the greenback will be maintained in its full value.

Mr. President, I said yesterday, and I said it with some warmth, that Mr. President, I said yesterday, and I said it with some warmth, that there was a conspiracy entered into years ago to appreciate money and to depreciate everything else. It is not the idle assertion of men who feel that the affairs of Government have not been administered wisely financially. In every portion of the world to-day there is the same complaint of stagnation in business, depression in all sorts of enterprises, a stand-still, no new movement, falling prices everywhere, as much in Europe as in this country, and I attribute it, as I said yesterday, to the fact that a few years ago there was an effort made, and it has been studiously maintained ever since, in all the governments of the world to destroy one-half the money of the world so as to enhance the value of the other half the value of the other half.

We are in the habit of going abroad for our information on questions of finance, and I have noticed since I have been in the Senate that if you could read from the London Economist or if you could read from the London Bankers' Magazine an article against the use of silver as money, it was regarded as an argument unanswerable; it was regarded as a perfect answer to any suggestion that might be made of the neces-

sity or propriety of its use as money.
I have the last published Bankers' Magazine for June, which I think is the last that has reached this country, and I find this, which I want to read in support of the assertion I made yesterday that the depression in business was not in this country alone, and in support of the assertion which I made yesterday that a silver dollar, whether it be the 74-cent dollar or the 100-cent dollar, will to-day in all the markets of the world as bullion buy more than it would ten years ago, 50 per cent. more than it would twenty years ago upon nearly all the items that enter into the consumption of man, food, clothing, and all the comforts and luxuries at his. and luxuries of life.

Among the features which have characterized the present depression of

I now read from The Bankers' Magazine-

perhaps the most remarkable is the long-continued and persistent drop which has taken place in the prices of almost all classes of commodities. There have been periods of dull trade before, and there have been periods before in which the prices of many commodities have been low; but so universal a drop has not been recorded within the lifetime of the present general body of business men

Coffee has dropped more than 40 per cent, in that time, sugar fully 30 per cent, tea nearly 20 per cent, wheat about 40 per cent, butchers' meat 10 per cent. Of the metals, copper has fallen about 50 per cent, and iron about 25 per cent. Wool-has fallen 30 per cent.

I could, if there was time, call attention to the same statement made in nearly all the financial works of the world, the same general cry of stagnation, and we are answered as the Senator from Nevada [Mr. Jones] said yesterday when we complain, by "overproduction," "lack of confidence," "why do not the people put their money in enterprises that are promising?" The Senator from Vermont [Mr. EDMUNDS] yesterday seemed to think that the very fact that interest was low was an answer to the claim that there was needed more money in the country. I said then that while you could be row money money money. country. I said then that while you could borrow money upon money you could not borrow money now as cheaply as you could fifteen years ago upon the productive interests of the country, upon mills, upon mines, upon farms, upon railroads, and things of that character. that the securities of municipalities and States, representing as they do money, were in high demand. I desire to call attention now for a mo-

money, were in high demand. I desire to call attention now for a moment to some proofs of that statement. I read from the Banker's Magazine, of April, 1886.

Canada put out in 1870 a 5 per cent, loan due in 1903, and sold that loan for 95 cents on the dollar. In January, 1880, the same loan was worth in the market 108; in July, 1885, 112½; and in March, 1886, 115. She put out a 4 per cent, loan, due in 1904, which was worth 90½ in 1875; 95 in January, 1880; 103 in July, 1885; and 106½ in March, 1886.

New South Wales put out a loan of 5 per cent. due in 1900, which was sold in 1870, sixteen years ago, at 98 cents on the dollar, and today it is worth 113. New South Wales also put out a 4 per cent. loan due in 1908 that sold in 1870 for 913 and it is now worth 105. New Zealand 5 per cent. consols were sold in 1870 for 95, and are to-day worth 110. Queensland 4 percents due in 1915 were sold at 90 in 1870, and are to-day worth 102½. Victoria 4 percents, due in 1899, were sold for $91\frac{1}{2}$ in 1875, and are now worth $104\frac{1}{2}$.

The Bombay, Baroda and Central India Railway bonds, guaranteed by the British Government, were sold in 1870 for 108 standing in the relation of Government loans. To-day they are worth 155. The Great Indian Peninsula Railroad Company bonds, guaranteed also by the Government, worth 109½ in 1870, are worth 147 in 1886.

The Government of Russia, owing more than \$2,000,000,000, with more than seven hundred and eighty millions of paper money unsupported by a dollar of either gold or silver, went into the market and borrowed money at 101½; and yet every year for fifty straight years Russia has been running in debt.

Why do the people turn to these securities? Because they represent money; because, as the Senator from Nevada said, they are futures in money. It is dealing in futures. They know that money is appreciating, and while they know that they never will put their money in

enterprises of ordinary business. No man will buy a mill where it is a dead certainty that the mill is to depreciate on his hands. will build a manufacturing establishment when he is certain its products will bring less ten years from to-day than they bring to-day. Nosody will open up a new farm when he knows the wheat that he puts upon the market will bring no more than it will five years from now.

It is because of this feeling that business stands still. The Government of the United States has lent its full aid for ten years to this conspiracy, as I called it yesterday, unwittingly perhaps; but the great moneyed centers have got control of the Treasury Department, and have had it for years, and why I complain to-day more than I did heretofore is that they have a stronger grip on it to day than they ever had before. They have tightened their grasp upon the Treasury officials, and we are now in the condition that at their nod and at their beck the Treasury Department manages its affairs not in the interest of the people, not in the interest of business, not in the interest of improvement and progress, but in the interest of the men who own the capital of the country locked up in their vaults; and why? Because they are afraid that these men will create a disturbance and will destroy the credit of the Government of the United States. How will they destroy it? We only owe \$136,000,000 of money that anybody has a right to call for, except the silver and gold certificates. There the money is to pay them held in trust; that \$136,000,000 can be paid out within an hour; and yet we are told by the Senator from Ohio that we must keep this money to maintain the credit of the Government. What has the Government to lose? Is its credit to be attacked by these men who of all others are interested in the maintenance of the public credit? What difference does it make to the farmer, what difference does it make to the artisan, what difference does it make to the man who works in a mill or in a mine whether the Government credit is good or whether it is bad? It makes all the world of difference to the man who deals in money, who runs a bank and holds large amounts of wealth in any shape, no matter what, but to the other class none; and yet we are told that that is the class who are coming up here some day to ruin the credit of the United States unless we keep overflowing and full coffers that we may meet their demands.

Mr. President, the Senator from Missouri [Mr. VEST] yesterday said that we had \$228,000,000 more than we needed. That is the fact. There is not a banker in the world who is fit to preside over a two-penny bank that would not know if he were at the head of interests like ours, with unlimited credit, with the whole energy of the people back of him, with the nineteen millions of men who labor and every dollar of wealth in the country back of him, that he could pay out in the way of discounts at least \$225,000,000; and yet with only \$136,000,000 payable we are told that we can not afford to pay that for fear that the moneyed men of the country will make a raid upon the Treasury. What with? How are they to go there? Will they gather up

the currency and bring that in?

where we have paid the \$136,000,000, they have no bonds that they can bring in until 1891. What are they going to come to the Treasury with? Will they gather up the greenbacks? Will they come there and demand gold and silver for the greenbacks? Why should they? What benefit will it be to them? What reason is there to suppose that they want to precipitate a panic in this country by demanding coin for the United States notes? But if they do there is \$96,000,000 of silver there; offer them that. If you do not want to do that, there is a provision in the act of 1875 that would enable the Government of the United States to pay in a single week every dollar of the greenback indebtedness. If they were at the Treasury Department on Monday morning with the whole \$346,000,000—and they could not get up \$300,000,000 if they should try—but if they had the whole three hundred millions that are probably in circulation, including what is locked up in the Treasury, and if they should appear there on Monday morning, the Government could put in its vaults gold enough to pay them all before Saturday night. And yet we are told that we must strengthen the reserves and pile up the money in the Treasury and keep it from performing money functions that the credit of the Government may be preserved! be preserved!

Mr. President, when I commenced my remarks I did not intend to take more than a few moments. I am not going into a general financial discussion. I am not going to discuss the silver question upon this resolution, because it is not necessary to do so. I have never insisted that the Government of the United States should pay silver for bonds. I have insisted that it had a right so to do, and that the bondholder had no right to complain; but if the Government sees fit and is able to had no right to complain; but if the Government sees it and is able to pay gold I have no objection. I have demanded nothing for silver that I have not demanded for gold. I want to keep the two metals on an equality, and it would be as disastrous in my judgment to destroy the gold as it would be to destroy the silver. But I say the Government can pay the \$136,000,000 of bonds now within reach, and can pay it at \$10,000,000 a month and not pay a dollar in silver unless it so chooses to do. I demonstrated yesterday that if the revenues continue as they have been in the past, with what we have on hand, it will be only necessary to draw upon the present surplus \$200,000 a month to meet the demands required by this resolution—\$10,000,000 a month; and because I believe that there is no danger at all, that there is no possibility

of a demand upon the Treasury to the extent that has been suggested, shall vote for the resolution pure and simple as it came from the House, without any of these entangling amendments, for, whether they were put there or not for the purpose of weighing it down, I know that that is the effect, and I believe I may say without impropriety that is the intent.

The honorable Senator from Iowa [Mr. Allison] and the honorable Senator from Ohio [Mr. Sherman] talked about the demands that might be made. They said that interest had to be paid. There is now might be made. They said that interest had to be paid. There is now already in this statement that is before us \$11,000,000 for interest not yet due, and every month there will be added into the liability account the interest as it is computed day by day. There is no possibility that there will be a call made upon the Treasury for pensions beyond its ability to meet, because this resolution deals with the surplus, which means what is left over and above all the money which is necessary to

meet the appropriations for the year.

If you will take the pains to look at the Treasurer's report, which is before me but which I have not the time now to read, you will see that the system of putting money into the hands of public officers, what they call officers' disbursing accounts, enables them to provide, months in advance it may be, for the payment of interest. The money is not paid over to the officers. It is transferred simply on the books. It is provided for by putting it to the officers' credit on the books of the United States, and then the money remains at all times in the Treasury. There States, and then the money remains at all times in the Treasury. There is not anything in it. There is not any danger that there will be a necessity for \$20,000,000 or \$1,000,000 as a working balance. That is simply that you may get more money that you may pile up; more money that you may keep from the business of the country.

I know that is a great thing, to have it said that the Government of the United States has a surplus to-day more than all the nations of the world; and I say here to-day the United States has in its vaults a suplus greater than that of all the great powers of the earth put together; and yet we are told that it is necessary to put aside \$20,000,000

more and to tie it up beyond the use of man.

I do not vote for this resolution because this is a Democratic administration. I voted for the principle of this resolution in 1881. I remember then, when there was a bill before the Senate, that the same outcry was made that is made now. I remember it was prophesied that there would be general destruction of all the material interests of this country if the silver bill passed, and when we did what we are doing now, directed the Treasury Department by a bill, saying that you shall retire no more greenbacks, there was the same general outcry that is being made to-day.

More than once has it been necessary for the people to put their hand upon the Treasury Department. I would to God they would put it on frequently and that the Treasury Department could be brought in relations to the great body of the people who pay the taxes and who are the people who ought to be recognized, not simply in the monetary affairs of legislation, but in all legislation. The nineteen million men and women put down in the census returns as the laboring people are the people who are interested in this legislation, not the banks and the They are the people that make the United States. They are the people that make it strong, and make it great, and make it rich. They build and they create, and they alone add to the wealth of the world, not the banker, not the note-shaver, not the bill-discounter, who is heard always when a question of this kind comes up.

It is the poor man who works by the day, whose capital is his labor, that should be heard. He is as much above the capital of the banker as the heavens are above the earth. The labor of the country represents capital one hundred fold greater than banks. Let us legislate a little in their interest and for them; let us put out the money, stir the business of the country, move the idle wheels of commerce, and give the laborer something wherewith he may earn his bread, and you will not hear of riots in the country; you will not hear of strikes; you will not hear of communism or of anarchists over the land. What the peonot hear of communism or of anarchists over the land. What the people demand and what they only demand is a fair participation in legislation and that legislation shall be directed for their interest as well

as for the interest of the money-king.

Mr. VANCE. Mr. President, on the resolution which is before us I have some very definite views, and I am sure that plain people in the country who are not learned in the technicalities of finance will regard it as a plain distinct proposition. It is simply, shall we pay our debt when we have the money in hand? That course, it seems to me, is the plainest dictate of common sense and old-fashioned honesty. I can well understand that raising taxes from the people, when the money is worth to them 6 or 8 per cent., to pay a public debt which is bearing only 3 per cent. is one question; but when we have the money already raised by taxation and lying idle in the Treasury, the proposition as to whether we shall then pay the 3 per cent. bond is entirely a different

The struggle of the masses of the people of this world, as individuals and as nations, is generally to raise money to pay their debts. Our struggle, with a superabundance of means in our vaults, is to avoid paying our debts. The statesmen of civilization generally have exhausted their ingenuity in devising methods to meet the public necessities and keep taxation down. The genius of our statesmen exhausts itself in the effort to pay no debts and keep taxation up. The most civilized nations spend their money for the public necessities when it is raised. We think it wisdom to pile up our money in the Treasury, where it can neither subserve the purposes of circulation nor pay our indebtednesss

To continue oppressive taxation far beyond the current needs of the Government I have always considered to be unadulterated tyranny; to raise that taxation for the purpose not of defraying the public expenses, but for the purpose of a protective tariff, I have always considered little short of villainy. Look at it in any light, such a course is the utmost folly and unwisdom.

There can be no honest and reasonable pretext assigned for it. this talk about the necessity of keeping up a reserve of a hundred millions to redeem greenback notes in the Treasury of the Government is

Since the resumption of specie payment on the 1st of January, 1879, to the present time but little over fifteen millions in all have ever been presented for redemption out of three hundred and forty-six millions-

but little over two and a quarter millions per annum. How can any extraordinary claims arise against the Treasury of the United States to constitute what is termed an emergency? If the Treasurer of the United States looks at his books he is aware of every possible claim that can arise against the Government, its date, its amount, and its maturity, and it is his business to provide against it, and he and its matchey, and it is his business to provide against it, and he does. They are all stated in the monthly accounts of the Government. If any should by any possibility arise, it is the duty of Congress to meet it, and Congress will meet again after our adjournment, which I hope and trust is not far removed, within five months from this time.

Again, in reference to the allegation that extraordinary contingencies might arise, I ask how is it possible for the Treasury to get far behind its means when the income exceeds the expenditure at the rate of about \$9,000,000 per month and is increasing every day slightly.

The working balance of which we hear so much can not be required to be a great sum, for the surplus is constantly increasing, and the income every day is a little more than the ordinary outgo, and there is now in the Treasury to begin with in the neighborhood of \$80,000,000 of gold and silver and other money over and above all possible demand

The real reason everybody is aware of. It was disclosed by the New York Banking Association in their meeting on the 20th of July of last year, in which they kindly offered to sustain the gold reserve in the Treasury by a loan of ten millions in gold for ten millions in subsidiary coin. That reason was silver.

I call the attention of the Senate to the language of these resolu-

New York Clearing House, New York, July 20, 1885.

New York, July 20, 1885.

At a meeting of the associated banks of this city, held on the 13th instant, the following resolutions were unanimously passed:

Whereas, after careful inquiry into the current operations of the United States Treasury, it is ascertained that with the continued purchase of two million silver bullion per month the probable receipts of gold currency will be insufficient to meet the demands upon it until the meeting of Congress in December next, but that the Secretary will be compelled to make his payments in silver dollars, which will become a most disturbing element in the daily business of the country: Therefore,

Resolved, That to avert this threatened danger, &c.—

They make this offer of \$10,000,000 in gold to the Treasury. is the real secret of this whole transaction.

If that is not the reason, then it is that we must perpetuate the existence of national banks and our national debt for the purpose of affording the national banks the means of banking upon our debt. If the fear of silver being paid to the creditors of the Government is not the real reason, then this must be the reason, for I know of no other that real reason, then this must be the reason, for I know of no other that could justify so extraordinary a measure as declining to pay the public debt when the money is lying idle in the Treasury. This administration, like all the others that have preceded it for several years, has determined not to pay a silver dollar to any public creditor who holds a written obligation in which he agreed to take the silver dollar. This House resolution would compel it to pay silver if any portion of the surplus exceeding the hundred millions reserve should happen to be silver. Hence these tears: hence the natriotic resolution to offer

to be silver. Hence these tears; hence the patriotic resolution to offer to loan to the Government money; nence the great distribution in business centers of which we hear so much; hence the patriotism sion in business centers of which we hear so much; hence the patriotism sion in business centers of which we hear so much; hence the patriotism sion in business centers of which we have all these directly predictions of calamity. They say to loan to the Government money; hence the great distrust and confuof the banks; hence all these direful predictions of calamity. They say that our bonds held abroad will return upon us if we proceed to pay any portion of the public debt in silver. I say let them return; the sooner the better, for there are a little less than twelve million held abroad, about a tenth of 1 per cent. They say that it will contract the currency. I say that it will not contract the currency more or so much as keeping money which is collected from the people locked up in the Treasury of the United States where it can not circulate. They say it will drive gold out of the country. So they said of the coinage of the silver dollar under the Bland law, and yet there is more gold in the country now than there was when that law went into operation—three times as much.

They say it will deplete the gold reserve in the Treasury. So they said also would be the effect of the Bland law; and yet there is more | complimentary to him or to the Senator.

gold, almost twice as much, in the Treasury now than there was when that law was passed.

They said, too, that silver certificates would be no more available for circulation than silver itself, yet we have seen that gold was freely given in exchange for silver certificates so long as the Treasury would permit the exchange.

They say that paying the surplus out for bonds will not put it in circulation, for the bondholders and bankers will lay it up, having already more than they can profitably invest. I do not belive it, sir.

But, if so, why? Why have they more than they can possibly invest? The reason is, it strikes me, that they can make more by dealing and speculating in the difference between the two metals, gold and silver, and the destruction of the country brought about by locking up their money, than they can by putting it out in any other way. If they will not put the money out when it is paid to them for their bonds, why should we shape our legislation to suit the selfish interests of those who increase their gains by withholding their capital; the men who refuse to engage in the production which employs labor, but make depression still worse by speculating on the scarcity they themselves have contributed to produce?

It has been said that this money would not go to enliven trade or to employ labor, but to bank vaults and to stock-gamblers' coffers; yet the wishes of these men are to decide our legislation, and their dis-content, their distrust alone is to be feared, and their confidence alone

we must cherish, without which we can not escape bankruptcy.

I beg to remind the Senate there is not a prophecy of Wall street and its congeners made in this financial question against the uses of silver which has not so far proven a false prophecy; not one. So it will prove in this case. The theorists of Wall street who we have been told are entitled to dictate the financial policy of America by the "divinest right"—the right of superior knowledge—have been proven in every case to be false prophets on whose heads the sacred ointment of prophecy was never poured and whose souls were never warmed by the divine afflatus. They are utterly discredited before the American peo-The only evidence they can truly show tending to prove that they have any claim to this supernatural office is, that they are without

honor in their own country.

The deformity of their selfishness stands naked. The "disturbance" of business, which they prophesied, is their own losses on a surrendered circulation, of interest on their bonds called in, and of the profits they derive in speculation in the difference between the prices

of the two metals-gold and silver. Those transactions, together with their gambling in stocks and bonds, their bets on futures in cotton and wheat, their preying upon the necessities of the people in times of depression and distress-these alone

cessities of the people in times of constitute what they call business.

The struggles of the great mass of the people for the means of existence are not business. The millions and millions of toilers of the land ence are not business. The millions and millions of toilers of the land and of the sea who rise up early and lie down late, their operations in the pursuit of bread are not business—and disturbances and distrust among them must not be heeded a moment by Congress. They have no right, divine or otherwise, to control in whole or in part the financial policy of their country which gives or withholds their bread; and yet the capitalist who rules by divine right because he lives in New York and bets on futures would do well to remember that after all the welfare of his millions depends very much on the comfort and content of the poor. The Sartor Resartus taught us how close of kin were the greatlady and the sewing girl. They are not closer than are the striking laborer and the banker.

We are one, our destinies are one; and so sure as God has ordained justice and compensation in the world those who control our financial policy in their own selfish interest sooner or later will find they have overreached themselves.

It is the combination of these very men that produces this unnatural state of things. The protected class, under the high tariff which is in existence, insist on taxes being kept up in order to enrich themselves. The bankers, on the contrary, do not want the debt paid when the taxes are collected, for thereby they lose the interest on their bonds and they lose the interest on their circulation, which is withdrawn. is done the people lose, first, the interest on and use of their money taken from them for taxes; and, second, the interest on the public debt, which could have been paid with the money lying idle in the Treasury, and the capitalist gains both.

I do not trouble myself, as other Senators have done, to inquire as to whether this is or is not a vote of want of confidence in the administration. I do not ask myself either whether to vote against the resolution would be a vote of want of confidence in the American people. It is an argument unworthy to be addressed to a Senator of the United States, and it is unworthy the dignity of his position for him to listen

To suppose that a Senator would abandon his honest convictions, or suffer them to be unduly influenced by any other considerations than those relating to the public good, is insulting.

To suppose that the President of the United States would desire a

Senator to be guided by any other aim in his legislative conduct is not

I have only inquired as to whether this resolution will promote the general welfare of the people whom I represent, and I shall inquire no

They constantly tell me that it is my administration—that I helped to place it in power, and that this is the only Democratic administration the country has had for a quarter of a century. It is entitled to have and ought to have my cordial support. This is all very true. It is entitled to and shall have my best support in all things, but not at the expense of my honest convictions of duty. In other words, I de-sire to be an honest man as well as a Democrat. Because the administration politically is mine I am all the more anxious to have it be right and successful, and especially to meet the wishes of its true friends. I believe the voice of the great body of the American people was expressed in this resolution passed by the House of Representatives by the great majority of 207 to 65, and I, for one, propose not to be disobedient to the popular vision.

I am, therefore, in favor of the resolution as it came from the House, pure and simple, believing that as we have failed in the performance of our solemn promise to reduce the taxation of the people to the actual needs of the Government, it is our bounden duty to make what amends we can by paying the public debt with the idle money in the Treasury. I am opposed to the committee's amendment for the reason that it will increase and not diminish the reserve in the Treasury, and that it will leave the whole matter to the discretion of the Secretary just as it is now, and that Secretary has declared, again and again, that the public debt must be paid in gold. Why he should object to being relieved of this responsibility, if he be, as is asserted, as anxious as Congress is to pay out the surplus money in the Treasury on the public debt, I can not comprehend. It is one of the mysteries connected with finance that is

Mr. GORMAN. Mr. President, it is with a very great deal of hesitation that I rise to say a word on this resolution, but as I am opposed to the proposition as it comes from the House I think it proper that I

should give in my own plain way the reasons why I can not support it.

Mr. President, I think I can safely assert, without fear of successful contradiction, that the people of this country are well satisfied that the President of the United States has, so far as he has had the power and the opportunity, redeemed every pledge made by his party and himself to correct the abuses which had naturally grown up in the executive branch of the Government, and he is pursuing a straightforward and honest course toward instituting such other reforms as time and experience will demonstate to be for the public good. The country, I am convinced, is well satisfied with the management of the Treasury Department under Mr. Manning's able direction. He has taken no step in matters of such importance as the one we are now discussing except with a full knowledge and thorough support of the chief executive officer of the nation.

In common with many other Democrats, I do not hesitate to express my regret that the legislative branch of the Government has not been able to enact such laws that would enable the President and the Secretary of the Treasury to comply fully with the demand of the people for a reduction of taxation, which may be said to be the first and the greatest reform demanded by the people of this country, without distinction of party, and to which both parties are pledged in their platforms of 1884. But upon bills affecting taxation, or determining the amount of reserve to be held in the Treasury, I would not have them framed or passed purely as party measures. I am glad to say that so far as the discussion on this resolution has proceeded here with, very few exceptions it has been treated purely as a business matter, to be settled upon correct and proper principles without reference to party divisions, and yet one or two expressions fell from my friend from Iowa [Mr. ALLISON], yesterday, that it seems to me require some notice.

If the statement of the Senator from Iowa be correct, then I confess that there is but little excuse for the Treasury Department in the posi-tion they have taken. If it be as stated by the Senator from Iowa that the Republican party—that Mr. McCullough, the predecessor of the present Secretary of the Treasury, left that Department in a condition to go on and meet all its obligations, maintaining the reserve required by law of \$100,000,000 of gold for the redemption of greenbacks, and with sufficient surplus to meet all demands as they were presented and continue payments on the debt; and that the present Secretary failed to continue the policy of paying the debt, and instead for purposes not necessary for the public good continued to hoard large sums of money in the Treasury, then I admit that he has done wrong. But, Mr. President, let us see what the facts are. So that I may do the Senator from Iowa no injustice, I will read an extract or two from his speech of yesterday. He said (I read from the RECORD, page 8173, first col-

Mr. Allison. Let me proceed. The Secretary of the Treasury at that time was not as familiar with the affairs of the Treasury and of our Government as he doubtless is now.

That was referring to March, 1885, when Mr. Manning assumed the duties of Secretary of the Treasury of the United States.

They accumulated money in the Treasury, already plethoric, because when the Republican administration went out of power, under the guidance of Mr. Hugh McCulloch, who was Secretary of the Treasury for three or four months preceding the 4th of March, 1885, there was an accumulation in the Treasury, and the

Democratic party hammered it home on the Republicans during the contest of 1884 that we were holding in the Treasury more money than was needed there for its ordinary operations, and that that money should be devoted to the payment of the public debt, and upon that pretense and pretext they carried enough votes certainly in the State of Indiana to make the change.

Then at the bottom of the second column on the same page, in answer to a question by the Senator from New Jersey [Mr. McPherson], the last clause of the answer of the Senator from Iowa is:

So when the Democratic party came into power they came there with a Treasury fuller than it had been for three or four years, if I am not mistaken in my recollection, and instead of carrying out the promises and pledges they had made to the people, and which they put in their platforms, they straightway reversed the policy of the Republican party by hoarding money for nine months until the speech of the Senator from Kentucky [Mr. Beck] brought them forth and they made the first call for \$10,000,000 of bonds.

Mr. President, I repeat, if the Senator's statement is absolutely accurate, nay, if it is in any respect correct, then there is no defense for this administration. But what are the facts? I have a right to refer to a speech made by Mr. Hewitt, who made this statement:

When he

·Referring to Cleveland-

became President he was confronted with the very difficulties which he had outlined in that letter to General Warner. The gold in the Treasury had been for many months gradually drifting away. Its place was being filled up with coined silver dollars. The last administration—and I speak now from the personal communication of the then Secretary of the Treasury, a man whose very able services to this country can not be too highly appreciated—the then Secretary of the Treasury told me that the most he hoped to be able to do was to carry the Government over the 4th of March upon the basis of gold payments.

Mr. HEWITT states that he had that information from ex-Secretary McCulloch. But that is not all. The fact is that on the 7th day of February, 1885, nearly one month before the expiration of his term and when the new administration was about to come into power, he (Mr. McCulloch) was so alarmed at the condition of affairs he saw, that payments out of the Treasury of silver certificates were running rapidly back into the subtreasury in New York from customs and internal revenue, receipts in gold on those accounts diminishing, the gold coin and bullion balance was being rapidly reduced, he was compelled on that date, February 7, 1885, to instruct the subtreasurer at New York to withhold payment of gold and greenbacks in the ordinary transaction with the clearing-house in New York. In other words, he issued an order which suspended the whole operations of the Treasury with the New York clearing-house as they had been carried on since 1879.

In that condition of affairs, with a new administration coming into power, it is true, as has been said on this floor and elsewhere, that leading financiers throughout the country saw that when that order went fully into operation we should be upon the silver basis and that gold would leave the country or be hoarded by all who could hold it. Hence, there were large purchases of sterling exchange. Mr. Tilden, whose name has been used by other gentlemen, is said to have become alarmed at Mr. McCulloch's diagnosis of our financial condition, and with many others purchased sterling exchange. I assume the statement is correct. He could but know that with suspension of gold payments disaster would come to the country and the new administration would be discredited at the very outset.

Mr. Manning—and I speak from personal knowledge—at that time had agreed to accept the high trust of Secretary of the Treasury without personal experience in governmental affairs, but a man of more than ordinary knowledge of our financial affairs, a man of courage, of than ordinary knowledge of our financial affairs, a man of courage, of strong conviction, prompt to act, and with an unalterable determination to carry out the pledges of his party for honest money. He fully realized the danger. He knew if the McCullough order was not rescinded disaster must come. I have the best reason for saying that he had the full co-operation of his friend Mr. Tilden, in inducing Mr. McCullough to suspend the order and permit payments at the New York clearing house to go on as he had done before it was arranged as Mr. Manning wished it. Gold steadily went out of the Treasury until there was on June 3, 1885, only \$114,650,000 gold in the Treasury available. I hold in my hand a statement showing this point, but before I give it let me read the dispatch of Mr. McCulloch, of the 7th of February, 1885, to the subtreasurer in New York authorizing suspension; which was regarded as an order to so do:

was regarded as an order to so do:

You are authorized to withhold payment of certificates to the clearing-house

Will the Senator state what that dispatch is? "You are authorized to withhold payment of cer-Mr. ALLISON. Mr. GORMAN. tificates to the clearing-house for the present."

Mr. ALLISON. What certificates? Silver certificates?

The Senator from Iowa understands perfectly that Mr. GORMAN. from 1879 down to now the Treasury Department goes into the clear-ing-house and has been delivering and receiving checks and Treasury drafts and paying or receiving legal-tender notes or gold certificates in settlement of balances. It was by this method that the parity of gold and silver had been maintained. On the last day of February, 1885, just before this administration came in, the balance, excluding the fractional silver coin, was \$120,969,674, of which, \$42,093,056 were silver dollars, leaving a deficit, if all the obligations due in gold were paid, of \$21,123,382. So it ran until July, 1885, when the Treasury found itself in the condition of having \$144,052,929, of which \$66,627,842 were standard silver dollars, leaving them short \$22,574,913 of gold if all

obligations were paid.

It was at this time that Mr. Manning, for the purpose of protecting all the great interests of the country, went to New York and stated to the bankers the condition of the Treasury. This conference led to a tender on the part of the banks of ten millions in gold for ten millions of fractional silver, with an offer of ten millions additional if necessary. But of the sums so tendered the Secretary accepted only six millions. This transaction restored confidence, and there was no longer, But of the sums so tendered the Secretary accepted only six with the assured prudent management, any question as to the desire and the ability of the Democratic party to maintain the public credit unimpaired.

This is a grand record, and one at which every Democrat should rejoice, for be it not forgotten that for twenty years past our political opponents have asserted with energy and persistency that our party has not the ability or the desire to maintain the public credit. They appealed to the North not to trust our friends of the South. They constantly charged that if the Democratic party came in control of the Government you would control the party council, that you would repudiate the public debt by paying currency not worth 100 cents to the dollar in the markets of the world. I know, and you know, that charge was not true, and yet it was believed by hosts of people sufficient to defeat

I do not complain of the Republicans because they so charged us, but it does not require much astuteness to see that now we are in power and have so far maintained the credit of the Government. We will hold the confidence of the people if we continue the course inaugurated by the President

and the Secretary of the Treasury in this regard.

I was very sorry to hear my friend from Missouri [Mr. VEST] who sits next me say that this was to become a sectional question, that probably it would be the East against the West. God forbid that we shall ever have another sectional issue in this country. I think he will be a false prophet, for I do not believe that the people of this country, East or West, North or South, will ever agree to a policy which will destroy the financial structure that we have raised, and which is recognized, as I have said, by all civilized nations.

If I am correct in the statement I have made as to the condition of

the Treasury on the 4th day of March, 1885, when the present administration assumed power, if it be true that the Treasury was in such condition that unless extraordinary efforts were made we were likely to be upon a silver basis and the party and the country brought to disgrace, then I ask my associates why condemn even by implication one of our officers who had the courage to do that which was right, and that which he had a right under the law to do?

Mr. COKE. Will the Senator permit me to ask him a question?

Mr. GORMAN. Certainly.
Mr. COKE. Does he think it would have been an improper thing to

do to have paid out some of the silver dollars on the bonds?

Mr. GORMAN. I answer no. I am for silver and for gold. I stand precisely where my party stood when it declared at Chicago in the platform which I believe meant precisely what it said—declarations but for which we should not have come into power in your day or mine

We believe in honest money, the gold and silver coinage of the Constitution, and a circulating medium convertible into such money without loss.

Mr. COKE. Then I ask the Senator if he believes that the silver dollars in the Treasury are honest money?

Mr. GORMAN. Legally, yes. You have made them by law a legal tender for all debts, and every man is bound to respect the law; but does not my friend from Texas know that the mere declaration by law that they are legal tender will not, until their intrinsic value enhances, make the people believe they are as good as gold?

Mr. SAULSBURY. I ask the Senator from Maryland what he

means by the intrinsic value of the standard silver dollar that is a legal tender for the payment of debts. Does he mean the intrinsic value of the silver dollar is not 100 cents? I understand now he ap-

plies his remarks to silver bullion.

I stated in reply to my friend from Texas that the Mr. GORMAN. standard silver dollar was a legal tender for all debts, and when they are tendered to you you are compelled to take them. The Senator from Delaware, for instance, owes me \$100 and tenders to me one hundred silver dollars. I shall be compelled to accept them as a discharge of the debt; but I say that the country and the world know that the actual value measured by gold, by the amount of silver in one of these dollars, is to-day about 73 cents. Now, I say to the Senator from Delaware that this condition of affairs existed when our party came into

There was no confidence in the silver dollar retaining its place and equal value to gold. It was found that when payments of them were made out of the Treasury for all the ordinary purposes of the Government, when silver certificates, more convenient than the dollars themselves, were paid out throughout the entire country, within thirty days eight-tenths of all those silver certificates came back to the Treasury, because the people had not the same confidence in the silver certificates and because they were not legal tender. They kept the greenbacks which were secured by \$100,000,000 of gold in your Treasury, and they kept

the gold coin itself, so that your revenues were coming in largely in silver, the intrinsic value of which was 73 or 74 cents on the dollar.

Mr. COKE. Does the Senator consider the silver dollars in the Treas-

ury "honest money" in the sense in which that term was used in the

Democratic platform?

Mr. GORMAN. So long as the law stands, so long as it remains on your statute-book declaring the silver dollar lawful money, containing the number of grains that it does, of course it is lawful money.

Mr. COKE. Is it honest money?
Mr. GORMAN. We are bound to assume that the Congress of the United States has made it honest money. But notwithstanding that edict you can not make the people of the country take it in preference to gold; and you would not have had to-day, in my judgment, enough gold in the Treasury to provide for the redemption of the greenbacks if it had not been for the effort of the Secretary of the Treasury, who induced the banks to give him gold in exchange for silver. He accomplished that; and I have shown you that when he took possession of the office you were about to suspend gold payments, but by his action, and by keeping a strong reserve he has maintained the parity between the two metals, he has served the country; and hence I say it is extra-ordinary at least that we should be considering a resolution which is after all regarded as practical condemnation of his policy. I do not believe its authors intended it to be so considered.

My belief is that it was framed and introduced without full consideration, and possibly without full knowledge of all the facts that existed when the Secretary determined to increase his reserves. The natural desire of all Democrats to pay off the public debt is great, and looking at the large balances in the Treasury it is not strange that some effort should be made to have it disbursed. In other words, Mr. President, the Democratic party has been out of power for so long a time that it has not the perfect organization that your party has. And hence these minor differences will appear until we have been in power long

enough to insure harmonious action.

Now, Mr. President, I desire to emphasize what I have just said, in answer to my friend from Texas. I ask him if we had come to a silver basis, not having sufficient gold and greenbacks in the Treasury, would he be in favor of continuing simply with silver to pay the public debt and the working people and the employés of this Government in a coin that would not be received by any other civilized nation in the world for more than its intrinsic value at 73 or 74 cents on the dollar?

Mr. COKE. Does the Senator desire an answer?

Mr. GORMAN.

Mr. COKE. In the first place, I will say to the Senator that his proposition that the gold shall all be withdrawn and nothing but silver left is an impossible one. That has been demonstrated and was demonstrated yesterday.

In the next place, I say to him that in my judgment it is the duty of the Secretary of the Treasury to pay silver dollars in common with gold dollars and just such dollars as he has in the Treasury, whether they be silver or gold, upon all the demands upon the Government that are presented there for payment. I do not believe that the Secretary of the Treasury has a right to discriminate against either one of the legaltender moneys of this country.

Mr. McPHERSON. In the view the Senator takes that it is neces-

sary to pay out silver as well as gold, would it not be necessary for the Treasury, in order to maintain the parity or equality of the two metals, to make them all honest money in the meaning of the platform?

Mr. COKE. I think it was honest money without any making of it

by the Secretary of the Treasury. I think it was already honest money, made so by facts which the Secretary of the Treasury has nothing in

the world to do with.

Mr. McPHERSON. Very well. The Senator to-day may take an obligation of the Government and go to the Treasury and get \$10,000 of gold on demand. Why? Because they mean to pay in any money the creditor wants. That maintains the equality of all the money. If the Treasury were unable to do that and must pay the Senator in a silver dollar worth but 73 or 74 cents, as the case may be, if the business community were aware of the fact that there was no payment except in a money worth intrinsically in all the markets of the world but 74 cents on the dollar, then I wish to know if that would be honest money in the meaning of the platform of the Democratic party?

Mr. COKE. I do not accept the Senator's proposition that there is a dollar in the Treasury worth intrinsically less than any other dollar. That is where he and I differ. I think the silver dollar is worth intrinsically just as much as the gold dollar. That is the difference beween us. I regard the silver dollar as an honest dollar, and the Senator from New Jersey and the Senator from Maryland regard it other-

Mr. GORMAN. Now, Mr. President, the Senator from Texas and myself are agreed in one thing. He would not legislate to exclude from the Treasury of the United States a sufficient amount of gold to keep the two metals side by side.

Mr. COKE. Nobody has ever proposed that.
Mr. GORMAN. The Senator says nobody has ever proposed to do that; but the fact is that from the date we issued the silver certificates,

which are receivable at the subtreasuries for duties upon imports, and at every internal-revenue office, and at every other source by which the money comes back into the Treasury, so that whenever you issue and put out \$100,000,000 of certificates 80 per cent. of them come

back to you within thirty days.

In the month of January, 1886, notwithstanding the confidence that had been broughtabout by the action of the Secretary of the Treasury in keeping this large reserve on hand in his attempt to keep the silver dollar in parity with gold, the total amount of silver certificates issued during the month was returned and an excess of 100 per cent. in addition of issues previously made was returned, to the subtreasury at New York. I ask the Senator to read the statement made by the Secretary of the Treasury and the Treasurer of the United States to the Finance Committee. It is there shown that when the silver certificates are issued through the subtreasuries at Baltimore, New York, Cincinnati, and all the subtreasuries of the country, 66 per cent. of them find their way back for customs and other dues within thirty days.

Mr. COKE. Allow me to ask the Senator why was it, when the peo-

ple were paying gold over the subtreasury counters dollar for dollar for silver certificates, that the Secretary of the Treasury issued an or-

der forbidding the exchange?

Mr. GORMAN. There was one occurrence referred to by the Senator from Texas, and it was an error. It was a mistake on the part of a new official at the time, and without the knowledge, as I understand, of the chief officer.

The Department did properly decline to make exchanges where it

was a charge upon the Treasury.

Mr. COKE. The Senator is mistaken. There was an order issued

by the Secretary of the Treasury.

Mr. GORMAN. No; by the Treasurer.

Mr. COKE. Which forbade any further exchanges of silver certificates for gold, and after \$100,000,000 of gold had been paid for silver

Mr. GORMAN. There is no difficulty between the Senator from Texas and myself as to that. But, as I understand, exchanges are now made whenever it can be done without cost to the Government. Who could conduct the affairs of a great Department like the Treasury without making a mistake? That mistake has been corrected, but that does not relieve us from the terrible responsibility as Democrats of denouncing an administration that has maintained the parity of these two metals, and an administration which has made greater attempts to circulate silver and put it in circulation among the people than any of its predecessors. There is more silver to-day in circulation in this country than has ever been before in its history. The amount is fifty-two millions of standard, which is about all that it will absorb of that coin. They have attempted to force it into circulation by withdrawing the one and two dollar greenbacks and sending silver free of cost to the counting-room of any man who wants it, but it finds its way back almost immediately into the Treasury and certificates are demanded for it in sums of \$10 and upward.

Mr. SAULSBURY. What about the gold certificates?

Mr. GORMAN. I am speaking of silver certificates. As I have said,

Mr. GORMAN. I am speaking of silver certificates. As I have said, it has not been possible to force in circulation more than fifty-two million of the standard silver dollars. And yet we are told that there is a general demand that more of this coin shall be forced into circulation. The Secretary of the Treasury resorted to the plan of forcing the metal and putting it in actual circulation, and that was a failure. Let me show the Senator how much it cost to try to send into circulation this

metal that you speak of.

The total amount of silver dollars which have been coined to June 30, 1886, since the resumption of their coinage was \$233,723,286. total moved, that is, shipped, from one subtreasury to another, and from the mints to the Treasury at Washington was \$380,335,734, and it has cost the Government for freight and for express charges to get this money out and in circulation \$756,399.02, or \$1.99 per \$1,000. For every thousand silver dollars it has cost the Government \$1.99 to try to force them into circulation.

Mr. SAULSBURY. I do not want to interrupt the Senator; but he knows that a large part of the expense of that transportation has been from the mints at New Orleans and other points where the silver has been coined to other portions of the country, to the Treasury of the United States and to the subtreasury in New York. It has not been a cost in the effort to get the money out, but the silver bullion goes to the mints and to the assay offices, and is then transferred at the ex-

pense of the Government from those points to other points.

I do not agree with the Senator. In the first place I do not regard the resolution as an attack on the administration at all. The Senator is treating those of us who differ with his views of the resolution as being opponents and critics of the action of the administration. That is not true. We differ with the views of the administration, but I trust I am at liberty to express my own opinions, although the Secretary of the Treasury or the President of the United States may hold different

opinions from what I do.

Mr. GORMAN. Now, Mr. President, I do not represent anybody
on this floor except my constituents. I express no views for any man.
I do not for a moment suppose that the Senator from Delaware—in-

deed I know he does not-would feel bound by any rule laid down by the President of the United States or any other man. I do not for a moment allow it to enter into my mind because I differ with the Senator from Delaware and my friend from Texas (for both of whom I have the highest regard) upon this question that I reflect on their course. The views I now hold I entertained when the Republican party was in power, and so far as my vote has gone it has been for the good of the whole people of this country as I understand it; and never during that time, when the Democrats had possession of both branches of Congress, did the Senator or any of our friends on this side offer such a resolution of condemnation of any Republican Secretary of the Treasury.

Now, for the first time in the history of the Government has such an attempt been made. It is true you have fixed the amount of reserve, and it is true you have limited the coinage of silver; but Congress has never before attempted to lay down an inflexible rule as to the amount

of the reserve.

Mr. President, I have shown the condition of affairs when we came in. Now, there is one other view of this case that I desire to suggest. The Secretary of the Treasury has by this step promoted, as I believe, the interests of this country. But if by contracting the circulation and by hoarding money he has affected the value of property and increased the interest paid on the ordinary loans of the people, then his policy was a mistaken one.

What are the facts? It is known by all men that in February, March, April, May, June, and July, 1885, there was distrust and hesitation by capitalists throughout this land. Railroad construction was practically suspended; cotton and other factories were on half time; the great furnaces that turned out in 1883 a million and more tons of steel rails were on half time or closed up. There was distruct throughout the land. Now everybody knows and it goes without saying that from July, 1885, up to this very hour business has taken a start from one end of the land to the other; your railroad building is going on. We are the second nation in the world in making steel for railroads.

We are next to England. Workmen are no longer seeking employ-

ment, but you find increased prosperity. Would this be the case if the Secretary of the Treasury had adopted a mistaken policy? But let me test the correctness of his judgment in another way. If he had withdrawn from circulation a large amount of money that was required by the people, the interest account would show it. Scarcity of money means a high rate of interest. Let us see how that stands. If the interest rate was higher, then the Secretary was wrong. If it was lower, then unquestionably the Secretary has not damaged the business interests of the country.

Let me read from the last report of the Comptroller of the Currency. He says the rates of interest in New York city were as follows:

Eighteen hundred and eighty-four, call loans, 2.4 per cent.; commercial paper, 5.6 per cent.

In November, 1885, after the Secretary had increased the reserve and the national banks had increased theirs, as shown by the Senator from Missouri, the rates of interest on call loans had fallen in New York to 2 per cent. and on commercial paper to 4.3 per cent., 1 per cent. less than in 1884. I ask my friend what complaints will be made of a great

Department that has so managed your affairs?

But, says my friend from Missouri, the Treasury Department and all these financial institutions have determined to hoard up the money, keep it in their banks in financial centers and away from the people. Let us see what that statement was as he made it himself. The inference might be drawn from what he said that it was in New York, it was an Eastern combination that had attempted to control the finances of this country. The Senator states that during this time when the Secretary of the Treasury was hoarding up all this money to the detriment of the country the national banks were required all through the United States to have a total reserve of \$262,758,283, whereas they held \$394,-

192,310; and while they were required to have a cash reserve of \$163,-911,218 they actually held \$261,165,183.

The reason why the banks held this increased reserve was because there was no demand in the country. The interest under the operations of this Democratic Secretary of the Treasury had run so low, money was so plentiful, business was so stagnant, that the supply of money in the country in circulation outside of the Treasury of the United States was more than sufficient for all the demands of the country. But where were these reserves held? Not in New York. Outside of New York the excessive reserves were greater than they were in New York. In the reserve cities, excluding New York, the total reserve required to be held was \$96,000,000—I give only the round numbers—and they actually held \$122,000,000. Their cash reserve should have been \$47,000,000, and they actually held \$83,000,000. This is outside of New York.

Now, when you come to New York the reserve required by law was \$74,000,000, and they actually held only \$89,000,000, showing that this great reserve held by the banks to protect themselves and because they can not loan the money, or else for fear of the condition of affairs which they knew Mr. McCulloch had described in February, 1885, they wanted to be on the safe side.
I assert, and I regret that I failed to bring with me the Financial Chron-

icle which shows it, that in all sections of the country the interest rate has run down since March, 1885, on all classes of good loans. Mortgages on real estate and every class of investments have decreased in

gages on real estate and every class of investments have decreased in the rate of interest since this policy was inaugurated.

My friend from Kentucky [Mr. Beck] yesterday, looking over a table which was furnished to a member of another body, made the statement that there was \$180,000,000 of gold and bullion in the Treasury of the United States on the 12th day of March last. I glanced over the table and supposed he was mistaken. I called the attention of the Treasury of the treasury of the treasury of the table and supposed he was mistaken. urer to that statement, and I have this letter in response to it:

TREASURY OF THE UNITED STATES. Winshington, July 30, 1886.

Washington, July 30, 1886.

Sin: In accordance with your request I hand you herewith a statement explaining the table, published in the Congressional Record of July 15 (pages 7294-5), showing the cash in the Treasury.

It will be observed that the table referred to was furnished in reply to a specific question, and did not purport to give the cash actually belonging to the Treasury after providing for the outstanding demand liabilities.

Very respectfully,

C. N. JORDAN. Treasurer United States.

Hon. A. P. GORMAN, United States Senate.

An

He furnishes a statement showing that the gold coin in the Treasury was \$189,877,000, the gold bullion \$42,137,000, making a total of \$232. 014,000; and that there are in the Treasury \$52,414,000 of gold certificates, \$127,284,000 being the total amount of issue of gold certificates, and that there are outstanding of the gold certificates \$74,870,000, leav ing an actual balance in the Treasury of \$157,144,000 of gold and bull-The entire statement is as follows:

Statement explanatory of the table showing cash in the Treasury July 10, 1886, published on pages 7294 and 7295, Congressional Record, July 15, 1886.

The table referred to states the cash in the Treasury without deducting the demand obligations outstanding:

From the gold coin.....and gold bullion..... \$232,014,000 52, 414, 000 74,870,000 \$157, 144, 000 184, 450, 000 There must be deducted the amount held for silver certificates out..... Less amount on hand ... 88, 143, 000 Leaving the silver belonging to the cash....
The United States notes....
Must be reduced by the currency certificates out...
Less amount on hand.... 96, 307, 000 36, 128, 000 20, 660, 000 18,770,000 17, 358, 000 296, 000 11, 994, 000

Accrued interest.....

Matured debt and interest unpaid	6, 653, 000	
Interest on Pacific Railroad bonds due and unpaid	168,000	
Funds held for redemption of na- tional-bank notes	68, 163, 000	
Post-Office Department account	14,062,000 5,930,000	
Outstanding drafts and checks	2,749,000	104, 080, 000
Leaving	tates notes	179, 019, 000 100, 000, 000

The net balance is..... It only shows how easy the best informed of us (for there is nobody better informed than my friend from Kentucky) can make mistakes. It shows the necessity of Congress at least in these purely administra-

tive matters moving with great caution.

I trust, sir, that now we have passed the crisis, when it is known that a Democratic Secretary of the Treasury is carrying out his party pledges and administering his great trust in the interest of the people, we shall sustain him. From the beginning the President and the Secretary have urged that there was but one way to answer the universal demand for relief, and that was by a reduction of taxation from \$30,000,000 to \$50,000,000 per annum to be taken from the taxes and saved to the

people.

With that reduction and with the amount that he has on hand, with prudence he can pay and redeem the 3 per cent. bonds within two years.

Unless that policy is pursued we shall be compelled to pay a premium of 25 or more, whatever the holders of the fours and four-and-a-halfs may demand, and then the cry will go out that the Department is being run in the interest of the bondholders. He wanted to avoid that and to save the money of the people now by a reduction of taxation.

It is no answer to him, and if I am not much mistaken the people of the country will not consider it a proper answer to an administration which wants to relieve the burdens of the people from this excessive taxation to turn around and, by imputation at least, condemn him for saving the credit of the Government while you have failed to carry out the pledges made by both parties. I am sorry to see that it was, for political purposes possibly, thought best to almost unite one of these great parties, and by joining with a minority of Democrats prevent a reduction of taxation. You can not pass a financial measure of this kind, or a tax bill, by the votes of any one political party.

We are divided; local interests, individual views, State interests ren-

der it impossible to make it absolutely a party question. I say to my friend from Iowa, the great leader of his party on this floor, that if in the interest of the people of this country he had used that power to make his party join the great majority of Democrats in carrying out the pledge that both parties have made, that party would indeed have served its country well. You failed to do that. But I hail with pleasure the fact that in the consideration of this question partisanship is laid aside and that Democrats and Republicans are against a measure which comes here fraught as I think with so much evil to the entire

Mr. ALLISON. I desire to say just one word in response to the criticism made by the Senator from Maryland upon my remark of yesterday. My statement yesterday was that the policy of the Republican administration was to pay the debt from the surplus in the Treasury, but that that policy had been partially suspended by the late Secretary of the Treasury, Mr. Hugh McCulloch, for two or three months prior to the expiration of President Arthur's administration; and when on the 4th of March, 1885, the Democrats came into power they found a plethoric Treasury. I was only criticising a portion of the conduct of the administration which refers to the payment of the public debt.

The Senator from Maryland says by way of apologizing for the accu-The Senator from Maryland says by way of apologizing for the accumulation of money from March to December that it was necessary in order to maintain the parity of gold and silver. My only answer to that is (and I do not desire to take up time) that on the 29th day of December the Secretary of the Treasury commenced paying the public debt, and between January and July he paid over \$50,000,000 of the public debt; and during all that period there was a continual accumulation of gold in the Treasury, showing that the question of the gold balance is not affected by the payment of the public debt.

I have here the successive statements of the Secretary of the Treasury under the new form of statement which will show a constant account of the secretary of the secretary

ury under the new form of statement which will show a constant accumulation of gold between December and this moment, showing that although there has been a payment of \$50,000,000 of the public debt in six months there has been during all that time a continual accumulation of gold. That is all I desire to say respecting that. Senators who will examine the debt statement will see that it is so.

I desire to insert in the RECORD for the convenience of every Senator for future reference an exact statement of the balances in the Treasury from the beginning of the resumption of specie payments until the 30th day of June last, showing the balances in the Treasury according to Mr. Jordan's statement.

Statement showing the net cash balance, the fractional silver coin in the Treasury, and the available cash balance, by months, from July 1, 1879.

Month.	Net cash bal- ance.	Fractional silver coin in the Treasury.	Available bala ance.
the same of the sa	man since and		-
July 1, 1879	\$133, 971, 374 43	\$8, 903, 401 36	\$125,067,973 07
August 1, 1879	134, 439, 970 30	12, 731, 765 97	121,708,204 33
September 1, 1879	141, 013, 469 36	15, 236, 724 48	125, 776, 744 88
October 1, 1879	140, 861, 877 17	15, 814, 308 94	124, 047, 568 23
November 1, 1879	151, 047, 044 24	17, 755, 986 76	133, 391, 057 48
December 1, 1879	145, 885, 809 04	18, 432, 478 13	127, 453, 330 91
January 2, 1880	139, 307, 816 62	18, 881, 629 15	120, 426, 187, 47
February 2, 1880	147, 657, 760 91	20, 204, 809 83	127, 452, 951 08
March 1, 1880	142, 423, 414 18	21, 179, 312 32	121, 244, 101 86
April 1, 1880	148, 207, 837 86	21, 989, 814 48	126, 218, 023 38
May 1, 1880	146, 962, 617 11	22, 767, 672 95	124, 194, 944 16
June 1, 1880	154, 361, 697 39	23, 577, 091 99	130, 784, 605 40
July 1, 4830	137, 397, 680 34	24, 350, 481, 80	113, 047, 198 54
August 2, 1880	142, 239, 061 21	24, 975, 713 52	117, 263, 347 69
September 1, 1880	147, 954, 228 87	25, 152, 971 89	122, 801, 256 98
October 1, 1880	145, 106, 923 78	24, 799, 925 40	120, 306, 998 38
November 1, 1880	141, 597, 013 61	24, 629, 489 89	116, 967, 523 72
December 1, 1880	146, 709, 090 57	24, 653, 530 37	122, 055, 560 20
January 3, 1881	131, 982, 550 09	24, 769, 057 32	107, 213, 492 77
February 2, 1881	140, 871, 448 96	25, 491, 331 45	115, 380, 117 51
March 1, 1881	151, 527, 420 56	25, 813, 058 08	125, 714, 362 48
April 1, 1881	150, 346, 002 87	26, 283, 891, 96	124, 062, 110 41
May 1, 1881	153, 042, 947 57	26, 493, 612 56	126, 549, 335 01
June 1, 1881	151, 454, 655 21	26, 841, 956 74	124, 612, 698 47
July 1, 1881	134, 650, 204 58	27, 247, 696 93	107, 403, 507 65
August 1, 1881	148, 517, 590 95	27, 295, 486 63	121, 222, 104 32
September 1, 1881	125, 586, 073 16	27, 042, 806 63	98, 543, 266 53
October 1, 1881		26, 313, 113 63	112, 774, 642 66

Statement showing the net cash balance, &c .- Continued.

Month.	Net cash bal- ance.	Fractional silver coin in the Treasury.	Available bal- ance.
NT 1 1001	61 to BEN OOF DO.	80T 004 607 TO	0114 200 107 00
November 1, 1881	\$140,757,825 89	\$25, 984, 687 76	\$114, 773, 137 68
December 1, 1881	146, 492, 619 15	25, 918, 252 00	120, 574, 367 15
January 3, 1882	136, 402, 317 26	25, 963, 641, 48	110, 400, 070 70
February 1, 1882 March 1, 1882	139, 855, 647 45 151, 767, 675 09	26, 567, 873 37	110, 438, 675 78 113, 297, 774 08 124, 897, 768 83 118, 841, 213 78
A mail 1 1009	140 000 001 40	26, 869, 906 26	110 041 019 75
April 1, 1882	146, 028, 894 40	27, 187, 680 67	110,041,210 10
May 1, 1882	140, 953, 723 87	27, 439, 183 93	113, 514, 539 9
June 1, 1882	137, 996, 077 28	27, 755, 923 33	110, 240, 153 95
July 1,1882	118, 419, 921 85 120, 206, 242 61 138, 238, 725 23	28, 048, 630 58	90, 371, 291 27
August 1, 1882	120, 200, 242 01	28, 153, 956 16 27, 990, 387 75	92, 002, 280 40
September 1, 1882	100, 200, 120 20	27, 990, 007 10	92, 052, 286 45 110, 248, 337 48 101, 673, 264 65
October 2, 1882	129, 099, 404 58 135, 492, 322 99	27, 426, 139 93	108, 742, 890 5
November 1, 1882	124, 585, 992 87	26, 749, 432 45 26, 544, 544 43	98, 041, 448 44
December 1, 1882	111, 791, 497 26	26, 521, 692 20	85, 269, 805 06
January 2, 1883 February 1, 1883	101: 411 190 71	07 195 944 74	94, 275, 944 97
March 1, 1883	197 506 909 55	07 507 975 78	100 080 199 75
April 2, 1883	121, 411, 189 71 127, 596, 398 55 132, 127, 270 30	27, 135, 244 74 27, 507, 275 78 27, 865, 993 79	100, 089, 122 77 104, 261, 276 51
May 1,1883	121, 702, 775 51	28, 068, 628 88	93, 634, 146 6
June 1, 1883	128, 034, 145 68	28, 303, 196 20	99, 730, 949 48
July 2, 1883	141, 006, 770 73	28, 486, 001 05	112,520,769 68
Angust 1, 1883	152, 442, 307 57	28 058 141 67	194 984 165 96
August 1,1883	154 030 545 84	28, 058, 141 67 27, 819, 711 70 26, 750, 161 13	126, 210, 833 64 131, 128, 796 85 134, 110, 121 27
September 29, 1883	154, 030, 545 34 157, 878, 957 96	26, 750, 161 13	131, 128, 796 8
October 31, 1883	160, 822, 545 42	26, 712, 424 15	134, 110, 121, 27
November 30, 1883	153, 115, 994 60	26, 969, 614 40	126, 146, 380 20
December 31, 1883	141, 610, 028 13	27, 224, 126 33	114, 385, 901 80
January 31, 1884	149, 977, 230 69	28, 014, 414 76	101 000 015 0
February 29, 1884	144 789 003 85	28, 490, 906 91	121, 902, 815 St 116, 298, 096 94 121, 205, 562 44 122, 643, 690 43
March 31, 1884	150, 072, 118 77	28, 866, 556 33	121, 205, 562 4
April 30, 1884	151, 802, 170 90	29, 158, 480 47	122, 643, 690 43
May 31, 1884	146, 764, 496 86	29, 377, 206 41	117, 387, 290 4
June 30, 1884	139, 111, 423 19	29, 600, 720 05	109, 510, 703 1
July 31, 1884	138, 215, 815 92	29, 797, 485 76	108, 418, 330 10
August 30, 1884	140, 228, 887 13 143, 234, 041 27	29, 659, 003 38	110, 569, 883 7
September 30, 1884	143, 234, 041 27	29, 474, 160 89	113, 759, 880 3
October 31, 1884	148, 070, 290 19	29, 474, 160 89 29, 346, 757 24 29, 143, 283 48	113, 759, 880 3 118, 723, 532 9
November 29, 1884	139, 435, 057 91	29, 143, 283 48	110, 291, 774 5
December 31, 1884	139, 818, 721 98	29, 194, 300 02	110, 024, 300 4
January 31, 1885	145, 543, 096 57	29, 901, 104 54	115, 641, 992 0
February 28, 1885	151, 214, 510 48	30, 244, 836 12	120, 969, 674 3
March 31, 1885	152, 933, 921 92	30, 632, 326 20	122, 301, 595 7
New form of statement.			
April 30, 1885	23, 957, 421 52	30, 944, 048 81	23, 957, 421 5
May 29, 1885		31,694,364 80	30,093,021 9
June 30, 1885	40, 676, 930 68	- 31, 236, 899 49	40,676,930 6
July 31, 1885	44,052,929 35	20, 300, 020 23	44,052,929 3
August 31, 1885 September 30, 1885	49, 716, 572 69 63, 903, 106 30	25, 355, 020 23 24, 724, 287 43 23, 641, 893 79	49,716,572 6 63,903,106 3
October 31, 1885	66, 818, 292 38	20,041,090 79	66 919 900 9
November 30, 1885		22, 965, 535 70 27, 920, 309 44	66, 818, 292 3 61, 930, 595 3
December 31, 1885	61, 930, 595 34 71, 018, 872 23	27, 796, 430 88	
	79, 689, 862 24	29, 013, 993 71	71, 018, 872 2 79, 689, 862 2
January 30, 1886 February 27, 1886	72, 298, 202 92	28, 811, 037 49	72, 298, 202 9
March 31, 1886	76, 381, 099 54	28, 822, 637 63	76, 381, 099 5
April 30, 1886	77, 030, 999 35	98 864 489 80	77, 030, 999 3
May 29, 1886	76, 142, 611 33	28, 864, 482 89 28, 912, 277 14	76, 142, 611 3
June 30, 1886	75, 191, 109 95	28, 904, 681 66	75, 191, 109 9

Note.—Subsequent to March 31 \$100,000,000 reserve held for the redemption of United States notes is deducted, and the fractional silver coin has been separately stated, and must not therefore be deducted from the net cash balance to obtain the available. In other words, the statement since March 31 states the

That is all I desire. I only criticised the conduct of the Treasury with reference to the non-payment of the public debt between March,

1885, and December, 1885.
Mr. TELLER. I wish to ask the Senator how in the statement sent up the hundred million dollars of reserve is stated, whether it is in the shape of liabilities or an asset, in order that we may understand it when we come to look at it. Under the old system I understand it always appeared as an asset, thus increasing the apparent amount of money in the Treasury, the surplus, and now it appears as a liability, thus decreasing the amount to the extent of \$100,000,000. How does it appear in this statement?

Mr. ALLISON. It appears just as the statements were made. Of course under the new form of statement it appears in the general balance of the Treasury. Under the new form of statement the balance is stated, deducting the \$100,000,000.

Mr. TELLER. That is very liable to mislead a casual observer and to make it appear that there is a hundred million dollars more at one time than there is at another.

time than there is at another.

Mr. ALLISON. I will state that this form of statement was made by the Treasurer at my request, carrying back his form of statement into all the statements which had been made between the 1st of July, 1879, and the present time. The statement includes and excludes the fractional silver; so that there are two tables, one showing the total balance, including the amount of fractional silver, and then the total amount, deducting fractional silver. The new form of statement began March 31, I believe, and of course from that time forward the fractional silver is excluded from the statement, and also the \$100,000,000 reserve.

Mr. TELLER. I call the attention of the Senator to the trouble Mr. TELLER. I call the attention of the Senator to the trouble with this statement. For instance, on the 31st day of January, 1885, the apparent surplus is \$145,000,000 in round numbers; February 28, it is \$151,000,000; March 31, it is \$152,000,000, and it immediately drops down, April 30, to \$23,000,000. Unless there is some explanation made, I think it will appear to any ordinary observer, to the common people who read accounts, that that disappeared by payments out of the Treasury, when in fact it has only by the system of bookkeeping been transferred to another column. The money is there all the same.

Mr. ALLISON. I think the people will understand it after the ex-

planation of the Senator and my own.

Mr. TELLER. I think the Senator should have added something to have shown it in the statement.

Mr. ALLISON. Is it not fully shown now? Mr. TELLER. We make the statement now, but it does not go with the table.

Mr. ALLISON. If there is anything I ought to explain that the Senator has in mind I should be glad to do it.

Mr. TELLER. Possibly the note at the foot may explain it sufficiently.

Mr. ALLISON. I think it does.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed the bill (S. 263) providing for the erection of a public building at Springfield, Mass., with amendments in which it requested the concurrence of the Senate.

WISCONSIN WESTERN JUDICIAL DISTRICT.

The PRESIDING OFFICER (Mr. PALMER in the chair) appointed Mr. EDMUNDS, Mr. EVARTS, and Mr. Pugh the conferees on the part of the Senate on the amendments of the Senate to the bill (H. R. 9857) in relation to the western judicial district of Wisconsin.

METHODIST PROTESTANT FOREIGN MISSIONS BOARD.

Mr. BROWN. I desire to call up Senate bill No. 1008 for action on the amendments of the House of Representatives.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives on the bill (S. 1008) to empower the board of foreign missions of the Methodist Protestant Church to hold property in the District of Columbia.

The PRESIDING OFFICER. The House amendments will be read.
Mr. EDMUNDS. Subject to objection. I only want to look at that.
I have no objection to its being considered subject to objection.
The PRESIDING OFFICER. It will be so considered.

Mr. BROWN. When the Senator hears the amendments I think he will have no objection.

The PRESIDING OFFICER. The amendments of the House of Representatives will be stated.

The CHIEF CLERK. In line 8 of the bill strike out the word "rent." Strike out all after the word "Provided," in line 10, down to and including line 14, and insert the following:

That only so much real estate may be held by the said board of foreign missions as may be necessary for the proper transaction of its legitimate business, not to exceed an assessed value of \$50,000.

The PRESIDING OFFICER. The question is on concurring in the

amendments of the House of Representatives.

Mr. EDMUNDS. Just wait a moment.

Mr. BROWN. This is a religious corporation, and provision is made for holding real estate in the District. The House has simply reduced the amount of property. If there is no objection to the bill on that account I move to concur in the amendment.

Mr. EDMUNDS. I am satisfied that it improves the bill.

The PRESIDING OFFICER. The question is on concurring in the amendments of the House of Representatives.

amendments of the House of Representatives.

The amendments were concurred in.

PHŒNIX NATIONAL BANK OF NEW YORK.

Mr. EDMUNDS. I ask the Chair to lay before the Senate the bill (S. 1599) for the relief of the Phœnix National Bank of the city of New

York, which has come from the House with an amendment.

The PRESIDENG OFFICER (Mr. Teller in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1599) for the relief of the Phœnix National Bank of the city of New York, which was, in lines 1 and 2, to strike out the words "twenty-nine thousand six hundred and twenty-four dollars and thirty-five cents" and to insert "twelve thousand one hundred and seventeen dollars and thirty-eight cents."

Mr. EDMUNDS. I move that the Senate disagree to the amend-

ment of the House and ask for a conference thereon.

The motion was agreed to. By unanimous consent the presiding officer was authorized to appoint the conferees on the part of the Senate, and Mr. EVARTS, Mr. INGALLS, and Mr. VEST were appointed.

TREASURY SURPLUS.

The Senate, as in Committee of the Whole, resumed the considera-

tion of the joint resolution (H. Res. 126) directing payment of the sur-

plus in the Treasury on the public debt.

Mr. GIBSON. Mr. President, inasmuch as the discussion has passed quite beyond the boundaries of the pending subject and entered far into the attractive and limitless fields of financial speculation, in order that I may take my own reckoning and recall the attention of the Senate to the exact question for our determination, I ask that the resolutions may be again reported.

The PRESIDING OFFICER (Mr. PALMER in the chair). The Sec-

retary will read the joint resolution.
The Chief Clerk read the joint resolution, as follows:

The Chief Ciefk read the Joint resolution, as follows:

Resolved, &c., That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, the shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums not less than ten millions per month, during the existence of any such surplus or excess, to the payment of the Interest-bearing indebtedness of the United States payable at the option of the Government. The surplus or balance herein referred to shall be the available surplus, ascertained according to the form of statement of the United States Treasurer, of the assets and liabilities of the Treasury of the United States employed on June 30, 1886.

The PRESIDING OFFICER. The amendment reported by the Com-

mittee on Finance will be read.

The CHIEF CLERK. It is proposed to add to the joint resolution the following proviso:

Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned: And provided further, That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20,000,000: and in the case of any extraordinary emergency, and when, because thereof in the opinion of the Secretary of the Treasury, the public interests shall require it, he may, by written order, suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired.

It has been developed that there is an entire concurrence of opinion among Senators respecting the state of facts upon which these resolutions proceed and are designed to deal with. We may assume therefore that it is agreed that the only outstanding United States bonds which may be paid at the option of the Government are one hundred and thirtysix million 3 percents; none others may be paid until the year 1891; that the surplus or balance in the Treasury to-day available for the purpose of paying these bonds is about \$75,000,000, and that the current revenue of the Government over and above the necessary expenditures amounts to about \$9,000,000 per month.

Hence it is apparent that with the reserve or surplus on hand, together with the revenue in excess of expenditures, the Government will be able, unless some extraordinary contingency should arise not now foreseen, to pay off every one of these 3 per cent. bonds under the operation of either one of these resolutions in about thirteen or fourteen months, and that at the end of that time the Treasury will hold a sur-

plus or balance nearly as large as it has to-day.

Now, sir, let us consider the resolutions. If our judgments were formed by the speeches which we have listened to during the progress of this debate we should reach the conclusion that there was some wide divergence, some inherent antagonism, either in principle or policy, between the resolution of the House of Representatives and the resolution as amended and adopted by the Senate Finance Committee.

I undertake to say that they are founded on the same doctrine of finance; that their practical force and effect will be the same; that they differ only in respect to the amount of the working balance and the

discretion which should be allowed the Executive.

The resolution of the House provides in effect that the one hundred million in the Treasury derived from the sale of bonds in order to secure and maintain specie resumption shall remain intact, and that it is only when the surplus or balance in the Treasury shall be in excess of the \$100,000,000 is it made the duty of the Secretary of the Treasury to apply such excess in sums not less than \$10,000,000 per month during the existence of any such surplus or excess to the payment of the interest-bearing indebtedness of the Government payable at the option of the Government.

The Senate resolution provides also that the \$100,000,000 coin in the Treasury shall not be encroached upon, and that payments shall be made in sums of not less than \$10,000,000 per month on the interest-

bearing debt outstanding and payable at our option.

It is evident, therefore, that there is no difference between the resolutions of the House and Senate respecting the reserve fund or the amount to be paid on the debt monthly, and these are the essential elements in the whole transaction. They both demand and require that \$100,000,000,000 of coin shall be held-as the foundation upon which the structure of our financial system shall stand.

Wherein, then, do they differ? They differ in but two points as I have already indicated. The House resolution provides that these payments of \$10,000,000 per month shall be made only when there is an

excess of \$10,000,000 in the Treasury of the United States over and above the \$100,000,000 of reserve fund.

The question was asked in the House of Representatives of Mr. Mornison why under the operation of the resolution the reserve fund might not be encroached upon and destroyed, and he replied as follows:

Mr. Morrison. Under this resolution, if the condition of the Treasury remains

the same, it would pay out \$10,000,000 for seven successive months, and then if the Treasury balance was not increased there would not be another ten millions paid next month, nor until the surplus reached ten millions above the one hundred millions fixed by the joint resolution as the amount to be kept in the

Mr. EDMUNDS. Let me suggest to the Senator from Louisiana, if

I may interrupt him.

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. GIBSON. I do.
Mr. EDMUNDS. Let me suggest that we are passing the joint resolution of the House and not Mr. Morrison's speech, if it may be referred to, and that the construction of the act must depend not upon the debates in the other House or here, but upon what it means to the people who are to execute it, and in the courts of law. I may put one gloss and opinion upon it; my friend from Louisiana may put another, but it does not help it; the meaning has got to be derived from the

Mr. GIBSON. I am very greatly indebted to the suggestion of the Senator from Vermont, but I will say to the honorable Senator from that State that he is a little premature in giving me that information. I knew in advance (for I presume it may be held that almost every Senator on this floor has some knowledge of the canons of constitutional construction), that Mr. Morrison's opinion was not to control the meaning of the act, if it should be passed by Congress, but I thought that inasmuch as I was going to consider what the true meaning of this resolution of the House might be, from its context it would have persuasive effect, not authority, upon the minds of some Senators upon this floor who happen to know that distinguished Representative from the State of Illinois in the House of Representatives and how val-

uable have been his services in respect of the currency of the country.

An examination of the text will show, in my judgment, that Mr. Morrison's interpretation of the House resolution must be sustained MORRISON's interpretation of the House resolution must be sustained by a fair and just construction of it both by the people who are to execute it and by the courts. It is very plain that as the resolution provides that monthly payments shall be made during the existence of a surplus or excess above the sum of \$100,000,000 in the Treasury in payments of not less than \$10,000,000 per month, it is utterly impossible that any such payments could be made at all unless there had been an accumulation of fully \$10,000,000 in the Treasury as an available surplus for this purpose; so that it is very clear to my mind that able surplus for this purpose; so that it is very clear to my mind that under the very terms of the House resolution not a dollar could be paid out of the Treasury on these bonds unless there was a surplus or balance in excess of the \$100,000,000 in coin reserved there for the maintenance of specie payments.

Now let us consider the resolution as amended by the Finance Committee and we shall ascertain that that resolution also, like the House mittee and we shall ascertain that that resolution also, like the House resolution, provides for the redemption fund, and further that the Secretary of the Treasury may, at his discretion, maintain also a working balance not exceeding \$20,000,000 while paying ten millions monthly on the public debt. Here, then, we perceive that the difference between the two resolutions is narrowed down to this, that the Senate resolution allows the Secretary of the Treasury a working balance of \$20,000,000 to be maintained in the Treasury at his discretion. It does not compel him to retain that, but if the necessities of the Government, and the property of the Treasury to over \$30,000,000. amounting in some months, as has been shown, to over \$30,000,000, under heavy appropriations for pensions and other extraordinary expenses of the Government, it is within his discretion to retain such working balance.

Here, then, are the two resolutions resting upon the same principle of finance, moving in the same direction toward the payment and extinguishment of the public debt, one authorizing and directing the Secretary of the Treasury to pay it in monthly installments of \$10,000,000 when there is that sum in the Treasury over and above \$100,000,000 reserve fund, and the other directing him to make these payments when there is \$10,000,000 over and above the \$100,000,000, the reserve fund in the Treasury of the United States and a working balance of \$20,000. the Treasury of the United States, and a working balance of \$20,000,-000, if in his discretion it should be wise and necessary to reserve that

If we adopt the House resolution on the state of facts which I have laid down and which is undisputable, the whole amount of the outstanding indebtedness would be paid even if we assumed that the balance or surplus should be brought to the minimum limits, just two months sooner than it will be paid if we adopt the Senate resolution and the Secretary of the Treasury should find it necessary to keep a working balance of \$20,000,000. Or, in other words, if we adopt the Senate resolution and the Secretary of the Treasury should maintain under the discretion allowed him by that resolution a working balance of \$20,000,000, he would be just two months longer and two months only, in paying every dollar of the outstanding bonds than we would be under the House resolution. Under either, humanly speaking, the ex-tinguishment of the payable debt of the United States is certain within

the next fourteen months.

I am surprised, Mr. President, when these practical resolutions are before us and when the basis of difference is so narrow, that arguments should be urged here with such heat and vehemence, involving not the resolutions themselves but considerations which I submit are

foreign to this discussion, if not wholly out of place. The simple proposition is whether we will authorize and direct the Secretary of the Treasury to continue the monthly payment of these bonds when there is over a hundred million in the Treasury or when there is over \$120,-000,000 in the Treasury. For my part I am disposed, when we are dealing with transactions of such magnitude to be conducted by officers in whose fidelity and intelligence I repose confidence, transactions that relate to the most sensitive and delicate of all things, the public that relate to the most sensitive and deficate of all things, the public credit and national honor—I am willing to vote to allow the small working balance of \$20,000,000 to the present chancellor of our exchequer, Hon. Daniel Manning. Great Britain, France, and Germany each, as is shown by the London Economist of July 14, has a larger working balance than this, and their ministers of finance are also authorized to raise money by exchequer bills in the event of an emergency. The reserve in Great Britain was 39 per cent. for all outstanding liabilities; in France 60 per cent.; in Germany a reserve larger than we now provide.
Mr. MAXEY.

Mr. MAXEY. Mr. President-The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Texas?

Mr. GIBSON. Certainly.

Mr. MAXEY. The difference, I submit to the Senator from Louisiana, between the House resolution and the Senate amendment is not ana, between the House resolution and the Senate amendment is not so much a difference in dollars as in this: The House resolution is a peremptory command to pay off the public debt whenever there is a surplus over and above \$100,000,000 subject to be paid out. The amendment of the Senate Finance Committee does increase that to \$120,000,000, and in addition thereto gives to the President of the United States a discretionary power to suspend the entire law, and it is in that discretion that the great difference exists between the Senate is in that discretion that the great difference exists between the Senate committee amendment and the resolution as passed by the House.

Mr. GIBSON. I intended when I had concluded the discussion of

this aspect of the Senate amendment to speak of the concluding clause of that amendment, to which the honorable Senator from Texas has just called my attention. I do not intend to overlook it. I think that also a wise and statesmanlike provision, but I would like to see incorporated in the resolution from the Finance Committee the words "and in case of any extraordinary emergency not now foreseen or not now existing." Do I understand the Senator from Iowa accepts as an amendment the words "not now existing?"

Mr. ALLISON. I am perfectly willing to have that inserted. It may strengthen the amendment, but it is manifest to me that that is

the true meaning.

Mr. GIBSON. Mr. President, it seems hardly necessary for me to do more than suggest to the Senators whom I see around me how important it is that the Government, having such extensive and ramified connections the world over, should commit to its Secretary of the Treasury or rather to the President, for it is by him that this power must be exercised, the discretion to suspend the provisions of this resolution in the event of any extraordinary emergency. An occurrence that shall relate merely to an individual in some distant region might involve this Government in a long and bloody war. Wars always come unexpectedly. If we could anticipate that there might be a war between the United States and Great Britain at the end of this year, the wise and good men of either nation would in advance put forth all their efforts to prevent it and maintain the peace between these kindred people.

Up even to the last hour it will be remembered that when the dark cloud of civil war was rising just above the horizon the public men of America declared that it would disappear in the course of a few weeks or months. Nations do not go to war except when they are wrought into a passion by some insult, some injury, so that in the heat and distemper diplomatists find it impossible to make any peaceable arrange-

ment.

Look at the wars of Europe! While philosophical statesmen attempt to trace the origin of wars to some general principle involving the existence of old institutions or their reformation, yet we know that many of the most terrible struggles that have deformed and retarded the civil principle of cociel and ilization of mankind originated in the trivial incidents of social and

personal life.

It may be well said that the ambition of nationalities has superseded the ambitions of dynasties, and while wars no longer find their origin in court circles, nevertheless it has been seen that questions involving the rights of individual citizens on of nations have been prolific sources We are confronted to-day with European nations armed to the teeth, exhausting the resources of the people in maintaining great standing armies, vast naval establishments, and inspired by the desire to extend their commercial relations and colonial systems over the entire world, while the republics in the Western world are constantly agitated by revolutions and disorders liable to disturb our friendly relations with them. Even while I speak every resource of our diplomacy, of our patience and forbearance, is taxed to keep the peace on the Rio Grande and on the Northeastern coast. A trifling circumstance, a single spark, may produce a conflagration.

Our people are as keenly alive to the national honor and to the pro-

American citizens wherever they may go as any other nation in the world. Who can tell what a day may bring forth?

We are therefore, sir, upon general principles justified in giving the executive department this discretion. But when we come to look into the financial policy of the administration as directed by the President of the United States we find it in perfect accord with the resolutions themselves

The Senator from Maryland [Mr. GORMAN] has relieved me from setting forth the difficulties which confronted the administration at the outset, for he has already exhibited to the Senate all the facts and influences that controlled the action of the administration for the first few months after it was installed. Coming into power after an exile of twenty-five years the Democratic party brought to the exalted position in the Cabinet men who were without experience in the responsibilities and duties which those official positions imposed upon them, and it was perfectly natural and proper that they should pause to take an account of things before they began to deal practically with the most perplexing question that can possibly arise in the administration of the Government, namely, the management of the public finances, for "the fise is the State."

But we find as soon as they are able to take in hands the reins of distate we find as soon as they are able to take in hands the reliable direction the administration has been paying out for the last five months \$10,000,000 of the public debt monthly, precisely the amount that the House resolution and the Senate resolution require to be paid. Are not Senators then who are in favor of these resolutions, who believe sincerely that the best disposition of the surplus public money is to pay the people's debts, justified in extending some discretion to a Democratic President when they find that the President himself has already adopted a policy in perfect accord with the resolutions, that he is moving in the very direction that those who favor the payment of the public debt desire?

I understand that the acting Secretary of the Treasury made such a declaration before the Committee of Finance of this body. The policy therefore of the administration is the policy embodied in these resolu-

Mr. MAXEY. I should like to ask the Senator from Louisiana a question, if he will permit me.
Mr. GIBSON. Certainly.

The object of this margin of \$20,000,000, as I under-Mr. MAXEY. stand it, is to provide for some unforeseen contingency, some extraordinary demand for greenbacks not looked for or expected in the ordinary course of business transactions. I ask the Senator from Louisiana if there should be an extraordinary demand for greenbacks, which no one can anticipate or foresee, and if \$100,000,000 were called for, has not the Secretary of the Treasury to-day the absolute right under the act of the 14th of July, 1870, to place in the Treasury as much money as he cares for, by the sale of bonds, in order to meet an unforeseen and extraor-

dinary contingency?

Mr. GIBSON. It is true as the Senator from Texas has observed that under the terms of the resumption act the Secretary of the Treasury is authorized to sell bonds for the purpose of maintaining the resumption of specie payments, but this remedy, if remedy it can be called, is to prolong the very difficulty from which we are now endeavoring to extricate ourselves, because the purpose of these resolutions is to get out of debt, to pay the debts of the people, whereas if the Secretary should resort to the right under the act to which the honorable Senator from Texas has referred, instead of paying debts he would be making new ones. I think it preferable, therefore, to retain a working balance in the Treasury and to clothe the executive department of the Government with power to cease to pay our debts if the emergency should arise, rather than to place it in the possible alternative of creating new indebtedness by the sale of bonds.

If an emergency should arise, if the "rainy day" should come for our Government, it would be better to hold on to the money in hand, to suspend payment of debts due at our option drawing only 3 per cent. interest, than to use our credit at such a crisis on a higher rate of interest. But I do not anticipate any emergency. I believe that the surplus in the Treasury with the revenues will pay off the existing debt even at an earlier period than is now contemplated, and that the emergency most likely to arise will be that presented by an overflowing Treasury in the face of debts beyond our reach. It is wisest, in my judgment, to make the provision we have, because it is the unexpected that brings trouble and disaster in human affairs.

I have now, Mr. President, endeavored to state what the facts were by which we were confronted, the indebtedness of the Government which may be paid at its option, the surplus on hand, the revenue of the Government in excess of expenditures, the scope and meaning of these resolutions, the amount and limit of discretion allowed under them to the executive department of the Government, which department is enforcing month by month the very policy which these resolutions seek to execute. I have shown, I think, too, that under these circumstances a certain discretion should be allowed the Executive, not only a working balance of \$20,000,000 if deemed necessary, but the power to suspend the payments of the public debt in the event of any emergency not now foreseen.

For these reasons I am disposed to vote for the resolution with the Senate amendments.

VALUE THE INDISPENSABLE BASIS OF A SOUND CURRENCY.

I alluded at the outset of my remarks to the academic discussions which had taken place as not properly connected with the resolutions themselves, for their simple and specific purpose relates to the payment of the public debt.

But I hope I may be pardoned if I detain the Senate a few moments to make some observations upon remarks which have fallen touching

our financial system.

It will be remarked, Mr. President, that both the Senate and House resolutions retain the \$100,000,000 of coin in our Treasury as security for our currency; I may say also as the base upon which the pyramid of our national credit stands.

This is an important triumph for those who have always insisted that the indispensable element in our financial system should be value, and the honors of it belong properly to the mover of the resolution [Mr. MORRISON], who has always been an advocate of a sound currency. A public man may gain temporary popularity who shall propose a system of irredeemable paper issues the temporary effect of which is often to create a transient prosperity and to induce the belief that men may enrich themselves without enterprise, without intelligence, without self-denial, without frugality or sober industry, by the mere benevolence of their government; but in the long run the only way to win genuine public confidence is to assert the truth and to insist that the function of the government is not to enrich the citizen but to uphold

justice and to protect life and property.

The line that separates those who believe that the currency of the people should possess value in itself, or represent value, from those who believe that the value may be created by the government is a broad

and impassable one.

Those who insist that there should be no coin in the Treasury to redeem the notes issued by the Government, that such notes when stamped by the legends and denominations fixed upon them by the Government constitute a safe and sound currency, do in effect dispense entirely with redeemability in coin or with the value which coin expresses.

I have heard a great deal said about the barbarism of silver and gold and the all-sufficiency of a paper currency issued by the Government in such sums as the representatives of the people may adjudge necessary to meet the wants of trade; that the credit-"the coined credit," as the phrase goes-of the Government was the best safeguard and basis for the currency of the people. If one man can not by issuing his notes of indebtedness make himself rich, then how can an aggregation of men composing a nation do it? Who can name an instance in all human history in which the attempt has not turned out to be a delusion, a snare, a cheat, a coined fraud? The Government never had a single dollar, and can not get a dollar without taking it out of the pockets of the people by taxation, nor can the people get a dollar except by earning it by the sweat of the brow. This is not a modern discovery, for history teaches us many sad lessons illustrative of the readiness with which such expedients have been resorted to in times of revolution, and how instead of bringing relief, comfort, and happiness they have ever been the fruitful source of ruin, distress, and disaster.

I have never seen any statement of the theory of irredeemable paper

money, or fiat money, so graphically and truly expressed as by the Russian author, Possoschkow, who lived in the time of Peter the Great.

It is in the nature of things that a doctrine that ascribes divine attri-

butes to government should find its most illustrious exponent in a firm "The foreigners, " says Possoschbeliever in the divinity of monarchs. "estimate their money according to the quantity of the metal it contains, and not according to the power of the monarch who issues it. They have a rate of relative value for copper and silver. But we honor our monarch as God and hold his dignity in honor and most zealously obey his will. On whatever thing we see the name of his Imperial Majesty, that thing we estimate highest. In coining money men must not do as the foreigners do, and consider the amount of copper, but consider only the will of his Imperial Majesty. We are no foreigners; it is not the copper that is valuable to us; it is the name of our czar. We do not look at that is valuable to us; it is the name of our czar. We do not look at the weight of the money, but upon the inscription.''

I am rejoiced to see that this notion on which the French assignats

and mandats and other irredeemable notes were issued no longer finds any advocates in either House of Congress, but that there is concurrence in the opinion that the paper issued by the Government of the United States should be redeemable in coin. This was the policy adopted by Alexander Hamilton when the first mint was established, and set forth in his report of 1792, and approved by Washington and Jefferson. From that time to this no Secretary of the Treasury, no President of the United States, no public man who has ever enjoyed the confidence of the people of this country, has ever attempted to place their finan-cial structure and credit upon any other thing than value, than gold and silver coin, something that represents capital and labor. If I could have my way now I would divorce the United States Government from all banks and banking functions.

I would follow the example of our fathers when they established a

within the constitutional functions "to coin money and regulate the value thereof," giving free coinage and full legal tender to both silver and gold. That was the plan adopted at the beginning, for we find that by the first coinage act of April 2, 1792, the Government rated gold and silver differently according to their relative values and the same questions that addressed themselves to the authors of that system then address themselves to us to-day: First, what ought to be the nature of the monetary unit of the United States? Secondly, what proportion between gold and silver if coins of both metals be used?

These questions were propounded by Mr. Hamilton while Secretary

of the Treasury, and he answered them by adopting both gold and silver as our currency and established between them a relation that conformed as nearly as possible to their commercial value, for their value, like that of all other commodities, is determined temporarily by demand and supply, permanently and on the average by the cost of pro-

One grain of gold was held to be the equivalent of 15 grains of silver. Why not 1 to 11, or 12 or 13 or 14, as the ratio had been in times past, or 1 to 18 or 20 or 25? These ratios were rejected and 1 to 15 was adopted, because the Constitution imposed upon the Government the duty to coin money and regulate the value thereof, not attempt to create value, and that a just and fair regulation required that it should be

made on their value in the open markets of the world.

Every ounce of gold and silver represents labor and capital in certain distinct and unequal proportions. Why should a given weight of gold possess a higher value than the same weight of silver? Because it is both more in demand and is found in different proportions and the cost of production is greater. For the same reasons, from the earliest times, it has required more of silver than of gold to purchase the same object. If the two metals were equally abundant and equally desired and produced in equal quantities by like proportions of capital and labor, it would require an equal measure and quantity of one as of the other to effect an exchange. It is value that determines the difference; and there would be no reasons for differing denominations of money, as one, five, or fifty, or five hundred dollars, unless to express and represent different degrees of value and of purchasing power and of capital and labor. "Abraham weighed to Ephron the silver." The impress upon the silver might have been false, and so the scales were used to ascertain its exact weight and bullion value. "A false balance is abomination to the Lord, but a just weight is His delight."

This plan adopted at that time by our Government was never departed from until the unfortunate demonetization of silver in 1873.

The variations in the two metals were corrected from time to time and compensations made so that the equilibrium when disturbed might be restored as nearly as possible. Free coinage and full legal tender were the attributes of both metals. This safe rule was departed from in the coinage act of 1878. It was believed that the value of silver in the markets of the world had been affected by transient causes and that if the ratio were adopted that had existed before its demonetization by this country it would take its place when coined side by side with gold; but in order to prevent any disturbance in their relative values as coined money, and to preclude the disparity that existed between them in the bullion markets of the world under that act, the Government was made a forced purchaser of so much silver bullion every month, enough to coin not less than two nor more than four million silver dollars, and the freedom of coinage was taken away from silver, while the Government was instructed to put forth every effort in order to unite the leading commercial nations of Europe with us in the attempt to restore silver to free coinage and its full functions as one of the moneys of the world on an accepted international ratio with gold.

The small amount of silver coined under this act, of only two millions a month, has not as yet produced any disturbance in our financial system, for gold has been constantly and steadily accumulated. apprehensions of disturbance do exist, because it is believed that the discord between silver and gold bullion will sooner or later discover itself between silver and gold coin, and that the steady increase by this forced purchase of silver, notwithstanding its limited coinage, will eventually cause gold to go to a premium and to disappear.

No doubt in time, but in how many years nobody can say, this dis-parity may declare itself, just as it did in France when they were compelled finally, and in all the states of the Latin Union, to discontinue the free coinage of silver-in fact to discontinue its coinage entirely as

a legal-tender money

In order to ascertain the oscillations between the two coins, gold and silver, during the perturbations in their bullion prices, the minister of finance of France ordered a count made on the 28th of May, 1885, and more than twenty thousand public officers were engaged in this count on that day, and with this count as a basis a very close approximation was reached of the entire amount of gold and silver coin in circulation in France. In comparing it with a similar count made in 1868 and 1878, a very great increase of silver appeared. In 1868 the proportion of gold to silver in circulation was as 97.72 to 2.28; in 1878 it was 73.55 to 26.45, and in 1885 it appears to be 69.33 to 30.67. Commenting upon this state of facts our minister, Mr. McLane, observes:

I would follow the example of our fathers when they established a The use of silver 5-franc pieces was well-nigh abandoned in 1865, but after the mint and issued a currency. I would bring the Government back treaty between the Latin powers, which took effect fully in 1868, the silver cir-

culation commenced to increase especially in all the eastern and southeastern and southern provinces adjoining Belgium, Switzerland, and Italy, while in the west and center there was no change in the old proportion. It was from this court that I was enabled in my separate-and confidential dispatch, under date of September 11, to inform you that a legal-tender silver coinage of about \$600,-000,000 in value was maintained in France, but it is conceded that this result is mainly due to the fact that the coinage of silver was suspended not only in France but in the other countries whose coin is allowed to circulate in France, this suspension being complete soon after the German coinage act of 1873.

These facts show how rapidly under free coinage silver rated at 151 to 1 of gold—that is, at a ratio lower than the market ratio increased in the currency of France, while the bullion price was steadily falling—and how soon in advance it became necessary, in order to prevent the expulsion of gold and the disparity between the two coins, to resort to the absolute stoppage of the coinage of silver of full legal-tender quality and function. Our coinage of silver is restricted, though it is a full legal tender. How much the country can maintain at a par with gold is a problem that will only be solved by experience itself. We have already coined 235,644,286 silver dollars; while, as will be seen from Mr. McLane's statement, France, having on hand about \$600,000,000 of her legal-tender silver coinage, found it necessary to stop the further coinage at that sum, in order to maintain its equivalency with gold and to preserve add as part of its expression. and to preserve gold as part of its currency. Who can forecast the point when the equilibrium between silver and gold coin, the danger point, shall be reached and gold begin to disappear? The aim of everybody should be to utilize both metals and to retain as large a proportion, the largest possible amount, of the coins of both metals in our currency; for both possess value. There is to-day no free coinage of silver in this country, nor in any of the leading nations of Europe, with full legal-tender quality. I do not mean, of course, to apply this remark to subsidiary coins that possess a debt-paying function for small amounts. If a ratio between silver and gold were adopted by the United States and two or three of the great powers of Europe the difficulty would be solved and the system would last for several generations, which, humanly speaking, is an endowment of substantial permanence.

For one I believe it were best that the true, logical results of our present financial system should be disclosed as early as possible. If gold is to go to a premium, as some imagine and insist, right away; if the inevitable hour is to come, I would attempt by no legerdemain or finesse to post-The sooner we know where we stand, whether we have a safe, sound, stable currency or not, the sooner the remedy will be applied and the better for the people of this country. Let us immediately dispell all apprehensions by applying the fairest tests, or demonstrate that they are justified and apply the remedy demanded. The longer the period of disparity is postponed by mere makeshifts the more severe will be the shock, the greater the losses to laboring men, and the more violent and widespread the distruction of confidence and the reign of extreme fluctuation. Our financial system should derive its stability and strength from wise legislation, and not from the exploits of sagacious secretaries.

The greatest curse that can afflict a people is an unstable, disordered currency, changing from day to day, which becomes in the hands of capitalists and speculators the instrument by which they are enabled to cause a depression or rise in prices as they may see fit, and finally to throw the entire burden of all the losses on the shoulders of the labor-

So long as silver is coined and stamped by the Government, even if its market value does not correspond with the legal value, the best policy is to treat it precisely as you treat gold. Neither Congress nor the Executive nor any department of the Government should make any difference between one money and another money. All forms of money should be treated alike, received under the law and paid out by the law alike to the bondholder and the workingman, and their interchange ability should be maintained not by the Treasury but by wise laws.

While I would have preferred, as I said a moment ago, that the Government should have no connection with banks, do no banking business, yet we must deal with things as they are to-day as we find them, not as we would have them; and as the issue of paper money has entered into the body of this financial system and become a component part of it, the principles of justice require us to treat silver and the silver certificates precisely as we do gold or United States notes.

The main object to be accomplished now is to preserve the equivalency between all our moneys by legislative enactment affording prompt relief whenever the equivalency is disturbed and to bring into concurrent circulation, or as the basis of circulation, coin of both silver and gold. The larger the proportion of the actual currency in the hands of the people of silver and gold or of their paper equivalents, the less liable the medium of exchange will be to sudden fluctuations of expansion or contraction, and the larger will become the volume of money.

What is the essential difference between the silver certificates and the United States notes? If the \$100,000,000 held in the Treasury which was acquired by the sale of bonds for gold be maintained in gold, in order to redeem the \$345,000,000 of United States notes and to preserve their equivalency with gold, then there remains one gold dollar in the Treasury against 3.45 of paper dollars outstanding, whereas every silver certificate is to-day guaranteed by a silver dollar which passes current and possesses the purchasing power of a gold dollar, so that the silver certificate, as matters stand, is better secured than United States notes. But if you estimate the silver dollar as being worth no

more than its bullion value, you have then 75 cents in silver by the gold standard guaranteeing the payment of every dollar in every silver certificate outstanding.

Upon this estimate of values, therefore, the silver certificate is backed by 75 per cent. of value, while the United States notes are guaranteed by less than 30 per cent. of value, and if it be understood that come what may the equivalency and interchange ability of the silver and gold coin is to be preserved, there is no reason in the world why the silver certificate should not be favored by bankers and capitalists as well as by the people in their homes and workshops. I leave out of view of as by the people in their nomes and workshops. I leave out of view of course the ability of the Government by the further sale of bonds, by increasing its debts, to maintain its paper circulation. I speak of the actual basis. The issue of small silver notes will be of great convenience and advantage

ence and advantage.

I do not feel that the bondholder is entitled to any particular favor or solicitude, nor have I any personal sympathy for bankers or speculators, yet I would do them no wrong, no injustice. The son of a planter, and a planter myself, reared in the country, with all my kindred and associations connected with country life, the first test I apply to every financial question is, how will it affect the agricultural interests, the producing and laboring classes? A sound currency is as indispensable for their transactions, as necessary for their welfare, and the public credit is as dear to them as to the bondholder or the banker.

The amounts paid to the bondholder on the interest and principal of the public debt are insignificant in comparison with the payments made to conduct the operations of the Government itself and for other expenditures authorized by law, and absolutely a mere bagatelle in compenditures authorized by law, and absolutely a mere bagatelle in comparison with the sums involved in all the transactions, small and large, that make up the business of the people of this country (sums in the aggregate almost beyond computation), every one of them and all of them to be measured by a steady and sound currency, or to be unsettled and confused and harassed by daily fluctuations. In my judgment the entire Federal debt does not exceed in amount the sum that would represent the transactions of the people of the United States for one day.

I would therefore legislate for the whole people and not a particular class, for the prosperity of all embraces the welfare of each and every class and interest

Sir, I can never forget the glorious traditions of public faith and public honor which Southern statesmen ever cherished from the moment they assumed control of our country in her infamcy until, when owing to circumstances I will not allude to, the scepter was transferred to other hands, and along with it the national escutcheon without a blot upon it, as stainless as their own characters.

And I believe to-day the people of the South are as willing as those of any other section to maintain these proud traditions and to support with whatever sacrifice may be necessary the credit and honor of our common country. They know that a sound currency is essential not only to the preservation of national honor but for the well-being and prosperity and happiness of the whole country.

They realize how intimately blended with every transaction how-

ever unimportant, with every enterprise however great and beneficent, and with every interest and aspiration of theirs, is the credit and honor of their federal Government.

The people of the South believe that interest and honor are one and inseparable. They concur in the beautiful and profound observe of Junius, "Private credit is wealth; public honor is security." They concur in the beautiful and profound observation feather that adorns the royal bird supports his flight. Strip him of his

plumage and you fix him to the earth."

Mr. WHITTHORNE. Mr. President, it is my purpose to submit some remarks upon a subject-matter not exactly akin to the pending proposition, but being advised by the President of the Senate that the remarks which I intend to submit are not out of order, I trust under the circumstances I shall receive the indulgence and pardon of my brother

I am in favor of a rapid and faithful payment of every debt and obligation of the Government. A proposition which I had the honor to submit to the Senate a few days since in my opinion constitutes one of the obligations or debts of the Government, and that proposition was in a bill which I had the honor to introduce on the 19th instant, and which I will not now read, being a bill to return the tax on cotton collected by the United States in the years 1865, 1866, and 1867 to the people of the States in which it was produced. The bill is in the following words:

A bill to return the tax on cotton collected by the United States in 1865, 1866, 1867, and 1868 from the people of certain States of the Union, to be held and used by said States for educational purposes.

used by said States for educational purposes.

Whereas by virtue of the acts of Congress passed in 1862, 1866, and 1867, a tax was imposed and collected, to the amount of 868,672,883.99, upon raw cotton produced in the United States, of which amount \$64,679,681.47 was collected after the final close of the war between the States; and

Whereas this cotton was the special product of the labor and soil of but a small number of the States composing this Union; and
Whereas the said States had then but recently emerged from the devastation and desolation of the said war, and at its close the great body of the people inhabiting the said States, white and black alike, were oppressed by the burden of extreme poverty, which made the said tax excessively onerous, and deprived them not alone of actual and necessary comforts, but also of the means of educating the ignorant and unfortunate of their numbers, and from the effects of which burden they are not yet relieved, as is manifested by the large propor-

tion of the population in said States who are not now able to read or write; and Whereas the principal result of the said war was the emancipation of the black population, and their investiture with all the rights attached to citizenship in the United States; and Whereas the right of the Government to levy and collect such a tax is believed to be in violation of the Constitution; and Whereas it is believed that the return of this tax to the individuals who produced the cotton upon which it was assessed and collected is impossible; and Whereas it is believed that the return of the amount of this tax to the States from whose people the same was collected would enable the said States to build and perpetuate a system of popular education, under the management and control of the authorities of said States, whereby the ignorance alleged to exist therein may be removed, and that the return of said tax would, so used, repair in a large degree the injustice done to the laboring men of the said States by whom said cotton was produced, in the fact that the education of their sons and daughters now and in the future would be secured: Therefore,

Bettenacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, as hereinafter directed, out of any moneys in the Treasury not otherwise appropriated, the sum of \$88,072,388.99, to be applied as hereinafter provided to the purposes set forth in the foregoing preamble.

Sec. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause, without unnecessary delay, a statement to be made from the books of the Treasury Department which will show the amount of the said tax paid by the people of each State; upon the ascertainment of which, and report thereof to the President of the United States, the President shall notify the governor of each of said States of the amount so found to have been collected upon raw cotton produ

This is not an appropriate time in which to discuss in full the merits of the legislation proposed by this bill or of the great and useful results that would, in my opinion, follow its enactment; but I deem it proper that I should submit to Senators the reasons that have induced

The people who will be directly benefited by its provisions are the people of the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia. It is in these States that the colored population of the United States reside in the largest numbers. They are the States which resided the laws and Government of the Union from the years 1861 to sisted the laws and Government of the Union from the years 1861 to

It is not either meet or proper now and here to speak of the causes which led to or of the heroism displayed in the conduct of that civil war, yet it may be said without offense and in sincere truth that when the pen of impartial history shall write of it without malice to any one that pen will attest and record that the devotion of the masses of the people of each section was enlisted by the earnest, honest conviction that the sacrifices they were making was to secure and perpetuate a common inheritance—constitutional liberty—the bequest of our common fathers

The end of the unhappy contest came in 1865, and with it the emancipation and freedom of nearly or quite six millions of the inhabitants

of these States who had theretofore been held as slaves.

It is well, Mr. President, to pause here and reflect for a moment upon the material and physical condition of the inhabitants of these States at that time. Let it be remembered that the great majority of the white population were not landholders, nor were the blacks. be known that the land of the landholders was covered and burdened with mortgages and judgments ready to be foreclosed to pay debts, and that the ravages of war had destroyed almost every vestige of personal and chattel property, so that it may be truthfully represented that their deep impoverishment was the sole estate of the great body of the inhabitants of these States. The two dark pictures of that hour were: First, the return of the confederate soldier to his desolate home, facing poverty and bereavement everywhere. Second, the black race, houseless, homeless, and without bread or clothing. Each race, cut off from any accumulated store of the past, was dependent alone upon the labor of the present.

It was in this extreme hour of their need that they each alike found their labor confronted with the demand and payment of a tax, especially discriminating in character, and applicable alone to the section of the Union inhabited by them, to wit, the cotton tax, assessed and collected by virtue of the acts of Congress referred to in the bill. To these laborers this tax was onerous and oppressive. Its payment involved the denial of bread and clothing to those dependent upon them

as well as education to their young.

It was then and is now believed by "the entire people of the cottongrowing States" that the law imposing a tax on raw cotton was partial and unequal in its operations and violative of the Constitution of the United States. The question of its constitutionality was taken to the Supreme Court of the United States in the case of W. M. Farrington vs. Rolfe S. Saunders. Upon this sole issue before the Supreme Court of the United States there was a divided court, and so disposed of in February, 1871. I will not argue this question, but will submit as an

appendix to my remarks the memorial presented by the Legislature of Georgia to the Congress of the United States at the Forty-second session, in which it is well and ably discussed and presented.

Reflecting for a moment that this deep conviction prevails, and the fact that this tax was paid under the circumstances, and at the time I have described, it would seem to be, that inasmuch as under existing laws of the United States the question of the constitutionality of this tax can not now be brought before the courts of the country, that it is peculiarly proper that the Congress of the United States shall consider

the wisdom, propriety, and justice of its return in some mode or manner to the people who paid it.

But inasmuch, Mr. President, as it is now impossible to ascertain through all the difficulties and costs and expenses that may be supposed to intervene, who is justly entitled, in his individual capacity and right to its return. The principal difficulty arrising from the fact, that it was the "middleman" who received the receipt for the tax, and not the laborer who in truth paid it. And the justice of its return being conceded, it should be put into some trust relation wherein either he who was so entitled or those "who were dependent upon his bounty" may receive the benefit thereof; and hence it is that I have in the bill referred to proposed that it should be paid over to the States in which it was collected, to be by said States held as a perpetual educational fund, to the end and with the trust that the descendants of these laborers now and in all time to come shall derive a benefit therefrom.

For the purpose of showing the amount of this tax received by the Government I quote from Executive Document No. 181, Forty-second

Congress, third session, as follows:

According to the returns made to the Commissioner of Internal Revenue, there were collected on cotton the following amounts, to wit:

For the fiscal year ended June 30, 1863.	\$351,311 1,268,412	56
For the fiscal year ended June 30, 1865	1,772,983 18,409,654 23,769,078	90
For the fiscal year ended June 30, 1868	22, 500, 947	77
Making a total sum of	68, 072, 388	99

Mr. President, the difficulties which environed the reorganization of the political, social, and economic relations of the people of these States at the close of the war will never be fully comprehended. There existed much to encourage and promote discord and disorder. Want is alike the parent of good and evil. It existed everywhere, and dwelt with all classes in these States. The colored population, in the condition that I have described, were elevated into new relations by their emancipation. What wonder that in the struggles for the necessities of life there should be in the fields of labor conflicts between the races? What wonder should there be that the white race, more or less proscribed, should be jealous of those whom so recently they knew as slaves, and that in the midst of such a state of things that there existed bad influences to give encouragement to the worst passions of both

Mr. President, the world will never realize the statesmanship and wisdom of the conservative leaders of the white race of the South during this period of social and economic reconstruction. The forces that were put to work were silent and unobserved forces. They grappled with a state of affairs and a condition of political surroundings which never before in the history of mankind confronted the intellect, the passions, and prejudices of man. That order, respect for the law, progress, and wealth should be brought, and so rapidly brought out of this, is a result which challenges the admiration of the good and just of every land.

It is frank and just, Mr. President, to say that these leaders were enabled to accomplish this result by the fact that the masses of both races, black and white alike, were conservative, peaceful, and indus-It was only the limited few of each race that were vicious and wickedly inclined. May I, as a son of this section, without being accused of sectional pride, point to the practical evidences of what I claim to be the result of the statesmanship of the leaders of thought in the Southern States? Compare for a moment the evidences of increased wealth in farm products, in manufactures, in mining, in the building of railroads, and in the increase of educational institutions and funds for educational purposes now existing as contrasted with the distress and poverty of 1865. I exhibit herewith an estimate based upon statistical information derived from the American Almanac, of what are the value of the annual product of these States at the present time. It

Estimate of the value of the annual products of the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

Wheat and corn	\$126, 300, 000 250, 000, 000 219, 700, 000 25, 000, 000 20, 000, 000
Total	640, 000, 000 160, 000, 000
Grand total	800, 000, 000

And I also exhibit the following:

Laucation expenditures of Southern States, taken from American.	
Alabama	\$522,727
Arkansas	561,745
Florida	172, 178
Georgia	613, 647
Louisiana	466, 930
Mississippi	803, 896
North Carolina	535, 205
South Carolina	423, 473
Tennessee	955, 470
Virginia	1, 321, 537
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Now, Mr. President, I submit for the consideration of Senators from all sections of the Union that it is a fact that out of the \$800,000,000, the value of the annual products of these States, over one-half of that sum goes out annually to purchase from the world supplies that are not produced in their midst. I submit for your reflection that the people who inhabit this great empire of wealth are the customers of the Northern and Western States of this Union, and they obtain principally that which they require in exchange for their own products in the way of supplies from the States lying north of them, and these are first the great States of Ohio, Illinois, and Indiana.

I submit again for your reflection that it is to the interest of these States to do all that which may be constitutionally and rightfully done

to contribute to the increasing wealth and prosperity of these States, the people of which, it is seen, are their best customers.

And finally, Mr. President, I submit that with due regard to the Constitution and lawfully in a spirit of justice, they may aid in returning to the people of the States that paid it the tax which was taken from them at a time when it was exceedingly oppressive. And in connection with this idea of the justice of its return I submit the further thought that inasmuch as it is alleged that in these States a large amount of ignorance prevails, and inasmuch as by act of the General Government the colored race have been invested with all the rights and privileges of citizenship, that it is alike an act of justice and duty to them that this tax should be returned and held for the purpose indicated in the bill.

With this sum of money so returned to these States, their educational institutions will become established and permanent in their usefulness and self-reliant, their sons and daughters will move forward with rapid and progressive step in the development of the great natural riches of the soil and of the mines which Providence hath given unto them, especially if the finances of this country are upon a sound basis.

APPENDIX.

LEGISLATURE OF THE STATE OF GEORGIA. [Memorial to the Congress of the United States.]

ILEGISLATURE OF THE STATE OF GEORGIA.

[Memorial to the Congress of the United States.]

By the foregoing preamble and resolutions the undersigned are appointed a joint committee, in behalf of the State of Georgia, to memorialize the Congress of the United States to provide by law for refunding the tax on raw cotton, paid by the people of the eotton-producing States on raw cotton under the revenue laws and Treasury regulations of the United States. As the tax paid prior to the 18th and 24th of June, 1855, may be held to be justified by the exigencies of the then pending war between the States, your memorialists ask only the refunding of the moneys collected as a tax on raw cotton subsequent to that time, that being the time when, by the proclamations of the President, all restrictions on trade, throughout the several States of the Union, were removed.

It has never been the practice, as it is not the policy of this or any other government in time of peace, to impose excises upon the raw products of the soil. Agriculture is the source and foundation of all national prosperity and power. It is the support of commerce, manufactures, and the arts, in all their diversified and multiform departments. When it languishes national wealth wanes, and all industries and enterprises are paralyzed. Hence, wise statesmanship fosters and encourages, rather than loads it with burdens. These are elementary maxims of political economy, and always applicable to the condition of nations, especially in time of peace. How important their recognition in reference to a people who, like those of the cotton-growing States, at the close of the late war, were overwhelmed and impoverished. Their lands and homes desolated, their productive capital sunk, their labor system subverted and destroyed, by the victorious march of conquering armies. But, in the face of misfortunes and calamities like these, even after the proclamations of the President of the United States of the 13th and 24th of June, 1855, restoring trade to its wonted channels—th

How is it possible to escape the conviction of the partiality and inequality of such a law? Its onerousness was crushing. The revenue from this source was enormous in amount, while it is conceded by all intelligent merchants and cotton-planters that it fell exclusively upon the producer, instead of the consumer. Another illustration of its partiality and inequality is found in the fact that cotton is produced only in eleven States of the Union. In all the others it is absolutely prohibited by climatic laws. Hence it was emphatically a local tax. It is true the language of the act imposes the tax upon "all cotton produced within the United States;" thus attempting to give it general application to all the States; but words can not change facts. Although this phraseology would seem to make the law universal in its operation all over the Union, yet the facts remain unquestionable, that from the laws of soil and climate it was impossible for it to affect any but the cotton-growing States.

Second. Was it unconstitutional? It is respectfully submitted that a tax which is partial and unequal is necessarily unconstitutional. For impartiality and equality, in all measures of Congressional legislation, constitute the very soul and spirit of the Constitution. It is manifested in all those clauses which recognize the equality of the citizens of the United States. For example: the Constitution declares that "no title of nobility shall be granted by the United States," and that "no State * * * shall grant any title of nobility." (Article I, section 9.) Thus both the Generaland State governments are prohibited from destroying the equality of citizens. And it may be added that this equality is fully recognized in the fourteenth and fifteenth amendments, which, though adopted since the passage of the law under consideration, furnishes strong evidence of the deep conviction that such was the spirit of the Constitution, even without them.

Nor is the Constitution less explicit as to the equality of the States. It declares

is fully recognized in the fourteenth and fifteenth amendments, which, though adopted since the passage of the law under consideration, furnishes strong evidence of the deep conviction that such was the spirit of the Constitution, even without them.

Nor is the Constitution less explicit as to the equality of the States. It declares that "The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof." (Article I, section 3); that "All duties, imposts, and excises shall be uniform throughout the United States" (Article I, section 8); that "No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another." (Article I, section 9, clause 6); that "Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State" (Article IV, section 1); that "The United States shall guarantee to every State in the Union a republican form of government" (Article IV, section 4); that "No State, without its consent, shall be deprived of its equal suffrage in the Senate" (Article V). Hence, the citizens and States of the Union being equal, they are entitled by the Constitution to be treated as equals in all measures of Federal legislation. Acts that are partial in their operation; that impose burdens on a portion of the citizens or States to the exemption of others, are contrary to the very soul and spirit of the Constitution. It enjoins upon the legislative department, indeed upon every department of the government, strict justice, impartiality, and equality, in every act or measure that affects the citizens or States of the Union. Then, how stands this enormous tax on raw cotton tested by this high standard of constitutional rectitude; a tax that bears upon the cotton-grower to the exclusion of the producer of every other raw product of agriculture; a tax that loads with crushing excises the staple article of eleven States, and excuses from tribute the unmanufactured

follow as a logical sequence that it was not "uniform throughout the United States."

But your memorialists are not content to leave the question here. Its importance demands further consideration. The words "uniform throughout the United States" by their very statement define what is meant by "uniform." It is too plain to need explanation. It evidently means that all taxes not "direct," whether they be "duties, imposts, or excises," shall fall justly, impartially, and equally upon all the citizens and States of the Union. It is doubtful, to say the least, whether the rule of uniformity can be complied with, except upon the ad valorem principle, that is, by taxation upon property according to its value. How can a tax be said to be uniform which is levied specifically upon a single article of agricultural production, in its raw state, to the exclusion of all others in a similar state? How can a tax be "uniform throughout the United States" which is laid upon an article that is produced in only eleven States of the Union?

Suppose Congress should levy a tax on all ice gathered within the United States, what would our brethren of Massachuseits say? If a tax should be laid on all white-pine lumber sawed in the United States, what would the State of Maine think of its uniformity? The Constitution empowers Congress to establish "uniform laws on the subject of bankruptcies throughout the United States." It is but reasonable to suppose that uniform in this place means the same thing that uniform does in the taxing clause. Now, suppose Congress should pass a bankrupt law which should exempt in favor of the debtor all cotton grown by him for the twelve months next preceding his applications for its benefit, would that be uniform throughout the United States? What would those States say in which no cotton is produced? Would it not be a discrimination against them and in favor of the cotton-growing States?

But the Supreme Court of the United States has settled the signification of the term." Uniform."

The Constitution of

But the Supreme Court of the United States has settled the signification of the term "uniform."

The Constitution of Wisconsin provides that—
"The rule of taxation shall be uniform, and taxes shall be levid upon such property as the Legislature shall prescribe. The constitution of the State requires, as a rule, in levying taxes, that the valuation must be uniform, and in all cases alike or equal, operating alike upon all the taxable property throughout the territorial limits of the State or municipality within which the tax is to be raised; and when the Legislature prescribed a different rule the act is a departure from the constitution, and therefore void. The constitution has fixed one unbending and uniform rule of taxation for the State, and property can not be classed and taxed by different rules. The provision of the constitution that taxes shall be levied upon such property as the Legislature shall prescribe does not sanction a discrimination which provides for taxing a particular kind of property for the support of government from that by which other property is taxed, for when the kind of property is prescribed the rule of taxation must be uniform. All kinds of property must be taxed uniformly, or be absolutely exempt." (Gilman vs. City of Sheboygan, 2 Black, 510.)

This case came from the Supreme Court of the United States upon the following state of facts: The Legislature of Wisconsin passed an act authorizing the city of Sheboygan to levy a tax on all the real estate within the corporate limits, to aid the building of railroads leading to the city. A bill was filed to enjoin

GROVER CLEVELAND.

the city from levying the tax, upon the ground that real estate alone was not a uniform tax within the meaning of the constitution of Wisconsin, already quoted, and that, therefore, the act of the Legislature was unconstitutional.

The constitution of Wisconsin requires the rule of taxation to be uniform, and this means, according to the facts and decision in this case, that all kinds of property must be taxed alike, equally with other taxable property, and coextensive with the territory to which it applies; and that a tax for a special purpose upon the city of Sheboygan, and levied exclusively upon real property, was a discrimination in favor of personal property, in conflict with the constitution of the State.

discrimination in favor of personal property, in conflict with the constitution of the State.

The constitution of Ohio contains a similar provision. In Gilman vs. City of Sheboygan (before referred to), the Supreme Court of the United States adopt, with strong approbation, the decision of the supreme court of Wisconsin in the case of Attorney-General vs. The Winnebago Lake and Fox River Plank Road Company (2 Wisconsin Reports, 42), which quotes and approves (and the Supreme Court of the United States indoress the approval) The Exchange Bank of Columbus vs. Hines (3 Ohio State Reports). In this case the supreme court of Ohio says (as quoted in 2 Black): "Taxing is required to be by a uniform rule. * * Uniformity, in taxing, implies equality in the burden of taxation. * * * But this is not all. The uniformity must be coextensive with the territory to which it applies. * * But the uniformity of the rule required by the constitution does not stop here. It must extend to all property subject to taxation, so that all property may be taxed allke—equally—which is taxing by a uniform rule." The Supreme Court of the United States adds:

"We forbear to examine the soundness of the conclusions of the supreme court of Wisconsin. They need no support at our hands. We could add nothing to what they have so well said, in vindication of their views. Such a decision would incumber this opinion, without throwing any new light upon the subject."

In the light of these authorities your memorialists are unable to perceive how.

iect."

In the light of these authorities your memorialists are unable to perceive how it can be insisted that the cotton tax was "uniform throughout the United States." For it is destitute of every element of uniformity so particularly enumerated by the supreme court of Ohio, and which is so emphatically indorsed by the Supreme Court of the United States in their unqualified approval of the decision of the supreme court of Wisconsin.

Without further argument your memorialists submit the subject to the enlightened judgment of Congress.

E. F. HOGE, W. L. HILLYER, W. P. JOHNSON, For House of Representatives. GEORGE HILLYER, W. L. CLARK, For the Senate.

Mr. CALL addressed the Senate. [See Appendix.]

RETURN OF A HOUSE BILL.

The PRESIDENT pro tempore laid before the Senate the following request from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, July 30, 1886.

Resolved, That the Clerk be directed to request the Senate to return to the House the joint resolution (H. Res 295) permitting the public building authorized by act of Congress approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 50 feet, as provided in said

The PRESIDENT pro tempore. If there be no objection the joint resolution will be returned to the House of Representatives.

Mr. BROWN. I should like to have the joint resolution read. The PRESIDENT pro tempore. The House has requested the return

of the joint resolution. It is usual to grant that request.

Mr. BROWN. Very well.

REPORT OF A COMMITTEE.

Mr. KENNA, from the Committee on Commerce, to whom was referred the bill (H. R. 2646) granting to the Kanawha and Ohio Railroad Company the right to lay its track through United States lock and dam property in the Great Kanawha Valley, State of West Virginia, reported it with an amendment, and submitted a report thereon.

HOUSE BILLS REFERRED.

The following bills received from the House of Representatives were everally read twice by their titles, and referred to the Committee on

Military Affairs:

A bill (H. R. 633) for the relief of Maj. G. W. Candee; and
A bill (H. R. 1143) authorizing the Secretary of War to deliver to
the Somerville Grand Army of the Republic, of Somerville, Mass., four condemned gun-carriages, to be used for monumental purposes.

The following bills were severally read twice by their titles, and re-

ferred to the Committee on Claims:

A bill (H. R. 4476) for the relief of Alexander Worrall; and A joint resolution (H. Res. 82) for the relief of Luther F. Warder. The bill (H. R. 2086) for the relief of Francis M. Bell was read twice by its title, and referred to the Committee on Post-Offices and Post-

The bill (H. R. 4097) for the relief of William J. Owings was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 9371) for the completion of a public building at Santa Fé, N. Mex., was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 29th instant, approved and signed the following acts:

An act (S. 453) for the erection of a public building at Jacksonville,

An act (S. 236) to authorize the Bellingham Bay Railway and Navigation Company to build certain bridges in the Territory of Washington:

An act (S. 901) to grant the Astoria and Winnemucca Railroad Company the right to construct bridges over navigable water courses;

An act (S. 1937) authorizing the city of Salem to construct a bridge across the Willamette River, in the State of Oregon;

An act (S. 2115) granting to the Oregonian Railway Bridge Company of Oregon the right to construct a bridge over the Willamette River

in the vicinity of Ray's Landing, Oregon; and
An act (S. 2800) to authorize the construction of bridges across the Tennessee and Cumberland Rivers by the Ohio Valley Railway Com-

pany.

LAKE CHAMPLAIN BRIDGE-VETO MESSAGE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, ordered to lie on the table, and be printed.

To the Senate:

I return without approval Senate bill No. 63, entitled, "An act to authorize the construction of a highway bridge across that part of the waters of Lake Champlain lying between the towns of North Hero and Alburg, in the State of Verwent!"

plain lying between the towns of North Hero and Alburg, in the State of Vermont."

On the 20th day of June, 1884, a bill was approved and became a law having the same title and containing precisely the same provisions and in the exact words of the bill herewith returned.

The records of the War Department indicate that nothing has been done toward building the bridge permitted by such prior act; it is hardly possible that the bill now before me is intended to authorize an additional bridge between the two towns named, and I have been unable to discover any excuse or necessity for new legislation on the subject.

I conclude, therefore, that Congress in passing this bill acted in ignorance of the fact that a law providing for its objects and purposes was already on the statute-book.

statute-book. My approval of the bill is withheld for this reason and in order to prevent an nnecessary and confusing multiplicity of laws.

EXECUTIVE MANSION, July 30, 1886.

SEIZURE OF AMERICAN VESSELS IN FOREIGN WATERS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read.

To the Senate of the United States:

In further response to the Senate resolutions of the the 10th of May and 10th of July, 1886, touching the seizure and detention of American vessels in Canadian waters, I transmit herewith a letter from the Secretary of State date the 20th instant accompanied by a report from the consul-general at Halifax relative to the explore. GROVER CLEVELAND.

EXECUTIVE MANSION, Washington, July 30, 1886.

Mr. EDMUNDS. I move that the message and accompanying papers be printed and referred to the Committee on Foreign Relations.

The motion was agreed to.

TREASURY SURPLUS.

The Senate, as in Committee of the Whole, resumed the considera-tion of the joint resolution (H. Res. 126) directing payment of the sur-

plus in the Treasury on the public debt.

Mr. EDMUNDS. What is the pending question?

The PRESIDENT pro tempore. The amendment reported from the Committee on Finance.

Mr. EDMUNDS. I move to amend that amendment, in line 21, after the word "and," by inserting "whenever;" in line 23, by striking out the words "Secretary of the Treasury" and inserting the word "President;" and in line 24, after the word "order," by inserting the words "direct the Secretary of the Treasury to;" so that the amendment will read, after providing for this working balance of not exceeding \$20,-000,000, as follows:

And whenever

Which looks to the future-

in the case of any extraordinary emergency, and when, because thereof, in the opinion of the President the public interests shall require it, he may, by written order, direct the Secretary of the Treasury to suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired.

The object of my making that motion is to put that clause in harmony with all the preceding legislation of Congress. When anything that Congress thinks it necessary to provide to be done is to be sus-pended or withheld for the time being under any circumstances, that grave responsibility of really suspending the execution of the law is reposed in the Chief Magistrate, who takes his own responsibility at a time when he thinks the public good requires it, and directs his subordinate to suspend. That I believe has been the universal course of law in this country whenever any public act in the course of business that the law requires to go on is to be suspended for the time being, it is to be done by the authority of the President of the United States alone. The Secretary of the Treasury is only an officer of the law. He may be changed at any time, and at this present moment the Secretary of the Treasury is unhappily disabled from illness; and who will be the next regular Secretary of the Treasury if the present Secretary should

find himself unable to resume his duties nobody knows.

I think it clear therefore in acting upon this business, and in aid of the general object the House resolution has in view, of reducing this surplus just as fast as it can be reduced with safety, that he who is the executor of this law is not to have reposed in him the power of suspending its execution, but that another, a superior, and a different power,

shall be brought into play for the suspension of the execution of this

That is all I wish to say on that particuler amendment.

The PRESIDENT pro tempore. The question is on the amendment The PRESIDENT pro tempore. The question is on the amendment of the Senator from Vermont [Mr. EDMUNDS] to the amendment of the Committee on Finance.

Mr. McPHERSON. Let it be read.

The PRESIDENT pro tempore. The amendment will be read.

The CHIEF CLERK. In line 21, after the word "and," it is proposed to insert the word "whenever;" in line 23 to strike out the words "Secretary of the Treasury" and insert "President;" and in line 24, after the word "order," to insert "direct the Secretary of the Treasury to;" so as to read:

And whenever in the case of any extraordinary emergency, and when, because thereof, in the opinion of the President the public interests shall require it, he may, by written order, direct the Secretary of the Treasury to suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired.

Mr. McPHERSON. I should like to ask the Senator from Vermont, inasmuch as the Secretary of the Treasury is an officer of the Government under a special statute required to report to Congress, if there is any particular reason why this power should not be conferred on the Secretary of the Treasury; and would it not be in one sense unusual to confer this power on the Executive? Is there any especial reason why this should be changed?

I will further say that the matter was discussed by the Congress.

I will further say that the matter was discussed by the Committee on Finance, and I think it was the opinion of the committee that it was proper and necessary to leave the power with the Secretary of the Treasury for the reason that he is obliged to report to Congress. We deal directly with him. This is a power which should be conferred on him. In the discharge of his duties he is required to report to Congress everything as to the condition of the affairs of his Department. Why the necessity of injecting the Executive in the place which prop-

erly belongs to the Secretary of the Treasury?

Mr. EDMUNDS. There is no necessity of injecting the President into a duty that properly belongs to the Secretary of the Treasury. I agree to the proposition absolutely, but this duty of suspending the execution of the laws does not belong to the Secretary of the Treasury. It should very rarely belong to the President of the United States, but on some occasions in many, taking the history of the Government all together, it has been found necessary to vest in the supreme executive authority the power in emergencies of suspending the execution of a law or a policy of Compress, and it has never been vested in any sublaw or a policy of Congress, and it has never been vested in any sub-ordinate officer—and it never ought to be, for the sake of the subordi-nate officer himself, to state no other and wider and better reasons. The man who is to execute the command of the law in his own particular office ought never to be authorized, on his own judgment, to suspend that execution; but some other officer as a check ought to be vested with that authority, if there is to be any authority to suspend at all. That seems to me to be the clear policy of all governments of

law, and it has been in this country.

My friend from New Jersey says that the Secretary of the Treasury is bound to report to Congress. So he is. The law is very positive on that subject, so very positive that it has been thought by some that he has been somewhat neglectful of his duty in not reporting some things to Congress that he ought to have done at some times; but there he is, reporting to Congress; this does not change that; he reports either that the will of Congress has been carried out and that ten millions a month have been paid out on the public debt, or that an extraordinary emergency, in the opinion of the President, having arisen, the President of the United States, on his responsibility as the representative of the peothe United States, on his responsibility as the representative of the people in one great department, embracing the Treasury and all the other executive branches of the Government, has exerted that power and directed him to suspend, and he accordingly has suspended for so many months, and that later on he has begun again, the order of the President not being renewed or continued, to go on as before. The logic of the thing, the propriety of the thing, and the safety of the thing, as it appears to me, are very largely involved in leaving this responsibility of suspending the execution of this provision in the Chief Magistrate and in polody else

The PRESIDENT pro tempore. The question is on the adoption of the amendment proposed by the Senator from Vermont [Mr. EDMUNDS] to the amendment of the Committee on Finance.

The amendment to the amendment was agreed to.

Mr. PLUMB. I move to amend the amendment by striking out, in line 26, the words "maintaining the public credit unimpaired" and insert "accumulate additional funds for the payment of the outstand-ing obligations of the Government."

I do not want to have such a performance as Mr. Jordan's last summer, which was widely advertised as the premonition of coming disaster to the Government of the United States. That may be one of the things in contemplation in using this phase about maintaining the publication. lic credit unimpaired. I want it to relate solely to the accumulation of money to meet the outstanding obligations of the Government. I do not want any more of a tirade about silver, and the fear that somebody who is unfortunate enough to hold a couple of bonds or a Gov-

ernment note of some kind shall have to take that which the Senator from Vermont said the other day he was under the law obliged to take if the Government offered it. My purpose is to limit the discretion of the President to that question of whether there is enough money in the Treasury or not to meet the obligations which the Treasury may be called on to pay, and not some other thing, the character of which I have described. I do not want the Treasury to engage in banking, and to be scanning the horizon on account of the New York clearing-house, or some other clearing-house, and the relations which they assume that they occupy to the business world, and have the Secretary of the Treas they occupy to the business world, and have the Secretary of the Frestury get into the same category. He is simply the financial agent of the Government for the purpose of paying out money which Congress appropriates to be paid. In my judgment, he has no business to be a member of the New York clearing-house, or to be taking account of what their desires or wishes are in regard to the manner in which the Government shall pay its debts. His business is to carry out the law, pay what the law provides, and in the time commanded. Beyond that he should not go.

should not go.

Mr. McPHERSON. Let the amendment be stated.

Mr. PLUMB. I will modify it at the suggestion of the Senator from Iowa by saying "outstanding and accruing."

The PRESIDENT pro tempore. The amendment will be stated. line 26, after the word "to," it is proposed to strike out "maintain the public credit unimpaired," and insert "accumulate additional funds for the payment of the outstanding and accruing obligations of the Government.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Kansas [Mr. Plumb] to the amendment of the

Committee on Finance.

The amendment to the amendment was rejected.

Mr. COKE. I propose the following amendment, to come in at the end of the amendment of the Committee on Finance:

Provided, That such suspension and the reasons therefor shall be reported to Congress within ten days after its next meeting, or immediately if Congress shall be in session.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Texas [Mr. Coke] to the amendment of the Committee on Finance.

Mr. PLUMB. I would suggest to the Senator from Texas that that be amended by saying the reasons shall be set forth in the order and reported to Congress, so that when the order is issued, being a public matter, the public may know as well as Congress at a subsequent period what the reasons are why the public debt of the United States should not be paid out of the money which is raised by taxation from the people. Mr. COKE.

Mr. COKE. I accept the amendment of the Senator from Kansas. Mr. CHACE. I would like to ask the Senator a question.

The PRESIDENT pro tempore. The Senator from Kansas will please reduce to writing his proposition.

Mr. CHACE. I simply want to ask the Senator from Texas if this

is not a most extraordinary spectacle, that a Senator who urged so strenuously a few months ago against asking the Executive for his reasons for a public act now attempts to require of him to give his reasons, not to Congress, but to the public or to a subordinate officer for a certain

Mr. COKE. I could not hear the observation of the Senator from Rhode Island, and therefore am not able to give any response.

The PRESIDENT pro tempore. The amendment to the amendment will be read as modified.

The CHIEF CLERK. The amendment to the amendment as modified reads:

Provided, That such order shall state the reasons therefor, and shall be reported to Congress within ten days after its next meeting or immediately, if Congress shall be in session.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Texas as modified to the amendment of the Committee on Finance.

Mr. PLUMB. It seems to me that there can be no valid objection to the amendment. The President will not want any hugger-muggery about this business. It is public business which concerns the great body of the people of the United States and not a little handful of people to whom he may have listened for reasons. Certainly in a matter of this great moment we should know the reasons for action in this Otherwise, why not turn the Treasury over absolutely to the President, and tell him to run it until his term expires and then turn

it over to his successor, and so on?

Mr. EDMUNDS. I have for one no objection to the amendment of the Senator from Texas as he at first offered it; but to direct the President of the United States, when some sudden emergency comes to his notice that compels him to act with promptness, to stop in giving his order to the Secretary of the Treasury and set out in writing in that order for him to hold up all the grounds and considerations that lead him to conclude it to be best, I think is almost an insult to the President of the United States. To the other part of it I have no objection, and I move to amend the amendment of the Senator from Texas by striking out that clause which requires the reasons for the order to the Secretary to be inserted in the order.

The PRESIDENT pro tempore. The Chair is of opinion that that amendment would be in the third degree.

Mr. COKE. I withdraw the modification.
Mr. PLUMB. Very well, let the vote be taken on the amendment

of the Senator from Texas as originally offered by him.

The PRESIDENT pro tempore. The question recurs on the original amendment as offered by the Senator from Texas to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on the amendment of the Committee on Finance as amended.

Mr. SEWELL. On the 8th of December the Senator from Pennsylvania [Mr. MITCHELL] introduced a bill for the retirement of the tradedollar and its exchange in the standard dollar. That bill was referred to the Committee on Finance and has not yet been reported. this opportunity to offer it as an amendment to the pending measure as an additional section.

Mr. PLUMB. Let the amendment of the committee be acted on

Mr. SEWELL. I withdraw it until the amendment of the committee is acted on.

The PRESIDENT pro tempore. The question is on the amendment of the Committee on Finance as amended.

Mr. SAULSBURY. In my opinion there is no necessity for authorizing the President or the Secretary of the Treasury to suspend any law of Congress in reference to this subject. We have a reserve of \$100,-000,000. There has been a good deal of talk of this resolution being a vote of want of confidence in the Secretary of the Treasury or in the President of the United States. I do not share in any want of confidence in those gentlemen. I am perfectly willing to give to them the discretion in case of an emergency to draw for such period of time as they may deem necessary upon the reserve fund of \$100,000,000.

I propose to offer an amendment to the amendment of the committee, if it is in order, to strike out after the word "nay," in line 24, the words "by written order direct the Secretary of the Treasury to suspend the further call for the payment of such indebtedness" and insert "use so much of the reserve;" so as to read:

He may use so much of the reserve for such period of time as shall be necessary to maintain the public credit unimpaired.

There can be no danger in leaving this power in the hands of the Secretary or of the President. They will not use it unless it becomes absolutely necessary to draw on the reserve for a short period of time in small amounts. Thus we can avoid any suspension of the law what-

ever, and the call for bonds may still go on.

In my opinion there is no necessity for keeping in the Treasury one hundred millions of money to meet any call that may be made for the redemption of the Treasury notes. We all know, we have the information, that for the last several years there has not been more than \$20,000,000 of those notes returned to the Treasury for redemption; yet we are keeping commonly there \$100,000,000, or thereabouts, for the purpose of meeting this possible contingency. There can be no necessity for it.

I am perfectly willing to give to the Secretary of the Treasury or to the President, if this amendment shall be adopted, the full authority if the exigency arises when it becomes necessary to draw from the reserve in order to maintain the public credit. I am willing to invest

him with that discretion.

I do not believe that there is any very great difference between the House resolution and the resolution as amended by the Senate Committee on Finance. The only difference is a difference of about \$20,-000,000. I think the House resolution is ample, and too much. The fact is that we complained of the former administration about keeping so much money in the public Treasury, drawing it by taxation from the people of the country and putting it in the public Treasury and having it lie there. Tirse and again on this side of the Senate Chamber there were denunciations of the course of the administration of Presber there were denunciations of the course of the administration of ident Arthur and others for keeping such a large amount of money in the public Treasury; and if I understood any position of the Democratic party it was that when we came into power, if we should come cratic party it was that when we came into power, if we should come into power, we would correct what we were calling an evil on the part of the Republican administration of the Government.

I acted honestly in that matter. I believed there was too much kept in the public Treasury. I believe now that \$100,000,000 is more than need be kept in the public Treasury, and I would vote myself to reduce the reserve to \$50,000,000; and I have no doubt, sir, that if you were in the office of Secretary of the Treasury, as you once were, with that reserve you could maintain the public credit; and I have no doubt that Mr. Manning or Mr. Fairchild, with a reserve of that amount, would be able to maintain the public credit and meet any exigency that might come upon the Government.

Therefore if I had the power I would reduce the reserve to \$50,000,000, instead of having it \$100,000,000; but if it is to remain at \$100,000,000, then I propose if it is in order to give to the Scortage of the

000,000, then I propose, if it is in order, to give to the Secretary of the Treasury the power, in case of an exigency arising which may require and in a half-hour when the demand was made if every dollar of the

him to do so, to draw upon that reserve temporarily to meet any exigency which may arise. I do not know whether my amendment is now in order.

The PRESIDENT pro tempore. It is in order. The amendment of the Senator from Delaware will be read.

The CHIEF CLERK. In line 24 of the amendment of the Committee on Finance, after the word "may," it is proposed to strike out all down to and including the word "indebtedness," in line 25, as follows:

By written order direct the Secretary of the Treasury to suspend the further call for the payment of such indebtedness.

And insert in lieu thereof the words:

Use so much of the reserve.

So as to read:

And whenever, in the case of any extraordinary emergency, and when, because thereof, in the opinion of the President, the public interests shall require it, he may use so much of the reserve for such period of time as shall be necessary to maintain the public credit unimpaired.

Mr. MAXEY. The difference between the resolution of the House and the amendment of the Senate Committee on Finance may be embraced in a very small compass. It is simply a question, shall the Secretary of the Treasury be required to pay out all the surplus over and above \$100,000,000, whatever may be the character of the money? That is the whole of it.

It is insisted that the \$100,000,000 is too small a reserve. I can not see that. The act of the 14th of January, 1875, which required the resumption of specie payments, authorized the Secretary of the Treasury to use bonds issued under and by virtue of the act of July 14, 1870, in order to raise money to pay the greenbacks when presented. The acts of January, 1875, and of July, 1870, are in full force. Hence if there were a demand to-day for payment in coin of every dollar of greenbacks outstanding up to the \$346,000,000, the Secretary of the Treasury has absolute power under the laws as they now exist to raise Treasury has absolute power under the laws as they now exist to raise the money by the sale of bonds to pay every dollar of that, even if there were no reserve of \$100,000,000.

But it is said some extraordinary and unforeseen event may demand The law makes provision for a reasonable and probable beyond this. use for money, not for that which is improbable and unforeseen. Would it be said that before the beginning of the late war Congress should have raised \$3,000,000,000 and placed it in the Treasury of the United States in order to meet an unforeseen emergency, which in point of fact did happen? Would that have been reasonable? Not at all, and why? Because the Constitution had invested Congress with the machinery to raise every dollar of money, whatever amount might be needed in order to meet this unforeseen emergency. To-day, when we needed in order to meet this unforeseen emergency. needed in order to meet this unforeseen emergency. To-day, when we are at peace with all the world, with only a speck down here in Mexico, would anybody say that we must use the great taxing power and the great power to borrow money on the credit of the United States to fill up the Treasury to meet some unforeseen emergency? That would not be reasonable; that is not statesmanlike; that is not what we are sent to do; but our business is to take things as we find them and make

reasonable provision for reasonable and probable causes of expenditure.

The object and design of the House of Representatives in this resolution unquestionably was—and we had as well face the music, and I say that to gentlemen on this side who heretofore have had the same views in regard to money that I entertain to-day-that whatever may be the character of money in the Treasury, whether it be gold coin or silver dollars or United States notes, that money shall be paid out upon the interest-bearing debt whenever the United States have the right to pay off and discharge the interest-bearing debt. That is the object and design of the resolution.

But what does the amendment of the Senate Committee on Finance do? They absolutely take it and destroy every valuable power that is placed in the resolution of the House, and give to the Secretary of the Treasury unconditional authority to suspend the entire law at his discretion. It may be said, and it is said, that the resolution is a want of confidence in the Secretary of the Treasury and in the President.

Ir can not so regard it. I do not understand how that can be.

In 1875 Congress passed an act of resumption, proposing to resume on the 1st of January, 1879. Congress then did make full and ample provision by the act of 1875, and the act of the 14th of July, 1870, to meet any reasonable and probable demand there might be upon the gold and silver coin in the Treasury for the redemption of greenbacks. We went along for seven years, and during those seven years from 1879 to 1886 there was an average of less than \$3,000,000 called for the

redemption of greenbacks with coin.

Now let us look at that as a business transaction. The interest on \$100,000,000 lying in the Treasury for seven years drawing no interest whatever, at the lowest rate of interest known to this country, 3 per whatever, at the lowest rate of interest known to this country, 3 per cent. per annum, would be \$3,000,000 a year. And thus for the purpose of paying \$3,000,000 of greenbacks when presented we absolutely lose as completely as if it was thrown in the Atlantic Ocean the \$3,000,000 of interest on the \$100,000,000 of surplus which has been lying in the Treasury; and that, too, when the Secretary of the Treasury was already authorized by the law whenever there was a demand for the

\$346,000,000 had been called for the very same day he had the power to have telegraphed to the assistant treasurer at New York and before he could have counted the money he could have had money by the sale of bonds ready to meet every dollar demanded, although there were not \$1,000,000 of the \$100,000,000 in the Treasury. So I think the

\$100,000,000 is too large a surplus.

Whenever you have a currency convertible into coin on demand, and people have confidence that it will be redeemed on demand, the universal experience of mankind is that they prefer the currency to the coin. Look at England. For sixty-five years, ever since 1821, the Bank of England paper has been better in the hands of the English people than gold, and why? Because they prefer it; it is more convenient; they can get the gold on it whenever they want it; and because they have faith in the bank they have not for sixty-five years asked for its collection. Any man who holds a note of the Bank of France does not want the gold upon that note, and why? Because he can get it if he wants it, and the Bank of France's note is more convenient than the coin.

In our country what did we see in 1879 when we resumed specie pay-

ments? If there ever would be a demand for coin it would have been then, because for more than twenty years coin had absolutely passed out of general circulation throughout the country. It was used only in the custom-house and in a few localities like California and my State in payment of loans. If ever it would be called for it was then; and yet, in spite of that, the 1st of January, 1879, came around, as we all remember, and there was not a ripple upon the financial surface and there has not been from that day to the present; but yet we keep this \$100,000,000 lying idle in the Treasury, drawn by taxation from the people, doing no good whatever, nobody demanding coin for his greenback, and still there is an attempt not only to increase the amount of reserve up to \$120,000,000 but to give the Secretary of the Treasury

if some unforeseen emergency occurs the power of suspension.

The true reason why we should as well face the music—and I say that to gentlemen who claim to be silver men—is that those who favor the payment of the bonds of this country in gold or silver in the other House have sent us a measure which does pay the bonds as they mature in gold or silver coin, whichever it may be, and the Senate Finance Committee opposing that policy have determined not to pay out the silver coin; and that is the whole of it. Disguise it as you may, conceal it as you may, that is the true reason; and yet I give the gentlemen of that financial school credit for wonderful skill, for they have captured, according to the best accounts from people on the inside here, a good many men who claim to be silver men and the very relieve of their amounts. men who claim to be silver men, and the very policy of that amendment of the Senate committee is to absolutely prevent silver coin being paid out in the redemption of bonds, carrying out the theory of some wild financier that the United States was bound to pay the bonds in gold and that these men bought them with that expectation, though the bonds of the Government say and the act of July 14, 1870, says that the bonds shall be payable in coin of the standard weight and fineness as fixed on that day, which was a gold dollar of 25.8 grains or a silver dollar of 412½ grains. To-day we have the legal right to pay in that way; and the House of Representatives take it so, and the Senate Finance Committee say it shall not be. That is the whole case.

So believing I propose to vote for the resolution just as it came from the other House, because I want every dollar beyond the \$100,000,000 paid out, and if it was \$50,000,000 instead of \$100,000,000 I should say that was ample for all purposes of safety and the credit and honor of

the Government.

I do not know whether I am in order now, but I desire either now or at some future time to move to strike out of the amendment reported by the Senator from Iowa all after the word "dol-

The PRESIDENT pro tempore. That amendment is not now in or-

Mr. PLUMB. That can be accomplished by dividing the question. The PRESIDENT protempore. The amendment would be in order, but the vote on it would have to be postponed until the clause was perfected.

Mr. CULLOM.

Mr. CULLOM. I desire a vote on it when it is in order.
Mr. McPHERSON. Is not the amendment offered by the Senator

from Delaware [Mr. SAULSBURY] now pending?

The PRESIDENT pro tempore. That is the pending amendment.

Mr. McPHERSON. I wish to call the attention of the Senator from Delaware to the very ambiguous character of the resolution if his amend-

ment shall be agreed to.

Each part of the resolution as it came from the House of Representatives, as will be seen, is consistent with each other part, and so also is the amendment offered by the Senate Committee on Finance. The first part of the resolution provides that with \$100,000,000 in the Treasury the Treasury Department shall call bonds. The Senate amendment proceeds in the same manner, using the same language. Now the Senator from Delaware proposes to strike out, in lines 24 and 25, the exemption which is given in the amendment of the committee by the words, "and whenever, in the case of any extraordinary emergency, and when because thereof in the opinion of the President the public interests shall require it, he may by written order direct the Secretary of the Treasury to suspend the further call for the payment of such indebted-

ness," which refers to exactly the very thing which he may suspend, and which the resolution declares he shall do in the first instance. Therefore the Senator would leave the resolution much more ambiguous than it is now, although I suppose he practically means to arrive

at the same thing.

If he wants his amendment, would it not be better to put it in after the word "indebtedness?" The President may by written order "suspend further call for the payment of such indebtedness and to use so much of the reserve for such period of time as shall be necessary," If the Senator from Delaware desires to put in the amendment at all, although it is entirely unnecessary, it would come in much better after the word "indebtedness," leaving in terms in the resolution the thing which the President may do; that is, he may suspend the call of In the first instance he is ordered to call bonds. The excepception is made in case of an extraordinary emergency he may not call bonds, he may refuse to call, and, therefore, it is exceedingly important that the phraseology adopted by the Senate committee should remain in the resolution, because with the amendment of the Senator from Delaware it would be meaningless, although it might be implied by the retention of those words by inserting them after the word "indebtedness.

Mr. CHACE. I do not propose at this stage of the proceedings to inflict on the Senate a speech on this resolution.

Mr. HALE. Good.

Mr. CHACE. The Senator from Maine says "good;" but I trust that even the Senator from Maine will suppress his impatience for a few moments only, while I call attention to some matters which are not of course new, which are known and ought to be known to every Senator, but which it seems to me can not be in the minds of sundry Sena-

tors whom I have heard speak in regard to this subject.

It has been stated and reiterated on the floor of the Senate during this discussion, and particularly by the distinguished Senator from Kentucky [Mr. Beck], that the Government of the United States in regard to the management of its fiscal affairs was exempt from the nat-ural laws which control all financial operations. The Senator from Delaware [Mr. SAULSBURY], the Senator from Texas [Mr. MAXEY], and sundry other Senators have expressed that opinion. It is the last resort to which they are driven in this argument that the Government of the United States can raise money without the use of its credit. In my opinion no greater or more fatal financial error could be made than

The opinion has been expressed that it is not necessary for the United States Government to retain an ordinary reserve for the maintenance of its credit and the payment of its cash obligations, for that is what the \$346,000,000 of United States notes are, a cash obligation liable to be

called for at any moment.

Senators say that the resources of the country are such and our credit is so great that there can be no possibility of a demand on this Government which can not be met. Now let us look at the past financial history of the country. I should be disposed to pass over that trying period which followed the Revolutionary war, when we all know the country was under circumstances of peculiar strait; but nevertheless in order to emphasize the importance of maintaining the credit of the Government, of preserving the means of paying the paper currency of the Government upon presentation, I shall ask that the Secretary may read the words of Thomas Jefferson in regard to paper money, which I send to

The Chief Clerk read as follows:

The Chief Clerk read as follows:

On the commencement of the late Revolution Congress had no money. The external commerce of the States being suppressed, the farmer could not sell his produce, and, of course, could not pay a tax. Congress had no resource then but in paper money. Not being able to lay a tax for its redemption, they could only promise that taxes should be laid for that purpose, so as to redeem the bills by a certain day. They did not foresee the long continuance of the war, the almost total suppression of their exports, and other events which rendered the performance of their engagements impossible. The paper money continued for a twelvemonth equal to gold and silver; but the quantities which they were obliged to emit, for the purpose of the war, exceeded what had been the usual quantity of the circulating medium.

It began, therefore, to become cheaper, or, as we expressed it, it depreciated, as gold and silver would have done had they been thrown into circulation in equal quantities. But not having, like them, an intrinsic value, its depreciation was more rapid and greater than could ever have happened with them. In two years it had fallen to two dollars of paper money for one of silver; in three years to four for one; in nine months more it fell to ten for one; and in the six months following, that is to say, by September, 1779, it had fallen to twenty for one.

months following, that is to say, by September, 1779, it had fallen to twenty for one.

Congress, alarmed at the consequences which were to be apprehended should they lose this resource altogether, thought it necessary to make a vigorous effort to stop its further depreciation. They therefore determined, in the first place, that their emissions should not exceed \$200,000,000, to which sum they were then nearly arrived, and though they knew that \$20 of what they were then study would buy no more for their army than one silver dollar would buy, yet they thought it would be worth while to submit to the sacrifice of nineteen out of twenty dollars if they could thereby stop further depreciation. They-therefore published an address to their constituents, in which they renewed their original declarations that this paper money should be redeemed at dollar for dollar. They proved the ability of the States to do this, and that their liberty would be cheaply bought at this price. The declaration was ineffectual. No man received the money at a better rate. On the contrary, in six months more, that is, by March, 1780, it had fallen to 40 for 1. Congress then tried an experiment of a different kind.

Considering their former offers to redeem this money at par as relinquished, by the general refusal to take it but in progressive depreciation, they required the whole to be brought in, declared it should be redeemed at its present value

200

of 40 for 1, and that they would give to the holders new bills, reduced in their denomination to the sum of gold or silver which was actually to be paid for them. This would reduce the nominal sum of the mass in circulation to the present worth of that mass, which was five millions, a sum not too great for the circulation of the States; and which they therefore hoped would not depreciate further, as they continued firm in their purpose of emitting no more. This effort was as unavailing as the former. Very little of the money was brought in. It continued to circulate and to depreciate till the end of 1780, when it had fallen to 75 for 1; and the money circulated from the French army being, by that time, sensible in all the States north of the Potomac, the paper ceased its circulation altogether in those States. In Virginia and North Carolina it continued a year longer, within which time it fell to 1,000 for 1, and then expired, as it had done in the other States, without a single groan. Not a murmur was heard on this occasion among the people. On the contrary, universal congratulations took place on their seeing this gigantic mass, whose dissolution had threatened convulsions which should shake their infant confederacy to its center, quietly interred in its grave.—Jefferson's Works, volume 9, page 248.

Mr. CHACE Lam aware that the answer will be that the Govern-

Mr. CHACE. I am aware that the answer will be that the Government had just emerged from a long, hard-fought war, with small resources, with the business of the country crippled in every direction; and the same answer will be made in regard to the straits the country was in in 1816; but in 1821, when we had enjoyed nearly seven years of peace, we find still a similar condition of things. The Secretary of the Treasury in his report in 1821 said:

the Treasury in his report in 1821 said:

It is not a matter of very great consolation to know that, at the end of thirty years of its operation, this Government finds its debt increased \$20,000,000,000, and its revenue inadequate to its expenditure; the national domain impaired, and \$20,000,000 of its proceeds expended; \$35,000,000 drawn from the people by internal taxation, \$341,000,000 by impost, yet the public Treasury dependent on loans; in profound peace, and without national calamity, the country embarrassed with debts, and real estate under rapid depreciation; the markets of agriculture, the pursuits of manufactures diminished and declining; commerce struggling, not to retain the earrying of the produce of other nations, but our own. There is no national interest which is in a healthful, thriving condition; the nation at large is not so; the operations of the Government and individuals alike labor under difficulties which are felt by all. * * * The sea, the forest, the earth yield their abundance; the labor of man is rewarded; pestilence, famine, or war commit no ravages; no calamity has visited the people; peace smiles on us; plenty blesses the land—whence, then, this burst of universal distress?

Then in 1825 there was a condition financially very similar to the present one. It may not be generally known that in 1825 the United States borrowed \$13,000,000 at the rate of 3 per cent. per annum. will read the loans of the Government at that time and the rate of inwill read the loans of the Government at that time and the rate of interest they bore. There were \$7,500,000 at 6 per cent., a little over \$19,000,000 at 6 per cent., \$13,000,000 at 6 per cent., \$18,000,000 at 5 per cent., \$5,000,000 at 4½ per cent., \$654,000 at 4½ per cent., \$1,654,000 at 4½ per cent., and \$13,296,000 at 3 per cent.; and yet in 1842 the Government was put to the greatest straits to maintain its credit.

Mr. COCKRELL. What was that which was issued at 3 per cent.?

Mr. CHACE. Thirteen million two hundred and ninety-six thousand two hundred and thirty one dollars were stock as it was called at that

two hundred and thirty-one dollars upon stock as it was called at that time, payable at the pleasure of the Government, just exactly as our 3 percents are payable now.

Mr. COCKRELL. Just as our greenbacks are practically.

Mr. CHACE. No, just as our 3 per cent. bonds are payable now, at the pleasure of Government. The credit of the Government in 1825 was almost as good as it is to-day, but by the end of 1842 we find the Secretary of the Treasury using the following language:

Secretary of the Treasury using the following language:

The act of July 21, 1841, authorizing a loan of not exceeding \$12,000,000, provided, that no stock be sold below par, and such was the unsettled state of the money market at that period that the Secretary found it possible to realize but a small portion of the amount needed to meet the existing emergency while this restriction remained in force. It was attempted to amend this by the act of April 15, 1842, allowing the Secretary of the Treasury, if the stock could not be sold at par, to dispose of it at lower prices, and also extending the time for redemption to not more than twenty years from January 1, 1843, but it was still found impossible to obtain par for the stock. To prevent its sacrifice a bill was introduced in the House to allow the issue of Treasury notes when the remainder of the stock could not be sold below par. It was stated in debate by the chairman of the Committee of Ways and Means, who introduced the bill, that the immediate liabilities of the Government were \$3,875,000, and to meet these demands not one dollar was available, and that the stock must either "be sacrificed to the Shylocks of the country" or some other means must be given the Secretary of the Treasury to meet these liabilities. The bill does not appear to have met with much opposition. It was approved August 31, 1842 (5 Statutes, 581).

And they afterward sold the bonds of the Government at a discount.

Mr. EDMUNDS. At what rate of interest?
Mr. CHACE. Six per cent. Then in 1857, as the Senator from Ohio [Mr. Sherman] yesterday said, Congress adjourned with a proposition before it to distribute \$10,000,000, and before it reassembled the Government had to borrow money to pay the salaries of the members of Congres

We all remember that in 1836 there was an act passed to distribute among the States the surplus revenue that was on hand. That surplus was as oppressive to the minds of the people as this petty surplus seems to be now. An act was passed for the distribution of that surplus the second of the surplus seems to be now. plus, and it was commenced. A portion of it was distributed, and I will read what the Secretary of the Treasury said in regard to that

Ever since 1830 efforts had been periodically made to distribute the land revenue or surplus revenue, or to induce the Government to assume the stocks of indebted States and to distribute an equal portion of credit to non-indebted States. In 1837 a distribution of the surplus revenues of the United States among the several States, provided for by an act passed in 1836, actually took place. The fund originally proposed to be distributed among the States was \$36,000,000, and \$28,101,644.91 was in fact distributed, in three quarterly installments, the

first amount transferred being under date of February, 1837, and the second amount in April, and the third in July of the same year. The fourth and last installment; however, was not paid. A series of disasters, culminating in the panie of 1837, so disordered the finances of the General Government before the distribution had been completed that it became necessary to have recourse to a new act of Congress, which was passed on the 2d of October, to direct the postponement of the transfer of the remaining fourth until the 1st of January, 1839. A subsequent act was passed postponing the payment indefinitely. This law further provided that the amount deposited should remain with the States until otherwise directed by Congress. Here the matter has rested for forty years.

Here the matter has rested ever since. Following that we find the condition in 1842 to which I have already referred. In 1859 the Government had been buying its loans at a premium, yet in 1860, under the administration of President Buchanan, it was found impossible to raise the paltry sum of \$10,000,000 and an agent of the Government was sent abroad and he endeavored in vain in the European moneymarkets to raise the sum of \$10,000,000, and it was finally borrowed in this country of certain banks at a discount which brought the rate of interest to 1 per cent. per month.

I maintain that in view of this past financial history of this country we can not fail to be convinced that the Government of the United States must obey that great natural law of finance which is above all statute law, which has been proved by the experience of all generations that it is unsafe for an individual, for an institution, or for a Government to assume cash obligations without a reserve in hand to meet

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Delaware [Mr. SAULSBURY] to the amendment of the Committee on Finance.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on the amendment of the Committee on Finance as amended.

Mr. PLUMB. I call for a division of the amendment. I think it may properly be divided into three parts, and I ask that the vote be taken separately on each. I ask for a division as to the vote on the first proviso separately, and to divide the second proviso after the word dollars," in line 21.

There are three substantive propositions contained in the amendment, and I think the vote may properly be taken on each. I think we ought to commence with the last one, because if the first is stricken out there nothing left for the last one to depend on. The natural order, I think, would be to commence with the last part of the amendment.

The PRESIDENT pro tempore. The Senator from Kansas demands division of the amendment proposed by the Committee on Finance. Mr. CULLOM. The Senator's proposition is to vote on all after the word "dollars," in line 21, to the end of the amendment separately. Mr. PLUMB. And I shall ask a further division.

The PRESIDENT pro tempore. The Chair will put the question on

the last clause of the amendment.

Mr. EDMUNDS. No; if it is a question of division you must begin at the first.

The PRESIDENT pro tempore. The Senator from Kansas demands a division at the last clause.

Mr. EDMUNDS. But then the first question is on agreeing to the first clause. If a division is demanded you must take the clauses in their order.

Mr. PLUMB. If you strike out the first clause, the last would nat-

urally disappear.
Mr. EDMUNDS. Very well; that may be. The Senator can move to amend the amendment by striking out the words; but if we take a division we must take it in the regular order.

Mr. PLUMB. Well, I move then to amend the amendment by striking out all after the word "dollars," in line 21.

Mr. BECK. I desire to know what amendment has been made to

the amendment reported by the Committee on Finance. I understand there was one.

The PRESIDENT pro tempore. The Chair will have the amendment read as it now stands,

Mr. BECK. I should like to know what amendment was put on by the Committee of the Whole.

The CHIEF CLERK. Beginning in line 21, after the word "dollars," the amendment reads:

And whenever in the case of any extraordinary emergency, and when, because thereof, in the opinion of the President, the public interests shall require it, he may, by written order, direct the Secretary of the Treasury to suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired: Provided, That such suspension and the reasons therefor shall be reported to Congress within ten days after its next meeting, or immediately, if Congress shall be in session.

Mr. BECK. I desire to ask for a vote by yeas and nays on the amendment substituting the President for the Secretary of the Treasury.

Mr. EDMUNDS. We are in committee. When we get out that can be done. The motion now is to strike out the whole paragraph.

The PRESIDENT pro tempore. The Senator from Kansas [Mr. Plumb] moves to strike out the last paragraph of the amendment, commencing on line 21. It has just been read.

Mr. EDMUNDS. On that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GIBSON. I rise to a parliamentary inquiry. We do not un-

The PRESIDENT pro tempore. The amendment will be again read. The CHIEF CLERK. It is proposed to strike out after the word "dollars," in line 21, the following:

And whenever in the case of any extraordinary emergency, and when, because thereof, in the opinion of the President, the public interests shall require it, he may, by written order, direct the Secretary of the Treasury to suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired: Provided, That such suspension and the reasons therefor shall be reported to Congress within ten days after its next meeting, or immediately, if Congress shall be in session.

The PRESIDENT pro tempore. The question is on striking out these words.

words.

The Secretary proceeded to call the roll.

Mr. BECK (when Mr. Morgan's name was called). The Senator from Alabama [Mr. Morgan] telegraphed me that he desired to be paired on this question. He would vote for the House resolution, and is paired with the Senator from Mississippi [Mr. George]. The Senator from Alabama would vote "yea" if he were here, and the Senator from Mississippi would vote "nay" on this amendment.

Mr. RANSOM (when his name was called). I am paired with the Senator from Illinois [Mr. Logan]. I do not know how he would vote. If he was here, I should vote "nay."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. Morrill]. If he were here, I should

the Senator from Vermont [Mr. MORRILL]. If he were here, I should

vote "yea."

Mr. SAWYER (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were herê, I should vote "yea."

The roll-call was concluded.

Mr. BLAIR. I have been paired with the Senator from Colorado

Mr. BLAIR. I have been paired with the Senator from Colorado [Mr. Bowen] upon this measure and all questions connected with it, but his pair has been transferred to my colleague [Mr. Pike], who is absent. If the Senator from Colorado were present, he would vote "yea;" and if my colleague were present, he would vote "nay." The result was announced—yeas 29, nays 34; as follows:

P	77 47	-	Ye
Beck,	Eustis,	Maxey,	Van Wyck,
Berry,	Harris.	Mitchell of Oreg.,	Vest.
Blackburn.	Hearst.	Palmer,	Voorhees,
Cameron,	Ingalls.	Plumb,	Whitthorne,
Coekrell,			Wilson of Iowa.
Coke.	Jones of Nevada,	Spooner,	
Conger,	Mahone,	Teller.	
Cullom,	Manderson.	Vance.	

	1	VAYS-34.	
Aldrich, Allison, Blair, Brown, Butler, Call, Camden, Chace,	Dolph, Edmunds, Evarts, Frye, Gibson, Gorman, Gray, Hale.	Harrison, Hawley, Hoar, Kenna, McMillan, McPherson, Miller, Payne,	Pugh, Sabin, Sewell, Sherman, Stanford, Walthall, Wilson of Md.
Chace,	Time,	Layne,	

Dawes, Hampton, Platt. ABSENT-13.

Morrill, Pike, Ransom, Saulsbury, Jones of Florida, Colquitt, Fair, Logan, Mitchell of Pa., Morgan, George,

So the amendment to the amendment was rejected.

The PRESIDENT pro tempore. Does the Senator from Kansas insist upon his demand for a division of the question?

Mr. PLUMB. · No, I do not care for a division now.

The PRESIDENT pro tempore. The question recurs on the amendment of the Committee on Finance as amended.

Mr. EUSTIS. I offer an amendment after the word "unimpaired," in line 26, to insert:

Including the payment of bonds and interest thereon, the same being under existing law payable in gold or silver coin, at the option of the Government.

The PRESIDENT pro tempore. The amendment will be reported. The CHIEF CLERK. At the end of line 26, after the word "unimpaired," insert:

Including the payment of bonds and interest thereon, the same being under existing law payable in gold or silver coin, at the option of the Government.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Louisiana [Mr. Eustis] to the amendment of the Committee on Finance

Mr. EUSTIS. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. EDMUNDS. I should like to hear the Senator from Louisiana explain to us precisely what kind of a horse this Greek is, if he will.

The Secretary proceeded to call the roll.

Mr. BROWN (when Mr. Colquitt's name was called). On this question my colleague [Mr. Colquitt], as I understand, is paired with the Senator from Rhode Island [Mr. CHACE]

Mr. RANSOM (when his name was called). I am paired with the Senator from Illinois [Mr. Logan]. If he were present, I should vote "yea."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If he were here, I should

vote "yea."

Mr. SAWYER (when his name was called). I am paired with the Senator from Georgia [Mr. Colquitt]. If he were present, I should

The roll-call having been concluded, the result was announced-yeas 26, nays 37; as follows:

3	SIL DESILI DELL	YEA	S-26.	
Control Control of the Control	Beck, Berry, Blackburn, Brown, Camden, Cockrell, Coke,	Eustis, Gibson, Harris, Hearst, Jones of Arkansas, Jones of Nevada, Kenna,	Mahone, Maxey, Mitchell of Oreg., Plumb, Pugh, Riddleberger, Teller,	Vance, Van Wyck, Vest, Voorhees, Whitthorne.
ó		NAY	7S-37.	
The second of the second of the second	Aldrich, Allison, Blair, Butler, Call, Cameron, Chace, Conger, Cuflom, Dawes,	Dolph, Edmunds, Evarts, Frye, Gorman, Gray, Hale, Hampton, Harrison, Hawley,	Hoar, Ingalls, McMillan, McPherson, Manderson, Miller, Palmer, Payne, Platt, Sabin,	Sewell, Sherman, Spooner, Stanford, Walthall, Wilson of Iown, Wilson of Md.
	I I	ABSE	NT-13.	
	Bowen, Colquitt, Fair, George,	Jones of Florida, Logan, Mitchell of Pa., Morgan,	Morrill, Pike, Ransom, Saulsbury,	Sawyer.

So the amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on the amendment of the Committee on Finance as amended.

Mr. BERRY. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. CONGER. Let the amendment be read.

The PRESIDENT pro tempore. The amendment will be read.

The CHIEF CLERK. The amendment is to add to the resolution as

it came from the House of Representatives, the following:

It came from the House of Representatives, the following:

Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned: And provided further, That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20,00,000; and whenever, in the case of any extraordinary emergency, and when, because thereof, in the opinion of the President, the public interests shall require it, he may, by written order, direct the Secretary of the Treasury to suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired; Provided, That such suspension and the reasons therefor shall be reported to Congress within ten days after its next meeting, or immediately if Congress shall be in session.

Mr. EDMUNDS. I would suggest, as a mere matter of phraseology, there are so many provisoes there, that that last word "Provided" should be changed to the word "and," so as just to continue the clause.

The PRESIDENT pro tempore. If there be no objection the amendment will be so modified. The Chair hears no objection. The Secretary

will call the roll.

The Secretary proceeded to call the roll.

Mr. RANSOM (when his name was called). I am paired with the Senator from Illinois [Mr. Logan]. If he were present, I should vote

Sawyer.

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If he were present, I should vote "nay."

The roll-call was concluded.

The roll-call was concluded.

Mr. BECK. The Senator from Alabama [Mr. Morgan] is paired with the Senator from Mississippi [Mr. George]. The Senator from Alabama, if present, would vote "nay" and the Senator from Mississippi would vote "yea."

Mr. PLUMB. The Senator from Colorado [Mr. Bowen] is paired on this question with the Senator from New Hampshire [Mr. Pike]. If the Senator from Colorado were present, he would vote "nay."

Mr. SAWYER. I am paired with the Senator from Georgia [Mr. Colquitt], but I understand he would vote "yea," if present, and so I vote "yea."

The result was announced—yeas 36, nays 27; as follows:

The result was announced—yeas 36, nays 27; as follows:

	YEA	AS-36.	
Aldrich, Allison, Blair, Brown, Butler, Call, Camden, Cameron, Chace,	Dawes, Dolph, Edmunds, Evarts, Frye, Gibson, Gorman, Gray, Hale,	Hampton, Harrison, Hawley, Hoar, Kenna, McMillan, McPherson, Miller, Payne,	Platt, Pugh, Sabin, Sawyer, Sewell, Sherman, Stanford, Walthall, Wilson of Md,
	NAY	S-27.	
Beek, Berry, Blackburn, Cockrell, Coke, Conger, Cullom.	Eustis, Harris, Hearst, Ingalls, Jones of Arkansas, Jones of Nevada, Mahone.	Manderson, Maxey, Mitchell of Oreg., Palmer, Plumb, Riddleberger, Teller.	Vance, Van Wyek, Vest, Voorhees, Whithorne, Wilson of Iowa,

ABSENT-13.

Colquitt, Fair,

Jones of Florida, Morrill, Pike, Ransom, Saulsbury, Logan, Mitchell of Pa., Morgan,

Spooner.

So the amendment as amended was agreed to. Mr. SEWELL. I desire to offer an amendment.

As I remarked a few moments ago, a bill was introduced in the Senate in December last, and referred to the Committee on Finance, for the redemption of the trade-dollar. This is the first opportunity I have had to bring the matter to the attention of the Senate. I will not consume any time, but I offer the amendment for the consideration of the Senate.

I will merely state that out of the \$38,000,000 or \$39,000,000 of this class of coin there exists in this country to-day but about \$5,000,000. For some reason pertaining to the laws of trade and the laws of demand and supply the larger part of these obligations are in the hands of my immediate constituents and in the hands of persons in the adjoining State of Pennsylvania. Why they were attracted there I can not explain. I personally know that a great many of the small storekeepers and the savings-banks of my State, particularly in that portion of it adjoining the Delaware River, have the larger number of these coins at the present time, and they are holding them on the faith of the

The present Director of the Mint, alluding in his report to the report of his predecessor, Dr. Linderman, states that in 1878 there were only five and a quarter millions of this coin in the country. He says:

My predecessor, in his annual report for the fiscal year 1883, page 17, recommended the repeal of the provision of law authorizing the coinage of the tradedollar, and also that the outstanding coin of this description be received at the mints in exchange for other silver coin. He estimated that there were at that time from five to seven millions of these coins in the country.

From the above facts I am of the opinion that the estimate of seven millions as the amount in the country is in excess of the actual amount rather than below.

below.

Should the coinage of the trade-dollar, at present suspended under the discretional power reposed in the Secretary of the Treasury, be discontinued by law, and should the mints and assistant treasuries of the United States be authorized to redeem in subsidiary coin such trade-dollars as may be purchased for redemption in sums of \$10 or multiples thereof, the profit to the Government in the form of seigniorage would amount to some 8 per cent., or more than enough to defray the expenses of the recoinage.

I will state that ordinary business men, particularly those located in our country towns, have an idea that if anybody ought to be honest it is the Government of the United States. They do not and they can not understand why it is that they are obliged to hold these obligations of the Government which they have received in the ordinary course of trade or sell them for bullion. I therefore offer the following amendment to come in as additional sections to this joint resolution:

SEC. —. That for a period of six months after the passage hereof, United States trade-dollars, if not defaced, mutilated, or stamped, shall be received at their face value in payment of all dues to the United States, and shall not be again paid out or in any other manner issued.

SEC. —. That the holder of any United States trade-dollars, during the period aforesaid, on presentation of the same at the office of the Treasurer or any assistant treasurer of the United States, may receive in exchange therefor a like amount and value, dollar for dollar, in standard silver dollars or in subsidiary coins (at the option of the holder) of the United States.

SEC. —. That the trade-dollars received by, or paid to, or deposited with the Treasurer or any assistant treasurer or national depositary of the United States shall not be paid out or in any other manner issued, but, at the expense of the United States, shall be transmitted to the coinage mints and recoined into standard silver dollars.

SEC. —. That all laws and parts of laws authorizing the coinage and issuance of United States trade-dollars are hereby repealed.

Mr. ALLISON. That is a very difficult and important subject, as the Senate well knows. It has no relation whatever to this resolution, and therefore, unless some Senator wishes to debate it further, I move

to lay the amendment on the table.

Mr. CAMERON. I hope it will not be laid on the table.
Mr. SEWELL. I hope the Senator will withdraw the motion and let us have a direct vote on it.

Mr. ALLISON. If we can have a direct vote without debate, I have no objection.

Mr. CAMERON. Let us have a fair and square vote.
Mr. ALLISON. I am willing, if we can have it without debate.
Mr. VOORHEES. Let us have the amendment reported. I think

it is the only good thing about the whole matter.

The PRESIDENT pro tempore. The amendment will be again read. The Senate will please come to order so that they may understand the reading

The Chief Clerk read the amendment offered by Mr. SEWELL.

The PRESIDENT pro tempore. The year and nays are asked for on this amendment.

The yeas and nays were ordered.

Mr. MAXEY. I ask the Senator from New Jersey how many trade-dollars there are?

Mr. SEWELL. I made a statement on that point. There are about five million trade-dollars in the country

ing to the amendment offered by the Senator from New Jersey [Mr.

SEWELL].

Mr. EDMUNDS. I do not know whether I am for that measure or not. It has never been exploited or explained by a committee, and it has no relation to or business on this resolution. I neither wish to vote for it nor against it, to prejudice it nor promote it. You might as well put all the bills on the Calendar here. Therefore I move to lay the amendment on the table.

Mr. SEWELL. I ask the Senator from Vermont to withdraw that motion. I asked the same of the Senator from Iowa, and he did me the courtesy to withdraw a similar motion. I want a square vote on

the amendment.

Mr. EDMUNDS. That is exactly what I do not want.

Mr. CAMERON. Let us have a square vote on it.
The PRESIDENT pro tempore. The question is not debatable. Senator from Vermont moves to lay the amendment on the table.

Mr. HOAR. I call for the yeas and nays.

The yeas and nays were ordered, and taken.

Mr. SAULSBURY. I am paired with the Senator from Vermont

[Mr. MORRILL]. If he were here, I should vote "nay."

The result was announced—yeas 31, nays 31; as follows:

	YI	EAS-31.	
Aldrich, Allison, Blair, Butler, Call, Camden, Conger, Cullom,	Dawes, Edmunds, Frye, Gibson, Gorman, Gray, Hale, Hampton,	Harrison, Harrison, Hearst, Hoar, Jones of Arkansas, Kenna, McPherson, Miller,	Palmer, Payne, Pugh, Sherman, Spooner, Walthall, Whitthorne,
	N.	AYS-31.	
Beck, Berry, Blackburn, Brown, Cameron, Chace, Cockrell,	Eustis, Evarts, Hawley, Ingalls, Jones of Nevada, McMillan, Mahone,	Maxey, Mitchell of Oreg., Platt, Plumb, Riddleberger, Sabin, Sewell;	Teller, Vance, Van Wyck, Vest, Voorhees, Wilson of Iowa, Wilson of Md.

Chace, Cockrell, Coke, Sewell; Stanford, Mahone, Manderson, ABSENT-14. Bowen, Colquitt, Dolph, Saulsbury, George, Jones of Florida, Morgan Morrill, Sawyer. Pike, Ransom, Logan, Mitchell of Pa., Fair,

So the motion to lay the amendment on the table was not agreed to. The PRESIDENT pro tempore. The question recurs on the adoption of the amendment.

Mr. SEWELL. Now I ask for a vote on it.
Mr. EDMUNDS. The yeas and nays have been ordered.
The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the Senator from New Jersey.

The Secretary proceeded to call the roll.

Mr. SAULSBURY (when his name was called). If I were not paired with the Senator from Vermont [Mr. MORRILL] I should vote "yea." The roll-call was concluded.

Mr. BROWN. Was the pair of my colleague [Mr. Colquitt] announced with any one? As I understood when he left, he was paired with the Senator from Rhode Island [Mr. Chace]. I think by some arrangement the pair has been transferred to the Senator from Wiscon-

sin [Mr. Sawyer]. Did the Senator from Wisconsin vote?
The PRESIDENT pro tempore. The Senator from Wisconsin [Mr.

Conger, Cullom,

SAWYER] has not voted.

Mr. BROWN. Then I will announce the pair of my colleague [Mr. COLQUITT] with the Senator from Wisconsin [Mr. SAWYER].

The result was announced—yeas 34, navs 29; as follows:

THO TOOLS	e mas manorement	cuo or, majo no, no .	01101101
	Y	EAS-34.	
Beck, Berry, Blackburn, Brown, Cameron, Chace, Cockrell, Coke, Eustis,	Evarts, Gray, Hawley, Hearst, Ingalls, Jones of Nevad: McPherson, Mahone, Manderson,	Maxey, Mitchell of Oreg., Palmer, Platt, Plumb, Riddleberger, Sabin, Sewell, Stanford,	Teller, Vance, Van Wyck, Vest, Voorhees, Wilson of Jowa. Wilson of Md,
	N	AYS-29.	
Aldrich, Allison, Blair, Butler, Call, Camden, Conger,	Dawes, Dolph, Edmunds, Frye, Gibson, Gorman, Hale,	Harris, Harrison, Hoar, Jones of Arkansas, Kenna, McMillan, Miller,	Pugh, Sherman, Spooner, Walthall, Whitthorne,

ABSENT-13. Morrill, Pike, Ransom, Saulsbury, Jones of Florida, Sawyer. Colquitt, Fair, George, Logan, Mitchell of Pa., Morgan,

So the amendment was agreed to.

Hampton,

The joint resolution was reported to the Senate as amended.

Mr. EDMUNDS. What is the pending question?

The PRESIDENT pro tempore. The question is on agreeamendments made as in Committee of the Whole. The question is on concurring in the

Payne.

Mr. ALLISON. In line 22, after the word "emergency," I move to insert the words "not now existing;" so as to read:

And whenever in the case of any extraordinary emergency, not now exist-

Those are the words practically which were suggested by the Sena-

the word placetary when the suggestion of the mover of the amendment. What extraordinary emergency now exists?

Mr. ALLISON. None whatever in my judgment, I will answer the Senator from Colorado.

Mr. TELLER. Then what does it mean?
The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. EDMUNDS. I wish to reserve the last amendment, the tradedollar amendment, for a separate vote on concurrence.

The PRESIDENT pro tempore. The question is on concurring in the first amendment made as in Committee of the Whole as amended.

The amendment was concurred in.

The PRESIDENT pro tempore. The question is upon concurring in the last amendment made as in Committee of the Whole. It will be

The CHIEF CLERK. The Senate, as in Committee of the Whole, inserted the following:

SEC.—. That for a period of six months after the passage hereof United States trade-dollars, if not defaced, mutilated, or stamped, shall be received at their face value in payment of all dues to the United States, and shall not be again paid out or in any other manner issued.

SEC.—. That the holder of any United States trade-dollars, during the period aforesaid, on presentation of the same at the office of the Treasurer or any assistant treasurer of the United States, may receive in exchange therefor a like amount and value, dollar for dollar, in standard silver dollars or in subsidiary coins (at the option of the holder) of the United States.

SEC.—. That the trade-dollars received by, paid to, or deposited with the Treasurer or any assistant treasurer or national depositary of the United States shall not be paid out or in any other manner issued, but, at the expense of the United States, shall be transmitted to the coinage mints and recoined into standard silver dollars.

SEC.—. That all laws and parts of laws authorizing the coinage and issuance of United States trade-dollars are hereby repealed.

The PRESIDENT pro tempore. The question is on concurring in this amendment. [Putting the question.] The noes appear to have it.

Mr. SEWELL. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call

the roll.

Mr. RANSOM (when his name was called). I am paired on this question with the Senator from Illinois [Mr. Logan]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. SAULSBURY. I desire to say that I am paired with the Senator from Vermont [Mr. MORRILL]. If he were here, I should vote "yea."
The result was announced—yeas 33, nays 30; as follows:

	YE	AS-33.	
Beck, Blackburn, Brown, Cameron, Chace, Cockrell, Coke, Eustis, Evarts,	Gray, Hawley, Hearst, Ingalls, Jones of Nevada, McPherson, Mahone, Manderson, Maxey,	Mitchell of Oreg., Palmer, Platt, Plumb, Riddleberger, Sabin, Sewell, Stanford, Teller,	Vance, Van Wyck, Vest, Voorhees, Wilson of Iowa, Wilson of Md.
	NA.	YS-30.	
Aldrich, Allison, Berry, Blair, Butler, Call, Camden, Conger,	Cullom, Dawes, Dolph, Edmunds, Frye, Gibson, Gorman, Hale,	Hampton, Harris, Harrison, Hoar, Jones of Arkansas, Kenna, McMillan, Miller,	Payne, Pugh, Sherman, Spooner, Walthall, Whitthorne.
	ABSI	ENT-13.	
Bowen, Colquitt, Fair, George	Jones of Florida, Logan, Mitchell of Pa., Morgan	Morrill, Pike, Ransom, Saulsbury	Sawyer.

So the amendment was concurred in.

Mr. GORMAN. I move to lay the joint resolution on the table.

The PRESIDENT pro tempore. The Senator from Maryland moves that the joint resolution lie on the table.

Mr. GORMAN. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. VANCE. What is the motion of the Senator from Maryland? The PRESIDENT pro tempore. The motion is to lay the joint resolution on the table, on which the yeas and nays have been ordered. The Secretary will call the roll.

Mr. HALE. Let the motion be stated clearly by the Chair.

The PRESIDENT pro tempore. The Senator from Maryland moves to lay the joint resolution on the table.
Mr. HALE. The whole thing?

The PRESIDENT pro tempore. The whole measure. The Secretary will call the roll on agreeing to the motion.

The Secretary proceeded to call the roll.

Mr. SAWYER (when his name was called). I am paired with the Senator from Georgia [Mr. Colourt], but as I understand he would vote "nay," I will vote. I vote "nay."

The roll-call having been concluded, the result was announced—yeas

5, nays 57; as follows: YEAS-5. Vance. Butler. Gray. Hampton, NAYS-57. Jones of Nevada, Kenna, McMillan, McPherson, Aldrich, Altison, Beck, Dawes, Dolph, Edmunds, Sabin. Sawyer, Sewell, Spooner Berry, Blackburn, Eustis, Spooner, Stanford, Teller, Van Wyck, Vest, Voorhees, Waithall, Eustis, Evarts, Frye, Gibson, Hale, Harris, Mahone, Manderson, Blackburn Blair, Brown, Call, Camden, Cameron, Cace, Cockrell, Coke, Maxey, Miller, Mitchell of Oreg., Harrison, Hawley, Hearst, Hoar, Ingalls, Palmer, Payne, Platt, Plumb, Whitthorne Wilson of Iowa. Conger, Cullom, Ingalls, Pugh, Jones of Arkansas, Riddleberger, ABSENT-14. Morrill, Pike, Ransom, Saulsbury, Sherman, Wilson of Md. Bowen, Colquitt, Fair, George, Jones of Florida,

Logan, Mitchell of Pa., Morgan, So the Senate refused to lay the joint resolution on the table. The PRESIDENT pro tempore. Shall the amendment be en-

Mr. INGALLS. Is the joint resolution open to amendment?
The PRESIDENT pro tempore. It is still open to amendment.
Mr. INGALLS. I move to strike out all after the resolving clause and insert what I send to the Chair.
The PRESIDENT pro tempore. The proposed substitute will be read.
The CHIEF CLERK. It is proposed to strike out all after the resolving clause and insert.

ing clause and insert:

That the Secretary of the Treasury shall, beginning September 6, 1886, until thirty days after the meeting of the second session of the Forty-ninth Congress, apply the surplus in excess of \$100,000,000 in the Treasury, in sums not less than \$10,000,000 per month, to the payment of the interest-bearing indebtedness of the United States, payable at the option of the Government.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Kansas [Mr. Ingalls].

Mr. TELLER. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call

the roll.

Mr. RANSOM (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN]. If he were present, I should vote

Mr. SAULSBURY (when his name was called). If I were not paired, I should vote "yea."

The roll-call having been concluded, the result was announced-yeas 25, nays 38; as follows:

	YE	AS-25.	
Beck, Berry, Blackburn, Cockrell, Coke, Eustis, Harris,	Mearst, Ingalls, Jones of Arkansa Jones of Nevada, Mahone, Manderson, Maxey,	Mitchell of Oreg., Plumb, s, Riddleberger, Stanford, Teller, Vance, Van Wyck,	Vest, Voorhees, Whitthorne, Wilson of lowe,
	NA	YS-38.	
Aldrich, Allison, Blair, Brown, Butler, Call, Camden, Cameron, Chaee, Conger,	Cullom, Dawes, Dolph, Edmunds, Frye, Evarts, Gibson, Gorman, Gray, Hale,	Hampton, Harrison, Hawley, Hoar, Kenna, McMillan, McPherson, Miller, Palmer, Payne,	Platt, Pugh, Sabin, Sewell, Sherman, Spooner, Walthall, Wilson of Md.
	ABS	ENT-13.	
Bowen, Colquitt, Fair, George,	Jones of Florida, Logan, Mitchell of Pa., Morgan,	Morrill, Pike, Ransom, Saulsbury,	Sawyer.

So the amendment was rejected.

The PRESIDENT pro tempore. The question is on ordering the amendments to be engrossed and the joint resolution to be read a third time.

Mr. VANCE. I ask for the yeas and nays.

Mr. EDMUNDS. Let us take the yeas and nays on the passage.
Mr. VANCE. Very well.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDENT pro tempore. The question is, Shall the joint resolution pass

Mr. HARRIS. We are to have the yeas and nays on the passage.

The yeas and nays were ordered.

Mr. BECK. Mr. President, I only desire to say that while I should like to see the trade-dollars retired and other dollars substituted in their place, being thoroughly convinced that the House will not act upon the amendments to the joint resolution at this session, and having heard the criticisms as to the language of the resolution as passed by the House, which it was assumed legalized and crystallized and fastened \$100,000,000 as an absolute reserve, which I think the House can avoid by a new resolution, and as it is increased now to \$120,000,000, I shall vote "nay" so as to give the House another chance to frame a measure next December which may avoid the criticism now brought against the one they sent to us.

The PRESIDENT pro tempore. The Secretary will call the roll on

the passage of the joint resolution.

The Secretary proceeded to call the roll.

Mr. SAWYER (when his name was called). Mr. SAWYER (when his name was called). I understand that the Senator from Georgia [Mr. Colquitt] would vote "yea" on the passage of the joint resolution, and so I shall vote. I vote "yea."

The roll-call was concluded.

Mr. BLAIR. My colleague [Mr. PIKE] is paired with the Senator from Colorado [Mr. Bowen]. If present, my colleague would vote in the affirmative and the Senator from Colorado would vote in the neg-

Mr. RANSOM. I am paired with the Senator from Illinois [Mr.

LOGAN]. If he were present, I should vote "yea."

Mr. COKE. I desire to state that the Senator from Mississippi [Mr. George] is paired on this question with the Senator from Alabama [Mr. Morgan]. The Senator from Mississippi, I believe, would vote

Mr. BECK. The Senator from Alabama would vote "nay." The result was announced—yeas 42, nays 20; as follows:

	YEA	S-42.	
Allison, Aldrich, Blair, Brown, Call, Camden, Cameron, Chace, Conger, Cullom, Dawes,	Dolph, Edmunds, Evarts, Frye, Gibson, Gorman, Gray, Hale, Hampton, Harrison, Hawley,	Hoar, Jones of Nevada, Kenna, McMillan, McPherson, Mahone, Miller, Palmer, Payne, Platt, Pugh,	Riddleberger, Sabin, Sawyer, Sewell, Sherman, Spooner, Van Wyck, Walthall, Wilson of Md,
	NAY	S-20.	
Beek, Berry, Blackburn, Butler, Cockrell,	Coke, Eustis, Harris, Ingalls, Jones of Arkansas,	Maxey, Mitchell of Oreg., Plumb, Stanford, Teller,	Vance, Vest, Voorhees, Whitthorne, Wilson of Iowa.
	ABSE	NT-14.	
Bowen, Colquitt, Fair, George,	Hearst, Jones of Florida, Logan, Manderson,	Mitchell of Pa., Morgan, Morrill, Pike,	Ransom, Saulsbury.

So the joint resolution was passed. Mr. ALLISON. In view of the lateness of the session, I move that the Senate insist upon its amendments to the joint resolution and ask the House for a conference thereon.

The motion was agreed to; and by unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the

VETOED PENSION BILLS.

Mr. BLAIR. I move that the Senate proceed to consider Order of Business 1630, the bill (S. 2005) granting a pension to Mary J. Nottage,

one of the vetoed pension bills.

The PRESIDENT pro tempore. The PRESIDENT pro tempore. The Senator from New Hampshire moves that the Senate proceed to the consideration of the bill (S. 2005) granting a pension to Mary J. Nottage. If there be no objection the question is, Shall the bill pass, the objections of the President to the contrary notwithstanding

Mr. EDMUNDS. No, the question is on taking the bill up.
The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from New Hampshire to proceed to the consideration of the bill.

The motion was agreed to.
The PRESIDENT pro tempore. The bill is before the Senate.

Mr. BLAIR. I have arrived at an understanding with the Senator from Pennsylvania [Mr. CAMERON], who is in ill health and anxious to go on with the naval bill to-night, that, this bill being taken up for consideration and an order of the Senate being made to print certain reports in the RECORD which it is necessary to have before the Senate, I will then give way informally for the consideration of the naval bill

I move that the reports of the majority and minority in Order of Business 1630, which is the one now before the Senate, Mary J. Not-tage; Order of Business 1685; Margaret D. Marchand, Order of Busi-

ness 1763, Joseph Romiser; Order of Business 1790, Newcomb Parker; Order of Business 1791, John S. Kirkpatrick; Order of Business 1796, Mrs. Annie C. Owen; Order of Business 1812, Marrilla Parsons; and Order of Business 1813, Thomas S. Hopkins, be printed in the RECORD.

Mr. KENNA. Does that require the action of a majority of the

The PRESIDENT pro tempore. It does, if there is objection to the

Mr. KENNA. I object. I see no reason why those campaign documents should be printed in the Record, for that is all they are.

The PRESIDENT pro tempore. If objection be made the rule requires the question to be submitted to the Senate.

Mr. COCKRELL. Can such a document be inserted in the Record,

even by authority of the Senate, unless it is unanimous?

Mr. CAMERON. I hope there will be no objection to it.

Mr. KENNA. I see no earthly reason why that document should go in the RECORD.

Mr. EDMUNDS. May I appeal to the Senator from West Virginia for a moment? On this bill that is now up every one of us would be entitled to demand that the report of the committee, and probably the views of the minority as well (certainly it would be fair that that should be done), should be read, and we should all sit here and hear them read; and being read, they would go in the RECORD. All that the Senator from New Hampshire asks is, to save the trouble of reading these reports through, that they be put into the RECORD without their being read at length here, as we have all looked at them more or less. So I submit to the Senator from West Virginia it is merely a prestion of taking time to shiere.

question of taking time to object.

Mr. KENNA. I can not help that. If any Senator desires to display to the country a scene such as will be presented here when we stand here and have read by the clerks a document which on its face shows that while it is addressed to the Senate it is a mere appeal to the people of the country on an issue made by that report I would rather it should come in that way.

Mr. EDMUNDS. Very good; read on.

Mr. BLAIR. I do not wish that the reports shall be read to-night. I would prefer a vote of the Senate that the reports shall be printed, according to the motion that I made, because the Senator from Pennsylvania is ill to-night and he understands that he is to go on with the naval bill. I ask a vote of the Senate on printing all the reports in the RECORD.

The PRESIDENT pro tempore. The Chair will hold that under the rule a motion of this kind to print is like any other motion, which would go over one day under objection.

Mr. BLAIR. Is a motion to print the report and the views of the minority in the case before the Senate open to objection?

The PRESIDENT pro tempore. It is in the nature of a resolution, and therefore upon objection being made it must go over one day, or the report can be read.

Mr. BLAIR. I will enter the motion and give way informally to the

Senator from Pennsylvania.

The PRESIDENT pro tempore. The Senator from New Hampshire moves that the reports referred to be printed in the RECORD. Chair understands that objection is made.

Mr. KENNA. I object.

The PRESIDENT pro tempore. The motion goes over under objection until to-morrow.

Mr. BLAIR. I submit the motion in the form of a resolution:

Resolved, That the reports of the majority and views of the minority of the Committee on Pensions on Senate bill 2005, Mary J. Nottage; Senate bill 226, Margaret D. Marchand; House bill 1059, Joseph Romiser; Senate bill 1077, granting pension to Newcomb Parker; Senate bill 1797, granting pension to John S. Kirkpatrick; Senate bill 1850, granting pension to Mrs. Annie C. Owen; Senate bill 342, granting pension to Marrilla Parsons; Senate bill 183, for the relief of Thomas S. Hopkins, be printed in the Record.

INCREASE OF NAVAL ESTABLISHMENT.

Mr. CAMERON. I ask that the Senate proceed to the consideration

of the bill (H. R. 6664) to increase the naval establishment.

The PRESIDENT pro tempore. The bill will be read.

Mr. ALLISON. Is the bill now before the Senate for consideration?

The PRESIDENT pro tempore. The Chair will put the question formally. There seemed to be no objection. The question is on agreeing to the motion to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the

Whole, proceeded to consider the bill.

The bill was reported from the Committee on Naval Affairs with amendments.

The first amendment was, in section 4, line 6, after the word "parties," to strike out the words "otherwise the Secretary of the Navy is hereby authorized to purchase the same, or any portion thereof, and import it;" so as to read:

That the armor used in constructing said armored vessels and for completing said monitors shall be of the best obtainable quality and of domestic manufacture, provided contracts for furnishing the same in a reasonable time, at a reasonable price, and of the required quality can be made with responsible parties.

The amendment was agreed to.

The next amendment was, in section 6, after the words "United States," in line 6, to strike out the following proviso:

Provided, That the Secretary of the Navy may buy abroad and import such shafting and other material or machinery as he may be unable to procure in the United States.

And in line 9, after the word "Provided," to strike out the word "further."
The amendment was agreed to.

The PRESIDING OFFICER (Mr. FRYE in the chair). Those are all the amendments reported by the Committee on Naval Affairs.

Mr. EDMUNDS. In section 6, line 11, after the word "shafting," I move to strike out the words "and other special materials;" so that the proviso will read:

Provided, That the Secretary of the Navy may purchase abroad only such shafting as it may be impossible to obtain in the United States in time for use in the construction of the vessels herein provided for.

I am informed that the Secretary of the Navy only needs to buy shafting abroad; and that is a very dangerous phrase.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

Mr. McPHERSON. I should like to say to the Senator from Vermont

that there are many other things besides shafting. There is a certain kind of grates that they purchase to-day, which are used in the present style of engines, and which are not made in this country. Mr. Cramp of the ship firm of Charles H. Cramp & Co., of Philadelphia, enumerated to me quite a lot of articles in the new form of engines which were of no great consequence, but at the same time adapted to the use of those engines, which could not to-day be procured in this country.

those engines, which could not to-day be procured in this country.

Mr. EDMUNDS. We do not want them to-day. We shall want
them when the ship gets forward in a year or two far enough to put in
these grates, &c., and they are perfectly easily constructed by anybody
in this country who has the ordinary establishments of this kind. As
to the shafting, the longest, considering the length of these ships, is such
that they have not any establishments now which can build them; so I do
not object to shafting; but I do not mean for one to commit myself to
giving the Secretary of the Navy power to buy other special materials,
every one of which can be made in this country, from any foreign nation whatever. There is time enough for all these little things.

Mr. McPHERSON. Very well.

Mr. CAMERON. I will accept the amendment proposed by the
Senator from Vermont.

Senator from Vermont.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

The amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. WHITTHORNE. Mr. President, I am aware that the sentiment of this country is almost universally in favor of a new navy. As a member of the Committee on Naval Affairs I regret that I have not been able to concur with the majority of that committee, especially in

regard to sections 2, 3, and 9 of the bill.

I regard it myself as a mistake upon the part of the legislative department of the Government to attempt any restrictions whatever upon the executive department. I regard it as a grave mistake that the legislative department shall attempt to say to the Secretary of the Navy how and in what terms he shall contract. These sections, in my opinion, will continue the abuses and errors and opportunities for fraud which have marked the past history of the administration of the Navy Department. But, sir, standing in that minority, I am not here to object to anything that the Senate, in response to the demand of the country for a new navy, shall deem requisite to order.

I have regarded and do now say to the Senate and the country that

I regard that the very gravest error is committed and will be committed in the expenditure of the sum of money contemplated by the third section in the completion of the monitors. It is better to sink that sum of money in mid-ocean than to complete those vessels. will be fraught with mischief. It will lead the public opinion of the country to rely upon a set of vessels which are not in my judgment

worth one cent.

With these remarks, sir, I make no further opposition to the passage of the bill.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. CALL. Mr. President, I merely wish to make a single remark

before the bill is passed.

I desire to say that as one member of the Senate I am always willing to vote most liberal appropriations for the construction of a navy, but I think that in all great expenditures of public money the expenditure should be made with reference to the necessities of the different parts of the country and not concentrated in one particular part, and that there should be some provision made for the expenditure of this money by the construction of vessels in different parts of the United States, wherever it may be done with equal advantage to the public service. I think if the Naval Committee would give some regard to the expenditure of money in different parts of the country and not to its concen-

tration in the interests of individuals and particular localities the interests of the Navy would be greatly promoted by it.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. CAMERON. I move that the Senate insist upon its amendments and ask for a conference with the House of Representatives

The PRESIDING OFFICER. The Senator from Pennsylvania moves that the Senate insist on its amendments and ask for a conference with the House of Representatives.

The motion was agreed to.

By unanimous consent the presiding officer was authorized to appoint the conferees on the part of the Senate; and Mr. Cameron, Mr. Hale, and Mr. McPherson were appointed.

Mr. EDMUNDS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 46 minutes p. m.) the Senate adjourned until to-morrow, Saturday, July 31, 1886, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, July 30, 1886.

The House met at 11 o'clock a. m. Prayer by Rev. Dr. BULLOCK, of Washington, D. C.

The Clerk proceeded to read the Journal of yesterday's proceedings.
Mr. SPRINGER. I ask unanimous consent to dispense with the
further reading of the Journal to-day.

There was no objection, and it was so ordered.

TRUST FUNDS, STATE DEPARTMENT.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Ways and Means, and, with the accompanying documents, ordered to be printed:

To the House of Representatives:

I transmit herewith a report of the Secretary of State in reply to the resolution of the House of Representatives of the 27th of May last in relation to trust funds.

GROVER CLEVELAND.

EXECUTIVE MANSION, July 29, 1886.

STATEMENT OF BALANCES, TREASURY DEPARTMENT.

The SPEAKER also laid before the House a letter from the acting Secretary of the Treasury, transmitting a statement of balances due to and from the Government of the United States, in response to a resotion of the House of Representatives passed on the 27th instant; which was referred to the Committee on Ways and Means, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. DARGAN, for one week. To Mr. IKE H. TAYLOR, during the remainder of the session, on account of important business.

To Mr. J. M. TAYLOR, indefinitely, on account of sickness in his

To Mr. Buchanan, indefinitely, on account of sickness in his family. RETURN OF JOINT RESOLUTION FROM THE SENATE.

The SPEAKER. The joint resolution passed yesterday on motion of the gentleman from Georgia [Mr. Norwood] was sent to the Senate with a wrong number, and if there be no objection the following resolution will be adopted:

The Clerk read as follows:

Resolved. That the Clerk be directed to request the Senate to return to the House of Representatives the joint resolution of the House numbered 295, permitting the public building authorized by act of Congress approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from another building instead of 50 feet, as provided in said act.

The resolution was adopted.

CONDEMNED GUN-CARRIAGES, SOMERVILLE, MASS.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of bill of the House No. 1143, which has been before the House a number of times, and put it upon its passage with an amendment.

The SPEAKER. The bill will be read subject to objection.

The Clerk read as follows:

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and directed, if the same can be done without prejudice to the public service, to deliver to the Somerville Grand Army of the Republic, of Somerville, Mass., four condemned gun-carriages, to be used for monumental purposes:

The committee recommend the following amendments:

Strike out, in the seventh line, the words "to be used for monumental purposes" and insert "the same from which the guns were taken and which said Somerville Post, Grand Army of the Republic, has."

Mr. HAYDEN. I offer as a substitute the amendment at the desk. The Clerk read as follows:

Insert after the words stricken out:
"Being the same carriages from which the guns now in possession of said Grand Army post were taken."

The SPEAKER. That is a substitute for the amendment of the com-

Mr. HAYDEN. Yes, sir; it is an amendment which changes the phraseology of the committee amendment only.

The SPEAKER. Is there objection to the present consideration of

the bill?

Mr. REAGAN. If there is no debate I shall not object.

The amendment of Mr. HAYDEN was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.

Mr. HAYDEN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the ta-

The latter motion was agreed to.

. PUBLIC BUILDING, SANTA FÉ, N. MEX.

Mr. JOSEPH. I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 9371) for the completion of a public building at Santa Fé, N. Mex., and put it upon its passage.

The SPEAKER. The bill will be read subject to objection.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to complete the public building already partly erected at the city of Santa Fé in the Territory of New Mexico, for the use and accommodation of the United States district court, surveyor-general, collector of internal revenue, and for other Government uses at the said city of Santa Fé, at a cost not exceeding the sum of \$52,148; and no plan for the completion of the said building, nor contract or expenditure in connection therewith, shall be approved by the Secretary of the Treasury involving any further expenditure than the sum hereinabove fixed as the limit of cost for the completion of the said building.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the

third time, and passed.

Mr. SPRINGER move to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

JOHN WIGHTMAN.

Mr. FLEEGER. I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of Senate bill No. 2530), for the relief of the legal representatives of John Wightman, deceased, and put it upon its passage.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the claim of the legal representatives of John Wightman, deceased, for and on account of mail service rendered by said John Wightman, deceased, in carrying the United States mails on route numbered 3413, from Pittsburgh to Erie, Pa., a distance of 133 miles, three times a week each way, from August 1, 1859, to and including June 30, 1860, at the rate of \$9,000 per annum for six times a week each way on said route, be, and the same is hereby, referred to the Court of Claims; and the said court is authorized and required to take jurisdiction of the same; and if, upon the evidence in the case, it shall appear to the satisfaction of said court that the said service was performed by the said John Wightman upon the said route six times a week, as contemplated by the contract for said service as originally made July 1, 1856, between the Post-Office Department and the Erie and Meadyille Express and Transportation Company, and which contract was subsequently transferred to said John Wightman, and that the same, or any part thereof, has not been paid for, then and in that case the said court shall render a judgment in favor of claimants for the said service so rendered and not paid for at the rate of compensation provided for in the said contract, any statute of limitations, receipt, or acquittance to the contrary notwithstanding, deducting therefrom the sum of \$375, one month's extra pay received by the claimants.

Mr. McMILLIN. Is there a report?

Mr. McMILLIN. Is there a report?
Mr. SPRINGER. I have given this case personal attention, and

upon examination think it is one that ought to pass.

Mr. WARNER, of Ohio. The report ought to be read.

The SPEAKER. The Clerk will read the report.

The report (by Mr. FLEEGER) is as follows:

The committee have heretofore considered and reported favorably a bill the same in substance as this Senate bill. (See House bill No. 9123, Report No 2695.)

The committee therefore report back this bill (S. 2530) with the recommendation that the same do pass.

Mr. WARNER, of Ohio. That is not a report which gives any satisfactory information.

The SPEAKER. There is another quite lengthy report, which the Clerk will read if there be no objection.

Mr. REAGAN. I object.
Mr. MCMILLIN. I object to the bill, unless we can have some statement about it. It is twenty-eight years old, and we certainly ought to have some reason given for this delay.
Mr. FLEEGER. This was a mail-route from Pittsburgh to Erie, Pa.,

one of the most important mail-routes in the State, passing through the county towns of Butler, Mercer, and Meadville. The mail had been carried six times a week for many years on that route. In 1859, owing

to a failure of an appropriation for the Post-Office Department, the service was curtailed from six times to three times a week. This caused considerable dissatisfaction along the route, and Judge Church, at the request of those interested in a daily mail, came to Washington, saw the President and Postmaster-General, and the Postmaster-General agreed that the mail should be delivered to the contractor and carried six times a week as usual, the contractor trusting to an appropriation by Congress for the payment of the extra three times a week which the service had been curtailed. And so the contractor went on and performed the service six times a week and only received the pay for three times a week. The Postmaster-General recommended the payment for the extra service, but the war came on and the contractor was never

This bill provides that the representatives of the estate shall go to the Court of Claims, and if they can show this service was rendered and that the contractor was not paid for it, they shall receive the amount.

Mr. McMILLIN. Does this simply propose to send them to the

Court of Claims?

Mr. FLEEGER. That is all.

The SPEAKER. Is there objection to the present consideration of

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. FLEEGER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

CREDIT TO DISTRICT OF COLUMBIA.

Mr. HEMPHILL. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill (S. 1854) authorizing the Treasurer of the United States to credit the District of Columbia with certain moneys in lieu of investing the same in bonds, and that the same be now considered.

The bill was read.

Mr. HOLMAN. This is a bill of some length and some importance. hope a word of explanation will be permitted, the right to object

Mr. HEMPHILL. I can explain it in two minutes.

Mr. REAGAN. I have no objection to the consideration of the bill if it can be acted upon after two minutes' explanation. But if it shall cause more debate than that I shall insist on it being withdrawn.

Mr. HEMPHILL. This involves a good deal of money to the District of Columbia and the United States. Under the law as it now stands there is a certain sinking fund established here for the retirement of the bonds of the District of Columbia. These bonds, almost all of them 6 and 7 per cent. bonds, have been held in Germany, and are at a very high premium. If we buy these bonds we have to buy them at a premium. They will soon be payable without the premium. It is desired to get the permission of Congress to hold this fund which is being paid by the District of Columbia until the bonds mature instead of paying the premium on them, as will be necessary if they are pur-chased now in open market. That is one class of bonds.

There is another class of bonds. Every contractor in this District who undertakes to do any public work must put 10 per cent. of the contract price in the Treasury to save the Government harmless. That money has to be converted into United States bonds. Those bonds are at a high premium. They are falling in price as they mature. And the question arises whether it is right to take these people's money and put it in bonds of the United States when they are liable to lose the premium and the United States will pay them in a few years nothing but the principal. All we desire is that the money these people put in shall be held by the Treasury, and that they shall have interest upon it the same as we pay on the bonds. It will save the loss to the contractors or the loss to the Government of paying the difference between the premium at which they have now to buy the bonds and the face value of the bonds.

Mr. HENDERSON, of Iowa. Mr. HEMPHILL. In 1891. When do these bonds mature?

Mr. WARNER, of Ohio. I should like to know what gain is there in locking up the money in the Treasury, deriving no interest from it and waiting until these bonds mature. They certainly can be bought and waiting until these bonds mature. They certainly can be bought at rates a little better than that for the Government; and then the money, instead of being locked up, will be out in circulation. I certainly must object to a proposition of that kind.

In the second place, it seems to be proposed to have the Government pay interest on this money deposited in the Treasury. We are not in want of money there. We are not paying interest on deposits in the

public Treasury.

Mr. HEMPHILL. I will state to the gentleman that only 1½ per cent. of the interest will be paid by the Government. The District of Columbia pays the other 1½ per cent. The case as it stands now is just the premium or the contractors must lose it.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WARNER, of Ohio. I must object,

PUBLIC BUILDING, SPRINGFIELD, MASS.

Mr. ROCKWELL. I ask unanimous consent that the Committee of the Whole on the state of the Union be discharged from the further consideration of Senate bill 263, providing for the erection of a public building at Springfield, Mass., and that the bill be put upon its passage.

The SPEAKER. The bill will be read, after which the Chair will

ask for objections.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the United States post-office, internal-revenue office, and other Government offices, at the city of Springfield, Mass. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$150,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Massachusetts shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The Committee on Public Buildings and Grounds recommended an amendment; which was read, as follows:

After the word "dollars," in line 12, insert:

"Nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited, after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of \$150,000 for site and building.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BRECKINRIDGE, of Arkansas. I wish to ask the gentleman from Massachusetts one or two questions about this bill. Have you a

port at this place? Mr. ROCKWELL. We have not. I would state to the House that we have no public building in Massachusetts west of Boston. This is in the western part of the State.

Mr. BRECKINRIDGE, of Arkansas. I am talking about the neces-

sity for the building, not about the location.

sity for the building, not about the location.

Mr. ROCKWELL. As to the necessity, there is a letter from the Secretary of the Treasury, written in reply to a letter from the Committee on Public Buildings and Grounds, showing that they need for the post-office at Springfield double the space they now have at command, although they occupy one of the large stores in the city.

Mr. SPRINGER. What rent do they pay?

Mr. ROCKWELL. They pay \$2,300 rent now, but, as this letter shows, they will be obliged before long to pay a rent of \$4,500. Then the rent of the internal-revenue office is \$300 additional, making altographs more than 3 per cent, upon the amount asked.

the rent of the internal-revenue office is \$300 additional, making altogether more than 3 per cent. upon the amount asked.

Mr. BRECKINRIDGE, of Arkansas. You are asking for a customhouse also at this place, I believe.

Mr. ROCKWELL. We are not asking for a custom-house, because the President has vetoed the bill making Springfield a port of delivery, and that is not included and never has been included in this bill. Springfield is a city of 40,000 people.

It is the largest city in Western Massachusetts.

Mr. HOLMAN. It appears that this bill is for a post-office and internal-revenue office only, and I suggest to the gentleman from Massachusetts [Mr. Rockwell] that \$150,000 is a larger sum than is required for a building there for those purposes. I think that \$100,000

would be ample.

Mr. ROCKWELL. The original bill was for \$200,000. A letter was written to the Treasury Department in regard to the very question which the gentleman from Indiana now raises, and the reply was that which the gentleman from Indiana now raises, and the reply was that the site could be obtained and the building constructed for about \$150,000, provided the site could be bought for \$40,000 or \$50,000. Now, unfortunately, in our little manufacturing cities of Massachusetts we can not buy ground as cheaply as it can be bought in other parts of the country, and I think \$50,000 is a fair and reasonable amount for the site, while in the judgment of the Treasury Department \$100,000 will be required for a building adequate for the accommodation of the public business at that point.

Mr. BRECKINRIDGE, of Arkansas. The present rent, you say, is

\$2,300.

Mr. ROCKWELL. That is the present rent, but the Secretary of

the Treasury says they will soon be required to pay a rent of \$4,500.

Mr. HOLMAN. I wish to suggest to my friend from Massachusetts

[Mr. ROCKWELL] that one great trouble in regard to these public buildings arises from the extravagant notions of the Supervising Architect of the Treasury. Every communication that comes to us from that quarter in regard to the cost of a public building favors the largest figure,

and the result is that only a few towns, comparatively, can have public

buildings because of their great cost.

Mr. HENDERSON, of Iowa. This is \$50,000 less than the Super-

vising Architect recommends. The SPEAKER. The bill is not yet before the House for considera-

Mr. WOLFORD. I object.

Mr. BRECKINRIDGE, of Arkansas. I suggest to the gentleman from Massachusetts [Mr. ROCKWELL] that he reduce the amount \$50,000.

Mr. ROCKWELL. Of course I shall have to do anything that gentlemen ask that is proper.

Mr. BRECKINRIDGE, of Arkansas. Well, then, do it.

Mr. ROCKWELL. What andiana [Mr. HOLMAN] suggest? What amount would the gentleman from In-

Mr. HOLMAN. I understand, Mr. Speaker, that some of the friends of this measure have suggested that the appropriation be reduced \$25,-000, making the amount \$125,000.

Mr. ROCKWELL. I will accept that.

The SPEAKER. Does the gentleman from Kentucky [Mr. Wolford] insist upon his objection?

Mr. WOLFORD. I withdraw it.

The amendment recommended by the Committee on Public Buildings and Grounds was agreed to, and also the amendment reducing the total amount appropriated from \$150,000 to \$125,000.

The bill as amended was ordered to a third reading; and it was ac-

cordingly read the third time, and passed.

Mr. ROCKWELL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

Mr. REAGAN. I call for the regular order.

PRINTING AGRICULTURAL REPORTS.

Mr. REID, of North Carolina. Mr. Speaker, I desire to present some privileged reports from the Committee on Printing. I am instructed by the Committee on Printing to report back the House resolution (H. Res. 201) providing for the printing of the reports of the Commissioner of Agriculture with the recommendation that the House non-concur in the amendment of the Senate and agree to a conference.

The report was agreed to.

The SPEAKER. During the day the Chair will appoint the managers on the part of House.

REPORT ON PRODUCTION OF PRECIOUS METALS.

Mr. REID, of North Carolina. The concurrent resolution of the House to print the report of the Director of the Mint on the production of precious metals in the United States has been returned from the Senate with amendments, accompanied with a request for a conference. I ask that the Senate amendments be non-concurred in and the request for a conference granted.

There being no objection, it was ordered accordingly.

The SPEAKER. The Chair will appoint during the day the confereees on the part of the House.

PRINTING OF PRIVATE BILLS.

Mr. REID, of North Carolina, from the Committee on Printing, reported back favorably the following resolution; which was considered and adopted:

Resolved, That the Public Printer be directed to inform the House as to the cost of printing the private bills (including what is known as Calendar print) of the House of Representatives during the present session.

Mr. REID, of North Carolina, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

IMPRISONMENT OF JULIO R. SANTOS.

The SPEAKER. When the Chair a day or two ago laid before the House a message from the President of the United States, with certain papers transmitted from the State Department, in relation to the imprisonment of Julio R. Santos, the papers were not ordered to be printed, the Chair calling attention at the time to the fact that they were voluminous. Upon examination of the papers by the Committee on Foreign Affairs, to which they were referred, it is thought that they ought to be printed. If there be no objection the order for printing will be

There was no objection, and it was ordered accordingly.

CORRECTION OF A VOTE.

Mr. PARKER. Upon the vote taken on the 1st of February (current Record, page 989, permanent Record, page 1046) on the resolution of the gentleman from Indiana [Mr. Matson] to suspend the rules and pass with an amendment the bill (H. R. 545) known as the widows' pension bill I am recorded as not having voted. I am conscious of having voted in the affirmative on that question. My recollection is confirmed by the fact that my colleague [Mr. TIMOTHY J. CAMP-BELL], when his name was called, voted in the negative, and in passing down the aisle I called his attention to the fact that I thought he had made a mistake in so voting. When the roll-call was concluded he asked for the reading of the list, and afterward said:

I desire to ask the Chair for my personal information if the resolution offered by the gentleman from Indiana [Mr. Marson] now under consideration is on the

by the gentleman from Indiana [Ar. MAYSON] now under consideration is on the passage of the bill?

The Speaker. If that resolution is adopted the bill is passed.

Mr. TIMOTHY J. CAMPBELL. I did not so understand it, and desire to say that I have voted in the negative, but under no circumstances would I vote against the soldier or the soldier's widow, and therefore change my vote from the negative. ative to the affirmative.

That correction was made by the gentleman upon my suggestion, after I had voted in the affirmative, he changing his vote to the same side of the question; and he recollects the matter as I do. The SPEAKER. The correction will be made.

SUFFERERS BY OVERFLOW IN SOUTH CAROLINA.

Mr. SMALLS addressed the Chair. Several MEMBERS. Regular order.

Mr. SMALLS. Consent has been given that the call for the regular order be withdrawn for a moment to allow me to introduce a joint resolution for reference to the Committee on Appropriations

The SPEAKER. If the gentleman will send the resolution to the

desk it will be referred.

Mr. SMALLS. I ask that the resolution be read. The SPEAKER. The Chair does not understand that the demand for the regular order is withdrawn for the purpose of having the reso-

Intion read, but only to have it referred.
Mr. SMALLS. I ask that it be printed in the Record, as it is very

important.

Mr. TAULBEE. I hope the request to have the resolution printed in the RECORD will be granted.

There being no objection, the joint resolution (H. Res. 210) for the relief of the sufferers by the overflow of the Santee, Pedee, and Waccamaw Rivers in South Carolina was introduced, read a first and second time, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Whereas in consequence of the overflow of the Santee, Pedee, and Waccamaw Rivers in South Carolina, and the inundation of the adjacent country, great loss, destitution, and suffering have been inflicted upon the people residing in said localities; and

calities; and
Whereas large numbers of said people are in danger of starvation unless relief is immediately afforded: Therefore,
Be it resolved by the Senate and House of Representatives, &c., That the sum of
\$100,000 is hereby appropriated out of any money in the Treasury not otherwise
appropriated, the same to be immediately available, to be expended by and under the direction of the Secretary of War in the purchase and distribution of subsistence, stores, and other necessary articles to aid in the relief of destitute persons in the districts recently overflowed by the Santee, Pedee, and Waccamaw
Rivers in South Carolina; and he is authorized to co-operate with the authorities of said State and of the towns situated in said overflowed districts in making distribution of the same.

ties of said State and of the towns situated in said overflowed districts in making distribution of the same.

SEC. 2. That the Secretary of War be authorized, in his discretion, to use any steamer and other boat and vessels belonging to or now employed by the Government, or so many thereof as may be necessary, in the transportation and distribution of the rations and supplies furnished by the United States or individuals to the sufferers by the recent overflow of said rivers; the expense of manning, equipping, and navigating such steamers and boats to be defrayed out of any moneys in the Treasury not otherwise appropriated, which necessary sum is hereby appropriated for that purpose.

ORDER OF BUSINESS.

Mr. GOFF. On Friday last an order was made by the House that to-day, immediately after the reading of the Journal, a vote should be taken upon the bill (S. 838) granting a pension to General Benjamin I ask that the order of the House may now be carried out.

Mr. REAGAN. I submit that the agreement made yesterday by

unanimous consent should be executed.

Mr. GOFF. This will take but a moment. The previous question has been ordered.

Mr. BAYNE. There will be no debate.

Mr. CONGER. The same order was made in regard to the bill (S. 1852) granting a pension to Mrs. Jane R. McQuaide.

The SPEAKER. The bill mentioned by the gentleman from Iowa [Mr. CONGER] is in the same position as the bill named by the gentleman from West Virginia [Mr. GOFF], and is first in order.

Mr. CONGER. I desire to have that bill voted on.

The SPEAKER. It appears that both of these bills after the previous question had been ordered were postponed until to-day, but the Chair thinks that under the order made yesterday by unanimous consent, unless that order be waived by unanimous consent, the consideration of the pension bills returned to the House by the President with his objections must be proceeded with until their consideration is completed.

Mr. REAGAN. I must object to anything that will occupy the time of the House to the exclusion of the important measure relating to in-

terstate commerce.

Mr. GOFF. It will take but a moment to get through with these. Mr. REAGAN. I am sure when these come before the House they will lead to debate, and therefore I must object.

Mr. GOFF. They will be in order after the regular order has been

disposed of to-day anyhow.

Several members demanded the regular order.

The SPEAKER. The bills will come up afterward.

The Clerk will report the first bill called up under the arrangement made on yesterday.

MARY NORMAN.

The Clerk read as follows:

A bill (H. R. 6192) granting a pension to Mary Norman, with veto message of e President.

Mr. JOHNSTON, of Indiana. Before going into the consideration of that bill I ask unanimous consent that members having committee reports may file them with the Clerk.

Mr. REAGAN. I can not consent to that.

The SPEAKER. It is not intended, as the Chair understands the request, that the committees shall be called.

Mr. BLAND. I object, and demand the regular order.
The SPEAKER. The Clerk will report the bill and the message of the President vetoing it.

The bill (H. R. 6192) granting a pension to Mary Norman was read at length.

Mr. MATSON. If no gentleman desires to take the floor in behalf of this bill I shall ask the previous question.

We must have some explanation before Mr. WARNER, of Ohio. we vote.

Mr. BROWNE, of Indiana. If I am recognized I shall ask to have read the report of the Committee on Invalid Pensions as a part of my I am advised that the last report filed by the committee embodies all the material facts in the case.

The SPEAKER. The report will be read.

The SPEAKER. The report will be read.

The Clerk proceeded to read the report.

Mr. SMALLS. Mr. Speaker, Mr. O'HARA, the member of the Committee on Invalid Pensions who made the report, is absent. He has prepared himself for this case and one other case which he reported; and I would ask the chairman of the committee to let this matter go over until his return. I do not know when he will get back.

The SPEAKER. The gentleman has the right to move to postpone its further consideration.

Mr. MATSON. If the gentleman will move to postpone until the fifth day of the next session I think it will be satisfactory.

Mr. SMALLS. I thought it would expedite business to see whether the chairman had any objection to it or not. I will move to postpone

Mr. MATSON. I will object to that. If it is to be postponed it must be postponed to a day certain, because these bills ought not to stand here to interfere with the regular progress of ousiness. They are now to be considered under the order unanimously made on yesterday, and should be finally disposed of.

Mr. BROWNE, of Indiana. I will take the responsibility of moving that it be postponed until the first Wednesday in the next session.

The SPEAKER. It is not necessary to fix a day; it can be called up

at any time.

Mr. SMALLS. Then I move that it be postponed until the next session

The motion was agreed to.

MRS. MARIA HUNTER.

The Clerk will report the next pension bill, with The SPEAKER. the veto message of the President.

The Clerk read as follows:

A bill (H. R. 7167) for the relief of Mrs. Maria Hunter.

The bill was read at length.

The SPEAKER. Under the order of the House twenty minutes are

allowed for debate, ten on each side. Mr. WARNER, of Ohio. I do not wish to take up any time of the

House, but think we should have some explanation of this bill, enough to guide us in our votes upon it. I will ask for the reading of the re-

port.

The SPEAKER. It will be considered as read in the time of the gentleman from Ohio.

Mr. BROWNE, of Indiana. Does the gentleman rise to support the

Mr. WARNER, of Ohio. I think we should have the veto message The SPEAKER. Within the ten minutes allowed for debate the gen-

tleman can have the report read. The Clerk will read the veto message of the President and the report

of the Committee on Invalid Pensions. The Clerk proceeded to read the message and report.

Mr. BURROWS. I rise to a question of order. I do not see how gentlemen can vote on these matters and not listen to them.

The SPEAKER. The point of order is well taken; and the Chair will again appeal to gentlemen on the floor to cease conversation so that the proceedings at the Clerk's desk may be heard. It is useless to read

these documents unless they can be heard by members.

Mr. WARNER. of Ohio. I withdraw the demand for the reading of the report, and will ask to have the President's message read.

The SPEAKER. The Clerk has just read it.

Mr. HOLMAN. I think the report ought to go into the RECORD. Mr. WARNER, of Ohio. There is a minority report in this case. If

it can be printed in the RECORD—
The SPEAKER. The Chair will state that the bill, the veto message of the President, the report of the Committee on Invalid Pensions, and the views of the minority have all been printed in the RECORD.

Mr. WARNER, of Ohio. Very well.

It seems this pension was vetoed because the case was then pending

in the Pension Office. I understand that a pension has since been allowed to the full amount provided under the pension laws, namely,

I fully concur with the President that this is not a case which calls

Mr. BUTTERWORTH. May I ask the gentleman from Ohio a ques-

Mr. WARNER, of Ohio. Yes, sir.
Mr. BUTTERWORTH. Did you or did you not vote to allow to the widows of the several generals who have deceased since the war or who deceased during the war pensions of \$50 a month?

Mr. WARNER, of Ohio. I have voted uniformly against all of these \$50 pension bills. I voted against pensioning by special act in such cases. I have been in favor of leaving them all under the general law.

Mr. BUTTERWORTH. Did you or did you not vote against pen-

sioning the widow of General Hancock?

WARNER, of Ohio. I voted against it. I am on the record in all those cases, and I shall vote in this case against the bill and to sus-

tain the President's veto.

Mr. BUTTERWORTH. I wish I could be induced to believe that the only reason for refusing to the widow of Major-General Hunter the pension proposed in this bill, \$50 a month, was the same that operated on the minds of gentlemen when casting their votes upon the several bills that have passed this House and been approved by the President, granting \$50 per month to the widows of other generals who have deceased since the war. This House voted to the widow of General Hancock a pension of \$2,000 a year. It was very properly done. I voted for it, and very cheerfully. And the President of the United States signed the bill without any compunctions of conscience, so far as we were able to observe.

Major-General Hunter, beyond any question, was an officer of consummate ability, who served his country faithfully and well prior to, during, and after the rebellion. He is dead after more than forty years' service as a soldier. The claim of his widow does not differ from the claims of widows of other general officers who have been voted \$50 a month,

and in some instances much more.

May I ask the gentleman from Ohio a question?

Mr. BUTTERWORTH. Yes, sir.
Mr. MATSON. Do you know the circumstances of Mrs. Hunter? Mr. BUTTERWORTH. That has nothing to do with it. But I do not know what they are. She has applied for a pension.

Mr. MATSON. It has always had to do with it heretofore. Mr. BUTTERWORTH. Not at all. General Hancock drew his pay, from \$10,000 to \$13,000 a year, ever since the war. If his family was not left in comfortable circumstates it was the fault of the administration of his financial affairs and not due to the inadequacy of his pay. I only refer to this to indicate to the House that General Hancock had ample opportunity to provide for his widow. I do not refer to it as a criticism upon the action of Congress in voting his widow a pension of \$2,000 a year. Very far from it. The action of Congress was most commendable. I am desirous to know why the widow of General Hunter is thus discriminated against. Why is she singled out and her claim spurned? I submit to this House the trouble is that General David Hunter was president of the court-martial before which General Fitz-John Porter was tried. If Major-General Hunter had not acted as president of that court I am constrained to believe that the bill which passed this House granting a pension of \$50 per month to his widow would to-day have been a law. The President would, I think, have approved the bill. No objections would have been raised at the Pension Office, where manifestly the reasons for each veto is provided. It seems to be the fixed purpose of the Pension Office to interpose every possible objection which can operate to prevent an applicant who has been rejected by that office from obtaining relief through Congressional action. The President has relied, and naturally enough, upon the Pension Office for the facts, and in the main the reasons for each veto. The facts have not always been placed before the President, and the reasons have in most cases not been such as to commend them to the favor of the members here who voted for the vetoed bills. The only reason given in this case is that Mrs. Hunter has an application pending in the Pension Office. I will consider that objection in a moment.

If any soldier ever deserved well of his country General Hunter did. But for the fearless discharge of his duty-and a delicate duty it was his widow has been refused the pittance of \$50 a month, which has been granted to the widows of his comrades-in-arms. The other evening gentlemen were content to vote \$100 a month to General Kelley. It was a proper thing. I do not find fault with it. It was a just recognition of the services of a meritorious officer, who is old and at the

very sunset of life.

A MEMBER. It was not voted.

Mr. BUTTERWORTH. Gentlemen were ready to vote it. It passed the committee.

I submit it is only even-handed justice, without regard to the financial condition of Mrs. Hunter, to which attention has been called, to grant this pension. It is for her to decide whether or not she needs and will accept this recognition by the Republic of the services rendered by her husband to the country. The same reason which would induce us to refuse \$50 a month to Mrs. Hunter were present to operate against our granting similar amounts to widows of other general officers who have been given pensions of \$50 or \$100 per month.

Mr. HALL. Will the gentleman yield to me for a question?

Mr. BUTTERWORTH. Yes, sir.

Mr. HALL. Has not Mrs. Hunter seen proper to submit to the jurisdiction of the Pension Department and made her application there?

Mr. BUTTERWORTH. Undoubtedly; the record shows that she

has; and so did other widows to whom an increase of pension has been granted by Congress.

Mr. HALL. Has she asked that her case should be taken away from that Department? Her application is based on an entirely different

principle

Mr. BUTTERWORTH. No, sir; her case does not differ from others.
All rest upon the justice and generosity of this Republic in recognizing the heroic services of the officers who are dead, and whose widows are cared for by the Government. Mrs. Hunter's case differs in nothing from those upon which this House has passed so often. She is not a petitioner to this House to ask that the Government recognize the splendid services of her husband. Nor has any widow done so to my knowledge. They have waited, and, except Mrs. Hunter, not in vain, for the Government to do that which is eminently just.

Mr. TAULBEE. Do I understand the gentleman to say that General Hancock drew \$12,000 or \$15,000 a year?
Mr. BUTTERWORTH. He drew the pay of major-general, which, with perquisites or commutation, is, I undertand, about \$13,000.

Mr. TAULBEE. I understand his pay was \$7,500.

Several Members. And the perquisites.

Mr. BUTTERWORTH. I do not know what my friend's understanding is, but General Hancock drew the pay of a major-general, which was large; not too large, not too full. And do not understand me as complaining that the Republic in recognizing the services of that heroic officer made any mistake in granting to his widow a pension of \$2,000 a year. On the contrary, I did and do now most heartily approve what Congress did. But it is a mystery to me why this marked discrimination should be made against the widow of General Hunter.

Mr. TAULBEE. I only wanted to know—
Mr. BUTTERWORTH. I am at a loss to know how it is that when the widow of the personal friend and the comrade-in-arms of General Hancock, who rendered as heroic service, though possibly not in as wide a field of action—when the widow of Major-General Hunter comes here and asks for a pension of \$50 a month we can consistently refuse to grant the pension after we have just voted to General Hancock's widow more than \$166 a month. There are many precedents to general pension; few, if any, for the refusal to do so.

Mr. TAULBEE. I am against them both. I only wanted to know how very naughty a thing you helped to do.

Mr. BUTTERWORTH. I repeatagain I have not claimed that voting more than \$166 a month. There are many precedents for granting the

\$2,000 to the widow of General Hancock was wrong. It was not wrong. But I like consistency. If we could vote \$166 per month to the widow of one gallant major-general we could with good grace vote as much as \$50 per month to the widow of another major-general whose services extend over near half a century

Mr. TAULBEE. Well, I did not vote for that, and I will not vote

Mr. BUTTERWORTH. You are nearly always right, but you are wrong now

Mr. ELDREDGE. The gentleman from Ohio says that this bill was vetoed because General Hunter was president of the court-martial which convicted Fitz-John Porter. How does he or any gentleman here know

whether General Hunter voted for that conviction or not? Mr. BUTTERWORTH. I only know that he was the president of the court-martial which found that Fitz-John Porter had been guilty of dereliction of duty. I only know that he has been denounced for his course on that trial by those who espoused the cause of General Porter, and that it has been assumed that he voted for conviction. Whether he did so or not I do not know, because the proceedings of courts-mar-

tial are under the law kept secret, or supposed to be.

Mr. ELDREDGE. Exactly.
Mr. BUTTERWORTH. But when two cases are presented as here that are on all fours, substantially alike in every respect, I can not understand why we make fish of one and flesh of the other. have the cases of the widows of two officers of equal rank, equally heroic, equally deserving, I can not understand how this House can spurn the one from its door, refusing her even \$50 a month, while voting the other \$2,000 a year. There must be some reason for it aside from the merits of the officers and of the claims of their widows. What is that reason?

Mr. WARNER, of Ohio. Mr. Speaker, there is no question here at

all of General Hunter's ability or of his faithful service to his country an of General Hunter's ability or of his faithful service to his country—none at all. I, for one, have steadily voted against giving to the widow of any officer who died of old age a larger pension than the law allows to the widow of an officer who gave his life on the battlefield. That is the principle upon which I have voted, and upon that principle I shall vote against this bill. Besides that, the circumstances of the widow do make a difference. Whether that consideration ought to make any difference or not it does, and in the case of a gratuity it ought to make a difference. If it was a question of right under the law then the case would be different, but this is purely a gratuity, and the question whether the widow is in need or not may properly be considered in such a case.

Mr. BUTTERWORTH. I want to call attention to the fact that the gratuity or pension is voted in recognition of the heroic service of the officer, and I am not aware that it was ever suggested that Mrs. Hunter is refused the pension of \$50 per month because she is not threatened with starvation. It is a provision which the Government is accustomed to make for the widow of an officer whose services to the country have been great.

een great. You may call it by whatsoever name you will Mr. WARNER, of Ohio. Then let it come in the form of a testi-

mr. WARNER, of Onio. Then let it come in the form of a testimonial of some kind; not in the form of a pension.

Mr. BOUTELLE. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. BOUTELLE. I rise to speak-to this question.

The SPEAKER. The time for debate has expired.

Mr. BOUTELLE. I submit that it is hardly fair, Mr. Speaker, to count in the ten minutes on this side the long speech of the gentleman

from Ohio [Mr. WARNER].

The SPEAKER. The Chair did not. The Chair counted that in opposition to the bill. The gentleman from Ohio [Mr. WARNER] occupied nearly all his time in having the report read.

Mr. BOUTELLE. Surely, Mr. Speaker, the gentleman from Ohio [Mr. BUTTERWORTH] has not occupied ten minutes.

The SPEAKER. The Chair understands that he has.

The SPEAKER. The Chair understands that he has.

Mr. BUTTERWORTH. I told my friend [Mr. BOUTELLE] that I would yield him some time, but of course I have not observed how long I have been speaking.

The SPEAKER. The question is, Shall this bill pass, the objections of the President to the contrary notwithstanding?

Mr. BOUTELLE. Mr. Speaker, in view of the course this debate has taken I ask unanimous consent that I may have two or three minutes to call attention to the wording of the President's message. Mr. REAGAN. I object.

Mr. WARNER, of Ohio. The message is in the RECORD and speaks for itself.

Mr. BOUTELLE. I want to call attention to the fact that the President put his veto simply on the ground that the case is in the Pension

Office, where they can grant only \$30 a month.

Mr. SMALLS. Mr. Speaker, I would ask the chairman of the committee, if he is not going to use his time, to give me two minutes.

[Cries of "Regular order!"]

The SPEAKER. The regular order is insisted on. The time for debate on both sides is exhausted. The question is, Shall this bill pass, the objections of the President to the contrary notwithstanding? Upon this question the Constitution requires that the yeas and nays shall be

The question was taken; and there were-yeas 111, nays 108, not voting 103; as follows:

YEAS-111. Allen, C. H. Atkinson, Bayne, Bound, Boutelle, Lyman, Markham, Sessions, Smalls, Spooner, Stahlnecker, Fuller, Funston. Maybury, McComas, McKenna, Gilfillan, Glover, Goff, Stephenson, Brady, Browne, T. M. Brown, W. W. Buck, Bunnell, Grout, Merriman, Millard, Strait. Harmer, Struble Millard, Moffatt, Morrill, Negley, Nelson, O'Neill, Chartes Osborne, Owen, Parker, Payne, Perkins, Peters, Hayden, Henderson, D. B. Swinburne, Swope, Swope, Symes, Tarsney, Taylor, Zach. Thomas, O. B. Thompson, Viele, Wade, Wait, Hepburn. Hermann, Hiestand, Hires, Hiscock, Hitt, Hopkins, Jackson, James. Burleigh, Burrows, Butterworth, Campbell, J. E. Campbell, J. M. Cannon. Carleton, Comstock, Conger, Cooper, Davis, James, Johnson, F. A. Johnston, J. T. Wakefield, Warner, William Weaver, A. J. Weber, Peters, Pettibone, Pirce, Plumb, Kelley, Ketcham. Price, Rice, Rockwell, Romeis, Rowell, Ryan, Seney West, White, A. C. Whiting, Wolford, Dorsey, Eldredge, La Follette, Laird, Landes, Lindsley, Eldredge, Ely, Evans, Everhart, Fleeger, Foran, Woodburn, Worthington. Little, Long, Seney,

NAYS-108.

Blount, Caldwell, Breekinridge, C. R. Campbell, T. J. Breekinridge, WCP. Catchings, Burnes, Burnes, Clardy, Clardy, Clements, Cabell, Cowles, Adams, J. J. Barnes, Barry, Belmont

Cox, Crisp, Croxton, Culberson, Daniel, Dargan,

Hewitt,
Holman,
Howard,
Hudd,
Hutton,
Irion,
Johnston, T. D.
Jones, J. H.
Jones, J. T.
Kleiner,
Laffoon,
Lanham,
Lawler, McMillin, McRae, Mitchell, Shaw, Singleton, Skinner, Davidson, A. C. Dockery, Dougherty, Mitchell,
Morgan,
Morrison,
Muller,
Murphy,
Neal,
Neece,
Norwood,
Oates,
O'Ferrall,
O'Neill, J. J.
Outhwaite. Skinner,
Snyder,
Snyder,
Sowden,
Springer,
Stewart, Charles
St. Martin,
Stone, W.J. W.Y.
Taulbee,
Townshend,
Trigg,
Van Eaton,
Wallace. Dowdney, Dunn, Eden, Fisher, Forney, Frederick, Gay, Geddes, Glass, Glass, Green, W. J. Hall, Halsell, Harris, Hatch, Lawler. Wallace, Ward, J. H. Ward, T. B. Warner, A. J. Weaver, J. B. Wheeler, Wilkins, Wise Le Fevre, Outhwaite, Peel, Perry, Pindar, Lore, Lovering, Lowry, Martin, Heard Reagan, Richardson, Hemphill, Henderson Herbert, Matson, McAdoo, McCreary, Riggs, NOT VOTING-103. Curtin, Cutcheon, Davenport, Davidson, R. H. M. Sawyer, Scott, Scranton, Adams, G. E. Hill Aiken, Allen, J. M. Anderson, C. M. Anderson, J. A. Holmes Houk, Houk, King, Lehlbach, Libbey, Louttit, Mahoney, McKinley, Miller, Milliken, Mills, Morrow, O'Donnell, O'Hara, Payson Seymour, Springs, Springs, Steele, Stewart, J. W. Stone, E. F. Stone, W. J., Mo. Dawson, Dibble, Dingley, Dunham, Arnot, Baker, Ballentine, Barbour, Barksdale, Ellsberry. Ermentrout. Storm. Storm, Taylor, E. B. Taylor, I. H. Taylor, J. M. Thomas, J. R. Throckmorton, Beach, Bingham, Blanchard, Farquhar, Felton, Findlay, Ford, Bliss, Gallinger, Gibson, C. H. Gibson, Eustace Green, R. S. Grosvenor, Boyle. Boyle,
Bragg,
Brown, C, E.
Brumm,
Buchanan,
Campbell, Felix
Candler,
Caswell,
Cobb,
Collins,
Compton,
Crain, Payson, Phelps, Pideock, Randall, Tillman, Tucker, Turner, Van Schaick, Guenther,
Hale,
Hammond,
Hanback,
Haynes,
Henderson, T. J. Ranney, Reed, T. B. Reid, J. W. Wadsworth, Wellborn, White, Milo Willis, Wilson, Winans. Reese, Robertson, Rogers, Sadler, Henley,

So (two-thirds not voting in the affirmative) the bill was not repassed. Mr. GIBSON, of Maryland. I was called outside of the Hall during the vote, and though at the door, was not within the Hall in time to vote. I desire to state that I would have voted "no."

On motion of Mr. BAYNE, by unanimous consent the reading of the

names was dispensed with.

The following-named members were announced as paired until further notice:

Mr. Anderson, of Ohio, with Mr. Grosvenor. Mr. Taylor, of Tennessee, with Mr. Ike H. Taylor. Mr. Miller with Mr. Buchanan.

Mr. WELLBORN with Mr. PHELPS. Mr. CANDLER with Mr. LOUTTIT.

Mr. HAMMOND with Mr. O'DONNELL.

Mr. THROCKMORTON with Mr. WADSWORTH.

Mr. REESE with Mr. ADAMS, of Illinois.

Mr. STORM with Mr. DUNHAM.

Mr. Rogers with Mr. EZRA B. TAYLOR.

Mr. Robertson with Mr. Steele.

Mr. DIBBLE with Mr. MILLIKEN.

Mr. Hill with Mr. Houk. Mr. Sadler with Mr. Van Schaick. Mr. Tucker with Mr. Stewart, of Vermont.

Mr. BARBOUR with Mr. LIBBEY. Mr. BRAGG with Mr. CASWELL.

Mr. Barksdale with Mr. Davenport. Mr. Dawson with Mr. Ranney.

Mr. ARNOT with Mr. THOMAS, of Illinois.

Mr. DAVIDSON, of Florida, with Mr. GALLINGER. Mr. McKinley with Mr. Mills.

The following-named members were announced as paired for this day:

Mr. KING with Mr. BAKER.

Mr. Gibson, of West Virginia, with Mr. Hanback. Mr. Randall with Mr. Harmer.

The following-named members were announced as paired on this vote:

Mr. WILSON with Mr. HAYNES.

Mr. Green, of New Jersey, with Mr. Anderson, of Kansas.
Mr. Turner with Mr. Reed, of Maine. Mr. Turner would vote
no," and Mr. Reed, of Maine, "ay."
The following pairs were also announced:
Mr. Willis with Mr. Stone of Messachusetts, on all votes mon

Mr. WILLIS with Mr. STONE, of Massachusetts, on all votes upon vetoes of pension bills.

Mr. BLANCHARD with Mr. HENDERSON, of Illinois, for this day. Mr. RANDALL. I have voted in the negative, but desire to with-

draw my vote, as I find I am paired with my colleague, Mr. HARMER, who if present would vote "ay." The result of the vote was announced as above stated.

PUBLIC BUILDING AT SPRINGFIELD, MASS.

The SPEAKER. The House this morning, upon motion of the gentle-

man from Massachusetts [Mr. ROCKWELL], considered and passed a bill authorizing the construction of a public building at Springfield, Mass. By agreement the amount originally stated in the bill was reduced from \$150,000 to \$125,000. Those figures occurred twice in the bill; but the clerk made the change in only one place. The Chair thinks the understanding upon both sides of the House was that the amount should be reduced wherever it occurred, as it is the same sum and for the same purpose. If there be no objection the correction will be made before the bill is sent to the Senate.

There was no objection.

JOHN W. FARRIS.

The SPEAKER. The Clerk will report the next vetoed pension bill to be voted on under the order of the House.

The Clerk read as follows:

A bill (H. R. 6136) granting a pension to John W. Farris.

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pension of John W. Farris, late first lieutenant and adjutant of the Forty-eighth Illinois Volunteers, for disease of eyes, subject to the provisions and limitations of the pension laws.

Mr. BLAND. Mr. Speaker, this is a bill introduced by myself. I am aware that the ten minutes allowed for debate would not suffice for a proper explanation of this case, and that the House, in the closing hours of the session, is not disposed to listen to discussion. Believing that this bill can not at the present time receive a proper hearing, I move that its further consideration be postponed until the next session.

Mr. MORRILL. This bill was introduced by the gentleman from Missouri [Mr. BLAND], and was reported from the Committee on Invalid Pensions by myself. Yesterday I called it up for consideration at the request of the claimant named in the bill. He is a resident at the home of the gentleman from Missouri, who has seen him since yesterday. I hope the request will be granted and that the bill will go over until next session.

Mr. BRECKINRIDGE, of Kentucky. The gentleman from Missouri had better let it go over than have it defeated for want of time to prop-

erly consider it.

The question being taken on the motion of Mr. BLAND that the further consideration of the bill be postponed until next session, it was agreed to.

PRINTING OF AGRICULTURAL REPORTS.

The SPEAKER appointed as conferees on the part of the House on the disagreeing votes of the two Houses on House resolution 201, relating to the printing of Agricultural Reports, Mr. Reid of North Carolina, Mr. Hatch, and Mr. Farquhar.

PRODUCTION OF PRECIOUS METALS.

The SPEAKER also appointed as conferees on the part of the House on the disagreeing votes of the two Houses on the resolution of the House proposing to print report of the Director of the Mint relating to the production of precious metals, Mr. Reid of North Carolina, Mr. BLAND, and Mr. FARQUHAR.

DAVID T. ELDERKIN.

The next privileged business on the Calendar was a message from the

The next privileged business on the Calendar was a message from the President of the United States returning without his approval the bill (H. R. 5995) granting a pension to David T. Elderkin.

Mr. HENDERSON, of Iowa. Mr. Speaker, this bill was introduced by me, referred to the Committee on Invalid Pensions, and reported back favorably from that committee. It is a bill in which I feel deeply interested as well as my people, having been petitioned for by the people of Black Hawk. I do not desire to have it considered at this time. I wish to have a full opportunity to present it with all its merits to the House. I am not willing to have it considered under the ten-minute rule. I therefore move the postponement of the further consideration of this matter until December next. of this matter until December next.

The motion was agreed to.

SALLY ANN BRADLEY.

The next privileged business on the Calendar was a message from the President of the United States returning without his approval the bill (H. R. 5394) granting a pension to Sally Ann Bradley.

Mr. MATSON. As will be seen by the Calendar this matter has already been postponed until the second Tuesday in December next.

Mr. BUTTERWORTH. I did not hear the statement of the gentle-

man from Indiana.

Mr. MATSON. I merely stated this matter had already been post-

poned until December next.

The SPEAKER. The gentleman from Ohio [Mr. GROSVENOR], who had charge of this matter, obtained leave to go home, and he asked for the postponement of this bill until the second Tuesday of December next, which was agreed to, and the matter has therefore been postponed until that time.

MARY ANDERSON.

The next privileged business on the Calendar was a message from the President of the United States returning without his approval the bill (H. R. 7436) granting a pension to Mary Anderson.

Mr. THOMAS, of Wisconsin. Mr. Speaker, I should not at this time

ask the House to consider this bill were it not for the fact that the widow of this soldier is in absolute destitution, and if she is not allowed a pension now will become a public charge, with her eight little children. Believing it is a meritorious case, and that the President has been mistaken in his veto, I wish in the limited time of ten minutes, which is all I have, to give the simple facts of the case.

Richard Anderson, the soldier and the dead husband of this widowed claimant, was in the Army of the United States at the time of the breaking out of the rebellion. He was with General Twiggs in Texas. When that officer went into the rebellion this man and several of his comrades came to Saint Louis and reported to the military authorities. He served out his enlistment in the regular Army, and afterward en-listed in the Seventeenth Wisconsin Regiment, and was with that regiment in every battle during the whole war. He was honorably discharged, and came home afflicted with chronic diarrhea. He received a pension. His was not a mere hospital record. He was a brave soldier during the war. He asked for an increase of his pension. He was weak; he was feeble; he was at death's door. He was sent to the board of surgeons 50 or 60 miles from home. He should not have gone alone, but he had no means to employ a nurse to take care of him. He was examined that evening at 9 o'clock by the surgeons. I have their certificate here and they say he was in a most retirible condition. tificate here, and they say he was in a most pitiable condition. No surgeon or physician would say he could live for three months. After his examination he staggered half a mile from there at night and found the hotel where he was stopping locked up. He then staggered to the depot. He was seen there waiting for the train. He went out of the depot and probably fainted on the track or was too weak to get out of the way of a passing train. He was found the next morning dead, crushed and mangled by a passing train. This is the report of the Committee on Invalid Pensions. The committee say there were no circumstances which would serve as the basis for any contrary judgment.

Mr. Speaker, the President said in his veto message that the only reason he vetoed this bill was because there were circumstances which would indicate suicide; that otherwise he would have approved the bill. I wish to say there are no circumstances indicating suicide. I have authorities here which say—and I read from the decisions of pension cases by the various Secretaries of the Interior—on page 379, as follows:

"Pension laws should be construed and executed in the liberal and generous spirit which prompted their enactment, and when doubts can not be resolved by evidence presumptions should incline toward the claimants." Following this view, in the case of a man who was found dead in his tent with a bullet wound in the head, the fact that he committed suicide can not be presumed; it must be proved before the claim of his widow for pension can be rejected.

Yes, Mr. Speaker, the presumption, if one is indulged in, should go in favor of the soldier. This is the law. The law, sir, but follows the dictates of patriotism, of justice, and of common sense. The presumption should go in favor of the soldier. The law is that you should never presume suicide in such a case. Secretary Delano and Secretary Harlan have so decided in the cases which I have cited where men have been found shot.

In the case I have read to you they allowed a pension to the widow of this man found shot. The authorities are numerous and they are of one opinion, that suicide should never be presumed. Let me read to you from Lawson on Presumptive Evidence, pages 192 and 193:

W is killed by a railroad engine. The presumption is that W could not have escaped the peril if he had desired to. The instincts prompting the preservation of life were said to be properly thrown into the scale of evidence, like the presumption of sanity and innocence.

Again, he says:

A person is found dead. In such case the party alleging suicide must prove it.

The President must have adopted the presumption of suicide in order to have vetoed this bill under the circumstances connected with the case. He had no right to so presume; it is against the soldier; it is a presumption forbidden by law, and against the dictates of humanity.

Mr. HERMANN. Were this man's domestic relations happy with his

Mr. THOMAS, of Wisconsin. Perfectly so. He had a family of eight little children, and they loved and respected him, and he loved them as only a brave and honorable man loves wife and children; and his wife was glad to hear that a pension had been granted, and that the faithful services of her dead husband were remembered by the country and that the bill had passed both House and Senate; and when the President vetoed it, turning all the presumptions against the dead soldier, the Committee on Invalid Pensions carefully re-examined the case and unanimously reported that it should be passed notwithstanding the objections of the President. The committee, sir, after a most careful and laborious re examination, repudiate the reasoning of the veto

Mr. WEAVER, of Iowa. Do I understand you to say that it was

unanimously reported?

Mr. THOMAS, of Wisconsin. Unanimously reported. No one for a moment doubted the propriety of it, as I understand, and the President's action is incomprehensible to them and to me, and is not supdem ported by the facts or by the presumptions of law or the ideas of justice. The President must have misapprehended the facts or deliberately placed the presumptions upon the wrong side. We can not presume

the President would intentionally do wrong; therefore we must conclude he was mistaken.

Mr. WARNER, of Ohio. May I ask the gentleman a question?

Mr. THOMAS, of Wisconsin. Most certainly.
Mr. WARNER, of Ohio. When was this man mustered into the service?

Mr. THOMAS, of Wisconsin. Five years before the rebellion.
Mr. WARNER, of Ohio. Did he serve throughout the war?
Mr. THOMAS, of Wisconsin. Yes, sir; he came from Texas, where
General Twiggs was stationed, to Saint Louis, and presented himself to the military authorities there-

Mr. WARNER, of Ohio. Was he drawing a pension himself when

he died?

Mr. THOMAS, of Wisconsin. Yes, sir. Mr. WARNER, of Ohio. When did he die? Mr. THOMAS, of Wisconsin. In 1882.

This is a most meritorious case, and his widow and children need this bounty of the Government badly. We have granted pensions here to widows of officers from \$30 to \$50 a month and \$2,000 a year where the officers have died, and not from any cause or disease connected with the Army, but in this case, as all the facts show, this man's death is justly chargeable to the disease he contracted in the service.

Mr. BUTTERWORTH. Let me ask my friend a question: What is the ground upon which the President vetoes this bill?

Mr. THOMAS, of Wisconsin. He says he regards it as a case of suicide, or that the circumstances indicate suicide. But as the Committee on Invalid Pensions say, there were no circumstances that indicated any such thing, but that his death is fairly attributable indirectly to his military service. They think that the accident could not have hap-pened if he had been in a suitable condition to have helped himself. The committee say:

From the evidence in this case your committee think the death of this soldier is fairly attributable indirectly to his military service; that at the time of his death his condition, as the result of disease contracted in the service, was such that had the accident not happened he could not have long survived. We therefore recommend that the bill do pass.

Mr. BUTTERWORTH. That is, the light of his life had been burned down to the socket in the military service of his country, and the flicker of it had been extinguished by the train?

Mr. THOMAS, of Wisconsin. Yes, sir, they say he could not have lived but a short time, even if he had not been killed by the train. He

was almost entirely helpless and disabled.

Mr. Speaker, I hope no political considerations will influence any gentleman here in preventing him from doing justice to this widow and her helpless children. She needs the money badly. Her husband lost his life from disease contracted in the service. This is the fair conclusion from all the facts. His widow and children in their misery and poverty, weep with broken hearts over the mistaken charge in the President's veto message that the husband and father committed suicide, and the entire community where Richard Anderson lived and was known are amazed that such a conclusion should have been reached by the President. I call upon you in the name of justice to take this stain off unjustly placed upon the memory of a brave and loyal soldier by the President. He did not deserve reproach when living; let us do justice to his memory now that he is dead.

He was a faithful and brave soldier. He died for his country from disease contracted in the service; as much a sacrifice of his life for his country as though shot down upon the battlefield, and in my judgment the Pension Office ought to have granted the relief. Let us not only do justice to the memory of this brave soldier by denying the charge of suicide, but let us, I implore you, deal with this widow and these orphan children of a brave dead soldier as we have dealt with the widows and orphans of others who have sacrificed their lives for the country. Do not, I pray you, let the President's veto deter you from voting to grant to this poor woman and her children that which before Heaven is justly due from a grateful country to them for the sacrifice which they have made of husband and father for the preservation of

Mr. WISE. Let me ask the gentleman a question. Where did he die?

Mr. THOMAS, of Wisconsin. At Sparta, in Wisconsin, about 50 miles from where he lived.

Mr. WISE. How did he die?

Mr. THOMAS, of Wisconsin. He was crushed by a railroad train. Mr. BRECKINRIDGE, of Kentucky. In what year?

Mr. THOMAS, of Wisconsin. In 1882.

The facts are, he went to be examined for an increase of pension and was examined, and the report showed that he was in a pitiful and most deplorable condition. In fact the report could hardly be read it was so terrible in its description and details. He went late at night about half a mile to a little hotel in the neighborhood of the depot in order to be on hand to go home on the next morning's train. While there waiting for the train, the hotel being closed, he was killed on the railroad track. The committee find from the facts that his death was caused by weakness resulting from disease contracted in the Army, by which he was unable to get out of the way; and yet the President finds that the circumstances indicate suicide.

Mr. CROXTON. What is the amount of the pension?
Mr. THOMAS, of Wisconsin. The ordinary amount fixed by the law, \$12.

[Here the hammer fell.]
Mr. MATSON. Mr. Speaker, this bill appears to be reported back unanimously by the committee with the recommendation that it pass.

I was not present when the bill was called up for consideration in committee, nor did I know that any such case was before the committee until it was called up in the House on yesterday. After some examination I am disposed to think that the President's veto ought to be sustained. I believe, Mr. Speaker, that if this bill becomes a law it will establish the precedent that the widows of all men who are drawing pensions ought to be continued in their pensions without regard to the cause of death. That is a principle against which I have long con-

Mr. BOUTELLE. I understood the gentleman to say that this was

a unanimous report?

Mr. MATSON. I say it so appears. I was not present at the time it was considered, and did not know there was such a bill until yes-

Mr. BOUTELLE. Then you appear against the bill? Mr. MATSON. I am against the principle involved, believing it to

be wrong

Now, this man was killed on the 7th day of February, 1882, by a railroad train. There is no evidence upon the part of any one that the immediate cause of his death had anything to do with his service. The proposition is that because of some remote connection with the service the man met his death by reason of the fact that he was so debilitated and weak as to be unable to get out of the way of possible injury, or possibly that because of the fact of his horribly painful disease he determined to commit suicide.

The committee itself I see says that possibly that might have been the case, and even in that view the claim ought to be allowed. I am not disposed to talk on that proposition, because I am not disposed to combat it. I get behind that and place it on this principle, that the claim can not be allowed unless you proceed to say that the widows of all pensioners ought to have pensions continued. There is no pretense all pensioners ought to have pensions continued. There is no pretense here that this man's death had any relation to his service.

Mr. THOMAS, of Wisconsin: Will the gentleman allow me to ask

him a question? Mr. MATSON.

Yes, sir.

Mr. THOMAS, of Wisconsin. Were you not present in the committee at the time when the original report was adopted?

Mr. MATSON. I can not say.

Mr. THOMAS, of Wisconsin. This report is unanimous.

Mr. MATSON. I have said I do not recollect the case. I do not remember to have heard of it till it was brought up in the House yes-

terday.

Mr. BOUTELLE. The record seems to show you were in favor of this bill twice.

Mr. MATSON. I have stated what the record shows. member to have seen the report in this case until yesterday.

Mr. BOUTELLE. The inquiry is in regard to the first report on the case, which was favorable.

Mr. MATSON. I do not recollect; but even if I had favored it I would have a right to change my mind.

Mr. BOUTELLE. What we wish to find out is whether you had always opposed this case, or whether you have changed your mind.

Mr. MATSON. I am responsible to myself in such matters. When I make up my mind I am apt to do it out of respect to my own convic-

tions and not those of any other gentleman.

Mr. BOUTELLE. We were trying to find out whether you were following that line or whether you had changed your convictions.

Mr. MATSON. What I wish to say is that if this bill shall pass over

the veto it establishes a principle that is wrong and vicious, and gives a basis for the claim that because a man receives a pension his widow should have it after his death. The matter of charity touches the heart but can not reach the judgment of men on propositions to grant pen-

Mr. BURROWS. Will the gentleman allow me?
Mr. MATSON. I have been interrupted sufficiently, and decline to be interrupted further, and I have agreed to yield a portion of my time

to my friend from Illinois [Mr. MORRISON].

The mere matter of charity can not be considered. It is not right for Congress to consider these cases from a mere charitable standpoint. There must be some merit in the case outside of the question of charity. It will hardly be insisted by any gentleman that because of mere charity men or women ought to be pensioned by the Government of the United States, and that is all there is in this case. I yield the remainder of my time to the gentleman from Illinois [Mr. MORRISON].

Mr. BURROWS. Before the gentleman yields will he allow me one

question? I will take just a moment. I want to know the distinction between this case and a bill which the President signed this session where a soldier lost his right arm in the service. passed the bill pensioning the widow because her husband lost his life while out driving his team.

Mr. MATSON. I must decline to yield for a speech.

Mr. BURROWS. The load fell over on him and he froze to death;

and you granted a pension.

Mr. MATSON. I will answer the gentleman. I apprehend there was proof in that case—I do not remember it, but I apprehend there was proof connecting the disability with the death more than in this case

Mr. BURROWS. It was assumed the man's condition led to his

death.

Mr. MORRISON addressed the House. [See Appendix.]
Mr. BUTTERWORTH. I hope the same privilege of extension will be accorded to other gentlemen.

Mr. MORRISON. I consent that it be accorded to any gentleman

who asks it.

Mr. MATSON. I ask for general leave. Mr. MORRISON. I object. I do not object to leave being given to any gentleman who will ask it for himself.

Mr. SMALLS. I ask unanimous consent to extend my remarks on

the Hunter case.

There was no objection.

Mr. THOMAS, of Wisconsin. I may want the privilege of extending my remarks on the pending case.

The SPEAKER. If there be no objection leave will be granted.

There was no objection.

The SPEAKER. The question is, Shall this bill pass, the objections of the President to the contrary notwithstanding? And upon that question the Constitution requires that the yeas and nays shall be

The question was taken; and there were-yeas 120, nays 95, not

voting 107; as follows:

YEAS-120.

Allen, C. H.	Fleeger,	Long,	Rockwell,
Atkinson,	Fuller,	Louttit,	Romeis,
Bayne,	Funston,	Lovering,	Rowell,
Bingham,	Geddes,	Lyman,	Sawyer,
Bound,	Goff,	Markham,	Scranton,
Boutelle,	Grout.	Maybury,	Sessions,
Brady,	Guenther,	McAdoo,	Smalls,
Browne, T. M.	Hale,	McComas,	Spooner,
Brown, W. W.	Hayden,	McKenna,	Stephenson,
Brumm,	Henderson, D. B.	Millard,	Strait,
Buck,	Hepburn,	Moffatt,	Struble,
Bunnell,	Hermann,	Morrill,	Swinburne,
Burleigh,	Hiestand,	Neece,	Symes,
Burrows,	Hires,	Negley,	Taulbee,
Butterworth.	Hiscock,	Nelson,	Thomas, O. B.
Campbell, J. E.	Hitt.	O'Neill, Charles	Thompson,
Campbell, J. M.	Holman,	Osborne,	Townshend,
Cannon,	Holmes,	Owen,	Wait,
Carleton,	Hopkins,	Parker,	Wakefield,
	Howard,	Parker,	Warner, A. J.
Collins,		Payne,	Warner, William
longer,	Jackson,	Payson,	
cooper,	James,	Perkins,	Weaver, A. J.
Davis,	Johnson, F. A.	Peters,	Weaver, J. B.
Dingley,	Kelley,	Pettibone,	Weber,
Jorsey,	Kleiner,	Pindar,	West,
Eldredge,	La Follette,	Pirce,	White, A. C.
Ely,	Laird,	Plumb,	Whiting,
Evans,	Landes,	Price,	Wolford, .
Everbart,	Lindsley,	Reed, T. B.	Woodburn,
Farquhar,	Little,	Rice,	- Worthington.

	414	LAW DO	
Adams, J. J. Allen, J. M. Ballentine, Barnes, Barry, Belmont, Bennett, Bland, Breckinridge, C. I Breckinridge, W. C Burnes, Bynum, Cabell, Caldwell, Campbell, T. J.	Dargan, Davidson, A. C. Dougherty, Dowdney, Dunn, Eden, Fisher, Forney, R. Frederick, T. Gay, Glass, Green, W. J. Hall, Halsell, Harris,	Johnston, T. D. Jones, J. H. Jones, J. T. Laffoon, Lanham, Lawler, Le Fevre, Lore, Lore, Mahoney, Martin, Matson, McCreary, McMillin, McRae,	Reid, J. W. Riggs, Sayers, Sayers, Seymour, Shaw, Singleton, Snyder, Sowden, Springer, Stahlnecker, Stewart, Charles St. Martin, Swope, Trigg, Turner,
Catchings,	Hatch,	Morgan,	Van Eaton,
Clements, Cobb.	Heard, Hemphill,	Morrison, Murphy,	Viele, Wallace,
Cowles,	Henderson, J.S.	Neal,	Ward, J. H.
Cox, Crisp,	Herbert, Hewitt,	Outhwaite, Peel,	Ward, T. B. Wheeler,
Croxton,	Hudd,	Perry,	Wilkins,
Culberson,	Hutton,	Pidcock,	Wise.
Daniel,	Irion,	Reagan,	

an annual to the same of the s			
	NOT VOT	ING-107.	
Adams, G. E. Aiken, Anderson, C. M. Anderson, J. A. Arnot, Baker, Barbour, Barksdale, Beach, Blanchard,	Caswell, Clardy, Compton, Comstock, Crain, Curtin, Curtin, Davenport, Davidson, R. H. M. Dawson,	Ford, Gallinger, Gibson, C. H. Gibson, Eustace Giffillan, Glover, Green, R. S. Grosvenor, Hammond, Hanback,	King, Lehlbach, Libbey, McKinley, Merriman, Miller, Milliken, Mills, Mitchell, Morrow,
Bliss, Blount,	Dibble, Dockery,	Harmer, Haynes.	Muller, Norwood,
Boyle, Bragg,	Dunham, Elisberry,	Henderson, T. J. Henley,	Oates, O'Donnell,
Brown, C. E. Buchanan, Campbell, Felix	Ermentrout, Felton, Findlay, Foran	Hill, Houk, Johnston, J. T. Ketcham	O'Ferrall, O'Hara, O'Neill, J. J. Phelps

Randall,	Seney,
Ranney,	Skinner,
Reese,	Spriggs,
Richardson,	Steele,
Robertson,	Stewart, J. W.
Rogers;	Stone, E. F.
Ryan,	Stone, W. J., Ky
Sadler,	Stone, W. J., Mo
Scott	Storm

Tarsney.
Taylor, E. B.
Taylor, I. H.
Taylor, J. M.
Taylor, Zach.
Thomas, J. R.
Throckmorton, Tillman, Tucker,

Van Schaick, Wade, Wadsworth, Wellborn, White, Milo Willis, Wilson, Winans Winans.

On motion of Mr. BURROWS, the reading of the names of members voting was dispensed with.

The following additional pairs were announced:

Mr. CANDLER with Mr. HAYNES, until further notice.
Mr. STONE, of Kentucky, with Mr. Johnston, of Indiana, for the remainder of the day.

Mr. OATES with Mr. ANDERSON, of Kansas, for the remainder of the

day.
Mr. Green, of New Jersey, with Mr. Zach. Taylor, for the re-

Mr. Greek, of the day.

Mr. LITTLE. Mr. Speaker, my colleague, Mr. McKinley, I am authorized to say, would, if present and not paired, vote "ay" on this question, and would likewise have voted "ay" on the passage of the other vetoed bills voted on to-day.

The SPEAKER. Upon this question 120 gentlemen have voted in the affirmative and 95 in the negative. Two-thirds not having voted

in the affirmative the House refuses to pass the bill.

INTERSTATE-COMMERCE BILL.

Mr. REAGAN. I call up the special order.
The SPEAKER. The Clerk will read the title of the bill. The Clerk read as follows:

An act (S. 1532) to regulate commerce

Mr. REAGAN. I demand the previous question upon the adoption of the amendment reported from the Committee on Commerce and upon ordering the bill to be read a third time.

Mr. O'NEILL, of Pennsylvania. Mr. Speaker, as I understand it we are now to vote upon the amendment proposed by the gentleman

from New York

The SPEAKER. That has been voted upon already by yeas and

Mr. O'NEILL, of Pennsylvania. What is the amendment now proposed?

The SPEAKER. It is the amendment reported from the Committee-on Commerce as a substitute for the Senate bill. Upon that the gen-

on Commerce as a substitute for the Schale bill. Opon that the gentleman from Texas [Mr. REAGAN] demands the previous question.

Mr. O'NEILL, of Pennsylvania. I wish the gentleman would not call the previous question just at this moment. There are two or three amendments that I would like to offer, and I propose to offer them in good faith and with the hope that this House may adopt them.

Mr. REAGAN I would be add to accommodate and friend for the state of the state o

Mr. REAGAN. I would be glad to accommodate my friend from Pennsylvania [Mr. O'NEILL] and other gentlemen, but this subject has been discussed for the last ten years. The bill has to go to a conference at all events, and these suggestions can be made in conference. It is necessary to get the bill out of the way of other bills that are pending, and therefore I think I must insist on the demand for the previous ques

Mr. O'NEILL, of Pennsylvania. But the difficulty is that we can not get these amendments that we propose before the committee of conference, and if the gentleman is so anxious to get his bill into conference, I do not think that the delay of half an hour or so to have some amendments offered, which may be considered by the conferees of the two Houses, would put him backvery far.

Mr.SPRINGER. Every proposition can be brought before the com-

mittee of conference, because we propose to strike out all after the en-

acting clause and insert this amendment as a substitute. Mr. REED, of Maine. We have not discussed the details of this bill at all.

Mr. REAGAN. It is open to amendment.
Mr. BAYNE. I hope my colleague [Mr. O'NEILL] will yield and let this go to a committee of conference.

this go to a committee of conference.

Mr. O'NEILL, of Pennsylvania. Oh, you hope your colleague will yield! Your colleague will not yield.

Mr. REAGAN. Regular order.

Mr. O'NEILL, of Pennsylvania. It is only as a matter of grace that

by the grace given him by this side of the House.

The SPEAKER. The regular order is demanded, and the gentleman from Texas [emanded] and the gentleman from Texas demands the previous question.

The regular order is demanded, and the gentleman

Mr. O'NEILL, of Pennsylvania. And declines to give an opportunity to adopt amendments.

Mr. SPRINGER. The gentleman from Texas insists on his demand for the previous question.

The question was taken on ordering the previous question; and there

were—ayes 92, noes 55.
Mr. O'NEILL, of Pennsylvania. I make the point that no quorum has voted.

Tellers were ordered; and Mr. O'NEILL, of Pennsylvania, and Mr. REAGAN were appointed.

Mr. REAGAN. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative-yeas 159, nays 57, not voting 106; as follows:

		MO-100.	
Allen, J. M.	Dunn,	Laffoon,	Rockwell,
Ballentine,	Eden,	La Follette,	Rowell,
Barnes,	Eldredge,	Landes,	Ryan,
Barry,	Findlay,	Lanham,	Sayers,
Bayne,	Fisher,	Lawler.	Seney,
Bennett,	Foran,	Le Fevre,	Shaw,
Bland,	Ford,	Little,	Singleton,
Blount,	Forney,	Louttit,	Skinner,
Boyle,	Frederic':	Lovering,	Snyder,
Brady,	Fuller,	Lowry,	Sowden,
Breckinridge, C. R.	Funston,	Martin,	Springer,
Brown, W. W.	Gay,	Matson,	Stahlnecker.
Brumm,	Geddes,	Maybury.	Stewart, Charles
Burnes,	Glass,	McAdoo,	St. Martin,
Burrows,	Glover,	McCreary,	Stene, W. J., Ky
Bynum,	Goff.	McKenna,	Struble,
Cabell,	Green, W.J.	McMillin,	Swope, .
Caldwell.	Grout.	McRae,	Symes,
Campbell, J. E.	Guenther,	Morgan,	Taulbee,
Campbell, T. J.	Hale,	Morrison,	Taylor, Zach.
Carleton,	Hall,	Murphy,	Townshend,
Catchings,	Halsell,	Neal,	Trigg,
Clardy,	Harris,	Neece,	Turner,
Clements.	Hatch.	Nelson,	Van Eaton,
Cobb.	Heard,	Norwood,	Viele,
Collins,	Hemphill.	O'Ferrall,	Wallace,
Compton,	Henderson, D. B.	Outhwaite,	Ward, J. H.
Conger,	Herbert,	Parker,	Ward, T. B.
Cooper,	Hitt,	Payson,	Warner, A
Cox,	Holman,	Peel,	Weaver, A.J.
Crisp,	Holmes,	Perry,	Weaver, J. B.
Croxton,	Hopkins,	Peters,	Weber,
Culberson,	Howard,	Pidcock,	Wheeler,
Daniel,	Hudd,	Pindar,	Wilkins,
Dargan,	Hutton,	Price,	Wilson,
Davidson, A. C.	James,	Randall,	Wise,
Dockery,	Johnston, T. D.	Reagan,	Wolford,
Dorsey,	Jones, J. H.	Reid, J. W.	Woodburn,
Dougherty,	Jones, J. T.	Richardson,	Worthington.
Dowdney,	Kleiner,	Riggs,	worthington.
Downie,	Premer,	TriRRu!	

	N.	1YS-57.	
Adams, J. J. Allen, C. H. Bingham, Bliss, Boutelle, Browne, T. M. Buck, Bunnell, Burleigh, Butterworth, Campbell, Felix Cannon, Davis, Dingley,	Ely, Evans, Everhart, Farquhar, Gliffillan, Harmer, Hayden, Henderson, J. S. Hewitt, Hiestand, Hiscock, Johnson, F. A. Kelley, Long, Lyman,	Mahoney, McComas, McComas, Merriman, Millard, Moffatt, O'Neill, Charles Osborne, Payne, Perkins, Pirce, Reed, T. B. Rice, Sawyer, Scranton, Sessions,	Smalls, Spooner, Stephenson, Strait, Swinburne, Thompson, Wait, Wakefield, Warner, William West, White, A. C. Whiting.
	The state of the s	10 constants	

	NOT V	OTING-106.	
Adams, G. E.	Dibble,	Lehlbach,	Sadler.
Aiken,	Dunham,	Libbey,	Scott,
Anderson, C. M.	Ellsberry,	Lindsley,	Seymour,
Anderson, J. A.	Ermentrout,	Lore,	Spriggs,
Arnot,	Felton,	Markham,	Steele.
Atkinson,	Fleeger,	McKinley,	Stewart, J. W.
Baker,	Gallinger,	Miller,	Stone, E. F.
Barbour,	Gibson, C. H.	Milliken,	Stone, W. J., Mo.
Barksdale,	Gibson, Eustace	Mills,	Storm,
Beach,	Green, R. S.	Mitchell,	Tarsney,
Belmont,	Grosvenor,	Morrill,	Taylor, E. B.
Blanchard,	Hammond,	Morrow,	Taylor, I. H.
Bound,	Hanback,	Muller,	Taylor, J. M.
Bragg,	Haynes,	Negley,	Thomas, J. R.
Breckinridge, WCP	Henderson, T. J.	Oates,	Thomas, O. B.
Brown, C. E.	Henley,	O'Donnell,	Throckmorton,
Buchanan,	Hepburn,	O'Hara,	Tillman,
Candler,	Hermann,	O'Neill, J. J.	Tucker,
Caswell,	Hill,	Owen,	Van Schaick,
Comstock,	Hires,	Pettibone,	Wade,
Cowles,	Houk,	Phelps,	Wadsworth,
Crain,	Irion,	Plumb,	Wellborn,
Curtin,	Jackson,	Ranney,	White, Milo
Cutcheon,	Johnston, J. T.	Reese,	Willis,
Davenport,	Ketcham,	Robertson,	Winans.
Davidson, R. H. M.	King,	Rogers,	
Dawson,	Laird,	Romeis,	

So the previous question was ordered.

So the previous question was ordered.

Mr. STONE, of Kentucky. The gentleman from Indiana [Mr. Johnston] and I were paired on the vetoed pension bills, but on the interstate-commerce bill we are not paired. On this question I have voted in the affirmative, and he, if present, would vote in the same way.

Mr. SOWDEN. My colleague [Mr. Ermentrout] was called away from the city last evening on account of important business, and desired me to ask that he be granted indefinite leave of absence. If he were present he would vote for what is known as the Reagan bill

were present, he would vote for what is known as the Reagan bill.

The SPEAKER. If there be no objection, indefinite leave of absence will be granted to the gentleman from Pennsylvania [Mr. ER-MENTROUT].

There was no objection. On motion of Mr. PAYSON, by unanimous consent the reading of the names was dispensed with.

The result of the vote was announced as above stated.

The SPEAKER. The question is now upon agreeing to the substitute proposed by the Committee on Commerce for the bill of the Senate. Mr. BURROWS. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURROWS. According to my understanding the amendment proposed by the committee is to strike out all after the enacting clause of the Senate bill and adopt the bill of the committee. If that proposition be voted down shall we then have a vote on the Senate bill?

The SPEAKER. The vote is now on the Senate bill practically. The question is between the Senate bill and the substitute reported by the Committee on Commerce. Mr. BURROWS. There w

There will be no further vote?

The SPEAKER. There will be a further vote, of course, on the passage of whatever bill may be agreed to.

Mr. BURROWS. I mean if the substitute be voted down?

The SPEAKER. Then the vote would be on ordering the Senate bill to be read a third time.

Mr. REED, of Maine. A is in favor of the Senate bill? A negative vote upon the present question

The SPEAKER. It is. The question is now on agreeing to the substitute proposed by the Committee on Commerce.
Mr. JACKSON and others called for the yeas and nays.
The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas

134, nays 104, 1	not voting 84; as f	ollows:	
	YE	AS-134.	
Allen, J, M.	Eden,	Laird.	Seymour,
Ballentine,	Eldredge,	Landes.	Shaw,
Barnes,	Fisher,	Lanham,	Singleton,
Barry,	Foran,	Le Fevre.	Skinner,
Bennett,	Ford,	Little,	Snyder,
Blanchard,	Forney,	Lore,	Sowden,
Bland,	Frederick,	Lowry,	Springer,
Blount,	Fuller,	Martin,	Stewart, Charles
Boyle,	Gay,	Matson,	St. Martin,
Breckinridge, C. 1		McAdoo,	Stone, W. J., Ky
Breckinridge, WC	P.Gibson, C. II.	McComas,	Struble,
Brumm,	Glass,	McCreary,	Swope,
Burnes,	Glover,	McMillin,	Tarsney,
Bynum,	Goff,	McRae,	Taulbee,
Cabell,	Green, W. J.	Morgan	Thomas, O. B.
Caldwell,	Hall,	Morrison,	Townshend,
Campbell, J. E.	Halsell,	Neal,	Trigg,
Catchings,	Harris,	Neece,	Turner,
Clardy,	Hatch,	Norwood,	Van Eaton,
Clements,	Heard.	O'Ferrall,	Wallace,
Cobb,	Hemphill,	Outhwaite,	Ward, J. H.
Conger,	Henderson, D. B.	Payson,	Ward, T. B.
Cooper,	Henderson, J. S.	Peel,	Warner, A. J.
Cowles,	Herbert,	Perry,	Weaver, A. J.
Cox,	Holman,	Pideock,	Weaver, J. B.
Crisp,	Howard,	Pindar,	Wheeler,
Croxton.	Hudd,	Price,	Wilkins,
Culberson,	Hutton,	Randall,	Willis,
Daniel,	Irion,	Reagan,	Wilson,
Davidson, A. C.	Johnston, T. D.	Reid, J. W.	Wise,
Dockery,	Jones, J. H.	Richardson,	Wolford.
Dougherty,	Jones, J. T.	Riggs,	Worthington,
Dowdney,	Kleiner,	Sayers,	
Dunn,	Laffoon,	Seney,	
	The state of the s	YS-104.	
	. NA	15-104.	

ockery,	Jones, J. H.	Richardson,	Wolford,
ougherty,	Jones, J. T.	Riggs,	Worthington,
owdney,	Kleiner,	Sayers,	worthington,
unn.	Laffoon,	Seney,	
,	The state of the s		
		YS-104.	
dams, J. J.	Ely,	La Follette,	Reed, T. B.
llen, C. H.	Evans,	Lawler,	Rice,
tkinson,	Everhart,	Lindsley,	Rockwell,
yne,	Farquhar,	Long,	Rowell,
elmont,	Felton,	Lovering,	Ryan,
ngham,	Findlay,	Lyman,	Sawyer,
iss,	Fleeger,	Mahoney,	Scranton,
ound,	Funston,	Markham,	Sessions,
outelle,	Gilfillan,	McKenna,	Smalls,
ady,	Grout,	Merriman,	Spooner,
owne, T. M.	Guenther,	Millard,	Stahlnecker,
own, W. W.	Harmer,	Mitchell,	Stone, E. F.
ick,	Hayden,	Moffatt,	Strait,
innell,	Henderson, T. J.	Muller,	Swinburne,
irleigh,	Hepburn,	Negley,	Symes,
irrows,	Hermann,	Nelson,	Taylor, Zach.
itterworth,	Hewitt,	O'Neill, Charles	Thompson,
mpbell, Felix	Hiestand,	O'Neill, J. J.	Viele,
mpbell, J. M.	Hiseoek,	Osborne,	Wait,
nnon,	Hitt,	Owen,	Wakefield,
ollins,	Hopkins,	Parker,	Warner, Willian
rtin,	Jackson,	Payne,	Weber,
rgan,	James,	Perkins,	West,
vis,	Johnson, F. A.	Peters,	White, A. C.
ngley,	Kelley,	Pirce,	Whiting,
orsey,	Ketcham,	Plumb,	Woodburn.

Add All Add Base Bin Bin Bro Bro Bro Bro Bro Bu Bu Bu Bu Ca Ca Co Cu Da Da Dir

Beach, Bragg, Brown, C. E. Buchanan, Campbell, T. Candler, Carleton, Caswell,

	NOT VOTING-54.		
Adams, G. E. Aiken,	Compton, Comstock,	Hammond, Hanback,	
Anderson, C. M.	Crain,	Haynes,	
Anderson, J. A.	Cutcheon,	Henley,	
Arnot,	Davenport,	Hill,	
Baker,	Davidson, R. H. M.		
Barbour,	Dawson,	Holmes,	
Barksdale,	Dibble,	Houk,	
Beach,	Dunham,	Johnston, J. T.	
Bragg,	Ellsberry,	King,	
Brown, C. E.	Ermentrout,	Lehlbach,	
Buchanan,	Gallinger,	Libbey,	
Campbell, T. J.	Gibson, Eustace	Louttit,	
Candler,	Green, R. S.	Maybury,	
Carleton,	Grosvenor,	McKinley,	
Caswell.	Hale	Miller	

Milliken, Mills, Morrill, Morrow, Murphy, Oates, O'Donnell, O'Hara, Pettibone, Phelps, Ranney, Reese, Reese, Robertson, Rogers, Romeis,

Sadler.

Stone, W. J., Mo. Storm, Taylor, E. B. Taylor, I. H. Taylor, J. M. Scott. Spriggs, Steele, Stephenson, Stewart, J. W.

Thomas, J. R. Throckmorton, Tillman, Tucker, Van Schaick.

Wade, Wadsworth, Wellborn, White, Milo Winans.

So the substitute was agreed to.

During the roll-call, On motion of Mr. PAYSON, by unanimous consent the reading of the names was dispensed with.

The vote was then announced as above recorded.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

Mr. REAGAN demanded the previous question on the passage of the

Mr. BAKER. I desire to move to recommit the bill with instructions to report forthwith the following amendment.

Mr. SPRINGER. I reserve all points of order on that amendment.

The SPEAKER. The time to make points of order is after it has been read.

Mr. SPRINGER.

Mr. SPRINGER. That is why I reserve all points of order.
Mr. BAKER. I think we will save time if I am permitted to state briefly the difference between this and the bill reported by the committee.

The SPEAKER. Is there objection?
Mr. SPRINGER and Mr. PAYSON. Let it be
The SPEAKER. The amendment will be read. Let it be read first.

The Clerk proceeded to read.

Mr. BAKER. I wish to call attention of the House to the fact that the gentleman from Texas who was so anxious to have this read through is not paying attention to it.

Mr. REAGAN. I have read it several times and know it well and

did not demand the reading of it.

The SPEAKER. Gentlemen will preserve order while the Clerk is reading

Mr. LAWLER. I ask by unanimous consent to dispense with the further reading.

Objection was made.

The reading of the motion to recommit was then concluded, as follows:

An act to regulate commerce; to create an interstate commerce commission and prescribe its power and duties.

and prescribe its power and duties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this act shall apply to any common carrier or carriers engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water when both are used, under a common control, management, or a arrangement, for a continuous carriage or shipment, from one State or Territory of the United States to any other State or Territory of the United States to any other State or Territory of the United States to any other State or Territory of the United States through a foreign country to any other place in the United States through a foreign country to any other place in the United States through a foreign country and carried from any place in the United States and carried to such place from a port of transhipment, or shipped from a foreign country to any place in the United States and carried to such place from a port of entry either in the United States or an adjacent foreign country: Provided, however, That the provisions of this act shall not apply to the transportation of passengers or property, or to the receiving, delivering, storage, or handling of property, wholly within one State or Territory, and not shipped to or from a foreign country from or to such State or Territory, as aforesaid.

not apply to the transportation of passengers or property, or to the receiving, delivering, storage, or handling of property, wholly within one State or Territory, and not shipped to or from a foreign country from or to such State or Territory as aforesaid.

The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and the term "transportation" shall include all instrumentalities of shipment or carriage.

All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, or for the receiving, delivering, storage, or handling of such property, shall be reasonable and just; and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful.

Sec. 2. That if any common carrier subject to the provisions of this act shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered, or to be rendered, in the transportation of passengers or property, subject to the provisions of this act, than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, such common carrier shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful; and any common carrier who shall violate the provisions of this section as a sforesaid shall be liable to all persons who have been charged a higher rate than was charged any other person or persons for the difference between such higher rate and the lowest rate was made on any time contract or understanding, the said common carrier who shall violate the provisions of this act, to make or give any undue or unreasonable preference or advantage to an

ions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers or of like kind of property, under substantially over the same line, in the same direction, and from the same original point of departure or to the same point of arrival; but this shall not be construed as auctivative or to the same point of arrival; but this shall not be construed as auctivative or to the same point of arrival; but this shall not be construed as auctivative or to the same point of arrival; but this shall not be construed as auctivative or to the same point of arrival; but this shall not be construed as auctivative or the construence of t

than five shall belong to the same political party. Said commissioners shall be first appointed within thirty days after the passage of this act, and shall be legal residents of the State from which they shall respectively be appointed. At least three of the commissioners to be first appointed under this act shall be experienced in railroad affairs, and at least three of their number shall be experienced in commercial or agricultural business. And no person in the employ of or holding any official relation to any railroad company or other transportation company or corporation, or who is many manner interested in any firm or corporation having business relations with any railroad or other transportation company or corporation, or who is engaged in any other business vocation, shall be eligible to act as a commissioner. Said commissioners shall, before entering upon their duties as such, take and subscribe the constitutional oath of office and be sworn to the due and faithful performance of the duties thereof; and any five of said commissioners shall constitute a quorum for the transaction of any of the duties or business of said commission, and may hold meetings thereof at any time or place within the United States or Territories and in the District of Columbia. All examinations or investigations provided for by this act may be held and taken by and before any one of said commissioners if so ordered and directed by said commission, but the proceedings and decisions of said single commissioner therein shall not be deemed final and conclusive until approved and confirmed by said commission.

mission, but the proceedings and decisions of said single commissioner therein shall not be deemed final and conclusive until approved and confirmed by said commission.

Sec. 9. That the commission hereby created shall have authority to inquire into the management of the business of all common carriers subject to the provisions of this act, and shall keep itself informed as to the manner and method in which the same is conducted, and shall have the right to obtain from such common carriers full and complete information necessary to enable the commission to perform the duties and carry out the objects for which it was created; and for the purposes of this act the commission shall have power to require the attendance and testimony of witnesses and the production of all books, papers, tariff's, contracts, agreements, and documents relating to any matter under investigation, and to that end may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of books, papers, and documents under the provisions of this section.

And any of the circuit courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpectual interest of the court may of the circuit courts of the United States within the jurisdiction of other person, issued to any common carrier subject to the provisions of this act, or other person, issue an order requiring such common carrier or other person to appear before said commission (and produce books and papers if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by said court as for a contempt thereof.

Sec. 10. That any person, firm, corporation, or association, or any mercantile, agricultural, or manufacturing society, or any body-politic or municipal organization complaining of anything done or omitted to be done by any common carrier subject to the provisions of this act in contrave

the matters complained of in such manner and by such means as it shall deem proper.

Said commission shall in like manner investigate any complaint forwarded by the railroad commissioner or railroad commission of any State or Territory, at the request of such commissioner or commission, and may institute any inquiry on its own motion in the same manner and to the same effect as though complaint had been made.

Said commission may in like manner investigate any differences, disagreements, controversies, or disputes that may at any time exist or arise between any railroad company or corporation and the employés thereof, and in case of any differences or disagreements involving the hours of, or the compensation for, labor by the employés of any railroad company or corporation, said commission shall immediately upon receipt by them, from a duly recognized representative of such employés of any such railroad corporation or company of a statement in writing of the differences existing and of the demands or requests made, proceed to investigate and determine the same, exercising therefor all the powers conferred by section 9 of this act, and the decision or award of such commission shall relate back to the date when such differences arose: Provided, Such employés shall not, pending such investigation, obstruct or prevent the usual operation of such railroad and the prosecution of the business thereof as fully and freely as if no differences existed.

No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.

Sec. 11. That whenever an investigation shall be made by said commission, its shall be its duty to make a report in writing in respect thereto, which shall lies and the same and the same proves the respective of the complainant.

freely as if no differences existed.

No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.

Sec. 11. That whenever an investigation shall be made by said commission, it shall be its duty to make a report in writing in respect thereto, which shall include the findings of fact upon which the conclusions of the commission are based, together with its recommendation as to what reparation, if any, should be made by the common carrier to any party or parties who may be found to have been injured; and such findings so made shall thereafter, in all judicial proceedings, be deemed prima factic evidence as to each and every fact found.

All reports of investigations made by the commission shall be entered of record, and a copy thereof shall be furnished to the party who may have complained, and to any common carrier that may have been complained of.

Sec. 12. That if in any case in which an investigation shall be made by said commission it shall be made to appear to the satisfaction of the commission, either by the testimony of witnesses or other evidence, that anything has been done or omitted to be done in violation of the provisions of this act, or of any law cognizable by said commission, by any common carrier, or that any injury or damage has been sustained by the party or parties complaining, or by other parties aggrieved in consequence of any such violation, it shall be the duty of the commission to forthwith cause a copy of its report in respect thereto to be delivered to such common carrier, together with a notice to said common carrier to cease and desist from such violation, or to make reparation for the injury so found to have been done, or both, within a reasonable time, to be specified by the commission; and if, within the time specified, it shall be made to appear to the commission that such common carrier has ecased from such violation of law, and has made reparation for the injury found to have been done, in complained with the report and notice of the c

the matter, on such short notice to the common earrier complained of as the court shall deem reasonable; and such notice may be served on such common clirect; and said court shall proceed to hear and determine the matter speedily as a court of squilty, and without the formal pleadings and proceedings applications of the court of squilty, and without the formal pleadings and proceedings applications; and to this end such court shall have power, if it think fit, to direct and prosecute, in such mode and by such persons as it may appoint, all such increase the court of such persons as the may appoint, all such increase the court of such persons as the property of such persons of such persons of such persons of such persons of such court, or such hearing or on report of any such person or personal to such court, or such hearing or on report of any such person or personal to the court, or such hearing or on report of any such write of injunction or other proper process, mandatory or otherwise, to restrain the such order or requirement of said commission, and enjoining obedience of such order or requirement of said commission, and enjoining obedience of such order or requirement of said commission, and enjoining obedience of such order or requirement of said commission, and enjoining obedience of such order or requirement of said commission, and enjoining obedience of the same; and in case of any disobedience of any such write of injunction or other proper process, mandatory or otherwise, and said court may, if is shall think in, make any control of the proper process, mandatory or otherwise, and said court may, if is shall think in, make any control of the proper process, mandatory or otherwise, and said court may, if is shall think in, make any injunction or other proper process, mandatory or otherwise, and said court may, or the court of the fundament of the proper process, mandatory or otherwise, and such moneys shall be payable as the court shall direct, either to the payer may not be such as a such more shall b

Provided. That the time when any common-law remedy shall be suspended under this section shall not be counted under any statute of limitation against such remedy.

SEC. 21. That no person or corporation shall have authority to engage in interstate commerce after three months from the passage of this act without having procured a license for that purpose from the board of commissioners herein provided for, and one of the conditions of such license shall be the acceptance of this act by such person or corporation, and of such regulations as said board may lawfully make in pursuance thereof. And where any route over which interstate commerce shall be carried between the several States and Territories of the United States includes as a part thereof a railway or water route outside of the United States, no license shall issue for the transportation of interstate commerce over such route, unless the railway company or companies controlling the portions of such route situated within the United States become responsible for and guarantee the observance by those controlling the portions of when any transportation company or companies shall carry traffic between any points over a route or routes located entirely within one State in competition with other companies whose lines between said points are located in more than one State, such company shall, as a condition-precedent to the granting of such license, agree to establish the rates between such points and post schedules thereof in the manner prescribed in, and be subject to the provisions of the sixth section of this act. Such license shall be renewable each year, and may be suspended by the said board for cause after full hearing, and upon the final judgment of a court of competent jurisdiction may be revoked by the said board for a violation of its terms or of the provisions of this act: Provided, That the provisions of this act shall not apply to passenger traffic.

Sec. 22. That the sum of \$150,000 is hereby appropriated for the use and purposes of this act shall

Mr. BAKER. Mr. Speaker, I ask by unanimous consent to be permitted to explain briefly the changes in the pending proposition from the Senate bill.

The SPEAKER. Is there objection?

Mr. REAGAN. I have to object, because if the gentleman from New York be heard what he will say will render necessary remarks on the part of other members

Mr. LONG. Give him five minutes.

Mr. REAGAN. I must object.

The question recurred on the motion to recommit.

The House divided; and there were-ayes 47, noes 109.

Mr. BAKER. No quorum.

The SPEAKER appointed, as tellers, Mr. REAGAN and Mr. BAKER. Mr. WARNER, of Ohio. We might just as well have the yeas and

nays at once.

Mr. PAYSON. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative-yeas 70, nays 158, not voting 94; as follows:

	Y.	EAS-70.	All the state of t
Adams, J. J. Bingham, Bound, Boutelle, Brady, Buck, Bunnell, Burleigh, Burrows, Butterworth, Campbell, J. M. Campbell, T. J. Cannon, Davis, Bly, Evans, Everhart, Farquar,	Findlay, Fieeger, Gilfillan, Hayden, Hewitt, Hiestand, Hiscock, Hitt, Hopkins, Jackson, James, Kelley, Ketcham, La Follette, Lindsley, Long, Louttit, Lyman,	Markham, McKenna, Millard, Moffatt, Negley, O'Neill, Charles Osborne, Parker, Payne, Pirce, Price, Reed, T. B. Rice, Rockwell, Romeis, Scranton, Sessions, Smalls,	Spooner, Stahlnecker, Stahlnecker, Stephenson, Stone, E. F. Strait, Swinburne, Symes, Thomas, O. B. Thompson, Viele, Wait, Weber, West, White, A. C. Whiting, Woodburn.
	NA.	YS-158.	
Allen, J. M.	Browne, T. M.	Cobb,	Dockery,

	NA.	YS-158.	
Allen, J. M. Ballentine, Barnes, Barnes, Barry, Bayne, Belmont, Bennett, Blanchard, Bland, Blount, Boyle, Breckinridge, Breckinridge, Westernidge, Breckinridge, Breckinri		Cobb, Compton, Conger, Cooper, Cowles, Cox, Crain, Crisp, Croxton, Gulberson, Daniel, Dargan, Davidson, A. C.	Dockery, Dorsey, Dougherty, Dunn, Eden, Eldredge, Foran, Ford, Forney, Frederick, Fuller, Funston, Gay,

Geddes,	Jones, J. T.	O'Ferrall,	Stone, W. J., Ky.	
Gibson, C. H.	Kleiner,	O'Neill, J. J.	Struble,	
Glass,	Laffoon,	Outhwaite,	Swope,	
Glover,	Laird,	Payson,	Tarsney,	
Goff,	Landes,	Peel,	Taulbee,	
Green, W.J.	Lanham,	Perkins,	Taylor, Zach.	
Grout,	Lawler,	Perry,	Townshend,	
Guenther,	Le Fevre,	Peters,	Trigg,	
Hale.	Little,	Pideock,	Turner,	
Hall,	Lore,	Plumb,	Van Eaton.	
Halsell,	Lovering,	Randall,	Wakefield.	
Harris,	Lowry,	Reagan,	Wallace.	
Hatch,	Martin,	Reid, J. W.	Ward, J. H.	
Heard,	Matson,	Richardson,	Ward, T. B.	
Hemphill,	Maybury,	Riggs,	Warner, A. J.	
Henderson, D. B.	McAdoo,	Rowell,	Warner, William	
Henderson, J.S.	McComas,	Ryan,	Weaver, A. J.	
Henderson, T. J.	McCreary,	Sayers,	Weaver, J. B.	
Herbert.	McMillin,	. Seney,	Wheeler,	
Holman,	McRae.	Shaw,	Wilkins,	
Holmes,	Morgan,	Singleton,	Willis,	
Howard,	Morrill,	Skinner,	Wilson,	
Hudd,	Morrison,	Snyder,	Wise,	
Hutton,	Muller,	Sowden,	Wolford,	
Irion.	Murphy,	Springer,	Worthington.	
Johnston, T. D.	Neal.	Stewart, Charles		
Jones, J. H.	Norwood.	St. Martin,		
	NOT	VOTING-94.	Vary	
Adams G E	Dibble	King	Sadler	

		CARLICE CA.	
Adams, G. E. Aiken, Allen, C. H. Anderson, C. M. Anderson, J. A. Arnot, Atkinson, Baker, Barbour, Barksdale, Beach, Bliss, Bragg, Brown, C. E. Buchanan, Candler, Caswell, Collins	Dibble, Dingley, Dowdney, Dowdney, Dunham, Ellsberry, Ermentrout, Felton, Fisher, Gallinger, Gibson, Eustace Green, R.S. Grosvenor, Hammond, Hanback, Harmer, Haynes, Henley,	King, Lehibach, Libbey, Mahoney, MeKinley, Merriman, Miller, Milliken, Mills, Mitchell, Morrow, Neece, Nelson, Oates, O'Donnell, O'Hara, Owen,	Sadler, Sawyer, Scott, Seymour, Spriggs, Steele, Stewark, J. W. Stone, W. J., Mo. Storm, Taylor, E. B. Taylor, I. H. Taylor, J. M. Thomas, J. R. Throckmorton, Tillman, Tucker, Van Schaick, Wade
Caswell,	Henley,	Owen,	Van Schaick,
Collins,	Hepburn,	Pettibone,	Wade,
Comstock,	Hermann,	Phelps,	Wadsworth,
Curtin,	Hill,	Pindar,	Wellborn,
Cutcheon,	Hires,	Ranney,	White, Milo
Davenport.	Houk,	Reese,	Winans.
Davidson, R. H. M.	Johnson, F. A.	Robertson,	
Dawson,	Johnston, J. T.	Rogers,	

So the motion to recommit with instructions was not agreed to.

The following additional pairs were announced:

Mr. WADE with Mr. GREEN, of New Jersey.

Mr. WHITE, of Minnesota, with Mr. Ermentrout, until further no-

Mr. WADE. I am paired with the gentleman from New Jersey [Mr. Green], and should have voted in the affirmative on this proposition if I had not been paired.

The result of the vote was then announced as above recorded.

The question recurred upon the passage of the bill.

Mr. O'NEILL, of Pennsylvania. I should like to know if the reading of the engrossed bill might not now be demanded? Has the bill

been engrossed?

The SPEAKER. This is already an engrossed bill. The House never orders a Senate bill to be engrossed.

Mr. O'NEILL, of Pennsylvania. I simply wanted to hear it, as it has been some time since it was read, but I shall not insist upon its reading now.

Mr. CALDWELL. I demand the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The question was taken; and there were-yeas 192, nays 41, not voting 89; as follows:

	YE	AS-192.	
Allen, J. M.	Clardy,	Frederick,	Jackson,
Atkinson,	Clements,	Fuller,	Johnston, T. D.
Ballentine,	Cobb,	Funston,	Jones, J. H.
Barnes,	Conger,	Gay,	Jones, J. T.
Barry,	Cooper,	Geddes,	Kleiner,
Bayne,	Cowles,	Gibson, C. H.	La Follette,
Bennett,	Cox,	Glass,	Landes,
Blanchard,	Crain,	Glover,	Lanham,
Bland,	Crisp,	Goff,	Lawler,
Blount,	Croxton,	Green, W.J.	Le Fevre,
Bound,	Culberson,	Grout,	Little,
Boyle,	Daniel,	Guenther,	Lore,
Brady,	Dargan,	Hale,	Louttit,
Breckinridge, C.R.	Davidson, A. C.	Hall,	Lovering,
Breckinridge, WCP		Halsell,	Lowry,
Browne, T. M.	Dockery,	Harris,	Lyman,
Brown, W. W.	Dorsey,	Hatch,	Markham,
Bunnell,	Dougherty,	Heard,	Martin,
Burleigh,	Dowdney,	Hemphill,	Matson,
Burnes,	Dunn,	Henderson, D. B.	Maybury,
Burrows,	Eden,	Henderson, J. S.	McAdoo,
Butterworth.	Eldredge,	Henderson T. J.	McComas,
Bynum,	Everhart,	Herbert.	McCreary,
Cabell,	Farquhar,	Hermann,	McKenna,
Caldwell,	Felton,	Holman,	McMillin,
Campbell, J. E.	Fisher,	Holmes,	McRae,
Campbell, J. M.	Fleeger,	Howard,	Moffatt,
Cannon,	Foran,	Hudd,	Morgan,
Carleton,	Ford,	Hutton,	Morrill,
Catchings,	Forney,	Irion,	Morrison,

Murphy, Neal, Neece, Nelson, Norwood, D'Ferrall, Deborne, Outhwaite, Payson, Perkins, Perry, Peters, Pidook, Plumb, Price, Randall,	Reagan, Reid, J. W. Richardson, Riggs, Romeis, Rowell, Ryan, Sawyer, Sayers, Scranton. Seney, Seymour, Shaw, Singleton, Skinner, Snyder, Sowden, Springer,	Stephenson, Stewart, Charles St. Martin, Stone, W. J., Ky. Strait, Struble, Swope, Symes, Tarsney, Taulbee, Taylor, Zach. Thomas, O. B. Thompson, Townshend, Trigg, Turner, Van Eaton, Wade,	Wakefield, Wallace, Ward, J. H. Ward, T. B. Warner, A. J. Warner, William Weaver, A. J. Weaver, J. B. Weber, West, Wheeler, Wilkins, Willison, Wiscon, Wiscon, Woodburn, Worthington.
candan,	Springer,	wade,	worthington.
	N	AYS-41.	
Belmont,	Hiestand,	Mahoney,	Sessions,

Belmont,	Hiestand,	Mahoney,	Sessions,
Bingham,	Hiscock,	Merriman,	Smalls,
Boutelle,	Hitt,	Millard,	Spooner,
Buck,	Hopkins,	Muller,	Stone, E. F.
Campbell, Felix	James,	Negley,	Swinburne,
Davis,	Johnson, F. A.	O'Neill, Charles	Wait,
Ely,	Kelley,	Parker,	White, A. C.
Evans,	Ketcham,	Pirce,	Whiting.
Hayden,	Laird,	Reed, T. B.	
Hepburn,	Lindsley,	Rice,	
Hewitt,	Long,	Rockwell,	

NOT VOTING-89.

Adams, G. E.	Cutcheon,	King,	Scott,
Adams J. J.	Davenport,	Laffoon,	Spriggs,
Aiken,	Davidson, R. H. M.		Stahlnecker,
Allen, C. H.	Dawson,	Libbey,	Steele,
Anderson, C. M.	Dibble,	McKinley,	Stewart, J. W.
Anderson, J. A.	Dunham,	Miller,	Stone, W. J., Mo.
Arnot,	Elisberry,	Milliken,	Storm,
Baker,	Ermentrout,	Mills.	Taylor, E. B.
Barbour.	Findlay,	Mitchell,	Taylor, I. H.
Barksdale,	Gallinger,	Morrow,	Taylor, J. M.
Beach.	Gibson, Eustace	Oates,	Thomas, J. R.
Bliss,	Gilfillan,	O'Donnell,	Throckmorton,
Bragg,	Green, R.S.	O'Hara,	Tillman,
Brown, C. E.	Grosvenor,	O'Neill, J. J.	Tucker,
Brumm,	Hammond,	Owen.	Van Schaick,
Buchanan,	Hanback,	Peel,	Viele,
Campbell, T. J.	Harmer,	Pettibone,	Wadsworth,
Candler,	Haynes,	Phelps,	Wellborn,
Caswell,	Henley,	Ranney,	White, Milo
Collins.	Hill,	Reese,	Winans.
Compton,	Hires.	Robertson.	
Comstock,	Houk.	Rogers,	
Curtin.	Johnston, J. T.	Sadler.	

So the bill was passed.

On motion of Mr. BROWNE, of Indiana, by unanimous consent the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. PEEL with Mr. Allen, of Massachusetts, until further notice.
Mr. McKinley with Mr. Mills, during the remainder of the session.
Mr. McKinley would vote for the Reagan bill if present.

Mr. DUNN. If my colleague, Mr. PEEL, were present he would vote "ay."

The result of the vote was then announced as above recorded.

Mr. REAGAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

Mr. REAGAN. I now move that the House request a conference with the Senate upon this bill.

Mr. O'NEILL, of Pennsylvania. I hope that will not be done until the bill comes back from the Senate. They may agree to it just as it

the bill comes back from the Senate. They may agree to it just as it stands. You can not tell. [Laughter.]

The motion of Mr. REAGAN was agreed to.

The SPEAKER. The Chair will announce the conferees hereafter.

Mr. REAGAN. I wish to state, Mr. Speaker, in reference to the announcement of a pair between my colleague, Mr. MILLS, and Mr. MCKINLEY, that Mr. MILLS also would have voted in the affirmative on this bill if present.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his Secretaries, who also informed the House that the President had approved acts of the following titles:

Joint resolution (H. Res. 22) authorizing the preparation of a compilation of the reports of committees of the Senate and House of Rep-

Joint resolution (H. Res. 54) to credit Lieutenants Giles B. Harbor and William H. Scheutze with sea-duty and sea-pay while engaged in the search for Lieutenant Chipp and party, and also for the time employed in bringing home the remains of Lieutenant-Commander De Long and party;
An act (H. R. 3720) for the relief of Francis H. Plummer;

An act (H. R. 1983) to increase the appropriation for the erection of the public building at Reading, Pa.;

An act (H. R. 4670) granting to the county of Clatsop, in the State

of Oregon, the right to construct a bridge across Young's Bay, a navigable stream in said county and State:

An act (H. R. 6337) for the relief of James D. Wood;
An act (H. R. 7191) to provide for the enlistment and pay and to define the duties and liabilities of "general-service clerks" and "general-service messengers" in the Army;
An act (H. R. 7881) to remove the political disabilities of Thomas

R. Ware, of Virginia;
An act (H. R. 8023) to give the assent of Congress to the construction of a bridge by the municipalities of Menominee, Mich., and Marinette, Wis., over Menominee River; and

An act (H. R. 9208) to permit the entry free of duty of foreign goods for exhibition at the fourth biennial exhibition of the United States Bottlers' Protective Association.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate agreed to the amendments of the House of Representative to Senate bills of the following titles:

A bill (S. 718) for the relief of Francis Gilbeau; and

A bill (S. 1008) to empower the Board of Foreign Missions of the

Methodist Protestant Church to hold property in the District of Co-

The message further announced that the Senate disagreed to the amendment of the House of Representatives to the bill (S. 2172) restoring to the United States certain of the lands granted to the Northfrom Lake Superior to Puget Sound, and to restore the same to settlement, and for other purposes, agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DOLPH, Mr. TELLER, and Mr. COCKRELL conferees on the part of the Senate.

The message further announced that the Senate had passed, with amendments in which the concurrence of the House was requested, the bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama.

The message also announced that the Senate disagreed to the amendments of the House of Representatives to the bill (S. 1599) for the relief of the Phœnix National Bank, of the city of New York, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed as the conferees on the part of the Senate Mr. EVARTS, Mr. INGALLS, and Mr. VEST.

The message also announced that the Senate had passed with amendments the bill (H. R. 9857) in relation to the western judicial district of Wisconsin, requested a conference with the House of Representatives on the said bill and amendments, and had appointed Mr. EDMUNDS, Mr. EVARTS, and Mr. PUGH as conferees on the part of the Senate.

The message also returned to the House in compliance with its request the joint resolution (H. Res. 295) permitting the public building authorized by act of Congress approved June 13, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 50 feet, as provided in said act.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BLANCHARD. I rise to a privileged motion.

The SPEAKER. The gentleman will state it.

Mr. BLANCHARD. I present a report of the committee of conference on the bill known as the river and harbor bill, which I ask to have read with the accompanying statement.

Mr. HATCH. I give notice that I shall raise the question of consideration on that report in favor of the Senate bill reported by the

Committee on Agriculture.

Mr. RANDALL. What bill is that?

Mr. HATCH. The amendment to v The amendment to what is known as the pleuropneumonia bill.

Mr. CONGER. I call up the special order set for to-day, the consideration of the pension bills on the Calendar which were postponed Mr. CONGER.

until this day.

The SPEAKER. There is a privileged report before the House.

Mr. BROWNE, of Indiana. Can not the question of consideration

The SPEAKER. It can be. The Chair will state that before the adoption of the present rules it was the duty of the Chair whenever any resolution or proposition came before the House to submit the question whether the House would then proceed to consider it. But the rule now provides that this question shall not be put unless demanded by some gentleman, and this applies to every proposition of every character that may come before the House. The Clerk will read the rule.

The Clerk read clause 3 of Rule XVI, as follows:

When any motion or proposition is made the question, Will the House now consider it? shall not be put unless demanded by a member.

The SPEAKER. The Chair will state that while the gentleman has the right to make the report and submit it to the House, any gentleman has the right to raise the question whether the House will now proceed to consider it. If the House refuses to consider it it remains on the table, to be called up as a matter of privilege whenever the gentleman sees proper.

Mr. WEAVER, of Nebraska. I ask unanimous consent to have a committee of conference appointed on House bill No. 5003.

The SPEAKER. There is a conference report now pending before the House. The Clerk will read the report.

The Clerk proceeded to read the report.

Mr. DUNN (interrupting the reading). I am satisfied that the difference between the bill as it was before the House and as it is now reported by the committee of conference may be stated by the gentle-

man in charge of the report so as to save time in the reading.

Mr. HATCH. I call for the regular order.

The SPEAKER pro tempore (Mr. BLAND). The regular order being called for, the Clerk will proceed with the reading.

The Clerk continued and completed the reading of the conference report of follows:

port, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7480) "making appropriations for the repairs, construction, and preservation of certain public works on rivers and harbors, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as

That the House recede from its disagreement to the amendments of the Senate and concur in the same with an amendment to which the Senate agrees, to wit: Strike out all after the enacting clause of the Senate amendment and in-

wit: Strike out all after the enacting clause of the Senate amendment and insert the following:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out all after the enacting clause and insert the following:

That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Secretary of War, for the construction, completion, repair, and preservation of the public works herein named:

Improving harbor at Rockland, Me.: Continuing improvement, \$22,500.

Improving harbor at Portland, Me.: Continuing improvement, \$30,000.

Improving the channel in Back Cove, Portland, Me.: Continuing improvement, \$26,200.

Improving harbor at York, Me., \$15,000.

Improving harbor at York, Me., \$15,000.
Improving harbor at Portsmouth, N. H.: Continuing improvement, \$15,000.
Improving the harbor of refuge at Little Harbor, N. H.: Continuing improvement, \$15,000.

Improving harbor at Forkmouth, N. H.; Continuing improvement, \$18,000.

Improving harbor at Burlington, Vt.: Continuing improvement, \$18,750.

For a breakwater at Gordon's landing, on Lake Champlain, to be built on the 2-foot curve mentioned in the papers accompanying the report of the Secretary of War to the Senate dated March 1, 1886 (Executive Document No. 81, Forty-ninth Congress, first session), \$18,750.

Improving harbor at Boston, Mass.: Continuing improvement, \$56,250; of which \$18,750 are to be expended at Fort Point Channel, on Part A, below Congress street bridge.

Improving harbor at Lynn, Mass.: Continuing improvement \$5,000.

Improving harbor at Lynn, Mass.: Continuing improvement \$15,000.

Improving Hyannis Harbor, Massachusetts, \$10,000.

Improving harbor at Newburyport, Mass.: Continuing improvement, \$5,000.

Improving harbor at Plymouth, Mass.: Continuing improvement, \$6,000.

Improving harbor at Plymouth, Mass.: Continuing improvement, \$6,000.

Improving harbor at Hingham, Mass.: Continuing improvement, \$6,000.

Improving harbor at Gloucester, Mass., \$5,000; of which \$2,000, or so much as may be needed, for a survey, and remainder on Babson's Ledge.

For the national harbor of refuge of the first class at Sandy Bay: Continuing improvement, \$10,000.

For the national harbor of refuge of the first class at Sandy Bay: Continuing improvement, \$10,000: Provided, That this sum and that appropriated in the last river and harbor bill shall be expended only upon that portion of the work at Sandy Bay which may be beneficial to commerce in the event Congress should not determine to construct said national harbor of refuge of the first class: And provided further, That the Secretary of War shall appoint a board of three engineers to examine into the practicability, expediency, and advisability of construction of a national harbor of refuge at Sandy Bay, and report the facts and their conclusions to Congress at its next session: And provided further, That the expenses of said board be paid out of the appr

Improving h. rbor at Newport, R. I.: Continuing improvement, \$15,000. Improving harbor at Bridgeport, Conn.: Continuing improvement, \$20,000. Improving harbor at Black Rock, Conn.: Continuing improvement, \$5,000. Improving breakwater at New Haven, Conn.: Continuing improvement, \$75,000.

\$75,000.

Improving harbor at New Haven, Conn.: Continuing improvement, \$20,000.

Improving harbor at New London, Conn.: Continuing improvement, \$20,000.

Improving harbor at Norwalk, Conn.: Continuing improvement, \$2,000.

Improving harbor at Stamford, Conn.: Continuing improvement, \$20,000.

Improving harbor at Stamford, Conn.: Continuing improvement, \$20,000.

Improving harbor at Stamford, Conn.: Continuing improvement, \$10,000.

Improving harbor at Buffalo, N. Y.: Continuing improvement, and repairs on the outer breakwater, \$112,500.

Improving Buttermilk Channel, New York: Continuing improvement, \$56,250.

Improving breakwater at Rouse's Point, N. Y.: Continuing improvement, \$20,000.

Improving harbor at Dunkirk N. Y.: Continuing improvement, \$20,000.

Improving harbor at Dunkirk, N. Y.: Continuing improvement, \$20,000.
Improving harbor at Canarsie Bay, New York: Continuing improvement, \$10,000.

Improving harbor at Charlotte, N. Y.: Continuing improvement and repairs, \$25,250.

Improving harbor at Flushing Bay, New York: Continuing improvement,

\$10,000. Improving channel at Gowanus Bay, New York: Continuing improvement, \$7,500. Improving harbor at Great Sodus Bay, New York: Continuing improvement, \$16,875.

Improving harbor at Greenport, N.Y.; Continuing improvement, \$5,000. Improving harbor at Little Sodus Bay, New York: Continuing improvement, \$12,500.

Improving harbor at Oak Orchard, N. Y.: Continuing improvement by repair \$12,500. Improving harbor at Olcott, N. Y.: Continuing improvement and repairs, \$10,-

Improving harbor at Wilson, N. Y.: Continuing improvement, \$10,000.

Improving harbor at Ogdensburg, N. Y.: Continuing improvement, \$10,000; which, together with the amount on hand, is to be used in removing obstructions from the mouth of the Oswegatchee and continuing the excavation at the lower harbor up stream.

Improving harbor at Oswego, N. Y.: Continuing improvement, \$71,250: of which \$56,250 to be used in repairs, and \$15,000 in continuing work on the harbor. Improving harbor at Rondout, N. Y.: Continuing improvement, \$2,500.

Improving harbor at Saugerties, N. Y.: Continuing improvement, \$15,000.

Improving harbor at Sheepshead Bay, New York: Continuing improvement, \$55,000.

Improving harbor at Sheepshead Bay, New York: Continuing improvement, \$5,000.

Improving New York Harbor, New York: To secure a 30-foot channel at mean low water at the Sandy Hook entrance of the harbor, upon such plan as the Secretary of War may approve, \$600,000.

Improving channel between Staten Island and the New Jersey shore, New York and New Jersey: Continuing improvement, \$15,000.

Improving harbor at Raritan Bay, New Jersey: Continuing improvement, \$7,500.

Improving harbor at Plattsburg, N. Y.: Continuing improvement, \$5,000.

For a more thorough and definite survey and examination of the harbor at Atlantic City, N. J., with a view of making a harbor of refuge at that point \$5,000: said examination and survey to be made by a board consisting of three United States engineers.

Improving harbor at Eric, Pa.: Continuing improvement, and also for the improvement of said harbor as recommended by the Chief of Engineers-January 13, 1853, \$7,500. Provided. That the Secretary of War be, and he is hereby, authorized and directed to receive and accept for the United States, from the marine hospital of Eric, Pa., the title to the peninsula of Presque Isle, at Eric, Pa., as tendered by the said marine hospital, agreeably to the provisions of an act of the Legislature of the State of Pennsylvania, approved May II, 1871: And provided further. That \$22,500 of said sum shall not be expended until the aforesaid title shall be accepted by the Secretary of War.

Improving ice-harbor at Marcus Hook, Pennsylvania: Continuing improvement, \$15,000.

The Secretary of War is authorized to cede to the city of Chester, Pa., the upper and lower piers located in said city and extending into the Delaware Pieze and

ment, \$15,000.

The Secretary of War is authorized to cede to the city of Chester, Pa., the upper and lower piers located in said city and extending into the Delaware River, and formerly used as an ice-harbor.

Improving Delaware Breakwater, Delaware: Continuing improvement, \$56,-

Improving Delaware Breakwater, Delaware: Continuing improvement, \$56,-250.

Improving iee-harbor at New Castle, Del.: Continuing improvement, \$5,000.

Improving harbor at Wilmington, Del.: Continuing improvement, \$15,000.

Improving harbor at Battoner, Md.: Continuing improvement, \$150,000.

Improving harbor at Breton Bay, Maryland: Continuing improvement, \$6,500.

For continuing the improvement of the Potomac River in the vicinity of Washington, with reference to the improvement in navigation, the establishment of harbor-lines, and the raising of the flats, under the direction of the Secretary of War and in accordance with existing plans, \$3:75,000: Provided, That no part of the sum hereby appropriated shall be expended upon or with reference to any place in respect of which the title of the United States is in doubt, or in respect to which any claim adverse to the United States has been made.

Improving harbor at Norfolk, Va., and improving approach to Norfolk Harbor and the United States navy-yard at Norfolk: Continuing improvement by widening the channel of Elizabeth River to the port-warden's line on the eastern side, between Lambert's Point light and Fort Norfolk, \$137,500; of which \$50,000 shall be expended in improving the harbor, and \$137,500 in widening the the channel of Elizabeth River to the port-warden's line on the eastern side, between Lambert's Point light and Fort Norfolk, beginning at Lambert's Point light, including the construction of the proposed dike.

Improving harbor at Edenton Bay, North Carolina: Continuing improvement, \$15,000.

Improving the inland water way between New Berne and Beaufort, N. C., \$10,000.

Improving the inland water way between New Berne and Beaufort, N. C.,

\$10,000.
Improving harbor at Charleston, including Sullivan's Island, South Carolina: Continuing improvement, \$187,500.
Improving Winyaw Bay, South Carolina: Continuing improvement, \$18,750.
Improving harbor at Georgetown, S. C.: Continuing improvement, \$5,000.
Improving harbor at Brunswick, Ga.: Continuing improvement, \$22,500.
Improving Cumberland Sou'id, Georgia and Florida: Continuing improvement, \$12,500.
Improving harbor at Savannah, Ga.: Continuing improvement, \$150,000.
Improving harbor at Apalachicola Bay, Florida: Continuing improvement, \$12,000; of which \$2,000 may, in the discretion of the Secretary of War, be expended at the Carabello or Crooked River.
For examination and survey of the entrance to harbor at Key West, Fla., \$2,500.
Improving harbor at Pensacola Fla., Carating in the Caraberra of the Secretary of War, be expended at the Carabello or Crooked River.

\$2,500.

Improving harbor at Pensacole, Fla.: Continuing improvement, \$20,000.

Improving harbor at Tampa Bay, Florida: Continuing improvement, \$10,000.

Improving harbor at Gedar Keys, Fla., \$7,000.

Improving harbor at Mobile, Ala.: Continuing improvement, \$90,000.

Improving harbor at Bioxi Bay, Mississippi: Continuing improvement, \$12,-500; which sum, together with the money on hand heretofore appropriated for the roadstead, is hereby directed to be used in deepening the channel from Mississippi Sound to the wharves at Biloxi.

Improving Aransas Pass and Bay up to Rockport and Corpus Christi, Tex.: Continuing improvement, \$101,250.

Improving Brazos Santiago Harbor, Texas: Continuing improvement, \$37,500.

Improvement of entrance to Galveston Harbor, Texas: Continuing improvement, \$37,500.

Improving Pass Cavallo, Texas: Continuing improvement, \$37,500.
Improving Sabine Pass and Blue Buck Bar, Texas: Continuing improvement, \$198,750.

\$198,750.

Improving ship-channel in Galveston Bay, Texas, from Morgan's Cut to Bolivar Channel: Continuing improvement, for which purpose the balance now remaining of the money heretofore appropriated for this work is hereby directed to be expended by the Secretary of War in the completion of said channel, in accordance with the plans heretofore adopted, and in marking out said channel by piles or stakes, so as to enable navigators to find the same without difficulty.

Improving harbor at Ashtabula, Ohio: Continuing improvement, \$30,000.

Improving harbor at mouth of Black River, Ohio: Continuing improvement, \$10,000.

\$10,000.

Improving harbor at Cleveland, Ohio, on the last plan projected, \$93,750; of which \$30,000 are to be used in building a parapet on the existing break water, and the \$100,000 now on hand to be available for work on the last plan.

Improving harbor at Fairport, Ohio: Continuing improvement, \$18,750.

Improving barbor at Huron, Ohio: Continuing improvement, \$3,000.

Improving ice-harbor at the mouth of the Muskingum River, Ohio: Continuing improvement, \$37,500.

Improving harbor at Port Clinton, Ohio, by repairs of existing works, \$2,000.

For the purpose of acquiring the title to the land adjoining the inn \$\mathbf{e}\$ end of the west pier built by the United States for the improvement of the harbor at Port Clinton, Ohio, the Secretary of War shall negotiate with the owner or owners of the land for the purchase thereof at a reasonable price, to be approved by Congress; and if an agreement as to price can not be made with the owner, then the value of the same shall be ascertained in the mode provided by

the laws of Ohio for the condemnation of lands for public uses in that State, the result of said proceedings of condemnation, if taken, to be reported to the next Congress for its approval.

Improving harbor at Sandusky City, Ohio, by dredging the channel through the outer bar and within the bay; and for this purpose the money appropriated by act of July 5, 1884, now on hand, is hereby made available, and the further sum of \$5,000 is hereby appropriated.

Improving harbor at Toledo, Ohio: Continuing improvement of the Maumee River by a straight channel along such line as may be approved by the Secretary of War, \$112,500 and the balance of the \$25,000 heretofore appropriated are hereby made available for clearing the old channel.

Improving harbor at Vermillion, Ohio: Continuing improvement, \$3,000.

Improving harbor at Michigan City, Ind.: Continuing improvement, \$10,000.

Improving harbor at Calumet, Ill.: Continuing improvement, \$75,000.

Improving harbor at Charlevoix and entrance to Pine Lake, Mich.: Continuing improvement, \$20,000.

Improving harbor at Cheboygan, Mich.: Continuing improvement, \$10,000.

Improving harbor at Cheboygan, Mich.: Continuing improvement, \$10,000.

Improvement, \$10,000.

Improving harbor at Cheboygan, Mich.: Continuing improvement, \$15,000.

Improving harbor at Frankfort, Mich., by extension of piers and repairs:

Continuing improvement, \$7,000.

Improving harbor at Grand Haven, Mich.: Continuing improvement, \$30,000.

Improving harbor of refuge at Grand Marais, Mich.: Continuing improvement, \$26,250.

nenf, \$26,250.

Improving harbor at Ludington, Mich.: Continuing improvement, \$56,250.

Improving harbor at Manistee, Mich.: Continuing improvement, \$10,000.

Improving harbor at Marquette, Mich.: Continuing improvement, \$10,000.

Improving harbor at Monroc, Mich.: By repairs, \$2,000.

Improving harbor at Monroc, Mich.: Continuing improvement, \$12,500.

Improving harbor at Ontonagon, Mich.: Continuing improvement, \$13,000.

Improving harbor at Pent Water, Mich.: Continuing improvement, \$10,000.

Improving harbor at Pent Water, Mich.: Continuing improvement, \$10,000. \$15,000.

Improving and repairing harbor of refuge at Sand Beach, Michigan; Continuing improvement, \$75,000; of which not exceeding \$37,500 are to be used in

repairs.

Improving harbor at Saint Joseph, Mich.: Continuing improvement, \$10,000.

Improving harbor at Saugatuck, Mich.: To complete improvement, \$8,000.

Improving harbor at South Haven, Mich.: Continuing improvement, \$5,000.

Improving harbor at White River, Michigan: Continuing improvement, \$10,-

O00.

Improving harbor at Black Lake, Mich.: Continuing improvement, \$5,000. Improving harbor at Ahnapee, Wis.: Continuing improvement, \$15,000; but no part of said sum is to expended until the wharfage over the Government piers at that port shall be made free.

Improving harbor at Green Bay, Wis.: Continuing improvement, \$7,000. Improving harbor at Kenosha, Wis.: Continuing improvement, \$5,000. Improving harbor at Kewaunee, Wis.: Continuing improvement, \$10,000. Improving harbor at Manitowoc, Wis.: Continuing improvement, \$10,000. Improving harbor at Menominee, Wis.: Continuing improvement, \$3,000. Improving harbor of refuge at Milwaukee, Wis.: Continuing improvement on bay and harbor, \$60,000.

Improving harbor at Oconto, Wis.: Continuing improvement, \$8,000. Improving harbor at Port Washington, Wis.: Continuing improvement, \$5,000.

Improving harbor at Racine, Wis.: Continuing improvement, \$10,000.

Improving harbor at Superior Bay and Saint Louis Bay, Wisconsin: Continuing improvement, \$22,500; and the engineer in charge, in his next annual report, shall submit an estimate of the cost of a dredge-boat or other facilities that may be needed for dredging the harbors of Duluth and Superior. Thirteen thousand five hundred dollars of the money hereby appropriated are to be expended in dredging in said Superior Bay and Harbor, and in repairing piers at natural entry, and \$3,000 in dredging Saint Louis Bay, along the dock-line on the Wisconsin shore, from deep water at Connor's Point toward deep water at Grassy Point.

Improving harbor at Sheboygan. Wis.: Continuing improvement \$15,000.

expended in dredging in said Superior Bay and Harbor, and in repairing piers at natural entry, and \$9,000 in dredging Saint Louis Bay, along the dock-line on the Wisconsin shore, from deep water at Connor's Point toward deep water at Grassy Point.

Improving harbor at Sheboygan, Wis.: Continuing improvement, \$15,000. Improving harbor at Shugeon Bay, Wis.: Continuing improvement, \$20,000. Improving harbor at Ashland, Wis.: Continuing improvement, \$22,500. For making free of toll to commerce the Sturgeon Bay and Lake Michigan, Ship-canal, connecting the waters of Green Bay with Lake Michigan, in the State of Wisconsin, \$112,500, or so much thereof as may be necessary: Provided, That no part of said sum shall be expended until the Secretary of War shall have caused an examination to be made by a board of three United States engineers into the importance and value to commerce and navigation of the free use of said ship-canal, and unless the report of said board shall be in favor of making said canal free to commerce: And provided further, That no part of said sum shall be expended until the Secretary of War shall be satisfied, upon investigation, as to the actual cost of said canal to said company; and then only so much of said sum shall be expended as the said Secretary of War shall be satisfied is necessary to reimburse the said company for advances and expenses actually made and incurred in constructing said canal, and in maintaining the same, over and above the net proceeds of the lands granted by Congress to aid in constructing said canal, and over and above the tolls received therefrom, with interest, as provided by the act of Congress making said grant, approved April 10, 1866; and none of said moneys shall be expended except upon a full and abborite conveyance to the United States of said ship-canal, harbor, easements, rights of said work, free and clear of all liens and incurrences and provenents, rights of said work, free and clear of all liens and incurrences and provenents, rights of said work, free and

Improving harbor at Red Wood, Cal.: Continuing improvement, \$5,000.

The sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated for examination, survey, and estimated cost of obtaining a channel 250-feet wide and 24 feet deep at mean low water across the outer bar, and from thence to a point abreast of beacon No. 2, in San Diego Harbor, California; also, of obtaining a navigable channel at least 8 feet in depth at mean low water at Newport Harbor, California; also, of the establishment of a breakwater extending in a southeasterly direction one-fourth of a mile, more or less, along the sunken reef commencing at or near Whaler's Point, so called, at San Luis Obispo Harbor, California.

Improving harbor at Wilmington, Cal.: Continuing improvement, \$75,000.

Improving harbor at Yaquina Bay, Oregon: Continuing improvement, \$75,000.

Improving Moosebee Bar, Maine: Continuing improvement, \$10,000.

Improving Penobesot River, Maine: Continuing improvement, by widening the channel opposite Bangor and removing obstructions near Crosby's Narrows, \$15,000.

Improving Saco River, Maine, \$12,500.

Improving Saco River, Maine, \$12,500.
Improving Narragangus River, Maine, \$10,000.
Improving Cocheco River, New Hampshire: Continuing improvement, \$10,000.

Improving Ipswich River, Massachusetts, \$2,500.
Improving Warren River, Rhode Island, \$5,000.
Improving Pawtucket River, Rhode Island: Continuing improvement,

\$30,000.

Improving Providence River and Narragansett Bay, Rhode Island: Continuing improvement, \$30,000.

For removing Green Jacket Shoal, Providence River, Rhode Island, \$26,250.

Improving Connecticut River, Rhode Island, \$12,000.

Improving Connecticut River, below Hartford, Conn.: Continuing improvement, \$26,250.

Improving Housatonic River, Connecticut, \$5,000.

Improving Thames River, Connecticut: Continuing improvement, \$22,500.
Improving East Chester Creek, New York: Continuing improvement, \$10,000.
Improving Hudson River, New York: Continuing improvement, \$26,250; of which \$15,000 may be used for the removal of the rock in channel at Van Wie's Point.

Improving Newtown Creek and Bay, New York: Continuing improvement, \$37,500; of which \$9,375 to be expended on west branch between Maspeth avenue and Dual Bridge, at Grand street and Metropolitan avenue; \$9,375 to be expended on main branch between Easterly Grand Street bridge to Metropolitan avenue, and balance on lower end from Maspeth avenue to the mouth of the

nue and Dual Bridge, at Grand street and Metropolitan avenue; \$9.375 to be expended on main branch between Easterly Grand Street bridge to Metropolitan avenue, and balance on lower end from Maspeth avenue to the month of the creek.

Improving Marlows at Lake Champlain, New York, from Benson, Vt., to canal locks at Whitehall, N. Y., \$30,000.

Improving Narows at Lake Champlain, New York, from Benson, Vt., to canal locks at Whitehall, N. Y., \$30,000.

Improving Tieonderoga River, New York: Continuing improvement, \$2,000.

Improving Passaie River, New Jersey: Continuing improvement, \$2,000.

Improving Passaie River, New Jersey: Continuing improvement, \$26,250, of which \$2,250 are to be used above Newark.

Improving Baritan River, New Jersey: Continuing improvement, \$26,250.

Improving Saint Jones River, New Jersey: Continuing improvement, \$20,000.

Improving South River, New Jersey: Continuing improvement, \$10,000.

Improving South River, New Jersey: Continuing improvement, \$10,000.

Improving South River, New Jersey: Continuing improvement, \$10,000.

Improving Mononganela River, Pennsylvania and West Virginia: Continuing improvement, \$00,001.

Improving Mononganela River, Pennsylvania and West Virginia: Continuing improvement, \$30,000.

Improving Mononganela River, Pennsylvania and West Virginia: Continuing improvement, \$30,000.

Improving Mononganela River, Pennsylvania: Continuing improvement, \$30,000.

River Will River, Pennsylvania: Continuing improvement, \$30,000.

Improving Allegheny River, Pennsylvania: Continuing improvement, \$30,000.

Improving Schulykill River, Rensylvania: Continuing improvement, \$30,000.

Improving Choptank Rive

Improving Great Kanawha River, West Virginia: Continuing improvement, \$187,500.

\$187,500.

Improving Elk River, West Virginia: Continuing improvement, \$1,500.

Improving Guyandotte River, West Virginia: Continuing improvement, the amount heretofore appropriated is hereby made available for this purpose. Improving Little Kanawha River, West Virginia: Continuing improvement, \$16,875; of which \$1,875 shall be used in continuing the improvement of navigation above the west fork. But no toll shall be collected by any person or corporation for this improved navigation; and such right, if any exist, shall be relinquished, in a manner satisfactory to the Secretary of War, before the expenditure of any of the money herein appropriated for this work.

Improving Cape Fear River, North Carolina: Continuing improvement,

\$168,750; of which sum \$11,250 are to be expended above Wilmington, the remainder below and opposite the city of Wilmington, including as much of its northeast branch as lies in front of Wilmington, within the city limits.

Improving Contentnia Creek, North Carolina: Continuing improvement,

\$15,000.

Improving Currituck Sound, Coanjok Bay, and North River Bar, North Carolina: Continuing improvement, \$10,000.

Improving Neuse River, North Carolina: Continuing improvement, \$22,500.

Improving New River, North Carolina: Continuing improvement, \$10,000.

Improving Pamlico and Tar Rivers, North Carolina: Completing improvement, \$5,000.

Improving Pamlico and Tar Rivers, North Carolina: Completing improvement, \$5,000.

Improving Black River, North Carolina, \$3,000: Provided, That all claims of private parties to the navigation of the river shall be ceded to the United States, free of charge, before the commencement of said improvement.

Improving Roanoke River, North Carolina: Continuing improvement, \$20,000. Two thousand five hundred dollars, or so much thereof as may be necessary, of the aforesaid \$20,000 shall be used for the purpose of removing obstructions in the Thoroughfare and Coshoke Creek.

Improving Trent River, North Carolina: Continuing improvement, \$3,500. Improving Dan River, North Carolina: Continuing improvement between Madison, N. C., and Danyille, Va., \$10,000.

Improving the inland water way between Beaufort Harbor and New River, North Carolina, through Bogue Sound, \$10,000.

Improving Ashley River, South Carolina: Continuing improvement, \$1,000. Improving Edisto River, South Carolina: Continuing improvement, \$3,000. Improving Great Pee Dee River, South Carolina: Continuing improvement, \$20,000. Improving Salkiehatchie River, South Carolina: Continuing improvement, \$20,000. Improving Salkiehatchie River, South Carolina: Continuing improvement, \$20,000.

Improving Salkiehatchie River, South Carolina: Continuing improvement,

\$2,000.
Improving Santee River, South Carolina: Continuing improvement, \$18,750; no part of which sum to be used for the construction of any road bridge across the Mosquito Creek Canal: Provided, That if salt water be found flowing into said Mosquito Creek, \$5,000 of said sum, or so much thereof as may be necessary, shall be used for the construction of a flood-gate at upper end of the canal, to prevent the same.

Improving Waccamaw River, South Carolina: Continuing improvement, \$15,000.

\$15,000.

Improving Wappoo Cut, South Carolina: Continuing improvement, \$5,000.

Improving Wateree River, South Carolina: Continuing improvement, \$7,500.

Improving Congaree River, South Carolina, \$7,500.

Improving Altamaha River, Georgia: Continuing improvement, \$20,000; of which \$10,000 are to be used on Doboy Bar, or so much thereof as may be neces-

sary.
Improving Chattahoochee River, Georgia and Alabama: Continuing improvement, \$20,000.
Improving Coosa River, Georgia and Alabama: Continuing improvement, \$45,000.

\$45,000. Improving Flint River, Georgia: Continuing improvement, \$20,000; of which sum \$5,000 are to be expended between Albany and Montezuma, and \$15,000 below

sum \$5,000 are to be expended between Albany and Montezuma, and \$15,000 below Albany.

Improving Ocmulgee River, Georgia: Continuing improvement, \$7,500.

Improving Oconee River, Georgia: Continuing improvement, \$9,000; \$1,500 of said sum to be expended between Skull Shoals and the railroad bridge.

Improving Romely Marsh, Georgia: To complete improvement, \$17,475; and so much of said sum as may be necessary may be applied by the engineer in charge, with the approval of the Secretary of War, to pay for work done on said improvement, under the direction of the War Department, since the last appropriation was exhausted.

Improving Savannah River below Augusta, Ga.: Continuing improvement, \$15,000.

Improving Abalachicola River, Florida: Continuing improvement, \$1,000.

improvement, under the direction of the War Department, since the last appropriation was exhausted.

Improving Savannah River below Augusta, Ga.: Continuing improvement, \$1,000.

Improving Caloosahatchee River, Florida: Continuing improvement, \$4,000.

Improving Chocabahatchee River, Florida: Continuing improvement, \$4,000.

Improving Chocabahatchee River, Florida and Alabama: Continuing improvement, \$12,000.

Improving Conceuh-Escambia River, Florida and Alabama: Continuing improvement, \$12,000.

Improving Conceuh-Escambia River, Florida and Alabama: Continuing improvement, \$12,000.

Improving Ganage Bayou, Florida: Continuing improvement, \$2,000.

Improving Manatee and Pease Rivers, Florida: Continuing improvement, \$13,000; of which \$5,000 may be expended on Pease River.

Improving Ganage Bayou, Florida: Continuing improvement, \$15,000.

Improving Suwanee River, Florida: Continuing improvement, \$5,000.

Improving Suwanee River, Florida: Continuing improvement, \$5,000.

Improving Withlacooche River, Florida: Continuing improvement, \$3,000.

Improving Withlacooche River, Florida: Continuing improvement, \$3,000.

Improving Black Warrior River from Tuscaloosa to Daniels Creek, Alabama, \$6,250, together with the \$47,000 on hand; to be expended in accordance with the plan adopted by the board of engineers.

Improving Cahawba River, Alabama: Continuing improvement, \$7,500: Provided, That no part of said sum shall be expended until the officer in charge shall have reported that the railroad and other bridges across said river have been provided with good and sufficient draw-openings.

Improving Tallapoosa River, Alabama: Continuing improvement, \$7,500.

Improving Tallapoosa River, Alabama: Continuing improvement, \$7,500.

Improving Tombigbee River, Alabama: Continuing improvement, \$7,500.

Improving Tombigbee River, Mississippi: Continuing improvement, \$2,000; of which \$2,000 to be expended below Tuscaloosa.

Improving Pasa River, Mississippi: Continuing improvement, \$2,000; of which \$2,000 to be expended between Woo

which \$5,000, or so much as may be necessary, to be dead in repairing boat.

Improving Big Black River, Mississippi: Continuing improvement, \$3,750: Provided, That no part of this appropriation shall be used until the State of Mississippi shall have first caused the bridges over said stream south of the Vicksburg and Meridian Railroad to be so constructed as not to obstruct he navigation of said stream

Improving Amite River, Louisiana: Continuing improvement, \$2,000. Improving Bout River, Louisiana: Continuing improvement, and for closing Outlet No. 1, \$5,000. Improving Bayou Bartholomew, Louisiana and Arkansas: Continuing improvement, \$5,000.

Improving Bayou Courtableau, Louisiana: Continuing improvement, \$5,000.

Improving Bayou D'Arbonne, Louisiana: Continuing improvement, \$2,000.

Improving Bayou D'Arbonne, Louisiana: Continuing improvement, \$2,000.

Improving Bayou Terrebonne, Louisiana: Continuing improvement, \$10,000,

Improving Cypress Bayou and the lakes between Jefferson, Tex., and Shreveport, La., Texas and Louisiana: To complete improvement, \$18,000.

Improving Tensas River and Bayou Macon, Louisiana: Continuing improvement, \$4,000.

Improving Red River, Louisiana and Arkansas: Continuing improvement from Fulton, Ark., to the Atchafalaya River, Louisiana, including completing
the work at Alexandria, \$75,000; of which sum \$25,000, or so much thereof as
may be necessary, shall be used in making a thorough survey of the river from.
Fulton, Ark., to the Atchafalaya River, and in completing the survey of Bayou
Pierre, Louisiana.

Improving Tehefuncte River and Bogue Falia, Louisiana: Continuing improvement, \$2,500; to be expended in the improvement of Bogue Falia up to
Covington.

Improving Tehefunete River and Bogue Falia, Louisiana: Continuing improvement, \$2,500; to be expended in the improvement of Bogue Falia up to Covington.

Improving Tickfaw River, Louisiana: Continuing improvement, \$2,000; to be expended on its navigable tributaries.

Improving Ouachita River, Louisiana and Arkansas, and Black River, Louisiana: Continuing improvement, \$17,500; of which \$7,500, or so much thereof as may be necessary, for repairing snag-boat Wagner.

Improving Calcasieu River and Pass, Louisiana: Continuing improvement to secure a navigable channel 8 feet deep over the bars affecting the entrance to said river and pass, and for this purpose the money on hand heretofore appropriated for improvement of Calcasieu River is to be used.

Improving mouth of Brazos River, Texas: Continuing improvement, \$18,750. Improving Baffalo Bayou, Texas: Continuing improvement, \$18,750. Improving Saint Francis River, Arkansas and Missouri, to the town of Saint Francis: Continuing improvement, \$8,000.

Improving Arkansas River, Arkansas: Continuing improvement, \$75,000; according to the plan and recommendations in Appendix V 13, Executive Document 1, Forty-ninth Congress; of which there are to be expended \$8,000 at Pine Bluff, \$13,000 at Fort Smith, and \$10,000 at Dardanelles, or so much thereof under those sums respectively as may be necessary at those points.

For the removal of snags, wrecks, and other obstructions in the Arkansas River, \$19,575; of which sum \$1,125, or so much thereof as may be necessary, shall be used to complete the survey of the Arkansas River between Little Rock, Arkansas, and Wichita, Kans.

Improving Black River, Arkansas, 35,000.

Improving Black River, Arkansas, 35,000.

Improving Black River, Arkansas Continuing improvement, \$18,000; \$13,000 of which, or so much thereof as may be necessary, to complete the survey of said river; the remainder for general improvement.

For removing the rock shoals in Fourche River, Arkansas, situate 4 miles south of Perryville, in Perry County, Arkansas, ac

nent, \$12,500.

Improving French Broad River, Tennessee: Continuing improvement, \$6,000.

Improving Hiawasse River, Tennessee: Continuing improvement, \$2,500.

Improving South Fork of Forked Deer River, Tennessee: Continuing improvement, \$5,000.

Improving Tennessee River above Chattanooga, Tenn.: Continuing improve-

ment, \$7,500.

Improving Tennessee River at Big Muscle Shoals, Little Muscle Shoals, and lk River Shoals, Alabama: To complete improvements at these localities,

Improving South Fork of Cumberland River, Kentucky: Continuing improve-ment, \$5,000.

Improving South Fork of Cumberland River, Kentucky: Continuing improvement, \$5,000.

Improving Kentucky River, Kentucky: Continuing improvement, \$187,500.

Improving Tradewater River, Kentucky: Continuing improvement, \$2,000.

Improving the Falls of the Ohio River at Louisville, Ky.: Continuing improvement, according to the last plan of the engineer in charge, and to be first applied to the completion of the work now in progress, \$150,000: Provided, That of that sum \$50,000 shall be expended in enlarging the canal-basin, as recommended in the last report of the engineer in charge.

The Secretary of War is hereby authorized and directed to ascertain the value and commercial importance of the works and property of the Green and Barren River Navigation Company, situated on the Green and Barren River, and of the Monongahela Navigation Company, situated on the Monongahela River, in the State of Pennsylvania; and in order to acquire such information the Secretary of War shall appoint a board of three competent engineers from the Engineer Corps of the United States Army, which board shall in each case report to the Secretary of War, who shall report thereon to Congress at its next succeeding session; and the cost of such examination shall be paid out of the sum appropriated by this act for surveys: Provided, That nothing herein shall be construed as committing Congress to the purchase of the said works.

Improvement of the Muskingum River, Ohio, between Zanesville and the mouth of the river, and for operating the same, \$20,000. And the United States hereby accepts from the State of Ohio the said Muskingum River improvement, and all the locks, dams, and their appurtenances, and the canals, belonging to said improvement, and all the franchises and property of every kind, and rights, in said river, and its improvements, now owned, held, and enjoyed by the State of Ohio, including all water leases and rights to use water under and by virtue of any lease of water now running and in force between the State of Ohio, and all

Improving Saint Clair Ship-canal, Michigan: Continuing improvement, \$18,750.

Improving Saint Clair Ship-canal, Michigan: Continuing improvement, \$18,750.

Improving Saint Mary's River, Michigan: Continuing improvement by a new Improving Saint Mary's River, Michigan: Continuing improvement, \$12,500.

Improving Ray Lake Channel, Michigan: Continuing improvement, \$23,700; of which \$16,875 are to be used above Bay City, and \$5,000 in improving the west channel along West Bay City. Improved water ways known as the Portage Lake and River Improvement Company Canal, being the improved harbors of refuge and the water communication across Keweenaw Point, from Keweenaw Bay to Lake Superior, by way of Portage River and Lake, in the State of Michigan, and to make the same a free passage-way and harbors of refuge to commerce and navigation to be made by a board of three engineers to ascertain and report upon the importance and value of the free use of said two harbors of refuge and the water communications across Keweenaw Point to the commerce and navigation to be made by a board of three engineers to ascertain and report upon the importance and value of the free use of said two harbors of refuge and the water communications across Keweenaw Point to the commerce and navigation of the more statement of the process of said two harbors of refuge and the water from said board a report formable to meet purchase by the United States and provided further, That notwithstanding the report of said board of engineers, the money kerein appropriated for the purchase of said water ways shall not be expended unless the Secretary of War and Chief of Engineers shall not be expended unless the Secretary of War and Chief of Engineers shall be satisfied of the expediency and desirability of the United States acquiring and making free conveyance to the United States of said two harbors of refuge, canals, essements, rights of way, piers, docks, and appurteanances of every nature belonging to and connected with said works, or either of them.

Improving Cox River, Wisconsin: Continuing improvement below Montello, on the app

sembly of the State of Illinois approved April 28, 1822, 98, and is hereby, accepted on the terms and conditions specified in the act of the General Assembly of the State of Illinois.

Insert in lieu of lines 1204 to 1234, inclusive:

"And the Secretary of War is hereby authorized and directed to commence the work of enlarging said canal in accordance with the surveys, plans, and estimates made under the direction of the Secretary of War, in pursuance of the provisions of an act entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' which became a law August 2, 1822; and the Secretary of War is further authorized and directed to cause a final survey and location of the line of a canal from the Illinois River, at or near the town of Hennepin, in the State of Illinois, to the Mississippi River at or above the mouth of Rock River, together with such feeders and other works as may be necessary to supply said canal with water, to be known as the Illinois and Mississippi River Canal, and which shall be constructed on such one of the several routes heretofore surveyed under the direction of the Secretary of War and in pursuance of the act of Congress aforesaid as may be determined by him; said canal shall be 80 feet wide at the water-line and 7 feet deep, with a capacity for vessels of at least 280 tons burden, with guard-gates, waste-weirs, locks, lock-houses, basins, bridges, and all other erections and fixtures that may be necessary for safe and convenient navigation of said canal and feeder as specified in said survey; and the said Secretary of War is hereby directed to make a report of his action in locating the line of said canal and of making the final location and survey of the line of the said illinois and Mississippi Canal the sum of \$300,000 is hereby appropriated."

Improving Gasconade River, Missouri: Continuing improvement by snagging and removing obstructions, \$10,000.

Improving Osage River, Missouri:

so forth; and the money heretofore appropriated for locks and dams is hereby made available for this purpose.

Improving Yellowstone River between Glendive and the mouth, Montana: Continuing improvement, \$18,750.

Improving Mokelumne River, California, by removing obstructions, \$2,500.

Improving Mokelumne River, California, by removing obstructions, \$2,500.

Improving Sacramento and Feather Rivers, California, \$40,000 of the money heretofore appropriated for improving said rivers that may remain unexpended at the end of the present fiscal year, for snagging and dredging operations, and the cost of the proceedings hereinafter authorized; also \$10,000 to complete dredges authorized by act of July 5, 1884; the balance of said unexpended money not to be used until the Secretary of War be satisfied that hydraulic mining hurful to navigation has ceased on said rivers and their tributaries. If he be not so satisfied, he is hereby instructed to institute such legal proceedings as may be necessary to prevent the washing, sluicing, dumping, or discharging detritus, dibris, or slickens, caused by or arising from such hydraulic mining, into either of said rivers or any of its tributaries, or into the San Joaquin River or any of its tributaries, or into the San Joaquin River or any of its tributaries, or into the San Joaquin River or floods into either of said rivers or tributaries; and he is hereby instructed to use out of said sum as much as may be necessary for said purpose.

Improving San Joaquin River and Stockton and Mormon Sloughs, California: Continuing improvement, \$18,750.

Improving at the Cascades, Oregon: Continuing improvement, \$150,000.

Improving the Upper Columbia River, including Snake River, Oregon and Washington Territory: Continuing improvement, \$7,000.

Improving the mouth of the Columbia River, oregon, \$187,500.

Improving the Upper Willamette River, and Columbia River below Portland, Oreg.: Continuing improvement, \$10,000.

Improving Coquille River, Oregon: Continuing improvement, \$20,000.

Improvin

Improving Cowlitz River, Washington Territory: Continuing improvement,

Improving Coquille River, Oragon: Continuing improvement, \$20,000.

Improving Cowlitz, River, Washington Territory: Continuing improvement, \$2,500.

Improving Cowlitz, River, Washington Territory: Continuing improvement, \$2,000.

Improving Cowlitz, River, Washington Territory: Continuing improvement, \$2,000.

Improving Skagit, Stellaquamish, Nootsack, Snohomish, and Snoqualmie Rivers, Washington Territory: Continuing improvement, \$30,000.

Improving Skagit, Stellaquamish, Nootsack, Snohomish, and Snoqualmie Rivers, Washington Territory: Continuing improvement, \$30,000.

Improving Continuing Improvement, \$30,000.

Improving Continuing Improvement, \$30,000.

War, in accordance with plans and estimates to be furnished by the Missouri River, in accordance with plans and estimates to be furnished by the Missouri River, in accordance with plans and estimates to be furnished by the Missouri River, Stagen, and the stagent of the Sceretary of War.

For removing obstructions in the Missouri River, \$22,500.

Improving the Ohio River: Continuing improvement, \$375,000; out of which sum \$37,500 are to be expended at Grand Chain in removing rocks and other obstructions to navigation at that locality, a sia \$18,730 may be expended in condition of the Great Missouri River, near its junction with the Ohio, as may be necessary to confine the waters of the Great Missin River, near its junction with the Ohio, as may be necessary to confine the waters of the Great Missin River, near its junction with the Ohio, as may be necessary, of said appropriation shall be expended at Great Missin River, and an accordance of the Great Missin River, and the Chief, of the end that the formation of the bar in the Ohio River and the American Stage Stage

portion of this appropriation shall be expended to repair or build levees for the purpose of reclaiming lands or preventing injury to lands or private property by overflows: Provided, however, That the commission is authorized to repair and build levees if, in their judgment, it should be done as part of their plan to afford ease and safety to the navigation and commerce of the river and to deepen the channel: And provided further, That the expenditure of so much of said appropriation as may be required to continue tise improvement of Plum Point and Lake Providence reaches shall be confined to the complete repair and maintenance of the levees throughout said reaches to the height of 2 feet above the flood of 1882, and to the completion of the permeable works of contraction to such extent as may be required to bring the high-water banks of the river to the comparative uniformity of width contemplated in the property of the secretary of War for 1881, volume 2, part 3, page 2783: And provided further, That no works of bank protection or revertment shall be executed in said reaches or elsewhere until a ser it shall be found that the completion of the permeable contracting works and uniform width of the high-water channel will not secure the desired stability of the river-banks: Provided, however, That nothing herein contained shall prevent the construction of revertment works where the banks are caving at Greenville reach, Delta Point, in front of the cities of Vicksburg, Memphis, Hickman, and Columbus: And provided further, That contraction works shall be built at the same time in the wide portions of the river immediately above thesaid revenuentworks. Of the amount herein appropriate to represent works. Of the amount herein propries at New Orseland to the complete of the contraction works shall be built at the same time in the wide portions of the cities of Vicksburg, Memphis, and of keeping open an averaged to the contraction of the Red and A tenfalays Rivers by preventing further enlargement of the latter strea

as may be deemed by the United States officer supervising the improvement of said harbor most judicious and practicable and for the best interests of such improvement.

Sec. 4. The Secretary of War shall prescribe such rules and regulations as may be necessary to secure a judicious and economical expenditure of the money herein appropriated, and shall cause to be made and submitted to Congress annual reports, together with maps and plans, including the report of the Mississippi River Commission, on or before December 1, giving detailed statements of the work done, contracts made, the expenditures thereunder or otherwise, and balances of money on hand up to November 1, and the effect of such work, together with such recommendations as he may deem proper. He shall, at the same time, report to Congress all cases in which piers, breakwaters, locks, and dams, or other structures or works built or made by the United States in aid of commerce or navigation are used, occupied, or injured by a corporation or an individual, and the extent and mode of such use, occupation, or injury. He shall report, at the same time, whether any bridges, causeways, or structures now erected or in process of erection do or will interfere with free and safe navigation.

Sec. 5. It shall be the duty of the Secretary of War to apply the money herein appropriated for improvements other than surveys and estimates, in carrying on the various works, by contract of the rules, as may be most economical and advantageous to the Government. Where said works are done by contract, such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts as the Secretar

Arkansas

Re-examination of Little River.
The lakes connecting with Red River, between Shreveport, La., and Fulton,

Re-examination of Ouachita above Camden, Ark.

Saline River. Cache River.

California:
San Pedro Bay near the entrance to Wilmington Harbor, with a view to establishing an outer harbor for the protection of deep-draught vessels.

Mouth of Smith's River.
Crescent City Harbor, with a view to a sea-wall from Battery Point to Flat Rock.

Connecticut:
Five-Mile River Harbor.
Resurvey of Duck Island Harbor, on Long Island Sound, including plans,
specifications, and estimate of cost for making the same a harbor of refuge.

Dakota Territory: James River. Delaware:

Duck Creek.

Duck Creek.
Florida:
Punta Rassa Harbor.
Resurvey of Tampa Bay, including Hillsborough River up to the city of Tampa.
Resurvey of outer and inner bars at Pensacola.
Charlotte Harbor, including San Carlos Bay.
Clear Water Harbor, including Anclote and Saint Joseph's Bays and the Narows into Boga Clega Bay.
Wakulla River from its mouth to Wakulla Springs.
Survey of the channel from Haul-over, on Indian River, to Gilbert's Bar.
Saint Augustine, for a deep-sea channel on the outer bar.
Georgia:

Georgia:
Savannah River from cross-tides above Savannah to the bar, with a view fo obtaining twenty-eight feet of water in the channel.
Flint River from Montezuma to Old Agency.
From Doboy Island to Doboy Bar.
Jekyl Creek.

Illinois:

Himois:
Farm Creek, with a view to changing its course.
Kaskaskia River from New Athens to mouth.
Bars in Hamburg Bay.
Calumet River from the forks of the river near its entrance into Lake Calumet to Riverdale; also Calumet River from Riverdale to Blue Island.
Mississippi River at Rush Island Bend and Ivy Landing, with a view to confining and deepening the channel.
Indiana:

Indiana:

For a survey of the Ohio River near the city of Evansville, Indiana, with a view to determine what, if anything, will be necessary to prevent a change of the channel of the river in front of that city.

Kentucky:

Kentucky:
Pond River.
The Secretary of War is directed to report to the next session of Congress whether or not the Government dry-dock at the Louisville and Portland Canal is adequate for the purposes of commerce, and what alterations, if any, are necessary, and the cost of making the same.
Licking River from Farmer's to West Liberty.
Salt River.
Por ice-harbor at Paducah, Ky.
The bar at the mouth of Limestone Creek, in the harbor of Maysville.

The bar at the mouth of Limestone Creek, in the harbor of Maysville.

Louisiana;
Little River.
Bayou Ronge.
Dugdemona River.
Mouth of Bayou Plaquemine, with a view to its connection with the Mississippi River by locks; also Bayou Plaquemine and other connecting streams, to form the best route to Grand Lake.
Bogue Falia from present landing to Covington.
Calcasieu Pass, the two bars obstructing the navigation thereof.
Mouth of Calcasieu River, the bars obstructing its mouth.
Bayou Terrebonne from Houma to Thibodeaux.
Bayou Teche from Saint Martinsville to Fort Barre.
Mouth of Bayou La Fourche, with a view to the construction of a lock and dam.

dam.

Clear Lake, Black Bayou, Red Bayou, Black Lake, and Kelly Bayou, to reopen navigable communication between those streams and Red River.

Bayou La Fourche, to secure navigation at low water.

Cornay River.

Ouchita River from Camden to mouth, with a slack-water navigation.

Bayou Vermillion, to secure navigation from Abbeville to the railroad bridge of the Louisiana and Texas Railroad.

Bayou Rondeway.

Cypress Bayou.

of the Louisiana and Texas Railroad.

Bayou Rondeway.
Cypress Bayou.
Bayou Vidal.

Maine:
Bayoduce River betwe en the towns of Penobscot and Brooksville.
Big Rapids of Saint John's River.
Camden Harbor.
Rockport Harbor.
Kennebec River at Bath, and from Augusta to lower end of Perkin's Island.
Saint George's River from Warren to Thomaston.

Matinicus Isle, with a view to a harbor of refuge.
Penobscot River from Bangor to Lucksport Narrows.
Saint Croix River from Ferry Point Bridge, at Calais, to Breakwater Ledge.
Bar Harbor, Me., with the view to establishing a breakwater and deepening the waters of said harbor, and especially the channel between Rodick's Island and Mount Desert Island.

Maryland:
Cambridge Harbor.
Fairlee Creek.
Patuxent River from Benedict to Hill's Landing.
For widening the channel of Baltimore Harbor to 600 feet.

Massachusetts:
Manchester Harbor.
Duxbury Harbor.
Wellfleet Harbor of Refuge.
Vineyard Haven Harbor of Refuge.
Taunton River.
Winthrop Harbor of Refuge.
Taunton River.
Winthrop Harbor.
Michigan:
Bar in Saint Clair River opposite Saint Clair City.
Grand River.
North River between Essex and North Bridges.
Biddle's Point at Mackinae Harbor, with a view to a breakwater.

Grand River.

North River between Essex and North Bridges.

Biddle's Point at Mackinae Harbor, with a view to a breakwater.

Harbor at Forestville, Lake Huron.

Pigeon River.

Mouth of Black River, Saint Clair County.

Carp River at Leland, with a view to affording an entrance to Carp Lake for harbor of refuge.

Lake Michigan at Empire, with a view to cutting a channel across the bar from Lake Michigan to Bar Lake.

Grand Traverse Bay, with a view to connecting it with Torch Lake, near Eastport.

Grand Tractice
Eastport.
Pinepog River.
Rouge River at its junction with Detroit River, and up the river to bridge of
Saint Louis and Wabash Railroad.
Torch Lake Channel, Lake Superior.

Allinesota:
Red River of the North from Moorehead to Fergus Falls.
Red Lake River from Grand Forks to Red Lake.
Mississippi River between Saint Paul and Saint Anthony's Falls.
Minnesota River, with a view to its improvement by locks and dams.

Mississippi:
Tombigbee River, to ascertain what improvement is necessary to make said river continuously navigable from Vienna, Ala., to Walker's Bridge, Miss.
Cassity Bayou.
Noxubee River, to ascertain whether it can be made continuously navigable by a system of locks and dams, or otherwise.
Bear Creek.

Missouri:
Resurvey of the Osage River from its mouth to Osceola, with a view to movable locks and dams, or other methods of improvement.
Little River from Hornersville to its junction with the Saint Francis River.
Saint Francis River from Greenville to the Arkansas State line.

New Hampshire: Bellamy River.

North Carolina:
Alligator River.
Lockwood's Folly River.
Lumber River.
Yadkin River from South Carolina line to the Narrows.
Catawba River.

New Jersey:
Thoroughfare running back of the ocean from Cape May to the Great Bay north of Atlantic City.
Channel back of Brigantine Beach, between Absecon and Brigantine Inlets.

New York:
Channel between Jamaica Bay and Rockaway Inlet.
The East River, with a view to the removal of a ledge of rocks situated between five and six hundred feet from the foot of Tenth and Eleventh streets in the city of New York.

he city of New York.
Spring Creek.
Waddington Harbor.
Mouth of Patchogue River.
Mouth of Patchogue River.
Hudson River between New Baltimore and Coxsackie.
Peter's Neck Bay.
Tonawanda Harbor and Niagara River between Black Rock and Tonawanda,
yith a view to a 16-foot channel.
Glen Cove Harbor.

Oregon: Wood River.

Wood River.
Link River.
Siuslaw River and Bar.
Coquille River between Coquille City and Myrtle Point.
Nehalem Bay and Bar.
Tillamook Bay and Bar.

Umpqua River

Ohio:

Onio:
Sandusky Harbor, with a view to a straight channel from the north end of Cedar Point to the east end of the existing channel in front of the city.
Big Hockhocking River from its mouth to Coolville.
Chagrin River at its mouth.

Pennsylvania: Darby Creek. Rhode Island:

Rhode Island:
Little Narragansett Bay, entrance to the wharves at Watch Hill.
South Carolina:
Mosquito Creek between the South Edisto and Ashepoo Rivers, with a view to connect the South Edisto with the Ashepoo at or near Fenwick's Island.
Mingo Creek.
Clark's Creek.
Little Pee Dee River.
Alligator River and other waters connecting Santee River and Bull's Bay.

North Fork of the Forked Deer River below Dyersburg.
Obells River from the point where improvements have heretofore been made
to the mouth of the West Fork.

Cedar Bayou where it enters into Galveston Bay.

Cedar Bayou where it enters into danse.

Virginia:
Mattox Creek.
Nansemond River.
Louisa Fork of Sandy River.
Roanoke River from Clarksville, Va., to Eaton Falls, N. C.
Hunter's Creek.
West Virginia:
Meadow River.
Gauley River.
Coal River.
Virgonsin:

Wisconsin: Harbor at Hudson, Lake Saint Croix.

Examination and report on the causes of the extraordinary overflows of the Chippewa River, and what means, if any, can be adopted to prevent their re-

Chippewa River, and what means, if any, can be adopted to prevent their recurrence.

SEC. 6. For examinations, surveys, and contingencies, and for incidental repairs, for which there is no special appropriation, for rivers and harbors, \$100,000: Provided, That no survey shall be made of any harbors or rivers until the Chief of Engineer shall have directed a preliminary examination of the same by the local engineers in charge of the district, or an engineer detailed for the purpose; and such local or detailed engineer shall report said Chief of Engineers whether, in his opinion, said harbor or river is worthy of improvement, and shall state in such report fully and particularly the facts and reasons on which he bases such opinion, including the present and prospective demands of commerce; and it shall be the duty of the Chief of Engineers to direct the making of such survey if, in his opinion, the harbor or river proposed to be surveyed be worthy of improvement by the General Government; and he shall report to the Secretary of War the facts, and what public necessity and convenience may be subserved thereby, together with the full reports of the local engineer. Said reports of preliminary examinations and surveys shall be made to the House of Representatives, and are hereby ordered to be printed when so made.

made.

SEC. S. That the Secretary of War shall report to Congress, at its next and each succeeding session thereof, the name and place of residence of each civilian engineer employed in the work of improving riversand harbors by means and as a result of appropriations made in this and succeeding river and harbor ap-

propriation bills, the time so employed, the compensation paid, and the place at and work on which employed.

And the Senate agree to the same.

NEWTON C. BLANCHARD, THOS. J. HENDERSON. Managers on the part of the House. S. J. R. MCMILLAN, O. D. CONGER. M. W. RANSOM, Managers on the part of the Senate.

Mr. BLANCHARD and Mr. HATCH rose.

Mr. HATCH. I move that the House take a recess until 8 o'clock this evening for business under the special order.

The SPEAKER. The rules require the managers of the conference on the part of the House to present a written statement. The gentleman from Louisiana [Mr. BLANCHARD] desires to make a request with regard to that statement.

Mr. BLANCHARD. I ask unanimous consent to dispense with the reading of the statement and that it be printed in the RECORD.

Mr. HATCH. I object. Mr. BROWNE, of Indiana. Mr. BROWNE, of Indiana. Let it be printed with the understanding that the RECORD shows the question of consideration is pending.

Mr. HATCH. I want every member here to hear it read and to read it in the RECORD. This is unlike any other report ever made from a

conference committee of the House.

Mr. BURROWS. The mere reading will not convey so much information as seeing the statement in print. Let it be printed.

Mr. RANDALL. I move that the House do now adjourn.

The question being taken, there were—ayes 66, noes 57.

Mr. BAYNE and Mr. HEPBURN called for tellers.

The SPEAKER. The hour of 5 o'clock having arrived the House under its previous order is in recess until 8 o'clock this evening.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m., and was called to order by Mr. McMillin, as Speaker pro tempore. The Clerk read the following letter from the Speaker:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES, Washington, D. C., July 30, 1886.

Hon. Benton McMillin is designated to preside as Speaker pro tempore at the session of the House this evening. JOHN G. CARLISLE, Speaker.

Hon. John B. Clark, Jr., Clerk House of Representatives.

LOUISE PAUL. Mr. MATSON. Before moving that the House go into Committee of the Whole House to consider pension bills on the Private Calendar I ask unanimous consent on behalf of the gentleman from New York [General VIELE] to call up a bill from the Calendar for consideration in the House. General Paul, at the battle of Gettysburg, had both eyes shot out. He lived until within the last three months. I was informed by Major Maginnis, formerly a Delegate from Montana, and who was acquainted with General Paul, that for ten years prior to his death he had spasms every half-hour. He was a great sufferer, and died without leaving his family any property. His family is now separated, not being able to maintain a home. I feel that this is a case that ought to be considered, and I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill, and that it be now considered.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Louise Paul, widow of Brig. Gen. Gabriel R. Paul, deceased, late of the United States Army, and pay her a pension at the rate of \$50 per month, from and after the passage of this act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana that the Committee of the Whole House be discharged from the further consideration of this bill and that it be now considered?

Mr. WALLACE. Reserving the right to object, I ask for the reading of the report.

The Clerk read in part the report (by Mr. LOVERING), as follows: The Committee on Invalid Pensions, to whom was referred the bill (S. 2502) granting a pension to Louise Paul, having had the same under consideration, report back the bill, adopting the Senate report as their own, and recommend the passage of the bill.

[Senate Report No. 1262, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (8, 2502) granting a pension to Louise Paul, have examined the same, and report:

The claimant, Louise Paul, is the widow of the late Brig. Gen. Gabriel R. Paul. She has presented the following statement in support of the present bill granting her a pension as his widow:

Statement of facts in support of a bill to grant a pension to Louise Paul, widow of Brig. Gen. G. R. Paul, United States Army.

Brig. Gen. Gabriel R. Paul was born in Saint Louis, Mo., appointed to West Point from that State, and graduated in July, 1834. From 1834 to 1839 he was on frontier duty, and in 1839 was engaged in the Forida war. From 1839 to 1842 he was on recruiting duty, and in 1842 was in the war against the Seminole Indians, a camp of whom he surprised near Tampa Bay. He served with distinction throughout the Mexican war, having taken part in the defense of Fort Brown, the battle of Monterey, siege of Vera Cruz, the battle of Cerro Gordo (where he was wounded), Contreras, Churubusco, and Molino del Rey. He led

the storming party at Chapultepec, which captured the enemy's flag, and was for this act of gallantry brevetted major. For his service in Mexico he was presented by the citizens of Saint Louis with a sword. From 1848 to 1850 he was in garrison at Fort Leavenworth, 1850-51 at Jefferson Barracks, and in 1851-52 on frontier duty at Corpus Christi, Tex.

In 1852 he served with the Rio Grande expedition, in which he captured Carvajal and his gang of desperadoes. He was also in the Utah expeditions of 1853-59-60, and was engaged in the surprise and capture of a camp of hostile Indians on Spanish Fork. He was actively engaged in the late war, having rendered valuable service in New Mexico in 1861-62. Subsequently he served with the Army of the Potomac, taking part in the battles of Fredericksburg and Chancelorsville and in its Pennsylvania campaign. At the battle of Gettysburg, while in command of a brigade, he was seriously wounded, a bullet entering his head about 14 inches behind the right eye and on a level with it, passing through his head and emerging through the left socket, carrying the left eye with it. Thus in an instant the vision of both eyes was completely destroyed, and at the same time the senses of smell and of hearing were greatly impaired.

From the effects of this wound he suffered acutely ever after in the shape of violent attacks of pain in the head and of epilepsy, necessitating the constant presence of an attendant. During the last few years of his life these epileptic attacks became very frequent, not only daily, but sometimes to the number of six during the day and night. It was in one of these attacks of unusual severity, and the direct consequences of it, that he died, as shown by the report of the attending Army surgeon, a certified copy of which is appended hereto.

The career of General Paul was a series of gallant exploits in his country's defense, covering a period of nearly thirty years of actual service in the field, and embracing the Florida wars, the Mexican war, and closing with th

R. A. MARMION, United States Navy.

Mr. BRECKINRIDGE, of Arkansas. Mr. Speaker, I suggest that

that is enough of the report. It gives a very full history of the case.

The SPEAKER pro tempore. Does the gentleman from Louisiana
[Mr. WALLACE] withdraw his demand for the reading of the report in full?

Mr. WALLACE. I do not desire to have it read further.

The SPEAKER pro tempore. The question is on ordering this bill

to a third reading.

Mr. PRICE. Mr. Chairman, I move to strike out the words "at the rate of fifty dollars per month from and after the passage of this act" and insert in lieu thereof the words "subject to the provisions and limitations of the pension laws."

Mr. WARNER, of Ohio. What would this widow be entitled to un-

der the law?

Mr. MORRILL. Thirty dollars a month.
Mr. WARNER, of Ohio. Is she receiving a pension now?
Mr. MORRILL. I judge not, from the report.
The SPEAKER. The question is on the amendment proposed by the gentleman from Wisconsin [Mr. PRICE].

Mr. MORRILL. Before that motion is put, Mr. Speaker, I desire to say that after listening to the report in this case I hope there is no member of this House who will object to giving this poor woman \$50 a month. I do not desire to take up time in discussing the case, but I call attention to the facts recited in the report as to the career of this officer. Fifty-one years spent in the service of his country, losing both eyes at the battle of Gettysburg, suffering for years all the tortures it is possible for any human being to suffer, and dying from the effects of his wounds—in view of such a record it seems to me that \$50 a month

is little enough for us to give the destitute widow of such a soldier.

Mr. PRICE. If the gentleman had not taken up time on this bill I would not have felt called upon to reply to him. Mr. Speaker, we are not persioning this officer. Mr. boart not pensioning this officer. My heart goes out in sympathy for that woman as much as that of the gentleman from Nebraska can possibly

do.

Mr. MORRILL. I am not from Nebraska.

Mr. PRICE. Kansas. I beg pardon of the Nebraska delegation. But the services and suffering of this officer have nothing to do with this case. The gentleman knows, and we all know, that there is neither sense nor honesty in giving this woman any extraordinary pension more than would be given to the widow of any other good soldier. However, I do not want to talk, and I will not take up the time of the House. [Cries of "Vote!" "Vote!"]

The question was taken on the amendment of Mr. PRICE, and it was

rejected.

The bill was then ordered to a third reading; and it was accordingly

Mr. MATSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

Mr. MATSON. Mr. Speaker, I now move that the House resolve itself into Committee of the Whole for the purpose of considering the special order.

Mr. WALLACE. Mr. Speaker, before that question is put, I wish

to suggest that the thermometer seems to present about five degrees of temperature for each member who is present this evening, and under the circumstances I think a motion to adjourn would be very much in order. Therefore, I move that the House do now adjourn.

The motion was not agreed to.

The motion of Mr. MATSON that the House resolve itself into Committee of the Whole for the purpose of considering bills under the special order was then agreed to.

The House accordingly resolved itself into Committee of the Whole,

Mr. DOCKERY in the chair.

Mr. WEAVER, of Iowa. Mr. Chairman, I suggest that members present be allowed to call up such bills as they desire. There are some Senate bills that can be passed upon.

Mr. LONG. I must object to that, Mr. Chairman. six weeks to reach a case which is now near the head of the Calendar.

Mr. RICE. I must object also. Mr. LONG. Do I understand, Mr. Chairman, that the cases are to Mr. WEAVER, of Iowa. The gentleman can call his case up.
Mr. LONG. If I could be sure of an opportunity to call up my case

would not object.

Mr. GUENTHER. I must object, Mr. Chairman, to any such arangement. Let us take the cases in their regular order.

The CHAIRMAN. Objection is made. The Clerk will report the

bills on the Calendar in their order.

JACOB S. BIDDLE.

The first business was the bill (H. R. 4712) to place the name of Jacob S. Biddle on the pension-roll.

Mr. MATSON. I ask unanimous consent that that bill be passed

over informally.

There was no objection, and it was so ordered.

Mr. BRECKINRIDGE, of Arkansas. Mr. Chairman, I ask unanimous consent that when the title of a bill is read by the Clerk, if no one rises in his place to ask its consideration, it shall be at once passed

over by the Clerk without any formal motion to that effect.

The CHAIRMAN. That course will be pursued unless objected to.

Mr. WARNER, of Ohio. Then only the cases of those who have friends will be considered.

Mr. BRECKINRIDGE, of Arkansas. Well, there is nobody here to

speak for them. Mr. WARNER, of Ohio. Suppose there is a report and the committee are here

Mr. BROWN, of Pennsylvania. Regular order. Mr. WARNER, of Ohio. Give all an equal chance

The CHAIRMAN. Does the gentleman from Ohio [Mr. WARNER] object?

Mr. WARNER, of Ohio. No, I do not object.

The CHAIRMAN. In the absence of objection, that order will be made. The Chair requests that when the title of the bill is read, any gentleman desiring its consideration will rise in his place and so state.

FRIDOLINE GLASTETTER.

The first business on the Private Calendar was the bill (S. 2132) granting a pension to Fridoline Glastetter.

Mr. MORRILL. I ask the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Fridoline Glastetter, late a private in Company F, Second Illinois Light Artillery Volunteers.

Mr. WALLACE. I call for the reading of the report.

The report was read.

The CHAIRMAN. If there be no objection this bill will be laid aside to be reported to the House with a recommendation that it do

Mr. WALLACE. I think this is either the third or the fourth evening on which this bill has been presented; and it has been objected to on each occasion. From my standpoint it bears but little merit, and I shall object to it.

Mr. MORRILL. Then I ask unanimous consent that this bill be passed over informally, retaining its place on the Calendar. I will only say that I consider it a bill of a great deal of merit.

There being no objection, the bill was passed over informally, retaining its place on the Calendar.

SAMUEL SAWYER.

The next business on the Private Calendar was the bill (H. R. 4028) granting a pension to Samuel Sawyer.

Mr. RICE. I ask consideration of this bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Samuel Sawyer, late of Company G, Thirty-sixth Massachusetts Volunteers:

Mr. WALLACE. I call for the reading of the report in this case.

The report (by Mr. LOVERING) was read, as follows:

The report (by Mr. Lovering) was read, as follows:

The Committee on Invalid Pensions, to whom was referred House bill 4028, submitted the following report:

Samuel Sawyer enlisted in Company G, Thirty-sixth Massachusetts Volunteers, August 13, 1862, and was discharged for disability June 8, 1865; he filed declaration for pension June 28, 1880, alleging "heart, rheumatic, and kidney troutbles." His claim was rejected October 31, 1885, on the ground, "no record of alleged diseases, no satisfactory medical evidence of treatment in service or since discharge. Rheumatism only disease now found, and is not shown to have been contracted in service."

The evidence in this case is as follows:

Simon Goos, of Milibury, Mass., neighbors, testify:

"That they have known claimant since 1858; at time he enlisted, in 1862, and a long time prior thereto he was a strong, healthy man, apparently free from all bodily infirmity of sany kind, and particularly free from rheumatism, kidney, and heart disease, with which he was troubled on his return in June, 1885."

Edward T. Raymond, lieutenant and captain, testifies:

"Claimant was a strong, robust man when he entered the service, and was a good soldier, and that during his term of service he contracted disabilities and was under treatment in hospital for same."

Alonzo Davidson, captain claimant's company, says:

"Claimant was sent to United States general hospital at City Point, Va., in September, 1864, with chronic diarrhea and rheumatism, and was discharged the service by reason of disability."

Andrew J. Adams and David A. Powers, claimant's company, testify:

"That in June, 1863, from exposure, claimant was taken sick with what the regimental surgeon called 'heart and kidney trouble,' and that claimant suffered very much from same."

Warren Tyler, M. D., North Brookfield, assistant surgeon Thirty-sixth Massachusetts Volunteers, certifies:

"I have no doubt but that I treated Mr. Sawyer for the disease he describes in the winter of 1863."

George F. Parish, hospital steward,

The CHAIRMAN. If there be no objection, this bill will be laid aside to be reported to the House with a recommendation that it do pass.

Mr. WALLACE. I ask that this bill may go over.
The CHAIRMAN. The gentleman from Louisiana [Mr. WALLACE]

objects to the consideration of this bill.

Mr. RICE. I call for a vote.

The question being taken on laying the bill aside to be reported favorably to the House, there were—ayes 33, noes 1.
Mr. WALLACE. No quorum.

Tellers were ordered; and Mr. WALLACE and Mr. RICE were ap-

Mr. NEECE. I ask unanimous consent that this bill be passed over informally, retaining its place on the Calendar.

Mr. RICE. I object. This is as good a case as any on the Calendar. I know this man; I know all these witnesses.

Mr. GOFF. There could not be a stronger case. Mr. RICE. No better case is on the Calendar.

Mr. LYMAN. If we can not pass this bill we will go home.

The committee proceeded to divide; and the tellers reported—ayes 40.

The CHAIRMAN. Those voting in the negative will now pass between the tellers.

Mr. LOUTTIT. One member who is himself a teller can not pass

between the tellers. [Laughter.]
Mr. WALLACE. When I consider myself right, forty men out of three hundred and twenty-five are not going to persuade me out of my convictions. If they think they are going to do so, they are very much mistaken.

Mr. LONG. I hope the gentleman from Louisiana [Mr. WALLACE] will give me his attention one moment. I ask him whether, in view of the fact that he is the only member of the House voting against this bill, he does not think it worth while to give us the reasons why he thinks the bill should not pass. All the members now present with the exception of the gentleman are satisfied this is a good case and that the bill should become a law. If the gentleman, in the exercise of his own independent judgment, has come to a different conclusion, does he not think it right and fair to the rest of us that he should state the grounds of his judgment? Let us discuss this question fairly and squarely as if there were a full attendance. If this applicant is not entitled to a pension, let us vote against the bill. If on discussion it is found to be a meritorious case, let us vote for it. I wish the gentleman would state his reasons.

Mr. WALLACE. I have no objection in the world to doing so,

though it is a little out of order.

The CHAIRMAN. The gentleman from Massachusetts [Mr. Long] asks unanimous consent that the gentleman from Louisiana may be !

permitted to give his reasons against the bill. The Chair hears no objection.

Mr. WADE. I would like to limit the gentleman's time.
Mr. WALLACE. "The gentleman" is only proposing to make a

Mr. WALLACE. The gentleman is only proposing to make a statement in order to oblige you.

Mr. WADE. It does not oblige me.

Mr. WALLACE. Regular order, Mr. Chairman.

Mr. LONG. I would also append to the proposition just stated the request that my colleague [Mr. RICE] may state his reasons for the bill. Mr. WALLACE. A gentleman on your side has objected in such a rude manner that I do not propose to proceed further. I would be out of order at all events in making a statement.

Mr. LONG. No one objects.

The CHAIRMAN. The gentleman from Massachusetts [Mr. Long] asks unanimous consent that his colleague [Mr. RICE] may be permitted to give the reasons why he thinks this bill should receive favorable consideration. Is there objection? The Chair hears none. The gentleman from Massachusetts [Mr. RICE] will proceed.

Mr. RICE. Mr. Chairman, I submitted no remarks on the bill when the report was made because I felt the reading of the report was sufficient explanation of the facts and the facts as stated in the report would command the approval of the House. But as objection has been made to the bill, I will proceed in a very few words to state why I think it ought to pass.

It appears here from the testimony before the committee, testimony sufficient to satisfy them, that this man was in the service three years and that he was discharged for disability. That proves he was a sound

man when he entered the service.

Then there is the testimony of his neighbors, whom I know and whom I know to be respectable, that he went into the service a sound, robust

Mr. LONG. That is proved by his having been mustered into the service.

Mr. RICE. I say nothing about the fact that he was sound and ro-ne service. That is considered sufficient proof he was sound and ro-I say nothing about the fact that he was mustered into the service. bust at the time.

Here is the testimony of the men who knew him that he was a sound, robust man when he entered the service. Here is the record testimony which the gentleman wants that at the end of three years' faithful service he was discharged because of the disability which he incurred in the service.

It is true the hospital records do not show he was sick with rheumatism while he was in the service, but they do show he was in the hospital on account of sickness. His regimental surgeon states he knew that sickness was rheumatism. His comrades say it was rheumatism. One of the hospital stewards states the surgeon admitted Mr. Sawyer was known in the hospital as a badly used-up man. So there is no question he left the service as a badly used-up man; that he was in the hospital; that he was discharged for disability; there is no question about that from the record testimony in the cas

Then there is the testimony of his captain, of his surgeon, and of his comrades he was sick with rheumatism during his service. Then there is the testimony of his neighbors that he has been a sick man ever since he left the service. There is also the fact of the board of surgeons before whom he was examined, which said his disability is now total on

account of rheumatism.

Mr. WARNER, of Ohio.

Mr. RICE. Certainly.

Will the gentleman allow me-

Mr. WARNER, of Ohio. Taking the report as true, I can not understand why this claim should not be allowed at the Pension Office.

Mr. RICE. I admit I can not understand why it is not allowed.

Mr. CANNON. Let me ask the gentleman this question: Should the American Congress refuse to do justice in a proper case, as this is by the statements of the report of the committee; should we refuse because some clerk in the Pension Office neglects to properly adjudicate the claim?

Mr. WARNER, of Ohio. Do you wish me to answer now?

Mr. CANNON. I do not wish to take up the time of the House.
Mr. WARNER, of Ohio. Mr. Chairman, I will answer the question
of the gentleman from Illinois by showing it to be impossible to do justice by special acts to all those who come here for relief; and to prove the by special acts to all those who come here for relief, and to prove this, let me give you some figures. There have been introduced into this House about 4,000 pension bills; or, to be exact, 4,127. A large num-ber, I do not know just how many, has been introduced in the Senate. There have been introduced and referred to the Committee on War Claims 4,116 bills and petitions, and 1,327 to the Committee on Claims. Besides these, 993 have been sent to the Committee on Military Affairs and 200 to the Naval Committee. All, or nearly all these of course are private bills. Other committees, too, have private bills, so that altogether over 10,000 bills, petitions, and joint resolutions of a private character, asking for relief, have been introduced so far in the House in this Congress. Besides these there are some two or three thousand in the Senate. Now let us see how long it would take to consider and pass mpon all these bills.

Mr. BAYNE. Does not the Committee on Pensions report adversely two out of three of the pension cases referred to it?

Mr. WARNER, of Ohio. I do not understand that it does. The

figures show that of those considered about one thousand were reported favorably and some five hundred and fifty adversely; and it is fair to presume that as much time is consumed in investigating a claim reported adversely as to one reported favorably.

Mr. BAYNE. Undoubtedly.
Mr. WARNER, of Ohio. And therefore what the gentleman says does not affect my argument at all.

Now, to give ten minutes' time to the reading of the reports and the consideration, the engrossment and third reading and passage of the bills, and certainly no one would think less time would be required in fact the average length of time necessarily consumed would no doubt exceed ten minutes, would take-

Mr. GOFF. But the gentleman takes no account of the number of bills that are rejected—the cases reported adversely from the committee.

Mr. WARNER, of Ohio. Let me continue these figures now. It would be necessary to give at least as much time as I have indicated, whether the bills are considered favorably or unfavorably.

Mr. GOFF. But not those reported adversely.

Mr. WARNER, of Ohio. I do not yield to the gentleman.

Mr. GOFF. But I want to call the gentleman's attention to the point

that in the estimate he should exclude the rejected cas

Mr. WARNER, of Ohio. I say to give an average of but ten minutes to each one of these 4,500 pension bills alone would require one hundred and twenty-five days' time of the House, counting six hours to a session, or practically all the time of the session to act upon private pension bills alone. If to pension bills we add all other private bills before the House and give ten minutes to each claim, we could not get through with all of them if we sat herefrom December to December, and did nothing else, or considered no public matters at all.

Again, these private bills increase every session. There are twice as many this session as there were a few sessions back, and more than there were altogether the first twenty-five years of the existence of the Government, and if we go on considering and allowing these claims in this manner, or even allowing one out of every ten which are presented, we may expect at each recurring session of Congress a large increase in the bills introduced. For if this is found to be the place, and by special act the way to get relief, they will come here more and more of them. This would be true not only of pension claims but of all other claims, which shows, Mr. Chairman, that it is absolutely impossible to mete out even justice to all in this manner.

Mr. GOFF. Then how would you do it?
Mr. WARNER, of Ohio. Before answering that question let me go a little further in this line, for I am trying to show how impossible

Mr. PERKINS. Let me ask the gentleman a question.
Mr. WARNER, of Ohio. Not now; let me conclude this point. I
want to show how impossible it is for us to do justice to claimants or

transact at all this business in this manner.

Now, suppose but one thousand private bills should pass in a session, if the President should take ten or fifteen minutes for the examination of each one of them, and if he is to sign a bill he must of course be expected to look into it, and it would take certainly as much time as I have indicated to half consider a bill, then how much time do you suppose it would take him to examine one thousand private bills and

append his signature to them?

Why, it would take a large fraction of his time. But if, instead of one thousand bills, it is proposed to pass four or five thousand bills in a session, as we must if we expect to do anything like even justice to all, the President would have time to do little else but examine and sign this class of bills. So that we would be brought to the pass that in this great country with its multiplicity of public interests, which requires all the time and energy of the Executive, he would be called upon to give his time to private claims and let public matters go. we act upon all the bills now before us-and those who introduced them think they ought to be acted upon—and the Executive looks into each one of them, neither he nor we could do anything else. It is no answer to say that it is not expected that all private bills introduced will be considered. How else can their merits be determined? What justice is there in considering one and refusing to consider another, or in considering one thousand out of five thousand and neglecting the rest? The very essence of injustice is inequality where there ought to be equality. The evil lies in adhering to this method of meting out justice by private acts instead of providing a specific and more considered. think they ought to be acted upon-and the Executive looks into each tice by private acts instead of providing a speedier and more equitable way. It is not fair or right to give consideration only to those who have influential friends here to push and urge their claims and refuse others less fortunate.

I have given these figures and made the deductions I have to show the necessity of devising other means than by private bills to do justice to petitioners, and to satisfy the ends of justice as affecting this class of claimants. What a spectacle, moreover, the American Congress, What a spectacle, moreover, the American Congress, consisting of three hundred and twenty-five members of the House and seventy-eight Senators from all parts of the Union, presents to the world, sitting here as a sort of revisory board over cases that have been passed upon in the Pension Office! To-day a vetoed bill was before the House and laid aside till December, simply increasing a pension by changing the rating from that fixed by the medical board. Suppose we take up

that business and propose to pass here on the ratings of soldiers for the various kinds of disability, reviewing the decisions of medical boards, to what would that lead? There are between three and four hundred thousand pensioners, and if it was found that pensions could be increased in this way there would be no limit to the number of bills that would come here; the House would be flooded with them if we once entered upon that character of legislation. This session we have passed over six hundred pension bills, which is more than were passed in the whole eight years of General Grant's administration, and the records of the House show as more bills are passed more come to the House for relief.

Mr. GUENTHER. What remedy would the gentleman suggest?
Mr. WARNER, of Ohio. A complete remedy would require no doubt
a material change in the pension laws, at any rate justice can never be fairly dealt out in the manner we are now proceeding.

Mr. RICE. What is the argument the gentleman is making? Is

it against this particular bill or against the general principle?

Mr. WARNER, of Ohio. I am not making an argument against this bill; on the contrary I think, as I said before, from the reading of the report that it is a meritorious case.

[Cries of "Vote! Vote!"] Mr. RICE. Then let us pass it.

Mr. PERKINS. I want to ask the gentleman a question.
Mr. WARNER, of Ohio. Very well, I will yield; but if the call for a quorum is withdrawn so that the House can proceed with the consideration of the bill before us, I will take up no more time.

Mr. PERKINS. I want to ask this question: If the House had agreed to the Senate amendment to the Mexican pension bill at the last session of Congress would not this difficulty have been greatly ob-

Mr. WARNER, of Ohio. Well if the House had agreed to give men pensions whose names were on the rolls for only fourteen days and who never performed an hour's service

Mr. BROWN, of Pennsylvania. That was not the proposition.

Mr. WARNER, of Ohio. That was the effect of the amendment. Mr. BROWN, of Pennsylvania. Never with reference to the Union

Mr. WARNER, of Ohio. For myself I object to pension bills of that character.

Mr. WADE. I make the point of order that the gentleman is not discussing the matter before the House, and I think he is not in order.

Mr. NEECE. I move that the committee rise. Mr. FUNSTON. If we are not to consider any of these bills because we can not consider them all, why should we consider any of the cases on the Calendar?

on the Calendar?

Mr. WADE. I insist on my point of order. This whole thing is not relevant to the case now before the committee.

Mr. FUNSTON. My question is, are we to consider none of these bills because we can not consider all?

The CHAIRMAN. The gentleman from Kansas [Mr. FUNSTON] will please suspend until the gentleman from Missouri [Mr. WADE] can have an opportunity of stating his point of order.

Mr. WADE. The point of order I make is that all this talk is not relevant, from the fact that it is not addressed to the bill before the

relevant, from the fact that it is not addressed to the bill before the committee.

The CHAIRMAN. The point of order is well taken. The gentle-man occupying the floor will confine himself to the question before the

Mr. WARNER, of Ohio. I think I am confining myself to the question, and will answer the question which has been addressed to me by the gentleman from Kansas. I have said the essence of injustice was inequality in the law where there ought to be equality. It can never be right to consider a few favored cases and refuse or neglect to consider others equally meritorious. The trouble lies in the method. congress can easily provide ways to have all, not a few but all claims considered, and that is what ought, in my opinion, to be done now. There will, of course, always be exceptional cases that can not well be provided by general laws, but if only such cases come here they could easily be attended to. But that is a different thing from trying to meet all cases by special legislation. Legislative bodies have never made good courts. It can provide courts and that is what we ought to do now.

Mr. WADE. I insist on my point of order.
Mr. WARNER, of Ohio. The gentleman from Missouri had better
quiet his disturbed spirit. I hope I can be permitted to discuss this
question without further interruption from the gentleman from Mis-

Mr. CONGER. I rise to a question of order. The CHAIRMAN. The gentleman will state it.

Mr. CONGER. My point of order is that unanimous consent was given to the gentleman from Louisiana [Mr. WALLACE] and the gentleman from Massachusetts [Mr. RICE] to make some statements as regards the bill under consideration; and I understand any other pro-

ceedings are out of order.

The CHAIRMAN. Unanimous consent was given to the gentleman from Louisiana [Mr. WALLACE] to make a statement of the reasons why he opposed this bill. He declined to avail himself of that privi-

lege. Then unanimous consent was given to the gentleman from Massachusetts [Mr. RICE] to make a statement, which entitled him to one hour, and he yielded a portion of his time to the gentleman from Ohio [Mr. WARNER].

Mr. WALLACE. I beg to state to the Chair that I did not yield.

After the gentleman from Massachusetts had an opportunity to make

his statement-

The CHAIRMAN. The gentleman from Louisiana [Mr. WALLACE] was not recognized because he did not claim the floor.

Mr. WALLACE. Unanimous consent was given to me to make a statement.

The CHAIRMAN. But the gentleman did not take the floor.

Mr. WARNER, of Ohio. I did not know that I had said anything calculated to disturb gentlemen so much. If we could proceed to do any business, to pass any bills-Mr. LONG. Let us do it.

Mr. WARNER, of Ohio. If we could do that I would yield the floor

any moment.

Mr. LONG. It was understood the gentleman from Louisiana [Mr.

WALLACE] was to state his reasons for opposing the bill.

Mr. WARNER, of Ohio. And he has declined to do so; and I decline to be interrupted any more.

Mr. RICE. I rise to a question of order.

The CHAIRMAN. How much time did the gentleman from Massachusetts [Mr. RICE] yield to the gentleman from Ohio [Mr. WAR-NER !

Mr. RICE. I did not yield any definite time. I now yield him five

minutes

Mr. WARNER, of Ohio. I hope I will not be disturbed again. I have simply given figures pertaining to the bills before us, and the reasons why it is impracticable and impossible to go on indefinitely in the course we are now pursuing, and the necessity of devising some better method. One of the things which I think we ought to do immediately is to increase the number on the pension board of appeals and to give to that board some equity powers. That would itself relieve the House of a large number of the pension cases before it by providing for their better consideration elsewhere. I think all will agree that that would be better than to consider now and then one of the large number that come here and let the rest go on the plea that we have not the time to consider more. Propositions are now pending to provide for sending private claims to a court of claims, and some measure of this kind ought to pass, and doubtless will. But it is equally important to make similar provisions for pension cases. Then the spectacle of a Congress composed of a House of three hundred and twenty-five members and a Senate of seventy-six members sitting as a court on little petty claims would no longer be presented. For whole days these petty claims have been used to block the course of public business; for whole days, as the other day, keeping back bills forfeiting land-grants and the interstate-commerce bill.
Mr. WADE. Mr. Chairman-

Mr. WARNER, of Ohio. I decline to be interrupted further. The gentleman from Missouri will please resume his seat. I insist he shall

mot occupy my time.

Mr. WADE. I insist that the gentleman from Ohio has no time. The CHAIRMAN. Does the gentleman from Missouri rise to a question of order?

I made the point of order that the gentleman from Ohio was not talking to the question before the committee. The Chair sustained the point of order. Now he is going on in the same line.

The CHAIRMAN. The gentleman from Ohio [Mr. WARNER] is an

old member, familiar with the rules. The Chair hopes he will confine

himself within the rules.

Mr. WARNER, of Ohio. While I am on the floor I wish to say a word about the bill which has been referred to to-night and which came from the Senate, in the general provisions of which I agree, but which I think ought to be amended before it passes this House. I refer to Senate bill 1866. This bill sets up a standard of \$24 a month for total disability for claims pensioned under that act, while all who get pensions under former acts for wounds incurred in battle or other disability are rated upon a scale of \$8 a month. This is an inequality which ought not to exist, and in this respect at least the bill should be amended. Whatever standard is established the scale should be the same for the same or like disabilities, no matter under what act the pension is allowed. By this bill the old veterans pensioned long ago for disabilities incurred in battle would still be rated on the basis of \$8 per month, while those who come in under this act would get three times as much for the same disabilities. This is so glaring an injustice that no one can approve of it.

Then, again, this bill allows claim agents \$25 on contracts for every claim presented under that act. As the bill came from the Senate it would seem calculated to fatten claim agents more than it helps soldiers. In these two particulars at any rate this bill ought to be amended,

and then it would be a great improvement on the Mexican pension bill, to which my friend from Kansas [Mr. Perkins] referred.

Mr. Chairman, I had not intended to say a word to-night, and only rose because I was asked certain questions which led me to give some reasons why this method of attempting to remedy evils and do justice

to private claimants by special legislation must of necessity give way to something more practicable. A halt on this method of legislation must sooner or later be called, and I think the time has come now. I am sure gentlemen generally will agree with me in that. But I agree that until we provide some better way we must consider these bills as best we can.

But the facts and figures I have presented show us the necessity of providing a better way. As to the particular case before us I was surprised on hearing the report read, that it was necessary to bring the case here at all. I do not and can not understand why such a case, if the facts be as they are stated in the report, can not be allowed and has not been allowed in the Pension Office.

Mr. CONGER. Will the gentleman answer a question?
Mr. WARNER, of Ohio. I will if I have time.

Mr. CONGER. How many private pension bills has the gentleman himself introduced this session?

Mr. WARNER, of Ohio. Oh, quite a large number—for want of a better system. I do as the rest do. I introduce bills, but unfortunately not many of them get consideration.

The CHAIRMAN. The time of the gentleman from Ohio has ex-

pired.

Mr. RICE. Mr. Chairman, I will reserve the remainder of my time until the gentleman from Louisiana [Mr. WALLACE] has spoken, if

he desires to speak upon this bill.

Mr. WALLACE. Mr. Chairman, it seems to me that this proceeding is so entirely out of order and so different from what it should be under the rules of parliamentary law that it can be explained only upon the ground that this is a meeting of the House for the special purpose of passing pension bills, and bears out the character and reputation which the House has so long enjoyed for doing on such occasions acts which are entirely outside of the range of parliamentary law. Therefore I do not consider that I am called upon to make any explanation of my reasons for opposing this bill; but, in consideration of the requests of some of my friends that I should do so, I am perfectly willing to state to the House why I object to the bill. I will endeavor to do so in as few words as possible, and I trust that it will not lead to any further debate, occupying our time unnecessarily.

The gentleman from Ohio [Mr. WARNER] has struck the key-note of my objection to this bill in asking why the Pension Office could not allow this applicant a pension under the law. The gentleman from Massachusetts [Mr. Rice] has drawn my attention to a statement here that this soldier was discharged for disability. If he was discharged for disability, did not the Pension Office have the records of that disability? And if the disability was so great that he had to be discharged from the Army on account of it, was it not great enough to justify the Pension Office in allowing him a pension? But no, it was not great enough; the disability was not sufficiently marked, as the result of his career in the Army, to entitle him to a pension there incurred.

Indeed, so slight was the disability that not until fifteen years afterward did he discover that he had this severe case of rheumatism which rendered it impossible for him to contend in the great struggle of life. I do not find any testimony in this case that is strong enough to overcome the statement of the Pension Office, which is that there is "no record of alleged diseases, no satisfactory medical evidence of treatment in service or since discharge. Rheumatism is the only disease now found, and it is not shown to have been contracted in service."

For fifteen years it was impossible to discover that this disease was the result of the man's service in the Army. Now, I do not think it is necessary to go any further than that. The other testimony in the case is only such as we find in all these cases—testimony made by indulgent friends who are willing to stretch their memories more or less, providing they do not do violence to their consciences, who certainly go as far as their consciences will allow them to go, and perhaps a little further. And, Mr. Chairman, it must be remembered that the reports in these cases are made up by the friends of the claimants.

The testimony before the committee is all put there by the claimant and his friends, and there is no chance to have any rebutting testimony unless it comes through the Pension Office. Now, if the statement of the Pension Office in this case is not strong enough to rebut the testimony on the other side which comes from indulgent and friendly fellow-soldiers, I certainly do not understand the nature or weight of evidence. And, Mr. Chairman, as these pension bills have been brought in to such a large extent, it is evident that a line must be drawn somewhere; and that being so, I think it ought to be drawn on a case of this kind, which

presents so little merit.

I have made no captious opposition to this bill. I did not call for a quorum until it was forced upon me. As to laying over bills, there is a bill here that has been laid over for four consecutive pension nights. Undoubtedly that bill will be brought in here at some session when there are but few members present and no one who knows anything about it, no objection will be made, and it will be passed. I do not think that is fair or proper legislation. These cases should be taken up in regular order. I have consented to this pension legislation here night after night rather than be regarded as an obstructionist, particularly as the meetings heretofore have been somewhat respectable in point of numbers.

Mr. RICE. This has come up in its regular order. Will the gen-

tleman now withdraw his call for a quorum upon condition that the bill shall be considered as reported favorably to the House, the previous question ordered upon it, the vote to be taken in the full House?

Mr. WALLACE. At next session? If it goes over until next ses-

sion I have no objection, but the House is now crowded with other bills of far greater magnitude and importance. I have no desire to obstruct legislation this evening. I did not call a quorum until I was compelled to do so, although I could have done it on the first bill.

Several MEMBERS (to Mr. RICE). Let it go over until next session. Mr. RICE. I accept the proposition.

The CHAIRMAN. The proposition of the gentleman from Massa-

Mr. RICE. I made the proposition. I am content that there shall be a favorable report to the House, that the previous question be con-

Mr. WALLACE. I object to a favorable report. I have no objection to permitting the question to go to a full House.

Mr. BAYNE. Then let it be simply reported to the House.

Mr. WALLACE. Reported to the House. I have no objection to

The CHAIRMAN. And that a vote be taken on the first Friday in December.

Mr. WARNER, of Ohio. The first Friday after the first Monday. Mr. RICE. I understand that the bill is to be favorably reported.

The CHAIRMAN. Reported to the House and the previous question considered as ordered and a vote taken on the bill on the first Friday

of the next session. Is that the agreement?

Mr. CANNON. I would like to ask the gentleman from Massachusetts a question. It is virtually conceded, then, that the Committee of the Whole shall cease to consider this bill and that it go to the con-

sideration of the House—
Mr. RICE. With a favorable report from the committee.
Mr. CANNON. With a favorable report from the committee. Then, if I understand, it is conceded that this man deserves legislation, and

that this course of proceeding—

Mr. WALLACE. I object to further discussion.

Mr. CANNON. I make a point of order, and I ask the Chair to sustain me in it.

Mr. WALLACE. I object to this discussion.
Mr. CANNON. I asked the gentleman from Massachusetts to yield

to me till I asked a question.

The CHAIRMAN. The Chair is of opinion that debate is not in or-

Mr. CANNON. I believe the gentleman from Massachusetts has twenty or thirty minutes. I ask the gentleman to let me state my

Mr. WALLACE. I make the point that no right to transfer time was given. When unanimous consent was granted, it was granted individually to the gentleman from Massachusetts and myself.

The CHAIRMAN. The gentleman from Massachusetts had thirty minutes of his time remaining. The proposition was made by the gentleman from Louisiana, which the Chair understood the gentleman from Massachusetts to accept. If the proposition is objected to—
Mr. CANNON. I am not objecting, but I am trying to see—
Mr. WALLACE. I object.

The CHAIRMAN. Then the gentleman from Massachusetts will be recognized for thirty minutes.

recognized for thirty minutes.

Mr. CANNON. I rise to a question of order. I want to know whether the gentleman from Louisiana holds within his person as a member of the House all the dignity and all the rights of all the members on this floor.

Mr. WALLACE. Now, the gentleman is making another point of order. Can he make two points of order at the same time?

Mr. RICE. I call for the regular order.

The CHAIRMAN. Debate is not in order at this time except by unanimous consent. The proposition, as the Chair understands, is this—that this bill shall be reported to the House——

this—that this bill shall be reported to the House—
Mr. RICE. Favorably reported.
The CHAIRMAN. That the previous question be ordered, and that a vote be taken upon it the first Friday of next session.
Several Members. That is it.
The CHAIRMAN. Is there objection?
Mr. RICE. I understand the report is to be favorable.
Mr. WALLACE. No; I object to that.
A Member. Now read the next bill.
Mr. CANNON. No; the next bill can not be read until I understand about this. If the gentleman from Louisiana has the right to dictate

If the gentleman from Louisiana has the right to dictate our proceedings to the exclusion of everybody else I want to know it. I want to know whether it is agreed that this case shall go with a favorable report to the full House, provided the vote upon it be postponed till next session.

The CHAIRMAN. The Chair did not so understand the proposition

of the gentleman from Louisiana.

Mr. CANNON. What is the proposition then?

The CHAIRMAN. The Chair understood the proposition of the gentleman from Louisiana to be this: that the bill should be reported

to the House—the first proposition was that it be favorably reported, but as the Chair was proceeding to state that proposition the gentle-man from Louisiana at once arose and said, "not favorably reported" now the Chair understands the proposition to be that the bill shall be reported to the House with the previous question considered as ordered, and that a vote be taken on the measure the first Friday of the next session. That the Chair understands to be the proposition.

Mr. CANNON. In other words, this poor man is to be kept out of his pension for four months to satisfy the gentleman from Louisiana.

Mr. SKINNER. I rise to a parliamentary inquiry. I desire to know whether, when a bill is reported from the Committee of the Whole to the House, it is not necessary that it be reported either favorably or unfavorably. Can it be reported "dry so?" [Laughter].

The CHAIRMAN. The Chair is of opinion that a bill can be re-

ported without recommendation.

Mr. RICE. I do not consent that the bill shall be reported to the

House otherwise than favorably.

Mr. LONG. The gentleman from Louisiana on reflection will not object to that, because so far as action has been taken in the committee it has been favorable to the bill. You can not report it if you report the truth other than favorably, because the vote has been 40 to 1. It is of little consequence how it is reported to the House, because after it has been reported to the House the vote of the House must come to determine the matter.

Mr. WALLACE. If it is of sufficient importance to the gentleman from Massachusetts to refuse to let it go without report to the House, it is of sufficient importance to refuse to permit it to go to the House with a favorable report. If it is a matter, as the gentleman says, of little consequence how the bill is reported to the House, why then does the gentleman object to the bill being reported to the House unless it

goes there with a favorable report?

Mr. LONG. Because that is the truth, that it has been favorable

considered.

The CHAIRMAN. Is there objection to the proposition it shall go

to the House without a favorable report?

Mr. RICE. I object.

The CHAIRMAN. The gentleman from Massachusetts is entitled to the floor and will proceed with his remarks.

Mr, RICE. I will reserve my time.

The CHAIRMAN. The Chair is in error. The gentleman from Massachusetts [Mr. RICE] not claiming his time, the tellers will resume their places. The Chair will ask the gentleman from Massachusetts whether he claims the floor.

Mr. RICE. I will take the floor and yield to the gentleman from

Illinois [Mr. CANNON].

Mr. NEECE. I move the committee rise.

The CHAIRMAN. The gentleman from Massachusetts has yielded to the gentleman from Illinois.

Mr. CANNON addressed the committee. [See Appendix.]

Mr. RICE. I yield to the gentleman from Wisconsin [Mr. PRICE].
Mr. PRICE addressed the committee. [See Appendix.]
The CHAIRMAN. The gentleman from Massachusetts [Mr. RICE] has seven minutes of his time remaining.

Mr. RICE. Mr. Chairman, I introduced this bill in this House because I believed it to be a just case. I believe that the claim should have been allowed in the Pension Office; but as it was not allowed there, I exercised my right in introducing it here. It was favorably reported by the committee; the report was unanimous. It has been voted upon twice in this Committee of the Whole; and each time the vote has been in its favor, only the gentleman from Louisiana [Mr. WALLACE] dissenting.

True, there is not a quorum here to-night, nor has there been a quorum

on any night when pension bills have been considered.

Nor on any other night. A MEMBER.

Mr. RICE. Nor on any other occasion when there has been an even-

ing session for the transaction of business

Representing, therefore, this brave and broken soldier-broken by three years' service for the flag which, thanks to the efforts of such men, still waves over the gentleman from Louisiana for his protection and the protection of his swampy State, I do not feel that I should be and the protection of his swampy State, I do not feel that I should be justified in accepting anything less from this committee than that which they are so ready to give, that is, a favorable report to the House upon the merits of this case. For that I stand; that I claim. I should be pusillanimous, I should be false to my constituents, false to my State, were I to accept less. If the gentleman from Louisiana, asking as he does so many favors for his locality, sees fit, standing here alone, to interrupt and arrest the business of this committee, upon him be the responsibility of doing it; I shall contribute no aid in that direction. I call for the regular order. [Applease]

on. I call for the regular order. [Applause.] Mr. WALLACE. Mr. Chairman, I think I have a little time. After all this eloquence from the other side, certainly I am not going to be

shut off from my defense.

Mr. RICE. I have called the regular order.

The CHAIRMAN. The gentleman from Louisiana has occupied only fifteen minutes of his time.

Mr. RICE. Did he reserve the remainder?

Mr. WALLACE. I did.

The CHAIRMAN. The Chair so understood the gentleman.
Mr. WALLACE. I have only a few words to say in answer to the
remarks of the gentleman from Wisconsin [Mr. PRICE]. He accuses me of obstructing the consideration of pension bills. Without beating about the bush in any way I deny, in toto, the accusation. I have simply performed what I consider to be the duty of each member of the House in regard to legislation coming before it. I have called a quorum upon bills which I deemed to be objectionable. I have done so upon conscientious conviction-not from captious or obstructive spirit. On some occasions bills have been passed here which I believed to be meritorious; and I have not undertaken to block legislation, except when a small portion of the House, far less than a quorum, has endeavored to force upon me measures which, with my ideas of right and wrong, I deemed to be entirely without merit, as I deem this bill to be.

I have never raised an objection or called a quorum where I could allow a bill to be passed over informally. Where I could not conscientiously agree to the merits of a case in this House I have consented to allow it to be passed over. I have never raised my voice at any time to block legislation. Two bills have passed to night and I have raised no opposition to them because they seemed to be meritorious.

But six I have the right to the everying of my own independ in this

But, sir, I have the right to the exercise of my own judgment in this House. When only twenty-nine or thirty or forty members are present I claim the right to express my views and if possible to defeat what

I deem to be bad legislation.

I have heard quorums called more frequently on that side of the House than on this, and when efforts were being made to pass bills for the benefit of the nation at large and not merely for the benefit of an individual who has been discovered away off in the backwoods of some Congressman's district. I have seen on that side of the House a quorum called again and again when bills for the public welfare were under

consideration in this House.

Mr. PRICE. Was it a pension bill?

Mr. WALLACE. Not on a pension bill, of course. That is but a small matter and of no national consequence. Gentlemen on the other side have raised the question of no quorum on questions of the greatest

side have raised the question of no quorum on questions of the greatest national importance involving the public welfare.

Mr. PRICE. I did not.

Mr. WALLACE. Your side did. You did it in following the lead of men whom you allowed to control you. I do not allow any man to control me, or any one party to control me upon legislation I deem to be without merit. In such a case, where I am satisfied the legislation is neither just nor proper I will do everything in my power to defeat it. It comes, therefore, with very bad grace for gentlemen on that side of the House who have called quorums on bills of the greatest public advantage to come here and charge me with having called a consum on advantage to come here and charge me with having called a quorum on bills which I deem to be without merit and which affect not the public welfare but merely one individual.

Mr. GUENTHER. Did you ever raise the question of no quorum on

any other than pension bills?

Mr. WALLACE. I will answer that in a few minutes. I have not got to that yet. One gentleman to-night claims that the most important bills are passed without a quorum voting, such as appropriation They are not for the benefit of one single individual. not private bills. They are not for the benefit of any one district or a small portion of any one district. They are for the benefit of the nation, and the disbursements under them are nearly all fixed by law, and those that are not receive the closest scrutiny of a full House, and besides are treated very differently in committees from private bills. If necessary in those cases a quorum can be made to appear and vote for or against them. I defy any member to show that any such bill has been passed by this House on the call of the yeas and nays without the presence of a quorum. No such bill has ever been passed without the presence of a quorum.

The gentleman refers to the printing business being passed without a quorum at an evening session. I was not here and do not know any-

As to the last night's bills, to which the gentleman has also alluded as evidence of my inconsistency, let me say they were private bills which were upon the Calendar, and it was my desire and intention, as no doubt it was of all the other members, to legislate for the welfare of the country. It was the agreement, in the consideration of those bills upon the Private Calendar, that one objection would be sufficient to force the bill to be passed over. Therefore it was not a case where to force the bill to be passed over. Therefore it was not a case where it was necessary or requisite to call for a quorum, because a single objection would answer the purpose of preventing the passage of any bill which was considered to be without merit. I did object to every case that seemed so, unless another member anticipated me. It was not such a case as we have here in sessions like that this evening with a small number of members present, and when attempts are made to force through a bill void of merit without the presence of a quorum.

The other night, when the House was considering business coming from the Post-Office and Post-Roads, there was no quorum; and the gentleman from Wisconsin again charges me with inconsistency, because I did not block that legislation. Those bills were of the greatest importance to the country, bills of the utmost importance to the welfare of the people, for the benefit of all and not for the benefit of one or

two individuals; yet the gentleman from Illinois [Mr. CANNON] called for a quorum after only one had passed to defeat the passage of such bills. I should like to know, therefore, with what grace he can come here and criticise me for calling a quorum on individual matters, which I deem to be without merit, when he called for a quorum to defeat the passage of a bill of national importance, because it did not meet his approval, and thereby blocked action upon subsequent bills of the utmost

As I said before, gentlemen who are here at these night sessions are generally, without exception, members who have their own private bills; they come here waiting for their bills to be reached on the Cal-endar. Therefore I claim, as a jury sitting on these cases, they are not qualified and not competent. I claim their unanimous indorsement does not amount to anything with the presence of thirty or forty members only out of three hundred and twenty-five members of the House, with each member present interested personally in his own little scheme

with each member present interested personally in his own little scheme and very careful not to interfere with the passage of bills in which other members of the thirty or forty present are interested.

I can show the gentleman from the records of this House on the 15th day of May where forty-four pension bills were passed in this body by (I am told) twenty or twenty-one members and only three reports were read. I would like to know, Mr. Chairman, what knowledge those gentlemen had enabling them to pass upon the forty-one bills whose reports were unread—

reports were unread-

Mr. CANNON. Let me interrupt the gentleman.

Mr. WALLACE. I do not yield for an interruption at this time.

When I am through the gentleman can have the floor.

Mr. CANNON — Just a word if the gentleman will allow me, by

Mr. CANNON. Just a word, if the gentleman will allow me, by ay of explanation.

Mr. WALLACE. I can not yield.
Mr. BRECKINRIDGE, of Arkansas. Unless the gentleman from Illinois rises to a question of privilege, it is not in order to interrupt the gentleman. It is not courteous to the gentleman from Louisiana while occupying the floor.

Mr. CANNON. But as the gentleman has alluded to me personally, I wish to make a statement.

Mr. WALLACE. I will allow the gentleman time when I am

I instance this case, Mr. Chairman, of the 15th of May, contained in the record of the proceedings of that day, where these forty-four bills were passed and where but three reports were read, and one of these cases was the widow of a Revolutionary soldier who could not have been much less than one hundred years old. I am told by a gentleman who was present that there were some twenty-one members in the House at

Mr. PRICE. I must deny the accuracy of that statement.

Mr. WALLACE. There is the record.

Mr. PRICE. But as to the twenty-one members Mr. WALLACE. You do not deny my statemen

Mr. WALLACE. You do not deny my statement. Mr. PRICE. Not your statement but his statement, your informant's statement.

ant's statement.

Mr. WALLACE. I give the statement as it was given to me, and I take it for granted that it is accurate.

Mr. LEHLBACH. Were you present last evening?

Mr. WALLACE. I was.

Mr. LEHLBACH. How many reports were read?

Mr. WALLACE. All of them while I was here. Not a bill passed last night while I was present unless the report was read or a gentleman stated that the report was lengthy, and he made a statement upon his own responsibility as a member of this House, which I should be sorry to dishelieve. sorry to disbelieve.

Mr. LEHLBACH. Two of the bills were reported last night by my-

self and the reports were not read.

Mr. WALLACE. Then it was when I was absent from the House. Every bill while I was present last night that was passed was passed after the report was read, or after, as I have said, an explanation was made to obviate the reading of a lengthy report, which the House regarded as satisfactory; and I think gentlemen who were present while

I was here will bear me out in that statement.

Now, the gentleman from Wisconsin [Mr. PRICE] and the gentleman from Illinois [Mr. CANNON] seek to criticise me for the position I have taken with reference to these pension bills. I have already stated my views on a former occasion, and my only reason for entering upon these general remarks to-night is to deny emphatically that I have done anything inconsistent with the original stand I have taken, which I now maintain and shall continue to maintain as long as I am a member of this House. Where bills are presented which I consider are void of merit, and where it is attempted to force them down my throat by a meager attendance in this House of forty out of three hunthroat by a meager attendance in this House of forty out of three nun-dred and twenty-five members, I shall use my privilege as a member of this House to defeat them. The principle by which I am guided is this, that these doubtful cases should only be passed by a quorum of the House, if passed at all. I have insisted upon the reading of the reports because I do not think we should be called to act upon such cases when but one individual in the House, the man who prepares the

reports, knows anything about them.

The bills referred to these two pension committees are so numerous the

work has to be divided among subcommittees of one—and that one is often personally interested in the bill referred to him—and the committee itself accepts his report without scrutiny. The wording of these reports indicates the bias of their authors. The testimony for claimant is exaggerated and given prominence that against him is impugned or soft-

In conclusion, I deny the charge that I have made an exception of special pension legislation to demand the presence of a quorum. While my views are decidedly averse to appropriations of Treasury funds by a small minority, I have yielded where the number of members present reached to respectable proportions, and have contented myself by calling a quorum only where I deemed a bill a bad one and where no other course was open to defeat it. I would have applied the same rule to every private bill on the Calendar under similar conditions, but in my brief membership those conditions have not arisen. It so happens no legislation has been carried so far to a disgraceful extreme as that granting special pensions, and for that reason, and that alone, has my action against that been so marked.

Of the private bills passed at this session over six hundred have been for special pensions, or one hundred more than the number passed during the eight years of President Grant's administration. On reference to the RECORD, on four nights the reports of which I selected at random I find an average of over fifty bills passed each night, and seldom if ever more than five reports read during any evening. The attendance on these occasions was barely 10 per cent. of the membership of the House. Is this proper or correct legislation? Is my effort to block it the worst record I have made here, and for which I am to "answer to my own constituents and the country," as a gentleman suggested? If so, I shall not fear much to meet the issue. My constituents did not send me here to sit by and consent even by my silence to legislation I consider shamefully lax and indefensible, and the country is not any more sympathetic, I believe, with legislation adopted at these Friday night scances. The granting of pensions proper and just is a sacred night seances. The granting of pensions proper and just is a sacred duty of governments; the payment of its debts to private citizens also; but both should be granted and paid under the Constitution and in the form at least of law.

Will the gentleman permit a question?

Mr. WARNER, of Ohio. It seems that this debating society has gone on long enough; I ask the regular order.

Mr. WALLACE. I yield to the gentleman from West Virginia for

a question.

Mr. GOFF. I simply desired to go back to the case under consideration. I understood the gentleman to say in his remarks when first on the floor as to this particular case, that if there was any evidence that disclosed that the soldier was suffering with rheumatism in the service he would consider it a meritorious case, and that it was because the medical testimony did not disclose that fact he made that objection. Now, I say to the gentleman that if he examines the record in this case

Mr. WALLACE. I have done so.

Mr. GOFF. He will find that the captain of this company states in an affidavit that this man in the year 1864 was sent to the hospital at City Point, Va., suffering with chronic diarrhea and rheumatism.

Mr. WALLACE. I have already explained my views on that matter, that if he was disabled as reported, the Pension Office has no record of his discharge on account of that disability.

Mr. GOFF. I understood you to say that there was no testimony to disclose the fact that he suffered from rheumatism during the war.

Mr. WALLACE. Your Pension Office says there was none. Mr. GOFF. The trouble is there are many cases where the medical

history of the soldier does not disclose the specific disease.

Mr. WALLACE. Would the hospital records not show the fact that

he was discharged for disability, if it was a fact?

Mr. GOFF. It would show that he was discharged, without giving the specific disability; and that is his particular case. I know of many instances, and the gentleman will find them in many records connected with the military service of the country, where men were discharged for disability without mentioning the particular disability.

Now then this soldier comes in here and cures the record by giving

the affidavit of his captain that that specific disability was rheumatism, and I submit to the gentleman the case is one where the applicant is

entitled to a pension.

Mr. WARNER, of Ohio. I rise to a question of order. I understood it was agreed unanimously this case should go over until the first Friday of December.

Mr. GOFF. The gentleman is mistaken.

The CHAIRMAN. Objection was made to that proposition.

Mr. CANNON rose.

The CHAIRMAN. Does the gentleman from Louisiana [Mr. Wal-

Mr. WALLACE. Yes, sir.
Mr. CANNON. From the remarks of the gentleman from Louisiana I gather he thought I had attempted to criticise him personally. Certainly he is my peer and the peer of every gentleman on the floor. He must answer to himself, to his constituency, and to his country for the position he takes here, and no doubt he is willing to do so, as I must

answer to myself for any position I take on this or any other matter. In my remarks touching the course of the gentleman from Louisiana I was not seeking to criticise him personally. But I addressed myself to the reasons he gave for objecting to this bill, which it occurred to me were not sufficient. I desire to say that much, because the gentleman

were not sumcient. I desire to say that much, because the gentleman probably misunderstood me.

Mr. WALLACE. That is quite satisfactory.

The CHAIRMAN. Before the Chair announces the vote—
Mr. WALLACE. I ask the Chair what vote he is about to announce.

The CHAIRMAN. The result of the vote as reported by the tellers.

Mr. WALLACE. I make the point that the Chair has already announced it. I called for a division

Mr. WALLACE. I make the point that the Chair has already announced it. I called for a division.

The CHAIRMAN. On the original vote the gentleman called for a division. The result of that vote was announced by the Chair. Then the point was made of no quorum. The Chair appointed as tellers the gentleman from Louisiana [Mr. WALLACE] and the gentleman from Massachusetts [Mr. RICE]. They reported the result to the tally aller and that could have not yet here appropried by the Chair. Pendclerk, and that result has not yet been announced by the Chair. ing the announcement unanimous consent was given to the gentleman from Massachusetts and the gentleman from Louisiana to make state-

Now, the Chair desires to advise the committee before this announcement is made that the clerks are wearied and worn out by the protracted proceedings of the last few days. When this vote is announced and the point is then made that no quorum voted, if it should so appear, the rules require that the rollshall be called. No motion to rise can be made under those circumstances. The Chair desired before an-

nouncing the vote to suggest what is the fact as to the physical condition of the clerks.

Mr. PERKINS. I again ask unanimous consent that this bill be laid aside and reported to the House with the previous question ordered on it, and that it shall then go over till the first Friday of December for a vote in a full House.

cember for a vote in a full House.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that this bill be reported to the House, that the previous question be ordered, and that a vote be taken on the bill on the first Friday of the next session. Is there objection to the gentleman's request?

Mr. RICE. I object.

The CHAIRMAN. Then it becomes the duty of the Chair—Mr. McMILLIN. I suggest that it would be well to let the bill take that course so that members present may have an opportunity of having a few more cases considered this evening.

The CHAIRMAN. But the gentleman from Massachusetts has ob-

Mr. PERKINS. My suggestion is that the bill be favorably reported to the House, that the previous question be ordered on it, and that no vote be taken on its passage until the first Friday of December.

The CHAIRMAN. Is there objection to the request?

Mr. WALLACE. I will not object to that.

The CHAIRMAN. The Chair hears no objection, and it is so ordered.

The Clerk will report the next pension bill on the Calendar.

ORDER OF BUSINESS

Mr. SKINNER. I ask unanimous consent— Mr. GUENTHER. I object to any request for unanimous consent. Mr. LONG. I call for the regular order.

Mr. GUENTHER. I withdraw my objection for the present.

The CHAIRMAN. The Chair has recognized the gentleman from North Carolina [Mr. SKINNER] to state his request, which he has a right to do. When he has stated it, then it will be in the power of gentlemen to object.

Mr. SKINNER. I merely want to say to the committee in the first place that I have never bothered this committee by asking unanimous

Mr. GUENTHER. Have you been here before at these Friday evening sessions?

Mr. SKINNER. I have been here several times.
The CHAIRMAN. The gentleman will state his request.
Mr. SKINNER. There is an old man ninety-five years of age who is now receiving a pension of \$8 a month. He was a soldier in the war of 1812. He is blind and lame and can not hear. He came here two or three months ago-

Mr. GOFF. Offer your bill.
Mr. SKINNER. I ask unanimous consent to offer the bill providing

pension for this old man for present consideration.

Mr. LONG. Without objecting, I may state that I represent the next case on the Calendar where the woman is old. I will not object to the gentleman's request if the bill I represent can be considered

Mr. GUENTHER. I will ask the gentleman from North Carolina does the case he calls up stand on the Calendar?

Mr. SKINNER. It does.
Mr. GUENTHER. Where?
Mr. SKINNER. It stands late on the Calendar. The old man is likely to die before the next session of Congress.
Mr. GUENTHER. I withdraw my objection.

The CHAIRMAN. Is there further objection to the request of the gentleman from North Carolina? The Chair hears none. The Clerk will report the bill.

BRYANT WATERS.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby; authorized and directed to increase the pension allowed Bryant Waters, late a private in Capt. I. G. Blount's company, Eighteenth Regiment United States Infantry, who served in the war of 1812, to 550 per month.

The report (by Mr. Cowles) was read, as follows:

The report (by Mr. COWLES) was read, as follows:

Your committee has had under consideration a bill (H. R. 7988) for relief of Bryant Waters, asking that his pension be increased from \$8 per month to \$50 per month. There is no question about the soldier's calistment and service, and he is now on the pension-rolls at \$9 per month. The evidence shows that he is ninety-five years of age, deaf, and almost totally blind, requiring constant attention and waiting upon. He is also very poor and unable to provide for himself. Your committee think that under these circumstances the pension of this old soldier should be increased to \$30 per month in order to make the necessary provision for his comfortable support for the short portion of life that reptains to him by the usual course of nature.

Your committee therefore recommend that the bill, amended as indicated

Your committee therefore recommend that the bill, amended as indicated in this report, do pass

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

REBECCA WISWELL.

The next business on the Private Calendar was the bill (H. R. 9129) granting a pension to Rebecca Wiswell.

Mr. LONG. I ask the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c. That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Rebecca Wiswell, an Army nurse, on the pension-roll, and pay her a pension of \$12 per month.

The report (by Mr. LOVERING) was read, as follows:

The report (by Mr. Lovering) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the petition of Rebecca Wiswell, report:

Rebecca Wiswell was one of the efficient corps of Army nurses whose devoted and untiring labors, under the superintendency of Dorothy Dix, form one of the brightest pages in the history of the conflict of nearly quarter a century ago. She entered service in March, 1862, her labors ceasing at her discharge in July, 1865. Her services were rendered at the Seminary Hospital, Georgetown, D. C., and hospitals at Winchester and Fortress Monroe, her whole term covering the period of three years and four months. She is now seventy-nine years of age, poor and infirm.

She presents in support of her claim certain papers and documents, from which the following have been taken, which certainly prove her to have been a valuable assistant to Miss Dix.

The following letter of August 23, 1865, explains itself, and was written after the close of her labors and return to her home:

Washington, D. C.

Washington, D. C.
My Good Miss Wiswell: I am too busy to write more than a line acknowledging your letter. I was glad to hear of your safe return and pleasant meeting with your friends, and I hope the good Massachusetts air has already done you much good. Nearly all the hospitals are closed, but much to be done in the division hospitals.

Yours, kindly,

D. L. DIX,
Superintendent United States Hospital Nurses.

Frederick N. Knapp, associate secretary United States Sanitary Commission, who was stationed in Washington during a large part of the time from 1861 to 1865, says, April 5, 1886;

"I had constant opportunity of knowing of the devotion of Rebecca Wiswell to her duties as nurse in the Army hospitals. To her intelligence and fidelity the life of many a soldier was due."

Charles P. Shepard, Concord, N. H., January 19, 1886, says:

"Miss Wiswell took care of me five months at the Seminary Hospital. I think she was the most faithful person I ever saw. She saved my life by her vigilance and skill in nursing, and others, if alive, can testify to the same thing."

Eleazer Shaw, of Plymouth, Mass., testifies:

"That he has known Miss Wiswell for more than thirty years; she is now seventy-nine years of age, and within my certain knowledge all the property she possesses would not pay the expenses of her burial. At the time of her entering service as a nurse she was vigorous and well, and that since her discharge she has gradually and steadily become enfeebled in health. She is dependent upon others for a living and at best can not long survive."

J. B. Brewster, M. D., Plymouth, Mass., May 1, 1886, says:

"That for twenty-five years I have been a practicing physician; for many years have known Rebecca Wiswell, and have had her under my care. She suffering from a disease of heart of long standing, and is also unable to get about on account of dropsy of the lower extremities from the same cause. I do not hesitate to declare that in my opinion her present infirmities are greatly due to her exhauster and faithful labors as an Army nurse for more than three years of the late war."

William T. Davis, chairman board of selectmen, Plymouth, Mass., in a letter to Hon. Joun D. Long, House of Representatives, dated April 25, 1886, says:

"Dear Governor: Let me add to what my friend, Dr. Brewster, has stated to Hon. Joun D. Long. House of Representatives, lated April 25, 1886, says:

"Dear Governor: Let me add to what my friend, Dr.

asked for in her few remaining days, and therefore report back the accompanying bill and recommend its passage.

Mr. BRECKINRIDGE, of Arkansas. Mr. Chairman, I desire to ask the gentleman from Massachusetts [Mr. Long], who has charge of this bill, to state what he knows of the practice in cases of this character.

Mr. LONG. The practice has been, as shown by the records of the present session and of former sessions of Congress, to grant special pensions in cases of this kind. There have been many such pensions granted, as the records will show. Early in the present session Mother Pickerdyke was given a pension of \$25 a month, and Miss Gill was given a pension of \$20.

In this case the pension proposed is only \$12 a month. This lady is now seventy-nine years old. She served as a nurse three years and nine months during the war, and was indefatigable in the service, as appears from the evidence of the soldiers whom she nursed, of the selectmen of the town where she lives, and of the physicians of the town. This is certainly as meritorious a case as any that has been before us; the precedent has been established, and I trust that the bill will be

laid aside to be reported to the House with a favorable recommendation.

Mr. BRECKINRIDGE, of Arkansas. Mr. Chairman, I wish to say in connection with this case that my understanding is—though I may be mistaken—that we grant pensions to nurses only where they have actually suffered from exposure in hospital service. For instance, if on account of such service a nurse has contracted some malignant disease we grant her a pension.

The most heroic traits of character are frequently displayed in the discharge of the duties of a nurse, and disability arising from such service should be recognized. It presents a logical and proper claim upon the Government, but the service I believe is strictly a civil serv-It is not expected to expose one who engages in it to the perils of battle, and if there is not general legislation providing for cases in which such persons have become disabled from the contraction of disease in the service I should certainly be in favor of such legislation. A person in the civil service who is wounded during an engagement upon a man-of-war is permitted to be pensioned the same as if he had been in the military service, and if there is not analogous general legislation covering the class of cases of which I have just spoken, I should very cheerfully vote for it, and in the absence of such general legislation I would very cheerfully vote to grant a pension in such a case. I do not, however, understand that this is a case of that character.

This claimant is evidently a most worthy woman. She has been a nurse, and evidently a most faithful one. But it does not seem to be shown that she carried out of the service any germs of disease, or that she is disabled in consequence of any disease incurred while in the service, and, as I understand, she never was in the military service of the Government. Now, such a case presents the strongest claims upon charity; but, so far as the evidence has been developed, it is not a case which would be entitled to such recognition by way of a pension as is given to a person disabled in the military service or in the line of mil-

itary service. I do not see that this most worthy woman has any claim except to the civil charities of the country, with this addition, that she has the strongest possible claim upon those whose everlasting friendship she must have won in the discharge of her work of mercy; and I can not believe that any American community would permit so worthy a woman to be destitute of those social beneficences which would make her comfortable in her last days. Nor do I believe that men who were brave enough to go into battle and incur wounds which brought them under her tender care—wounds which are the evidences of courage and the badges of honor—would be unmindful of the personal obligation

and the debt of gratitude that they owe to her.

Strong as are the claims of this character which this woman presents, I do not think the case one which is entitled to the military recognition which we are giving here to-night; and unless my mind is disabused of that impression, I shall, with a spirit of entire kindness and strictly from what I deem the observance of right principles in preventing confusion of policy—entering upon local and personal charities here instead of discharging the class of duty which we are here to discharge-I shall in that spirit ask that this case be passed over and not be permitted to operate as an obstruction to other cases which would

perhaps encounter no objection.

Mr. LONG. Mr. Chairman, I feel very certain that I can disabuse

Mr. BONG. And charman, I see very certain that the mind of the gentleman from Arkansas.

Mr. BRECKINRIDGE, of Arkansas. I trust you can.

Mr. LONG. And bring this case within the rule which the gentleman suggests. I understand the gentleman to say that if there were a general law providing for army nurses who, in rendering service as such, had suffered from exposure or disease, he would cheerfully support the measure

Mr. BRECKINRIDGE, of Arkansas. Make it a little stronger-

say, who have incurred disability.

Mr. LONG. There is no such general law; but I understood the gentleman to say that in the absence of such general law, if a special case of the kind could be shown, he would cordially support it.

Mr. BRECKINRIDGE, of Arkansas. Yes.

Mr. LONG. Now this is, of course, not a matter of charity. If it were, there is no community in Massachusetts or Arkansas or any other State of the American Union where a woman of this character in need of charity would not receive it. This is a case in which the rights of one who was a servant of the Government in its time of need should be considered by the American Congress. The gentleman, if he will look at the report carefully, will see that this woman was an Army nurse; she was thus engaged in the military service of her country.

The very term "Army nurse" implies that she was not in civil employment. If the gentleman will read the first extract on the first page

of the report he will find that Miss D. L. Dix, superintendent of United States hospital nurses, recognizes Miss Wiswell as one of that class of nurses. Mr. Frederick N. Knapp, associate secretary of the United States Sanitary Commission, which rendered such valuable service in connection with the Army, also makes affidavit, showing that this woman comes within the first requirement indicated by the gentleman from Arkansas; in other words, that she was a part of the Army organization, rendering service "as nurse in the Army hospitals." She was probably paid for her service a small sum, whatever it may have been, \$12 or \$20 a month.

A MEMBER. Twelve dollars a month.

Mr. LONG. Eleazer Shaw, of Plymouth, Mass., one of her neighbors, gives testimony which brings the case within the gentleman's second requirement:

At the time of her entering service as a nurse she was vigorous and well, and that since her discharge she has gradually and steadily become enfeebled in health. She is dependent upon others for a living and at best can not long sur-

Dr. J. B. Brewster, of Plymouth, Mass., one of the most eminent physicians in that part of the State, testifies:

I do not hesitate to declare that in my opinion

He gives his professional opinion-

her present infirmities are greatly due to her exhausting and faithful labors as an Army nurse for more than three years of the late war.

Mr. William T. Davis, chairman of the board of selectmen of Plymouth, Mass., who enlisted something like a thousand men, testifies to the same effect.

You thus have here a case exactly like that of a private soldier who enlists in the service of the country and from exposure incurred in that service becomes enfeebled and suffers disability. This woman is now seventy-nine years of age. Over twenty years ago she offered her services to her country. She was enlisted in the corps of Army nurses. She served upon the field, in the open air, in the camp, wherever a soldier required her aid. She rendered this service for three years and nine months; and in the opinion of an eminent and reliable physician of her own county she derived directly from that service the causes of the impairment of her health. Being now seventy-nine years of age, feeble, and suffering disability from her labors as a nurse, this woman asks that she may have accorded to her the same pension which has been granted to other nurses under similar conditions.

Mr. WARNER, of Ohio. I desire to inquire whether this nurse drew pay while in the service.

Mr. LONG. My impression is that she did, though I can not answer from my own knowledge. She was regularly enlisted, just like a soldier who drew his \$13 a month. I think this case meets all the requirements which any gentleman can suggest-does so indeed much more fully than many other cases that we have had here, for this woman incurred greater disability than many other nurses, some of whom

came out of the service in comparatively good health."

Mr. BRECKINRIDGE, of Arkansas. To my mind it would not be a matter of any moment whether this woman was regularly enlisted in the service or not if she actually rendered service and incurred disability. I would consider the case upon its merits, not on any technical ground. I will ask the gentleman whether there is any record that this woman during the war was sick from overwork or exposure?

Mr. LONG. Yes, there happens to be a very satisfactory record on that point. I ask the gentleman to read the letter of Miss Dix, superintendent of the United States hospital nurses.

Mr. BRECKINRIDGE, of Arkansas. Will the gentleman read the

Mr. LONG. This letter was written to Miss Wiswell upon her re-

turn home from her service as nurse. Washington, D. C. My Good Miss Wiswell: I am too busy to write more than a line acknowledging your letter.

Mr. BRECKINRIDGE, of Arkansas. What date is that?

Mr. LONG. August 23, 1865. Mr. BRECKINRIDGE, of Arkansas. Read on further.

Mr. LONG. I will read the whole of it:

I was glad to hear of your safe return and pleasant meeting with your friends, and I hope the good Massachusetts air has already done you much good. Nearly all the hospitals are closed, but much to be done in the division hospitals. Yours, kindly,

R. L. DIX, Superintendent United States Hospital Nurses.

Mr. BRECKINRIDGE, of Arkansas. Am I to understand she left

the hospital temporarily on account of being broken down by incessant labor as a nurse

Mr. LONG. The war being over and her health having become impaired this was the natural expression of the superintendent of the hospital, that the healthy Massachusetts air had already done her good.

If the gentleman will allow me he ought not to be too technical about

Mr. BRECKINRIDGE, of Arkansas. I do not mean to be technical

Mr. LONG. He ought not to be too particular to find out whether a woman had a headache or had rheumatism, but with these Army nurses the test is this: Did they render service? Were they connected with the Army? Was there any reason to believe their health was impaired by reason of their service in the Army?

Mr. BRECKINRIDGE, of Arkansas. That is the doctrine. I will

Mr. BRECKINKIDGE, of Arkansas. That is the doctrine. I will say, if the gentleman will permit me—

Mr. LONG. I think you have evidence of all that here.

Mr. BRECKINRIDGE, of Arkansas. I think there is some indication of that in the letter of the surgeon written to her when she sought repose at the close of her labors. The evidence is herservice indicates most arduous fidelity. I attach a good deal of importance to the opinion of the distinguished physician that he believes the exposure she underwent at that time was permanent in its effects. I believe something in that doctrine, for I believe men never recover, and women, too, never recover from certain exposures and trials their peculiar fiber and tenacity of purpose may enable them to undergo without being prostrated at the time. While I still have some doubts about this coming within the proof, yet I think there are strong grounds of probability, and I will give the benefit of that doubt in favor of the claimant.

Mr. LONG. I move the bill be laid aside to be reported to the

House with the recommendation it do pass.

The motion was agreed to.

Mr. MATSON. I move the committee rise. [Cries of "No!"]

The CHAIRMAN. The Chair asks the gentleman to withhold that motion until the gentleman from Wisconsin can ask for unanimous con-

Mr. GUENTHER. I ask unanimous consent to call up a bill (8. 2325) and to put the same upon its passage.

Mr. SPOONER. I have been waiting two or three nights to have called up the very next case on the Calendar, which is a meritorious

The CHAIRMAN. Does the gentleman object.
Mr. SPOONER. I think I must.
Mr. MATSON. I now renew my motion.

The House divided; and there were-ayes 91, noes 23.

So the committee refused to rise.

JANE D. MUMFORD.

The next business on the Private Calendar was the bill (S. 1184) granting a pension to Jane D. Mumford.
Mr. SPOONER. I ask for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jane D. Mumford, mother of Dudley C. Mumford, late captain of Company G, Nineteenth Massachusetts Volun-

The report (by Mr. Lovering) was read, as follows:

The report (by Mr. Lovering) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1184) granting a pension to Jane D. Mumford, have had the same under consideration, and, adopting the Senate report as their own, report the bill back to the House and recommend its passage.

Jane D. Mumford, widow, is the mother of Dudley C. Mumford, late captain of Company G, Nineteenth Massachusetts Volunteers, who, after nearly three years of active, efficient, and honorable military service, during which he was promoted from second to first lieutenant and then to captain, was killed in action at Prospect Hill, Virginia, May 31, 1861. He is highly commended as having been a brave and meritorious officer. His mother's claim for pension was rejected by the Pension Office on the ground of non-dependence.

The facts relating to the question of dependence are well set forth in a statement of the claimant on file with her claim in the Pension Office, and abundantly verified by other evidence, from which your committee quote the following:

"Before he entered the Army I received all his wages and took care of him, providing his support and clothes and supplying all his wants, as a mother should. After he entered the Army, and up to the time of his death, the same course was pursued in all respects, except that he did not live at home, and there were certain bills in camp which he had to pay himself. With the exception of such bills, he always, from the time he entered the Army until his death, continued to send his pay to me, and I continued to supply his wants in clothing and such things as he needed, just as I had done before.

"I do not mean to give the committee to understand that the pay of my son, Captain Mumford, supplied all my wants. I had a husband, always in feeble health, since dead, whose wages also contributed to the support of the family. Thus you will see that I was dependent upon my son's pay for support. The family never accumulated anything; and as both were taken away, I was

me many bitter tears. Could I live without it, I would prefer to receive no price for that which was to me beyond all price."

The husband died March 6, 1868, leaving Mrs. Mumford with two young children and a small sum of money, which was necessarily soon expended in her and their support and in removing to and establishing herself at Providence, R. I., where an opportunity was open to her as a teacher in the public schools. In that employment she has until recently secured a support; but her age and feeble health have now compelled her to abandon that vocation, and the consequent necessity of urging her claim for relief presses upon her with continuously increasing force.

Believing that the proper degree of dependence is established by the testimony, the committee recommend the passage of the bill.

On motion of Mr. SPOONER, the bill was laid aside to be reported to the House with the recommendation that it do pass.

NANCY MASON.

Mr. GUENTHER. Mr. Chairman, I renew my request to take up Senate bill No. 2325, to grant a pension to Nancy Mason, and put it

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and the same is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Nancy Mason, widow of William A. Mason, formerly a private in Company K, Third Wisconsin Cavalry.

Mr. BRECKINRIDGE, of Arkansas. I ask that the report in this case be read.

Mr. GUENTHER. I think I can make a brief statement that will satisfy the gentleman of the merits of this case. I will read from the report. On the 21st day of August, 1885, Dr. Earle H. Ostrander, whom I know very well as a most eminent and reputable physician of

Appleton, Wis., Says:

I certify that William Mason, of Company K, Third Wisconsin Cavalry, died on February 21, 1885, from or of renal dropsy and other complications, said to have been contracted while in the service. I was his family physician before he enlisted, and never knew him otherwise than a healthy man.

This testimony is supplemented by the testimony of his neighbors, whose affidavits show that his disability commenced immediately after his return from the service; that he was a cripple and could not labor, and so continued. I have numerous petitions from the Grand Army posts and a number of letters from that part of the country, which all indicate the same condition of affairs and ask that this pension be granted. The widow, Mrs. Mason, is very destitute, and if ever there was a case which appeals to our sense of gratitude it is this one; and I

hope the bill will be passed without objection.

Mr. WALLACE. What is the amount of pension granted.

Mr. GUENTHER. The widow's pension fixed by the law, \$12 a month.

Mr. BRECKINRIDGE, of Arkansas. It does not appear by any statement contained in the report that he came out of the service by reason of that disability.

Mr. GUENTHER. Oh, yes; it does. Mr. BRECKINRIDGE, of Arkansas. Where?

Mr. GUENTHER. The physician certified, as I have shown you, as to the diseases from which he suffered and died, and that he was a healthy man before his enlistment; and his neighbors testify that immediately after his return from the service he was a cripple and unable to perform labor. That connects the disease with his service in the

Mr. BRECKINRIDGE, of Arkansas. Let the report be read. I think

that would be more satisfactory.

The report (by Mr. WINANS) was read, as follows:

The Committee on Invalid Pensions, to whom was referred Senate bill 2325, report that they have examined the same, and adopt the Senate report, as follows:

[Senate Report No. 990, Forty-ninth Congress, first session.]

[Senate Report No. 990, Forty-ninth Congress, first session.]

On the 2d of September, 1884, William A. Mason filed an application for a pension for disability contracted in the Army, and alleging chronic rheumatism. He was a private in Company K, Third Wisconsin Cavalry; enlisted February 29, 1884; was discharged September 29, 1895, serving one year and seven months. In his declaration he says his disability commenced directly after his discharge, and that he had suffered continuously from that time until he applied for a pension. From an examination of the papers in the file, it does not appear that his case was very thoroughly investigated. There is no report from the records of the Surgeon-General, and, as usual, that of the Adjutant-General says, "Regimental hospital records or company returns not on file." It identifies the soldier and his service, and shows that his standing is good.

The Pension Office ordered the claimant before an examining surgeon. In the surgeon's report he relates what the soldier told him, among other things that he thought he had rheumatism, because the doctor told him so; also, that he had disability from epilepsy and congestion of the liver, and from these there was an aggregate of total disability; but in his opinion it was not incurred in the service. There is no other report of a medical investigation of the man's case. The medical referee of the Pension Office thought the hospital records should be obtained before final action, but they were not. Again, the same referee was of the opinion that the claimant had mistaken his diagnosis; that the disability was not rheumatism, but from disease of liver; and it was finally concluded that he should be ordered before a board of examiners, but there is no record of any such proceeding. So far as the Pension Office is concerned the case is in a very imperfect condition. On the 21st of August, 1885, Dr. Earle H. Ostrander, of Appleton, Wis., says:

"I certify that William Mason, of Company K, Third Wisconsin Cavalry, died on February

not labor, and so continued. It is shown that by reason of his sufferings and poverty he was unable to go to the examining surgeon, and that he was a suffering, helpless man for years before he died.

In the opinion of the committee his disability is sufficiently shown; that he died from disease contracted in the service, and that it is not material by what name it is called. There is also proof that Nancy Mason, for whose redief the accompanying bill provides, was his wife. The bill is reported favorably, with a recommendation that it do pass.

Mr. BRECKINRIDGE, of Arkansas. The family physician, as that report discloses, states that this applicant died from a dropsical complaint, and that he was free from it before he went into the service.

Mr. GUENTHER. No, not that exactly, but that he never knew him otherwise than as a healthy man. That was of course before he enlisted, as the report shows.

Mr. BRECKINRIDGE, of Arkansas. But he does not state when he

contracted the disability.

Mr. GUENTHER. No, because of course he could not know that. Mr. BRECKINRIDGE, of Arkansas. He leaves a gap of some twenty years between the time when this man entered the service and the date

of his affidavit, which was made shortly after the death of the party.

Mr. GUENTHER. There is a gap of course between the physician's testimony, that is to say, before the war and the last testimony taken, because he probably had other medical attendance during that time. But the physician says that he was a healthy man when he enlisted, and the neighbors say that immediately after his return he was a crippled man and incapacitated from labor. I claim that that shows the connection between the service and the disability; and if so, then by reason of that disability his widow is entitled to a pension. That is reason of that disability his widow is entitled to a pension. That is the finding of the committee. It is also shown that by reason of his sufferings and poverty he was unable to get an examining surgeon.

Mr. BRECKINRIDGE, of Arkansas. But that is not the point at

The same physician who testifies to his soundness before entering the Army testifies of his own immediate knowledge of the cause of his death. Now that physician also states that this disease was "said to have been contracted" while in the service. Where was the man during all the intervening time? Was the physician not cognizant of his dis-

ease during these twenty years?

Mr. GUENTHER. Yes, sir; he so states.

Mr. BRECKINRIDGE, of Arkansas. No; he does not. He testified that he died of this disease, but not that it was of long standing. Now, there is a very unfortunate lapse in the physician's testimony in that regard. He does not give any statement whatever as to the progress of the disability. He takes him twenty years ago as a sound man, and does not say anything of his condition during the twenty years until the end of it, when he is a dead man; and the surgeon of the Pension Office expresses the opinion that the disability was not incurred in the service. Now I sake my friend to let this bill as a control of the progress. service. Now, I ask my friend to let this bill go over. I do not be-lieve it is a proper case to pass.

Mr. GUENTHER. Let me appeal to the gentleman not to make

that objection. From numerous letters this widow is most destitute.

Mr. BRECKINRIDGE, of Arkansas. But that is not an argument

Mr. GUENTHER. Oh, yes; it is an argument.
Mr. BRECKINRIDGE, of Arkansas. Not at all; for even if she was rich and had a proper claim she would be just as much entitled to it. Mr. GUENTĤER. Let me read the last part of this report again:

In the opinion of the committee his disability is sufficiently shown; that he died from disease contracted in the service, and that it is not material by what name it is called.

Mr. BRECKINRIDGE, of Arkansas. But that is not my opinion.

Mr. GUENTHER. No; I wish it was.

Mr. BRECKINRIDGE, of Arkansas. Nor is it the opinion of the examining surgeon.

Mr. GUENTHER. I do not give much for the opinion of many of

the examining surgeons.

Mr. BRECKINRIDGE, of Arkansas. Nor is it the opinion of the family physician, who says it is "reported" that the disease was contracted in the service. He does not claim that it was.

Mr. GUENTHER. No; I will read that again.

Mr. BRECKINRIDGE, of Arkansas. It is not necessary.

Mr. GUENTHER. But the family physician testifies to his condi-tion before entering the service, and then his neighbors come in and make affidavit, certifying that when he returned from the Army he was broken in health and unable to work. That I claim connects the disability with the service. The widow is poor and dependent upon her own exertions; and I think in connection with the testimony on file that ought to be sufficient to establish the case.

Mr. BRECKINRIDGE, of Arkansas. The whole question is whether she has a proper claim on this body to relieve these necessities.

Mr. GUENTHER. Will you allow me to take a vote in the House

the same as in the other case?

Mr. BRECKINRIDGE, of Arkansas. Oh, yes.
Mr. GUENTHER. Will you agree that the bill shall be reported to
the House with the understanding that a vote shall be taken in the House?

Mr. BRECKINRIDGE, of Arkansas. Take the vote here.

Mr. GUENTHER. Then I call for a vote.

The CHAIRMAN. The question is, Shall the bill be laid aside to be reported to the House with the recommendation that it do pass? The question being taken, it was decided in the affirmative.

ELIZABETH GARAGHTY.

Mr. SCOTT. I am like my friend from North Carolina [Mr. SKIN-NEE]. I do not think I have asked unanimous consent either of the Committee of the Whole or of the House since I have been a member of this body; and I think I ought to have something to go home to my constituents upon. [Laughter.] I ask unanimous consent to call up for consideration at this time the Senate bill No. 2366. It is reported unanimously by the Committee on Invalid Pensions; and I think the committees of the House and of the Senate, having examined the case, ought to know whether it is a proper bill or not.

The CHAIRMAN. Is there objection to the request of the gentle-

man from Pennsylvania?

There was no objection. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Garaghty, widow of Michael Garaghty, late of Company A, Forty-fourth Wisconsin Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLES HAHNEMAN.

Mr. ROCKWELL. I ask unanimous consent to call up for consideration the bill (H. R. 8180) to increase the pension of Charles Hahneman. This is a case where the man can not live long. I ask unanimous consent to call up for consider-

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is, authorized to increase the pension of Charles Hahneman, late a private in Company C, Forty-first New York Volunteers, and pay him at the rate of \$24 per month, in lieu of the pension now paid him.

Mr. ROCKWELL. I ask for the reading of the report. The report (by Mr. LOVERING) was read, as follows:

Mr. ROCK WELLL. I ask for the reading of the report.

The report (by Mr. Lovering) was read, as follows:

The Committee on Invalid Pensions, to whom was referred House bill \$180, beg leave to submit the following report:

Charles Hahneman, late a private in Company C, Fortieth Regiment Massachusetts Volunteers, is borne upon the pension-roll, certificate 96792, at the rate of \$12 per month for double hernia. He applied for an increase of pension, basing the same upon asthma contracted in the service. This claim was rejected because of claimant's inability to furnish evidence of contraction in the service and in line of duty. The surgeon of regiment is dead, and he has made diligent but ineffectual efforts to find the whereabouts of the officers of his company. The evidence in the claim discloses the fact that the claimant is in a most pitiable condition, his hernia being aggravated by straining when coughing to such a degree as to totally unfit him for manual labor of any kind, even the lightest. Dr. Frank K. Paddock testifies to an acquaintance with claimant for the last twenty years, and that in that time claimant has always been troubled with the asthma, and has been treated for it by several physicians, as well as by himself; that since 1881 he has not been able to do any work whatever.

The board of examining surgeons at Pittsfield, Mass., December 3, 1884, says:
"The claimant is a marked example of chronic asthma, with muscular emphyema. He has a dozen or more scars of varicose ulcers, with varicose veins of right leg; the veins are supported by elastic stockings. He has also right complicated direct scrotal hernia; diameter of the ring, 2 inches or more. It is impossible to give adequate support by a truss, in consequence of the very large size of the ring and the complicated results he is disabled for the performance of any manual labor, and we rate second grade, \$24 per month."

November 4, 1885, he was again examined by the board at Springfield, Mass., who say:
"Large right oblique inguinal hernia, ex

November 4, 1885, he was again examined by the board at Springfield, Mass., who say:

"Large right oblique inguinal hernia, extending into and distending the scrotum; tumor measures 14 inches in circumference. We believe it impossible to retain it with any truss. He is evidently suffering severely from asthma, as shown by the characteristic breathing. Veins of right foot, leg, and thigh varicose to a marked degree; half dozen cicatrices on anterior and lateral aspect of leg below knee; right east three-quarters of an inch larger. We rate total second grade, or \$24 per month."

Claimant states he has been unable to do any work for years, between the asthma and the hernia.

The case of this soldier is so well known in the town where he lives it attracts general attention and sympathy by its extreme phases of suffering and poverty. Rev. C. D. Hills, pastor of the M. E. church in Pittsfield, in a letterto Hon. F. Rockwell, dated June 3, 1886, says:

"Charles Hahneman made out to drag himself to Troy to obtain a truss. He was experimented upon, but without success, and is now without any truss whatever. He is indeed in a most terrible condition, and his poor wife ought to have the burden lightened by an increase of pension. He can not live long. Oh, that a redeemed nation would do more for its disabled saviors."

Your committee are of opinion that the pension, for reasons given, should be increased. They therefore report back the accompanying bill and recommend its passage.

Mr. BRECKINRIDGE, of Arkansas. I wish to ask the gentleman from Massachusetts one question. Why was not this pension given

under the general law?

Mr. ROCKWELL. Because under the general law this applicant draws a pension for double hernia, \$12. He now asks for \$24 on the ground that he should get the increase for asthma. His regiment was cut to pieces and he could not find the evidence required by the Department to show that the asthma was contracted in the service.

Mr. BRECKINRIDGE, of Arkansas. If from any cause the disability increases can not the pension be proportionately increased to the

maximum rate

Mr. ROCKWELL. They say not at the department. They say that can not be done except for another disability.

Mr. LAIRD. I call attention to an obvious error in the bill as the

Clerk read it. It authorizes the Secretary of the Treasury to do so and It should be Secretary of the Interior.

Mr. ROCKWELL. That is a misprint.

The CHAIRMAN. If there be no objection that error in the bill will be corrected.

There was no objection, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

MILTON P. SHOCKLEY.

Mr. WEAVER, of Iowa. I ask unanimous consent to call up for consideration the bill (S. 1398) granting a pension to Milton P. Shock-The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Milton P. Shockley, late a member of Company C, Second Regiment of Ohio Volunteers, in the Mexican war.

The report (by Mr. STRUBLE) from the Committee on Pensions was

read in part.

Mr. MATSON. I ask unanimous consent that without the reading of the report being completed, it be printed in the RECORD.

There was no objection.

The report in full is as follows:

There was no objection.

The report in full is as follows:

The Committee on Pensions, to whom was referred Senate bill 1398, having had the same under consideration, would respectfully report as follows:

Milton P. Shockley, being insane, petitions, through his guardian, Joseph W. Rodgers, of Montezuma, Iowa, to be allowed a pension for scurry and resulting disabilities incurred in the Mexican war while on board a gunboat on the Rio Grande River.

The claim was rejected on the ground of "no satisfactory evidence to prove origin of disability in the service." That claimant was a sound man before enlistment is abundantly shown by the cyldence. That he incurred a severe disability, was treated in the hospital therefor, and was discharged as unfit for further service on account of disability, is shown by several witnesses and the surgeon's certificate of discharge. There is no positive testimony as to the nature of his disability, and for this reason his claim was rejected. His condition immediately after discharge, and for several months, is testified to by two reputable neighbors, who were well acquainted with him before his enlistment, and with whom he spent considerable time, at frequent intervals, as soon as he returned from the service.

They testify that claimant was almost helpless, partially paralyzed in his lower limbs, and incapacitated for doing much work; and from the testimony of several others, who were acquainted with him since 1850, it appears that he grew worse from the time of his discharge to time of application in 1883. The testimony of several neighbors and three family physicians proves that since 1875 he has been totally blind and deaf, and without the use of his legs, and wholly dependent upon the support of his wife and children.

The examining surgeon, instructed by the Pension Office to examine claimant, reports: "Progressive paralysis of lower extremities; involuntary action of bowels and kidneys for four or five years; complete deafness, and conjunctivitis of right eye.

"The applican

Mr. BRECKINRIDGE, of Arkansas. There is no question, I presume, as to this man having served in the Mexican war?
Mr. WEAVER, of Iowa. None at all.
The bill was laid aside to be reported to the House with the recom-

mendation that it do pass.

ORDER OF BUSINESS.

Mr. MATSON. I move that the committee rise.

The motion was not agreed to; there being—ayes 9, noes 14.
Mr. FUNSTON. I ask unanimous consent to call up for consideration the bill (H. R. 7696).

Mr. MATSON. I call for the regular order.

The CHAIRMAN. The regular order is demanded, which cuts off

all requests for unanimous consent. The Clerk will report the next bill

The Clerk read as follows:

A bill (S. 2144) granting an increase of pension to Grace F. Edes.

Mr. PERKINS. That is an adverse report. I ask that it be passed

There was no objection.

The Clerk read the title of the next pension bill on the Calendar, as follows:

A bill (S. 1783) granting an increase of pension to George Bliss.

Mr. PERKINS. There is also an adverse report in that case. I ask that the bill be passed over.

There was no objection.

The Clerk read the title of the next pension bill on the Calendar, as

A bill (H. R. 9130) granting a pension to Sarah O'Brien.

The consideration of this bill was not called for.

The Clerk read the title of the next pension bill on the Private Calendar, as follows:

A bill (H. R. 7911) granting a pension to Daniel Schultheis.

The consideration of this bill was not called for.

GEORGE W. ROBAUGH.

Mr. FUNSTON. The gentleman from Indiana [Mr. Matson] withdraws the demand for the regular order.

Mr. MATSON. I withdraw the demand for the regular order so far as regards the bill called up by the gentleman from Kansas [Mr.

FUNSTON], with the understanding that the committee shall thereafter

Mr. FUNSTON. I renew my request for the present consideration of the bill (H. R. 7696) for the relief of George W. Robaugh.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of George W. Robaugh, late of Company C, Twenty-third Regiment Kansas Militia.

The Clerk commenced to read the report (by Mr. MORRILL).

Mr. WEAVER, of Iowa (interrupting the reading). That is certainly enough.

Mr. WALLACE. I would like to hear the whole of the report read. The Clerk resumed and concluded the reading of the report, as fol-

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7696) granting a pension to George W. Robaugh, submit the following report:

The evidence in this case shows that claimant enlisted October 21, 1864, in Company C, Twenty-third Regiment Kansas Militia; that about the 25th of October he was detailed to take charge of a saw-mill to manufacture lumber to be used at Fort Leavenworth, and while thus engaged his right arm was crushed in the machinery, rendering amputation necessary.

The witnesses in this case are men of high character, and their statements are circuit in full

he was detailed to the charge of the analysis and the manufacture lumber to be used an achinery, rendering amputation necessary.

The winesses in this case are men of high character, and their statements are given in full.

Hon. Frank H. Belton, commissioner of labor of Kansas, testifies:

"That he is acquainted with George W. Robaugh, and knows him to be the identical person who enlisted as a private in Company C, Twenty-third Kansas Millitia; that the said George W. Robaugh, while in the line of his duty at or near Nearman Station, in the State of Kansas, did, on or about the 26th of October, 1864, become disabled in the following manner: The said Robaugh was one of a detail made to go to Nearman Station, in Wyandotte County, Kansas, to run a saw-mill and saw lumber for the use of the Government, and that on or about October 25, 1864, while in the line of his duty as engineer, and in charge of the machinery, his right arm was caught in the machinery, and was so injured as to cause amputation at or near the shoulder-joint of said right arm; that the facts are personally known to the affiant by reason of being in charge of a detail of men made from the Twenty-third Regiment of Kentucky State Millita to go to Nearman Station, in Wyandotte County, Kansas, to run a steam saw-milled the state of the discovernment to build fortifications at Fort Leavenworth.

"Said George W. Robaugh was one of that detail, and was engineer and in charge of the machinery, and while so engaged go this right arm caught in the machinery, and was so injured as to cause amputation of said right arm at or near shoulder-joint. I was away from the mill at the time of the accident, but was there soon after. Saw claimant and his injuries before he was moved from the mill, and assisted in moving him. The said George W. Robaugh enlisted in Company C, Capt Philip Kescher, at Wyandotte, Kans., at the same time I did, and drew arms and ammunition. The enlistment was made during the excitement of the Price raid, and was late in the evening. We draw

Mr. WALLACE. I ask the gentleman who has called up this bill

why it is that this pension was not allowed by the Pension Office?

Mr. FUNSTON. Under the general laws they can not allow a pension for service in the militia. This man was in the Kansas militia and served during the Price raid. It is not a case that could be pensioned

under the general law.

Mr. BRECKINRIDGE, of Arkansas. I think it is stated in the report that this man was in the military service of the United States. Did he serve under the Federal Government?

Mr. FUNSTON. Certainly; but he was in the State militia. Mr. BRECKINRIDGE, of Arkansas. But he served under the command of Federal officers.

Mr. FUNSTON. Yes; and the same day that he enlisted he was detailed to work in a saw-mill, and got his arm crushed.

Mr. BRECKINRIDGE, of Arkansas. Well, we allow pensions in

cases of that kind.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. MATSON. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Indiana [Mr. MATSON]
moves that the committee rise. Pending that motion the gentleman from Wisconsin [Mr. PRICE] asks unanimous consent to extend his remarks in the RECORD.

There was no objection.

The motion of Mr. MATSON was agreed to.

The committee accordingly rose; and the Speaker pro tempore [Mr. McMillin] having resumed the chair, Mr. Dockery reported that the Committee of the Whole had had under consideration bills on the Private Calendar under the special order, and had instructed him to report back sundry bills with various recommendations.

SAMUEL SAWYER.

The SPEAKER pro tempore. The bill (H. R. 4028) granting a pension to Samuel Sawyer is reported from the Committee of the Whole with the recommendation that the previous question be considered as ordered, and that the consideration of the bill be postponed until the first Friday after the first Monday in December next, which will be the first Friday of next session. If there be no objection that order will be made.

There was no objection, and it was so ordered.

BILLS PASSED.

Bills of the following titles, reported from the Committee of the Whole without amendment, were severally ordered to be engrossed and read a third time; and being engrossed, were read the third time, and

A bill (H. R. 9129) granting a pension to Rebecca Wiswell; and A bill (H. R. 9696) for the relief of George W. Robaugh.

Amendments to bills of the following titles, reported from the Committee of the Whole, were severally agreed to; and the bills as amended were severally read a third time, and passed:
A bill (H. R. 7988) granting an increase of pension to Bryant Waters;

and

A bill (H. R. 8180) to increase the pension of Charles Hahneman. Senate bills of the following titles, reported from the Committee of the Whole without amendment, were severally read the third time, and passed:

A bill (S. 1184) granting a pension to Jane D. Mumford;
A bill (S. 2325) granting a pension to Nancy Mason;
A bill (S. 2366) granting a pension to Elizabeth Garaghty; and
A bill (S. 1398) granting a pension to Milton P. Shockley.
Mr. MATSON moved to reconsider the several votes by which the

bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The House then, on motion of Mr. MATSON (at 10 o'clock and 50 minutes p. m.), adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. HEARD: Petition of R. M. Myrich, of Moniteau County, Missouri, asking pay for stores taken and used by the United States Army—to the Committee on War Claims.

By Mr. HOLMES: Petition of W. W. Clarke, of D. B. Northam, and 53 others, and of L. P. Peterson and others, citizens of the Des Moines Valley, Iowa, protesting against the passage of House bill 9809—to the Committee on the Public Lands.

By Mr. LOWRY: Papers relating to the claim of Mrs. A. M. Coss-ler, of Mobile County, Alabama, and of Fannie M. Guion, of Holmes County, Mississippi—to the Committee on War Claims. By Mr. LYMAN: Petition of William Leidentopf and F. A. Burke for

relief-to the Committee on Claims.

By Mr. McCOMAS: Papers and claim of James M. Andrews for re--to the same committee.

Also, petition of soldiers of Cumberland, Md., in behalf of Joseph Romiser's pension bill—to the Committee on Invalid Pensions.

By Mr. NEAL: Petition of James A. Bassett and of M. W. W. Etter, administrator of Joseph L. Etter, deceased, of Hawkins County, and of James Scott, of White County, Tennessee, asking compensation for stores taken and used by the United States Army—to the Committee on War Claims.

By Mr. PETERS: Petition asking a pension for Jane G. Moore, and also petition asking a pension for Mary G. McClure—to the Committee on Invalid Pensions

By Mr. RICHARDSON: Petition of L. D. Sugg, of Lincoln County, Tennessee, asking payment of his claim against the United States—to the Committee on War Claims.

By Mr. W. J. STONE, of Missouri: Petition of J. M. Bell, of Vernon

County, Missouri, asking pay for stores used by the United States Armyto the same committee.

By Mr. STRAIT: Resolution of La Grange Post, No. 79, Grand Army of the Republic, protesting against attaching any special tax to pension bills-to the Committee on Invalid Pensions.

By Mr. WEBER: Petition in favor of a bill to pension all honorably

discharged soldiers and sailors—to the same committee.

The following petitions, asking for the passage of House bill 7887, repealing timber-culture, pre-emption, and desert-land acts; of House bill 7021, for adjustment of railroad and other land grants; of bill forfeiting all railroad land grants the conditions of which have not been strictly complied with; of House bill organizing the Territory of Oklahoma: of Senate bill organizing a portion of the great Sioux reservation homa; of Senate bill opening a portion of the great Sioux reservation to settlement; of bill prohibiting aliens from holding land in the United States; of bill making Presidential and Congressional election days holidays, and punishing bribery; and of bill directing disbursement of at least \$200,000,000 Treasury surplus, and substituting Treasury notes for bank notes retired, were severally referred to the Committee on the Public Lands.

By Mr. CONGER: Petition of Assembly No. 4882, Knights of Labor,

of Des Moines, Iowa.

By Mr. RANNEY: Petition of W. H. Cate and 36 others, citizens of the third district of Massachusetts.

SENATE.

SATURDAY, July 31, 1886.

The Senate met at 11 o'clock a. m

Prayer by the Chaplain, Rev. J. G. Butler, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HOAR, and by unanimous consent, the further reading was dispensed with.

PETITIONS AND MEMORIALS.

Mr. HARRIS presented a preamble and resolutions of the Merchants' Exchange and Cotton Exchange of Memphis, Tenn., favoring the grant of authority to the Kansas City and Memphis Railroad and Bridge Company to construct a railroad bridge across the Mississippi River at Memphis, Tenn.; which was ordered to lie on the table.

He also presented a resolution of the Merchants' Exchange and Cotton Exchange of Memphis, Tenn., recommending that the Mississippi River Commission be sustained and that the improvement on that river be continued; which was ordered to lie on the table.

Mr. HARRIS. I also present the memorial of Austin Miller and a large number of other citizens of Hardeman County, Tenn., and the memorial of A. W. Brockway and a large number of other citizens of Haywood County, Tenn., remonstrating against the passage of any act forfeiting the lands granted to the Gulf and Ship Island Railway Company. I move the reference of the memorials to the Committee on Public Lands.

The motion was agreed to.

Mr. MANDERSON. I present a petition signed by a large number of citizens of Northern Nebraska, praying that the lands of the Great Sioux Nation may be opened to settlement. As that matter has been acted on, I move that the petition lie on the table.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 2687) granting a pension to William B. Barnes, reported it with an amendment, and submitted a report thereon.

INVESTIGATION OF CUSTOMS FRAUDS.

Mr. ALDRICH. I report from the Committee on Finance the following resolution, and ask for its present consideration:

Resolved. That the Committee on Finance, by subcommittee or otherwise, continue the investigation of frauds and abuses in the customs revenue during the recess of Congress, with the powers and authority conferred by the resolutions of the Senate of December 21, 1881, and January 19, 1886.

The resolution was considered by unanimous consent, and agreed to.

RELATIONS BETWEEN LABOR AND CAPITAL.

Mr. BLAIR. I offer the following resolution for action:

Resolved. That the Committee on Education and Labor be directed to continue, with a view to its completion during the ensuing vacation, the investigation of the relations between labor and capital authorized and directed by Senate resolutions of August 7, 1982, and February 26, 1883, with the same rights and powers conferred by previous resolutions of the Senate.

Mr. EDMUNDS. I think we had better reflect a little on that. The PRESIDENT pro tempore. Objection being made, the resolution will lie over under the rule.

BONDED EXPORT WHISKY.

Mr. DAWES. On the 22d of June last the Secretary of the Treasury responded to a resolution of the Senate of June 8, 1886, with very valuable information in reference to whisky which had been sent out of the country in bond. A portion of the communication which came in afterward was referred to the Committee on Finance. This matter was laid upon the table at my request to be examined. I think it is a matter which deserves the attention of the Committee on Finance, and therefore I move to take the papers from the table and refer them to

the Committee on Finance, and, if proper, with instructions that they examine into the same, and report at the next session what steps are

necessary, if any.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the communication of the Secretary of the Treasury in regard to the subject-matter stated be referred to the Committee on Fi-

Mr. DAWES. With instructions to examine into the same, and report at the next session what action, if any, is necessary growing out of the matter.

The PRESIDENT pro tempore. With instructions as stated. The question is on agreeing to the motion.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills:

A bill (S. 1184) granting a pension to Jane D. Mumford;

A bill (S. 1398) granting a pension to Jane B. Mumiora;
A bill (S. 1398) granting a pension to Milton P. Shockley;
A bill (S. 2325) to grant a pension to Nancy Mason;
A bill (S. 2366) granting a pension to Elizabeth Garaghty; and
A bill (S. 2502) granting a pension to Louise Paul.
The message also announced that the House had concurred in the amendments of the Senate to the following bills:

A bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama; and A bill (H. R. 9857) in relation to the western judicial district of Wis-

consin.

The message further announced that the House had passed a joint resolution (H. Res. 295) permitting the public building authorized by act of Congress approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 50 feet, as provided in said act, in which it requested the concurrence of the Senate.

AMERICAN ANNIVERSARY CELEBRATION.

The PRESIDENT pro tempore. If there be no further "concurrent or other resolutions," the Chair lays before the Senate a resolution which comes over under objection, which will be read.

The Chief Clerk read the resolution submitted yesterday by Mr.

HOAR, as follows:

Whereas the approaching centennial anniversary, in 1889, of the adoption of the Constitution of the United States, and that of the four hundredth anniversary, in 1892, of the discovery of America by Christopher Columbus, are two important historical events, fraught with great patriotic interest, not only to the citizens of this Republic and of the governments of the western hemisphere, but also mark occasions of transcendent importance in the history of the civilized world: Therefore,

Be ti resolved, That a committee of five members of the Senate, of whom the President of the Senate shall be one, be appointed to consider, formulate, and report at the next session of Congress a plan for properly celebrating, at the capital of the Republic, these two illustrious anniversaries. Said committee are authorized to act in concert with any similar committee of the House of Representatives, and to sit during the recess.

The PRESIDENT protempore. The Chair wishes to take this occasion to state that he believes, by a careful examination of Rule XIV, that he was in error yesterday in excluding the Senator from Massachusetts from having this resolution presented the next day after it was reported; but the Chair acted in accordance with the uniform custom of his predecessors so far as he knew, and especially of his immediate predecessor. Therefore, as the Senate had itself construed by its practice the rule, the Chair feels disposed to adhere to that until the Senate reverses it or the Committee on Rules may take the subject-matter into consideration.

The question is on agreeing to the resolution submitted yesterday by

the Senator from Massachusetts [Mr. HOAR].

Mr. HOAR. I should like to amend the resolution in order to meet Mr. HOAR. I should like to amend the resolution in order to meet the objection of the Senator from Maine [Mr. HALE] which I have conversed with him about, by inserting "seven" instead of "five" and by directing the committee to report on "the expediency of" as well as a plan. It is not the purpose to commit the Government to anything whatever by this resolution, and I suppose the committee will be able to do their duty in the early days of the next session. I do not think it will require any labor in vacation. do not think it will require any labor in vacation.

The PRESIDENT pro tempore. The amendment will be stated.

Mr. CULLOM. I understand that the President of the Senate ad-

heres to his decision of yesterday?

The PRESIDENT pro tempore. He follows the practice of the Sen-

ate rather than the rule.

Mr. CULLOM. Then how does this resolution get before the Senate? The PRESIDENT pro tempore. The resolution was afterwards introduced by the Senator from Massachusetts as an individual Senator,

and it now comes up in regular order.

Mr. FRYE. Which under the ruling of the Chair has much greater

privilege than a report from a committee. The PRESIDENT pro tempore. According to the practice of the

Mr. CULLOM. I reported a resolution from a committee a few days since and I see that it has gotten onto the Calendar.
Mr. EDMUNDS. That is where it belongs.

Mr. CULLOM. I had better withdraw it and introduce it individ-

I do not, at this late stage of the session, desire to introduce a topic that would excite debate or difference of opinion in regard to a mere matter of parliamentary law. At some convenient time in the next session, if this question should come up again, I shall ask the Chair to submit it to the Senate.

I agree with the present opinion of the Chair that the rule is what I claimed yesterday, and I think I should be able to satisfy the Chair that the usage he speaks of is not of such long standing as would warrant a departure from the letter and spirit of the rule. I do not care,

however, to bring it up now.

Mr. CULLOM. Do I understand the Senator to hold that an individual resolution has preference over a resolution reported by a com-

Mr. HOAR. No, just the contrary. If the Senator will pardon me, I do no desire to dwell on this matter—

Mr. CULLOM. Nor do I.

Mr. HOAR. I reported day before yesterday by direction of a committee a Senate resolution which went over one day on objection. Then on my desiring to have it called up yesterday the Chair expressed the opinion that it had gone to the Calendar, and that a resolution reported by a committee, though a Senate resolution alone, did not have the same privilege which a resolution introduced by a single Senator would have. I did not care about detaining the Senate, and though I expressed, with great respect to the Chair, my dissent from the proposition, I thought it better to introduce a separate resolution of my own and have it go over to to-day; and now I have it up, so that it is in order either way.

The rule, on examination, does not make any provision for a calendar whatever except that it is to be a calendar of bills and joint resolutions, not of Senate resolutions alone. Then it says, without specifying where the resolutions come from, that any resolution, without saying whether it comes from a committee or anywhere else, shall go over one day if

there be objection.

But, as I said, I should like to have the other matter disposed of and let the question of order go until some time when the Senate has nothing

Mr. EDMUNDS. Mr. President-

Mr. EDMUNDS. Mr. President—
Mr. HOAR. May we not have the amendment read?
Mr. EDMUNDS. I should be glad to have the opportunity to submit a few observations on the subject that my friend from Massachusetts has occupied the time of the Senate upon.
Mr. HOAR. I said I did not desire to occupy time, but I merely answered the question put by the Senator from Illinois.
Mr. EDMUNDS. Then the Senator from Massachusetts spoke against

his own will, for he proceeded to make an argument of great force in support of his view. Now, I do not wish to have the Chair labor through the whole vacation under the strain of that influence in that direction without some observations being submitted the other way.

Mr. HOAR. Postpone it until after the resolution is acted on.

Mr. EDMUNDS. I would have postponed it if the Senator from Massachusetts had, but I think I can not postpone it now.

This subject was considered, I must imagine, when the Committee on Rules framed the present rules. Before that time we had a calendar of resolutions; they stood by themselves, and would accumulate. and accumulate, and not being acted upon we had to go through the whole list every day, calling them along. That was found to be inconvenient, and it was thought that the best way was to drop that part of it altogether and to have one single Calendar. In respect of the rule which says "a calendar of bills and joint resolutions," taking that rule alone, it does not seem to be a calendar for anything else; but that does not imply that you can not have a calendar of some other kind besides that, and it may be on the same piece of paper.

But when you turn to another rule, on the subject of reports of committees, it states that they shall not be acted upon without unanimous consent on the day they are offered. It speaks then of business which the Senate has already taken in hand and which has been brought forward by a committee for consideration, where every kind of business ought to stand on an equal footing and no other; whereas the rule about resolutions refers to the first introduction of a resolution which may be a surprise to the Senate, that it shall lie over one day before the Senate is called upon to act on it at all, either to agree to it, or to refer it, or

to do anything else with it.

In this state of the rule as it now stands, the then presiding officer called the attention of members of the Committee on Rules to the subject and the somewhat confusing state of it all as to what was to be done with a resolution which had been referred to a committee, for illustration, for that illustrates just as well, and which was reported; and it was thought that the true and systematic construction of the and it was thought that the true and systematic construction of the whole thing together would be to have a resolution which came from a committee stand on the same footing that a bill did, and go on in its order of business to be considered by the Senate.

If that is not a good way to do, the Committee on Rules, without our straining ourselves on deciding what the rules now mean, can report a rule one way or the other and the Senate can pass it.

Thanking my friend from Massachusetts, I leave the subject. The PRESIDENT pro tempore. The amendment proposed by the

Senator from Massachusetts will be reported.

The CHIEF CLERK. It is proposed to amend the resolution in line 1 by striking out "five" and inserting "seven," and in line 3, after the word "Congress," by inserting "the expediency of and; "so as to make the resolution read:

Resolved, That a committee of seven members of the Senate, of whom the President of the Senate shall be one, be appointed to consider, formulate, and report at the next session of Congress the expediency of and a plan for properly celebrating, at the capital of the Republic, these two illustrious anniversaries. Said committee are authorized to act in concert with any similar committee of the House of Representatives, and to sit during the recess.

Mr. HAWLEY. Mr. President, this is just precisely a moment when things of this sort ought to have careful consideration. It is possible, if we are careless about it now, that many weeks of consideration and de-It is possible, if

bate will be of next to no use three or four years hence.

Certain gentlemen, respectable men—and I have no criticism to make upon them or their motives—have been printing pamphlets and issuing circulars urging the United States to undertake a most extraordinary and expensive and extensive celebration in this city within two or three years, combining a celebration of the discovery of this continent by Columbus and a celebration of the anniversary of the adoption of the Constitution. I perceive that they contemplate a great international exhibition, whose buildings are to be placed upon the public grounds below here. They contemplate also in addition to the first part thereof distinctive State exhibition buildings to be erected by each of the several States and, I believe, the Territories. They contemplate further than that the permanent retention of certain of those buildings and the permanent location of an exhibition upon those grounds

We have a very remarkable, scientific, interesting, and valuable permanent national museum already established, which not only represents in general the ethnology, the history of the human race in all respects, industrial and all other, of ancient times, but comes down to the present day and endeavors to put in there a specimen of the most perfect work in all the various lines of manufacture. That, in my judgment, is enough of a permanent museum. It is a permanent exhibition, its plan highly scientific, its execution thoroughly scientific.

The scheme proposed by these gentlemen contemplates taking these invaluable public grounds, putting up, even on the beautiful grounds directly in front of the Smithsonian, exhibition buildings, making some of them permanent, with the idea that exhibitors, manufacturers in this country and elsewhere, especially in this country, will keep those buildings supplied with articles interesting for exhibition and probably

of commercial value to themselves.

I shall not speak long about it, but I desire to call your attention to the fact that the expenses of any great exhibition, especially of any great international exhibition, are not paid by the shareholders; they are not even paid by the Government, which may contribute one, two, three, four, or five million dollars; they are paid by the exhibitors; and it costs anywhere from ten to fifty or a hundred dollars up to a hundred thousand dollars to manufacture their goods and put them on exhibition and care for them and return them and all that. At the internation and care for them and return them and all that. At the international exhibition in Philadelphia in 1876 one exhibitor expended \$100,-000 upon his exhibit there.

Now, the question whether the manufacturers and business men of the country are ready to come there even for six months.

Another is as to whether they are to be ready to keep up a peration. Another is as to whether they are to be ready to keep up a peration. I have not

the slightest idea that they are.

There is no permanent exhibition of the character that has ever been anything but a disastrous financial failure. When the Philadelphia exhibition was over, so fascinating had it been, so beautiful were some of those buildings, that a class of men desired to perpetuate it. Every one sympathized with their enthusiasm and their patriotism; but after the year 1876 had passed over the patriotism had been satisfied, and the thing became cold commercial business, and it was a disastrous failure, as it has been everywhere. Manufacturers will not keep up any form of national exhibition as a branch agency for the exhibition of their goods.

These considerations, hastily thrown in here, serve to show that these gentlemen, who from the best of motives are contemplating an exhibition of illimitable extent and perpetuity here, have not in my judg-

ment considered this question.

The resolution is not even yet quite carefully enough drawn. The Senator from Massachusetts slightly amended it at my suggestion, but it takes it for granted now, it seems, that there is to be such a thing. It ought to be carefully guarded, so that the committee shall be instructed to make a thorough inquiry as to the wisdom and nature of an exhibition, and if they deem it wise they should say why and how and

what sort of exhibition, and then report a plan.

Mr. HOAR. The Senator has not attended to the change I made.

Mr. HAWLEY. He has with the utmost care attended to every word of it. Will the Secretary please read it again?

The PRESIDENT pro tempore. The Secretary will again state the amendment of the Senator from Massachusetts. The CHIEF CLERK. In line 1 strike out "five" and insert "seven,"

and in line 3, after the word "Congress," insert the words "the expediency of;" so as to read:

That a committee of seven members of the Senate, of whom the President of the Senate shall be one, be appointed to consider, formulate, and report at the next session of Congress the expediency of and a plan for properly celebrating, at the capital of the Republic, these two illustrious anniversaries.

Mr. HAWLEY. They are to report a plan for celebrating these anniversaries. They had better be instructed to consider the expediency of a plan, and if such shall be deemed expedient the nature thereof,

and what in their judgment should be done, &c.

Mr. HOAR. That is exactly what they do by the resolution, as I understand it. I wish the Secretary would read once more what he has just read. It is almost in language what the Senator says he desires, and was so intended. They are to report first the expediency of having anything at all. If they conclude that there should be something, then

their plan; and they commit the Government to absolutely nothing.

Mr. HAWLEY. The remarks of the Senator will help to construe it
in case of doubt, but if I am able to read the English language it requires that committee to report upon the expediency of the celebration

and to report a plan.

Mr. CULLOM. It commits the Government to do it.

Mr. HAWLEY. I do not want any shadow of commit I do not want any shadow of committal in this res-That is what I mean. I do not want anybody to say to us that having adopted the resolution we decided to start it. wish to prejudge the case. It may be we shall deem it worth while, but I warn you it is a matter involving several millions of dollars.

Mr. HOAR. It was the purpose of the resolution to be as absolutely

free from committing the Government to anything as the English language could make it; and I can not now after hearing my honorable friend from Connecticut who has taken occasion to state before he has heard it what he thinks is the plan of somebody, and to assume it-

Mr. HAWLEY. I have heard it and read it.

Mr. HAWLEY. I have heard it and read it.

Mr. HOAR. It seems to me that my friend has not listened with his usual care to the language of the resolution, or else that he has failed to understand it. The resolution proposes that there shall be a committee to consider the expediency of doing the thing at all, and if they find it expedient then to report their plan. The committee certainly will be discreet, and will understand what they do.

Mr. VOORHEES. Mr. President, as a member of the Committee on the Library, before which this matter has been brought and in whose presence it has been discussed, I desire to say a single word.

It is true, as the Senator from Connecticut says, there are certain

gentlemen who have in their minds the idea of celebrating in an imposing manner two great events, one perhaps greater than the other. The first is the discovery of this continent, and the next and perhaps the greatest is the adoption of the Constitution. They have approached that committee of Congress, which they conceive has such matters in charge, and they have talked with us about it. This resolution prooses no more than to authorize a committee especially to confer with them until Congress meets again and then make a report. It is no committal to a celebration at all, but it is that act of respect which is due to the gentlemen who came before us and due to the occasions which they discuss and submit; and the discussion as to whether expositions are good things or bad things, or whether the shareholders get the profits or where they go to, is a hundred miles ahead of the point where we are now.

This is merely a response to a movement on the subject, and I think a proper response. It can harm nobody, and when we meet here again the committee, I trust, will be able to enlighten Congress upon the subject, so that we can intelligently take it up and consider it.

is all there is of it.

Mr. HOAR. To give them a hearing; that is all.
Mr. VAN WYCK. Mr. President, I fail to notice any suggestion
made by the Senator from Massachusetts or the Senator from Indiana as to the immediate necessity for any action on the part of Congress. The exposition that may be had is three years distant. It is not contemplated to have it before 1889, and three years intervene before the exposition or the celebration or whatever it may be; and where is the necessity for this haste to thrust this matter in at the expiring days of the session?

Mr. HOAR. The Senator will pardon me. The "three years" will be only two at the end of the next short session of Congress. All that is proposed by the resolution is to give certain gentlemen a respectful hearing. The Library Committee is not large enough, it is not composed of men of experience in that particular, to undertake it. are certain men who want to be heard. That is all there is of it.

Mr. VAN WYCK. This matter has been agitated in the local papers here for some time, and it would have been competent for the Library Committee or the Senator from Massachusetts to have introduced a

resolution on the subject early in the session.

Mr. SEWELL. For the information of the Senator from Nebraska I will state that a resolution was introduced on the subject and was referred to the Committee on the Library and by them investigated to a certain extent. Some of the members of the Library Committee, feeling that they could not give the time necessary for a thorough investigation of this subject, asked through the Senator from Massachusetts

for the passage of a resolution creating a special committee.

Mr. VAN WYCK. Then it would seem strange that when the resolution was referred to the Library Committee some time ago (how far back I do not know), now, within two or three days of the end of the ession, this matter comes not from the committee but from a single

Mr. SEWELL. I beg your pardon, it comes by order of the committee.

Mr. VAN WYCK. This resolution is from a single Senator.

Mr. SEWELL. But it was introduced by order of the committee. Mr. VAN WYCK. The doubt is not yet resolved, why this matter was suffered to linger until now when questions which are pressing and of importance and necessity can not be considered by this body. There of importance and necessity can not be considered by this body. There are many important measures to-day demanding consideration which can not be heard, important matters which should be disposed of before the next session of Congress; but there is thrust in at the last hour almost of the session a proposition to provide for an examination into the propriety of an exposition, or fair, or celebration to be held nearly three years hence. That is the point I make.

I suppose this thing very probably will keep until the next session of Congress. There is no time better to consider the matter here contemplated by the resolution than the first month of the session.

templated by the resolution than the first month of the session. Senator, the whole Senate, both bodies have more time the first month of a session than at any other period; far more than during a recess of

the Senate.

I desire to suggest what we always have occasion to suggest at the end of every session, the desire to continue the lifetime of committees during the recess, and when there are not enough of those, then to formulate some new committee with power to sit during the recess of the Senate; and why? In eight months that we have been in session Senators have not had the time or the disposition. There have been eight months of this session when Senators have been here, and now they are gasping for breath and waiting impatiently till the time shall come for final adjournment that they may hasten away; and what then? Four months, and then another session of this body. Would they contemplate coming back here in August? No. Or in September? Oh,

no; probably not.

I fail to see, even if this work is of great importance, that this matter will be facilitated by the meeting of the committee during the recess. I trust we shall commence early-it is not early, but latethat we shall commence now and say that we will not continue the lifetime of useless committees and make a needless expenditure upon the Treasury, or create new committees and new commissions which will have practically no effect at all. If this matter should be inquired into, the very first month of the next session is the time, when nothing will be done, because nothing ever is done before the holidays. Then will be a most admirable time for the Committee on the Library, or a special committee if it shall be deemed necessary, to investigate this

Besides, there is great force in what the Senator from Connecticut has said; and there is no Senator on this floor more capable of having a judicious and correct opinion on this subject than the Senator from Connecticut, because he himself, from his familiarity with expositions of this kind, is able to state the result from the beginning. I supposed the time had come, after the experience at Philadelphia and New Orleans, that this Government was presumed to be organized and created for other purposes than to run expositions of that kind. I supposed Congress had had enough of them, and I supposed the American people had had enough of them, after the accounts were settled with the New Orleans exposition. And what now?

Another grand scheme is projected and proposed for the city of Wash-

Is there not enough done for this and for other localities by the General Government that it should be called in to foster and sustain a proposition of this kind? If Washington or any other community desires to celebrate the four hundredth anniversary of the discovery of America, it is at liberty to do so. But this is for Washington. Did the Senate propose to aid the exposition up in Minnesota the other day? No; and why? Senators pooh-poohed the proposition. Oh, no, you can not aid Minnesota in her exposition; you can not even give the proposition a respectful hearing, but banish it without any consideration. You never could think of doing that; but here is a proposition to have two more expositions. They are important anniversaries certainly. Every historical event, when you come to its anniversary, is important.

What do we propose to do under our Constitution of limited powers, I ask our friends on the other side, because I think that is what they call the Constitution, one of limited powers? It was questioned every time heretofore when Congress was asked to make appropriations for such a purpose. It was questioned when we made the appropria-tion for Philadelphia, and it was claimed that we were transgressing beyond the Constitution. When we made an appropriation for New Orleans its constitutionality was questioned in advance. But the financial results were demonstrated afterward, very much to our sorrow and that of the Treasury. Now, the Senator from Connecticut sounds properly a warning in this matter, a matter involving the expenditure of millions of dollars

There will be time enough to consider the matter when the city of Washington shall have consummated a plan. When Washington has consummated her plan in this city for an exposition of this kind and shall come to Congress and ask for help, then will be abundant time for us. They are the persons and the authority to propose the plan, the scheme, and then when they have done that, and when they want either the aid of Congress or of the Treasury, or want the authority and influences and aid of officers of the Government, that will be another matter.

I trust that we shall not inaugurate now this proposition of forming committees and making expenditures needlessly and unnecessarily from

the Treasury

Mr. HAWLEY. Mr. President, I will just make a protest, without discussion, against any intimation of the Senator from Nebraska, whether intentional or unintentional, that the exhibition at Philadelphia was unexpectedly costly to the country, or that it was not worth in my judgfifty times what it did cost. It was the best investment ever made in this country. I let that go.

I suggest that the resolution be put in this shape:

That a committee of five members of the Senate-

Or seven members of the Senate, as the Senator from Massachusetts now wishes to have it-

of whom the President of the Senate shall be one, be appointed to consider the expediency of properly celebrating at the capital of the Republic these two illustrious anniversaries—

Those referred to in the preamble-

and if said celebration shall be deemed expedient, they shall report upon the method, cost, and general plan thereof at the next session of Congress.

I have no objection to that form. Mr. HOAR. Let that be read.

The PRESIDENT pro tempore. The resolution as amended by the Senator from Connecticut will be read. The resolution as proposed to be

The CHIEF CLERK. In the first line of the resolution, before the word "members," strike out "five" and insert "seven;" in the second line of the resolution, after the word "consider," strike out the words "formulate and report at the next session of Congress a plan for properly celebrating at the capital of the Republic these two illustrious anniversaries" and insert:

The expediency of properly celebrating at the capital of the Republic these two illustrious anniversaries, and if said celebration shall be deemed expedient, they shall report upon the method, cost, and general plan thereof at the next session of Congress.

Mr. HOAR. It seems fitting that I should state a little more fully what my desire to save the time of the Senate made me abridge, supposing the matter would be perfectly clear and unquestioned to every reasonable mind.

Gentlemen of the city of Washington of high respectability, well known have communicated to the Library Committee of the Senate a desire to be heard in regard to the propriety of celebrating the two greatest events in American opinion of human history, certainly two of the three greatest events, the Declaration of Independence being the third. They appeared and stated respectfully to the committee their desire, and they said that they were informed unofficially, but without any doubt, that the diplomatic representatives of all the other American republics to whom the formation of the committee to the committee their desire, and they committee the committee their desire, and they can be committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desire, and they can be committeed to the committee their desired to the committee the committee their desired to the committee their desired to the committee the committee their desired to the committee their desired the committee their desired to the committee their desired to the committee their desired the committee their desired the committee their desired their desired the committee the committee their desired the committee their desired the committee their desired republics to whom the formation of our Constitution has been an example, who are the children of American liberty on this continent, would join in celebrating and in celebrating here in our country these two great events in which they have a common interest, and in the glory of which they have a common share—the establishment of a written constitutional government, and the discovery of the continent which doubled the size of this globe for the purposes of civilized habitation.

Is not that a respectful, decent, proper request? I can state of my own knowledge that the historical societies throughout the country have expressed an earnest desire to have the first of these events properly marked, as the centennial of the Declaration of Independence was properly marked. Two Senators are present whose names are immortally blended with that great celebration in 1876.

In addition to that, the people in Spain are moving, and the Royal Historical Society of Madrid (I think that is the title of the society), took more than a year ago measures for having a national or international commemoration of that event in which Spain had so large a

That being a respectful request in regard to a dignified and proper subject of inquiry, coming from American citizens, the Library Committee found itself embarrassed by the fact that it was composed of only three persons, the smallest committee of the Senate, that it was crowded with other work, that its members were crowded with work in other committees, and that no one of its members possessed the requisite and competent experience to be able to pass even upon the original question whether there were obstacles in the way of a celebration at all, what should be the proper plan, what should be the proper place, and therefore we reported to the Senate, without asking for any authority being given to a committee which would involve any expenditure, that a committee of seven members should be appointed who should take this

subject into consideration, who probably could learn in the interval what was desired, and might in the leisure days of the beginning of the next session be able to give these persons their hearing and make proper report. That is the whole of it.

It is not intended to commit the Government to anything. Perhaps it is not quite within the bounds of good taste, but I had taken great pains to urge upon the Senator from Connecticut himself, who was the president of the celebration of 1876, to serve on the committee and upon the President of the Senate, who in accordance with the terms of this resolution will be a member of the committee, so that we have two of the most conservative and discreet Senators of the body.

Mr. President, I think the American people will demand somewhere that we shall join with the other nations of the earth who are eager to express their exultation, delight, and gratification at these two great events in human history. I sympathize as strongly as is possible with the desires of those gentlemen who have a special duty to guard the Treasury against extravagant and lavish expenditure that we shall not get committed under a hurry and enthusiasm to any extravagant expenditure. I especially desire that to be done from the fact that I have had the very unimportant duty of introducing this resolution, because anybody who commits the Government to that will be covered in the end with mortification and disgrace. Nothing of that kind is risked here. But it does seem to me that when gentlemen of the character of these gentlemen come and ask for a respectful hearing, it is proper that we should say "Certainly you may be heard and your plan may be considered; the Senate will be able to take care of it." As I said, the sidered; the Senate will be able to take care of it." As I said, the Library Committee, as you know very well, Mr. President, from having been so long its chairman, is not situated so as to be able to take

the responsibility of dealing with the subject itself.

Mr. HALE. Mr. President, a project for a celebration of either of these great historic events participated in by representatives of foreign powers at Washington, drawn together by common sympathy and makpowers at Washington, drawn together by common sympathy and making a great festal occasion, is one thing; an industrial exposition of the growth of the United States, of all the things which contribute to our material greatness, is entirely another thing; and I am here and now squarely opposed to Congress at this late day doing anything that will commit us to any such exposition here. When the time shall come that the United States shall repeat on a greater scale the great industrial exposition of 1876, in some one of the great cities of the country where trade and commerce and manufactures do center. I shall be willwhere trade and commerce and manufactures do center, I shall be willing to consider that subject fairly and to give a proper plan support; but Washington is the last place for anything of that sort. There is not an argument that can be urged in favor of this city; all the arguments are the other way, for some other place; and I should not be willing for one to support any resolution here that I thought would commit the United States to the project of a great industrial exposition in Washington. And I hope the Senator from Connecticut [Mr. HAWLEY]—I did not have the pleasure of listening to what he said, being busy in conference, from which I have run in for a few moments only—in preparing his amendment to this resolution has carefully guarded that, and if the resolution passes that a careful and conservative committee will be appointed that will see to it that the United States does not get involved in any future enterprises such as will inevitably, as the Senator from Massachusetts has said, come back "to plague the inventor" and overwhelm with shame everybody who has sought to get the United States committed to any such project.

It seems to me from listening to the Senator's proposition that he has

guarded this very carefully, and I agree with him in the general design

and purpose of this celebration.

Mr. HAWLEY. I would not say anything further but from a sort of impression that the Senator from Massachusetts left upon my mind that he supposed I was unwilling to hear a respectful petition from prominent citizens of Washington. I am not. They are entitled to a respectful consideration and a careful examination of the subject. have I the slightest objection in the world to a becoming celebration of the anniversaries of those great events. I think it is well that there should be one of some sort; but whether it should be in the nature of two or three days' literary or other exercises here in which the representatives of foreign governments and the immediate people of our own Government should be requested to join, is one matter; and whether there should be connected with this and as a part of it a grand, extensive, and permanent commercial affair, is entirely another question. It is only that there should be due care about that that I am anxious.

As to the value of international exhibitions conducted with proper prudence and wisdom, I have not the slightest doubt in the world that they pay abundantly the nations that hold them. Never has one been held that in many respects has not absolutely revolutionized the industries of the country which held it. That was not the question. Senator seems to disclaim, and honestly means to disclaim, that he was senator seems to disciaim, and honestly means to disciaim, that he was committing us at all to such an undertaking; but as the original resolution said, a committee shall "be appointed to consider, formulate, and report at the next session of Congress a plan for properly celebrating," and "the plan" before him was the one about which I say there ought to be caution. That is all. I think my amendment is safe.

Mr. HOAR. I accept the Senator's amendment, and it means ex-

actly the same thing. The difference between my honorable friend and myself is a difference in the understanding of the meaning of language. I do not understand that a committee to formulate and submit to the Senate a plan commits anybody to anything. I entirely agree with my honorable friend from Connecticut that international exhibitions are good things when they have the right kind of a president, of which we have had some experience in this country.

The PRESIDENT pro tempore. The resolution as modified will be

The Chief Clerk read as follows:

Resolved. That a committee of seven members of the Senate, of whom the President of the Senate shall be one, be appointed to consider the expediency of properly celebrating at the capital of the Republic these two illustrious anniversaries; and if said celebration shall be deemed expedient they shall report upon the method, cost, and general plan thereof at the next session of Congress. Said committee are authorized to act in concert with any similar committee of the House of Representatives, and to sit during the recess.

Mr. SAULSBURY. Mr. President, I am opposed to committing the Government to an exhibition in any shape or form. I regard this as the initiation of an attempt toward the expenditure by this Government of several million dollars very unnecessarily. That the events spoken of in the resolution were very important events nobody disputes; that the discovery of America and the adoption of the Consti-tution are highly interesting to the American people everybody ad-mits. Every child ten years old that has ever gone to school has learned all that he can in reference to the discovery of America or the history of the Federal Constitution.

We had an exhibition ten years ago, which has been much lauded, at Philadelphia. That, I believe, was about the first of the kind in this country. The result was a financial failure entirely. It may have had very beneficial effects in other directions, but it was a finan-

cial failure, involving not only the General Government but the people of the country in a very large expenditure of money.

Then we had the exposition at New Orleans at an expenditure of about a million and a half of dollars on the part of the General Government, a complete failure; and if good resulted from it in any respect, I do not know what it is.

This is a proposition to celebrate in the city of Washington these two important events. It seems to me if there is any necessity of celebrating these events the city of Washington is not the place. could you get from the business people of this community in erecting the buildings or in carrying out the plan? You had from Philadelphia, you had from New Orleans very material assistance from the local State and municipal governments; but what can you have in the city of Washington? I doubt whether you could raise \$20,000 to-day in the city of Washington, from the gentlemen who are so interested in having an exhibition here, to aid in carrying it out. Very likely they are interested. If I kept a large hotel here I would be in favor of it perhaps too. ested. If I kept a large notel here I would be in lavor of it perhaps too. If I kept a saloon or a tobacco-shop here, perhaps I would be in favor of it. I might be in favor of it then; but I say now that if this thing is to be carried on at all, it is to be carried on at the expense of the people of this whole country, and not much of it will fall on the people of the city of Washington. This is taking the first step toward the expenditure of a large amount of money out of the Federal Treasure. We have heard from the Sengtor from Massachusetts that Sanis and

We have heard from the Senator from Massachusetts that Spain and other nations of Europe feel largely interested in an enterprise of this So you can see it is looking now not only to a celebration by our own people but to inviting the other powers of the earth to come here and participate in it, and perhaps every foreign power will be invited to be here at the expense of the General Government in the capital of our country; and it would not be seemly to invite the heads of governments of other countries to be represented here without extending to them that courtesy to which they would be fairly entitled, to be entertained at the expense of the Government of the United States.

To this whole plan, from beginning to end, I am utterly opposed. I

deny that there is any legitimate power in the Constitution to authorize the Congress of the United States to take the money that the people of the country have paid by taxation into the public Treasury and appropriate it for any such purpose. I learned my views of constitutional power from the generation who succeeded the men who framed the Constitution. There has been a very wide departure from the doctrines which they taught, I know. I should be glad to see the American statesmen of this day brought back to the position occupied by the men who preceded them in the affairs of Government, who believed in a strict construction of the powers of the General Government, granting to the General Government whatever is necessary and proper to maintain the Federal Government in its full force and vigor, but securing and reserving to the States and to the people thereof every right which is not ex-

pressly given, or which does not by necessary implication arise in the Federal Government out of the express grants of the Constitution.

I deny that there is any power in the Federal Government to tax me or to tax any other citizen of the United States for the purpose of making a frolic for the people of Washington or any other city in the United Maintain your Government, as I before remarked, in its full force and vigor; but at the same time you have no right to become the almoners of bounty and charity, and especially do not do this act which is of very doubtful propriety—call upon the people of the country to

come up and celebrate at a vast and enormous expense to themselves events of this kind.

I am opposed, therefore, to the resolution in any shape. I think the resolution as amended by the Senator from Connecticut is in better form than that introduced by the Senator from Massachusetts, but I am opposed to taking the first step, and I am in favor here and now of saying to the people of Washington and to everybody else that feels interested in this matter, "We wash our hands clear of all such enterprises."

Mr. HAWLEY. I beg pardon for saying a word or two more. I feel like making a very humble disclaimer when anybody compliments me for my connection with the Philadelphia exhibition. one of a hundred and twenty, more or less, concerned in the government of that affair; but nevertheless as I was a member it imposes on me the duty of defending the enterprise if it be unjustly criticised.

The State of Pennsylvania was generous in that matter; the city of Philadelphia was generous beyond measure; the people of the city of Philadelphia in their individual capacities were generous and hospitable and patriotic. The General Government constituted that enterprise, set it on foot, and published it to the world, and the world was invited to come there, and when the hard times made financial help a necessity the General Government put a million and a half at the disposal of the enterprise, every dollar of which was repaid to the Treasury. I do not wish to have the Senator from Delaware speak of that exhibition as a financial failure without emphasizing the fact that after the Government extended aid by what was intended to be in the first place a loan, upon a decision of the Supreme Court of the United States the million and a half advanced by the Government was paid back dollar for dollar; but the Government paid the expense of its own very creditable and useful exhibition of the several Departments of the Government in its own Government building; that it paid for as an exhibitor; but it contributed directly to the expenses of that exhibition only a sum of about \$20,000, expended for printing the bonds, &c.

The PRESIDENT pro tempore. The question is on the adoption of

the resolution as modified.

Mr. VAN WYCK. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DAWES (when Mr. MAXEY'S name was called). I am paired with the Senator from Texas [Mr. MAXEY], who is absent from the Senate Chamber at this time. I do not know how he would vote on this resolution if present, and I withhold my vote on that account.

The roll-call having been concluded, the result was announced—yeas

41, nays 12; as follows:

YEAS-41.

Aldrich, Beck, Blair, Brown, Butler, Call, Camden, Chace, Conger, Dolph, Eustis,	Evarts, Frye, Gorman, Gray, Hampton, Harrison, Hawley, Hoar, Ingalls, Kenna, MeMillan,	Mahone, Manderson, Miller, Mitchell of Oreg., Palmer, Platt, Plumb, Pugh, Ransom, Sawyer, Sewell,	Sherman, Spooner, Stanford, Teller, Voorhees, Walthall, Whitthorne, Wilson of Iowa.
	NA NA	YS-12.	
Berry, Blackburn, Coke,	Cullom, Edmunds, Harris,	Payne, Saulsbury, Vance,	Van Wyck, Vest, Wilson of Md,
	ABS	ENT-23.	
Allison, Bowen, Cameron, Cockrell, Colquitt, Dawes.	Fair, George, Gibson, Hale, Hearst, Jones of Arkansas.	Jones of Florida, Jones of Nevada, Logan, McPherson, Maxey, Mitchell of Pa	Morgan, Morrill, Pike. Riddleberger, Sabin.

So the resolution was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the committee; and he appointed Messrs. HOAR, SEWELL, HAWLEY, VOORHEES, GORMAN, and EUSTIS.

VETOED PENSION BILLS.

The PRESIDENT pro tempore. The Chair lays before the Senate a esolution submitted yesterday by the Senator from New Hampshire Mr. BLAIR] which comes over under the rule. The resolution will

The Chief Clerk read the resolution, as follows:

Resolved, That the reports of the majority and views of the minority of the Committee on Pensions on Senate bill 2005, Mary J. Nottage; Senate bill 226, Margaret D. Marchand; House bill 1059, Joseph Romiser; Senate bill 1077, granting pension to Newcomb Parker; Senate bill 177, granting pension to John S. Kirkpatrick; Senate bill 1850, granting pension to Mars. Annie C. Owen; Senate bill 342, granting pension to Marrilla Parsons; Senate bill 183, for the relief of Thomas S. Hopkins, be printed in the Record.

Mr. BLAIR. As explained last night by the Senator from Vermont [Mr. EDMUNDS] and myself, this resolution is offered for the purpose of saving the time of the Senate, now so valuable by the approaching close of the session.

The PRESIDENT pro tempore.

The resolution was agreed to.

The question is on the resolution,

The reports mentioned in the resolution are as follows:

MARY J. NOTTAGE,

[Senate Report No. 1424, Forty-ninth Congress, first session.] IN THE SENATE OF THE UNITED STATES. JUNE 30, 1886.—Ordered to be printed.

Mr. BLAIR, from the Committee on Pensions, submitted the following report (to accompany bill S. 2005, returned by the President with his objections there-

to):
The Committee on Pensions, to whom was referred the message of the President returning Senate bill 2005, granting pension to Mary J. Nottage, widow of Thomas Nottage, late a sergeant of Company F, Third New Hampshire Volunteers, with the executive disapproval, have considered the same, and have reexamined and reconsidered the evidence in support of the claim of this soldier's widow for a pension.
The committee report the veto message back to the Senate and recommend the passage of the bill, the President's objections to the contrary notwithstanding

the passage of the bill, the President's objections to the contrary notwithstanding.

It is said that never since the foundation of the Government has there been an executive veto of a private pension bill, save in a single instance, until the present session. How that may be is of no consequence, but so great has become the number of such vetoes interposed by the present Executive, all within a few weeks past, and so extraordinary the censure, sometimes rudely expressed and in nearly every instance severely implied, of the action of the two Houses of Congress and of their committees, upon whom has devolved the wearisome and generally unappreciated labor of investigating these claims, accompanied in many cases by such ridicule of, and evident disgust with, the claims themselves, that your committee feel that they are justified in a brief review of the circumstances involved.

selves, that your committee feel that they are justified in a brief review of the circumstances involved.

In doing this a strong effort will be made to restrain a not unnatural feeling of indignation, which, if permitted to assume the proportions which the provocation justifies, would wholly destroy those respectful forms of expression which must be maintained in official intercourse between the different officers and Departments of the Government. This becomes the more necessary in proportion as it is rendered the more difficult by reason of the unjust and unexampled style in which some of the messages of the President are expressed. It shall be the effort of the committee to get on in this difficult matter without violating the courtesies of official intercourse by imitating an example which, so far as we are aware, is without precedent and which, so far as we are concerned, shall remain so.

We have caused an examination of the files of the two Houses of Congress to be made, and we think with a substantially accurate result, including the first session of the Forty-ninth Congress from its commencement to the 26th day of

There have been 3,788 bills for private pensions, or for increase of private pensions already granted, introduced in the House, and 764 in the Senate; 530 House bills and 88 Senate bills have passed both branches and gone to the President

There have been 3,788 bills for private pensions, or for increase of private pensions already granted, introduced in the House, and 764 in the Senate; 530 House bills and 88 Senate bills have passed both branches and gone to the President for his approval.

The President has vetoed so far 45 House bills and 23 Senate bills, or 26 per cent, of the Senate bills and 8½ per cent, of the House bills which have been submitted for his approval. These vetoes have been accompanied with declarations of distrust of the merits and good faith of the mass of other legislation which he can not veto for want of time.

It is necessary to state the facts, although your committee is not insensible to the special condemnation which this disparaging contrast between the proportion of Senatorial ill-work as compared with that of the House inflicts upon them. Each House, however, is responsible for every bill which reaches the Executive. The actual work done in the way of passing bills by the Senate is as follows: House bills passed by the Senate 530, Senate bills 292. There would seem to be enacted upon or rejected by the House of bills introduced in the House, about six-sevenths of the whole number, while the Senate has acted favorably upon about three-eighths of the whole number of bills originally introduced in that body thus far during the session.

It will also be observed that but a small proportion of those introduced are reported by either House. It is, in fact, impossible to investigate them generally and fully, and it is all that mortal strength can perform to act upon those which are believed to be clearly just. It is but an idle waste of time to write up adverse reports as a rule, and only those who have comparatively little else to do who can spend time in making reports against doubtful claims which are likely yet to be made good ones by testimony which may be produced later in the same or in subsequent sessions.

We observe further, that whatever may be said to the contrary, it is very selfoun that a member of the Hou

mitted to pursue its scandalously extravagant career unchecked to the end of the session!

The vetoes have covered not far from \$20,000, or perhaps \$25,000, and applicants for special relief are expected to know better than to press Congress and the President further for a redress of their wrongs. These sums of money are not to be despised by this nation, but it would be a comfort to know that it rightly belongs to us—or, at least, that if withheld wrongfully it did not cost health and life to those and the dependent relatives of those whose valor and sacrifices preserved our institutions and made the official existence possible which has saved this cash to the surplus in the Treasury. The present population of his country is at least sixty million souls, and our wealth not less than sixty billions of dollars. We have, also, let us feel grateful to Providence, a most encouraging prospect for the future.

Much criticism has been indulged in by the President of the methods of legislation pursued by the two Houses of Congress, and however uninformed he may be upon the subject, and however unintentionally by reason of want of knowledge he may have misrepresented to the country the methods of legislation which have been pursued in like cases ever since Congresses and Parliaments have existed, and which have, since Parliaments became free, been safe from Kingly and Presidential interference, all the same the people are misled by the unwarranted statements of the President as to the manner in which legislation upon pensions, claims, and the like is, and of necessity must be, conducted.

A claim or a private pension act can be discussed in committee and debated in the Senate as long as an appropriation bill; and therefore the conduct of affairs compels on the part of Congress, if not on the part of any other Department of the Government, some attention in the division of time and labor to the relative importance of the interest involved. Pension claims always require the investigation of questions of fact and appeal to

vestigation of facts be made by a full jury of seventy-six Senators, nor by the whole three hundred and twenty-five members of the House of Representatives, nor by both Houses in full assembly concurring. It is essential that at least one capable and honest mind should examine thoroughly each case in each House of Congress, and in all cases of doubt and difficulty or of unusual features that the committee and the House should do the same. That we aver to be the usual and ordinary course of the transaction of the pension business of the Senate, and to have been so during the session, all statements to the contrary notwithstanding.

and ordinary course of the transaction of the pension business of the Senate, and to have been so during the session, all statements to the contrary notwith-standing.

The printed reports of the committee have been on the personal files of every Senator for days, and in some cases for months, on all the bills which have been passed by the Senate. Alert objectors from the ablest Senators not on the committee have watched its work and the progress of these bills through the Senate, objecting and discussing whenever they believed there was cause to do so in the careful and proper discharge of their duty. And if formal headings and phrases common to all bills have been sometimes omitted, and in consequence of long delays there have been, when an opportunity finally came, many cases rapidly passed when there was no ground for opposition, it was only a convenient dispatch of public business, hurtful in no way, usual always, and to be commended by any intelligent observer.

The pension business of the Senate has never been better done than during this session. Those members of the committee who have performed the most have been as careful as any, and derision of their patient, conscientious, and exhausting labors to help along these noblest and best portions of God's poor and the country's benefactors can originate only in a wise and noble nature which is misled, or in one that, if informed, sadly needs reconstruction or recreation.

There has been from year to year an accumulation of this work, and both Houses of Congress have this session made great exertions to perform that which came from their predecessors as well as the increase from more recent rejections by the Pension Office, together with new cases arising outside the jurisdiction of that institution. Still the Presidenf is wrong when he attempts to stigmatize the industry of this Congress as a reckless and scandalous disregard for bublic duty and waste of the public treasure, and says that there has already been three times as many pension bills passed as i

reputation it may be justified in pointing out an occasional error on the part of the accuser.

The files of papers in these vetoed cases, which are now in possession of your committee, contain the letter of the Assistant Secretary of the Interior, under date of June 14, 1886, stating that he incloses enrolled bills as follows, enumerating one hundred and eighteen House bills and eleven Senate bills, and instructing the Commissioner of Pensions as follows:

"Please cause the same to be critically examined, and report to this Department whether, in your opinion, any objections to their approval are known to exist. In cases where objections exist they should be specifically set forth."

This indicates, of course, unmistakably that the President relies upon the Commissioner for his facts.

Any one who knows the prolonged and critical examination required would at once discredit the pretense of thorough personal investigation in the large number of cases which go to the Executive. It is, of course, impossible.

In every, or nearly every, vetoed case Congress, by the action of both Houses, has overruled the action of the Commissioner of Pensions. Thereupon the President calls upon the Commissioner, whose physical condition is well known, to sustain the action of his office, and he naturally does so to the best of his ability. It should not be forgotten that oftentimes the reports of the two Houses contain severe and deserved reprimand of the action of the Pension Office.

Why the President should initiate this game of shuttlecock and pelt a coordinate department of the Government with vetoes based upon the review of the action of Congress by some subordinate of the Commissioner of Pensions is a topic which will bear thought, but perhaps may be left without discussion. Why the finding of the two Houses of Congress should be discredited and attributed to unworthy motives, indifference, or incapacity, while the reassertion by the pension clerk that he is right and Congress wrong is accepted as the basis of fact in thes

limited to what may already be done by the Pension Office under the general law.

It is difficult to write in that rudimentary way upon the nature of pensions and the various grounds of compensation, charity, and public polley which is necessary in order to remove this impression. It is sufficient to observe that the jurisdiction of the legislative power of this Government is larger than that of the Commissioner of Pensions, and that sooner or later, although it may cost the country a prolonged and steady effort, this truth will become apparent.

But it should be remembered that in a very large number of these bills passed by Congress important original written evidence is filed with the committees or presented verbally, as in hearings before other committees upon all public questions which come before legislative bodies; and often the applicant is present with his statement and his palpable disabilities. This evidence is not available to the Executive, at least without the asking, and never has been in possession of the Pension Office. Consequently in nearly every case the Congressional statement stands upon stronger proof than the finding of facts which the President sets up in disapproval of the bill.

The several pension bills vetoed by the President, with the evidence in each case, have been re-examined by the member of the committee who submits this report, and it is his belief that in every instance—twenty-three in number—the veto of Senate bills granting relief to claimants of pension has wrought injustice to them, and that the statement of facts submitted by the Senate committee in support of the bills was true upon the evidence, and that statements of fact in the veto messages, so far as they conflict with findings of Congress, is untrue and wrong. Such brief notes upon each case as may facilitate further examination of the evidence, together with the Senate report and the veto of the President, are herewith submitted.

Further and more particular reports in the several cases will be submitted by the

No. 1.-MARY J. NOTTAGE, WIDOW OF THOMAS NOTTAGE.

The evidence on file in the Pension Office fully corroborates all the allegations of fact in the report of the Senate committee. In addition thereto there was filed December 15, 1885, the following statement addressed to Hon. H. W. BLAIR, United States Senate: NASHUA, N. H., December 15, 1885.

SIR: We most respectfully and earnestly ask your assistance in held of Mrs. Mary J. Nottage, of this city, widow of the late Thomas Nottage, sergeant Company F, Third New Hampshire Volunteers, whose claim for pension seems to be hung up for want of sufficient medical testimony.

We personally knew Thomas Nottage; he was discharged from service on sur-

geon's certificate of disability, and his death resulted from the disease contracted in the Army.

It is impossible for the widow, on account of decease of the attending physicians, to procure a complete chain of medical evidence, and for this reason the case seems to be laid aside.

Knowing the claim to be just, and the widow and children worthy and deserving, we appeal to you to have the claim taken up and further examined.

Most respectfully,

E. J. COPP. H. A. MARSH. W. H. D. COCHRAN. GEORGE F. WILBER. DANA W. KING.

(Indorsed:) General Copp, Captain Marsh, Colonel Cochran, Dr. Wilber, and Colonel King are all gentlemen who rendered great service to their country during the war and are citizens of Nashua and among the leading citizens of the State of New Hampshire. Their statement is filed in the Pension Office with the following indorsement: "Request of veteran officers of Nashua, N. H., praying for allowance of claim upon their personal knowledge. General Copp. register of probate, Colonel King, register of deeds, Captain Marsh, late postmaster, Colonel Cochran, prominent citizen. These gentlemen are very careful always in indorsing claims, and there is no doubt that this case should be allowed.

"Respectfully,

"H. W. BLAIR."

To this statement, the case having already been rejected, the office makes the

DECEMBER 26, 1885.

Madam: Your pension claim, No. 270607, as widow of Thomas Nottage, late sergeant Company F, Third New Hampshire Volunteers, was rejected August 6,1885, on the ground that the soldier's fatal disease, consumption, was not the result of his military service. The letter recently filed, signed by E. J. Copp, H. A. Marsh, W. H. D. Cochran, George F. Wilber, and Dana W. King is not sufficient to reopen the claim, and the office adheres to its action. This information is given at the request of Hon. H. W. Blair, who has made personal inquiry in relation to the claim.

Very respectfully,

WM. E. McLEAN, First Deputy Commissione

The soldier attained the rank of sergeant, was in the service a year, and discharged for disability. If the evidence is not of the technical form that the office has a right to require if itsees fit, there would seem to be no reason why the two Houses of Congress might not be indulged in a discretion to allow a claim like this, which appears to be substantial and worthy, basing their action upon evidence as formal and reliable as that upon which they act in other important legislation, such as appropriation and tax bills, and others, requiring and affecting the very largest expenditures. It can not be expected that the great mass of testimony in these pension cases should be detailed at length in the reports of the Government, from its foundation down, are unsupported by any formal testimony. Witnesses have appeared before committees, verbal and unsworn statements are made, letters are sent in, in fact anything in the nature of evidence calculated to convince the mind, it has been the universal practice to receive and act upon in legislation of the most important character. There is no reason why pension legislation should be singled out as an exception to the uniform practice of Congress when such evidence is received in matters of far more importance pecuniarily than these pension bills.

We append the report of the committee and the President's veto, and leave it to the people to judge between the President and this soldier's widow and her two fatherless children.

[Senate Report No. 438, Forty-ninth Congress, first session.]

[Senate Report No. 438, Forty-ninth Congress, first session.]

The claimant, Mary J. Nottage, is the widow of Thomas Nottage, late sergeant of Company F, Third New Hampshire Volunteers, No. 276607. She made application at the Pension Office, but it was rejected on the ground that the cause of the death of the soldier was not a result of his military service.

It appears that the soldier enlisted August 15, 1861, and served until discharged-September 17, 1862. He died January 8, 1879, and the widow applied June 24, 1880.

The record in the Adjutant-General's Office states that he was "discharged for disability," and his certificate of discharge for disability is on file, showing in detail his condition at that time. The certificate of his attending physician, that he died of "consumption," is also on file.

E. P. Emerson, general agent of the New England Life Insurance Company, testifies that an examination was made July, 1860, by Dr. James B. Greely, who reported that the soldier was of good constitution, and vital organs normal. He was insured in their company.

Dr. Josiah G. Graves testifies that he was soldier's family physician for many years before his enlistment; attended him in 1853 for lung fever, and his books show he made fourteen professional visits to him; has no knowledge of any other sickness up to the time of his enlistment, and his relations were such that if he had had any disease or disability he would have known it. So far as affiant knows, the soldier was sound man when he enlisted, and had been since his illness in 1853.

The evidence of several comrades is on file, showing that he was sick in the

knows, the soldier was sound man when he enlisted, and had been since his illness in 1853.

The evidence of several comrades is on file, showing that he was sick in the service with malaria and kidney trouble, and became thin, pale, and weak. Several witnesses testify to his condition since that time, as having worked with him and seen him constantly, and that he was during the whole time unfit for any hard manual labor, and remained so until he died; that during all those years he suffered a great deal; that he frequently kept about his business, although suffering with remittent fever and general debility; that he had piles, and became very weak and feeble, and had a cough ever after he came out of the service on the slightest exposure to cold.

Without detailing all the evidence, your committee state that they believe that it fairly establishes the fact that the soldier died from the results of his service. His system seems to have been shattered and never to have recovered; and it seems but fair to presume that the "consumption," which is stated to have been the final stage of his disease, was a legitimate result of the condition in which he left the service and afterward continued. If there could be any doubt we feel disposed to give this widow the benefit of it, and therefore recommend the passage of the bill.

[Senate Ex. Doc. No. 175, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill No. 2005, with his objections thereto.

I hereby return without approval Senate bill No. 2005, entitled "An act granting a pension to Mary J. Nottage."

The beneficiary named in this bill is the widow of Thomas Nottage, who entisted in August, 1861, and was discharged for disability September 17, 1862. The assistant surgeon of his regiment, upon his discharge, certified the cause to be "disease of the urinary organs," which had troubled him several years.

He died of consumption January 8, 1879, nearly seventeen years after his discharge, without ever having made any application for a pension.

In 1880 his widow made an application for pension, alleging that he contracted in the service "malarial poisoning, causing remittent fever, piles, general debility, consumption, and death," and that he left two children, both born after his discharge, one in 1866 and the other in 1874.

The only medical testimony which has been broughtto my attention touching his condition since his discharge, is that of a single physician to the effect that he attended him from the year 1873 to the time of his death in 1879. He states that the patient had, during that time, "repeated attacks of remittent fever and irritability of the bladder with organic deposits:" that "in the spring of 1878 he had sore throat and cough, which resulted in consumption, of which edied."

The claim of the widow was rejected in July, 1885, on the ground that "the soldier's death was not the result of his service."

I am satisfied that this conclusion of the Pension Bureau was correct.

EXECUTIVE MANSION, Washington, June 22, 1886.

EXECUTIVE MANSION, Washington, June 22, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the 7th day of December, 1885.]

An act granting a pension to Mary J. Nottage

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary J. Nottage, widow of Thomas Nottage, late a sergeant of Company F, Third New Hampshire Volunteers.

JOHN G. CARLISLE, Speaker of the House of Representatives. JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK,
Secretary.
By CHAS. W. JOHNSTON,
Chief Clerk.

The evidence in this case is very brief compared with that which accumulates in most of these rejected cases, and we print the same in full, that there may be a ray of light let in upon our pension inquisition. If it were possible to spread before the country the full record of the Pension Office in most of these rejected applications where Congress passes bills for special relief that institution would be destroyed by public indignation forthwith.

The system of investigation is such and the rules of action and methods of decision of such a character that the ablest and best efforts of officials must often result in the perpetration of gross injustice. But an institution which disburses \$69,000,000 yearly, and which decides everything within itself and without the discipline of that popular opinion which keeps our courts and juries comparatively true to the ends for which they are established, has so far been able to protect itself, and to grow little better, if not worse, notwithstanding strong efforts which some members of the Senate have been making for years past to send these questions of fact to more competent and impartial tribunals.

DECLARATION AND EVIDENCE ON FILE IN THE PENSION OFFICE IN THIS CASE, Widow's pension.

Claimant, Mary J. Nottage, Nashua, Hillsborough County, N. H. Soldier, Thomas Nottage, sergeant Company F, Third New Hampshire Vol-

Eimer A., born Dec. 12, 1866; Leslie A., born Mar. 8, 1874.

Eimer A., born Dec. 12, 1866; Leslie A., born Mar. 8, 1874.

Recognized attorney: H. B. Atherton, Nashua, Hillsborough Co., N. H.

Submitted for rejection, July 27, 1885, D. M. Kerr, examiner.

Approved for rejection: Cause of soldier's death not the result of his service, which has been legally accepted, July 30, 1885.

MERIFIELD,

Medical Reviewer.

Important dates: Enlisted Aug. 15, 1861; discharged Sept. 17, 1862; died Jany. 8, 1879; declaration, June 24, 1889; invalid application filed, none; former marriage of soldier, none; claimant's marriage to soldier, June 2, 1858.

Submitted for rejection on ground that soldier's death was not due to service, fatal disease originating since discharge.

History of altorneyships.—First appointment May 31, 1880, by claimant. Name and post-office, H. B. Atherton, Nashua, N. H.

Allegations of claimant.—Other children of soldier by former wife, none; other children of soldier by claimant, none alleged.

SUMMARY OF PROOF.

No former marriage of soldier.—The marriage is shown by declaration. The marriage of Thos. Nottage and Mary J. Holt, June 2, 1853, as shown by copy of public record. Filed June 24, 1880.

Dates of birth of children.—Elmer A., Dec. 12, 1866; Leslie A., Mar. 8, 1874, shown by copy of public record. Filed June 24, 1880.

(Stamped:) Rejected Aug. 1, 1885.

WAR DEPARTMENT,

Washing...

Respectfully returned to the Commissioner of Pensions.

Thomas Nottage, jr., Company F, 3rd Regiment N. H. Volunteers, was enrolled on the 15th day of Aug., 1861, at Concord, N. H., and is reported present to July and Aug., 1862. Disch'd for disability Sept. 17, 1862.

H. C. CORBIN,

Assistant Adjutant-General,
By D. MOMUS.

[Army of the United States. Certificate of disability for discharge.]

[Army of the United States. Certificate of disability for discharge.]
Sergeant Thomas Nottage, jr., of Caplain James F. Rundlett's Company (F), of
the 3d New Hampshire Regiment of United States Infantry Vols., was enlisted
by Capt. James F. Rundlett, of the 3d N. H. Regiment of Infantry Vols., at
Nashua, New Hampshire, on the thirtieth day of July, 1861, to serve 3 years; he
was born in Quincy, in the State of Massachusetts; is thirty-one years of age,
five feet ten inches high, dark complexion, black eyes, black hair, and by occupation when enlisted a bootmaker. During the last two months said soldier
has been unfit for duty 30 days. Sergeant Thomas Nottage, jr., has been sick
much of the time since enlistment with gravel complaint. Although always
willing, his services are ever uncertain.
Station: Hilton Head, S. C.
Date: Sept. 11th, 1862.

JAMES F. RUNDLETT,

JAMES F. RUNDLETT, Capt. 3d N. H. Vols., Commanding Company.

I certify that I have carefully examined the said Sergeant Thomas Nottage, jr., of Captain Rundlett's company, and find him incapable of performing the duties of a soldier, because of lithier renalis arenosa, which has troubled him

several years, and now increasing. He has passed stones several times since in service, and been under treatment. A few days since 2 passed as large as small sized peas, attended with the usual symptoms.

BENJ. F. EATON,

Ass't and Acting Surgeon, 3d N. H. V.

Discharged this seventeenth day of September, 1882, at Hilton Head, S. C.

HENRY R. GUSS,

Col. 97 Reg., Pe., Commanding the Post.

Filed Oct. 17, 1862. Approved.

JOHN I. CRAVEN, Serg. U. S. Vols.

President Examining Board.

H. G. STICKNEY, Serg. 3d R., I Co., Recorder.

Headquarters Dep't of the South, Hilton Head, Port Royal, S. C., September 16, 1862.
"To be discharged,"
By command of Major-Gen'l, O. M. Mitchel.

W. P. PRENTICE, Ass't Adj't-Gen'l.

Dupl. for Pens. Office. A. G. Office, Oct. 6, '64.

GEO. ALLEN, JR., For A. Gen'l.

(Stamped:) Department of the Interior, Oct. 17, 1862. Pension Office.

Declaration of a widow for pension or for increase of pension.

STATE OF NEW HAMPSHIRE, County of Hillsborough, ss:

County of Hillsborough, ss:

On this 28th day of May, A. D. 1880, personally appeared before me, clerk of the supreme court, a court of record within and for the county and State aforesaid, Mary J. Nottage, aged 44 years, who, being duly sworn according to law, makes the following declaration in order to obtain the pension provided by acts of Congress granting pension to widow: That she is the widow of Thomas Nottage, jr., who enlisted under the name of Thomas Nottage, jr., at Nashua, N. H., on the 30th day of July, A. D. 1861, in Company F, Third Regiment New Hampshire Volunteers, in the war of rebellion (1861), who contracted malarial poisoning, causing remittent fever, piles, general debility, consumption, and death. That he was discharged at Hilton Head, S. C., September 17, 1862, by reason of surgeon certificate of disability, and he died on the 8th day of January, A. D. 1879, who bore at the time of his service the rank of sergeant in the service aforesaid.

That she was married under the name of Mary J. Holt to said Thomas Nottage, jr., on the 2d day of June, A. D. 1853, by Rev. Mr. Dennis, at Lowell, Mass., there being no legal barrier to such marriage; that neither she nor husband had been previously married; that she has to the present date remained his widow; that the following are the names and dates of birth of all his legitimate children yet surviving who were under sixteen years of age at the father's death, to wit: Elmer A., of soldier by claimant, born December 12, 1866; Leslie A., of soldier by claimant, born March 8, 1874. That she has not abandoned the support of any one of her children, but that they are still under her care or maintenance; that she has not in any manner been engaged in, or aided or abetted, the rebellion in the United States; that no prior application has been filed; that she hereby appoints, with full power of substitution and revocation, Henry B. Atherton, of Nashua, N. H., her attorney, to prosecute her claim; that her residence is No. 28 Cross street, and her post-office address is Nashua, N. H., box 1221.

MARY J. NOTTAGE.

E. M. BOWMAN. THOMAS FLOOD.

Thomas Flood.

Also personally appeared E. M. Bowman, residing in Nashua, N. H., and Thomas Flood, residing in Nashua, N. H., persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say that they were present and saw the claimant sign her name to the foregoing declaration; that they have every reason to believe from the appearance of said claimant and their acquaintance with her that she is the identical person she represents herself to be; and that they have no interest in the prosecution of this claim.

E. M. BOWMAN, THOMAS FLOOD.

Sworn to and subscribed before me this 31st day of May, A. D. 1880, and I hereby certify that the contents of the above declaration, &c., were fully made known and explained to the applicant and witnesses before swearing; and that I have no interest, direct or indirect, in the prosecution of this claim.

[L. s.]

G. A. RAMSDELL,

Clerk Supreme Court.

(Stamped:) Department of the Interior, Pension Office, June 24, 1880.

Questions to a physician approved by the company or its agent.

I. How long and how intimately have you been acquainted with the person whose life is proposed in the foregoing application?

Answer. Fifteen years.

II. Do you consider the person to be of good constitution?

Answer. Yes.

Answer. Yes.

III. Does the person now enjoy good health in every respect?

Answer. Yes.

IV. Please state the temperament, usual rate of pulse per minute, and the condition of the lungs, heart, and other vital organs of the proposed life from a personal examination.

Answer. Pulse, 78; nervous-bilious temperament; vital organs, nominal.

V. How often to your knowledge, and of what diseases has he or she been sick?

sick?

Answer, I have never known him to be seriously ill.

VI. What are his or her habits as affecting health and the chances of life?

Answer. Habits good.

VII. Please to state what you know of the constitution, diseases, and state of health, present or past, of the proposed life or of his or her parents unfavorable to his or her chances of long life?

Answer. Parents both living, three brothers and three sisters living, two died in infancy, one sister died aged 17 years of female troubles.

VIII. Is the life as good a one for insurance as the average of persons of the same age of good constitution, in good health, or better, or not so good, and in what degree?

Answer. As good as the average.

IX. Have you any interest or do you propose to have any in the policy if issued?

issued? Answer, No.

NASHUA, N. H., July 21st, 1860.

JAMES B. GREELY, M. D.

I, Edward P. Emerson, on oath depose and say that I reside in Nashua, N.H., and am the general agent for New Hampshire and Vermont of the New England

Mutual Life Insurance Company, of Boston, Mass., and I have access to the records of said company, and the foregoing is a correct copy from said records of the examination of Thomas Nottage, jr., for life insurance in said company, and said Nottage was insured in said company, and the said Thomas Nottage, jr., was well known to me for twenty-five years or more, and was the identical Thomas Nottage, jr., who was a sergeant in Co. "F" of the 3d Regt. N. H. Vols., and who died in said Nashua some time in the month of January, 1879, and I have no interest whatever in the claim of his widow for a pension; that I have no hesitation in saying said Nottage was sound and free from disease at the time of enlistment, and that from and after his discharge from the service aforesaid up to the time of his death he was sick and ill from exposure, hardship, and disease contracted in said service, and that he finally died in consequence thereof.

E. P. EMERSON.

JANUARY 7, 1880.

STATE OF NEW HAMPSHIRE, Hillsborough, ss:

Personally appeared Hon. Edward P. Emerson, well-known to me as a credible witness and one of the most respected citizens of Nashua, N. H., and made oath to the foregoing affidavit by him subscribed before me, and I have no interest in said claim.

[SEAL.]

E. J. COPP, Register of Probate.

(Stamped:) Department of the Interior, Pension Office, June 24, 1880.

I, Josiah G, Graves, M. D., on oath depose and say that I have practiced medicine in Nashua, N. H., for in fact forty years and more, and that I was well acquainted with Thomas Nottage, jr., of said Nashua, late a sergeant in Company F, of the Third Regiment of New Hampshire Volunteers, and whose widow, Mary J. Nottage, is an applicant for a widow's pension. That I was the family physician of said Thomas for many years up to his enlistment in 1861, and of his father before him, and that I attended said Thomas Nottage, jr., in March, 1863, for lung fever, and my books show that I made fourteen professional visits to him. I have no knowledge of his having any sickness before or after that time up to the time of his enlistment, and my acquaintance and relations with him were such that if he had had any disease or disability prior to his enlistment I believe I should have known of it. That so far as I know he was a sound man when he enlisted, and had been such since his illness aforesaid, in March, 1853. I have no interest whatever in the claim of his widow for a pension.

STATE OF NEW HAMPSHIEF.

STATE OF NEW HAMPSHIRE, Hillsborough, ss:

February, 1880, personally appeared Josiah G. Graves, M. D., to me well known as a credible witness, and a leading physician and surgeon for many years in this vicinity, and made oath to the foregoing affidavit by him subscribed before me, and I have no interest in said claim.

[SEAL]

[SEAL.]

E. J. COPP.

Register of Probate.

(Stamped:) Department of the Interior, Pension Office, June 24, 1880.

(Stamped.) Department of the Interior, Pension Office, June 24, 1880.

I, Elbridge J. Copp, of Nashua, in the county of Hillsborough and State of New Hampshire, on oath depose and say I was adjutant of the 3d N. H. Vols.; that I was well acquainted with Thomas Nottage, sergeant in Co. F. of said regiment; that I have a distinct recollection of the serious sickness and intense suffering of said Nottage during the summer of 1862, while the regiment was stationed at Hilton Head, S. C., the disease being chiefly from malaria and kidney trouble, and resulting in his discharge from the service for disability; that I was well acquainted with said Nottage at the time of enlistment, and for some years before, and know he was an able-bodied, healthy man; that I met him frequently since 1864, living most of the time in the same city, and that he was out of health, gradually growing worse to the time of his death. I have no interest in this claim.

terest in this claim.

Personally appeared before me this 4th day of June, 1883, and subscribed and made oath to the foregoing affidavit. I have no interest in the claim.

DANA W. KING,

Justice of the Peace.

E. J. COPP. Register.

STATE OF NEW HAMPSHIRE, Hillsborough, ss:

Hillsborough, ss:

I, E. J. Copp, register of the probate court in and for said county, hereby certify that, at the date of the attestation hereunto annexed, Dana W. King was a justice of the peace in and for said county, in said State, duly commissioned and constituted, and that to his acts and attestations as such, full faith and credit are, and ought to be, given in and out of court, and I believe said signature to be genuine. I also certify that said court is a court of record.

In testimony whereof I have hereunto set my hand and affixed the seal of said court this 4th day of June, A. D.1883.

E. J. COPP, Register.

[SEAL.] (Stamped:) U. S. Pension Office, Feb. 7, 1884.

STATE OF NEW HAMPSHIRE, County of Hillsborough, ss:

In the matter of the claim for widow's pension of Mary J. Nottage, widow Thomas Nottage, late of Company F, Third Regiment New Hampshire V

Thomas Nottage, late of Company F, Third Regiment New Hampshire Volunteers.

Personally came before me, a justice of the peace in and for aforesaid county and State, Alfred P, Hayden, aged 42 years, and Norman E. Cobb, aged 47 years, residents of Nashua, in the county of Hillsborough, State of New Hampshire, who, being duly sworn, declare in relation to aforesaid case as follows:

That they were members of said company (said Hayden, sergeant, said Cobb, private); that they well knew said Nottage; that he was in good health, robust, and strong, and he remained in good health until the summer of 1862; that in the summer of 1862, while on Hilton Head Island, doing picket duly, when it came his turn to go on duty from Stony Plantation, where the company was, to White House Landing, he was unable to go, which was the first we noticed of his being sick. He did some light duty after. The regimental hospital was with us in the Stony Plantation mansion. He was treated in said hospital. He had swamp fever, the result of malaria, and before the summer was out suffered very much from irritation of kidneys and bladder. He grew thin and pale, and weak, and kept growing worse so that he suffered the most intense pain. His countenance became yellow, as though he had the jaundice. It was understood that he could not live but a short time unless sent away; so that in the fall of 1882 he was discharged on account of his said disability. To our knowledge he passed gravel, which was attended with much suffering. The surgeon of the regiment, Moulton, was away north, sick. Assistant Surgeon Eaton attended said Nottage, and said B. F. Eaton is, we are informed, dead. We saw but little of said Nottage after our return from the Army.

We further declare that we have no interest in said case, and are not concerned in its prosecution, and are not related to said claimant.

Affiant's signature: NORMAN E. COBB.

P. O. Address: Nashua, N. H., Box 456, Affiant's signature: NORMAN E. COBB.

Sworn to and subscribed before me this day by the above-named afflants; and I certify that I read said affldarit to said afflants, and acquainted them with its contents before they executed the same; that said afflants are personally known to me; that they are credible persons and so reputed in the community in which they reside. I further certify that the word Buzzel was erased, and the word Moulton was added before execution, and that I have no interest, direct or indirect, in the prosecution of this claim.

Witness my hand and seal this 27th day of October, 1883.

JAMES A. LEACH,

Justice of the Peace.

Certificate of authority of J. P. on file. (Stamped:) U.S. Pension Office, February 7, 1881.

FORT CLARK, TEX., July 30, 1884.

To the Hon. Commissioner of Pensions, Washington, D. C. :

To the Hon. Commissioner of Pensions, Washington, D. C.:

Sir: The widow of the late Thomas Nottage, of Nashua, N. H., having applied to me for testimony with regard to her husband's service, to be used in support of her claim to be placed upon the pension list, I hereby certify that at time of enlistment of said Thomas Nottage in the Third Regiment New Hampshire Volunteers he was well known to me and believed to be in sound physical condition, and known to have passed all the examinations required of him preparatory to his "muster into service."

He was enrolled in Company "F." of the 3d N. H. Vols. I was captain of said company; Nottage became a sergeant, and was discharged as such on surgeon's certificate of disability at Hilton Head, S. C., about the 20th of September, 1862. I know by personal knowledge that the said Thomas Nottage was broken down with faithful service, and that he was not discharged until it was evident to all that it was necessary to save his life.

I further certify that I met the said Thomas Nottage several times after the war at his home at Nashua, N. H., and always found him suffering from the effects of his service, and advised him to apply for the pension I believed him entitled to receive from the Government.

From the facts known to me, I believe that his death was hastened from effects of disease contracted during the war, and that his widow's claim is entitled to all consideration provided for like cases.

Very respectfully, your obedient servant,

JAMES L. RANDLETT.

JAMES L. RANDLETT,

Captain 8th Cavalry, late Lieut. Col. 3d N. H. Vols.

(Stamped:) U. S. Pension Office, August 19, 1884, B.

(Stamped:) U. S. Pension Office, August 19, 1834, B.

I, Jonathan H. Nottage, on oath depose and say that I reside in East Boston, Mass., and am employed in the iron works at the United States navy-yard at Charlestown, Mass., and have been so employed about two years, and that prior thereto I was assistant foreman, having charge of one room, for eight or nine years in said East Boston, of the Atlantic Works, and worked at the Hoosac Tunnel and in Nevada, and that I am a brother of Thomas Nottage, jr., late of Nashua, N. H., and a sergeant in Co. "F," of the 3d Reg't N. H. Vols., who died January 8, 1879, and whose widow, Mary J. Nottage, is an applicant for a widow's pension. That said Thomas Nottage, jr., incurred malarial poisoning in said service, and was discharged in consequence; that when he came home in fall of 1862 he was very emaciated, weak, and ill; at that time he looked as if he could not live a month. He was a shoemaker by trade, but during that year did not gain sufficiently to work at his trade. He was suffering with remittent fever. In the latter part of 1863 or first of 1864 I secured him a place in my room in the Atlantic Works, where no hard work was required, he not being obliged to lift a pound, but had charge of a machine where judgment and skill were required more than any bodily exertion.

This was done with a full understanding of his case by the foreman. Here he worked with me in my room until about 1871, and during the whole time I favored him about his work so that he had no hard manual labor to perform, and this was because during the whole of said time he was unfit for any hard manual labor, and remained so until he died, on account of his disabilities contracted in the service aforesaid; and after he left East Boston he went to Fitchburg, Mass., and for a few months worked for the Fitchburg Machine Company, at work similar to what he had done under me in the Atlantic Works. Following that work at East Boston he came to meat the Hoosac Tunnel, where I was master mechanic in charge

COMMONWEALTH OF MASSACHUSETTS, Suffolk, ss:

This 7th June, 1880, personally appeared Jonathan H. Nottage, to me well known as a credible witness and respectable, and made oath to the foregoing affidavit by him subscribed before me, and I have no interest in said claim and am not concerned in its prosecution.

Justice of the Peace and Clerk of the Municipal Court of the
East Boston District in the City of Boston. SEAL.

(Stamped:) Department of the Interior, Pension Office, June 24, 1880.

General affidavit.

STATE OF MASSACHUSETTS, County of Suffolk, ss:

County of Suffolk, ss:

In the matter of Mary J. Nottage, widow of Thomas Nottage, claimant, for original pension No. 270607, late sergeant, Company F, Third Regiment, New Hampshire, Volunteers.

Personally came before me, a notary public in and for aforesaid county and State, Williams. Williams, a citizen of Boston, county of Suffolk, State of Massachusetts, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

I was personally acquainted with the said Thomas Nottage. In 1864, 1865, and 1866 he was employed at the Atlantic Iron Works, in East Boston, where I was then and am now employed, and for about two years during that time he resided in the same house that I did and I saw him daily. My recollections of

him are that he was sick a great deal and unable to work steadily; that he was absent from the shops and confined to his house very often days at a time, on account of sickness from diseases which I understood at the time he had contracted while in service in the Army in 1861 and 1862.

My post-office address is 60 Princeton street, East Boston, Mass.

I further declare that I have no interest in said case, and am not concerned in

its prosecution. Attest:

WM. S. WILLIAMS.

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution.

Witness my hand this 24th day of May, 1883.

[SEAL.]

ANDREW P. FISHER.

I, Willard S. Allen, clerk of the municipal court of East Boston district, in and for aforesaid county, State, do certify that Andrew P. Fisher, esq., who bath signed his name to foregoing affidavit, was at the time of so doing a notary public in and for said county and State, duly commissioned and sworn, that all his official acts are entitled to faith and credit, and that his signature thereunto is official acts are entitled to later and genuine.

Witness my hand and seal of office this 25th day of May, 1883.

[L. s.]

Clerk of the Municipal Court of the East Boston District.

(Stamped:) U. S. Pension Office, February 7, 1884.

General affidavit.

STATE OF MASSACHUSETTS, County of Suffolk, ss:

County of Suffolk, ss:

In the matter of Mary J. Nottage, widow of Thomas Nottage, claimant for original pension No. 270607, late sergeant Co. F, 3d Reg. New Hamp. Vol.

Personally came before me, a notary public in and for aforesaid county and State, J. N. Lothrop, a citizen of Boston, county of Suffolk, State of Massachusetts, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

I was personally acquainted with the said Thomas Nottage.

He was employed by me at the Atlantic Iron Works, in East Boston, after his discharge from the Army. He came to learn the machinist's trade, but on account of sickness was unable to work full time. He was here a part of the years 1864, 1865, and 1866, and was troubled more or less of the time with disease, which I understood was contracted by him while in the Army in 1861 and 1862.

My P. O. address is East Boston, Mass.

I further declare that I have no interest in said case, and am not concerned in its prosecution.

Attest:

J. N. LOTHROP.

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution.

Witness my hand this twenty-fourth day of May, 1883.

[SEAL.]

ANDREW C. FISHER,

Notary Public.

Proof of authority on file in this case. (Stamped:) Pension Office, February 8, 1884.

This is to certify that Thomas Nottage was under my professional care from July, 1873, till the date of his death, Jan. 8, 1879.

That during the years '73, '4, '5, and '6 he suffered from repeated attacks of remittent fever, occasioned by malarial poisoning. Also from irritability of bladder with inorganic deposits.

That in '77 (autumn) he had an ischio-vectal abscess, which culminated in anal fistule, which never healed. That in the spring of '78 he had sore throat and cough, which gradually increased, phthisis pulmonalis resulting. I have no interest in said claim, and reside in Nashua, N. H.

E. F. McQUESTEN, M. D.

E. F. McQUESTEN, M. D.

STATE OF NEW HAMPSHIRE, Hillsborough, ss:

This, 28th May, 1880, personally appeared E. F. McQuesten, M. D., to me well known as a credible witness and of good standing in his profession, and made oath to the foregoing affidavit by him subscribed before me, and I have no in-

(Stamped:) Department of the Interior, Pension Office, June 24, 1880.

I, Eugene F. McQuesten, physician, practicing in Nashua, N. H., further depose and say in the claim of Mary J. Nottage, that her husband, Thomas Nottage, late of Co. "F," 3rd N. H. Vol., died of phthisis pulmonalis, causes of which were set forth in my former affidavit; that I attended said Thos. Nottage in his last sickness, and his death occurred Jan. 8, 1879.

EUGENE F. McQUESTEN.

STATE OF NEW HAMPSHIRE, Hillsborough, ss:

June 29, 1885, personally appeared the above-named Eugene F. McQuesten, whom I certify to be a physician in good standing, and made oath that the above affidavit by him subscribed is true. Before me.

[SEAL.]

Record of deaths.

STATE OF NEW HAMPSHIRE, County of Hillsborough, City of Nashua:

Thomas Nottage; age, 47; male; white; married; a machinist. Born in Nashua. Died in Nashua, January eighth, eighteen hundred and seventy-nine. Cause of death consumption. Attending physician,

E. F. McQUESTEN, M. D.

I certify that the above is a true copy of the record, with the exception of the date, which is expressed on the record, in fair legible figures, as follows: Jan. 8, 1879.

[SEAL.]

I, E. M. Bowman, above named, depose and say, that I hold the office of city clerk in the city, county, and State aforesaid, and that the above is a true copy from the records of said city of Nashua, with the exception above named, as certified by me.

E. M. BOWMAN, City Clerk.

Subscribed and duly sworn to, before me, this sixteenth day of June, A. D. 1885. I have no interest in this case.

[SEAL.]

JAMES H. HUNT,

JAMES H. HUNT, Justice of the Peace.

STATE OF NEW HAMPSHIRE Hillsborough, ss:

I, George A. Ramsdell, clerk of the supreme court within and for said county, the county that James H. Hunt, esquire, at the date of the attestation hereto annexed, was a justice of the peace in and for the county aforesaid, duly commissioned and sworn, and duly authorized to administer oaths and take acknowledgments of deeds, etc.; that his signature is, in my belief, genuine. In testimony whereof I have hereunto set my hand and affixed the seal of said court, this 29th day of June, A. D. 1885.

[SRAL.]

G. A. RAMSDELL, Clerk.

Commonwealth of Massachusetts, City of Lowell, June 1, 1880.

I, Samuel A. McPhetres, hereby certify that it appears by the record of marriages in said Lowell that a marriage was solemnized in said Lowell between Thomas Nottage and Mary Jane Holt, on the second day of June, in the year eighteen hundred and fifty-three.

The record is in the following words and figures, to wit:
Date of marriage, June 2, 1853; name and surname of groom, Thomas Nottage; name and surname of bride, Mary Jane Holt; by whom married, J. S. Dennis, elergyman, Lowell.

I, Samuel A. McPhetres, above named, depose and say, that I hold the office of city clerk, of the city of Lowell, in the county of Middlesex, and Commonwealth of Massachusetts; that the records of births, marriages, and deaths in said city are in my custody, and that the above is a true extract from the records of marriages in said city, as certified by me.

Witness my hand and seal of the said city of Lowell, on the day and year first above written.

[SEAL.]

SAMUEL A. McPHETRES,

City Clerk.

SAMUEL A. McPHETRES, City Clerk,

OFFICE OF THE CITY REGISTRAR, CITY HALL, Boston, June 5, 1880.

I, the subscriber, do hereby certify, that it appears by the registry of births of said Boston, that Elmer Alphonso Nottage was born in Boston December the twelfth, one thousand eight hundred and sixty-six.

The record is in the words and figures following, viz:

Date of birth, Dec. 12th, 1866; name of child, Elmer Alphonso Nottage; name of parents, Thomas and Mary J.

N. A. APOLLONIO. City Registrar.

I, Nicholas A Apollonio, above named, depose and say, that I hold the office of city registrar of the city of Boston, in the county of Suffolk, and Commonwealth of Massachusetts; that I am the keeper of the registry of births, marriages, and deaths in said city, and that the above is a true extract from the records of births in said city, as certified by me.

N. A. APOLLONIO.

COMMONWEALTH OF MASSACHUSETTS, Suffolk, ss:

Boston, June 5th, 1880.

The above-named N. A. Apollonio appeared and made oath to the truth of the above certificate by him subscribed.

FRANKLIN D. RIDEOUT,
Justice of the Peace.

STATE OF NEW HAMPSHIRE, County of Hillsborough, City of Nashua:

CERTIFICATE OF BIRTH.

Before me.

Nashua, March eighthe, eighteen hundred and seventy-four. Name: Leslie A. Nottage; male; white; living; name of father, Thomas Nottage; name of mother, Mary J. Nottage; birthplace of father, Quincy, Mass.; birthplace of mother, Wilton, N. H. Returned by E. F. McQuesten, physician.

I certify that the above is a true copy of the record, with the exception of the date, which is expressed on the record, in fair legible figures, as follows: "March 8, 1874."

I, E. M. Bowman, above named, depose and say, that I hold the office of city clerk in the city, county, and State aforesaid, and that the above is a true copy from the records of said city of Nashua, with the exception above named, as certified by me. E. M. BOWMAN. City Clerk.

Subscribed and duly sworn to, before me, this 28th day of May, A. D. 1880. I have no interest in this case.

[SEAL.] CHAS. F. TOLLES,

CHAS. F. TOLLES, Justice of the Peace.

(Stamped:) Pension Office, June 2, 1880.

NASHUA, N. H., June 6, 1885.

Hon, J. C. BLACK:

DEAR SIR: In the claim of Mary J. Nottage, widow of Thomas Nottage, jr., late Company F, Third Regiment New Hampshire Volunteers, No. 270607, will you be so kind as to inform me what further evidence is required to complete the claim?

Very respectfully,

II. B. ATHERTON.

(Stamped): U. S. Pension Office, June 8, 1885.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C., June 3, 1885.

Washington, D. C., June 3, 1885.

Madam: In your claim for pension, No. 270807, as widow of Thomas Nottage, late of Company F, Third New Hamshire Volunteers, the date and cause of soldier's death should be shown by a verified copy of the public record, and by the affidavit of the physician who attended him in his last illness.

Return this letter with the evidence.

Very respectfully,

JOHN C. BLACK, Commissioner,

Mrs. Mary J. Nottage, Nashua, N. H.

(Stamped): U. S. Pension Office, July 3, 1885.

NASHUA, N. H., May 25, 1885.

General J. C. Black.

Commissioner of Pensions, Washington, D. C.:

Sie: Will you please advise me personally in regard to my claim for widows' pension No. 270607, which has been pending for a long time.

It was filed with evidence several years ago by Capt. H. B. Atherton, a lawyer of this city.

In the winter of 1882, upon the request of Hon. James F. Briggs, M. C., it was taken up, and new evidence called for, which was given; since then I have heard nothing from it.

Capt. James F. Randlett, Eighth Cavalry, U. S. A., with whom my late husband, Thomas Nottage, enlisted in the Third New Hampshire Volunteers in 1861, is familiar with the case, and I think he has written about it, and still I can hear nothing, and being almost discouraged and really in need of the relief it will bring to me and my family, I now appeal to you, asking that something be done to hasten its adjustment.

I am, respectfully,

MARY J. NOTTAGE,

Widow of late Thomas Nottage, Sergt, Co. F. 3 N. H. V.

MARY J. NOTTAGE, Widow of late Thomas Nottage, Sergt. Co. F, 3 N. H. V.

(Stamped:) U.S. Pension Office, May 27, 1885.

U. S. PENSION OFFICE, January 4, 1885.

U. S. Pension Office, January 4, 1885.

Madam: Your pension claim, No. 276607, as widow of Thomas Nottage, late a member of Co. F. 3d N. H. Vols., was rejected July 30, 1885, on the ground that the soldier's fatal disease, consumption, was not contracted in, nor was it in any way a result of, his military service.

It appears from the records of the War Department that he was never fit for military duty, and was discharged for a disease that had existed several years before his enlistment. It further appears that he had an attack of lung fever in March, 1853, and that the final attack that proved fatal occurred in the spring of 1878. There appears to be no reason why the claim should be reopened or further considered.

The information is given at the request of Hon. H. W. Blair, who has made personal inquiry relative to the claim.

Mrs. Mary J. Nottage,

Nashua, N. H.

East Div. will bring papers to desk, with examiner, for Senator BLAIR, who is

McLEAN, D. C. (Stamped:) First Deputy Commissioner, Jan. 4, 1886. U. S. Pension Office.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C., June 26, 1886.

Washington, D. C., June 26, 1886.

Hon. John I. Mitchell,
Chairman Senate Committee on Invalid Pensions:

Sir: In compliance with your request, I have the honor to herewith transmit the papers in the pension case of Mary J. Nottage, as widow of Thomas Nottage, late of Co. "F," 3d N. H. Vols. (No. 270607).

This claim was rejected August 6, 1885, on the ground that the soldier's death, of consumption, in 1879, was not the result of any disability that had its origin in the service and line of duty.

Very respectfully,

JOHN C. BLACK, Commissioner.

The examiner imperfectly briefs this for action as follows:

BEFORE SERVICE.

EFORE SERVICE.

E. P. Emerson, Nashua, N. H.—General agent New Eng. Life Insurance Co.; records show that an examination of soldier was made July, 1860, by Dr. Jas. B Greely, who reported that soldier was of good constitution, and vital organi normal. (He was insured in their company.) (Filed June 24, 1880.)

Dr. Josiah G. Graves.—Was soldier's family physician for many years before his enlistment. Attended soldier in March, 1853, for lung fever, and his books show that he made fourteen professional visits to him. Has no knowledge of any other sickness up to the time of his enlistment, and his relations were such that if he had any disease or disability he would have known of it. So far as affiant knows he was a sound man when he enlisted, and had been since his illness in 1853. (Filed June 24, 1880.)

DURING SERVICE.

DURING SERVICE.

Elbridge J. Clapp, Nashua, N. H.—Adjutant 3 N. H. Vols.; well acquainted with soldier; has a distinct recollection of soldier's serious sickness and intense suffering during the summer of 1862, while the regiment was stationed at Hilton Head, S. C., the disease being chiefly malaria and kidney trouble, and resulting in his discharge for disability. (Filed February 7, 1884.)

Alfred P. Hayden, comrade: Norman E. Cobb, comrade.—Soldier was in good health until the summer of 1862, when he became unable to go on picket duty. This at Hilton Head, S. C. He was treated in reg. hosp. He had swamp fever, the result of malaria, and before the summer was out suffered very much from irritation of kidneys and bladder. He grew thin, pale, and weak, and kept growing worse. His countenance became yellow as though he had the jaundice. He was discharged on account of his disability. To affiant's knowledge he passed gravel, which was attended with much suffering. (Filed Feb'y 7, 1884.)

SINCE SERVICE.

Jonathan H. Nottage, E. Boston, Mass.—Soldier's brother, Soldier incurred malarial poisoning in service and was discharged in consequence. When he came home in the fall of 1862 he was very emaciated, weak, and ill, and looked as if he could not live a month—was suffering from remittent fever. Soldier worked with affiant until 1871, and during the whole time affiant favored him, being unfit for any hard manual labor, and remained so until he died. He finally became unable to work, and growing worse died Jan'y 8, 1879. During all these years he suffered a great deal, and frequently kept about his business, although suffering with remittent fever and general debility. He had piles, and became very weak and feeble, and had a cough ever after he came out of the service on the slightest exposure to cold. (Filed June 24, 1880.)

William S. Williams, Boston, Mass.—In 1864, '65, and 66 was employed at the same place with soldier. Affant's recollections of him are that he was sick a great deal, and unable to work steadily; that he was absent from the shop and confined to his house very often days at a time on account of sickness from diseases which affiant understood had been contracted in the service. (Filed Feb'y 7, 1884.)

J. N. Lothrop, Boston, Mass.—Employed soldier after his discharge. On account of sickness soldier was unable to work full time. Had him a part of 1864, '65, and 66, and he was troubled more or less of the time with disease which affiant understood was contracted in the service. (Filed Feb'y 7, 1884.)

Dr. E. F. McQuesten, Nashua, N. H.—Soldier was under affiant's care from July, '73, to his death, January 8, 1879. During the years '73, '74, '75, and '76 he suffered from repeated attacks of remittent fever, occasioned by malarial poisoning; also from frintability of bladder, with organic deposits. In 1877 (autumn) he had'an ischio-vectal abscess, which culminated in anal fistula, which never

healed. In the spring of '78 he had sore throat and cough, which gradually increased, phthisis pulmonalis resulting. (Filed June 24, 1890.)

Same affant.—Soldier died of phthisis pulmonalis Jan'y 8, 1879. (Filed July 3,

Public Record, Nashua, N. H.—Soldier died at Nashua, N. H., Jan'y 8, 1879, of consumption, aged 47. (Filed July 3, '85.)

No. 2.—Thomas S. Hopkins.

No. 2.—Thomas S. Hopkins.

There appears to be no dispute as to the facts in this case. The applicant was entitled to arrears of pension had he applied prior to the 1st day of July 1890. At that time and for some time previous thereto he was incapacitated by mental and physical disabilities, and thereby prevented from making application within the limitation fixed by law. As soon as the incapacity was removed he applied for a pension, and his application was allowed.

The question is, whether the Government should treat the soldier with that degree of liberality which has characterized the common law for centuries in the case of lunatics and minors, and others under like circumstances, to whom their legal rights are restored whenever the infirmity or disability under which they have suffered shall have been removed.

Relief by special act has heretofore been extended in the Forty-sixth, Forty-seventh, and Forty-eighth Congresses in cases involving the same principle, and a bill for the relief of Mr. Hopkins passed the House in the first session of the Forty-seventh Congress.

In regard to the rating for and the amount of arrears granted by the bill as it reached the President, it is proper to observe that he is wholly wrong in estimating the amount as though the bill gave for the whole time since his discharge at the same high rate which he now receives. On the contrary, the bill provides expressly for such rating by the Commissioner as he would have made upon that point he must take, and the result would have been not more than one-fourth or one-third the amount which by its magnitude seems to have stimulated the veto in this case.

[Senate Report No. 279, Forty-ninth Congress, first session.]

[Senate Report No. 279, Forty-ninth Congress, first session.]

[Senate Report No. 279, Forty-ninth Congress, first session.]

Thomas S. Hopkins, late a private in Company C, Sixteenth Regiment Maine Volunteers, seeks relief from the limitations of the arrears-of-pensions act of March 3, 1879, on the ground that from a time some months prior to the passage of said act down to a period subsequent to the 30th of June, 1880, he was prevented, by reason of the extreme severity of his illness and by mental and physical disabilities, from making an application for arrears in accordance with the provisions of said act. It appears that upon the first return of mental strength, and as soon as he could dictate a letter, namely, on November 20, 1880, that he made an application for a pension, which was granted him.

This claim received consideration in the first session of the Forty-seventh Congress, and a bill granting the relief sought for passed the House of Representatives. The Senate Committee on Pensions, however, reported adversely upon it, on the ground that the evidence was not sufficient to substantiate the claimant's disability. Subsequent to this report additional testimony upon this point was procured, including the following statement from Drs. W. W. Johnston and H. D. Fry, his attending physicians, which statement seems to your committee as conclusive evidence of the fact that during the time within which applications could be made for arrears of pension under the act above referred to the claimant was mentally and physically disabled from taking advantage of its provisions, and for these reasons the committee believe that the petitioner is entitled to the relief sought for, and they recommend the passage of the accompanying bill as a substitute for Senate bill No. 183.

United States of America,

District of Columbia, ss:

W. W. Johnston, M. D., and H. D. Fry, M. D., of the city of Washington, D. C., being duly sworn, depose and say:

That they have been the regular medical attendants of Thomas S. Hopkins during his long illness.

That his disease has been the severest case of nervous exhaustion which has ever come under their observation.

That from March 8, 1879, and for many months previous thereto, down to November, 1830, he was absolutely disqualified, both mentally and physically, from attending to the business of applying for a pension, or any other business, by reason of the intensity of his symptoms; and that there were no intervals, however short, during that period when he could have safely undertaken the work.

That the effort he made in applying at so early a date has seriously retarded his recovery.

his recovery.

That he is still confined to his bed, and requires the constant attendance of

That we have no pecuniary interest in the result of his pension claim.

W. W. JOHNSTON, M. D.,

1401 H St., N. W.

H. D. FRY, M. D.,

819 14th St., N. W.

Subscribed and sworn to before me, this 7th day of June, 1882.

[SEAL.] MILTON C. BARNARD,

Notary Public.

[Senate Ex. Doc. No. 185, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 183 with his objections thereto.

JUNE 21, 1896.—Read and ordered to lie on the table.
JUNE 23, 1886.—Referred to the Committee on Pensions and ordered to be printed.

To the Senate:

To the Senate:

I hereby return without my approval Senate bill No. 183, entitled "An act for the relief of Thomas S. Hopkins, late of Company C, Sixteenth Maine Volunteers."

This soldier was enrolled in the Army June 2, 1862, and discharged June 30, 1865. He was sent to the Government Hospital September 20, 1863, and thereupon transferred to the Invalid Corps.

He filed his declaration for a pension in November, 1880, alleging that while in the service he contracted malarial fever and chronic diarrhea, and was seized with convulsions, suffering from great general debility.

A pension of \$30 a month was granted to him June, 1881, dating from the time of filing his application, which sum he has been receiving up to the present time. This bill proposes to remove the limitation fixed by the law of 1879 prescribing the date prior to which an application for pension must be filed in order to entitle the claimant to draw the pension allowed from the time of his discharge from the service.

from the service.

If this bill should become a law it would entitle the claimant to about nine thousand dollars of back pension. This is claimed upon the ground that the soldier was so sick from the time of the passage of the act creating the limitation up to the date allowed him to avail himself of the privilege of the act that he could it the labelian. out file his claim.

I think the limitation thus fixed a very wise one, and that it should not, in fairness to other claimants, be relaxed for causes not mentioned in the statute, nor should the door be open to applications of this kind.

The beneficiary named in this bill had fifteen years after the accruing of his claim, and before it is alleged that he was incapacitated, within which he might have filed his application and entitled himself to the back pension now applied for.

The facts here presented come so far short of furnishing a satisfactory excess for his delay that, in my judgment, the discrimination asked in his favor should not be granted.

GROVER CLEVELAND.

GROVER CLEVELAND.

EXECUTIVE MANSION. June 19, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the 7th day of December, 1885.]

An act for the relief of Thomas S. Hopkins; late of Company C, Sixteenth Maine Volunteers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas S. Hopkins, late a private in Company C, Sixteenth Maine Volunteers, now on the pension-roll, be, and he is hereby, exempted, by reason of mental incapacity, from the limitation prescribed in section 2 of the act of Congress approved March 3, 1879, entitled "An act making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes," and he shall be entitled to and there shall be paid to him the same rate of pension, and the same arrears thereof, as if his application for a pension had been filed with and allowed by the Commissioner of Pensions prior to June 16, 1880.

JOHN G. CARLISLE,

Speaker of the House of Representatives,
JOHN SHERMAN,
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, Secretary, By CHAS, W. JOHNSON, Chief Clerk.

No. 3.-James Butler-Senate Bill 2025.

We submit this case upon the undisputed statements of fact, as contained in the report of the Senate committee, which we print, together with the veto of the President.

Soldier was formally mustered in August 23, 1864, and honorably discharged September 12, 1864, on account of comminuted fracture of lower third right femur since muster in.

[Senate Report No. 552, Forty-ninth Congress, first session.]

[Senate Report No. 552, Forty-ninth Congress, first session.]

The claimant, James Butler, late a private of Company F, First New Hampshire Heavy Artillery, applied for a pension at the Department November 10, 1871, alleging disability from breaking his right leg just above the knee at Concord, N. H., September 9, 1864. It appears that the soldier received a pass from the captain of his company until the next morning and went home in the city; that he got up in the morning before light to return to camp and started; that in passing to camp he fell into a cellar where a house had just been removed, breaking his right leg. The records show that he was discharged September 12, 1894, by reason of rejection on organization of company at general rendezvous, Cencord, N. H., per General Order No. 243, War Department, A. G. O., 1884, on account of comminuted fracture of lower third right femur since muster into service. It also appears that he was treated in the hospital at Concord. The testimony of Capt, D. J. Flanders is to substantially the same effect, and further states that he was rejected on organization of the company, after his muster in, and that he received the injury while in the service and in the line of duty. There is other corroborating testimony.

The examining surgeon found him disabled three-fourths.

This case was rejected by the Department upon the ground that the soldier, who was on his way to his regiment, under orders to return at the expiration of his leave, and who was disabled without his own fault, did not contract the disability in line of duty.

Your committee, however, think otherwise, and recommend the passage of the bill.

[Senate Ex. Doe. No. 180, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill No. 2025, with his objections thereto.

JUNE 23, 1886.—Read, referred to the Committee on Pensions and ordered to be

To the Senate:

To the Senate:

I hereby return without approval Senate bill number two thousand and twenty-five, entitled "An act granting a pension to James Butler."

This claimant was enrolled as a private in a New Hampshire regiment August 23, 1894, but on the organization of his company, on the 12th day of September, 1864, he was discharged on account of a fracture of his leg, which happened on the 11th day of September, 1864.

It appears that before the organization of the company to which he was attached, and on the 10th day of September, he obtained permission to leave the place of rendezvous for the purpose of visiting his family, and was to return the next day. At a very early hour in the morning, either while preparing to return or actually on his way, he fell into a new cellar and broke his leg. It is said that the leg fractured is now shorter than the other.

His claim for pension was rejected in December, 1864, by the Pension Bureau, and its action was affirmed in 1871 upon the ground that the injury was received while the claimant was on an individual furlough, and therefore not in the line of duty.

Considering the fact that neither his regiment nor his company had at the time of his accident been organized, and that he was in no sense in the military service of the United States, and that his injury was received while on a visit, and not in the performance of duty, I can see no pretext for allowing a pension in this case.

GROVER CLEVELAND.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 22, 1886.

[Forty-ninth Congress of the United States of America, at the first session, began and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to James Buller.

Be it enacted by the Senate and House of Representatives of the United States of Amera in Congress assembled, That the Secretary of the Interior be, and he is hereby,

authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James Butler, late a private in Company F, First New Hampshire Heavy Artillery.

JOHN G. CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senata Any,

President of the Senata Any,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK,
Secretary.
By CHAS, W. JOHNSON,
Chief Clerk.

No. 4.—Cornelia R. Schenck.

No. 4.—CORNELIA R. SCHENCE.

A re-examination of the evidence in this case clearly shows that the disability alleged was contracted in the service. The fact that a long time clapsed before the application for pension was made is no evidence that the disability is not pensionable. Any one conversant with the history of the soldiers of our armies knows that in many cases persons fully entitled to pensions have declined from motives of the most honorable and patriotic character to avail themselves of the a sistance of the Government through the medium of the pension laws, and it seems hard, if not brutal, to make their abstinence from the assertion of a right which has relieved the Government of an annual payment for a pension justly due for more than twenty years the ground of refusing to do justice upon the facts proven in the case when at last necessity or any good cause inclines the claimant, or those who may represent him, to assert that right.

It is also objected that the case is still pending in the Pension Office. It is usual for Congress to await the decision of that tribunal in cases pending before it, but that is not a legal objection to special action by Congress. It is only a rule of practice of the committee and of Congress for its convenience, and neither the Pension Office nor the President can with propriety criticise the exercise of Congressional discretion in such case.

The principal facts are stated in the report of this committee, which we append hereto, as well as the message of the President.

[Senate Report No. 597, Forty-ninth Congress, first session.

[Senate Report No. 597, Forty-ninth Congress, first session.

[Senate Report No. 597, Forty-ninth Congress, first session.

That the records show that Daniel F. Schenck enlisted as a private in Company D, Fiftieth New York Engineers; that he was promoted to lieutenant and captain for meritorious services, and was detailed upon special duty in organizing the defenses of Washington. The affidavit of George N. Falley, a captain in the same regiment of engineers, states that "Lieutenant Schenck was often on detached service, and during the spring of 1863 reported directly to General Barnard, of Washington, making drawings and engaged on the fortifications about that city," and "regarding his value to the service would say he rose from the ranks to be captain of his company. He was the only officer in our regiment below the grade of captain ever assigned to the important duty of drafting and overseeing the construction of fortifications."

Claimant states that while he was engaged in overseeing the work above mentioned, Captain Schenck contracted the disease in the line of duty which ultimately caused his death. These statements are substantiated by affidavits of soundness before enlistment, and to the existence and continuance of the disease after he was mustered out; also by the affidavits of physicians who treated him, and who testify that the disease which caused his death (entero-colitis) was the result of disabilities incurred during service in the Army.

Taking into consideration all the evidence on file in this case, the committee believe it to be their duty to report in favor of this bill and recommend its passage.

[Senate Ex. Doc. No. 184, Forty-ninth Congress, first session.

Message from the President of the United States, returning Senate bill 1584, with his objections thereto.

June 21, 1886.—Read and ordered to lie on the table. June 23, 1886.—Referred to the Committee on Pensions and ordered to be printed.

To the Senate :

I hereby return without approval Senate bill number fifteen hundred and eighty-four, entitled "An act for the relief of Cornelia R. Schenck."

It is proposed by this bill to grant a pension to Mrs. Schenck as the widow of Daniel F. Schenck, who entered the military service of the United States in August, 1861, and was mustered out October 21, 1864.

The record of his service contains no mention of any disability; he died in December, 1875, of a disease called gastro-enteritis, which, being interpreted, seems to denote "inflammation of the stomach and small intestines." So far as the facts are made to appear, the soldier, neither during the term of his service nor during the eleven years he lived after his discharge, made any claim of any disability.

nor during the eleven years he from the Pension Bureau in 1885, ten years after disability.

The claim of his widow was filed in the Pension Bureau in 1885, ten years after her husband's death, and is still undetermined.

The fact that her application is still pending in that bureau is sufficient reason why this bill should not become a law.

A better reason is based upon the entire lack of any facts shown to exist which entitle the beneficiary named to a pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 21, 1886.

We add the memorial of the Grand Army in this case, received while reading proof and laid before the Senate this morning:

HEADQUARTERS DANIEL F. SCHENCK POST, No. 271. DEPARTMENT OF NEW YORK, Fullon, N. Y.

We, comrades of the late Capt. D. F. Schenck and members of Post D. F. Schenck, Fulton, N. Y., G. A. R., notice with sorrow the action of the President of the United States in vetoring the bill granting a small pension of \$20 per month to the widow of the late Captain Schenck; and we do most earnestly petition your honorable bodies (the Senate and Congress) to reverse this action by passing this bill over the veto, fi necessary.

N. H. GILBERT, Commander.
J. F. COOPER.

THOS. E. DELONG.
GERMAN HALL.
CHARLES HEWITT.
WILLIAM BACK.
JOHN P. HOWE.

G. V. EWENS.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.

An act for the relief of Cornelia R. Schenck.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions

and limitations of the pension laws, the name of Cornelia R. Schenck, widow of Daniel F. Schenck, late captain of the Fiftieth New York Engineer Corps.

JOHN G. CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK By CHAS, W. JOHNSON, Chief Clerk.

No. 5 .- HARRIET WELCH.

No. 5.—Harriet Welch.

The principal facts upon which this claim is based are set forth in the previous report of this committee, which is hereto appended. The reason alleged by the Pension Office for the rejection of this claim is that the death of the soldier did not result from the service. The following newspaper account of his death appeared at the time:

"Cyraneous Welch (or Deuney, as he was generally called), a veteran and pensioner of the last war, was killed on the track of the Wisconsin Central Railroad, about four miles north of this place, on Wednesday might or Thursday morning last, and was mangled in a fearful manner, his head having been cut in two just above his eyes and his brains scattered along the track. He had been to Green Bay attending to some business relating to his pension and returned on the 11 p. m. train. He was known to have left Hilbert, but was not known to have ever reached Chilton, and it is supposed that he fell from the 11 p. m. train and was lying on the track when the 1 a. m. train going north killed him. An inquest was held by Esq. Green, of this city, and a verdict rendered in accordance with the facts. The deceased was an industrious and hard-working man, and was an engineer at Zech Bros. mill, and leaves a wife and seven small children to mourn his loss."

No question is raised as to the legality of the marriage, which seems to have resulted in long cohabitation and the birth of seven children. The claimant was married to the soldier June 7, 1868. There is nothing in the evidence to justify the slur which the President casts.upon the chastity of this widow and the legitimacy of her seven fatherless children. Pensions have heretofore frequently been granted in cases similar to this. Human nature cries out aloud for the allowance of pension in such a case, and if this woman, with her seven small children, is to be deprived of it, your committee at least are glad that the responsibility rests elsewhere.

We print the Senate report and the veto of the President, and recomm

[Senate Report No. 295, Forty-ninth Congress, first session.]

[Senate Report No. 295, Forty-ninth Congress, first session.]

Harriet Welch is the widow of Cyraneous Welch, private, Company C, Thirty-eighth Regiment Wisconsin Volunteer Infantry, who was pensioned for gunshot wound of his left leg, received in the military service and in the line of his duty. The rate of pension was increased from one-half to three-quarters because of increasing disability in the wounded leg. Again applying for increase of pension, he was directed to report for examination before the examining board of surgeons convened at Green Bay, Wis. Returning from Green Bay, Wis., he fell from the cars and was killed, September 7, 1877.

John Hammer filed affidavit May 22, 1881, that "soldier's leg was so crippled that he could not depend upon it and that it gave way many times and caused him to fall." That it is his belief that in attempting to pass from one car to another while returning from Green Bay his leg gave out and caused him to fall between the cars, when he was crushed to death.

'In view of all the facts, the committee believe it to be their duty to report in favor of this bill, and recommend its passage, with the following amendment: Strike out in the seventh, eighth, and ninth lines the words "at the rate of eight dollars per month and two dollars per month for each of her children under the age of sixteen years," and insert "and her minor children" in lieu thereof.

[Senate Ex. Doc. No. 179, Forty-ninth Congress, first session.]

Message from the President of the United States, returning Senate bill 1383, with his objections thereto.

JUNE 23, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed. To the Senate:

I return without approval Senate bill No. 1383, entitled "An act granting a pension to Harriet Welch."

ion to Harriet Welch."

The beneficiary named in this bill asks for a pension as the widow of Cyraneous Welch, who was wounded in 1864 while in the service, and was pensioned therefor in 1867. In 1876 his rate of pension was increased. In 1877 he appears to have applied to have his pension again increased. It is alleged that upon such application he was directed to appear before an examining board or a surgeon at Green Bay, Wis., for examination, and in returning to his home from that place on the 7th day of September, 1877, he fell from the cars and was killed, his remains having been found on the track the next morning.

No one appears to have seen the accident, but it is claimed that he could not depend upon his wounded leg, and that it "gave way many times and caused him to fall." From this statement the inference seems to have been indulged that his death was attributable to the wound he had received thirteen years before.

that his death was attributable to the would be refered by the Pension Fore.

The widow's claim, based upon this state of facts, was rejected by the Pension Bureau on the ground that the accident resulting in death was not the result of his military service; and on an appeal taken to the Secretary of the Interior from that determination the same was sustained.

Though this widow admits that prior to her marriage with the deceased soldier she had married another man whom she could only say she believed to be dead, I believe her case to be a pitiable one, and wish that I could join in her relief. But unfortunately official duty can not always be well done when directed solely by sympathy and charity.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 22, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Harriet Welch.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Harriet Welch, widow of Cyraneous Welch, late a private in Company C, Thirty-eighth Regiment Wisconsin Volunteers, and her minor children, subject to the provisions and limitations of the pension laws.

Speaker of the House of Representatives.
JOHN SHERMAN,
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, By CHAS. W. JOHNSON, Chief Clerk,

No. 6.-Dudley B. Branch.

No. 6.—Dudley B. Branch.

The evidence in support of this case is briefly stated in the report of the Senate committee, hereto annexed, and there is nothing but surmise and conjecture to contradict the positive sworn testimony of the various witnesses which establishes the statements made in that report. The best medical and other evidence obtainable shows the soundness of the soldier at enlistment, and the disability with which he is now afflicted, hernia, is clearly shown to have existed from and ever after the battle in which he alleges he received it. The evidence also accounts reasonably for his failure to furnish medical testimony of early treatment, but there is an abundance which is reliable and undisputed to establish the origin and continuance of the disability.

The Government's own examining surgeon says:

"Judging from his present condition and the evidence before me, it is my belief that the said disability did originate in the service aforesaid and line of duty."

The veto is a negation of all the evidence in the case; but after a re-examination of the case, your committee are of opinion that there is nothing whatever to impeach the reliability of that evidence. It is not contradicted from any source, and why the claim should have been rejected by the Pension Office is difficult to conceive. Plaintiffs would seldom recover a verdict from injuries of their countrymen if they were obliged to produce stronger evidence than has been furnished in this case to establish their claims. The peculiar nature of the injury often induces those who are suffering from it to conceal their physical condition for years, of ar as possible; besides, patriotic motives in innumerable instances have prevented any application whatever for a pension for years, and sometimes for life, on the part of those justly entitled to receive it. Only lack of information as to the evidence itself, or willingness to reject a claim upon the most trifling grounds, can account for the rejection of this.

We append hereto the report of t

[Senate Report No. 399, Forty-ninth Congress, first session.]

[Senate Report No. 399, Forty-ninth Congress, first session.]

That it appears from the papers on file in this case that Dudley B. Branch was a sergeant in Company F. Seventh Regiment Indiana Volunteers, and was injured June 9, 1862, at the battle of Port Republic, Va.

Declaration for pension filed December 17, 1875, claimant alleging inguinal hernia on left side, resulting from an injury received in the line of his duty at the battle of Port Republic, June 9, 1862.

Claim rejected June 28, 1883, on the ground of "no record of hernia and inability to furnish any evidence to show origin in service in line of duty."

Affidavit of claimant states that at battle of Port Republic, when the retreat was ordered, he saw a wounded comrade lying on the field, and he went forward hoping to assist him away, but becoming closely pressed by the enemy he was compelled to leave his companion and run to make good his escape. In getting over a fence he fell heavily, striking a stone or hard substance, and received the hernia in his left side. In escaping from the enemy he was cut off from his command, but rejoined it after eight days; that the only person he met in escaping was I-ieutenant Holmes, of Company F, Seventh Regiment Indiana Volunteers, who was afterwards killed in battle.

Claimant's statement is substantiated by affidavit of Hurum P. Mullikin, dated May 22, 1883, in effect that claimant and he had been boys together, and he knew that claimant had no rupture prior to enlistment, and that he always had excellent health before the injury; that affiliant was in the same company and regiment with claimant, and knew of his receiving the injury alleged at the battle of Port Republic, and that claimant and George R. Davenport, dated April 7, 1882, in effect that claimant was disabled by reason of the rupture two-thirds of the time. Also by affidavits of William Harris and George R. Davenport, dated April 7, 1882, in effect that claimant was disabled by reason of the rupture two-thirds of the time. Also by affidavit of Thom

of the service.

Claimant's statement is further corroborated by examining surgeon's certificate dated July 14, 1831, in which he says that claimant is obliged to keep the parts adjusted with an instrument, and can not go at all without it; and he suggests one-half pension, or \$4\$ per month. The certificate is signed by W. J. Hoadley, examining surgeon.

Taking into consideration all the evidence filed in this case, your committee believe it to be their duty to report in favor of this bill, and recommend its passage.

[Senate Ex. Doc. No. 152, Forty-ninth Congress, first session.] Message from the President of the United States returning Senate bill 857, with his objections thereto.

MAY 24, 1886.—Read, laid upon the table, and ordered to be printed.

To the Senate of the United States:

To the Senate of the United States:

I hereby return without approval Senate bill number eight hundred and fifty-seven, entitled "An act granting a pension to Dudley B. Branch."

This claim is based upon the allegation, as appears by the committee's report, that the person named in the bill has a hernia, and that on the 9th day of June, 1862, while in the military service and in the line of duty, "in getting over a fence he fell heavily, striking a stone or hard substance, and received the hernia in his left side."

In December, 1875, thirteen and a half years thereafter, he filed an application for a pension, which was rejected by the Pension Bureau on the ground that there was no record of the alleged hernia, and the claimant was unable to furnish satisfactory evidence of its origin in the service.

The fact is stated in the committee's report that late in the year 1863 this soldier was transferred to the Invalid Corps, and the records show that he was thus transferred for a disability entirely different from that upon which he now bases his claim. He was mustered out in September, 1864, at the end of his term of service.

of service.

I am convinced that the rejection of this claim by the Pension Bureau was correct, and think its action should not be reversed.

I suppose an injury of the description claimed, if caused by violence directly applied, is quite palpable, its effect usually immediate, and its existence easily proved. The long time which clapsed between the injury and the claimant's application for a pension may be fairly considered as bearing upon the merits of such application; while the fact that the claimant was transferred to the Invalid Corps more than a year after he alleges the injury occurred, for an entirely different disability, can not be over looked. In the committee's report the statement is found that the beneficiary named in the bill was in two different hos-

pitals during the year 1863; and yet it is not claimed that the history of his hos-pital treatment furnishes any proof of the injury upon which his claim is now

GROVER CLEVELAND

EXECUTIVE MANSION, May 24, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the 7th day of December, 1885.]

An act granting a pension to Dudley B. Branch.

An act granting a pension to Dudley B. Branch.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to tne provisions and limitations of the pension laws, the name of Dudley B. Branch, late of Company F, Seventh Regiment Indiana Infantry Volunteers.

JOHN G, CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK Secretary, By CHAS, W. JOHNSON, Chief Clerk.

No. 7.-DAVID W. HAMILTON.

No. 7.—DAVID W. HAMILTON.

A re-examination of the evidence in this case abundantly supports the allegations of fact contained in the former report of this committee. There seems to be an impression in the Pension Office, reproduced in the message of the President, that if at any time prior to enlistment a disease or disability may have existed of a like character with that complained of as having been contracted in the service and line of duty, the claim is necessarily false, on the ground that there could have been no complete recovery. Upon that theory this case was apparently rejected.

The evidence is clear that the disability complained of, if it existed at all prior to the service, was fully recovered from, but that it again appeared after exposure and hardship sufficient to have produced it originally in an ordinary case. And even if this were not so, there can not be the slightest doubt that the disability was aggravated and increased by his service.

This man was a soldier for nearly four years, and made an honorable record Both Houses of Congress have declared, and the general sentiment of the country has indorsed the principle, that acceptance and muster in to the military service must be taken as sufficient evidence of soundness at the time he entered the service. And when to this is added four years of actual service it is impossible to justify the rejection of a well-proven claim upon the ground that the disability existed prior to enlistment. The strong language of the previous report of your committee appears to have been fully justified, and is adhered to so far as evil consequences are concerned. The fault is largely in the system itself.

We append hereto the Senate report, and also the message of the President

We append hereto the Senate report, and also the message of the President. [Senate Report No. 557, Forty-ninth Congress, first session.]

itself.

We append hereto the Senate report, and also the message of the President.

[Senate Report No. 557, Forty-ninth Congress, first session.]

The claimant, David W. Hamilton, was a first lieutenant in Company E. Seventh Regiment Indiana Volunteers. He enlisted September 13, 1861, and was discharged July 11, 1864. He was subsequently in the service in Company C. Fifty-first Indiana Volunteers, from October 21, 1864, to May 23, 1865. He filed a declaration for pension November 29, 1879, alleging that in March, 1862, between Winchester and Edington, Va., from hard marching he contracted enlargement of the spermatic cord. The claim was rejected by the Pension Office "on the ground that the alleged disability existed prior to enlistment."

It would appear that this action of the Pension Office was based upon the following statement from the records of the Adjutant-General's Office:

"It appears from the rolls on file in this office that David W. Hamilton was mustered into the service of the United States as a first lieutenant, Company E, Seventh Regiment of Indiana Volunteers, to date September 13, 1861, and as a captain to date June 12, 1862. Rolls to June 39, 1862, 'present;' July and August, 1862, 1862, upon 1862, 'absent on surgeon's certificate.' Record books Third Corps, Army of Virginia, show that he tendered his resignation August 16, 1862, on surgeon's certificate on account of continued ill health, but the papers are not onfile. Records of said corps and army are incomplete, and there are no record books of company or regiment on file and no medical certificates. Roll for September, October, November, and December, 1862, 'absent sick;' January and February, 1862, 'absent on detached service,' and so borne to October 31, 1863. He was appointed in Veteran Reserve Corps on account of 'chronic enlargement of the spermatic cord of several years' standing, consequent upon hydrocele, which has not been radically cured, and accepted on the fer liveling and the records of several years' standing, consequent u

[Senate Ex. Doc. No. 155, Forty-ninth Congress, first session.]

Message from the President of the United States, returning Senate bill 1290, will, his objections thereto.

May 26, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed.

To the Senate of the United States :

I herewith return without approval Senate bill rumber twelve hundred and ninety, entitled "An act granting a pension to Dtv d W. Hamilton."

A claim for pension filed by him in November, 1879, was rejected by the Pension Bureau on the ground that his alleged disability existed prior to his enlist-

A claim for pension filed by him in November, 1879, was rejected by the Pension Bureau on the ground that his alleged disability existed prior to his enlistment.

An examination of the records in the Adjutant-General's Office, and a statement from the Pension Bureau derived from the claimant's application there for pension, with a reference to the report of the committee to whom this bill was referred, disclose the following facts:

The claimant was mustered in the service as first lieutenant in September, 1861, and as captain June 12, 1862. He reported as present with his company until the 30th of that month. For the six months immediately following the latter date he is reported as "absent, sick," and for ten months next succeeding and until October 27, 1863, as "absent on detached service." On the day last mentioned he tendered his resignation at Camp Morton, in the State of Indiana, to enable him to accept an appointment as captain in the Invalid Corps. He was thereupon so appointed upon account of "chronic enlargement of the spermatic cord of several years' standing, consequent upon hydrocele." He remained in the Invalid Corps until July 12, 1864, when, upon the tender of his resignation, he was discharged.

Less than four months afterward, and on the 6th day of November, 1864, he was mustered in the service as a captain in another regiment of volunteers, and on the 17th day of November, 1865, again tendered his resignation, and was finally discharged.

Upon his application for pension under the general law, fourteen years thereafter, he admitted that he suffered from hydrocele as early as 1856, but claimed that an operation then performed for the same had given him permanent relief. It will be seen that the claimant's term of service was liberally interspersed with sick-leave, detached service, resignations, and membership in the Invalid Corps. He admits having the trouble which would naturally result in his alleged disability long before he entered the service; the surgeon upon whose certificate he was a

sired.

After the Pension Bureau has been in operation for a score of years since the late civil war, equipped with thousands of employés charged with no other duty except the ascertainment and adjustment of the claims of our discharged soldiers and their surviving relatives, it seems to me that a stronger case than this should be presented to justify the passage of a special act, twenty-three years after an alleged disability, granting a pension which has been refused by the Bureau especially organized for the purpose of allowing the same under just and liberal laws.

I am by no means insensible to that influence which leads the judgment toward the allowance of every claim alleged to be founded upon patriotic service in the nation's cause. And yet I neither believe it to be a duty nor a kindness to the worthy citizens for whose benefit our scheme of pensions was provided, to permit the diversion of the nation's bounty to objects not within its scope and purpose.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 25, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.

An act granting a pension to David W. Hamilton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of David W. Hamilton, late of Company E, Seventh Regiment Indiana Volunteers.

olunteers.

JOHN G. CARLISLE,
Speaker of the House of Representatives.
JOHN SHERMAN,
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK,

Secretary. By CHAS, W. JOHNSON, Chief Clerk.

No. 8.-WILLIAM H. BECK.

No. 8.—WILLIAM H. BECK.

A careful re-examination of the evidence in this case only serves to confirm the opinion of your committee, as expressed already in their printed report (Senate Rep. No. 598), that this claimant should have been allowed a pension at the Pension Office.

The claimant alleged that the epileptic trouble with which he suffers was caused by a jar to the head from heavy firing, and the veto message seems to assume that the cause alleged could not have produced the trouble complained of. To this the only reply we think necessary to make is the evidence itself, and the remark that injuries to the head resulting in temporary or permanent disease of the brain were a common result of the cause which is alleged to have produced the disability in this case. It may seem otherwise to one having little knowledge upon this subject, but theories are often disproved by additional information. It seems to us that to reach a favorable conclusion upon this bill it is only necessary to be familiar with the evidence, and that there is nothing in this case inconsistent with common experience during the late war.

The facts appear in the report of this committee, annexed hereto, to which are added the message of the President and letters of Pension Office and of claimant to Commissioner and to Hon, J. J. Ingalls.

[Senate Report No. 598. Forty-ninth Congress, first session.]

[Senate Report No. 598. Forty-ninth Congress, first session.]

[Senate Report No. 598. Forty-ninth Congress, first session.]
That the records in this case show that William H. Beck, enlisted as a private in Company K, Eighth Regiment Iowa Volunteers, on September 21, 1861, and was discharged April 20, 1866. Declaration for pension filed April 4, 1879, alleging that on or about June 15, 1863, claimant incurred epilepsy, since which time epileptic attacks come on from one to ten days apart; claim rejected on the ground "that there is no record of the alleged epilepsy, and claimant has declared his inability to furnish testimony of commanding officer as to origin, of regimental surgeon showing treatment in service, or medical testimony showing existence at discharge."
Claimant testifies that on or about May 18, 1863, he came from guard duty, and went to sleep in a trench in the hot sun close to where a piece of heavy artillery was being fired almost constantly, and the next thing claimant realized was that he was being carried to a temporary hospital in rear of the trenches where he remained a few days, and then returned to duty, and that ever since that time the epileptic fits have become more frequent and severe.

Claimant's testimony is corroborated by affidavits of comrades Corporal M. Ryan and private L. M. Kensey, who found him in the trench as stated, and that at each discharge of the artillery it brought on another fit.

Also the testimony of Samuel B. Davidson, who was present at that time, and who had been with claimant from September 21, 1861, until that time, and knew he was sound and healthy.

Testimony of claimant is further corroborated by affidavits of neighbors and friends, and the family physician, as to claimant being sound and free from epilepsy or other diseases before enlistment, and the testimony of neighbors as to the occurrence of the epileptic fits since claimant's discharge.

To all this testimony there is to be added the certificate of the examining surgeon under the direction of the Pension Office, signed L. A. Perce, M. D., to the effect that he contracted this disease in the service, and that he is "entitled to one-half total pension for privates, or \$4."

We can see no reason why this pension should not have been allowed by the Pension Office.

Taking into consideration the evidence on file the committee believe it their duty to report in favor of this bill, and recommend its passage.

[Senate Ex. Doc. No. 181, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 1400, with his objections thereto.

June 23, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed.

To the Senate:

I hereby return without approval Senate bill number fourteen hundred, entitled "An act granting a pension to William H. Beck."

This claimant enlisted in 1861. He re-enlisted as a veteran volunteer January I, 1864, and was finally mustered out April 20, 1866. In all this time of service his record shows no medical treatment or claim of disability. Indeed, an abstract of his re-enlistment, January I, 1864, shows a medical examination and perfect soundness.

Notwithstanding all this, he filed his declaration on the 4th day of April, 1879, nearly thirteen years after his discharge, alleging that in June, 1863, he incurred epilepsy, to which he has been subject since, and that his fits have been from one to ten days apart. To connect this in some way with his military service, he stated that the doctor at a hospital said his epilepsy was caused "by jar to the head from heavy firing."

Six months after his alleged "jar" and his consequent epilepsy, he re-enlisted upon a medical certificate of perfect soundness, and served more than two years thereafter.

Every conceded fact in the case negatives the allegations of his declaration, and the rejection of his claim necessarily followed.

If this disease can be caused in the manner here detailed, its manifestations are such as to leave no doubt of its existence, and it seems to me simply impossible, under the circumstances detailed, that there should be any lack of evidence to support the claim upon which this bill is predicated.

EXECUTIVE MANSION, June 22, 1886.

EXECUTIVE MANSION, June 22, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, eighteen hundred and eighty-five.]

An act granting a pension to William H. Beck.

An act granting a pension to William H. Beck.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William H. Beck, late of Company K, Eighth Iowa Veteran Volunteer Infantry.

JOHN G. CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

I certify that this act originated in the Senate.

ANSON G. McCOOK. By CHAS, W. JOHNSON, Chief Clerk, elary.

[West. Div., H. F. B., Inv. 227317.]

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, June 25, 1886.

Sir: In response to your request, I have the honor to transmit herewith the papers in the claim of William H. Beck, late of Company K, Eighth Iowa Vol-

papers in the claim was rejected on the ground that there is no record of alleged epi-lepsy, and claimant is unable to furnish satisfactory evidence of its existence in service or at discharge.

Very respectfully,

JOHN C. BLACK,

Hon. John I. MITCHELL, Chairman Committee on Pensions, United States Senate.

[Western Div. J. F. C. Ex'r. Inv., No. 277317, William H. Beck, Co. K, 8th Reg't Iowa Vols.]

Department of the Interior, Pension Office, Washington, D. C., February 1, 1886.

Washington, D. C., February 1, 1886.

Sir: Your invalid pension claim above referred to, for epilepsy, was rejected February 21, 1881, on the ground that the records of the War Department afford no evidence of the incurrence or existence of said disease while you were in the service; but do show that you re-enlisted as a veteran volunteer January 1, 1864, six months after the date at which you claim to have contracted epilepsy; that you were examined by a surgeon and pronounced sound and free from all bodily defects and mental infirmity at that time, and that you served until April, 1866, without having been reported sick or absent, or in any way incapacitated for military duty.

It also appears from your own statements that you are unable to furnish medical evidence of treatment for epilepsy while in the service, at date of discharge, or for several years thereafter; that you did not tell any one that you had epilepsy, and no one knew that you had fits until about 1879 or 1880.

In view of these facts, the testimony of comrades and neighbors, filed since the date of rejection, is not considered sufficient to change the status of the case; and the claim can not receive favorable consideration by this office unless you can farnish competent medical evidence showing that you were treated for epilepsy while in the service, or immediately after your discharge in April, 1866.

This information is furnished at the request of Hon. John J. Ingalls, who has made personal inquiry relative to your claim.

Very respectfully,

JOHN C. BLACK,

Mr. WILLIAM H. BECK, Russell, Kans.

RUSSELL COUNTY, KANSAS, February 18, 1886.

Russell, Kans.

Rebruary 18, 1886.

Sir.: I have by your kindness received Commissioner Black's reply to my claim. I beg you to please to forgive your humble servant for taking the liberty to ask you to do him the honor of hearing a plain, truthful statement of the facts in the case. I emisted in the Eighth low Yolunteer Infantry September 11, 1861. In June, 1863, at siege of Vickaburg, after coming off guard duty one morning I was found writhing in a fit of epilepsy, and was ordered taken to the hospital, some distance in the rear. By the time the hospital was reached I had so far recovered as to be able to sit up, and took no medicine; consequently, the surgeon in charge made no record of the case, and in a few days I returned to duty, having no thoughts of ever being troubled again with what I afterwards learned to be epilepsy. On January 1, 1864, I re-enlisted as veteran volunteer in same regiment, and served until discharged, April 20, 1866. I had frequent light attacks of this disease, which had but little injurious effect (as I thought then), so I said nothing aboutit for a year or more after my discharge. I then applied to a physician for relief, which he could not give; nor did he tell me I was afflicted with that disease epilepsy. Dr. Baker, an old and reliable physician, assured me it was, and that it was caused by lying in the hot sun, and the jar caused by the discharge of a heavy siege gun, near which I was lying. I know I have furnished the evidence of one non-commissioned officer, and I kink two, and another comrade, who were present at the time. My memory is being so weakened by these fits that I can not tell how many witnesses I did furnish at the time of application, but their evidence is there. I also sent the evidence of ten or twelve neighbors and comrades in regard to my health for several years prior to enlistment, and down to the present time. These witnesses are as reliable as any commissioned officer or surgeon. But no, because all my commissioned officers are dead, and because the su

Hon. J. J. INGALIS.

No. 9.-James C. Chandler.

A re-examination of the evidence in this case fully sustains the statement of fact set forth in the Senate report, the President's objections to the contrary notwithstanding. It is difficult to see why this bill should not become a law. The captious and unfounded inferences and innuendoes contained in the veto message can not shake the proof that is in the case.

We append hereto the former report of this committee and the message of the President.

[Senate Report No. 414, Forty-ninth Congress, first session.]

[Senate Report No. 414, Forty-ninth Congress, first session.]

The claimant, James C. Chandler, enlisted in Company A, Ninth Regiment Indiana Volunteers, August 27, 1861, and was discharged June 1, 1862, for disability. He re-enlisted January 3, 1864, in Company M, Eleventh Indiana Cavalry, and was mustered out September 19, 1865. He first applied for a pension May 14, 1869, alleging that while detailed to guard company wagon at Pittsburg Landing, about April 8, 1862, the horses ran away, and in endeavoring to stop them he was thrown down and the fore wheel of the wagon ran over his left ankle, dislocating the joint, causing ulcer sores and lameness. In a subsequent application he alleges typhoid fever and resulting rheumatism and disease of back in region of kidneys, contracted at Corinth, Miss., in May, 1862. The first application was rejected because of no record in the War Department of alleged injury to ankle (medical records Ninth Indiana Volunteers, Pittsburg Landing, Tenn., not on file), and no positive evidence of its origin in service and line of duty. The second application was rejected because of no disability from same since date of the filing of the application.

The evidence filed is very voluminous. Claimant states that the assistant surgeon who treated him for typhoid fever and the physician who treated him on his way home are both dead.

Major Milroy testifies that claimant's left ankle was dislocated by a wagon running over it at Pittsburg Landing about April 2, 1862, and that the disability existed as long as he was under affiant's observation. This testimony is corroborated by that of Surgeon Sherman, who treated him for the injury.

Comrades America and Chapman testify that claimant incurred typhoid fever at Corinth, Miss., and was sent away from regiment; was sick two weeks before sent to hospital.

Major Hannum testifies that he knew claimant well while in service and prior to enlistment; that for a period of about five months following March, 1865, he frequently heard claimant complain

two or three times per year after that, the principal treatment being for chills, rheumatism, &c.

This evidence is corroborated by that of neighbors and comrades as to lameness in back and rheumatism since discharge.

The medical board rate his disability at one-fourth.

Your committee believe that the evidence filed shows that claimant was disabled in some degree by reason of his service in the Army, and therefore report the bill, with a recommendation that it do pass.

[Senate Ex. Doc. No. 149, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 1630, with his objections thereto.

MAY 24, 1886.—Read, laid upon the table, and ordered to be printed.

May 24, 1886.—Read, laid upon the table, and ordered to be printed.

To the Senate of the United States:

I return without approval Senate bill number sixteen hundred and thirty, entitled "An act granting a pension to James C. Chandler."

It appears from the report of the committee to whom this bill was referred, and from an examination of the official records, that the proposed beneficiary first enlisted on the 27th day of August, 1861, and about nine months thereafter, on the first day of June, 1862, was discharged on account of disability arising from chronic bronchitis.

Notwithstanding the chronic character of his alleged disability, he enlisted again on the third day of January, 1864, seventeen months after such discharge. No statement is presented of the bounty received by him upon either enlistment.

No statement is presented of the bounty received by him upon either enlistment.

He was finally mustered out on the nineteenth day of September, 1865.

He first applied for a pension under the general law in May, 1869, alleging that in April, 1862, he was run over by a wagon and injured in his ankle. This accident occurred during his first enlistment, but instead of the injury having been then regarded a disability he was discharged from such enlistment less than two months thereafter, on account of chronic bronchitis.

It appears from the committee's report that his application was rejected, and that another was afterward made alleging that the claimant had been afflicted with typhoid fever, contracted in May, 1862, resulting in "rheumatism and disease of the back in region of kidneys."

This application was also rejected on the ground that any disability that might have arisen from the cause alleged "had not existed in a pensionable degree since the date of filing the claim therefor," which was February 10, 1885.

There still remained an appeal to Congress; and probably there was not wanting those who found their interests in advising such an appeal and who had at hand Congressional precedents which promised a favorable result. That the parties interested did not miscalculate the chances of success is demonstrated by the bill now before me, which in direct opposition to the action of the Pension Bureau grants a pension to a man who, though discharged from enlistment for a certain alleged disability, made two applications for a pension based upon two distinct causes, both claimed to exist within two months prior to such discharge, and both different from the one upon which he accepted the same; and notwithstanding the fact that the proposed beneficiary, after all these disabilities had occurred, passed an examination as to his physical fitness for re-enlistment, actually did re-enlist, and served till finally mustered out at the close of the war.

If any money is to be given this man from the public Treasury,

If any money is to be given this man from the public Treasury, it should not be done under the guise of a pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 24, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

cember, one thousand eight hundred and eighty-five.]

Act granting a pension to James C. Chandler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James C. Chandler, late of Company A, Ninth Indiana Volunteers and Eleventh Indiana Cavalry.

JOHN G. CARLISLE,

Speaker of the House of Representatives.

President of the Senate pro tempore,

I certify that this act originated in the Senate.

ANSON G. McCOOK, By CHAS, W. JOHNSON

No. 10.-M. ROMAHR.

No. 10.—M. ROMAHR.

The regiment to which this claimant was attached was made up of men over forty-five years of age, consequently not liable to military service, who enlisted with the understanding that they were to perform guard duty and the like, but were nevertheless put into the most active service, and made a most honorable record. The claimant is now over 70 years of age, and poor.

The message contains an erroneous statement of the facts, as is shown by the brief of the evidence made up by the Pension Office, and every allegation in the report of your committee heretofore appears to be fully sustained by the evidence. We deem it unnecessary to do more than to append, in connection with a portion of a letter from the claimant, the report of this committee and the message of the President.

Camanche, Iowa. March 30, 1883. CAMANCHE, IOWA, March 30, 1883.

To the Pension Commissioner:

To the Pension Commissioner:

With this I send you such evidence as I have been able to find. Our regimental surgeons, Finley and Dorn, are dead; therefore I send the statement of my family physician, Dr. C. H. Manning, at present in Chicago; also my captain's and my own sworn statements, and that of one of my comrades, P. B. Littlejohn, who was about two years our orderly sergeant. Evidence that I was a perfectly healthy man when enlisted, and have not met with an accident to break my shoulder since the war I can procure any number of witnesses, as I have not changed my residence for thirty-one years, but as to eye-witnesses of the accident I have not been able to get them; the postmaster of Vincennes has not answered my letter of inquiry, neither can I find out where comrade Blake is, or if he is dead or alive. I respectfully submit this evidence and wait for further orders.

[Senate Report No. 526, Forty-ninth Congress, first session.]

The records show that said Romahr was a private in Company K, Thirty-seventh Regiment Iowa Volunteers, and enlisted in September, 1862, and was discharged on May 24,1865.

Declaration for pension filed December 5, 1882, in which claimant alleges varioose veins, caused by standing guard in the winter of 1862-63; also an injury to breast and right shoulder, caused by railroad accident while he was on detail duty, about May 15, 1865.

Claim rejected March 6, 1884, on the ground that claimant can not furnish satisfactory evidence as to origin of disability in line of service.

It is shown by the affidavit of Dr. C. D. Manning that claimant was a healthy, robust man before enlistment, which statement is corroborated by affidavit of Capt J. G. Crane, Company K, Thirty-seventh I lowa Volunteers, and also by affidavit of Corpl. P. B. Littlejohn, Company K, Thirty-seventh I lowa, the latter testifying to the varicose veins and to the injury to shoulder; saw the viens when the trouble was originally discovered, as stated by claimant, and knows he was injured while on detailed duty, as stated, by train going through a bridge. Claimant has been treated by Dr. C. D. Manning, who was his family physician: from 1871 to 1880, and he treated him for varicose veins and neuralgia of shoulder, which the doctor swears seems to have been broken. Claimant was compelled to give up his trade because of the varicose veins and lameness in shoulder; knows that claimant has grown worse from year to year.

The foregoing statements are corroborated by the certificate of the examining surgeon, which states that he found the varicose veins as stated, and that they were very much enlarged; also that claimant has a dislocation of the collar-bone, leaving the joint dropped downward an inch, so as to impair the forward motion of the arm. Certificate signed by P. J. Farnsworth, examining surgeon, Taking into consideration all the evidence on file in this case, the committee believe it to be their duty to report in favor of this bill, and recommend its passage.

[Senate Ex. Doc. No. 160, Forty-ninth Congress, first session.]

Message from the President of the United States, returning Senate bill 1441, with his objections thereto.

JUNE 1, 1886.—Read, referred to the Committee on Pensions, and ordered to be

To the Senate:

I return herewith Senate bill number fourteen hundred and forty-one, entitled "An act granting a pension to M. Romahr."

The beneficiary named in this bill enlisted September 13, 1862, and was discharged May 24, 1865.

He filed his claim in the Pension Bureau December 5, 1882, alleging that in the winter of 1862 from being put on duty—standing guard excessively—he became afflicted with variouse veins. His Army record shows no disability of any kind, though he served more than two years after the date at which he alleges his injury was incurred. His application was rejected on the ground that no record of his disability appeared, and that the evidence of the same filed upon such application was insufficient.

The claim now made to Congress for relief is the same as that made to the Pension Bureau, with the allegation added that in May, 1865, his breast and shoulder were injured by a railroad accident while he was on detail duty. If the latter described injury really existed, it is exceedingly strange that it found no place in his claim before the Pension Bureau; while the account given of the cause of his alleged varicose veins must surprise those who are at all familiar with the character of that difficulty and the routine of Army service. His continued performance of military duty after he incurred this infirmity, the fact that he made no claim for pension on that account until twenty years had passed, and the unsatisfactory evidence now produced to support his allegation, tend to induce the suspicion that the decision of the Pension Bureau was entirely just and that this bill is not based upon substantial merits.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 1, 1886.

EXECUTIVE MANSION, June 1, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to M. Romahr.

An act granting a pension to M. Romahr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of M. Romahr, late a private in Company K, Thirty-seventh Regiment of Iowa Volunteer Infantry.

JOHN G. CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. MCCOOK. By CHAS, W. JOHNSON, Chief Clerk.

No. 11 .- AUGUSTUS F. STEVENS,

No. 11.—Augustus F. Stevens.

A re-examination of the evidence in this case shows that the original report is a fair statement of its merits and of the evidence in support thereof. It is, however, of a character that an honest, capable man could decide either to allow or reject it; if he were biased against pension claims generally, he would probably refuse to allow it, but if, on the other hand, he were inclined in favor of such claims, and disposed to give the benefit of every reasonable doubt to those who periled their lives to save their country in its time of need, he would probably admit the claim.

We append hereto the report of the committee, heretofore made, and the message of the President.

[Senate Report No. 619, Forty-ninth Congress, first session.]

The record shows that the petitioner enlisted as a private in Company L, Second Regiment Illinois Cavalry, on the 12th of August, 1861, and was discharged October 4, 1861. The regimental surgeon, who issued the certificate of discharge,

October 4, 1861. The regimental surgeon, who issued the certificate of discharge, says:

"I find him incapable of performing the duties of a soldier, because of general debility, advanced age, unfit for service before entering."

He asks for a disability pension on the ground that he contracted chronic diarrhea, or dysentery, while in the service. It appears from the evidence that he has long been a broken-down man; that he has been continously treated for the aliments-named and for other complaints. There is evidence from comrades and from other persons who have known him long showing that he was in good health when he enlisted, and that his illness almost immediately succeeded that event, but there is a quantity of contradictory testimony biased in about equal proportion for and against the claimant.

From the fact that the petitioner was less than sixty days in the service, it would appear almost impossible that he should have contracted disease in the line of duty; nevertheless, he was accepted as a sound man, which he undoubtedly was to an extent that qualified him for occupation that enabled him to carn a support. If he was not fit to enter the military service, the fault was not his that he was accepted and sent to the front, and, while it is possible that his age and other infirmities were a disqualification, the committee are of the opinion that if he had been rejected, as it is asserted he should have been, he would have been in better physical condition, and not in his present needy circumstances.

The bill is therefore reported favorably, with a recommendation that it do pass,

[Senate Ex. Doc. No. 163, Forty-ninth Congress, first session.]

Message from the President of the United States, returning Senate bill 1725, with his objections thereto.

JUNE 3, 1886.—Read, referred to the Committee on Pensions, and ordered to be

To the Senate .

I return herewith, without approval, Senate bill number seventeen hundred and twenty-six, entitled "An act granting a pension to Augustus Field Ste-

vens."

It appears that this claimant enlisted August 21, 1861, and was discharged on the 3d day of October, 1861, after a service of less than two months, upon a medical certificate of disability which represented him as "incapable of performing the duties of a soldier because of general debility, advanced age, unfit for service before entering."

His claim is not based upon any wound or injury, but he alleges that he contracted chronic diarrhea or dysentery while in the service. The committee to whom the bill was referred by the Senate admit that "there is a quantity of contradictory testimony, biased in about equal proportion for and against the claimant."

His claim was rejected by the Pension Bureau in 1882, and again in 1885, after a special examination concerning the facts, on the ground that the claimant had failed to show any pensionable disability contracted while he was in the serv-

ice.

The medical certificate upon which he was discharged makes no mention of the disorders of which the applicant for pension now complains, but contains other statements which demonstrate that no allowance should be made to him by way of pension, unless uch pension is to be openly and confessedly regarded as a mere charity, or unless the medical certificate made at the time of discharge, with the patient under observation, is to be, without any allegation to that effect, impeached.

I am not prepared either to gratuitously set at naught two determinations of the Pension Bureau, one very lately made, after a special examination—and especially when the evidence produced before the committee to reverse the bureau's action is admitted to be "contradictory" and "biased in about equal proportion for and against the claimant."

GROVER CLEVELAND.

EXECUTIVE MANSION, June 2, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

one thousand eight hundred and eighty-five.]

An act granting a pension to Augustus Field Stevens.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Augustus Field Stevens, late a private in Company L, Second Regiment Illinois Volunteer Cavalry.

Speaker of the House of Representatives.

Speaker of the House of Representatives.

President of the Senate pro tempore.

I certify that this act originated in the Senate. ANSON G. McCOOK, Secretary.

No. 12.-John S. Williams. This soldier served from July 1, 1861, until he was discharged, July 26, 1865, and the question raised in this case is as to the origin or of the incurrence of the disability in the service. He produces the evidence of two comrades, who are shown by confidential inquiries, made on the part of the Pension Office, to be truthful, establishing the origin of the disability in such service; also the evidence of Lieutenant-Colonel, now Judge, Hines, that although he did not witness the accident, yet he heard of it at the time from members of the regiment, of which he was an officer. There seems to be no good reason to doubt that it was so received. The claimant was in a regiment commanded by ex-President Huves.

Was so that the remaining facts are sufficiently well set forth in the report of this committee, annexed hereto, together with the message of the President.

[Senate Report No. 312, Forty-ninth Congress, first session.]

[Senate Report No. 312, Forty-ninth Congress, first session.]

The claimant, John S. Williams, was a private in Company K, Twelfth Ohio Volunteers, and of Company C, Twenty-third Ohio Volunteers. He applied to the Pension Office for a pension, but his claim was rejected by the Department on the ground "that there is no record of alleged injury of left shoulder, and that the claimant is unable to furnish the testimony of his surgeon or officers, or other satisfactory evidence of incurrence in the service and line of duty."

The existence of the injury and disability at the present time is admitted. Treatment for two months by the regimental surgeon for injury is shown as a matter of record. The claimant himself and several comrades testify to his receiving the injury, as alleged, in line of duty, and the continuance of the disability from then until the present time is also shown by comrades and other apparently reliable testimony. The claimant shows that the doctors, surgeons, and officers who knew him are dead, and that would seem to be a satisfactory reason for his failure to procure their testimony. We are unable to see any reason for the rejection of this claim. The examining surgeon finds the existence of the disability, and certifies that in his belief from his examination it was received in the service and in line of duty. There is no suggestion of fraud, nor anything to justify the suggestion if it were made.

Your committee recommend the passage of the bill.

[Senate Ex. Doc. No. 162, Forty-ninth Congress, first session.]

Message from the President of the United States, returning Senate bill No. 789 with his objections thereto.

JUNE 3, 1886.—Read and referred to the Committee on Pensions and ordered to be printed.

To the Senate:

To the Senate:

Senate bill number seven hundred and eighty-nine, entitled "An act granting a pension to John S. Williams," is herewith returned without approval.

This claimant enlisted in 1861. He alleges that his shoulder was dislocated in 1862 while ferrying troops across a river. The records of the War Department fail to furnish any information as to the alleged injury. He served afterward until 1865 and was discharged. His claim for pension was rejected by the Pension Bureau in 1882, twenty years after the time he fixes as the date of his injury; and after such long delay he states as an excuse for the unsatisfactory nature of his proof that the doctors, surgeons, and officers who knew him are dead.

Considering that the injury complained of is merely a dislocation of the

shoulder, and in view of the other facts developed in the case, I think the Pension Bureau arrived at a correct conclusion when this claim was rejected.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 2, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to John S. Williams.

An act granting a pension to John S. Williams.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John S. Williams, late of Company K, Twelfth Regiment Ohio Volunteer Infantry.

JOHN G. CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, Secretary.

No. 13.-EDWARD AVERS.

No.13.—EDWARD AYERS.

The evidence in this case extends over a period of some twelve years or more, and is comprised in a bundle of papers made up of closely written pages, making a mass about 9 inches long and 7 inches deep.

A careful re-examination of this evidence shows that the facts stated in the Senate report are clearly proven, and it is of such an overwhelmingly preponderating character as, in the opinion of your committee, would be sufficient to convict in case of a criminal prosecution. In our judgment there is no excuse for any honest, impartial, and capable tribunal to reject this case upon the evidence as it was produced before the Pension Office.

This man appears to have been the best soldier in his company. His claim was rejected upon the pretense that he was unfit for service when mustered in or that his disability existed prior to enlistment. It seems that he had at some time in early life cut his foot, and had been slightly lame from it, possibly some other trifling and temporary hurt, but that did not prevent his being an exceedingly strong and able-bodied man, fit for the war, and as such he was accepted. The injury for which it is now proposed to grant him a pension is to the hip, which is shown to be a case of bad dislocation; one witness says, "now completely out of joint, three inches above the original entirely disabling him from manual labor."

It has been alleged that the soldier deserted, which is not in accordance with

which is shown to be a case of oad dislocation; one witness says, "how completely out of joint, three inches above the original, entirely disabling him from manual labor."

It has been alleged that the soldier deserted, which is not in accordance with the facts. He did not desert. He was on detached service when hurt, went to his home for care instead of the hospital, grew worse and overstaid his time, for which he was marked as a deserter. He, however, returned to the service when sufficiently well to do so. Such technical desertions were innumerable by many of the best soldiers, and general legislation has in a large class of cases removed the consequences thereof.

Your committee consider the disallowance of this claim by the Pension Office as a great and inexcusable outrage, and a gross reflection upon the capacity, if not the integrity, of its management. It is, in short, the case of a most excellent soldier, who was actually and seriously disabled, but who avoided hospitals and doctors all he could. He contracted that disability in rendering good service to the country, from which he has suffered ever since.

By the rejection of the case in the Pension Office he is precluded from obtaining any arrears of pension from the date of discharge to which he is undoubtedly entitled, so that even should the present bill become a law he will suffer a great wrong at the hands of his country. This is, however, by reason of a new and we think wrong ruling by the present Commissioner.

Your committee do not pretend that the case is free from conflicting testimony, but do contend that a fair examination of it sustains the report heretofore made upon the controverted matters of fact. The reception of the injury is testified to by several comrades whose testimony is unimpeached, as well as the continuance of the consequent disability and its gradual aggravation and increase until the present time. It seems that he was at the time detailed from his company, and having in charge a piece of artillery, a piece of shell from o

INDIANAPOLIS, IND., Marion County:

To Committee on special pension claims before Congress:

To Committee on special pension claims before Congress:

I most respectfully ask your immediate attention by informing me as to the final result of said action pertaining said claim of which has been and is since proven to be a lawful and just claim for actual injury received on or about the 30th of April, 1863, at the battle of Day's Gap, in the State of Alabama, said injury of left hip caused by a limb striking me on said hip, dislocating the same for life.

I further desire to state my claim referred to above has been pending on files ever since 1872, since which time I have produced a large number of affidavits showing positive proof of my oft-repeated assertions; and I further declare that I am suffering from said alleged injury to the extent that I am wholly unable to perform any manual labor, and gradually growing worse upon me.

I again most respectfully appeal to your justice in the matter of right by granting one who is and has been lawfully entitled to same ever since my discharge in 1805.

Yours, with truth and justice,

EDWARD AYERS, Company F, 51st Indiana Infantry Volunteers, claim 181,306,

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C., January 9, 1886.

SIR: In response to your request I have the honor to transmit herewith the papers in the claim for pension of Edward Ayers, late a private of Company F, Fity-first Indiana Volunteers, claim No. 181,306. The claim was rejected on the ground that the alleged injury to hip existed prior to claimant's enlistment.

Very respectfully,

WM. E. McLEAN, Acting Commissioner.

Hon. John I. Mitchell, Chairman Committee on Pensions, United States Senate.

DONOVAN, ILL., August 4, 1885.

Mr. Commissioner BLACK:

Sir: I write you in behalf of my son Edward Ayers, of Company F, Fifty-first Regiment Indiana Volunteers, claim R 181306, which has been pending about

twelve years. I wish to know the real cause of delay or rejection. Three years ago he received answer that if he would furnish the testimony of one of his officers his claim would be recognized and settled; that was furnished, and the case was still delayed. Then was sent a special agent to his place for confirmation of testimony on both sides of the question, and the testimony of Captain McGuire, their (the Government's) own witness, testified to his ability as a soldier, able and did duties of a soldier; not only that, he was the best soldier in his (McGuire's) company; and all that he did say that could in any way be construed to milliate against his own testimony was that he though he was lame in his foot; in that he was partly correct, as he dideut his foot a while before he entered the service, but was entirely well, so much so it did not interfere with his examination; but he does not claim lameness in his foot, but in his hip, which is knocked completely out of joint three inches above the original, and is pronounced one of the worst cases of hip dislocation, entirely disabling him from manual labor. Now, as touching the possibility of his being lame in his hip before he entered the service, we give two very good reasons why this could not be the case. First, the family doctor, Mr. Million Robbin's testimony, who has known him ever since he was a child; second, his acceptance in the service and his record as a soldier. As touching his testimony, it is overwhelming in multiplicity and directness. Three of his comnades testify directly to his getting hurt at the battle of Day's Gap while on the raid. Now as regards his hospital, it is plain to an inquiring mind, is easily explained. A very short time after the battle, if not at the time they were captured and the men paroled and sent home, being struck with a limb on the hip while exchanging shots with enemy, he being in a two-gun battery at the time, being [un] able to move with the boys, he preferred to go home. Of course his wound did not culminate or

GEORGE W. AYERS, Donovan, Iroquois County, Ill.

[National Military Home, Ohio.]

To all whom it may concern, especially the honorable bodies assembled:

To all whom it may concern, especially the honorable bodies assembled:
SIRS: In claim of Edward Ayers for pension, whose number is 181306, Company F, Fifty-first Indiana Veteran Volunteers, I most respectfully call your attention to the following facts in relation to said claim and its rejection: I enlisted in the year 1861 at Shelbyville, Shelby County, Indiana, and was enrolled at Indianapolis, Ind., as a private in said company and regiment, and with the rest was examined and pronounced sound and able-bodied man. I was admitted as such and soon after was sent with said command to the front for action. I did serve faithfully until I was injured, which occurred on or about the 30th of April, 1863, at the battle of Day's Gap, Alabama, while during the Streight raid. My full time served was four years and eight months, including the two months off receiving treatment for said injury. During part of that time I served as a detailed member of the Eighth Indiana Battery to act as cannoneer. I served one year, when I was assigned to my old command again to take part in said raid.

Two pieces of cannon accompanied said raid, and I having had experience in

months off receiving treatment for said injury. During part of that time I served as a detailed member of the Eighth Indiana Battery to act as cannoneer. I served one year, when I was assigned to my old command again to take part in said raid.

Two pieces of cannon accompanied said raid, and I having had experience in Eighth Battery, I was again detailed to help man one of the guns while on said raid, and while so acting I became disabled in the following manner: A shell from enemy's guns struck off a limb of a tree near me and said limb struck me on left hip joint, thereby dislocating the same, the injury so disabling me that I was unfit for further manual duty for some time thereafter. At time of injury our command was on a charge, and soon after my comrades' return I was conveyed on limber of cannon, as there was no other way of conveyance at that time, and with said comrades suffered it through until with them was captured, and within twenty days was paroled for our homes. And then, and not until then, while at home, did receive medical aid, of which the affidavit of said treatment is now on file at Washington, D. C. Suffice it to say, at that time I gave pension but little or no thought on account of my folks being well off. But, sirs, since which time, in the year 1573, circumstances altered my case. My hip grew worse, my means less, and my chances for a livelihood very critical. If inally concluded to apply for a pension, solely upon the grounds of its being a just claim against the Government, and all there was to do was simply to ask for my rights.

Honorable sirs, in the year of 1835 I had located at Shelbyville, Shelby County, Indiana. In the latter part of same year I met an accident by a fall from an apple-tree, sustaining an injury of left arm. At another time, in the latter part of 1831, I received an injury by cutting my left foot with an ax, but it being only a flesh cut between the bones, it soon healed up, so that I was not disabled therefrom at the time of my my latter of the province of the

good standing, I do heartily recommend them, as well as will refer you to my folks as to their good standing and my truthful assertions, based upon good grounds by reason of their close attention to me. Now, honorable sirs, with this plain and simple statement, with justice backing it up, I trust that all wrongs will be righted by numbering me among those that are on the rolls for a just pension.

[Senate Report No. 602, Forty-ninth Congress, first session.]

[Senate Report No. 602, Forty-ninth Congress, first session.]

The petitioner was a member of Company F, Fifty-first Indiana Volunteers. His application has been pending a long time before the Commissioner of Pensions, and the testimony is voluminous, and to some extent contradictory. The claim is based upon an alleged injury to the hip, received at the battle of Day's Gap, Ga., in April, 1863: and the ground of rejection is that the injury existed prior to enlistment. The record evidence proves that he was in this engagement, but there is no proof from this source that he was wounded. By numerous comrades who were present it is proven that he was hurt by the explosion of a shell, as claimed. It is also shown that he has been disabled ever since; and the examining surgeon specifically describes the wound, and twice verifies that he is permanently disabled.

From the fact that a man was exceedingly liable to injury under the circumstances in which he was placed, and from the evidence of eye-witnesses, the committee are of opinion that he was wounded as alleged. As to existence of the disability before enlistment, it does not seem probable or even possible that the soldier would have been accepted in the shattered condition described by the evidence on file.

The bill is reported favorably, with a recommendation that it do pass.

[Senate Ex. Doc. No. 151, Forty-ninth Congress, first session.]

Message from the President of the United States, returning Senate bill 363, with his objections thereto.

MAY 24, 1886.—Read, laid upon the table, and ordered to be printed. To the Senate of the United States:

A bill which originated in the Senate entitled "An act granting a pension to Edward Ayers," and numbered three hundred and sixty-three, is herewith returned without approval.

The person named in this bill enlisted October 3, 1861, in an Indiana regiment, and was mustered out of the service December 13, 1865. He represents that he was injured in the hip at the battle of Day's Gap, April 39,1863, and for this a pension is provided for him by the bill under consideration. His application for pension has been rejected by the Pension Bureau on the ground that it was proved on a special examination of the case that the claimant was injured by a fall when a boy, and that the injury complained of existed prior to his enlistment.

ment.

There is not a particle of proof or a fact stated either in the committee's report or the records in the Pension Bureau, so far as they are brought to my notice, tending to show that the claimant was in hospital or under medical care a single day during the whole term of his enlistment.

The report of the committee contains the following statement:

"The record evidence proves that he was in this engagement, but there is no proof from this source that he was wounded. By numerous comrades who were present it is proven that he was hurt by the explosion of a shell as claimed. It is also shown that he has been disabled ever since; and the examining surgeon specifically describes the wound, and twice verifies that he is permanently disabled. From the fact that a man was exceedingly liable to injury under the circumstances in which he was placed, and from the evidence of eye-witnesses, the committee are of opinion that he was wounded as alleged."

A wound from a shell causing the person injured to be "disabled ever since" usually results in hospital or medical treatment. Not only is there no such claim made in this case, but, on the contrary, it appears that the claimant served in his regiment two years and nearly eight months after the alleged injury, and until he was mustered out.

It is represented to me by a report from the Pension Bureau that after his al-

until he was mustered out.

It is represented to me by a report from the Pension Bureau that after his alleged wound, and in May or June, 1863, the claimant deserted, and in July of that year was arrested in the State of Indiana and returned to duty without trial. If this report is correct, the party now seeking a pension at the hands of the Government for disability incurred in the service seems to have been capable of considerable physical exertion, though not very creditable, within a few weeks after he claims to have received the injury upon which his application is based.

EXECUTIVE MAYSION MAY ALSES.

EXECUTIVE MANSION, May 24, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Edward Ayers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Edward Ayers, late of Company F, Fifty-first Indiana Veteran Volunteers.

JOHN G. CARLISLE, Speaker of the House of Representatives, JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK

By CHAS, W. JOHNSON, Chief Clerk.

No. 14.-JAMES E. O'SHEA.

No. 14.—James E. O'Shea.

A re-examination of the evidence in this case satisfies your committee that the original report made by them is just, and that the statements therein are fully borne out by the testimony. It would seem that this soldier was a very braveand trustworthy man, a scout and prisoner of war who rendered dangerous and most efficient service. He has many wounds and is a completely brokendown man. We have seen him. He is now in the Soldiers' Home in this District, Instead of being a deserter the records prove that although tried he was found "not guilty." The report of this committee is right, and the sneers of the veto uncalled for. Apparently there can have been no examination whatever of the evidence by the author of the veto in person. To veto this brave and patriotic old soldier into history as a deserter in addition to all the rest is a carelessness, to say the least, of which your committee has not been guilty. Here is food for thought and an opportunity for reparation.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, Washington, March 12, 1886.

My DEAR BOB: The bearer, James E. O'Shea, is an old soldier of the volunteer army. From a careful examination of his case I am satisfied that he has been

unjustly treated, and if you can do anything to assist him until his case (application for pension) in Congress is settled, it will be appreciated and fully deserved.

He was charged on the records with desertion. I found the facts to be, that he was tried for desertion, but found not guilty. I therefore removed the charge, and his bill will doubtless pass both Houses of Congress in due time. General Logan I understand has charge of it.

Yours, faithfully,

THOMAS WARD, Ass't, Adit, Genl. U. S. A.

Capt. Robert Catlin, Deputy Governor Soldiers' Home, Washington, D. C.

JNO. A. LOGAN.

To the Governor of the Soldiers' Home, Washington, D. C.:

To the Governor of the Soldiers' Home, Washington, D. C.:

Your petitioners would respectfully represent that the bearer of this petition,
James E. O'Shea, late of Company F, Twenty-third Illinois Volunteers, is an
old soldier who is trying to get a pension by reasons of disabilities which he
claims were contracted while doing duty as a soldier. He is in very needy circumstances and is a worthy man.

We respectfully ask that you will admit him to the privileges of the Home
while he is prosecuting his claim for pension.

THOMAS WARD, A. A. G.

CECIL CLAY,

Bvt. Brig. Gen., U.S. A., Chief Clerk Dept. of Justice,
JOHN W. MAHAN.

JOHN W. MAHAN,
Formerly Major 9th Mass. Vol. and Bet. Lt. Col. U. S. V.,
Vice-Pres., representing 5th Corps Society Army of Potomac, 1878.

We print the Senate report and the veto:

[Senate Report No. 607, Forty-ninth Congress, first session.]

[Senate Report No. 607, Forty-ninth Congress, first session.]

The committee ascertain from the record report that this claimant enlisted in April, 1861, and was discharged in October, 1864. He asks to be pensioned for disability occasioned by a gunshot wound in the leg, which was disallowed on the ground of want of evidence that he received the wound in the line of duty. The examining surgeon finds the wound, and describes the entrance and exit of the ball; also a wound or sear in the head, and the nearly total loss of sight of one eye. The report of the Surgeon-General shows that the soldier was in hospital more than once, but the record does not give the cause for which he was treated. The Adjutant-General's report shows that the man was under discipline for some irregularities, but, notwithstanding this and the lack of the required proof that he was wounded in the line of duty, the committee are of the opinion that, situated as he was, he was very liable to, and very probably did, receive the wound from which he has suffered and is still suffering.

The fact that the records of the War Department are often imperfect works great hardship to men who apply for pensions, and where there is reasonable proof testimony should not deprive him of relief.

Inasmuch as there is proof that the soldier received the wound, and that he is badly disabled from it and other causes shown by the medical examiners, and that he is old and destitute, the bill is reported favorably with a recommendation that it do pass.

[Senate Ex. Doc. No. 161, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 327, with his objections thereto.

June 3, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed.

I return without approval Senate bill number three hundred and twenty-seven, entitled "An act granting a pension to James E. O'Shea."

From the report of the committee to whom this bill was referred, I learn that the claimant enlisted in April, 1861, and was discharged in October, 1864.

He filed a claim in the Pension Bureau alleging that he received a saber wound in the head March 7, 1862, and a gunshot wound in the left leg in the autumn of the same year.

It appears upon examination of his military record that there is no mention of either disability, and that he served two years after the time he claims to have received these injuries. So far from being disabled, it is reported as an incident of his army life that in the year 1864 this soldier was found guilty of desertion and sentenced to forfeit all pay and allowances for the time he was absent.

desertion and sentenced to forfeit all pay and allowances for the time he was absent.

The report of the committee, in apparent explanation of the lack of any official mention of the injuries alleged, declares that "the fact that the records of the War Department are often imperfect, works great hardship to men who apply for pensions;" and his conviction of desertion and the lack of proof to sustain his allegations as to his injuries are disposed of as follows in the committees report:

"The Adjutant-General's report shows that the man was under discipline for some irregularities, but, notwithstanding this and the lack of the required proof that he was wounded in the line of duty, the committee are of the opinion that, situated as he was, he was very liable to, and very probably did, receive the wound from which he has suffered and is still suffering."

I am convinced that there exists serious difficulty on the part of the claimant, instead of in the record of the War Department; that the kind of irregularity for which he was under discipline is calculated to produce a lack of confidence in his merits as a pensioner; and that the fact of his situation being such as to render him liable to receive a wound is hardly sufficient to establish his right to a soldier's pension, which is only justified by injuries actually received and affirmatively proven.

GROVER CLEVELAND. GROVER CLEVELAND.

EXECUTIVE MANSION. June 2, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Mouday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to James E. O'Shea.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James E. O'Shea, late of Company F, Twenty-third Illinois Volunteers.

JOHN G. CARLISLE, Speaker of the House of Representatives. JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, Secretary.

No. 15 .- J. D. HAWORTH.

No. 15.—J. D. HAWORTH.

A careful re-examination of the eviderce in this case will convince any fair mind that the report heretofore made by the committee (Senate Report No. 633) does not state the claimant's case as strengly as it should be. The ground alleged for the rejection of this case is that the disease of the eyes, from which claimant suffers, existed prior to enlistment. In regard to that we are of opinion, that although there may have been a hereditary tendency to weakness of the eyes, yet it appears clearly that the serious development of this trouble was almost wholly attributable to his service, and that it has continued ever since. The soldier rendered long and faithful service, and the rejection of his claim on the ground that the disability was contracted before entering it works exceeding hardship and injustice. This man is old, poor, and blind, and the country which he served so well and faithfully ought to help him in this extremity. It will help him if there is any soul left in it.

We append hereto in further explanation the petition of his citizens and comrades respecting the veto, as well as the Senate report containing a statement of the facts, and the message of the President.

Headquarters Charlton Post, No. 143, G. A. R.,

HEADQUARTERS CHARLTON POST, No. 143, G. A. R., Richland, Jowa, June 14, 1886.

Whereas a bill pensioning our comrade, James D. Haworth, has passed both

Whereas a full pensioning our comrade, values 1. It was a full branches of Congress; and
Whereas Grover Cleveland, President of the United States, has vetoed the same, thus depriving a worthy, honored, and a deserving ex-soldier and comrade of the benefit of the action of the said Congress, which is his just dues;

Whereas we, as citizens and comrades, have known said comrade, James D. Haworth, intimately and well, some of us from a time dating before the late war, and believing that a great injustice has been done our comrade, leaving a stigma upon his character, that of perjury: Therefore, be it Resolved, That we earnestly condemn the action of the President in said veto, and believe that he was not properly informed in the case; that we ask, and earnestly insist that the United States Senate and House of Representatives, and each member thereof, to use their best endeavors to pass the same over the veto of the President, that justice may be done to our comrade, neighbor, and friend, who served in the Army for three years.

Resolved, That comrade James D. Haworth has our permission to furnish the Senate Committee and Committee of the House on Pensions, also such members of Congress, a copy of these resolutions at his pleasure.

Unanimously adopted by Charlton Post, No. 143, June 14, 1886.

S. E. JOHNSON,

Commander.

Attest:

S. E. JOHN.
Commander.
LEWIS HORTON,
Adjutant.

[Senate Report No. 633, Forty-ninth Congress, first session.]

[Senate Report No. 633, Forty-ninth Congress, first session.]

That the records in this case show that the claimant was a sergeant in Company H, Thirty-third Regiment Iowa Volunteers, and that he served with the regiment until about the month of April, 1863, when he began to complain of "sore eyes," and was treated for sore eyes by Assistant Surgeon William Scott, of the Thirty-third Iowa Volunteers, and that he excused claimant from duty at Little Rock, Ark., in the spring or summer of 1863, "because of blindness in right eye and weakness of left eye;" and there is evidence to show that he did not continue in his regiment after this time, but was transferred to Company H, Twenty-first Regiment, Veteran Reserve Corps, where he remained until the expiration of his term of service, when he returned to his home.

Declaration for pension filed February 20, 1879, in which claimant alleges "sore eyes, with complete loss of right eye, and injury to the left eye." Claim rejected November 4, 1880, on the ground that there is "no satisfactory proof that the affection of the eyes is due to disability arising from service, but existed prior to service."

The affidavits of the claimant's mother, two sisters, and a brother clearly show that the claimant could not see out of his right eye from early childhood, and was called "blind" in that eye, although their testimony shows that he could see a little out of that eye, but not much.

One sister testifies that claimant did use an "eye-water" to bathe his eyes with occasionally when they became "sore," and that it was the same eye-water as his father used, who was said to have the same trouble with his eyes.

It appears from this testimony, therefore, that the claimant had "sore eyes," and that it was the same eye-water as his father used, who was said to have the same trouble with his eyes, and that the sight of the right eye was much impaired even in childhood, so that it appears from this testimony to show that the claimant's eyesight has failed since he entered the service,

enlisted.

The committee believes that it is the object of the Government to pension all who are deserving and who have been impaired in health by faithful services performed, and it is shown by the record that the claimant is not able to perform manual labor, and often requires help to enable him to get about, and that in consequence of his infirmity he is very poor. It is also shown that the disease is steadily progressing and it will not be long before claimant may become totally blind.

Taking into consideration the evidence on file in this case, your committee he

Taking into consideration the evidence on file in this case, your committee be-lieve it to be their duty to report in favor of this bill and recommend its pas-

[Senate Ex. Doc. No. 158, Forty-ninth Congress, first session.]

Message from the President of the United States, returning Senate bill 1253, with his objections thereto.

May 28, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed. To the Senate:

I hereby return without approval Senate bill number twelve hundred and fifty-three, entitled "An act granting a pension to J. D. Haworth."

It is proposed by this bill to grant a pension to the claimant for the alleged loss of sight in one eye and the impairment of the vision of the other.

From the information furnished me, I am convinced that the difficulty alleged by this applicant had its origin in causes existing prior to his enlistment, and that his present condition of disability is not the result of his service in the Army.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 28, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to J. D. Haworth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of J. D. Haworth, late a member of

Company H, Thirty-third Regiment of Iowa Volunteer Infantry, and who was transferred, on account of disability, to Company H, Twenty-first Veteran Reserve Corps.

JOHN G. CARLISLE Speaker of the House of Representatives.
JOHN SHERMAN,
President of the Senate pro tempore.

I certify that this actoriginated in the Senate.

ANSON G. McCOOK, By CHAS. W. JOHNSON Chief Clerk.

No. 16.-ALFRED DENNY.

No. 16.—ALFRED DENNY.

The principal facts in the case are set forth in the previous report of this committee, hereto appended. The examining surgeon in this case reports as follows: "This man has inguinal hernia of both sides. I have at times seen him suffer very much from the left side, pain being very great indeed. He is compelled to wear a double truss or his bowels would descend into the scrotum." The claimant states in his declaration that "being a post quartermaster he could not be treated by a regimental surgeon, but, upon the contrary, was treated by a private physician," and that he had no comrades, not being a member of any company or regiment.

James B. Welsh, United States examining surgeon, testifies that he has been the claimant's family physician ever since the war; that since claimant's return from the service he has been a continual sufferer from hernia; that he frequently attended claimant for jaundice and other diseases, which were aggravated by hernia; that he is totally incapacitated for the performance of manual labor. This is the testimony not only of his family physician but of a sworn examiner of the Department, whose professional action and statements are relied upon by the Government in the adjudication of pension claims. Why his testimony should be rejected in this case it is impossible to conceive.

The sneer in the veto at the wounds received by so many of our gallant cavalry during their long rides and furious charges in the war indicates a state of mind that incapacitates, at least temporarily, an official for considering impartially a pension claim.

It would be well if the horns of public indignation could be so applied that our soldiers could get simple justice in these times of peace.

[Senate Report No. 521, Forty-ninth Congress, first session.]

[Senate Report No. 521, Forty-ninth Congress, first session.]

[Senate Report No. 521, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1192) granting a pension to Alfred Denny, beg leave to report back the same with recommendation that it do pass.

Alfred Denny was mustered into the United States service as a captain and assistant quartermaster of volunteers on the 12th day of June, 1863, and was honorably discharged on the 3d day of June, 1864. His declaration for original invalid pension, signed and sworn to on the 4th day of March, 1884, shows that "while in the service and in the line of his duty at Chambersburg, in the State of Pennsylvania, on or about the 25th day of August, 1863, he was, by the sudden movement of his horse, thrown upon the horn of his saddle, and received an injury, causing a rupture or hernia" that "being a post quartermaster he could not be treated by a regimental surgeon, but, upon the contrary, was treated by a private physician."

The statement of the examining surgeon for the county in which Mr. Denny lives, Preble County, Ohio, dated July 19, 1884, shows from the time that Mr. Denny left the United States s rvice, as above stated, he has suffered from rupture, "so much so that within the last three years the other side became affected, and a hernia appeared, which, from some cause, produced most excrutiating pain, so that a council of physicians had to be called in the case, his life being despaired of for the time." The examining surgeon further states that he was Mr. Denny's physician "before he went into the service," and has been "since he came out;" and he asserts that "I know that he has been wholly incapacitated for manual labor ever since he came out of the Army, by reason of the continual suffering from these ruptures and consequent troubles."

The Commissioner of Pensions required Mr. Denny to furnish evidence of "a commissioned officer or member of the company" to which he belonged, which it was manifestly impossible for him to do, as he belonged to no company or regiment, being

ment, e.c.

Under all the circumstances the committee are of the opinion that Mr. Denny is entitled to a pension, and recommend that the bill be amended by striking out of lines 5 and 6 the words "at the rate of \$20 per month," and inserting in lieu thereof the words "subject to the limitations and provisions of the pension laws"

[Senate Ex. Doc. No. 176, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 1192, with his objections thereto.

JUNE 23, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed.

To the Senate:

To the Senate:

I return herewith without approval Senate bill number eleven hundred and ninety-two, entitled "An act granting a pension to Alfred Denny."

It appears that the claimant entered the United States military service as captain and assistant quartermaster of volunteers on the 12th day of June, 1863, After remaining in such position for less than a year, he resigned to accept a civil position.

The short record of his military service discloses no mention of any accident or disability. But twenty years after his resignation, and on the 12th day of March, 1884, he reappears as an applicant for a pension, and alleges in his declaration, filed in the Pension Bureau, that in August, 1863, while in the line of duty, he was, by a sudden movement of the horse he was 'riding, thrown forward upon the horn of his saddle, and thereby received a rupture in his right side, which at some time, and in a manner wholly unexplained, subsequently caused a rupture in his left side also.

The number of instances in which those of our soldiers who rode horse during the war were injured by being thrown forward upon their saddles are presented to me which entitle it to charitable consideration.

GROVER CLEVELAND, EXECUTIVE MANSION, June 22, 1886.

EXECUTIVE MANSION, June 22, 1886.

[Forty-ninth Congress of the United States of America, at the first session, bagun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Alfred Denny.

Be it enacted by the Senate and House of Representatives of the United States of America Congress assembled, That the Secretary of the Interior be, and is hereby, au-

thorized and directed to place on the pension-roll the name of Alfred Denny, late a captain and assistant quartermaster, subject to the limitations and provisions of the pension laws.

JOHN G. CARLISLE Speaker of the House of Representatives.
JOHN SHERMAN,
President of the Senate pro tempore.

I certify that this act originted in the Senate.

ANSON G. McCOOK By CHAS. W. JOHNSON, Chief Clerk.

No. 17.-MARRILLA PARSONS,

The previous report of this committee sets forth the principal facts upon which this application is based. There are numerous precedents for granting pensions in cases precisely like this, and we have never known Congress to be appealed to in like case with an unfavorable result.

We append the report of the committee, together with the veto message, and recommend the passage of the bill, the veto of the President to the contrary notwithstanding.

[Senate Report No. 638, Forty-ninth Congress, first session.]

[Senate Report No. 638, Forty-ninth Congress, first session.]

The facts in the case show that Marrilla Parsons is the widow of the late exGovernor Andrew Parsons, of the State of Michigan, and the stepmother of the
late Daniel P. Parsons, who enlisted in Company B, Thirteenth Regiment of Illinois Infantry, on the 24th of May, 1361; that he was discharged on the lat day
of February, 1863, for promotion as captain of Company D, Eleventh Regiment
of Missouri Cavalry, and that from exposure incident to his service he was taken
sick and died of consumption at Sterling, Ill., of the 13th of August, 1864, leaving no widow or children surviving him. Under the law Mrs. Parsons is not
entitled to a mother's pension, being the stepmother of the deceased, but the
papers in the case show that from the time of her marriage until Daniel Parsons, the deceased, left home she exercised the same care over him as a mother
would have done, and that after the death of her husband and his father, in
1854, the said Daniel Paarsons contributed from his wages to her support as if he
had been her own son, and continued to do so up to the time of his death. She
received from him the same treatment and affection that would have been given
if he had been her own son. The papers also show that Mrs. Parsons, for whom
a pension is asked, was dependent upon the support given her by said Daniel
Parsons, and that since his death she has been dependent upon other friends,
having no property herself.

Your committee recommend the passage of the bill for the reason that Marrilla Parsons is as much entitled to a pension as if she had been the natural
mother of the late Daniel P. Parsons.

[Senate Ex. Doc. No. 178, Forty-ninth Congress, first session.] Message from the President of the United States returning Senate bill 342, with his objections thereto.

JUNE 23, 1886.-Read, referred to the Committee on Pensions, and ordered to be printed.

To the Senate:

I return herewith without approval Senate bill number three hundred and forty-two, entitled "An act granting a pension to Marilla Parsons, of Detroit, Michigan."

No claim has ever been made for a pension in this case to the Pension Bureau, probably for the reason that there is no pretext that the beneficiary named is entitled to a pension under the general law.

Daniel P. Parsons was herstepson, who enlisted in 1861 and died of consumption on the 13th day of August, 1864.

There are no special circumstances to distinguish this case from many others whose claims might be made by step-parents, and there are no facts stated in support of the conclusion embodied in the committee's report that the soldier was taken sick from exposure incident to the service.

To depart from all rules regulating the granting of pensions by such an enactment as is proposed would establish a precedent which could not fail to cause embarrassment and perplexity.

GROVER CLEVELAND.

EXECUTIVE MANSION, July 22, 1886.

GROVER CLEVELAND.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Marrilla Parsons, of Detroit, Michigan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Marrilla Parsons, of Detroit, Michigan, dependent stepmother of Daniel P. Parsons, late captain of Company D, Eleventh Missouri Cavalry.

JOHN G. CARLISLE, Speaker of the House of Representatives. JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, By CHAS. W. JOHNSON, Chief Clerk,

No.18.-JOHN D. HAM.

No.18.—John D. Ham.

There is no dispute as to the accuracy of the statement of facts in the previous report of this committee. The bill was vetoed upon the ground that the claimant was not in the military service at the time he appears to have been injured. The evidence shows, however, that the injury was received after enlistment, after he was sworn in by the recruiting officer, and while he was on his way on horseback to join his regiment to be formally mustered in. There is no controversy that the injury was received as alleged, nor that a permanent injury resulted therefrom, the consequences of which he is now suffering.

There is no substantial dispute that if at the time this accident occurred this man had been formally mustered in, the Pension Office would have been obliged to allow the claim. This is shown by the decision of rejection made by the Commissioner himself, and Congress has in many cases granted this relief where the claimants had never been formally mustered, upon the ground that after enlistment the soldier was actually in the service and subject to orders, although perhaps not within the strict purview of the general pension laws.

It seems almost impossible to conceive of a great government like that of the United States taking advantage of such an informality as has been made the ground of the return of this bill by the Executive. The general law is perhaps

of so rigid and stringent a nature as to have required the decision of rejection by the Commissioner of Pensions, who is of course bound by its letter upon this technical ground; but that constitutes no necessity for the rejection of a bill after it had received the careful attention and sanction of both Houses, especially one so very clear, simple, and strong in its appeal to a sense of justice as this appears to be.

We append the previous report of this committee and the message of the President:

[Senate Report No. 293, Forty-ninth Congress, first session.]
That he enlisted in the month of January, 1862, and was sworn into the serv-

[Senate Report No. 233, Forty-ninth Congress, first session.]

That he enlisted in the month of January, 1862, and was sworn into the service by Sergeant Darwin Fenno.

Declaration for pension filed October 17, 1879. Claimant alleges that he was enrolled in January, 1862, by Sergeant Fenno, of Company G, First Regiment Wisconsin Cavalry; that next day while on his way to join the regiment his horse fell upon him and severely injured his left foot, so that he was unable to join his regiment, and has been lame ever since; that he was confined to his house several months after the injury, and never reported to the regiment.

That he remained at home until the 23d day of November, 1863, when he was drafted into the United States service and was ordered to report to Company E, of the Twenty-first Wisconsin Infantry. In October, 1864, was transferred to Company E, of the Twenty-first Wisconsin Infantry, until June, 1865, when he was transferred to Company E, Third Wisconsin Infantry, and remained with them until discharged, July 18, 1865.

Claimant's statement is corroborated by letter of D. T. Fenno, dated February 17, 1881, as to enlistment. Also by affidavit of Louisa McCarty, dated December 21, 1885, as to enlistment and as to the injury. Also by affidavit of James C. Greengo, dated September 13, 1890, as to claimant's service in the several companies and regiments mentioned, and also as to his lameness and inability to drill and as to the injury of foot, which prevented his walking or keeping place in his command. Also by affidavit of Albert Barden, dated September 6, 1890, as to service of claimant in the several commands, and also as to his lameness and inability to walk. Also by affidavit of Henry Brown, dated September 6, 1890, as to service of claimant in the several commands, and also as to his lameness and inability to walk. Also by affidavit of Henry Brown, dated July 9, 1883, as to injury, who was present with claimant at time of injury, and went after assistance to get claimant home, and also saw him i

[Senate Ex. Doc. No. 156, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 1998, with his objections thereto.

MAY 26, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed.

To the Senate of the United States:

I return without approval Senate bill number nineteen hundred and ninety-eight, entitled "An act for the relief of John D. Ham," which grants a pension

eight, entitled 'An act for the relief of John D. Ham, white grains a pension to the party named.

The claimant alleges that he enrolled in the Army in January, 1862, and was "sworn in at his own home;" that the next day he started on horseback to go to the regiment he was to join, and that on the way his horse fell upon his left ankle, whereby he sustained an injury which entitles him to a pension.

His name is not borne upon any of the rolls of the regiment he alleges he was

on his way to join.

He filed his application for pension in the Pension Bureau October 17, 1879 (seventeen years after his alleged injury), which was rejected apparently on the ground that he was not in the military service when the disability claimed

the ground that he was not in the military service when the disability was incurred.

He was drafted in 1863, and served until he was mustered out in 1865.

It is entirely clear that this claimant was not in the military service at the time he claims to have been injured; and his conduct in remaining at home until he was drafted, nearly two years afterwards, furnished proof that he did not regard himself as in the mean time owing any military duty. These considerations, and the further facts that upon being drafted he was accepted as physically qualified for service, that he actually thereafter served a year and eight months, and that he waited seventeen years before claiming pension for his injury, in my mind present a case upon which the claimant is entitled to no relief even if charity instead of just liberality is invoked.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 25, 1886,

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act for the relief of John D. Ham.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of John D. Ham, late a private in Company M. First Regiment Wisconsin Cavalry, also a private in Company G, First Regiment Wisconsin Cavalry, and in Company E, Twenty-first Regiment Wisconsin Volunteer Infantry, on the pension-roll, subject to the provisions and limitations of the pension laws.

JOHN G. CARLISLE.

JOHN G. CARLISLE, Speaker of the House of Representatives. JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, By CHAS. W. JOHNSON, Chief Clerk.

No. 19.-Louis Melcher.

No. 19.—Louis Melcher.

This bill seems to have been returned because the surgeon's certificate upon which this soldier was discharged alleged disability as existing before enlistment, and not mentioned to the mustering officers at the time. It may be noted that in this case the same surgeon recommended the discharge who examined and passed the soldier upon his entry into the service. The captain made up his company out of over one hundred and fifty men, who were anxious to serve under him, and took his pick among them, selecting, as he says, this man because he was perfectly sure he was an entirely sound man. Four or five comrades, and others, say that he was perfectly sound at enlistment. Upon the evidence itself, it presents a strong case for a pension.

The surgeon was obliged, as a part of his duty as such, to thoroughly examine each man, and to find any such alleged sores or scars for himself, if they existed,

at the time of the enlistment, and it is no excuse to say that the soldier did not call the attention of the mustering officer to them, if he had any, and there is no reason to believe that he had any. The surgeon was probably prejudiced in some way when he gave the certificate of discharge. Such things were allogether too common, and in the hurry and excitement of the times many mistakes were made, and sometimes erroneous records from still worse motives. Even if there had been at some time a disability of the character alleged, it is evident that it was supposed to be fully healed, and that this man had fully recovered from its effects. The exacting service performed was sufficient of itself to produce the disability originally for which the claimant now asks to be pensioned. We consider the evidence clear and strong to sustain all the statements of the previous report made by your committee.

We append that report, and also the message of the President.

[Senate Report No. 585. Forty-ninth Congress, first session.]

[Senate Report No. 585, Forty-ninth Congress, first session.]

[Senate Report No. 585, Forty-ninth Congress, first session.]

The petitioner was a private in Company A, Second Michigan Infantry. He alleges that on the rapid march from Bull Run to Arlington Heights, through streams and without halting, he incurred disabilities which developed in ulcers in his legs, and for this he applied for a pension, which was denied by the Commissioner on the ground that the disability was not a result of the service.

The certificate of his discharge certifies that his incapacity is lameness, caused by previous repeated and extensive ulcerations of his legs, extending deeply among the muscles and impairing their powers and action by cicatrices, all existing before enlistment.

Witnesses who knew him testify that he was perfectly sound before enlistment. The examining surgeon finds the existence of the disabilities as claimed. The captain of his company testifies to the injuries and to their incurrence by hard marching. His neighbors testify that they were intimately acquainted with him long before enlistment, and that he was sound. The weight of testimony seems to be in favor of the claim. The medical skill of the examining surgeon who signs his discharge may have been at fault when he declares that the ulcers existed before enlistment; and this idea is favored from the fact that a man in the condition of this soldier at the time of this discharge would not have been able to endure a night's rapid march from Bull Run to Arlington Heights.

The committee report a bill for the relief of the petitioner, with a recomendation that it do pass.

[Senate Ex. Doc. No. 150, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 2186, with his objections thereto.

May 24, 1886.-Read, laid on the table, and ordered to be printed. To the Senate of the United States:

To the Senate of the United States:

I herewith return without approval Senate bill number twenty-one hundred and eighty-six, entitled "An act granting a pension to Louis Melcher."

This claimant enlisted on the 25th day of May, 1861, and was discharged for disability on the 16th day of August, 1861, having been in the service less than three months.

The certificate of the surgeon of his regiment, made at the time of his discharge, stated his disability to be "lameness, caused by previous repeated and extensive ulcerations of his legs, extending deeply among the museles and impairing their powers and action by cicatrices, all existing before enlistment and not mentioned to the mustering officers at the time."

Upon this certificate, given at the time of the claimant's discharge, and while he was actually under the surgeon's observation, an application for a pension was rejected by the Pension Bureau.

In the absence of anything impeaching the ability and integrity of the surgeon of the regiment, his certificate should, in my opinion, be regarded as a true statement of the condition of the claimant at the time of his discharge, though the committee's report suggests that the surgeon's skill may have been at fault when he declared that the ulcers existed before enlistment. The cicatrices showing beyond a doubt the previous existence of this difficulty would be plainly apparent upon an examination by a surgeon, and their origin could hardly be mistaken. The term of the claimant's service was not sufficiently long to have developed and healed, even imperfectly, in a location previously healthy, ulcers of the kind mentioned in the claimant's application.

My approval of the bill is therefore withheld upon the ground that I find nothing in my examination of the facts connected with the case which impeaches the value of the surgeon's ecrificate upon which the adverse action of the Pension Bureau was predicated.

EXECUTIVE MANSION, May 24, 1886.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 24, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

Granting a pension to Louis Melcher.

Granting a pension to Louis Metcher.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Louis Melcher, late a private in Company A, Second Michigan Infantry.

JOHN G. CARLISLE.

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, Secretary.

By CHAS. W. JOHNSON, Chief Clerk.

No. 20.-MRS. MARCHAND.

No. 20.—Mrs. MARCHAND.

Legislation ever since the war is full of precedents for granting a pension of \$50 to Mrs. Marchand. The rejection of this bill requires, as an act of justice, that the precedents of the country shall be reversed and the pensions of widows of a large number of officers of high rank, who have rendered long and distinguished service, should be reduced from \$50 to \$30 a month. The evidence certainly shows the origin of the fatal disease to have been in the service and the general process of the breaking down of Commodore Marchand's health, in consequence of his exposure in the service for many years, finally resulting in his death. The testimony shows that medical evidence can not be furnished, because his physician is dead, and the Pension Office rejected the claim in order that the applicant might obtain relief by special act.

We append the Senate report and the message of the President.

[Senate Report No. 171, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 226) granting a

The Committee on Pensions, to whom was referred the bill (S. 226) granting a pension to Margaret D. Marchand, beg leave to state that a bill for this same purpose was referred to the Committee on Pensions of the Senate during the second session of the Forty-eighth Congress and passed by the Senate, failing in the House only for want of time to bring the measure before that body.

This committee beg to state further that they have examined the facts in the case recited in the affidavits of Mrs. Marchand and of the witness, Alice P. Thornton, which are hereto appended and made a part of this report:

"On this 15th day of May, 1884, before me, Sprigg Harwood, clerk circuit court for Anne Arundel County, personally appeared Margaret D. Marchand, who, being duly sworn according to law, deposes and says as follows, to wit:

"In the year 1851 my husband, the late Commodore John B. Marchand, then commander, was in command of the steamer James Adger, off Charleston, S. C., engaged in the naval service of the United States Government in the late civil war. At that date he was in robust health and perfect physical condition. He had always been a man of unusually robust constitution, weighing over 200 pounds, and of perfectly regular habits, and from the day of our marriage, to wit, the 11th day of November. 1856, until the date of his taking command of the steamer James Adger, in 1861, have never known him to have any sickness with the exception of some trivial derangement of perhaps a day's duration, and never requiring any medical attendance. His habits throughout his entire life were uniformly regular and temperate.

"To the best of my knowledge he went upon blockade duty in the year 1861 in his usual health, and came to our home in Baltimore, in 1864, broken down in health and much reduced in flesh, after protracted blockade duty, and after the severe engagements while in command of the U.S. S. Lackawanna, in Mobile Bay. At the date of his promotion to the rank of commodore, in the year 1866, for distinguished services, the usual physical examination was waived. Soon after this date symptoms of defective circulation commenced, manifesting itself in the ends of his fingers, they becoming bloodless and livid in color. In 1871 he was a frequent sufferer from violent pains in his chest. In the winter of 1873 and 1874 Commodore Marchand was confined to the house, suffering extremely from the swelli

"Sworn to and subscribed the day and year first above written, before me.
"SPRIGG HARWOOD, "Clerk Circuit Court for Anne Arundel County.

"Clerk Circuit Court for Anne Arundet County."

"On this 15th day of May, before me, Sprigg Harwood, clerk of circuit court for Anne Arundel County, personally appeared Alice P. Thornton, who, being duly sworn according to law, deposes and says:

"That she is a sister of the within-named Margaret D. Marchand, and that she has read and carefully examined the affidavit of her said sister hereto appended; that she has personal knowledge of the condition of health and different stages of disease that finally resulted in the death of Commodore Marchand; and also personal knowledge of the statements contained in the annexed affidavit, and that she verily believes the same to be true.

"ALICE P. THORNTON.

"ALICE P. THORNTON.

Sworn and subscribed this 15th day of May, 1884, before me.
"SPRIGG HARWOOD,
"Clerk Circuit Court for Anne Arundel County."

"Sworn and subscribed this 15th day of May, 1881, before me.

[seal.]

"Clerk Circuit Court for Anne Arnadel County."

The committee also desire to attach and make a part of their report the following account of the service of Commodore Marchand in Mobile Bay:

"The morning of the 5th of August, 1864, found Admiral Farragut, with his fleet, consisting of the Richmond, Port Royal, Lackawanna, Seminole, Monorgahela, Kennebee, Ossipee, Itasca, Oneida, Galena, Brooklyn, Octorara. Metacomet, and lastly the Hartford, the admiral's flag-ship, at the mouth of Mobile Bay. Among the efficient officers who contributed to this important victory was Capt. John B. Marchand,* of the Lackawanna. At fifteen minutes of o'clock the whole fleet was under way, and just one hour afterwards the first gun was fired. The ships above mentioned entered the bay, lashed to each other in pairs side by side, in order to prevent any confusion in passing the formidable fortifications of the confederates guarding the entrance to the bay. The Brooklyn and Octorara were in the lead. The Lackawanna, with the Seminole, was in the center of the line of battle. Fort Morgan first opened fire upon the fleet, and the rebel boats Tennessee. Morgan, Gaines, and Selma, inside of the bay, raked the vessels with shot and shell.

"Just around the point of land behind Fort Morgan could be seen three saucylooking gunboats and the famous ram Tennessee. The latter was then considered the strongest and most powerful ironelad ever put afloat—looking like a great turite, with sloping sides, covered with iron plates 6 inches in thickness, thoroughly riveted together, and having a formidable iron beak projecting into the water. Her armament consisted of six heavy guns of English make, sending a solid shot weighing 110 pounds irresitibly against everything but the turrets of the monitors.

"In addition to these means of resistance, the narrow channel in front of the fort had been lined with torpedoces. These were in the water, anchored to the bottom, and were chiefly i

^{*}Since promoted to commodore.

to hand. A determined attempt was here made by the crew of Captain Marchand, under his orders, to board the enemy's ships, but was found to be impossible on account of the heavy coatings of tallow with which the enemy's iron decks were covered. Many of his men slipped off and fell into the water. In the attempt to run down the Tennessee the stern of the Lackawanna was cutand crushed far back of the plank ends, doing her great injury, and leaving her in places but a few inches above the water.

"From the disabled condition of the Lackawanna in coping with this much superior antagonist, the two vessels became separated, the ram going ahead, and the Lackawanna having nothing to hold on by, her captain oxdered the helm hard over to bring the ship around, in order to make another attempt at running down the ram, but the great length of his vessel and the shoalness of the water, which was not more than a foot under the keel, prevented his turning rapidly, and in going round he collided with the Hartford, the admiral's flag-ship, although every effort was made on his part to prevent the collision by backing the engine. Of this it has been aptly said by a personal friend of Admiral Farragut, the historian of this engagement, and who expressed the sentiment of the admiral, long after the occurrence, that 'the fault was as much with the Hartford as with the Lackawanna, each being too eager to reach the enemy,'—(J. C. Kinney, in Scribner's Monthly Magazine, June, 1881.)

"After the Lackawanna had cleared the Hartford she again started to run down the Tennessee, but before reaching her the rebel flag had been hauled down, a white one hoisted, and the ram had surrendered to the Union fleet, which by that time encompassed her on all sides, rendering her escape impossible."

The committee beg leave, therefore, to report the bill favorably.

The committee beg leave, therefore, to report the bill favorably.

[Senate Executive Document No. 186, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 226, with his objections thereto.

JUNE 21, 1886.—Read and ordered to lie on the table.

JUNE 23, 1886.—Referred to the Committee on Pensions and ordered to be printed.

To the Senate .

I return herewith Senate bill number two hundred and twenty-six, entitled "An act granting a pension to Margaret D. Marchand," without approval.

The beneficiary named in this bill is the widow of John B. Marchand, who entered the United States Navy in 1828, who was promoted to the rank of commodere in 1866, and who was placed upon the retired-list in 1870. He died in August,

dore in 1800, and who was placed upon the retired-list in 1870. He died in August, 1875, of heart disease.

His widow filed an application for pension in 1883, claiming that his fatal disease was caused by exposure and exertion in the service during the war of the rebellion. The application was rejected because of the inability to furnish evidence to prove that the death had any relation to the naval service of the de-

ceased.

I am unable to see how any other conclusion could have been reached. The information furnished by the report of the committee to whom this bill was referred, and derived from other data before me, absolutely fails to connect the death of Commodore Marchand with any incidents of his naval service.

This officer was undoubtedly brave and efficient, rendering his country valuable service. But it does not appear to have been of so distinguished a character, nor are the circumstances of his widow alleged to be such as to render a gratuity justifiable.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 19, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Margaret D. Marchand.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Margaret D. Marchand, widow of Commodore J. B. Marchand, late of the United States Navy, and pay her a pension at the rate of fifty dollars per month from the date of the passage of this act.

JOHN G. CARLISLE, Speaker of the House of Representatives. JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK.

By CHAS. W. JOHNSON, Chief Clerk.

No. 21.-ROBERT HOLSEY.

There is nothing to contradict the statement of facts contained in the Senate report; even the veto hardly undertakes to do so. There is no allegation nor suspicion of fraud. It is difficult to comprehend how an intelligent being could arrive at a conclusion adverse to this claim. This can not be the work of the Executive mind.

[Senate Report No. 612, Forty-ninth Congress, first session.]

[Senate Report No. 612, Forty-ninth Congress, first session.]

The petitioner was a private in Company H, Ninth Kansas Cavalry, and asks for a pension in consequence of disabilities contracted in the line of his duty. The report of the Surgeon-General shows that he was in the general hospital from September 14, 1863, to January 1, 1864; also that he was treated in January, July, and August, 1863. Three comrades testify to his sound condition when he enlisted.

Lieutenant Cram, who was in command of the company, gives evidence of the suffering condition of the soldier, and in consequence put him on light duty. The same witness says:

"That on the 20th of April, 1863, the claimant was sent with others from Leavenworth to Levy, Kans., as burial escort; that they were exposed to storm and night travel, after which the claimant was sick in camp and hospital, and that he was in feeble health when mustered out."

Comrade Crotts gives similar testimony, and adds that he was with claimant from December 20, 1863, to March 6, 1864, and was at his bedside every day.

His neighber, John G. Chase, was acquainted with him soon after muster-out, and knew that he was ill and totally unable to labor during the space of five years.

pears.

Dr. H. D. Hill testifies, in affidavit dated November 9, 1882—

"That he has known the petitioner during the past ten years, and that he has always appeared to be in feeble health, and that on examination he found him greatly reduced by a complication of diseases, including affection of lungs, liver, and kidneys."

There is a large amount of testimony from comrades and neighbors, all of

whom appear to be reliable and disinterested witnesses, which favors the petttioner's claim, and there is no evidence of an adverse description.

The claim was rejected by the Pension Office on the alleged insufficiency of
the medical proof.

We find a report of an examining board, dated November 12, 1882, which states
that the disability is permanent; that there is evidence of kidney trouble, which
is rated at half total.

A subsequent examination by the same board reports that the claimant has
Bright's disease, and rates the disability as total.

Your committee report the bill favorably, with a recommendation that it do
pass.

[Senate Ex. Doc. No. 177, Forty-ninth Congress, first session.]

Message from the President of the United States, returning Senate bill 1288, with his objections thereto.

JUNE 23, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed.

To the Senate:

I return without approval Senate bill number twelve hundred and eightyeight, entitled "An act granting a pension to Robert Holsey."
This claimant enlisted in 1882, and though he appears to have been sick on
two occasions during his term of service, he remained with his company until it
was mustered out in 1865.
This soldier was really sick during the time he remained in the Army; and
in this respect his claim for a pension has a better origin than many that are
presented. But the fact must be recognized, I suppose, that every Army aliment does not necessarily result in death or disability.
In 1882, seventeen years after his discharge, this soldier filed his declaration
for a pension, allegize that in 1863 he contracted intermittent fever, affecting
his lungs, kidneys, and stomach.
A board of surgeons, upon an examination made in 1882, find disease of kidneys, but no indication of lung and stomach trouble; and a medical referee reported in 1885 that there had been no disease of the stomach and lungs since the
filing of the claim, and that the difficulty affecting the kidneys had no relation
to the sickness for which the claimant had been treated while in the Army.
I am of the opinion that a correct conclusion was reached when the application for pension in this case was denied by the Pension Bureau.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 22, 1886.

EXECUTIVE MANSION. June 22, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Robert Holsey,

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert Holsey, late of Company H, Ninth Regiment Kansas Cavalry Volunteers.

Speaker of the House of Representatives.
JOHN SHERMAN,
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, Secretary. By CHAS. W. JOHNSON, Chief Clerk.

No. 22.-Annie C. Owen.

There is nothing revealed in the evidence to impeach the action of Congress in this case. The Senator who reported the bill will report further if it should be deemed necessary.

[Senate Report No. 491, Forty-ninth Congress, first session.]

[Senate Report No. 491, Forty-ninth Congress, first session.]

The evidence in the case shows that this officer entered the service as a second lieutenant in Company G. Frifty-seventh Pennsylvania Volunteers, on the 14th of December, 1861, and was discharged for disabilities, resulting from wound received while in the line of duty, in October, 1862. From the testimony presented to the committee of his subsequent treatment at different periods for diseases growing out of such wound, resulting finally in his death from heart disease in June, 1876, your committee are of the opinion that said disease was superinduced by the wound received in the ribs at the battle of Malvern Hill, and they therefore recommend the passage of the bill.

[Senate Ex. Doc. No. 157, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 1850, with his objections thereto.

MAY 28, 1886.—Read, referred to the Committee on Pensions, and ordered to be printed.

To the Senale:

To the Senate:

I hereby return without approval Senate bill number eighteen hundred and fifty, entitled "An act granting a pension to Mrs. Annie C. Owen."

The husband of the claimant was mustered into the service as second lieutenant December 14, 1861, and discharged October 16, 1862. It appears that he died in 1876 from neuralgia of the heart. In 1883 the present claimant filed her application for pension, alleging that her husband received two shell wounds—one in the calf of his left leg and one in his left side—on the first day of July, 1862, and claiming that they were in some way connected with the cause of his death. On the records of his command there is no mention made of either wound; but it does appear that on the eighth day of July—seven days after the date of the alleged wounds—he was granted a leave of absence for thirty days on account, as stated in a medical certificate, of "remittent fever and diarrhea." A medical certificate dated August 5, 1862, while absent on leave, represents him to be at that time suffering from "chronic bronchitis and acute dysentery."

The application made for pension by the widow was rejected by the Pension Bureau February 1, 1886.

There is nothing before me showing that the husband of the claimant everfiled an application for pension, though he lived nearly fourteen years after his discharge; and his widow's claim was not made until twenty-one years after the alleged wounds, and seven years after her husband's death.

If the information furnished concerning this soldier's service is correct, this claim for pension must be based upon a mistake. It is hardly possible that wounds such as are alleged should be received in battle by a second lieutenant and no record made of them; that he should seven days thereafter receive a leave of absence for other sickness with no mention of these wounds, and that a medical certificate should be made (probably with a view of prolonging his leave) stating still other ailments, but silent as to wounds. The further facts

that he made no claim for pension and that the claim of his widow was long de-layed are worthy of consideration. And if the wounds were received as de-scribed there is certainly no necessary connection between them and death four-teen years afterward from neuralgia of the heart. GROVER CLEVELAND.

EXECUTIVE MANSION, May 28, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

cember, one thousand eight hundred and eighty-five.]

An act granting a pension to Mrs. Annie C. Owen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to place on the pension-roll, and subject to the limitations of the law, the name of Annie C. Owen, widow of Capt. Mortimer B. Owen, late of Company G, Fifty-seventh Regiment Pennsylvania Volunteers.

JOHN G, CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, Secretary,
By CHAS. W. JOHNSON, Chief Clerk.

No. 23.-ELIZABETH S. DE KRAFFT.

No. 23.—ELIZABETH S. DE KRAFFT.

This bill is properly vetoed, for the reason, as stated in the veto itself, that it is of no possible advantage to the beneficiary mentioned. Mrs. De Krafft is already, and properly, pensioned at the rate of \$30 a month, under the general law. By a clerical mistake the concluding clause, which is usually inserted in such an original bill, was omitted, providing that she should be paid "a pension of fifty dollars a month in lieu of the pensionshe is now receiving." It was a mistake, at the same time it did nobody any harm, and it would hardly seem to afford occasion for the elaborate castigation of the two Houses of Congress that appears in the veto message.

We append hereto the Senate report and the veto message.

[Senate Report No. 723, Forty-ninth Congress, first session.]

[Senate Report No. 723, Forty-ninth Congress, first session.]

The petitioner, Elizabeth S. De Krafft, is the widow of John Charles Philip
De Krafft, late commodore United States Navy. She was pensioned under the
general law at the rate of \$30 per month, commencing November 25, 1885, with
an addition of \$2 a month for one minor child.

By her petition, which is hereto appended, she asks that her pension be increased to \$50 a month. It appears from the record of services of her husband
that he was promoted to the rank of rear-admiral October 23, 1885, and that he
died on the 29th of the same month.

It is believed that your committee have uniformly reported in favor of granting this increase to the widows of officers of this rank, and they therefore report
a bill to increase her pension to \$50 per month, with the recommendation that
it do pass.

Petition of Mrs. Elizabeth S. De Krafft for increase of pension.

To the honorable Senate and House of Representatives of the United States:

To the honorable Senate and House of Representatives of the United States:

The prayer of your petitioner showeth that she is the widow of Rear-Admiral J.C.P. De Krafft, United States Navy, who died October 29, 1885, after forty-five years' service in the Navy: that she is left with two children dependent upon her; that the small pension (\$30 per month) she now receives is insufficient for her support; that she is not able to provide a living by her own exertions for herself and children; and she prays that Congress will grant her an increase of pension to the sum of \$50 per month, as has been done in recent years in the case of widows and dependent families of senior officers of the Navy.

ELIZABETH S. DE KRAFFT.

ELIZABETH S. DE KRAFFT.

The undersigned concur in this request of Mrs. De Krafft, and desire that it be granted by Congress.

David D. Porter, Admiral; S. C. Rowan, Vice-Admiral; John L. Worden, Rear-Admiral; Wm. Rogers Taylor, Rear-Admiral, U.S. N.; Wm. Radford, U.S. N.; Th. Stevens, Rear-Admiral, U.S. N.; Thos. O. Selfridge, Rear-Admiral, U.S. N.; Thornton A. Jenkins, retired Rear-Admiral, U.S. N.; E. Simpson, Rear-Admiral, U.S. N.; D. B. Harmony, Commander, U.S. N.; J. E. Walker, Captain, U.S. N.; W.S. Schley, Chief Bureau of Equipment and Recruiting.

Record of service of John C. P. De Krafft.

[True copy from the records of the Navy Department, April 15, 1886.—Jno. W. Hogg, chief clerk.]

John C. P. De Krafft was appointed a midshipman in the Navy October 19, 1841.

December 4, 1841, he was ordered to the Independence; June 13, 1842, detached and ordered to the Congress; September 5, 1843, detached from the Preble and

and ordered to the Congress; september 3, 1945, detached from the Frene and granted leave.

October, 18, 1843, ordered to the Raritan; war with Mexico, first attack on Alvarado under Commodore Conner, 1846; January 2, 1847, detached from the Cumberland and granted leave.

February 23, 1847, ordered to the Union; May 25, 1847, detached and placed on

February 23, 1847, ordered to the Union; May 25, 1847, detached and placed on waiting orders.

June 12, 1847, ordered to the Ohio; January 15, 1848, detached and ordered to the Naval School; July 29, 1848, detached and granted leave.

November 1, 1848, ordered to the Vixen; November 24, 1848, transferred to the Raritan; September 29, 1849, warranted as passed midshipman, from August 10, 1847; April 27, 1850, detached from the Raritan and granted leave.

July 27, 1850, ordered to the Naval Observatory; February 24, 1851, detached and granted leave.

May 10, 1851, ordered to the Plymouth; May 22, 1851, detached and ordered to the Vixen; April 21, 1852, detached and granted 6 months' leave with permission to leave the United States.

December 22, 1852, ordered to duty on the Coast Survey; November 3, 1853, de-

sion to leave the United States.

December 22, 1852, ordered to duty on the Coast Survey; November 3, 1853, detached and placed on waiting orders.

May 11, 1854 ordered to the Michigan; October 12, 1855, detached and placed on waiting orders.

October 23, 1855, warranted as master from September 14, 1855; October 25, 1855, promoted to lieutenant from September 15, 1855.

March 17, 1856, ordered to the John Adams; April 26, 1858, detached and granted 3 months' leave.

July 29, 1858 to the Wichigan, September 20, 1856, detached and granted.

July 29, 1858, to the Michigan; September 20, 1859, detached and placed on wait-

Juny 29, 1888, to the Michigan; September 29, 1895, detached and placed on waiting orders.

May 10, 1860, to the Niagara; war of 1861-65, combined attack on Fort McCrea and defenses of Pensacola, frigate Niagara, November, 1861; June 14, 1862, detached and granted leave.

June 19, 1862, to the navy-yard, Washington; August 5, 1862, promoted to lieutenant-commander from July 16, 1862; September 15, 1863, detached and placed on waiting orders.

October 20, 1863, to command the Conemaugh; attack on Fort Powell, defenses of Mobile Bay, August 5, 1864; February 10, 1866, detached and placed on waiting

of Mobile Bay, August 5, 1884; February 10, 1866, detached and placed on waiting orders.

March 29, 1866, to the navy-yard, Philadelphia; July 25, 1866, promoted to commander; December 19, 1866, detached and placed on waiting orders; March 9s, 1867, ordered to special duty at Philadelphia; February 18, 1868, detached and ordered as fleet captain of the North Atlantic Station; August 23, 1869, detached and placed on waiting orders.

October 12, 1869, to special duty at Philadelphia; October 1, 1870, detached and placed on waiting orders; October 5, 1870, to navy-yard, Portsmouth, N. H.; September 15, 1872, detached and ordered as chief of staff of the North Pacific Station; November 20, 1872, promoted to the grade of captain; September 20, 1873, to command the Saranac; March 1, 1875, detached from command of the Hartford (sick) and granted leave.

October 9, 1875, to the navy-yard, League Island, Pennsylvania; January 1, 1876, detached and placed on waiting orders; November 5, 1877, ordered to the navy-yard, Washington; July 18, 1880, detached and ordered as hydrographer to the Bureau of Navigation; October 1, 1881, promoted to commodore; June 30, 1883, detached and placed on waiting orders.

August 22, 1883, ordered as president of the Board of Inspection and Survey; June 12, 1885, promoted to rear-admiral; October 23, 1885, detached and placed on waiting orders.

He died at Washington: D. C. on the 29th of October, 1835.

raiting orders.

He died at Washington, D. C., on the 29th of October, 1835.

[Senate Ex. Doc. No. 183, Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill No. 2223, with his objections thereto.

JUNE 21, 1886.-Read and laid upon the table,

JUNE 23, 1896.—Referred to the Committee on Pensions and ordered to be printed.

JUNE 23, 1886.—Referred to the Committee on Pensions and ordered to be printed. To the Senate:

I return without approval Senate bill number twenty-two hundred and twenty three, entitled "An ned granting a pension to Elizabeth S. De Kraft."

In yolipetion to this bill is that it is of o possible advantage to the beneficiary therein mentioned. It directs that her name be placed upon the pension-roil, subject to the provisions and limitations of the pension laws. The effect of such legislation would be to permit Mrs. De Kraft to draw a pension at the rate of thirty dollars each month from the date of the approval of the bill.

On the 26th day of February, 1889, under the provisions of the general pension law, she was allowed a pension of this exact sum; but the payments were to date from November 10, 1885.

I am so thoroughly tired of disapproving gifts of public money to individuals who in my view have no right or claim to the same, notwithstanding apparent Congressional sanction, that I interpose with a feeling of relief a veto in a case where I find it unnecessary to determine the merits of the application. In speaking of the promiscuous and ill-advised grants of pensions which have lately been presented to me for approval. I have spoken of their "apparent Congressional sanction" in recognition of the fact that a large proportion of these bills have never been submitted to a majority of either branch of Congress, that are the results of nominal sessions held for the express purpose of their consideration and attended by a small minority of the members of the respective Houses of the Thus, in considering these bills, I have not felt that I was aided by the deliberate judgment of the Congress; and when I have deemed it my duty to disapprove many of the bills presented, I have hardly regarded my action as a dissent from the conclusions of the people's representatives.

I have not been insensible to the suggestions which should influence every citizen, either in private station or official place, to exhibit not on

rejected.
In the mean time I venture to suggest the significance of the startling increase in this kind of legislation and the consequences involved in its continuance.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 21, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Elizabeth S. De Krafft.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth S. De Krafft, widow of John Charles Philip De Krafft, late commodore and rear-admiral in the United States Navy.

JOHN G. CARLISLE, Speaker of the House of Representati JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK. By CHAS. W. JOHNSON, Chief Clerk.

All which is respectfully submitted.

HENRY W. BLAIR,
For the Committee,

MARY J. NOTTAGE.

[Senate Report No. 1495, Forty-ninth Congress, first session.] IN THE SENATE OF THE UNITED STATES.

JULY 17, 1886.—Ordered to be printed.

Mr. Blair, from the Committee on Pensions, submitted the following report (to accompany vetoed bill S. 2005).

The Committee on Pensions, to whom was recommitted Senate Report 1424, in the case of Mary A. Nottage, Calendar No. 1630, having considered the same, report, recommending that the same do stand as the report of the committee, and that the bill pass, the objections of the President to the contrary notwithstanding.

VIEWS OF THE MINORITY.

The undersigned, a minority of the Committee of the Senate on Pensions, submit the following as their views in dissent to the report of the majority on Senate bill No. 2005, "granting a pension to Mary J. Nottage," and the message of the President returning the same to the Senate, with his objections to its pas-

sage.
By section 7, Article I of the Constitution of the United States, it is provided

By section 7, Article I of the Constitution of the United States, it is provided that—

"Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States. If he approves he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and preceed to consider it. If, after such consideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House it shall become a law."

reconsidered, and if approved by two-thirds of that House it shall become a law."

Under this constitutional provision the President, in the act of approving or disapproving a bill, becomes and is a part of the legislative power of the fovernment. In the performance of this duty he must consider every question of fact in its relation to existing law involved in the passage of every bill submitted to him for approval by the vote of the two Houses.

This is a wholesome and conservative provision in the fundamental law that unites the States. It was intended by its authors to secure the consideration of one power (so to speak) representing the entire body of the people of the whole Union as against the powers that represented States and localities, who, it might be supposed, would be more or less influenced by sectional or local as well as personal interests and sympathies.

In the history of its use its conservative and patriotic wisdom has been recognized and admitted by the marked approval which has been given by the people to each exercise of the veto power, almost without exception, from the period of the adoption of the Constitution to the present time.

The report, to which we dissent, is nominally one in the matter of S. 2005, granting a pension to Mary J. Nottage; but it will be seen that the author of the President to this bill, but the objections of the President to twenty-two other bills.

the report undertakes to review and consider, not alone the objections of the President to this bill, but the objections of the President to twenty-two other bills.

Waiving any criticisms upon the order, manner, or propriety of a report so made, save now to protest against the style and temper in which the objections of the President are reviewed and criticised therein, and which more become the hustings than the Senate, the undersigned have to express their dissent to the evident political and partisan animus manifested in the preparation of said report.

The true soldier of this country is the idol of all parties and all sections, and when misfortune of any character befalls him the warm sympathies of all hearts gather around him and his beloved ones with ready impulse to aid and relieve him or them. The records of Congress, as do the records of the executive department, show this to be true. It is this generous sympathy of all parties and all sections that has been taken advantage of by the designing, so that artful and interested parties, in multiplying abuses and frauds, have brought reproach on the administration of the kind, beneficent, and generous pension laws of the Government.

And now, when, as it appears to the undersigned, the President has sought in a patient, laborious examination of the large number of pension bills (individual in character and purpose) sent to him by this Congress (a small portion of which he has returned with his objections, and some of which are reviewed in the majority report) to show his willingness as well as determination to relieve this generous system of pension laws, made for the true soldier of the Republic, of the reproaches which admitted frauds and abuses, perpetrated and sought to be perpetrated, have brought on it, and, at the same time, has made manifest his purpose, courageously, to guard the Treasury, it would seem to be a grateful duty of every member of the legislative department of the Government, be needed in the remarkance of the compensated for such di

is akin to madness to ascribe to him unworthy motives in arriving to such conclusions.

In the committee and in the Senate honest, patriotic Senators widely differ in their conclusions upon the same array of facts. This is witnessed almost daily, and yet who that pauses to wait on reason, even for a moment, would denounce in bitter terms his brother Senator for such difference?

The undersigned do not now and here review the facts in each of the twenty-three cases, as presented either by the committee or the President—the general character of the majority report precludes them from doing so—in their view of what the usages and law of the Senate require as proper in such cases.

It is proper, however, to say that the facts in the case of Mrs. Mary J. Nottage, as now presented, show the propriety as well as need of close examination in cases depending upon the collection and marshaling of facts. By the original report of the committee, and as the facts are there arrayed and presented, the application of Mrs. Nottage is one of merit, yet it is even there evident, from the face of the papers, that its favorable consideration was urged by powerful but not improper personal influence, whose appeals were of a character to open the springs of sympathy. Its favorable report, therefore, was almost a matter of course. But the President, in submitting his objections to this bill, calls at-

tention to this array of facts, viz, that the husband of Mrs. Nottage was discharged for a disease of one character, and that over sixteen years after that discharge he dies of a disease different in character, being discharged September I7, 1882, and departing this life January 8, 1879, and that the medical testimony fails to show that the disease for which the soldier was discharged was directly or remotely the cause of his death. These facts, as thus marshaled by the President, are sufficient to call if not for the rejection of the bill, its more mature consideration.

Speaking from their knowledge of the mode of considering pension cases in committee and in the Senate, and witnesses, as they are, of the power and effect of personal appeals of applicants, their friends, and agents, the undersigned are convinced that a large number of cases pass Congress which are not maturely weighed and considered upon their abstract merits; hence they recognize the wisdom and fidelity of the President when, in the discharge of his constitutional duty, he returns this and other bills with his objections to their passage. Respectfully submitted.

W. C. WHITTHORNE.

W. C. WHITTHORNE, J. N. CAMDEN, E. K. WILSON,

MARGARET D. MARCHAND.

[Senate Report No. 1466, Forty-ninth Congress, first session.] IN THE SENATE OF THE UNITED STATES.

JULY 9, 1886.—Ordered to be printed.

JULY 9, 1886.—Ordered to be printed.

Mr. Sewell, from the Committee on Pensions, submitted the following report (to accompany bill 8, 226 and the veto message of the President thereto).

The Committee on Pensions, to whom was referred the message of the President of the United States returning the bill (8, 226) granting a pension to Margaret D. Marchand, widow of John B. Marchand, of the United States Navy, submit the following report:

The committee have carefully considered said message in connection with the previous report made by them in this case, recommending the passage of said bill, and find that the President has taken the course pursued by the Pension Bureau, which bureau refused to grant the desired pension to Mrs. Marchand upon the ground that the disease of which her late husband, Commodore Marchand, died could not be traced to disabilities incurred in the service while in the line of duty.

The committee beg leave to submit (1) said veto message as a part of their report. Also (2) their previous report, accompanying the bill and recommending its passage to the Senate. And further (3) a letter from the chief clerk of the Navy Department giving the service of this officer. They are as follows:

[Senate Ex. Doc. No. 186. Forty-ninth Congress, first session.] Message from the President of the United States, returning Senate bill 226, with his objections thereto.

I return herewith Senate bill number two hundred and twenty-six, entitled "An act granting a pension to Margaret D. Marchand," without approval.

The beneficiary named in this bill is the widow of John B. Marchand, who entered the United States Navy in 1823, who was promoted to the rank of commodore in 1886, and who was placed upon the retired-list in 1870. He died in August, 1875, of heart disease.

His widow filed an application for pension in 1883, claiming that his fatal disease was caused by exposure and exertion in the service during the war of the rebellion. The application was rejected because of the inability to furnish evidence to prove that the death had any relation to the naval service of the decased.

I am unable to see how any other conclusion could have been seeded.

deceased.

I am unable to see how any other conclusion could have been reached. The information furnished by the report of the committee to whom this bill was referred, and derived from other data before me, absolutely fails to connect the death of Commodore Marchand with any incidents of his naval service.

This officer was undoubtedly brave and efficient, rendering his country valuable service. But it does not appear to have been of so distinguished a character, nor are the circumstances of his widow alleged to be such as to render a gratuity justifiable.

GROVER CLEVELAND

GROVER CLEVELAND.

EXECUTIVE MANSION, June 19, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Margaret D. Marchand.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Margaret D. Marchand, widow of Commodore J. B. Marchand, late of the United States Navy, and pay her a pension at the rate of fifty dollars per month from the date of the passage of this act.

JOHN G. CARLISLE,
Speaker of the House of Representatives. JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, By CHAS, W. JOHNSON, Chief Clerk,

[Senate Report No. 171, Forty-ninth Congress, first session.]

[Senate Report No. 171, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 226) granting a pension to Margaret D. Marchand, beg leave to state that a bill for this same purpose was referred to the Committee on Pensions of the Senate during the second session of the Forty-eighth Congress and passed by the Senate diring in the House only for want of time to bring the measure before that body.

This committee beg to state further that they have examined the facts in the case recited in the affidavits of Mrs. Marchand and of the witness, Alice P. Thornton, which are hereto appended and made part of this report:

"On this 15th day of May, 1884, before me, Sprigg Harwood, clerk circuit court for Anne Arundel County, personally appeared Margaret D. Marchand, who, being duly sworn according to law, deposes and says as follows, to wit:

"In the year 1861 my husband, the late Commodore John B. Marchand, then commander, was in command of the steamer James Adger, off Charleston, S. C., engaged in the naval service of the United States Government in the late civil war. At that date he was in robust health and perfect physical condition. He had always been a man of unusually robust constitution, weighing over 200 pounds, and of perfectly regular habits, and from the day of our marriage, to wit, the 11th day of November, 1856, until the date of his taking command of the

steamer James Adger, in 1861, have never known him to have any siekness with the exception of some trivial derangement of perhaps a day's duration, and never requiring any medical attendance. His habits throughout his entire life were uniformly regular and temperate.

"To the best of my knowledge he went upon blockade duty in the year 1861, in his usual health, and came to our home in Baltimore in 1864, broken down in health and much reduced in fleesh, after protracted blockade duty, and after the severe engagements while in command of the U.S. S. Lackawamna in Mobile Bay. At the date of his promotion to the rank of commodore, in the year 1866, for distinguished services, the usual physicial examination was waived. Soon after this date symptoms of defective circulation commenced, manifesting itself in the ends of his fingers, they becoming bloodless and livid in color. In 1871 he was a frequent sufferer from violent pains in his chest. In the winter of 1873 and 1874 Commodore Marchand was confined to the house, suffering extremely from the swelling of his fect. In the winter of 1874 and 1875 he had hemorrhages of the lungs; the last of these hemorrhages was the immediate cause of his death. Dr. Mahan, of Pennsylvania, our family physician, who attended Commodore Marchand during the early periods of his sickness, is now deceased. Drs. Dale and Ziegler, who attended him at his death, pronounced his complaint from which death resulted to be heart disease.

"My belief is further strengthened by the information of Dr. Rideout, of Annapolis, Md., that the defective circulation, pains in the chest, and swollen limbs were all symptoms of the heart disease which resulted in Commodore Marchand's death; and that all these symptoms and the disease which resulted in the commodore's death were produced by exposure consequent upon the continuous and excessive duties that he was called upon to perform while in the service of the United States Navy as above stated.

"Sworn to and subscribed the day and year first chera written

"MARGARET D. MARCHAND.

"Sworn to and subscribed the day and year first above written, before me.

"SPRIGG HARWOOD,

"Clerk Circuit Court for Anne Arundel County."

"On this 15th day of May, before me, Sprigg Harwood, clerk of circuit court for Anne Arundel County, personally appeared Alice P. Thornton, who, being duly sworn according to law, deposes and says:
"That she is a sister of the within-named Margaret D. Marchand, and that she has read and carefully examined the affidavit of her said sister hereto appended; that she has personal knowledge of the condition of health and different stages of disease that finally resulted in the death of Commodore Marchand; and also personal knowledge of the statements contained in the annexed affidavit, and that she verily believes the same to be true.

"ALICE P. THORNTON.

'Sworn and subscribed this 15th day of May, 1884, before me.
"SPRIGG HARWOOD,
"Clerk Circuit Court for Anne Arundel County."

"Sworn and subscribed this 15th day of May, 1884, before me. [SEAL.]

"Clerk Circuit Court for Anne Arunded County."

The committee also desire to attach and make a part of their report the following account of the service of Commodore Marchand in Mobile Bay.

"The morning of the 5th of August, 1864, found Admiral Farragut, with his fleet, consisting of the Richmond, Port Royal, Lackawanna, Seminole, Monorgahela, Kennebec, Ossipee, Itasca, Oneida, Galena, Brooklyn, Octorara, Metacomet, and lastly the Hartford, the admiral's flag-ship, at the mouth of Mobile Bay. Among the efficient officers who contributed to this important victory was Capt. John B. Marchand, of the Lackawanna. At fifteen minutes of 6 o'clock the whole fleet was under way, and just one hour afterwards the first gun was fired. The ships above mentioned entered the bay, lashed to each other in pairs side by side, in order to prevent any confusion in passing the formidable fortifications of the confederates guarding the entrance to the bay. The Brooklyn and Octorara were in the lead. The Lackawanna, with the Seminole, was in the center of the line of battle. Fort Morgan first opened fire upon the consumeration of the confederates guarding the entrance to the bay. The Brooklyn and Octorara were in the lead. The Lackawanna, with the Seminole, was in the center of the line of battle. Fort Morgan could be seen three saucy-looking gunboats and the famous ram Tennessee. The latter was then considered the strongest aud most powerful ironelad ever put affoat—looking like a great turtle, with sloping sides, covered with iron plates 6 inches in thickness, thoroughly riveled together, and having a formidable iron beak projecting into the water. Her armament consisted of six heavy guns of English make, sending a solid shot weighing 110 pounds irresistibly against everything but the turrets of the monitors.

"In addition to these means of resistance, the narrow channel in front of the fort had been lined with torpedoes. These were in the water, anchored to the

dered the helm hard over to bring the ship around, in order to make another attempt at running down the ram, but the great length of his vessel and the shoalness of the water, which was not more than a foot under the keel, prevented his turning rapidly, and in going around he collided with the Hartford, the admiral's flag-ship, although every effort was made on his part to prevent the collision by backing the engine. Of this it has been aptly said by a personal friend of Admiral Farragut, the historian of this engagement, and who expressed the sentiment of the admiral, long after the occurrence, that 'the fault was as much with the Hartford as with the Lackawanna each being too eager to reach the enemy."—(J. C. Kinney, in Scribner's Monthly Magazine, June, 1881.)

"After the Lackawanna had cleared the Hartford she again started to run down the Tennessee, but before reaching her the rebel flag had been hauled down, a white one hoisted, and the ram had surrendered to the Union fleet, which by that time encompassed her on all sides, rendering her escape impossible."

The committee beg leave, therefore, to report the bill favorably.

NAVY DEPARTMENT, Washington, August 10, 1883.

NAVY DEPARTMENT, Washington, August 10, 1883.

SIR: In reply to your letter of the 21st ultimo, you are informed that John P. Marchand was appointed a midshipman in the Navy May 1, 1823; October 27, 1828, ordered to the navy-yard, Philadelphia; August 22, 1829, detached and ordered to the Peacock; November 26, 1830, detached and ordered to the Experiment; December 18, 1882, detached and ordered to the Forpoise; August 22, 1822, detached and placed on waiting orders; June 14, 1824, promoted to passed midshipman; August 6, 1834, ordered to the navy-yard, Norfolk; November 11, 1833, detached and placed on waiting orders; June 14, 1834, promoted to passed midshipman; August 6, 1834, ordered to the Potomac; December 16, 1834, detached and ordered to the Shark: May 7, 1835, detached to the John Adams; May 26, 1837, detached and placed on waiting orders; June 12, 1837, ordered to the Porpoise; May 22, 1838, detached and placed on waiting orders; June 12, 1837, ordered to the Porpoise; May 22, 1838, detached and placed on waiting orders; October 25, 1838, ordered to the Woodbury; January 4, 1839, detached and wait orders; April 18, 1839, ordered to the Levant; September 6, 1839, detached and ordered to the Ontario; January 29, 1840, promoted to lieutenant; April 26, 1840, detached and ordered to the Warren; July 10, 1840, detached and to the Erie; October 1, 1840, detached and wait orders; August 11, 1841, ordered to the Van Buren; February 11, 1843, detached and to the Brandywine; September 19, 1845, detached and granted leave; November 13, 1845, ordered to the navy-yard, Philadelphia; November 13, 1846, detached and ordered to the Ontario; January 29, 1845, detached and ordered to the Ontario; July 2, 1855, detached and granted leave; January 10, 1861, ordered as the Cumberland; July 2, 1855, detached and granted leave; September 14, 1855, promoted to commander; October 25, 1855, ordered to the Bureau of Construction, &c.; September 23, 1855, detached and ordered to command the Lackawanna; November 26, 1864, detached

JNO. W. HOGG, Chief Clerk.

Hon. WM. W. DUDLEY, Commissioner of Pensions, Washington, D. C.

It appears that Commodore Marchand entered the Navy in 1828, and was placed upon the retired-list in 1870, thus serving his country forty-two years.

His widow, the claimant, makes affidavit as set forth in the foregoing report, as also does Alice P. Thornton, which satisfies the committee (in connection with such service of forty-two years) that the disease was incurred, or the causes which led to it, during the long period of service of this officer.

It has been the custom of Congress for some time to grant \$50 per month to the widows of brigadier-generals in the Army, and of commodores in the Navy, and also to the widows of officers of higher rank. This is, therefore, not an exceptional case.

These pensions to widows of naval officers are paid from what is known as the naval fund, which accrues from contributions of the officers and men of the Navy; and naval officers have always looked forward to having their families receive a portion of this fund to which they have contributed, and which they look upon as sacred to that purpose.

The committee believe this veto is the first of the kind ever transmitted to Congress by a President of the United States, and they take issue with his reasons for so doing, believing that if they did not have the positive evidence of Mrs. Marchand and Alice Thornton that it would be fair to infer that the disease of which this officer died must have been the result of, or must have originated in, the hardships of the service, covered by this lengthened period of forty-two years.

in, the hardships of the service, covered by this lengthened period of forty-two years.

The President does the memory of this officer credit by saying he "was undoubtedly brave and efficient, rendering his country valuable service," what does not appear to have been of so distinguished a character, nor are the circumstances of his widow alleged to be such, as to render a gratuity justifiable."

An officer who has gone through all the grades of the service from a cadet to a commodore; who was in that service during two wars; who commanded ship after ship, and of whose gallantry and ability no question has ever been raised—the committee say that the widow of such an officer should not now be told that the services of her husband were not of a distinguished character; nor should the natural shrinking of a woman to parade before the world the daily necessities of her life and home, to meet which the pension asked for would be, and is, most desirable, and especially so when it is to come from a fund in the participation of which she has an undoubted claim—such criticisms the committee assert can not be given as reasons by the Executive of the United States for depriving the widow of a brave and efficient officer of that which is her just right.

The committee, therefore, believing the claim to be a just and meritorious one, and the reasons presented for its refusal as of no avail, and adverse to a fit and proper recognition of manly, loyal, and efficient service running through a period of nearly half a century, do recommend the passage of the bill S. 226, the objections of the President to the contrary notwithstanding.

JOSEPH ROMISER

[Senate Report No. 1536, Forty-ninth Congress, first session.] IN THE SENATE OF THE UNITED STATES. JULY 20, 1886.—Ordered to be printed.

July 20, 1886.—Ordered to be printed.

Mr. Wilson, of Maryland, from the Committee on Pensions, submitted the following report (to accompany bill H. R. 1059):

The Committee on Pensions, to whom was referred the veto message of the President of the United States on the bill (H. R. 1059) granting a pension to Joseph Romiser, have carefully examined the same and report, recommending the passage of the bill, the objections of the President to the contrary notwith-standing; and, as the grounds for such report and recommendation, adopt the statement of facts and reasons set forth in the following unanimous report from the House Committee on Invalid Pensions:

The Committee on Invalid Pensions, to whom was referred the veto message of the President of the United States on the bill (H. R. 1059) to grant a pension to Joseph Romiser, submit the following report:

This bill was considered by the Committee on Invalid Pensions, and favorably reported May 1, 1886, as follows:

"The facts of this case, which are completely substantiated, are briefly as follows:

"The facts of this case, which are completely substantially lows:

"The claimant was a member of Captain Frank Mason's company of volunteers, of Frostburg, Alleghany County, Maryland. This company of volunteers was not mustered into either the United States or State service. On the 19th of June, 1861, claimant was with said company when they were ordered to proceed to Cumberland, Md., to repel a threatened attack of the confederate forces. Upon the arrival of the company in Cumberland the men were ordered to uncap their muskets. While doing this duty a musket in the hands of Alpheus Beall was accidentally discharged, and a minie-ball, with which it was charged, struck claimant in the left side of the neck, coming out near the left eye, entirely destroying the sight of his eye, the hearing of his left ear, and the 'hinge of his jaw.'

destroying the sight of his eye, the hearing of his left ear, and the 'hinge of his jaw.'

"Dr. George B. Fundenburg testifies that he was one of the surgeons who professionally attended claimant. He found that a minie-ball had entered at the back part of the neck, passed along on the outside of the skull, under the ear, breaking the jaw at its ramus, and making its exit through the molar bone below and to the outer side of the eye of the same side. The wound was a dangerous one, but after a long sickness he recovered, but has lost the hearing of the injured ear and the sight of the eye. There is considerable deformity of the face caused by exfoliation of the bone.

"The claim was rejected by the Pension Bureau because 'claimant was not in the military service of the United States.' The Committee on Invalid Pensions have heretofore uniformly declined to recommend the granting of a pension to soldiers not enrolled in the service of the United States or acting under the immediate orders of an officer in the United States service. They are fully satisfied that this rule is the proper one, and that it should be rigidly adhered to; otherwise it will be readily seen that the door would be opened wide to a great number of claimants of whom it would be impossible to obtain any official record.

to; otherwise it will be readily seen that the door would be opened wide to a great number of claimants of whom it would be impossible to obtain any official record.

"It will be observed, however, that this man joined a military organization very early in the late war, and before the matter of enlistment and military organization was understood. June 19, 1861, he went with his company in obedience to orders to repel a threatened attack on Cumberland, and in the performance of this duty he received a serious wound, which imperiled his life at the time and has materially disabled him ever since.

"To properly understand the full bearing of this case it may be well to speculate as to what public opinion would have been and what would have been the result if, instead of springing to arms and going without hesitation when ordered to a threatened point, every volunteer would have hesitated or declined to march until he was regularly enlisted, enrolled, and mustered into the service of the United States.

"This case differs in all respects from those who, for one consideration or another and later on the war, declined to enter the service of the United States, preferring organizations of a State or even local character.

"Your committee must content themselves with this brief statement of their views as to this particular case, and, by reason of the distinction attempted to be drawn between this and most other cases, they report the bill favorably and recommend its passage."

On the 5th of July, 1886, the bill, having passed both Houses and been presented to the President for his signature, was returned to the House with the following message:

To the House of Representatives:

To the House of Representatives:

To the House of Representatives:

The rewith return without approval House bill No. 1059, entitled "An act to grant a pension to Joseph Romiser."

The Pension Bureau reports that the records of the office fail to show that an application has been filed in favor of this claimant, though it is stated in the report of the House committee that such a claim was made and rejected on the ground that the claimant was not, at the time of injury, in the service of the United States.

It certainly appears from the report of the committee that the beneficiary named in this bill was not in the service of the Government at such a time, and also that he had not been mustered into the service of any State military organization. It is stated that he belonged to Capt. Frank Mason's company of volunteers, of Frostburg, in the State of Maryland.

Whether this company was organized for the purpose of co-operating at any time with the Union or State forces is not alleged, and it may well have been existing merely for the purpose of neighborhood protection.

Such as it was, the company was ordered in June, 1861, to proceed to Cumberland to repol a threatened attack of confederate forces. Upon arriving at that place the men were ordered to uncap their muskets. In doing this, and through the negligence of another member of the company whose musket was discharged, the claimant was wounded.

It does not seem to me that the facts in this case, so far as they have been developed, justify the passage of this act.

EXECUTIVE MANSION, July 5, 1886.

EXECUTIVE MANSION, July 5, 1886.

GROVER CLEVELAND.

An act to grant a pension to Joseph Romiser

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Joseph Romiser, late of Capt. Frank Mason's company of Maryland volunteers, on the pension-roll, subject to the provisions and limitations of the pension laws of the United States.

JOHN G. CARLISLE, Speaker of the House of Representatives. JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the House of Representatives.

JNO. B. CLARK, JR., Clerk.

The files from the Pension Office from which the information was obtained upon which the report of the committee was based were returned to the Pension Office May 16, 1886, and were doubtless there when the veto message was written, but through the carclessness of some clerk were not presented to the President when he called for them, but on the contrary he was informed that "the records of the office fail to show that an application has been filed in favor of this claimant."

These files, which are now before your committee, show that the application was filed June 7, 1879, alleging:

"That at Cumberland, Md., June 19, 1861, claimant was shot through the left side of the neck, coming out at the corner of left eye, entirely destroying the sight of left eye and the hearing of the left ear, injuring the slight of the right eye and breaking the hinge of the jaw on the left side of the face by a musketball—gun being accidentally discharged in the hands of Private Alpheus Beall."

In support of the claim the following affidavits were filed:

In support of the claim the following affidavits were filed:

STATE OF MARYLAND, Alleghany County, ss, to wit:

STATE OF MARYLAND, Alleghany County, ss, to wit:

On this 13th day of May, A. D. 1879, personally appeard before me, the subscriber, Theo. Luman, clerk of the circuit court in and for the State and county aforesaid, James M. Shober, a citizen of good repute of Cumberland, Md., who having been first duly sworn according to law, did depose and say for himself that his name is James M. Shober; that his radience is Cumberland, Md.; that his age is forty-three years; that he was first lieutenant of Company I, Second Maryland Infantry, Purrell Home Brigade Volunteers; that he is well acquainted with Joseph Romiser, now a citizen of Cumberland, Md.; that said Romiser was a member of Capt. Frank Mason's company of volunteers of Frostburg, Md., who went to Cumberland, Md., in the month of June, 1861, at the request of the citizens and corporate authorities of Cumberland, Md., to resist a threatened attack upon the city of Cumberland by the confederate forces; that he recollects the time, place, and general facts in connection with the shooting of Joseph Romiser, through the left neck and face, by Alpheus Beall, which are as follows, to wit:

That he was one of Captain Mason's volunteers for this occasion; that he heard the report of the gun, and was in a few minutes afterward with Romiser, and saw where Romiser had been shot; that he set up with Romiser the same night that he was shot; that our company returned to Frostburg the next day; that he of his own knowledge knows that the said Romiser was disabled for a long

JAMES M. SHOBER.

Subscribed and sworn to the year and date first above written. In testimony whereof I have hereunto set my hand and the official seal of the circuit court for Alleghany County, Maryland.

THEO. LUMAN, Clerk of the Circuit Court for Alleghany County Maryland.

STATE OF MARYLAND, Alleghany County ss, to wit:

State of Maryland, Alleghany County ss, to wit:

On this 13th day of May, A. D. 1879, personally appeared before me, the subscriber, Theo. Luman, clerk of the circuit court in and for the State and county aforesaid, John W. Hadley, a citizen of good repute, of Cumberland, Md., who, having been first duly sworn according to law, did dispose and say for himself that his name is John W. Hadley; that his residence is Cumberland, Md., that his age is fifty-three years; that he is well acquainted with Joseph Romiser, now a citizen of Cumberland, Md.; that he was a member of Capt. Frank Mason's company of volunteers of Frostburg, Md., who went to Cumberland, Md., in the month of June, 1861, at the request of the citizens and corporate authorities of Cumberland, Md., to resist a threatened attack upon the city of Cumberland by the confederate forces; that he recollects of the time, place, and general facts in connection with the shooting of Joseph Romiser by Alpheus Beall, which are as follows, to wit:

That he was one of the first persons present after Romiser fell; that he nursed Romiser for about one week, when two other nurses took charge of him. He was taken to the American House building; that he was attended by Surgeon George B. Fundenburg, M. D., of Cumberland, Md., and the surgeon of the Eleventh Indiana Volunteer Infantry, whose name he does not recollect, said regiment being commanded by Col. Lewis Wallace; that he has read the petition and deposition of the said Joseph Romiser, and it is correct in every particular.

JUHN W. HADLEY.

Subscribed and sworn to the year and date first above written. In testimony

Subscribed and sworn to the year and date first above written. In testimony whereof I have hereunto set my hand and seal of the circuit court for Alleghany County, Maryland.

THEO: LUMAN, Clerk of the Circuit Court for Alleghany County, Maryland.

STATE OF PENNSYLVANIA, Fayette County, to wit:

Fayette County, to wit:

On the 7th day of June, A. D. 1879, personally appeared before me, the subscriber, J. M. Oglevee, prothonotary of the court of common plens, a court of record in and for the State and county aforesaid, Alpheus Beall, who, having been first duly sworn according to law, did depose and say: That his name is Alpheus Beall; that his age is thirty-eight years; that his present post-office address is Uniontown, Fayette County, in the State of Pennsylvania; that in June, A. D. 1861, he was a member of Capt. Frank Mason's company of volunteers, who were not mustered into the United States or State service either, of Frostburg, Alleghany County, Maryland; that he was with said company when they were ordered to proceed to Cumberland, Md., on the 19th day of June, A. D. 1861; that said company were ordered to Cumberland, Md., to repel a threatened attack of the confederate forces.

That upon the company's arrival in Cumberland, Md., the men were ordered to take caps off of the muskets; that while doing this duty his (Beall's) musket, in his (Beall's) hands, was accidentally discharged, and the contents of his musket, being loaded with a minie-ball, struck Private Joseph Romiser, of said company, in the left side of the neck, coming out near the left eye, entirely destroying the sight of Romiser's left eye and the hearing of the left ear, and breaking the hinge of the left jaw, thereby disabling said Romiser for many months and injuring him permanently for life; that it was purely an accident, and neither Romiser nor your deponent was to blame or were responsible for said accident.

That this deposition is made for the purpose of assisting said Romiser to pro-

That this deposition is made for the purpose of assisting said Romiser to procure a pension from the General Government, as your deponent believes him justly and equitably entitled to same; that this deponent is not interested, directly or indirectly, in the prosecution of the invalid pension claim of said Joseph Romiser.

ALPHEUS BEALL.

Two witnesses: C. H. SEATON. H. C. RUSH.

Subscribed and sworn to this 7th day of June, A.D. 1879, before me, the subscriber, prothonotary of the court of common pleas of the county of Fayette, and State of Pennsylvania.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court.

J. M. OGLEVEE,
Prothonolary of the Court of Common Pleas of the County of Fayette,
State of Pennsylvania.

STATE OF MARYLAND, Alleghany County, to wit:

STATE OF MARYLAND, Alleghany County, to wil:

On this 13th day of May, A. D. 1879, personally, before me the subscriber, Theodore Luman, clerk of the circuit court in and for the State and county aforesaid, Dr. George B. Fundenburg, M. D., a practicing physician, and a citizen of good repute, of Cumberland, Md., who, having been first duly sworn according to law, did depose and say for himself: That his name is George B. Fundenburg; that his residence is Cumberland, Md.; that his profession is a regular practicing physician, and that he has practiced medicine for upwards of forty years; that his age is sixty-four years; that he is well acquainted with Joseph Romiser, now a citizen of Cumberland, Md.; that said Romiser was a member of Capt, Frank Mason's company of volunteers, of Frostburg, Md., who went to Cumberland in the month of June, A. D. 1861, at the request of the citizens of Cumberland, Md., to repel a threatened attack upon the city of Cumberland by the confederate forces.

That he recollects well the time, place, and general facts in connection with the shooting of Joseph Romiser through the left side of the neck and face by Alpheus Beall, as he, the said Fundenburg, was one of the physicians and surgeons that professionally attended the said Romiser; that the facts are as follows, to wit:

I found that a minie-ball had entered at the back part of the neck, passed along on the outer side of the skull, under the ear, breaking the jawatiis ramus, and making its exit through the malar bone, below and to the outer side of the eye of the same side. The wound was a dangerous one, but after a long sickness he recovered, but has lost the hearing of the injured ear and the sight of the eye. There is considerable deformity of the face, caused by exfoliation of bone. He has suffered ever since with frequent and protracted attacks of neuralgia, and there is danger that sympathetic ophthalmia may cause the loss of the remaining eye.

I have known Romiser for twenty years, and know him to be a man of excellent cha

Witness my hand and seal of the circuit court for Alleghany County, Mary land, the year and date first above written.

THEO. LUMAN, Clerk of the Circuit Court for Alleghany County, Maryland.

Clerk of the Circuit Court for Alleghany County, Maryland.

It appears that the command of which claimant was a member was a provisional company at Frostburg, Md., under command of Capt. Frank Mason, organized for active service; that this company had marched to Cumberland, at the request of the corporate authorities of that place, to assist the Union forces there under the command of Col. Lew Wallace, of the Eleventh Indiana Volunteers, in resisting an attack of the confederate forces. This company had not been mustered into the military service of the United States, though it is shown that they were organized for the purpose of enlisting in the military service of the United States, that many of them did so enlist, and that this claimant had made all arrangements to enlist, and would doubtless have been regularly in the service in a few days had he not received the wound for which he now asks pension.

December 28, 1881, this claim was rejected in the Pension Office for the reason "not in military service of the United States. See 4693."

In an office letter the Pension Office sets forth more fully the reasons of rejection as follows: The Adjutant-General, United States Army, reporting that no such organization was at the time mustered into the military service of the United States, this office was constrained, under the provisions of law, especially paragraph 4693, Revised Statutes, to reject the claim, applicant having never been regularly enrolled and having failed to make and complete his application prior to date of limitation established by said section, namely, July 4, 184. Paragraph 3, section 4693, Revised Statutes, in reciting the persons who shall be entitled to pensions, reads:

"Any person not an enlisted soldier in the Army, serving for the time being as a member of the militar of any State, under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval forces of the United States, or who otherwise volunteered and re

in consequence of wounds or injury received in the line of duty in such temporary service."

The paragraph further provides that all such claims must be prosecuted to a successful issue before July 4, 1874. The failure of this claimant to make his application and prosecute his claim before the expiration of the limitation has deprived him of his pension for nearly twenty-five years. It seems to your committee that it is the duty of Congress to grant it to him now when he does ask for it. The precedents for this kind of legislation are very numerous, and extend back many years.

It has never been held an insuperable bar to a pension that a claimant had not been regularly mustered into the military service. The established requirement has been that it should be shown that the party was wounded or received an injury while rendering service in defense of his country in a legitimate way and under the direction of a proper officer. In the Forty-eighth Congress a pension was granted to a civilian who was a volunteer employé of the Sanitary Commission, and who lost his leg by the boat upon which he had charge of stores being fired upon by a rebel battery. A bill was introduced and has become a law during this Congress granting a pension to Albert L. Allen, an employé of the Quartermaster's Department, who was wounded in an action.

In the case of Mrs. Mooneyhan (H. R. 6801) a pension was granted on account of the death of her husband, though he died of fever the day before he was to have been mustered into service, and the bill was approved by the President. A bill granting a pension to Mrs. Margaret A. Poland, widow of Alexandria Poland, a citizen of Virginia, who was murdered by confederate soldiers because he had sold supplies to the Union forces and had fed Union soldiers, was also approved by the President. Quite a number of bills granting pensions to militiamen who received injuries or incurred disabilities have been approved, though no claim was made that they had been mustered into the United States service.

A

service.

All of these bills met the hearty approval of your committee, for their rule has been to recommend the passage of bills granting pensions to persons who were wounded or injured while honestly defending the flag of the country, even though by some technicality their cases did not come within the scope of the general law. On the 15th of this month, by a vote of nearly three to one, this House passed a bill placing on the pension-roll the name of Catherine Waters, whose son, a steward on board of the steamer Benefit, was killed in an engagement with confederate forces.

The facts in this case, briefly stated, appear to be that an attack was threatened upon the Union forces at Cumberland; an appeal was made by the authorities to the local provisional company for help in defending the place. The company to which claimant belonged promptly responded. While this soldier was standing in the ranks of the Union forces with their guns loaded for the

enemy he received a severe wound, destroying the sight of one eye and the hearing of one ear, terribly disfiguring him, and very narrowly escaping with his life.

his life.

The question presented to your committee is not whether, under existing law, he is entitled to a pension. If he was, there would be no occasion for a special enactment; but the point presented is, did this man render such a service to the United States as to entitle him to receive from it a favorable consideration of his claim? Your committee believe he did. Voluntarily he responded to its call for aid, and in doing so received a terrible wound, from which he has ever since suffered, and the effects of which will follow him to his grave. Every true lover of his buntry, every man who desires to see justice done to those who freely suffered in behalf of that country will rejoice in the passage of this bill; and your committee frankly express the opinion that had it not been for the carelessness of the clerk in charge of the papers, and his failure to present them when they were called for by the President, there would have been no occasion to make this report.

Your committee, therefore, recommend the passage of this bill, the objection of the President to the contrary notwithstanding.

NEWCOMB PARKER.

[Senate Report No. 1561, Forty-ninth Congress, first session.] IN THE SENATE OF THE UNITED STATES.

July 24, 1886.-Ordered to be printed.

Mr. Blair, on behalt of the majority of the Committee on Pensions, submitted the following report:

(To accompany bill S. 1077 and message.)

(To accompany bill S. 1077 and message.)

The majority of the Committee on Pensions, to whom was referred the message of the President of the United States returning Senate bill No. 1077, granting a pension to Newcomb Parker, with his objections to the passage of the same, have considered the message and reconsidered the bill and the evidence in support thereof, and report:

This is really an interesting case. The claimant filed his declaration January 7,1880, six months before the expiration of the limitation for arrears, so that if granted he would be pensioned from the incurrence of the disability, and become entitled to considerable money. He proved that he had suffered from a broken ankle received in line of duty, and there was no doubt about it.

Two special examiners successively reported in favor of the claim. There must have been parties in the Pension Office who resented these favorable reports of their own agents. If two favorable reports result in rejection, how many are necessary to secure the admission of a claim under the rules of the Pension Office? Where the reports continue in a man's favor why should the office interrupt the flow of good results by interposing a rejection? It would seem that the best chance of success is to have a bad case, since verdicts for the plaintiff turn him out of court.

This is not an obscure case either, for the certificate of disability shows that claimant was discharged for this very permanent hurt "by reason of an old irreducible dislocation and fracture of right ankle-joint, received at Fort Totten, D.C. Is unfit for duty in Invalid Corps."

A permanent incurable hurt, contracted in the service, is proved by their own records, and then proved again by two reports of their own agents, who must have known better than to do justice if it could be avoided when their work had torun the gauntlet of such official supervision at Washington.

Well, the result of all this demonstration was the rejection of the claim, November 10. 1885, on the ground that claimant "is una

[Senate Report No. 561, Forty-ninth Congress, first session.]

[Senate Report No. 561, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1077) granting a pension to Newcomb Parker, have examined the same, and report:
The claimant, Newcomb Parker, late private of Company K. E. eventh Vermont Volunteers, enlisted August 14, 1862, and was discharged February 8, 1864. He made application for pension January 7, 1890, alleging dislocation of right ankle by a falling stockade at Fort Slocum, D. C., about January 1, 1864. The claim was rejected November 10, 1885, on the ground that the claimant is unable to prove that he contracted or had any disability in the service that he did not have prior to enlistment.

It appears from the report of the Adjutant-General that this soldier was disabled by reason of lameness from the fracture of ankle-joint December 31, 1863, and that on February 8, 1864, was discharged for disability, but when and where fracture of ankle occurred the records do not show. The certificate of disability for discharge is, however, on file, and states that he was found unable to perform the duties of a soldier because of old and irreducible dislocation and fracture of right ankle-joint received at Fort Totten, D. C., and unfit for duty in Invalid Corps, discharged at his own request, disability one quarter.

The last examination by a medical board, August 6, 1885, rates the disability by reason of injury to right ankle at total.

The claimant has entered evidence of several parties who knew him before enlistment, showing that he was then a sound man and had no difficulty with his ankles, and also testimony as to the incurrence of the disability in the service.

The report of a special examiner, dated October 23, 1885, which closes as fol-

his ankles, and also testimony as to the incurrence of the disability in the service.

The report of a special examiner, dated October 23, 1885, which closes as follows, is also on file:

"From the testimony in this claim I am of the opinion it is one of merit, and therefore respectfully recommend it for admission."

The report of another special examiner, in which a large amount of testimony was taken, dated August 4, 1885, is also on file, in which he states:

"I think there is merit in the claim for injury of right ankle, and that on that account it may be admitted."

It would seem from this evidence that there can be no doubt that this disability was incurred in the service, and that this case should properly have been admitted as recommended—as recommended by the special examiners—in the Pension Office. Why it was not so admitted does not appear from the papers. Your committee recommend the passage of the bill.

On the 21st of April the bill passed the Senate, and on the 12th of June it passed the House of Representatives, was enrolled June 14, and went to the President for his approval on the 21st of June, whereupon such proceedings were had as the following letter indicates to be usual in such cases. It will be observed that enrolled bills can not come to the possession of the Interior Department save from the custody of the President, who receives them from Congress.

[From letter in other cases, June 14, 1886.]

[From letter in other cases, June 14, 1886.]

DEPARTMENT OF THE INTERIOR.

SIR: I send herewith enrolled bills, as follows: * * * Please cause the

same to be critically examined and report to this Department whether in your opinion any objections to their approval are known to exist. In cases where objections exist they should be specifically set forth.

Very respectfully,

H. S. MULDROW, Acting Secretary.

The COMMISSIONER OF PENSIONS.

February 6, all the papers on file in the Pension Office in this case were called for and sent to the Senate committee, and April 15 were returned to the Pension

Office.

Being now in possession of the Senate report and of the papers from and after April 15, and of the enrolled bill from the President, and his demand for the facts, the Commissioner overhauls the performances of his subordinates in this case, and the following report of the evidence on file is the result. It will be observed that this document itself proves that it is made after the Senate action took place, and was known to the Commissioner, who personally examined this case, as a document printed herewith, containing, as it does, these words: "The papers were sent to the Senate Committee on Pensions, February 6, 1886, and returned April 15, 1886."

[No. 335797. . Newcomb Parker, Company K, Eleventh Vermont Volunteers.]

[No. 335797. Newcomb Parker, Company K, Eleventh Vermont Volunteers.]
Claim was rejected November 10, 1885, on the ground that claimant is unable to prove that he contracted or had any disability in the service that he did not have prior to enlistment.

Soldier enlisted as private August 14, 1862, and was transferred to One hundred and twenty-ninth Company, Second Battalion Invalid Corps, December 31, 1863, at Clifburn barracks, by reason of lameness from fracture of ankle-joint and flat foot. Discharged February 8, 1864, for disability.

Certificate of disability shows that he was discharged by reason of an "old irreducible dislocation and fracture of right ankle-joint, received at Fort Totten, D. C., is unfit for duty in invalid corps, and is discharged at his own request; disability, one-fourth."

Regimental records not on file.

Claimant alleges in declaration filed January 7, 1880, that about January 1, 1864, at Fort Slocum, D. C., he had his right ankle dislocated by the falling of a stockade.

Regimental records not on file.

Claimant alleges in declaration filed January 7, 1830, that about January 1, 1864, at Fort Slocum, D. C., he had his right ankle dislocated by the falling of a stockade.

In deposition before special examiner he states that as near as he can remember, it was in October, 1853, at Fort Slocum, D. C., a detachment of his company were engaged in strengthening the earthwork by driving a stockade. He was on top of the parapet handling one of the timbers, when he slipped and fell into the ditch, and the timber came down on him and crushed his right ankle. Was picked up by his comrades and taken to regimental hospital, which was between Fort Totten, where Company K was stationed, and Fort Slocum. Never had any trouble with his feet or ankle prior to enlistment, and has never received any injury to right foot or ankle since discharge, but admits an injury to left hip by being squeezed between two cars in 1873 or 1874. Was stripped and examined at enlistment.

Special examiner reports not reliable.

Moses Demarse, late private Co. K, 11th Vt. Vol., testifies that in the fall of 1863, at Fort Totten, he had just come off of picket duty and he saw claimant lying in his bunk, and he had crutches made for him. He said, and they all said, that he was warm of get duty, and was larger where the was a warm of the said of the said of the said with the was warm of the said of the said of the said with the was a work of the said of the said of black color and bruised. His foot was kind of flat when he enlisted, but he used if perfectly well, only it turned out a little more than the other. Can not say which foot it was.

Reputation good, by special examiner.

Nathan K. Martin testifies that he was a member of Company K, Eleventh Vermont Volunteers, and claimant seemed all right at enlistment, except that he had a twisted ankle and flat foot. Claimant was examined at enlistment at same time affiant was. Remembers that in fall of 1862 (same affiant was. Remembers that he had any trouble with his foot

feature of the narrative.

"Good."

George H. Soules, late lieutenant, Company K., Eleventh Vermont Volunteers, states, in reply to a letter from this office, that he remembers claimant was off duty at Fort Totten in 1863 on account of his foot and ankie being bad. As to his being sound at enlistment knows that he was stripped and examined, and he supposed that was good evidence of soundness.

M. S. Lillie, late private Company K., Eleventh Vermont Volunteers, states, in reply to letter from special examiner, that he remembers Parker, and was on duty with him when he was injured, and he never did any duty afterwards.

Thinks it was his hip or ankle that was injured by a small tree hitting him, but can not recall the particulars to mind.

The surgeons of the regiment have been corresponded with, but they fail to remember claimant.

Henry C. Hill, postmaster, Isle La Motte, Vt., testifies that he has known claimant since he was a boy, and prior to 1862 he seemed to have some trouble with his ankles and he had a flat foot. He walked with the right foot more turned than the left and it was flat, broken down in the instep so that there was no hollow; sold him boots from the time he was old enough to wear them until he enlisted, and he walked on the "inner side" of his feet, but he turned the right foot more than the other, wore it out on the inner side of the sole, and broke

down the shank directly. It is reported that he has met with two or three accidents on the railroad since the war. He has no bias or prejudice in this mat-

down the shank directly. It is reported that he has met with two or three accidents on the railroad since the war. He has no bias or prejudice in this matter.

Polly A. Goodsell testifies that she is claimant's sister, and that when he was a boy eight or nine years old he fell off a car and sprained his ankle; it was not broken, and he got well in a little while and never was a cripple until he came home from the war. He never had a flat foot until he came home from the Army, and always wore his boots as straight as any of the other boys, and nothing was the matter with his feet when he enlisted; remembers of two accidents received since the war. Last winter he got jammed in coupling cars and hurthis stomach, and about sixteen years ago he had his shoulders squeezed.

Elizabeth Parker testifies that she is claimant's mother, and that when he was about 15 years of age, in attempting to get off a train while it was in motion the heel of his boot dragged along the ground as he hung on, and turned his right ankle and sprained it. In two weeks he was walking around again, and he never had any more trouble with that foot until he went into the Army. Both feet were alike when he enlisted, and he walked as well as ever he did, had no flat foot and did not break down the shank of his boot. He got doubled together on the cars about fifteen years ago and dislocated his right hip. Is certain that it was his right hip, because we have spoken about it a good many times; that all the injuries he has received have been on that limb. Has noticed that his foot has changed since then. He had a lump on his ankle as big as her fist when he came from the Army, but she did not see that his foot was any different from what it was when he enlisted; but since he got that hip hurt she can see a change in his foot, and it is flattened out and turned sideways. He has met with two other accidents on the railroad since, and both of them to the right limb, and of course that goes to affect the foot and ankle. He said when he returned that he

The papers were sent to the Senate Committee on Pensions February 6, 1885, and returned April 15, 1886.

Medical examination by the Plattsburg board, held August 6, 1885, shows as follows:

follows:

The internal malleolus of the right foot is extra prominent. Immediately below this malleolus is another bone, one of the tarsus, which is nearly as prominent as the malleolus. Below this other bone is a large callus of the integument. The ball of great toe and the internal border of the same toe are also the seat of hard calluses of the integument. The foot is everted, so that he walks on the internal border of this foot. The arch of this foot is entirely obliterated. His boot shows that he walks constantly on the internal border. There is considerable motion of the ankle, and the motion of the toes are not interfered with. with

With.

Rated total for injury of right ankle.

The wrapper or jacket in which the papers were kept has the following indorsement (we call especial attention to that, which shows that a special act was pending):

Returned from S. C. (Senate Committee) April 15, 1886.

[Indorsed on jacket.] [Indorsed on jacket.]

No. 335797.

Newcomb Parker; P.O., Rouse's Point, N.Y.

Service: Co. K., 11th Vt. Vols.

Enlisted July 14, 1862.

Discharged Feb'y 8, 1864.

Application filed Jan'y 7, 1880.

Alleges dislocation of right ankle.

Attorney: George L. Clark, Plattsburgh, N.Y.

Nov. 19, 1885, Clark informed rejected; claimant is unable to prove any dis. in ervice he did not have prior thereto.

June 22, 1886, date and cause of rejection to claim't through Hon. H. G. Bureigh.

June 22, 1886, date and cause of rejection to claim't through Hon. H. G. Burleigh.

Ret'd from S. C. April 15, 1886.

June 24, 1886, letter to Att'y Clark (see copy).

In the indorsement of April 15 the letters "S. C." are used for "Senate Committee" by the custom of the office, and indicate, of course, to any one examining the papers that the papers have been in the possession and on that date returned from possession of that committee.

June 24, the Commissioner makes the order indicated by the following paper now among the files:

[335797. Newcomb Parker, Co. K, Eleventh Regiment Vermont Volunteers.]

Mr. MACE

Chief Eastern Division:

The honorable Commissioner directs that this claim be allowed under his ruling No. 181.

Prior to June 29 all these things have taken place at the Pension Office, the bill and the action of the Pension Office considered by the Executive, and on the 29th the President of the United States sends the following veto message to the

[Senate Ex. Doc. No. 194, Forty-ninth Congress, first session.] Message from the President of the United States returning Senate bill 1077 without his approval.

To the Senate:

I hereby return without approval Senate bill number ten hundred and seventy-seven, entitled "An act granting a pension to Newcomb Perker."

This claimant filed an application for a pension in the year 1880.

Before the passage of the bill herewith returned, the Commissioner of Pensions, in ignorance of the action of Congress, allowed his claim under the general law. As this decision of the Pension Bureau entitles the beneficiary named to draw a pension from the date of filing his application, which, under the provisions of the special bill in his favor, would only accrue from the time of its passage, I am unwilling that one found worthy to be placed upon the pension-rolls by the Burean to which he properly applied should be an actual loser by reason of a special interposition of Congress in his behalf.

GROVER CLEVELAND.

EXECUTIVE MANSION. June 29. 1886.

EXECUTIVE MANSION, June 29, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Newcomb Parker.

Be il enacted by the Senate and House of Representatives of the United States of Amera in Congress assembled, That the Secretary of the Interior be, and he is hereby,

authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Newcomb Parker, late of Company K, Eleventh Regiment of Vermont Volunteers.

JOHN G, CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate protempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK,

By CHAS, W. JOHNSON, Chief Clerk.

The following letter of the Commissioner, addressed to the committee, dated February 6, 1886, proves that as early as that date he was informed of the action going on in Congress, that from and after that date he was not in ignorance of the proceedings for a special act, and that up to that date, when he transmitted the papers to the Senate, nothing had been done in the way of reconsidering the case, and as matter of fact nothing was done until in the month of June last:

Department of the Interior, Pension Office, Washington, D. C., February 6, 1886.

Washington, D. C., February 6, 1886.

Sin: In response to your request, I have the honor to transmit herewith the papers in the claim for pension of Newcomb Parker, late private of Company K, Eleventh Vermont Volunteers, original number 33579. The claim was rejected on the ground that the claimant is unable to prove that he contracted or had any disability in service that he did not have prior to enlistment.

Very respectfully,

JOHN C. BLACK, Commissioner.

Commissioner.

Hon. John I. Mitchell,
Chairman Committee on Pensions, United States Senate.

The Senate kept the papers until the bill was reported and returned to them April 15. During the time the papers were in possession of the Senate nothing would have been done by the Commissioner. The bill passed the House on the 12th of June. It was in possession of the House from and after its passage by the Senate, April 21, up to June 12. It was reported to the House some days earlier, on May 11, and after the House report was made, the papers, if the House had called for them, would have been returned to the Pension Office. Accordingly, on the 12th of June, we find the Pension Office astir, as by the following appears:

BOARD OF REREVIEW, June 12, 1883.

[No. 335797. Newcomb Parker, Co. K, 11th Reg't Vt. Vols.]

[No. 335797. Newcomb Parker, Co. K., 1113. Acg.

Respectfully referred to the medical referee.

Please look over this case and state whether, in your opinion, claimant's present condition is due entirely to injury of right ankle and flat foot, shown to have existed prior to enlistment; or whether if it is accepted that he received an injury to said ankle in the service, you can separate the two, and rate for the disability which may be due to the service, as per Commissioner's ruling No. 181.

GEO. O. EVANS,

Gereviewer.

Approved: F. W. Poon, Acting Chief Board Rereviewer.

MEDICAL DIVISION, PENSION OFFICE, Washington, D. C., June 14, 1886.

[No. 335797. Newcomb Parker, Co. K, Ilth Reg't Vt. Vois.]

Respectfully returned to Mr. Poor, acting chief board of rereview.

To say exactly what degree of disability is due to the injury received before enlistment and to that alleged to have been received in service is impossible, but if the alleged injury is accepted legally, then it is, in my opinion, the duty of the medical division to separate the injuries received before and after enlistment, and grant a rating for the injury as legally accepted.

GEORGE P. DU BOSE,

Medical Examiner.

Approved:
P. H. Barton,
Acting Medical Referee. This completes the light thrown upon the subject by the records, except as by the following unsigned document which comes to us among the files:

[No. 335797. Newcomb Parker, Company K, Eleventh Vermont Volunteers.]

DEPARTMENT OF THE INTERIOR, PENSION OFFICE,
Washington, D. C., June 23, 1886.

SIR: In reply to your communication of recent date relative to the aboveentitled claim, I have the honor to state that I have caused the evidence to be
carefully examined and have personally considered the same.
You are informed that the case is now under consideration with a view to its
allowance, and certificate will be issued as soon as the exigencies of the work of
this office will admit.

Very respectfully,

Commissioner.

GEORGE I. CLARK, 916 F street, City.

George I. Clark, 916 F street, City.

Now, we submit in this connection the French proverb that "he who excuses accuses," and also the legal maxim, "unusual clauses always induce a suspicion." With all the rest, why does the President in his message suppress the fact that this claim had been formally rejected by the Pension Office, so that the claimant had no remedy but in the interposition of Congress? Why does he take pains to state that" in ignorance of the action of Congress? Why does he proceed to express his anxiety to save the claimant from the loss of arrears of pension by the action of Congress when such action would have no such effect, not in the least impairing his right to the allowance of the arrears, save by the force of a recent unaccountable ruling of the present Commissioner, reversing all previous practice and violating all equity and, we believe, all legal right, made apparently as a punishment to those who dare to apply to Congress for relief, no matter what the outrage they may have suffered in the toils of the office.

Why does the President so write this message as to place Congress (whose action was based upon the rejection of the claim by the Commissioner), himself, and the Commissioner, and unfavorable to the Legislature of the country?

Can any one believe that the Commissioner of Pensions reversed his own deliberate action rejecting this claim without a particle of further evidence or any trace of reason save as the result of the proceedings in Congress, of which it is simply absurd or worse to deny his knowledge, or at least knowledge of those who reviewed and reversed his previous action, and allowed this claim just in season to enable the President to write this peculiar veto which places Congress in the attitude of inflicting hurt to the claimant by its meddlesomeness?

The President could not have been familiar with the facts in this case; all he knows of them comes from the Commissioner of Pensions or from his office.

Who told him that the Commissioner had reversed the rejection and allowed the claim in ignorance of the action of Congress? That assertion must have come from the Commissioner, for no one else could have known of his want of knowledge. The Commissioner decided June 24 to allow the claim. June 21 the enrolled bill went to the President. Was the enrolled bill in possession of the Commissioner before he decided to allow this claim? However that may be, is it conceivable that, with the office stirred up by this pension controversy and the constant watchfulness of the office over the proceedings of Congress and the correspondence going on between committees and the office, the overhauling and transmission of files, and the special attention thus called to each case, besides the public proceedings, reports, passage of bills recorded in our Congressional daily, which goes in numbers to all Executive Departments, to say nothing of the omnipresent newspapers of the land, that the eyes of the men who do the work in the office were not fixed upon their mjust and unreasonable decision in this case, and that whether or not those who were urging the claim in Congress called the attention of the Commissioner to it, the allowance of this claim is not wholly due to the action of Congress and not "in ignorance" of that action?

There can be no good cause assigned for this ruling of the Commissioner, refusing, by reason of special acts, the right to prosecute under the general laws for arrears justly due, except in the few cases where Congress makes express or plainly implied provision that the pension granted is in lieu of all claims whatsoever. Even then, when the claim is for a vested right under existing and general laws, which is the fact in this and nearly all other cases, the action of the legislative power would fail, for a vested right can not be taken away by act of Congress, and pensions due by virtue of laws existing when the contract of enlistment should be, held to be, in effect, vested rights protected by all subse

committee:
"At a regular meeting of the Committee on Pensions, June 29, 1886—
"Ordered, That the several veto messages of the President be referred, respectively, to the members of the committee who reported the bills vetoed, with instructions to examine and report the same back to the Senate, submitting any questions to the committee for advice and re-examination which they think necessary, and that any member of the minority of the committee have leave to present dissenting views."

JOHN S. KIRKPATRICK.

[Senate Report No. 1562, Forty-ninth Congress, first session.] IN THE SENATE OF THE UNITED STATES.

JULY 24, 1886.-Ordered to be printed.

In the Senate of the United States.

Juny 24, 1886.—Ordered to be printed.

Mr. Blair, on behalf of the majority of the Committee on Pensions, submitted the following report (to accompany bill S. 1787 and message):

The majority of the Committee on Pensions, to whom was referred the message of the President of the United States, returning Senate bill No. 1797, granting a pension to John S. Kirkpatrick; with his objections to the passage of the same, have considered the message and reconsidered the bill and the evidence in support thereof, and report recommending the passage of the bill not withstanding the objections of the President.

The principal portion of the evidence on file in the Pension Office in this case is herewith printed, as well as the Senate report, the veto message, and the petition of the applicant praying for the passage of the bill over the veto.

It will be perceived the message of the President is founded upon the declaration of the Commissioner that this case has not been in effect rejected by the Commissioner. The letter of the Commissioner so notifying the applicant of the rejection is printed herewith, and it is quite idle if not an unwarrantable trifling with the proper verity of official statement to say that this case was still pending before the Commissioner of Pensions when application was made to Congress for relief. Besides, were this so, there is no impropriety in the petition of this man addressed to Congress for relief; and it is an invasion of the right of petition on the part of the citizen, and of the right and duty of the legislative power to hear such petition, and in its discretion—not that of the Executive—to determine whether and in what form it will grant relief, to say that this bill shall be rejected, or ought to be rejected, because the applicant had no right to apply as yet to Congress for redress of grievances.

There may be good grounds for vetoing this bill, but the fact that Congress has seen fit to pass it or to entertain it before the Commissioner of Pensio

sions.

A bill for that purpose has been reported to the Senate by your committee, and if it should become a law it would remove from Congress to the jurisdiction of local courts and juries of their neighbors at least four-fifths of all the cases which now overwhelm Congress and the Executive, and try the strength, not to say the patience, of both.

If there never had been any Pension Office for other purposes than to furnish transcripts of record and the like, who believes that it would have taken a quarter of a century for local tribunals in the States to find one-half or two-thirds of their soldiers who were or are entitled to pensions? The system, however, must

stand, probably. There might be improvement by the removal of its imperfections and abuses. We have suggested one. A wise and vigorous Commissioner, properly sustained, can remove many of the existing evils, and it is to be hoped that a great opportunity will not be lost by the present incumbent of that important office.

The committee have taken care to criticise the system rather than the individual men who administer it, in order that they may not confound themselves in the execution of their practical duties with the legislative power.

The committee will leave the Senate and the country to judge between the parties on the evidence in this case. It does not seem to us that the nation can evade the payment of this pension, but perhaps it can be done. The committee, however, respectfully beg leave to be excused from participation in this work, and recommend the passage of the bill, the objections of the President to the committee, of which the following is a copy:

At a regular meeting of the committee June 29, 1885—

Ordered, That the several veto messages of the President be referred respectively to the members of the committee who reported the bills vetoed, with instructions to examine and report the same back to the Senate, submitting any questions to the committee for advice and re-examination which they think necessary, and that any member of the minority of the committee have leave to present dissenting views.

[Senate Report No. 618, Forty-ninth Congress, first session.]

[Senate Report No. 618, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (8,1797) granting a pension to John S. Kirkpatrick, have examined the same, and report:

a pension to John S. Kirkpatrick, have examined the same, and report:

That the records in this case show that claimant was a private in Company K, First Regiment Colored Volunteers; that he was a sound, strong man when he enlisted, and that during a long, tedious March from Fort Craig to Fort Union, New Mexico, he contracted varicose veins, which have ever since that time prevented him from performing manual labor. That he is sixty-five years of age, and totally unfit for any manual labor. Statement of claimant is corroborated by testimony of comrades and neighbors; also, by certificates of examining surgeons L. D. Hall and Max Kennedy, who both testify that this is the worst case of varicose veins they ever saw; and rate his disability total therefor.

Taking into consideration all the testimony on file in this case, the committee believe it to be their duty to report in favor of this bill, and recommend its pas-

Message from the President of the United States returning Senate bill 1797 without his approval.

JUNE 30, 1886.—Read and referred to the Committee on Pensions and ordered to be printed

To the Senate:

I hereby return Senate bill number seventeen hundred and ninety-seven, entitled "An acting granting a pension to John S. Kirkpatrick."

This claimant appears to have enlisted December 10, 1861, and to have been discharged December 20, 1864. He is borne upon the rolls of his company as present up to June, 1862; in July and August, 1862, as on detached service as hospital attendant, and so reported February 28, 1863. In March and April, 1863, he is reported as present, and in May and June, 1863, as on detached service. There is nowhere in his service any record of disability.

He filed his application for a pension in 1880, in which he alleged that from hardship and exposure on a long march in New Mexico in the month of December, 1862, he contracted varicose veins in his legs.

As I understand the record given above, this claimant was on detached service from July, 1862, to February, 1863.

It will be observed that his claim is that he contracted his disability within that time, and in December, 1862. He appears also to have served for two years after the date of his alleged injury, and that he did not file his application for pension till about sixteen years afterwards.

His claim is still pending, undetermined, in the Pension Bureau, and if there is merit in it there is no doubt that he will be able to make it apparent.

GROVER CLEVELAND, Executive Mansion, June 29, 1886.

EXECUTIVE MANSION, June 29, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

one thousand eight hundred and eighty-five.]

An act granting a pension to John S. Kirkpatrick.

Be it enacled by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John S. Kirkpatrick, late a private in Company K, First Colorado Regiment.

JOHN G. CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN,

President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, By CHAS, W. JOHNSON, Chief Clerk. etary,

To the honorable Congress of the United States :

To the honorable Congress of the United States:

I, John S. Kirkpatrick, your petitioner, would respectfully say that it has just come to my knowledge that the President has vetoed the bill recently passed by Congress requiring my name to be placed on the pension-roll.

The circumstances in my case are peculiar. At the time I became injured I was many hundreds of miles away from my company and practically alone, and did not rejoin the company for nearly four months thereafter, consequently few knew of my injury. Our company was made up of men from seventeen States and many foreign countries and became widely scattered. Ten years' searching has enabled me to find only three of the old members, and they know nothing that could be of any use in this case.

In November, 1882, I sent an affidavit to the Pension Office in which I stated that I had no more proof to offer, and asked the office to allow the claim or reject it on the proof then offered. I have ceased to seek for proof, believing it to be useless.

I do not think it was the intent of the law that it should be administered so

to be useless.

I do not think it was the intent of the law that it should be administered so as to compel a man to bankrupt himself in order to sustain a just claim. I believe that the rule of the Pension Office requiring direct proof is the cause of most of the frauds in the pension business.

I could have satisfied the requirements of the Pension Office years ago by dividing the money with men who would have sworn to the best advantage and stuck to it, but I prefer defeat to fraud.

All of our company officers are dead. The President could probably understand the difficulty of obtaining their evidence.

Had there been any probability of my obtaining testimony I would not have risked the loss of more than twenty years of back pension by appealing to Con-

gress. Had I not been disabled I would have remained in the Army longer, as the \$800 of Government and local bounties then obtainable was a great temptation, as the end of the war was visible.

For nearly twenty-four years I have never for one hour been free from pain. I have striven to live without the aid to which I was justly entitled. My sixty-five years of age notifies me that the end is not far off. I am no longer able to earn a living, and appeal to judgment of Congress as against the malignant injustice of the President.

A victim of the brutal want of system of the American military system, I appeal to you for a fraction of justice. No amount of money would compensate my suffering, but a reasonable amount would add to my comfort. I admit that the proof is meager, but when did genuine courage and endurance take thought to leave a plain trail behind? I throw myself on your mercy. Pass the bill—the Pension Office objections to the contrary—or acknowledge that your pension system is a fraud and a delusion.

And for this I will ever pray.

JOHN S. KIRKPATRICK.

JOHN S. KIRKPATRICK.

CLAY CENTER, KANS., June 30, 1886.

APPENDIX.

COPIES OF PAPERS FILED IN ORIGINAL PENSION CLAIM OF JOHN S. KIRKPAT-RICK.

Declaration for original invalid pension.

STATE OF KANSAS, County of Clay, ss:

STATE OF KANSAS, County of Clay, ss:

On this 11th day of June, A. D. one thousand eight hundred and eighty, personally appeared before me, clerk of the district court, a court of record within and for the county and State aforesaid, John S. Kirkpatrick, aged 58 years, a resident of the township of Oakland, county of Clay, State of Kansas, who, being duly sworn according to law, declares that he is the identical John S. Kirkpatrick who was enrolled on the 10th day of December, 1861, in Company K, of the First Regiment of Colorado Volunteers, commanded by Capt. Samuel M. Robbins, and was honorably discharged at Denver on the 20th day of December, 1864; that his personal description is as follows: Age, 58 years; height, 6 feet 1½ inches; complexion, medium; hair, dark; eyes, hazel. That while a member of the organization aforesaid, in the service and in the line of his duty between Ft. Craig and Ft. Union, in the Territory of New Mexico, on or about the 13th day of December, 1862, he, from hardship and exposure on the route, he contracted varicose veins of the legs, and that he has suffered with said varicose veins continually since that time, and is unable to do any considerable amount of manual labor.

veins continually since that time, and is unable to do any considerable amount of manual labor.

On or about the 15th day of December, 1862, he was attached to Co. B, 2d Col. Volunteers, and was reported to the post surgeon on the company sick-list. That he was treated in hospitals as follows: Fort Union about the 22d of December and for some days thereafter; that he has never been employed in the military or naval service otherwise than as stated above; that since leaving the service this applicant has resided in the counties of Douglass, Ottawa, and Clay, in the State of Kansas, and his occupation has been that of a farmer; that prior to his entry into the service above named he was a man of good, sound physical health, being, when enrolled, a carpenter; that he is now partially disabled from obtaining his subsistence by manual labor by reason of his injuries, above described, received in the service of the United States, and he therefore makes this declaration for the purpose of being placed on the invalid pension-roll of the United States.

He hereby appoints, with full power of substitution and revocation, E. H.

the United States.

He hereby appoints, with full power of substitution and revocation, E. H. Gelston & Co., of Washington city, District of Columbia, his true and lawful attorneys to prosecute his claim; that he has never received nor applied for a pension; that his post-office address is Oak Hill, county of Clay, State of Kansas.

JOHN S. KIRKPATRICK.

Attest:

A. F. SCHAEBER, J. W. EWING.

Also personally appeared A. F. Schaeber, residing at Clay Center, and J. W. Ewing, residing at Oak Hill, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw John S. Kirkpatrick, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with him, that he is the identical person he represents himself to be; and that they have no interest in the prosecution of this claim.

A. F. SCHAEBER. J. W. EWING.

Sworn to and subscribed before me this 11th day of June, A. D. 1880, and I hereby certify that the contents of the above declaration, &c., were fully made known and explained to the applicant and witnesses before swearing, including the words "at" and "State of" erased; and that I have no interest, direct or indirect, in the prosecution of this claim.

[L. S.]

JOHN F. RYERSON.

Received direct from cl'm'nt.

JOHN F. RYERSON, Clerk Dist, Court Clay Co., Kansas.

E. H. G. & CO. Filed by E. H. Gelston & Co., Washington, D. C. (Stamped:) Department of the Interior, Pension Office, Jun. 16, 1880.

Examining surgeon's certificate in the case of an original applicant. [No. of application, 378,687; State, Kansas; county, Cloud.]

Post-Office, Concordia, Nov. 24/h, 1881. I hereby certify that I have carefully examined John S. Kirkpatrick, late a private Co. "K," lat Reg't, Col. Vols., in the service of the United States, who is an applicant for an invalid pension by reason of alleged disability resulting

is an applicant for an invalid pension by reason of alleged disability resulting from varieose veins.

In my opinion the said John S. Kirkpatrick is totally (\$8.00) incapacitated for obtaining his subsistence by manual labor from the cause above stated.

Judging from his present condition, and from the evidence before me, it is my belief that the said disability did originate in the service aforesaid in the line of duty.

The disability is likely to continue.

A more particular description of the applicant's condition is subjoined:

Height, 6 ft. 1\frac{1}{2} in.; weight, 165 aprox.; complexion, dark; age, 60; pulse, ——;

Height, 6 ft. 14 in.; weight, 160 aprox.; complexion, dark; age, 60; pulse, —; respiration, —.

The worst case of varix that I have ever met with. On left leg the veins are distended to an enormous size from the groin nearly to the toes, making it necessary to abandon a No. 9 boot and wear a No. 12. Right leg is affected from the knee to the instep, but not so bad as its fellow. There is on the right leg, below the knee, a varicose tumor, so to speak, as large as half of a goose egg. He says that work or exercise on his legs makes them much worse, sometimes swelling to twice their natural size.

L. D. HALL.

L. D. HALL, xamining Surgeon.

(Stamped:) U. S. Pension Office, Nov. 28, 1881.

*See diagram.

Examining surgeon's certificate in the case of an original applicant.

[No. 378,687. Name of claimant, John L. Kirkpatrick, private Company K, first Colorado Cavalry. Examining surgeon's address: Junction City, Davis County, Kansas. Date of examination, November 15, 1882.]

I hereby certify that I have carefully examined this applicant, who claims that while in the service of the United States, at or near a place named —, and while in line of duty, on or about the — day of —, 18—, he incurred varicose veins, and that in consequence thereof he is totally disabled for earning his subsistence by manual labor.

He states that he is 61 years of age, that he weighs 165 pounds, and that he is 6 feet 1½ inches in height.

His pulse rate per minute is 66, his respiration 17, and his temperature not taken.

His pulse rate per minute is 66, his respirator of taken.

The examination reveals the following facts:

This is the worst case of varicose veins it has been my lot ever to see. I have never seen anything like them, extending from the lower part of the abdomen down each leg to the toes. He said he never had any of it until after he entered the Army, and although he suffered very much with them, he never complained or spoke of his condition to any one, and always was on duty, and never was treated for them by any physician or surgeon; says he is not able to produce any testimony in regard to his condition while in the service; he looks like an honest man speaking the truth, and if so, should have a total pension; he says he never pretends to work; can not stand upon his legs very long at a time.

From the condition and history of the claimant, it is my opinion the disability was incurred in the service as claimed, and that it is not aggravated or protracted by vicious habits.

I find the disability as above described to entitle him to total rating.

MAX. KENNEDY,

Examining Surgeon.

OAK HILL, KANS., Nov. 10, 1882.

[J. George Dieter, dealer in dry goods, groceries, boots, shoes, hats, caps, drugs, etc.]

WM. W. Dudley,
Commissioner of Pensions, Washington, D. C.:

Sir: Yours of 10 | 19 to hand. Have been trying to find particulars in ease J.
L. Kirkpatrick, but failed, as there was nobody from here in the same company

L. Kirkpatrick, but laned, as there was the with him.

I know him personally since 1868; has been sickly ever since I know him, but have never asked him what was the matter. He is a strict, quiet citizen; has filled the office of township trustee, and also as justice of the peace; has filled both offices with credit. This is all I know about him, as he is very quiet. If you wish me to inquire of him, let me know.

Very respectfully yours,

J. GEO. DIETER, P. M.

STATE OF KANSAS, County of Clay ss:

In the matter of a pension for John S. Kirkpatrick, late private of Co. K, 1st Cavalry of Colorado, personally comes the afflant, who, being first sworn, on oath says: I was a lieutenant in Company F, 1st Cavalry of Colorado, and was partially acquainted with the aforementioned John S. Kirkpatrick while in the Army, and have been well acquainted with him for the past fifteen years, and know him to be an upright, honorable gentleman, and would have no doubts of the truth of any statement he may make in regard to his disability; and afflant further swears that he is not interested in the prosecution of the claim, and his post-office address is Oak Hill, County of Clay, State of Kansas.

S. N. ACKLEY.

post-office address is Oak Hill, County of Clay, State of Kansas.

S. N. ACKLEY,

Late Lt. Co. F., 1st Cav'lry of Colorado.

Subscribed and sworn to before me this 24th day of January, 1882. The affiant is the person he represents himself to be, and a credible witness. I am not interested in this claim sought to be established. Witness my hand and seal, day and year above written.

The contents were read over to affiant before signing the same.

[SEAL.]

JOHN D. WELLS, J. P.

STATE OF KANSAS, Clay County Clerk's Office ss:

I, J. L. Noble, county clerk's Officess:

I, J. L. Noble, county clerk of said county, do certify that John D. Wells, before whom the annexed instrument in writing was proved or acknowledged, was at the time of taking the same a justice of the peace in for said county, duly authorized to take the same, and that I am well acquainted with his handwriting, and verily believe the signature to said certificate is genuine, and that the annexed instrument is executed and acknowledged according to the laws of this State.

In witness where of I have the said county, do certify that John D. Wells, before where the said county, do certify that John D. Wells, before where the said county, do certify that John D. Wells, before whom the said county, do certify that John D. Wells, before whom the said county, do certify that John D. Wells, before whom the annexed instrument in writing was proved or acknowledged, and the said county, duly authorized to take the same a justice of the peace in for said county, duly authorized to take the same a justice of the peace in for said county, duly authorized to take the same, and that I am well acquainted with his handwriting, and verily believe the signature to said certificate is genuine, and that the same a justice of the peace in for said county, duly authorized to take the same a justice of the peace in for said county, duly authorized to take the same a justice of the peace in for said county, duly authorized to take the same a justice of the peace in for said county, duly authorized to take the same a justice of the peace in for said county, duly authorized to take the same a justice of the peace and the said county and the sa

In witness whereof I have hereunto set my hand and affixed my official seal, at Clay Centre, in said county, this 6th day of Feb'y, A. D. 1882.

[SEAL.] J. L. NOBLE, Clerk.

[Stamped:] U. S. Pension Office, Feb. 21, 1882.

State of Kansas,
County of Clay ss:

In the matter of the claim of John S. Kirkpatrick for pension on account of disability caused by service in the United States Army, personally comes the affiant, who, being first sworn, on oath says: That he has been well acquainted with John S. Kirkpatrick for about fifteen years; have lived on the same section of land for about twelve years and speak from observation. An ordinary farmer in good health can readily farm fifty acres or more. Mr. Kirkpatrick has never been able to farm more than ten acres, and on that sometimes had to employ help. For the last twelve years he has either rented his ground or hired his farming done. He has been a suber and moral man all this time, and of more than average intelligence and honor; and affiant further swears that he is not interested in the prosecution of the claim, and his post-office address is Oak Hill, co. of Clay, State of Kansas.

A. F. SCHAEBER,

A. F. SCHAEBER.

Subscribed and sworn to before me this 25th day of February, 1882. The affi-ant is the person he represents himself to be, and a credible witness. I am not interested in this claim sought to be established. Witness my hand and seal, day and year above written. Certificate filed.

The contents were read over to the affiant before signing the same.

[SEAL.] JOHN D. WELLS, J. P.

(Stamped:) U.S. Pension Office, Mar. 11, 1882.

STATE OF KANSAS, County of Clay, ss:

In the matter of the claim of John S. Kirkpatrick for pension on account disability caused by service in the United States Army, personally comes the affiant, who, being first sworn, on oath says: That she has been acquainted with said person for more than sixty years; that she has made her home in the same

house with him for almost seventeen years, and speaks by observation; that he was disabled when he returned in March. 1865, and has continued disabled ever since. For the first four years I think that he could do about half what work others could do. Since 1870 he has been gradually getting worse, and has done little besides feeding his stock. He was always temperate and industrious and only ceased labor when it was not possible to do more. For the last ten years a smart boy of ten years old could have done more than he has been able to do. He is my brother, and affiant further swears that she is not directly interested in the prosecution of the claim, and her post-office address is Oak Hill, county of Clay, State of Kansas.

ELIZA KIRKPATRICK.

Subscribed and sworn to before me this 25th day of February, 1882. The affiant is the person she represents herself to be, and a credible witness. I am not
interested in this claim sought to be established. Witness my hand and seal,
day and year above written.

The contents were read over to affiant before signing the same. Certificate filed.

[SEAL.]

[SEAL.

STATE OF KANSAS, County of Clay, ss:

In the matter of John S. Kirkpatrick, Andrew J. Gabhart personally comes the affiant who, being first sworn, on oath says: I have been personally acquainted with John S. Kirkpatrick for nearly sixteen (16) except the year of 1877, during my absence. I know that he has been unable to do half the work that a well man should do in any one of all those years. He is not an indolent man, and is much more disabled now than he was when I first became acquainted with him; and affiant further swears that he is not interested in the prosecution of the claim, and his post-office address is Oak Hill, county of Clay, State of Kansas.

ANDREW J. GABHART.

Subscribed and sworn to before me this 24th day of February, 1882. The affiant is the person he represents himself to be, and a credible witness. I am not interested in this claim sought to be established. Witness my hand and seal,

interested in this cuting sought that and year above written.

The contents were read over to affiant before signing the same. Certificate filed.

JOHN D. WELLS, J. P.

On the sixth day of February, 1882, John S. Kirkpatrick, of the township of Oakland, in Clay County, Kansas, did appear before the clerk of the district court for the county of Clay, and being duly sworn says: That he is the person who has filed a claim for pension in the Pension Office at Washington, D. C., said claim being numbered 378687, and that he is unable to furnish direct proof of disability, as claimed by any officer or soldier of Company K, of the First Colorado Volunteers, or by any other person.

When the last companies of Colorado troops were about to leave Ft. Craig, N. M., to return northward some members of the regiment were left in the Ft. Craig Hospital, and I was detailed by regimental order to remain with them and take care of them. The hospital regulations prohibited me keeping any private blankets or clothing at the hospital. When the sick men got able to ride in a wagon we left Ft. Craig and went to Peralto, soon after to Santa Fé and Fort Union. Having no blankets except two small hospital blankets, no overcoat, and not half clothed otherwise, I suffered severely. Sleeping in the snow at night and walking fast every day to keep up with the wagon, the intense cold and excessive fatigue together produced my disability. (I had to give my blankets to the cripples in the day-time and had to walk or freeze.) There was no officer in charge of us during the trip, and no officer or man of our company knew anything of me at this time. The fact that I made that terrible march from Denver to Fort Craig is indisputable proof that I was a sound man when I enlisted; I was thoroughly examined and pronounced sound by the assistant regimental surgeon. The company was formed of men who were total strangers to me, and generally to each other, whose homes were in more than twenty different States and countries, consequently our friendships were slight and soon forgotten. I have not known the address of any member of the company for about eight years. I make this statement to show why direct proof is impossi

JOHN S. KIRKPATRICK.

Subscribed and sworn to before me this 6th of February, 1882, and I certify that I am not interested in the prosecution of this claim.

[SEAL.] JOHN F. RYERSON,

Clerk District Court, Clay County, Kansas,

(Stamped:) U.S. Pension Office, Feb. 21, 1882.

Medical evidence.

STATE OF KANSAS, County of Clay:

STATE OF KANSAS, County of Clay:

John S. Kirkpatrick, whose post-office address is Oak Hill, county of Clay, State of Kansas, and whose age is now sixty years, being first duly sworn, says that he is not a regular practicing physician of — years' standing, and that he gave medical advice and treatment to himself, late a private in Company K, of the First Regiment of Colorado Vols, as follows: Commencing in April, 1865, I wrapped my limbs in tight bandages from the toes to above the knees, and then applied cold water by pouring on the bandages. This practice was continued until June, about two months. In the latter part of June I was compelled to go to work, when treatment had to be discontinued. It had done no good, however, further than temporarily to allay the feverishness. I find by my account-book that for the next five months I worked, when able, at the rate of three dollars per day; that my best week's work brought me \$10.50, and my average earnings was only \$4.50 per week; two-thirds of this loss was caused by this disability.

I further swear that I am interested in this claim for pension.

JOHN S. KIRKPATRICK.

Subscribed and sworn to before me this 27th day of February, 1882. The affiant is the person he represents himself to be, and a credible witness. I am not interested in this claim. Witness my hand and seal the day and year above written. Certificate filed. JOHN D. WELLS, J. P.

(Stamped:) U. S. Pension Office, Mar. 11, 1882.

Claimant's affidavit.

STATE OF KANSAS, County of Clay, ss:

Comes now John S. Kirkpatrick, claimant for original pension No. 378587, who, being first duly sworn on his solemn oath, deposes as follows:

I am the claimant above named; for five years prior to my enlistment in the U.S. service my place or places of residence were as follows: Washington, Franklin Co., Mo., until 1859, then in various parts of Colorado, principally near Breckenridge, on Blue River. My occupation during said time was house carpentering and gold-mining chiefly. My occupation since discharge has been chiefly stock-raising. Since my discharge to the present time I have resided at the following place or places: At Denver, Colorado, until March, 1865; at Lawrence, Kansas, until May, 1896; and have occupied a place partly in Ottawa and also Clay Cos., Kansas, till now.

The following is a full and complete history of my disability and its incurrence from the time it first appeared to the present: On account of excessive fatigue and extreme cold the veins of both legs became variose in December, 1862, so as to be very annoying and somewhat painful. Before quitting the service I could hardly mount a horse. For six or seven years I could do \(\frac{1}{2}\) a man's work; for the last 10 y, less than a \(\frac{1}{2}\).

The following is a complete statement of all the treatment I have received for said disability, together with the names and places of residence of all the doctors who have treated me: I described my feelings and symptoms to the post physician at Fort Union, N.M., in December, 1862. Without any examination he pronounced it rheumatism, and prescribed a dose of "magnesia." I never called on him again.

I have been my own doctor for more than thirty years, except while in the Army. Never employed but one doctor in my life.

I have had no disease of any kind since my discharge from the Army, except occasional biliousness, which never lasted more than two or three days at a time. I have been greatly troubled with fevers whenever I took any severe exercise or attempted any real labor.

In the summer of 1866 I wrought at the carpenter's trade about half time, and a few days occasionally since. My chief occupation for the past ten years was feeding stock.

And I further declare that my present P.O. address is Oak Hill, Clay County, State of Kansas.

JOHN S. KIRKPATRICK.

JOHN S. KIRKPATRICK.

Sworn and subscribed to before me this 6th day of February, 1882. I have no interest whatever in the prosecution of this claim.

[SEAL.]

JOHN F. RYERSON. JOHN F. RYERSON, Clerk District Court, Clay County, Kansas.

(Stamped:) U. S. Pension Office, Feb. 21, 1882.

[Original Pension Claim No. 378687.]

[Original Pension Claim No. 378687.]

I, John S. Kirkpatrick, claimant in the above claim, having received from the Pension Office at Washington [3-078] and [3-474] calling for further testimony in the case, do say on oath:

That when I enlisted at Denver, Col., about Dec. 10th, 1861, I was a sound man in every respect, and entirely free from varicose veins, and rely on the examination by the assistant regimental surgeon for proof of the same. I also claim as good incidental proof that I served the U.S. Government faithfully and fully for more than three years. I can furnish no further proof of my condition at enlistment.

With recent to my condition of the same of the condition of the same of the condition at enlistment.

for more than three years. I can furnish no further proof of my condition at enlistment.

With regard to my condition after discharge, I have heretofore submitted the best proof attainable. The affiants could not testify to the nature of my disability, for they never knew until I informed them when I applied for their statements. I did not go around the country naked trying to make a case, but did try all those years to conceal my disability until I concluded to move for a pension. I have nothing more direct to offer.

With regard to the officers whose addresses were furnished by the Department I say that I never saw Dr. Hamilton but once to know him, and never spoke with him. I knew Maj. Wyncoop well by sight but never spoke to him. Dr. Tolles I have not spoken with since the 25th day of March, 1862. It would be useless to apply to either of them.

Proof of my destitution at the time my disability was contracted may be found in the accounts of Co. B of 2d Col. Vols., for I drew clothing through that company to the amount of over thirty dollars, which is still unpaid for by me. Further proof may be found in the U.S. Land Office. I took a homestead claim in 1870, but being unable to build on it, I had to allow it to revert to the Government. The land was principally in sec. 24, T.9 S., R.1 west. I have never obtained title to 1 acre of land from the United States.

STATE OF KANSAS,

STATE OF KANSAS, Davis County, ss:

John S. Kirkpatrick, being sworn, says the above and foregoing statement is true. [SEAL.] JOHN S. KIRKPATRICK.

Subscribed and sworn to before me this 15 day of November, A. D. 1882. S. D. UNDERWOOD, Probate Judge of Davis Co., Ks. (Stamped:) U. S. Pension Office, Nov. 28, 1882.

[Original pension claim 378687, Iowa division.]

OAK HILL, CLAY Co., KANS., Sept. 8, 1882.

Hon. W. W. Dudley:

Let my 61 years of age and almost twenty of unceasing suffering plead for early action on the above claim.

Very respectfully, &c.,

JOHN S. KIRKPATRICK,

Formerly of Company K, 1st Colorado Volunteers.

(Stamped:) Mail Division, U. S. Pension Office, Sept. 11, 1882.

Settle if complete. Desk of Commissioner. Filed Sept. 11, 1882.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C. Oct. 19, 1882.

Sir: Will you please inform this office what you may know regarding John S. Kirkpatrick, who has applied for a pension under claim No. 378687, and who was a member of Co. K., 1st Col. Cav., and who alleges that he contracted varicese veins Dec. 13, 1862, between Forts Craig and Union, N. Mex., and has suffered from the same ever since. Any information you may be enabled to furnish, will be duly appreciated. Please return this letter.

Very respectfully,

WM. W. DUDLEY,

Commissioner. B.

The Postmaster, Oak Hill, Clay Co., Kas. (Stamped:) U.S. Pension Office, Nov. 16, 1882. STATE OF MINNESOTA

County of Nicollet, ss:

County of Nicollet, ss:

In the matter of the invalid pension claim acct. of John S. Kirkpatrick, Pension Office, No. 37887, of Company K. First Regt. Colorado Volunteers.

On this 12th day of March, A. D. 1883, personally appeared before me, Jonas Anderson, a resident of St. Peter, Nicollet County, in the State of Minnesota, a respectable citizen and entitled to credit, who, being duly sworn, says that he was formerly a private in Co. K. First Regt., Colorado Vols., and was well and intimately acquainted with said Kirkpatrick from the time of affiant's enlistment, or a few days after that time, until a long time after being mustered out of the service, and that from about the month of March, in 1863, affiant and said Kirkpatrick slept together as "bunkies" until mustered out as aforesaid; that when said command left Denver in February, 1862, on the march to Forts Union and Oraig, said Kirkpatrick had the appearance of, and acted as, a man in the enjoyment of perfect health. And he endured the march to Fort Craig as well as any man in the company, and while the command remained at Fort Craig he

took as much exercise as any man in the co., and when we left him at that place in August, 1862, he appeared and acted as being perfectly sound and

took as much exercise as any man in the co., and when we left him at that place in August, 1862, he appeared and acted as being perfectly sound and healthy.

Afflant states that he took the blankets and clothing of sald Kirkpatrick with him to Denver and delivered them to him there about the latter end of March, 1863. Afflant further states that from the intimacy existing between them he is satisfied that said Kirkpatrick would have mentioned the fact to him if he had not been sound and healthy, but that he never did mention such fact prior to their separation at Fort Craig in August, 1862. Afflant further states that after said Kirkpatrick did rejoin the command at Denver, in March, 1863, as aforesaid, he told this afflant for the first time that he suffered, and that his blood was disordered in some way. Upon the march to Fort Larned, in Kansas, the regt., being then mounted, Lieutenant Hill of said co. always excepted said Kirkpatrick when requiring the co. to walk. Afflant also noticed that after March, 1863, he, the said Kirkpatrick, when eating, did not sit down as others did if the ground was wet or damp, but stood up; and that when sitting upon dry ground it was with his legs extended, and that when after "squatting" down and attempting to rise after a few minutes he would fall as though he had been shot, none of which symptoms or actions were exhibited by him until after he rejoined the command at Denver, in March, 1863.

And afflant further declares that he has no interest in the prosecution of this claim directly or indirectly.

JONAS ANDERSON.

Subscribed and sworn to before me this 12th day of March, A. D. 1883, and I certify that the foregoing affidavit was read and explained to affiant before he signed the same, and that I have no interest direct or indirect in this claim—the words "for the first time" interlined before signing.

BENJ. ROGERS, Clerk of the District Court, Nicollet County, Minn'a.

(Stamped:) U.S. Pension Office, March 26, 1883.

ST. PETER, MINNESOTA, April 11, 1883.

St. Peter, Minnesota, April 11, 1883.

Washington, D. C.:

Sir: In answer to your favor of April 2, 1883, in the matter of pension claim 378,687, John S. Kirkpatrick, late private Co. K., 1st Col. Vols.

I have no personal knowledg that he received alleged varicose veins in service and line of duty nor did I remember seing the same, nor am I personally acquainted with the circumstances under which same was contracted, nor can I state of my own knowlegd that he was ever treated for the same while in the service.

My affidavit filed in the case contains the substance of all that I know about it, to which I refer you. I would add that he was a splendid soldier physicaly at the date of his enlistment and up to the time I left him at Fort Craig; that after his return he was not at all the same person in that respect, his actions and manner indicating that he had undergone a good deal suffering, that impaired his motions and lively action. But he would never shrink from his duties as long as it was in his power to perform it, so he was very seldom of from dutie. He was always a man of veracity and strict integrity while I knew him, saying but little about anything unless questioned, and still less about himself. I was prehaps more intimate with him than anny one else, and allways placed the utmost confidence in what he said.

From your, respectfuly,

JONAS ANDERSON,

JONAS ANDERSON.

(Stamped:) U.S. Pension Office, April 17, 1883. B.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, July 16, 1883.

Sir: In response to the personal request of Hon. P. B. Plumb, you are informed that in your invalid pension claim No. 378687, you should furnish the testimony of two comrades who have personal knowledge that you had varicose veins while in the Army. Your comrades who have already testified do not actually know whether your disability existed while in the Army, and their testimony is of no value. Very respectfully,

C. B. WALKER, Acting Commissioner.

JOHN S. KIRKPATRICK, Oak Hill, Kans., Clay County. (Stamped:) U. S. Pension Office, Aug. 9, 1883.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C., August 18, 1883.

Washington, D. C., August 18, 1883.

Sir: In your claim as above referred to, you are informed that a careful reexamination of the papers in this case discloses that the claim is inadmissible on
account of inability to furnish the evidence of commissioned officer or two or
more comrades who can testify of their own knowledge as to the incurrence of
alleged varicose veins. It is not within the power of this office to complete the
claim until the evidence indicated is furnished.

Very respectfully,

Acling Commissioner.

John S. Kirkpatrick, Esq., Oak Hill, Clay Co., Kans.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C., Oct. -, 1883.

Washington, D. C., Oct. —, 1883.

Sin: In response to the personal request of Hon. P. B. Plune, you are informed that your invalid pension claim, as above referred to, is inadmissible without the evidence of a commissioned officer or two comrades who have personal knowledge of the incurrence of the alleged varioose veins, of which fact you were informed on the 17th ult., and that it is not within the power of this office to complete the claim until the evidence indicated is furnished. The office is not informed as to the post-office address of Capt. Robbins or any of the officers of your command.

Very respectfully,

Commissioner.

CLM'T., Oak Hill, Clay Co., Kansas.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C., March 18, 1884.

Hon. John I. MITCHELL,

Chairman Committee on Pensions, U.S. Senate:

Sir: In compliance with your request, I have the honor to transmit herewith the papers in the case of John S. Kirkpatrick, late private Company K, First Colorado Volunteers, application 378687. The soldier alleges that between Fort

Craig and Fort Union, New Mexico, about December 13, 1862, from hardship and exposure, he contracted varicose veins. He has recently been informed that his claim is inadmissible unless he can establish origin in the line of duty by the testimony of comrades having personal knowledge.

Very respectfully,

W. W. DUDLEY.

[Original pension claim No. 378687.]

CLAY CITY, KAS., Sep. 30, 1885.

I have long since submitted all the proof I could obtain in support of the above

I may long since submitted at the claim.

Will you please to have the testimony re-examined, and then if, under the law, it is held to be not direct enough, or insufficient, please send me about six blanks for affidavits. All the officers of the company are dead, but some of the men are probably alive yet, and I will have money enough soon to advertise extensively for them; and still I dislike to be put to that unnecessary expense if it can be avoided, for I firmly believe that I have submitted sufficient proof years ago.

Years ago.

I am a lonely bachelor, sixty-four years old; it is full time I was married.

Whether I ever do have a home depends on your office.

I am, very respectfully, &c.,

JOHN S. KIRKPATRICE

JOHN S. KIRKPATRICK.

To the COMMISSIONER OF PENSIONS, Washington, D. C.

(Stamped:) U. S. Pension Office, October 5, 1885.

[Original pension claim No. 378687.]

CLAY CENTRE, KANS., Nov. 13th, 1885.

To the Commissioner of Pensions, Washington, D. C.:

Washington, D. C.:

Some two months ago I wrote to request a re-examination of my pension claim proof, and asking you, if the proof was deemed insufficient, to send me a few blank affidavits, but I have received no reply as yet. If one-fourth of the energy required of us in the field was employed by the multitude of clerks in your office, it would not be necessary for an old soldier to wait for years, or even for weeks, for a reply to anything. I have long ago furnished all the proof that a reasonable construction of the pension law requires, and all that I can furnish without great and, it appears to me, unnecessary expense, and the least that the Pension Office should do would be to give a prompt reply to a reasonable and strictly legal inquiry.

I am, &c.,

JOHN S. KIRKPATRICK.

(Stamped:) U.S. Pension Office, Nov. 16, 1885, B.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C., Nov. 25, 1885.

Six: Your claim for invalid pension No. 378687 is inadmissible until you furnish the testimony of comrades who have positive personal knowledge that you contracted varieose veins in the service and in line of duty.

Very respectfully,

JOHN C. BLACK, Commissioner.

John S. Kirkpatrick, Oak Hill, Kans.

DEPARTMENT OF THE INTERIOR, PENSION OFFICE, Washington, D. C., July 2, 1886.

Sin: In response to your request I have the honor to transmit herewith the papers in the claim of John S. Kirkpatrick, late private of Co. K, 1st Colorado Vols., original No. 378687.

The claim is still pending before this office.

Very respectfully,

JOHN C. BLACK,

Hon. John I. Mitchell, Chairman Committee on Pensions, U. S. Senate.

ANNIE C. OWEN.

[Senate Report No. 1565, Forty-ninth Congress, first session.] IN THE SENATE OF THE UNITED STATES.

JULY 27, 1886.—Ordered to be printed.

JULY 27, 1886.—Ordered to be printed.

Mr. Sewell, from the Committee on Pensions, submitted the following report (to accompany bill S. 1850, and the veto message of the President thereto):

The Committee on Pensions, to whom was referred the message of the President of the United States, returning the bill (S. 1850) granting a pension to Mrs. Annie C. Owens, have examined the same, and report as follows:

In returning this bill to the Senate without his signature, the President alleges reasons for so doing which lead the committee to a careful revision of the evidence and a thorough re-examination of the papers in the case.

In their previous report, recommending the passage of the bill, it was brief but conclusive that the claim was a valid one, and that the soldier's widow was entitled to a pension. This opinion was based upon the proof presented in the papers and examined by them. The committee did not then, and do not now, think it necessary to go into the details of the evidence submitted to them, but assumed that their conclusions and recommendation would be taken as the necessary sequence of a full and earnest consideration of the case.

They append hereto and make a part of this report the said message of the President and their previous report upon this case. The following is the message of the President Ex. Doc. No. 157, Forty-ninth Congress, first session.]

[Senate Ex. Doc. No. 157, Forty-ninth Congress, first session.]

I hereby return without approval Senate bill number eighteen hundred and fifty, entitled "An act granting a pension to Mrs. Annie C. Owen."

The husband of the claimant was mustered into service as second lieutenant December 14, 1861, and discharged October 16, 1862. It appears that he died in 1876 from neuralgia of the heart. In 1883 the present claimant filed her application for pension, alleging that her husband received two shell wounds—one in the calf of his left leg and one in his left side—on the first day of July, 1862, and claiming that they were in some way connected with the cause of his death.

On the records of his command there is no mention made of either wound; but it does appear that on the eighth day of July—seven days after the date of the alleged wounds—he was granted a leave of absence for thirty days on account, as stated in a medical certificate, of "remittent fever and diarrhae." A medical certificate dated August 5, 1862, while absent on leave, represents him to be at that time suffering from chronic bronchitis and acute dysentery."

The application made for pension by the widow was rejected by the Pension Bureau February 1, 1886.

There is nothing before me showing that the husband of the claimant ever filed an application for pension, though he lived nearly fourteen years after his discharge; and his widow's claim was not made until twenty-one years after the alleged wounds, and seven years after her husband's death.

If the information furnished concerning this soldier's service is correct, this claim for pension must be based upon a mistake. It is hardly possible that wounds such as are alleged should be received in battle by a second lieutenant and no record made of them; that he should seven days thereafter receive a leave of absence for other sickness with no mention of these wounds, and that a medical certificate should be made (probably with a view of prolonging his leave) stating still other aliments, but silent as to wounds. The further facts that he made no claim for pension and that the claim of his widow was long delayed are worthy of consideration. And if the wounds were received as described there is certainly no necessary connection between them and death fourteen years afterwards from neuralgia of the heart.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 28, 1886.

EXECUTIVE MANSION, May 28, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand eight hundred and eighty-five.]

An act granting a pension to Mrs. Annie C. Owen

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to place on the pension-roll, and subject to the limitations of the law, the name of Annie C. Owen, widow of Captain Mortimer B. Owen, late of Company G, Fifty-seventh Regiment Pennsylvania Volunteers.

JOHN G. CARLISLE,

Speaker of the House of Representatives.

JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK. By CHAS. W. JOHNSON, Chief Clerk.

The committee's previous report is as follows:

[Senate Report No. 491, Forty-ninth Congress, first session.]

The committee's previous report is as follows:

[Senate Report No. 491, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1850) granting a pension to Mrs. Annie C. Owen, having examined the same, report as follows:

The evidence in this case shows that this officer entered the service as a second lieutentant in Company G, Fifty-seventh Pennsylvania Volunteers, on the 14th of December, 1861, and was discharged for disabilities, resulting from wound received while in the line of his duty, in October, 1862. From the testimony presented to the committee of his subsequent treatment at different periods for diseases growing out of such wound, resulting finally in his death from heart disease in June, 1876, your committee are of the opinion that said disease was superinduced by the wound received in the ribs at the battle of Malvern Hill, and they therefore recommend the passage of the bill.

The objections of the Executive to the passage of this bill are not of such weight as to convince the committee that they erred in their recommendation in the former report. His approval is withheld upon much the same grounds as caused its rejection by the Pension Bureau—that the disability of the soldier, from which death ensued, was not incurred while in the line of his duty. In addition, the message recites two other reasons for exercising the veto power, namely: (1) That the records of his command make no mention of either wound (that in his side, and the one in his leg), by the explosion of a shell; and (2) that the soldier never made application for a pension in his lifetime.

The committee are not aware, and do not believe, that either or both of these reasons are a bar to the granting of a pension to a deserving soldier's widow. It was a common occurrence that the company books, after a severe battle, should be turned in with a meager showing of the men and their casualties, and that the missing links were never found, thus rendering the records uncertain authority as to t

work by the Pension Bureau or other Departments of the Government.

The message says:

"It is hardly possible that wounds such as are alleged should be received in battle by a second lieutenant and no record made of them."

The committee believe that it is not only possible, but very likely to happen in the terrific hurricane of events on a battlefield. The doubt implied, and all but uttered, in the following language of the message, as to the integrity and honor of the soldier, is, in the opinion of the committee, gratuitous: "It is hardly possible," states the Executive, "that he should, seven days thereafter, receive a leave of absence for other sickness with no mention of these wounds, and that a medical certificate should be made (probably with a view of prolonging his leave) stating still other ailments, but silent as to wounds," It would be charitable to believe that these words were uttered thoughtlessly rather than think they were a direct attack upon the honorable motives of the dead soldier.

In support of the President's allegations as to the want of sufficient and proper

think they were a direct attack upon the honorable motives of the dead soldier.

In support of the President's allegations as to the want of sufficient and proper testimony to establish the validity of the widow's claim is the following evidence of Capt. G. S. Peck, of the soldier's company, which it will be seen is not positive, but only supposititious, he being absent at the time, and sick:

He thinks it highly improbable that soldier was wounded as alleged. He (affiant) was away sick at the time, and when he received information of the casualties at Malvern Hill he heard nothing of the soldier's (Owen's) injuries.

First Lieutenant Mehan testifies same as Captain Peck.

M. M. Eddy, second sergeant, was present at battle of Malvern Hill and had all opportunities for knowing the facts, but recollects nothing of alleged wounds.

Does not think they were received.

Privates Richard Morrison and William W. Allen testify in substance same as Sergeant Eddy. Lieut, J. N. Gillespie, of Company B, Fifty-seventh Pennsylvania Volunteers, knew soldier, and was at Malvern Hill fight, but does not know that soldier was wounded.

This is the sum total of the proof presented in support of the President's position on this case, and discloses the grounds upon which he vetoes the bill. It is not based upon facts, it is wholly negative in its character, and is merely the substance of the opinions of three or four men who have not and do not offer a single proof of their own knowledge. They do not deny the statement of the soldier as to the time and incurrence of his disabilities; they do not deny or controvert the sworn testimony of the claimant, his wife, nor that of her witnesses; they simply express an opinion that it is not probable it is so.

To offset this is the following summary of positive evidence, from personal knowledge, and corroborative testimony by physicians, comrades, and friends: An uncle of soldier (Isaac N. Owen, of fair reputation for veracity) testifies that he was in the Army and knows the soldier was wounded in battle of Malvern Hill. He says that immediately after said battle he looked up the soldier, and was told by some one (thinks it was an officer) that he was wounded by explosion of shell, and had been sent home to New York. Affiant saw soldier some months afterwards and he told him of the injury, and that he had come back to the Army to resign, in consequence of said wound.

John Sullivan, comrade (of fair reputation), testifies that soldier was wounded in his side by shell at Malvern Hill. Affiant swears he was near soldier when he was wounded; soldier was put on a boat and taken away, and witness never saw him afterward.

Two physicians testify to his death from neuralgia of heart; neuralgia originated at seat of wound in his side.

Claim was referred for special examination, and the following testimony was taken:

Howard Bunting swore that soldier came home in 1862 not well, and claimed to have had some ribs broken by explosion of shell; never well afterward.

W.G. Schenck testifies to complaints of broken ribs and heart trouble subse-

W. G. Schenck testifies to complaints of broken ribs and heart trouble subsequent to enlistment.

Jno. W. Moffat testifies soldier came home in 1862 much debilitated and complained of wound in leg and body.

Dr. Varick, who gave certificate to extend furlough, does not now recollect soldier.

Dr. Shepard testifies soldier died of heart disease; he (the soldier) claimed to have had some ribs broken in the Army; suffered much from neuralgic pains in left side near heart, where there was evidence of injury as alleged by claimant.

Dr. Bowen treated soldier some time after the way for neuralgic of left side.

Dr. Bowen treated soldier some time after the war for neuralgia of left side, which he (the soldier) said was the result of wound or injury received in the

Dr. Bowen treated soldier some time after the war for neuralgia of left side, which he (the soldier) said was the result of wound or injury received in the service.

Dr. Wells testifies to the same. His treatment was in 1876.

Benjamin G. Clarke, employer after service, well recollects that soldier said he was wounded somewhere. Witness doesn't remember when, how, or where. John Sullivan, comrade, adheres to his original statement, and says that he saw soldier lying on the ground and Surgeon Lyman (dead) had his shirt open and was examining his side; deponent glanced at the place and saw it was scratched and slightly bloody. Deponent asked the surgeon if the wound was a bad one, and he answered that a piece of shell had broken two or three ribs. Soldier was conscious, and wound appeared but slight to deponent; witness never saw soldier again; it runs in his mind that the injury was on the right side, but is not positive; it was in front and among the lower ribs.

William W. Chase, sergeant-major, remembers that soldier was injured at Malvern Hill, but does not remember how.

Isaac N. Ourn (soldier's uncle) corroborates his original testimony (briefed above). He knows nothing personally of much value to case.

In addition to the foregoing the committee may mention that most of the special examiners—many were employed in the case—close their reports to the Department with the significant comment that the case is a meritorious one.

Albert Gregory, special examiner, says:

"I believe that the claim possesses merit."

F. C. Loveland says:

"There is no doubt in my mind but that this is a meritorious case."

Dr. Hood says:

"There is no doubt in my mind but that this is a meritorious case."

Dr. Hood says:

"In view of evidence I think the fatal neuralgia of heart was a result of injury to side from shell, provided he did receive such injury."

Which proviso is, in the opinion of the committee, clearly established in the foregoing testimony.

The President refers to the fact that the soldier never applied for a pens

MARTIN MURPHY AND P. B. MURPHY AND OTHERS.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill (S. 22) for the relief of Martin Murphy and P. B. Murphy, returned from the House of Representatives with an amendment. amendment will be stated.

The CHIEF CLERK. The amendment of the House of Representatives is, in line 3, after the word "dollars," to strike out "with interest at 4 per cent. per annum from the 18th of April, 1881;" so as to make the bill read:

Be it enacted, &c., That the Secretary of the Treasury be, and hereby is, authorized and directed to pay to Martin Murphy and P. B. Murphy the sum of \$10,000 in full payment and satisfaction for the site of the light-house on Point Conception, on the Pacific coast, conveyed to the United States by the said Martin Murphy and P. B. Murphy by deed dated April 18, 1881; said sum to be paid out of unexpended balances of appropriations made for the support of the Light-House Board and light-houses for the fiscal years ending June 30, 1881 and 1882.

Mr. JONES, of Arkansas. This is a bill introduced by the Senator from Tennessee [Mr. HARRIS] which was for the payment of \$10,000 to Messrs. Murphy, in California, a claim that the Treasury Department said ought to be paid. After the bill was reported by the committee and when it was being considered in the Senate, on the motion of the Senator from Vermont [Mr. EDMUNDS] a provision was incorporated in the bill to give the parties interest on the money. It went the House and they have amounted the bill by striking out the provisthe House and they have amended the bill by striking out the provision for interest.

Now, as I understand, the gentlemen who are interested in this bill prefer that it shall be passed without further delay, preferring to lose

the interest than to have any delay.

In the same matter of the loss of money by the embezzlement of a treasury clerk in California there was about \$8,000 of other money in addition to this \$10,000 which belonged to divers small claimants, and a House bill has passed providing for the payment of this \$10,000 to the Messrs. Murphy and about \$8,000 additional to other persons who are certified also by the Treasury Department as being clearly entitled

to the money named. That bill has been referred to the Committee on Claims and reported favorably by that committee unanimously. a bill the facts concerning which my friend the Senator from California [Mr. STANFORD] is familiar with, and every one, I believe, of the California delegation thinks the claim a just one and ought to be passed. The Treasury Department reports that it ought to be passed, and I move that the Calendar number 640, House bill 190, which covers this same matter and the additional claims amounting to \$8,000 more, be taken up and passed by the Senate at this time.

The PRESIDENT pro tempore. The Senator from Arkansas asks the unanimous consent of the Senate to take up House bill 190 in lieu of the pending bill.

the pending bill. Mr. EDMUNDS.

Mr. EDMUNDS. Let it be subject to a call for the regular order. The PRESIDENT pro tempore. Is there objection?
Mr. BLAIR. I do not propose to object, but I wish to make a statement that there are quite a number of vetoed pension bills to which I anticipate no opposition, and the gentlemen who introduced the bills and who are interested in securing their passage will bring them to the attention of the Senate. The general discussion, if there is any occasion for general discussion, it would seem to me could well await the printing of the reports in accordance with the resolution now adopted; but there are quite a number of cases that might be disposed of to-day, and I desire that there be opportunity at least given for the consideration of those cases.

Mr. HARRIS. An explanation of the bill referred to by the Senator from Arkansas is all that will be necessary, and I undertake to say for the Senator from Arkansas that if it leads to any debate he will with-

draw it.

Mr. BLAIR. I did not observe this particular case, but I wish it understood that I do not object, reserving the right, however.

The PRESIDENT pro tempore. If there is no objection the House bill referred to will be taken up.

Mr. EDMUNDS. Subject to objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 190) for the relief of certain employés and others of the twelfth United States light-house district. It provides for the payment tweith United States light-house district. It provides for the payment of \$18,465.65, in payment of certain claims against the United States Government not heretofore paid because of the defalcation and forgeries of John T. Best, late clerk of the engineer of the twelfth light-house district, and due the several claimants as follows: Employés at Point Conception Light, \$3,784.70; Miguel Ortego, \$478.14; Charles Ashton, \$270; Pigeon Point Light-Station, \$980.99; sundry small bills, \$1,200.95; Martin and P. B. Murphy, \$10,000; O. B. Shaw, \$1,748.87.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The bill (S. 22) for the relief of Martin Murphy and P. B. Murphy will be indefinitely postponed.

ORDER OF BUSINESS.

Mr. CONGER. I ask unanimous consent to take up-

Mr. CONGER. I ask unanimous consent to take up—
Mr. BECK. I rise to morning business.
Mr. EDMUNDS. Regular order.
Mr. CONGER. I ask unanimous consent to take up Order of Business 1683, being the bill (S. 2126) for the relief of L. B. Townsend, Louis S. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett. I have asked to call it up several times. I have labored for several weeks to get at the Calendar which gave other gentlemen an opportunity to pass bills they liked, but we could not reach the consideration of this.

The PRESIDENT pro tempore. The Senator from Michigan moves

The PRESIDENT pro tempore. The Senator from Michigan moves to proceed to the consideration of a bill.

Mr. CONGER. I ask unanimous consent.

Mr. SEWELL. We are not through with morning business. The PRESIDENT pro tempore. The morning business has been gone

through regularly in its due course. Mr. PLATT. I do not understand that the morning business is

through.

Mr. CONGER. I have asked unanimous consent in the morning business and out of it, and I have yielded to every Senator who has

asked for anything else.

The PRESIDENT pro tempore. Pending the motion of the Senator from Michigan the Chair asks unanimous consent of the Senate to be

allowed to receive morning business.

Mr. CHACE. I was present at the opening of the Senate and have been watching and waiting to make a report.

The PRESIDENT pro tempore. Reports were distinctly called for. The Chair will receive morning business if there be no objection.

CONSIDERATION OF HOUSE BILLS.

Mr. BECK. I offer the following resolution to be acted on now:

Resolved, That at the next meeting of the Senate, after the routine morning business is disposed of the Senate will proceed under the provisions of Rule VIII to the consideration of bills which have passed the House of Representatives and have been reported favorably by the Senate committees.

Mr. EDMUNDS. Let that go over. The PRESIDENT pro tempore. The resolution goes over.

Mr. SEWELL. I move to amend by striking out "bills which have passed the House of Representatives."

The PRESIDENT pro tempore. The resolution is not before the Sen-

REPORTS OF COMMITTEES.

Mr. CHACE, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 4865) to extend the system for the immediate delivery of letters, and amendatory of sections 3, 4, and 5 of the act approved March 3, 1885, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes," reported it without

ending June 30, 1886, and for other purposes," reported it without amendment, and submitted a report thereon.

Mr. SEWELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8827) granting a pension to John Buchanan;
A bill (H. R. 6817) granting a pension to Thomas Brown;
A bill (H. R. 6832) granting a pension to Abraham P. Griggs; and A bill (H. R. 6832) granting a pension to Mrs. Catharine Sattler.

Mr. EDMUNDS. I am instructed by the Committee on the Judiciary, to whom was referred the letter of the Secretary of War transmitting the petition of Private Richard Murray, of the band of the United States Seventh Infantry, praying for relief from the political disabilities imposed on him by section 1218 of the Revised Statutes, which should have gone to the Committee on Military Affairs, to report the should have gone to the Committee on Military Affairs, to report the paper back and ask that it be referred to the Committee on Military Affairs.

The PRESIDENT pro tempore. That order will be made if there be

no objection.

Mr. EDMUNDS, from the Committee on the Judiciary, to whom were referred the following bills, reported them severally without

A bill (H. R. 2848) for the relief of Benjamin P. Loyall, of the State

of Virginia;
A bill (H. R. 8278) for the relief of Seth M. Barton;
A bill (H. R. 8192) to remove the political disabilities of J. R. Eg-

gleston, of Mississippi; and
A bill (H. R. 9115) for the relief of Eugene E. McLean.
Mr. PLUMB. The Committee on Public Lands, to whom was referred the bill (H. R. 3186) to declare a forfeiture of lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company, to confirm the title to certain lands, and for other purposes, instruct me to report it without amendment. I ask permission for the minority to file their views at any time before the bill is considered.

Mr. VAN WYCK. At a convenient time I shall present a minority report on that subject. While the title of the bill speaks of the forfeiture of the lands, in fact it only confirms patents already issued.

REPORTS OF INTERNATIONAL MONETARY CONFERENCES

Mr. GORMAN. I am instructed by the Committee on Printing, to whom was referred the joint resolution (H. Res. 87) providing for the printing and distribution of documents of the monetary conferences of 1878 and 1881, to report it with an amendment, and to ask for its present consideration.

Mr. EDMUNDS. Let it be read subject to objection.

The CHIEF CLERK. The Committee on Printing report to amend the resolution by inserting, in line 6, after the date "1881:"

Also the report of the monetary commission created under the joint resolution of August 15, 1876, being Senate Report No. 703, second session, Forty-fourth Congress, with such indices to the three reports as may be supplied by the Secretary of State.

Mr. EDMUNDS. I have not heard the original resolution read yet. The PRESIDENT pro tempore. The joint resolution will be read as it will stand if amended.

The Chief Clerk read as follows:

Resolved by the Senate and House of Representatives, &c., That there be printed and bound in cloth 5,000 copies each of the Reports of the International Monetary Conferences of 1878 and 1881; also the report of the monetary commission created under the joint resolution of August 15, 1876, being Senate report No. 703, second session, Forty-fourth Congress, with such indices to the three reports as may be supplied by the Secretary of State; 3,000 copies of each for the use of the House of Representatives, and 1,500 copies of each for the use of the Senate; and that the Public Printer hold the remaining 500 copies of each for sale, at 10 per cent, advance on cost price, to any person applying for the same.

The PRESIDENT pro tempore. If there be no objection the joint resolution is before the Senate as in Committee of the Whole. The question is on the amendment reported by the Committee on Printing.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution

The amendment was ordered to be engressed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

The title was amended so as to read, "A joint resolution providing for the printing and distribution of documents of the monetary conferences of 1878 and 1881, and the report of the monetary commission created under the joint resolution of August 15, 1876."

Mr. GORMAN. I move that the Senate insist on its amendment and ask for a conference thereon with the House of Representatives.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate.

NAVIGATION AND CUSTOMS COLLECTION LAWS.

Mr. GORMAN, from the Committee on Printing, to whom was referred the following House concurrent resolution, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring). That there be printed 5,000 copies of the navigation and customs collection laws relating to vessels, including the laws relating to merchant seamen, and the regulation of steam-vessels, compiled by the Bureau of Navigation in the Treasury Department, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for the use of the Bureau of Navigation. of Navigation.

PACKING AND SELLING CUT TOBACCO.

Mr. EUSTIS. I move that the Senate proceed to the consideration of Order of Business 1725, being the bill (H. R. 8738) to so further amend section 3362 of the Revised Statutes, as amended, and section 3363 as makes a distinction in the mode of packing and selling cut

The PRESIDENT pro tempore. That motion is not now in order. Morning business is being received.

ART AND INDUSTRY.

Mr. HAWLEY. I am directed by the Committee on Printing, to whom was referred a resolution to print additional copies of Senate Executive Document No. 209 on art and industry, to report it with an amendment in the nature of a substitute. I ask for its present consideration.

By unanimous consent, the Senate proceeded to consider the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed — additional copies of Senate Executive Document No. 209 on art and industry; of which — copies shall be for the use of the Senate, — copies for the use of the House of Representatives, and — copies for the use of the Bureau of Education.

The amendment reported by the Committee on Printing was to strike out all after the resolving clause of the resolution and insert:

That there be printed and bound 5,000 additional copies of the report of the Bureau of Education on art and industry; of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House, and 2,000 copies for the Bureau of Education.

The amendment was agreed to.

The resolution as amended was concurred in.

COMMITTEE ON PRINTING.

Mr. McPHERSON. If it is in order now I should like to call up a bill.

Mr. MANDERSON. I hope we shall go on with the morning busi-

The PRESIDENT pro tempore. It is not now in order.

Mr. MANDERSON, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Ordered, That the Committee on Printing have leave to sit during the recess of Congress.

PROGRESS OF PANAMA CANAL.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably a House concurrent resolution, with amendments, and I ask for its present consideration.

By unanimous consent, the Senate proceeded to consider the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the Committee on Printing be directed to cause to be printed, for distribution by the Senate and members of the House in the usual proportion, 5,000 copies of the special intelligence report, by Lieutenant Kimball and Naval Cadet Capp, United States Navy, upon the progress of the Panama Canal during the year 1885, which report was transmitted to the House by the honorable Secretary of the Navy on May 20, and referred to the Committee on Printing.

The amendment of the Committee on Printing was to make the resolution read:

Resolved by the House of Representatives (the Senate concurring), That the special intelligence report on the Panama Canal, by Lieutenant Kimball and Naval Cadet Capp, transmitted to the House by the Secretary of the Navy, be printed, and that 3,000 additional copies be printed; of which 1,000 copies shall be for the use of the Senate and 2,000 copies shall be for the use of the House.

The amendments were agreed to.

The resolution as amended was concurred in.

Mr. MANDERSON. I move that the Senate insist on its amendment and ask for a conference with the House of Representatives thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate.

REPORT ON EDUCATION IN ALASKA.

Mr. MANDERSON. I am directed by the Committee on Printing,

to whom was referred a concurrent resolution of the House of Representatives to print 10,000 copies of Senate Executive Document No. 85, Forty-ninth Congress, to report it with amendments. I ask for its present consideration.

By unanimous consent the Senate proceeded to consider the follow-

ing House concurrent resolution:

Resolved by the House of Representatives (the Senate concurring therein), That 10,000 copies of Senate Executive Document No. 85, Forty-ninth Congress, be printed; one-half for the use of the Senate and the other half for the use of the House.

The amendments of the Committee on Printing were, in line 2, to strike out the word "ten" and insert "six;" in line 5, to strike out the word "one-half" and insert "fifteen hundred;" and, in the same line, strike out "the other half" and insert "three thousand five hundred;" dred;" so as to make the resolution read:

Resolved by the House of Representatives (the Senate concurring), That 6,000 copies of Senate Executive Document No. 85, Forty-ninth Congress, be printed; 1,500 for the use of the Senate and 3,500 for the use of the House.

The amendments were agreed to.

Mr. FRYE. What is that executive document?

Mr. MANDERSON. A report on education in Alaska, a document that is very much inquired for.
The resolution was concurred in.

Mr. MANDERSON. I move that the Senate insist on its amendment, and ask for a conference with the House of Representatives

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate.

BULLETINS OF THE BUREAU OF ETHNOLOGY.

Mr. MANDERSON. I am instructed by the Committee on Printing, to whom was referred the joint resolution (H. Res. 120) to print the annual bulletins of the Bureau of Ethnology, to report it favorably with amendments. I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, pro-

ceeded to consider the joint resolution.

The first amendment of the Committee on Printing was, in line 6, after the word "Indians," to insert:

Provided, That the authorization shall apply only to matter now on hand or collected during the fiscal year ending June 30, 1887.

So as to read:

That there be printed at the Government Printing Office 10,000 copies of any matter furnished by the Bureau of Ethnology relating to researches and discoveries connected with the study of the North American Indians: Provided, That the authorization shallapply only to matter now on hand or collected during the fiscal year ending June 30, 1887; the same to be issued in parts and the whole to form an annual volume of bulletins; 4,000 copies of which shall be for the use of the House of Representatives, 1,500 copies for the use of the Senate, and 4,500 copies for the use of the Bureau of Ethnology.

The amendment was agreed to.

The next amendment was to add as a new section the following:

SEC. 2. The sum of \$3,000, or so much thereof as may be necessary, for the printing and binding of the aforesaid annual bulletins, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

Mr. MANDERSON. I move that the Senate insist on its amendments and ask a conference with the House of Representatives thereon. The motion was agreed to.

By unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the Senate.

The PRESIDENT pro tempore. The Chair appoints the members of the Committee on Printing as the conferees on the part of the Senate on the various House resolutions about printing which have been passed to-day with amendments.

BILL INTRODUCED.

Mr. CONGER introduced a bill (S. 2885) donating fifty unserviceable muskets and bayonets to Wallace Brown's Post, No. 190, Grand Army of the Republic, of Birch Run, Mich.; which was read twice by its title, and referred to the Committee on Military Affairs.

WITHDRAWAL OF PAPERS.

On motion of Mr. GORMAN, it was

Ordered, That D. W. Mullen have leave to withdraw the papers in his case from the files of the Senate.

Ordered, That Philip G. Hopkins have leave to withdraw the papers in his case from the files of the Senate.

MARGARET D. MARCHAND.

A Senate bill granting a pension to Margaret D. Mr. SEWELL. Marchand, the widow of Commodore Marchand, passed both Houses and was vetoed by the President. A House bill passed and came to the Senate granting her a pension of \$30 a month, which is what she

is entitled to under the law. That bill, in consequence of the pass of the Senate bill, was indefinitely postponed. I have reason to be-lieve that that bill can now become a law. Therefore, I ask unanimons consent-

The PRESIDENT pro tempore. It is not now in order. Strictly morning business is all that is now in order.

Mr. SEWELL. I presume I can ask unanimous consent at any time. The PRESIDENT pro tempore. The Senator from New Jersey asks unanimous consent to proceed to the consideration of a certain bill.

Mr. SEWELL. I ask unanimous consent to reconsider the vote by

which the bill (H. R. 2060) granting a pension to Margaret D. Marchand was indefinitely postponed, in order that it may be placed on the Calendar, this not being the vetoed bill.

The PRESIDENT pro tempore. If there be no objection, that order will be made. The Chair hears no objection.

INTERNATIONAL USE OF SILVER COINAGE.

Mr. EVARTS. I offer resolutions which, with the permission of the Senate, I will read:

Senate, I will read:

Resolved, That the President be requested, if he shall deem it compatible with the public interests, to open a correspondence with the principal commercial powers of Europe with the view of ascertaining their estimate of the effect now operating upon commercial exchanges, and the values of commodities therein exchanged, by the great fall in silver bullion and the disuse of free silver coinage, which date, progressively, from the demonetization of silver by Germany in 1873. And, further, by such correspondence, to ascertain whether such powers or any of them are disposed, separately or in concert with others, either with or without the United States, to engage, either by domestic regulation or international convention, in any movement toward the restoration of parity between gold and silver in full function as intrinsic money, upon a ratio to be established by law.

Resolved, That the President be requested, if he shall deem it compatible with the public interests, to lay this correspondence before Congress at its part sea.

Resolved, That the President be requested, if he shall deem it compatible with the public interests, to lay this correspondence before Congress at its next ses-

Mr. President, I should be glad if the resolutions might be now considered, but if objection is entertained, I shall ask that the resolutions be printed, and I will on Monday ask leave to have them considered,

and then accompany them with some brief observations.

The PRESIDENT pro tempore. The Senator from New York offers for adoption resolutions and asks for their present consideration.

Mr. EDMUNDS. They had better be printed. Mr. RIDDLEBERGER. I object.

The PRESIDENT pro tempore. Objection being made, the resolutions go over under the rule, and will be printed.

COMMITTEE ON INDIAN TRADERSHIPS.

Mr. PLATT. I offer a resolution, and permit me to say before it is read that inasmuch as it is probable I shall not be able to be in the Senate after to-day by reason of sickness in my family at home—I hope I may be able to be here, but it is highly probable I may not—I trust there will be no objection to the consideration of the resolution

The resolution was considered, by unanimous consent, and agreed to, as follows:

Resolved. That the select committee to investigate the matter of licenses to Indian traders, appointed by resolution of the Senate passed June 3, 1886, he authorized to sit during the recess, and to employ a clerk.

J. A. HENRY AND OTHERS.

Mr. HARRIS. The House of Representatives passed the bill (S. 289) for the relief of J. A. Henry and others, making sundry small appropriations to several different individuals. It is now in the hands of the enrolling clerk. I find in line 19 of that bill a clerical error in the name of "N. C. Blanton," as it should be. It is there "Blonton." I ask an order of the Senate that the enrolling clerk be directed to correct that clerical error.

Mr. EDMUNDS. Let us have the paper here, so that we may see

the thing itself.

Mr. HARRIS subsequently said: I now ask that an order be made changing the name of "Blonton" to "Blanton," as I suggested a moment since, in the bill (S. 289) for the relief of J. A. Henry and others.

The Secretary now has the bill.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent to correct an error in the enrollment of a bill, the bill being present in the Senate. Is there objection? The Chair hears none, and the correction will be made.

COMMITTEE ON ENROLLED BILLS.

The PRESIDENT protempore. The Chair advises the Senate that two members of the Committee on Enrolled Bills are unavoidably absent, the Senator from Colorado [Mr. Bowen] and the Senator from Georgia [Mr. Colquitt], and it becomes necessary to have a temporary appointment of members of that committee in order to carry on the

daily business. What is the pleasure of the Senate?

Mr. HOAR. I ask unanimous consent that the Chair be authorized to appoint two members of that committee to hold during the remainder of the present session or until the other members shall return.

The PRESIDENT pro tempore. If there be no objection that order will be made. The Chair hears none. The Chair appoints the Senator from Michigan [Mr. PALMER] and the Senator from Arkansas [Mr.

JONES] upon the Committee on Enrolled Bills during the present session or until the return of the absent members of the committee.

TREASURY SURPLUS.

The PRESIDENT protempore appointed Mr. Allison, Mr. Aldrich, and Mr. BECK the conferees on the part of the Senate on the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

SURETIES OF JOHN C. DEXTER.

Mr. CONGER. Now, if the morning business is concluded, I renew

my motion.

The PRESIDENT pro tempore. The Senator from Michigan moves to proceed to the consideration of bill (S. 2126) for the relief of L. B. Townsend, Louis S. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett.

The motion was agreed to; and the Senate, as in Committee of the

Whole, proceeded to consider the bill.

It proposes to release and discharge L. B. Townsend, Louis S. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett, of Ionia, Mich., sureties upon the several bonds of the late J. C. Dexter, given as security for the faithful performance of his duties as receiver of public moneys and disbursing agent of the Unitel States land office at Ionia, Mich., from 1861 to 1867, of and from all and every obligation and liability whatsoever on account of these bonds.

Mr. CONGER. I ask that the report of the committee be read.

do not wish to make any remarks.

The Secretary proceeded to read the report, submitted by Mr. SPOONER from the Committee on Claims, July 8, 1886.

Mr. CONGER. I do not insist on the reading of the report unless somebody else wants to hear it.

Mr. INGALLS. Let it be read,
Mr. SPOONER. The report is quite lengthy. I think I can state
in a word the proposition involved in this bill. I reported it from the
Committee on Claims.

The PRESIDENT pro tempore. Is the call for the reading of the report withdrawn?

Mr. INGALLS. No, sir; but I do not object to its being explained. Mr. SPOONER. If the report is read it will explain itself.

The Secretary resumed and concluded the reading of the report, as

The Secretary resumed and concluded the reading of the report, as follows:

The Committee on Claims, to whom was referred the bill (S. 2126) for the relief of L. B. Townsend, Lewis S. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett, have had the same under consideration, and respectfully report:

The persons named in the bill and for whose relief the same is proposed were sureties on the official bonds of one John C. Dexter, who was receiver of the United States land office at Ionia, Mich., from April 29, 1861, to August, 1867. There are four suits pending in the circuit court of the United States for the western district of Michigan against the sureties on four bonds given by Mr. Dexter, one on the bond of April 29, 1861, to recover \$1,566.67 against Alonzo Sessions and six other sureties; one on the bond of August 24, 1866, called "disbursing bond," for \$189.11 against Benjamin Harter as surety. It is stated that an accounting made subsequent to the commencement of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact that nothing is due the United States on either of the suits has developed the fact had nothing is due the United States on either of the suits has developed the fact had nothing is due the United States on either of the suits has developed the fact had nothing the United States on either of the suits has

ter was short in his accounts, or that there was any claim in behalf of the Government upon them.

Mr. Dexter is shown to have been a man whose reputation for integrity was above reproach. It is stated of him that "his habits were good, his manner of living simple and not extravagant, that he was industrious and energetic, and as a business man held the continued confidence of the people." Six years after the alleged deficit occurred in his accounts he was elected a State senator, no suggestion being made that he was short in his accounts with the Government. After the expiration of his senatorial term, in 1873, he left Ionia, and was engaged up to the time of his death in the milling and lumber business at Evart, in Oscola County. The record shows that he was worth \$15,000. The streties not knowing of the existence of any claim, or alleged claim, upon the bonds, his estate was, after paying his debts, distributed among the wife and brothers and sisters, and the minor heirs of some of them.

Under the statute of Michigan the General Government is a preferred cred-

itor, and this claim might have been realized out of the principal. The sureties now living might also have taken measures, had they known of the existence of the claim, to secure the payment from the estates of co-sureties now dead the proportion of each.

The committee are of the opinion that so long a time has elapsed that these sureties should be released. The bill is in most respects not unlike the bill passed by the Senate, at the present session, for the relief of Emerson Etheridge and William B. Stokes.

The committee report the bill back with the recommendation that the same days are supported by the senate of the same that the s

Mr. McPHERSON. I have not the bill before me, but I should like to ask the Senator in charge of it if it is proposed to remit the penalties on these bonds?

Mr. SPOONER. Only to release the sureties from liability to the

Government.

Mr. McPHERSON. It is to my mind the most extraordinary bill I have ever heard read in the Senate. I have watched closely the reading of the report, and I find there are seven different specifications in which this man, acting as a Government officer, was a defaulter, a persistent, chronic defaulter. Six or seven different bonds were given for six or seven different offices he held under the General Government as a disburser of public money and as receiver, and so on and so forth. In every case he gave a separate bond, and in seven distinct separate cases he turns out to have been a defaulter to the Government. I do not think a parallel case can be found in the whole scope of legislation.

If I am wrong in any particular about this matter, certainly I have been led into error by an imperfect hearing of the report; but as I understood the reading of the report you propose to release these various bondsmen; from the reading of the report, as I understand, forty or fifty in number, a different set of bondsmen for each particular position he held. You propose to pay out of the public Treasury the sum of \$12,000, and make it a donation practically to some forty or

fifty persons who were the bondsmen.

Mr. CONGER. The Senator could not have heard the report correctly or he would not have made such a statement. There were four bonds given by this gentleman in connection with his office of receiver of public money, and only in reference to that, except one that was given as disbursing agent of some public money in connection with the land office. The amount of that was \$152. The amount on the the land office. The amount of that was \$152. The amount on the other bonds is \$3,000, with interest amounting to \$3,000 more. The whole amount of the claim of the Government is only three thousand

and a few hundred dollars, except the interest.

Mr. Dexter, I think, stood as high in Michigan as a business man and an honest man as any man we ever had in the State, and was so acknowledged by everybody. He was an old settler there, a pioneer in that country. All the offices and duties he had to perform with which these funds were connected terminated nineteen years agotwenty years ago on some of these bonds, but nineteen years ago every obligation and every duty closed with his service, and if he owed the Government a cent he was worth from that time to his death money enough to respond in double and treble and quadruple any sum that enough to respond in double and treble and quadruple any sum that could have been claimed. His sureties were at that time all able to respond, and he was himself able up to the time of his death and until his property was distributed to his heirs at law, who are generally the children of brothers and sisters, many of them minors at that time. That was distributed seven or eight years ago, and has been used up.

On looking over the books there is found some apparent claim against

him and his bondsmen twenty years old. I have myself talked to Judge Durham and examined the books about it. On examination of the books as to the claims on which suit has been brought in Michigan on two of the bonds, the books themselves show, as stated in this report and as Judge Durham stated to me, that there is nothing due. Therefore on those two bonds the correction of the books felieves the sureties. But the investigation is still being pressed on the other bonds. Judge Durham said from the fact that they had commenced suit perhaps hastily on some of these old bonds, he desired that the matter should be brought to Congress, and whether the bill passed or not Congress should allow further time for the investigation which is going on

now. The suits by order of the Department are held in abeyance subject to the action of Congress or to a further investigation.

Many of these bondsmen have died and their property has been dis-tributed to their children. There is a balance of six or seven thousand dollars apparently on the books due. Of that amount the amount of \$113 on one bond and \$3,000 on another, the books show that he was not indebted as the report states, and Judge Durham, the Comptroller, told me and I examined it myself. On the other two bonds there is still a belief that they can find and do find a claim for allowance to Mr. Dexter, perhaps enough to equal the apparent claim of the Government. These people have heard nothing of this, through the laches of the Government, for twenty years; the opportunity has not been given them to have the property of the principal or the aid of the other sure-ties. It is a matter where I think in justice to people who have become bound, the Government should not prosecute against innocent par-ties bonds that have been left to slumber by somebody's fault for twenty years without giving the least notice of any claim.

Mr. McPHERSON. When were these suits commenced?

Mr. CONGER. This last summer and spring. They have not been

The parties took the earliest opportunity they could to long pending.

have an investigation made by their agents here, and already in the Departments two of the bonds are found to have been satisfied; already it is shown that there are notes on the books referring to other

ready it is shown that there are notes on the books referring to other things which, if found to be correct, would satisfy another of these bonds, so that there is only one left.

There is an equity in this case, which I think appeals to everybody, that minors and heirs who have had property left them and have used it for eight or ten years, shall not now be called into court to contribute to the payment of these little balances.

The proof before the Comptroller—and I assert it myself—is that there never was a more honest man as we thought in Michigan than Mr. Dexter. That was his reputation everywhere, a careful, prudent He never had notice that could be found from any paper nor did one of his sureties; they never had the least intimation during all these twenty years that there was an unsettled matter of Mr. Dexter's on which they were liable and there is nothing to show that even Mr. Dexter himself ever received any notice that his accounts had not been all square. Instead of this being an extraordinary bill, I think it is extraordinary that the Government should not in some way have notified

some of these persons if there was any claim against them.

Now, if the Senator from New Jersey will read the report prepared by the Senator from Wisconsin [Mr. Spooner], it sets forth the case I believe correctly, and also the character of Mr. Dexter, and also the fact that two of these bonds are found by the Department to have been satisfied, so that no further action should be taken. But the district attorney of Michigan having been instructed to bring these suits has commenced them, and they involve a large number of persons and their heirs in a trouble which they never anticipated. We have relieved the bondsmen to a much larger extent in other cases, where

equity required us to do so, even where parties had had some notice. I submit that this is a proper case for relief.

Mr. HARRIS. Allow me to ask the Senator from Michigan how long it was after the default of the public officer, before the defalcation was discovered and proceedings were instituted against the officer and his

Mr. CONGER. The last settlement was nineteen years ago on one

bond, and twenty years ago on another.

Mr. HARRIS. And when were proceedings instituted? When was suit brought against the sureties?

Mr. CONGER. Some time in April or May of this year, I think. Mr. HARRIS. Some eighteen or nineteen years after the default was

Mr. CONGER. I think nineteen years had elapsed before the sureties or the family of Mr. Dexter ever had the least intimation that the

accounts were not all settled and correct.

Mr. McPHERSON. I still affirm that I was quite right in the statement I made, from the reading of the report which I now have before me. I stated that there were six or seven distinct charges on which suit had been brought. It seems, in the first place, that on April 29, 1861, while holding a certain office—he was receiver of the United States land office at Ionia, Mich.—we find a claim against him then as a defaulter to the Government. There are four distinct suits against his bondsmen.

Mr. CONGER. Does the Senator say there was a suit brought nine-

teen years ago?

Mr. McPHERSON. No; but I say suits have been brought in four distinct cases. This is the first section of the report. Then it says: Another suit is pending on the bond of March 27, 1865, which was on the reap-pointment of Dexter as receiver.

It seems that under this bond there is claimed to-day, with interest, \$12,284,19.

Mr. CONGER. With the interest for twenty years.

Mr. McPHERSON - It seems that on that bond there were twelve or fourteen different sureties at different times-I suppose the renewals of the bonds with different sureties.

There is also a suit pending on the bond of August 24, 1866, which was given upon a reappointment. The Government claims that there is due on this bond \$311.31, with interest for nineteen years, making an aggregate of \$666.20. On this bond there is another distinct set of bondsmen.

I concede that at times the Congress of the United States have remitted penalties on bonds, for instance in the Navy Department. I happen to be a member of the Naval Committee, and I know of such cases coming before our committee, but in no case I believe has that committee reported a bill for the relief of a naval paymaster, except when during the civil war the naval paymaster had died or his funds had been stolen, and there were circumstances showing that it was absolutely beyond the power of the paymaster to have done otherwise than he did; and the Army paymasters have been treated in like manner. The same thing has been done in the custom-house, where money had been stolen from the custom-house, but in no case, so far as I can recollect, was there anything of this kind in which the Government officer in every single office he held under the Government was a persistent defaulter. This is a case most extraordinary, of a man having held four or five different recitions under the Government and see for act this record roses to anything of this kind in which the Government officer in every single office he held under the Government was a persistent defaulter. This is a case most extraordinary, of a man having held four or five different positions under the Government and, so far as this report goes to his estate, which was very considerable, more than enough to have liqui-

show, in every case he has been a defaulter, and now it is proposed to remit the penalty on his bonds.

Mr. CONGER. The charge that John C. Dexter, of Michigan was

The charge that John C. Dexter, of Michigan, was a defaulter knowingly to himself or to his friends, made by the Senator from New Jersey, could have been made with just as much assurance of propriety against the gentleman or his father, or any man in the world.

Mr. McPHERSON. Very true and very properly, but the Depart-

ment gives us the dates and amounts.

Mr. CONGER. There is no pretense here that he was a defaulter. The claim only is that on four of these bonds the books, twenty years after, do not show a settlement by allowing certain credits-that is all—but the books themselves when examined as to two of the bonds clear him from any charge of not having made settlement. Is that

clear him from any charge of not having made settlement. Is that any indication that he was a defaulter?

Mr. McPHERSON. Let me ask the Senator if the books of the Treasury Department had been written up during those twenty years when this man appears to have had a deficit on the books of the Treasury, why was not suit brought against him?

Mr. CONGER. I do not know. What I complain of is that suit was not brought. What I say is that there should be some time when, as between the Government and individuals, as between private indias between the Government and individuals, as between private individuals, suit should be brought or the matter should drop. There should be some statute of limitations within reasonable limits against the Government. But for the Senator to say that in the offensive or wrong sense John C. Dexter, the pride of my State, is to be upbraided after he is dead, or his children to be upbraided by having him called a defaulter, I resent it, and I could make the same charge against any man in the State of New Jersey with equal propriety.

There is nothing anywhere to show that this man ever in any way violated any trust, and the good people of Michigan will hear with surprise the venerable Senator from New Jersey charging John C. Dexter, of Michigan, the pioneer and patriarch of that region, with being either corrupt or knowingly a defaulter, with plenty of money in his possession all the while up to the day of his death to meet any demand of citizen or Government either.

Mr. McPHERSON. One word more. The Senator from Michigan states that for twenty long years, during which time the political party to which the Senator belongs was in control of the Treasury Department of the United States, this default existed. I use the term because of the fact that according to the books of the Treasury this gentleman owed on the 29th of April, 1861, a certain sum of money to the Treasury which was not settled up, and notwithstanding all that he was re-appointed, and four different suits have been brought against him. The matter was allowed to sleep in the Treasury Department for twentyfour long years until a new administration come into power, and they propose to write up the books of the Treasury to know how they stand, and we find some twelve thousand and odd dollars due from Mr. Dex-

and we find some twelve thousand and odd dollars due from Mr. Dexter or from the bondsmen of Mr. Dexter, of the State of Michigan.

The Senator objects to my calling Mr. Dexter a defaulter. I know of no other term to apply that will fully comprehend the whole meaning of the affair. He was in deficit at all events to the Treasury at various times in every office he held, and it was not discovered until the Democratic administration came into power, when they asked his bondsmen to pay up the sum of money that the books of the Treasury show that he owed the United States. Now it is proposed to release his bondsmen, thirty or forty in number, upon the seven different bonds he gave in the suits brought against them. If that is not an extraordingry proceeding I have no words to characterize it. dinary proceeding I have no words to characterize it.

Mr. CONGER. I suppose everybody present in the

I suppose everybody present in the Senate understands this attack as personal. I hope my friends in Michigan will not suffer for it; these personal matters I settle myself when I have the

Mr. INGALLS. Mr. President, I hope some time before the close of my public service to have the opportunity of voting for a bill that shall prevent the institution of such suits as those which are mentioned in this bill by the Government of the United States. It is an old maxim that time does not run against the king. That is one of the principles that time does not run against the king. That is one of the principles which are quoted in regard to the liability of persons upon contracts; but there is no civilized power anywhere that I know of which does not recognize the obligation of those who have claims against their fellows to use due diligence in their enforcement.

Statutes of limitation are sometimes criticised with disfavor, and the debtor who avails himself of a statute of limitation, as it is sometimes called, to avoid the payment of a debt is not always regarded as strictly honest; but statutes of limitation have their foundation in sound reason, and the wisdom of such statutes was never more apparent, and the reason why they should be applied to claims that the Government may have was never more evident than will appear upon inspection of the statement of the facts in this bill, for which I hope I shall have the pleasure of voting.

dated all these demands, was distributed among his heirs and is now incapable anywhere of recognition. Of the sureties upon these bonds, some have paid the debt of nature, others have themselves become insolvent; some are only able to pay a portion ratably of the amount which they would be called upon to pay if this claim should be enforced as it should be against all, in the nature of a contribution, who declared themselves at the time of the original contract to be liable to the Government of the United States for whatever deficit might occur in the

In the one case nineteen years and in the other twenty years have elapsed since this obligation, whatever it is, arose. There never has been an instant of time since this man went out of office or since he died in which the Government by its proper accounting officers had not been able to ascertain and declare the exact state of his accounts. There never has been an instant when any one of these sureties upon these bonds had that opportunity. The power and the evidence have all been in the control of the Government of the United States, and more than three times the period that is fixed in all civilized States as the time beyond which suits shall not be brought upon matters of contract like this has elapsed.

Now, as the Senator from New Jersey states, at last the books having been inspected and the account having been stated, it is proposed to accomplish this act of monumental injustice against a few remaining sureties upon these bonds by compelling them to pay not alone the principal that was found to be due, but an amount of interest that aggregates five or six times the amount of the principal.

Mr. McPHERSON. Was it not the right of the bondsmen at any time during these twenty-four years to have made inquiry at the Treas ury Department and ascertained whether the account was settled? Was it not the duty of the Treasury Department at all times to have that account made up in such a manner that a demand could have been made; and should not a demand have been made at an earlier time?

Mr. INGALLS. Everybody undertands how sureties sign their names to official bonds. It is a friendly act. No man voluntarily goes upon an official bond. It is an act which everybody performs with reluctance, and yet it is an act that must be performed by somebody-by personal and political friends. I have no doubt that these men performed this duty for Mr. Dexter exactly the same as every one of us enters his obligation as surety upon the official undertaking of those

who have been appointed to office.

Mr. MAXEY. Will the Senator from Kansas permit me to refresh his memory about a bill that has heretofore passed substantially like this? Several years ago during the lifetime of Senator Anthony, of Rhode Island, I introduced a bill for the relief of the sureties of George W. Clarke, formerly an Indian agent. Those sureties were Jesse Turner, James M. Brown, S. F. Cottrell, and some others. That bond was made I think for Mr. Clarke as Indian agent years prior to the war. No suit was brought until long after the war-about the time I introduced that bill, seven or eight years ago.

The bill introduced by me was reported by Mr. Hereford, of West Virginia, from the Committee on Claims, and was discussed in the Sen-Then the doctrine that there was no laches against the Government was invoked, but the Senate after mature deliberation came to the conclusion that when by the laches of the Government the sureties had been allowed to die, to become broken up, to be scattered, leaving two or three instead of ten or twelve, it was not justice or right to hold those few responsible, and the bill passed the Senate and the House and became a law. I mention this because it occurs to me as a parallel case.

Mr. INGALLS. I am obliged to the Senator from Texas for refreshing my mind on that precedent.

Mr. HARRIS. At this session, if the Senator will allow me, both Houses have passed a bill to relieve Emerson Etheridge and William B. Stokes in a case identical, as it seems to me, with this one.

Mr. INGALLS. That precedent is quoted in the report of the com-

The bill is in most respects not unlike-

The committee say-

the bill passed by the Senate at the present session for the relief of Emerson Etheridge and William B. Stokes.

The Senator from New Jersey would apply the rigid and harsh rules of the law, and I should have no hesitation in saying in response to his question, as was stated to the interrogatory of Shylock, it is undoubtedly so nominated in the bond and under the existing law if the Government sees fit to take the pound of flesh, I do not know that there is any statute except the statute of justice that is written in every patriotic soul that would prevent it, but I would apply the doctrine of Portia to this also and say:

The words expressly are a pound of flesh:
Then take thy bond, take thy pound of flesh;
But, in the cutting it, if thou dost shed
One drop of Christian blood, thy lands and goods
Are, by the laws of Venice, confiscate
Unto the state.

Here in this case there are but two or three or it may be half a dozen out of all these sureties that remain responsible, and therefore the whole

burden of the Government is allowed to rise after a slumber of nineteeen or twenty years and say that this debt shall be paid, and this claim shall be enforced against those who will be called upon to bear the burden when it appears abundantly from the report of the committee that long after the principal himself went out of office, and before his death, he was amply able in his estate to meet any claims against him.

Mr. President, I make these remarks for the purpose of showing the absolute cruelty and absolute injustice and wrong of applying any other rule to the Government in cases like this than would be applied to in-

dividuals. I have in the list of my own acquaintance an illustration that sheds some light upon this subject. A friend of mine was an agent for a tribe of Indians, appointed, I think, in 1861 upon the incoming of the Republican administration. He served two or three years and went out of office, and more than twenty years after he had left that place, and without knowing that there was a dollar of indebtedness against him, one of the sureties upon the bond was notified that in consequence of a review of the accounts there had been found to be an indebtedness; and a suit was ordered to be brought that would, if it had been enforced, have abwas ordered to be brought that would, it it had been enforced, have absorbed the entire amount of that man's property that he had acquired by a life of industry and temperance for a period of nearly a quarter of a century. Is there any justice in that? Is there any right in it? Is there any reason why, when the Government possesses all the sources of information and has the power to accomplish whatever it desires, it should be allowed, after the lapse of many years (it may be a century, because there can be no limitation of time, according to the Senator from New Jersey), when all the active agents in the whole business have passed away, men have died, their estates have been distributed, and their heirs have come after them—why the Government should be permitted, in opposition to the regulations and rules of every civilized people on earth and against the rules that are enforced against every private claimant, to come up and perform such an act of monumental wrong and injustice as that?

Now, Mr. President, to my mind the facts in this case make out a

clear defense

Will the Senator pardon me for making a suggestion Mr. HOAR. in the line of his argument?

Mr. INGALLS. Yes, sir.

Mr. HOAR. The principle, which he has so clearly and strongly shown the injustice of, has been applied by this Government to the volunteer officers of the late war, who had occasion of course to have military accounts with the Government. I have known instances of officers who went into the war at great sacrifice-not persons seeking office for their own advantage, but going into the Army for purely patriotic purposes-who had held over their heads for fifteen or twenty years accounts which they could not get settled in any way.

Mr. INGALLS. Yes, Mr. President, and my sole object in calling attention to the facts in this claim—I am obliged to the Senator from Massachusetts for re-enforcing the argument I have presented-is to say that the Government ought not to be permitted to attempt to enforce claims of this description against innocent sureties upon bonds which the laches of the Government itself has rendered it impossible to collect from the principal; and if anything that I have said or anything that the Senator from Massachusetts has said or the Senator from Michigan, shall bring the attention of Congress and of the Government and of the people to this subject, so that we may have some public declaration by statute that some time shall come in the lifetime of the nation, in the lapse of centuries and in the progress of all the generations of men that are to succeed each other until this Government shall be no more, when the Government shall be estopped, it having slept more than the sleep of Rip Van Winkle upon its rights, from enforcing such claims as this, I shall be satisfied that I have discharged a not unimportant duty to the public.

Mr. DAWES. Mr. President, there is a bill pending somewhere, and I wish this discussion might have the effect at least to bring it before the Senate for action, putting a limitation of six years upon any attempt of the Government to pursue sureties on a bond after that time.

Mr. MANDERSON. I should like to interrupt the Senator from Massachusetts long enough to say that the bill to which he refers was introduced by myself at three different sessions of Congress and has been referred three different times to the Committee on the Judiciary, and is as yet without a report from that committee.

Mr. DAWES. This discussion will at least have informed the Senate of where the bill is, and I hope that it will have the further effect

of bringing it before the Senate.

Mr. DOLPH. Will the Senator give way to me for a moment? I will state that when the case of Etheridge and others was up I opposed the bill because that would only relieve one case out of a thousand by a special act, and I introduced a resolution, and had it referred to the Committee on the Judiciary, instructing them to report whether or not there ought to be a time fixed by statute within which these accounts should be settled in the Treasury Department and a limitation of time within which these actions should be brought, and that has not been

reported by the Committee on the Judiciary.

Mr. DAWES. Some good beyond the relief of these sureties, I think will come out of this discussion. I sought merely to emphasize

this discussion with my abhorrence of the manner in which the Government of the United States hunts sureties on old bonds on file in the Departments and of the men who go groping around among the pigeon-holes of the different bureaus of the Treasury Department finding out technical defaults of principals and then hunting up what remains of the sureties upon those bonds. The man who goes around the country hunting up defects in men's title is held in scorn by the public everywhere; and the man who goes into the Department and makes contracts, sometimes for a percentage of what he can recover upon these old bonds, and then hunts up the sureties, is no better. I have in my mind, and I have not only had in my mind but I have had anxiety and I have had much to do with the Treasury Department in an instance which illustrates this matter.

Mr. McPHERSON. Do I understand the Senator from Massachusetts to say that the Treasury of the United States gives out the collec-

tion of the moneys due from sureties by contract?

Mr. DAWES. No. I say men sometimes undertake to hunt up and

ollect and have a percentage of what can be got for their expenses.

Mr. McPHERSON. Who gets the percentage?

Mr. DAWES. The men who go prowling around the country trying to find some technical defect in the administration of an office not involving any moral fault at all.

Mr. McPHERSON. They must be detectives employed by the De-

Mr. DAWES. I do not care what you call them. It is the character of the men and the character of the business to which I call the attention of the Senate much more than the style under which they go

about the country.

Sir, a single case came under my observation and has been about me for years here, where an innocent man in Massachusetts was deluded into the idea that he had better be an Indian agent, and he was appointed to an Indian agency away up in the northern country. I hope he is the last of the men of Massachusetts who will ever go into such an undertaking as that. He was as honest a man as ever lived, but utterly unacquainted with the complications of doing business as an Indian agent 500 miles from business men. He was called upon to carry on the business of that agency, and after he had served out his time and his accounts had been here years, some one found technical defects in his accounts and they were hung up and he was indicted in Wisconsin and tried there on a charge of criminal neglect and acquitted there before the jury left their seats. Then his sureties were hunted up in Massachusetts and all but one of them were dead. A suit was brought against him in the United States courts in Massachusetts; and year after year, he spending every dollar he had in defending himself against that outrage, received a verdict of acquittal in the civil suit; and just because the judge submitted to the jury the honest question whether the United States had suffered the loss of a dollar or not, rather than whether this man had departed technically from the requirements of the law in making out his case, when the jury brought in their verdict on the ground that the United States had suffered no loss of a dollar, he is still hung up here in the Supreme Court by the United States taking an appeal after the verdict of a jury twice told has

acquitted the principal of all wrong.

Sir, there should be an end of litigation. Good morals, good law as to any other party in a suit but the United States, requires that some time or other there should be an end of litigation. I trust that this discussion will drag out from its sleep in the Judiciary Committee a bill that shall put a reasonable limitation upon such actions.

I do not speak of this as peculiar to this administration. know that this administration especially has departed from the customs of administrations before. I am not here hunting after little things to arraign one administration against another. I acquit them of any idea of pursuing any new policy in this matter, but if they had condemned the policy rather than followed it they would have commended themselves to me much more than they do by the zeal with which they are following it now.

Mr. McPHERSON. A single word further in regard to this matter

and I will stop.

I should be very glad to vote for a law which would require the Government of the United States to commence within two years suits against bondsmen upon every official bond held by the Government, and in case it was not done the Government should be forever estopped from collecting the money due it upon official bonds. I suppose I am as guilty as anybody else for not trying to bring to the attention of the Senate before this time a bill having that object in view. I think that my votes in the Senate will show that I have exercised perhaps as much sympathy as any other Senator with respect to people who come here and ask for the interposition of Congress upon these bonds after they have been running for a long term of years. Certainly in every case in which naval paymasters and Army paymasters have asked relief, I have voted for it.

But this is a most extraordinary case, and it is one which if the Senate can consent to the remission of this penalty on these bonds it must do so in every case, because a more aggravated one has hardly ever come before the attention of the Senate.

In the first place, as receiver, in 1861 this person was in default to

the Government, and upon his disbursing bond later he was in default to the Government. In 1865, upon his reappointment, he was again a defaulter to the Government, and in 1866, after another reappointment, again as receiver he was once more in default to the Government, and later in 1866 he was again in default to the Government.

Can the Senate remit this penalty to a man who was persistently in default in every office he ever held, because the report goes to show that he continued in office first as receiver, then as disbursing agent, after-ward reappointed as receiver on two different occasions, and in every instance he failed to make his accounts good to the Government of the United States. That is the nature of this case, and hereafter, if it passes, the Senate might just as well close its eyes, because I do not

think we shall ever have another such case

Mr. SAULSBURY. I shall vote for this bill. I voted for the bill cited in the report of the Senator from Wisconsin, for the relief of Etheridge and Stokes, on the ground that the Government had slept upon its rights, had been guilty of laches, and that ought to exonerate the sureties from liability on the bond. I do not concur, however, in the remarks that have been made which reflect upon the executive officers of the Government for instituting suits. On the contrary, I think they would have been derelict in duty if they had not done so. Finding the accounts of Mr. Dexter in the condition in which they were, it was their duty, a legal obligation resting upon them, and they would have been derelict in duty if they had not pursued the bondsmen in this case.

The books of the Treasury Department show that Mr. Dexter was in default if the books are correct, and liable to the Government for the amount stated in the report. What was the duty of the officers of the Government? It was to recover for the Government of the United States the amount which by the books appeared to be due. Against that suit the equitable claim was set up, which I recognize. There has been laches on the part of the Government. There is no legal defense to the suit, so far as I understand, but an equitable defense is set up that this being an obligation of years ago the laches of the Government per-

mitted an equitable defense against the claim.

So far as these sureties are concerned, in my judgment they have, when they appeal to Congress, an equitable defense that justifies Congress in interposing in their behalf. I again repeat that it was the duty of the executive officers of the Government finding the accounts of Mr. Dexter in the shape they did to institute suit against the bondsmen to recover the amount due and leave to the defendants any equi-

table claim they might have.

I do therefore not concur in the quasi criticism of the Senator from Kansas [Mr. INGALLS] and more especially with the Senator from Massachusetts [Mr. DAWES] of the executive officers for pursuing these They have done nothing but the duty which the law imposed on them; and I am glad we have officials to-day who are determined to do their duty to the Government. They have no objection to these parties coming in here and presenting any equitable claim they may have. They are perfectly willing that these persons should show that they ought to be relieved and that Congress should grant the relief; but their duty is plain under the law to collect this amount.

Now we are called upon by this equitable claim to stop an executive duty on the part of executive officers under their information. I am willing to join in that act; at least I am willing to relieve these persons, but I can not do it upon any ground which supposes that the executive officers of the Government on their information were derelict in the performance of their duty. They ought to have stated these amounts; they ought within two or three years at the farthest to have called the principal to the test, and if he was living and able to respond to the call, very well. The claim against the sureties stands in a dif-ferent light, especially when it comes here at the expiration of nineteen or twenty years.

I shall vote for the bill. I think the sureties ought to be released, and I should be glad to see some such law enacted by Congress as has been talked about this morning, fixing a limitation on suits; and I should like to see some further enactment which would compel all administrations, Republican and Democratic, to adjust accounts in the Treasury Department in proper time so that those liable to the Government may be held responsible.

Mr. DAWES. I congratulate the Senator from Delaware in being able to find a case for the application of his sense of justice and equity in his ability to throw the blame and the opportunity for the exercise of it upon distant administrations-anything to obtain equity.

Mr. CONGER. If I said anything reflecting upon the officers who have charge of this matter in the Department I said it unintentionally, for I say now that on personal application to those officers every facility has been given that it was possible to give to present these matters of defense and account and equity, and they have given every opportunity to these gentlemen with perfect fairness, and they have agreed that the case should be brought to Congress for its judgment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PACKING AND SELLING CUT TOBACCO.

Mr. EUSTIS obtained the floor.

Mr. EDMUNDS. I am going to move an executive session.
Mr. ALDRICH. I rise to a privileged motion.
The PRESIDING OFFICER (Mr. HAWLEY in the chair). The Chair

will hear the statement of the privileged motion.

Mr. ALDRICH. I move to take up Order of Business 1813; being the bill (S. 183) for the relief of Thomas S. Hopkins, late of Company C, Sixteenth Maine Volunteers—a vetoed pension bill.
Mr. EDMUNDS. That is not privileged.

Mr. EUSTIS. Being recognized by the Chair, I ought to state for

The PRESIDING OFFICER. The Senator from Louisiana is entitled to the floor.

Mr. EUSTIS. I move that the Senate proceed to the consideration

of Order of Business 1725.

The PRESIDING OFFICER. The Chair does not understand that the motion of the Senator from Rhode Island is any more privileged than the motion of the Senator from Louisiana. The Senator from Louisiana moves that the Senate proceed to the consideration of the bill he has named, the title of which will be reported.

The SECRETARY. "A bill (H. R. 8738) to so further amend section 3362 of the Revised Statutes, as amended, and section 3363, as makes a distinction in the mode of packing and selling cut tobacco.

Mr. EDMUNDS. Pending that motion, I move that the Senate proceed to the consideration of executive business.

Mr. EUSTIS. I appeal to the Senator from Vermont to withdraw that motion. I have tried on three successive days to get up this bill for the purpose of having considered the motion for its recommitment.

Mr. EDMUNDS. Is that all the Senator desires?

Mr. EUSTIS. That is all I desire.

Mr. EDMUNDS. How long will it take? Mr. EUSTIS. Not more than five minutes to make a statement.

Mr. EDMUNDS.

Mr. EDMUNDS. I withdraw the motion for the moment. The PRESIDING OFFICER. The question is on the motion of the Senator from Louisiana.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8738) to so further amend whole, proceeded to consider the bill II. It. 18. 363 to Statistical michals section 3362 of the Revised Statutes, as amended, and section 3363, as makes a distinction in the mode of packing and selling cut tobacco.

Mr. EUSTIS. I can state what the bill is.

Mr. PLATT. I should like to hear the bill read.

The PRESIDING OFFICER. The bill will be read.

The bill was read.

Mr. EUSTIS. This bill was apparently reported by the Committee on Finance without any objection from any member of that committee, except, perhaps, those who were absent. Two members of that comexcept, perhaps, those who were absent. Two members of that committee were absent, the Senator from Ohio [Mr. Sherman] and the Senator from New York [Mr. MILLER], as I understand. Now, a motion has been made by a member of the Finance Committee to recommit this bill.

Mr. HARRIS. By an order of the Finance Committee.

Mr. EUSTIS. By order of the Finance Committee, I desire to have that motion disposed of by the Senate. If the motion to recommit prevails that will dispose of this bill for this session. If that motion does not prevail I will call up the bill itself as a bill upon the Calendar. But I wish to make a brief statement to show that there exists not only in the minds of Senators, but elsewhere, a complete misapprehension of what this bill is.

The change proposed in the existing law is this: That whereas cut tobacco can only be put up in packages now of from 1 to 16 ounces, this bill gives the right to any manufacturer of cut tobacco in the United States to put up that cut tobacco in packages up to the weight of 10 It still leaves it at the option of the manufacturer of cut tobacco whether he shall pack that tobacco in small packages or in a large

package equal to 10 pounds.

Mr. President, this bill originated in the Treasury Department. It is not a bill which is in the interest of any class of manufacturers. will show incidentally, and for reasons outside of the proposed law, why the manufacturers in New Orleans are interested in the passage of this bill. The Treasury Department—Mr. Fairchild, acting Secretary—wrote to Mr. Harris, a member of the House, and also a member of the Committee on Ways and Means, a letter, in which he said:

I also inclose a draught of a bill-

Which is this bill-

prepared by the Commissioner for amending sections 3362 and 3363 of the Revised Statutes, relating to the packing and selling of cut tobacco, together with two letters addressed to the Commissioner by the head of the tobacco division in his office, showing the necessity for the proposed amendments, in which the Commissioner says he fully concurs.

Therefore we have the statement of the Secretary of the Treasury that this is necessary legislation. The Commissioner of Internal Revenue wrote to the Secretary of the Treasury as follows:

I also take the liberty to inclose to you a copy of a bill which I have prepared for amending sections 3362 and 3363, United States Revised Statutes, relating to the packing and selling of cut tobacco. And in connection with these bills I inclose two letters addressed to me by the head of the tobacco division showing the necessity for these amendments, and particularly so with regard to section 3362, in which I fully concur.

Upon these recommendations the House of Representatives passed this bill, without any objection, after full explanation of its scope and its purpose, and it was sent to the Senate. When it reached here the purpose, and it was sent to the Senate. bill was referred to the Committee on Finance, and the Commissioner of Internal Revenue, showing his extreme anxiety and desire to have it passed, wrote the following letter to a member of the Committee on

Finance:

Sir: Allow me to call your attention to House bill 8738, now pending before the United States Senate.

I am very anxious to have Congress act upon that bill soon, as its passage will relieve the Government and the trade. The bill only relates to the packing of cut tobacco, at the option of the manufacturer, in packages not to exceed, in any case, 10 pounds. But its ultimate effect will be to dispose of a delicate and difficult question, to wit, making a distinction between fine-cut chewing and other kinds of cut tobacco.

I would be gratified to have your opinion as to the probability of early action by the Senate on this bill. It was urged in the House by the Secretary of the Treasury, and I suppose his correspondence on the subject will be transmitted to the Senate, if it has not already been sent there.

So we see that when this bill came to the Senate the Commissioner of Internal Revenue thought that this legislation was so much needed by the service with the responsibility of which he was charged that he wrote this emphatic indorsement of the bill to a member of the Committee on Finance, urging that the committee should act promptly on the bill, and hoping that the Senate of the United States would adopt it. Not only that, but the Commissioner of Internal Revenue, not satisfied with the force which his recommendation ought to have, went in person and appeared before the Finance Committee and urged a favorable and prompt report from that committee to the Senate of the United States, in order that the House bill should become a law. Therefore I say there has been extraordinary anxiety and extraordinary zeal displayed by the Treasury officials that the bill should be passed by the

Can any one suppose for a moment that they did not make those recommendations in favor of the service which they represent? This is a mere question of detail of administration. There is no question of policy, no question of principle involved. It is merely a question for the convenience of the internal-revenue service, and I do not think that the Senate of the United States in the face of these earnest and urgent recommendations made by the officials of the Treasury Department will disregard those recommendations and repudiate their indorse-

ment of the bill.

Although not a word of opposition was heard when the bill was pending in the House of Representatives, although not a word of opposition was heard when the bill was considered by the Committee on Finance, I am told that since then, all of a sudden, there have been protests sent here from manufacturers in the Northern cities, and also from North Carolina. Why is this? It is simply that those manufacturers want to be put upon the same footing with reference to other classes of tobacco; for instance, granulated tobacco, as the manufacturers of cut tobacco. That has not been recommended by the Department. Why? For the simple reason that this legislation has been considered by the Department a necessity, and it in no possible sense applies to any other class of tobacco. That is stated by the chief of the tobacco division in a communication to a member of the Committee of Ways and Means.

In New Orleans there is manufactured cut tobacco which is used both for the purpose of smoking and chewing, but on account of the dampness of the climate the manufacturers there can not put up the cut tobacco in small packages, because the tobacco becomes funky and deteriorates. Therefore they have put it up in large packages, which has brought about a very serious litigation with reference to their right to use large packages. No manufacturer of granulated tobacco, or any other kind but cut tobacco, has raised such a question as that. We all know that granulated tobacco is only used for smoking, as are other tobaccos which are manufactured of a certain class; but the service found itself confronted with this very serious litigation and serious controversy, that the manufacturers of cut tobacco in New Orleans claimed that they had the right to put up cut tobacco in large packages, and they asserted that right for the reason, and the very strong reason, that cut tobacco could be used indifferently for chewing or smoking purposes. The head of the tobacco division, in his communication, says

These modes of manufacture open a wide field for difference of opinions, and this office has found it utterly impossible to reconcile these differences under

this office has found it utterly impossible to reconcile these differences under the law as it now exists.

For this reason I have thought proper to recommend a change in the mode of packing cut tobacco in bulk, allowing all cut tobacco to be thus packed, but confining the size of the package to 10 pounds each. This change, if adopted, will allow manufacturers in every part of the country the same privilege of packing, and the same privilege of selling their cut tobacco wherever they can find purchasers, and will not very greatly facilitate the reuse of packages without the payment of the tax.

Inclosed please find draught of a bill providing for such a change in the mode of packing cut tobacco as is herein recommended.

Mr. President, that is the whole case. Here is a measure the necessity for which has been most earnestly urged and recommended by the Treasury officials, the Secretary of the Treasury at the head, involving a mere question of detail of the administration of the service with which they are charged and nothing else. It is true that incidentally and outside of the measure it does confer a privilege upon manufacturers in New Orleans, but that is not the reason why the recommendation is made by the Secretary of the Treasury. No one will charge here that the Secretary of the Treasury or the Commissioner of Internal Revenue has recommended Congress to enact a law by which a favoritism shall be shown to one class of manufacturers as against another. No one will assume that those high officials have recommended this legislation in the interest of parties who may desire to commita fraud upon the

This bill can be acted upon and considered by the Senate like any other If a majority of the Senate are not in favor of the bill let them so declare. If any one wants to amend the bill, if it is defective, that privilege exists; but why shall this unusual motion prevail, which has not been made during this entire session? The bill being on the Calendar by the votes of the Finance Committee, acting upon the recommendations of the Treasury officials, it is now proposed that it shall be recommitted, which means the defeat of the measure, for the simple reason that others who are not entitled to the favors which they claim demand that they shall be put upon an equality with reference to other classes of tobacco.

No question of trade-mark is involved. No one proposes to use or imitate anybody else's trade-mark. The mode of packing is merely as to the size of the package. No one is compelled to adopt a large-sized package. The object is simply to have determined and solved a complicated and difficult question which has harassed those who are charged with the execution of the tobacco laws and has brought about serious litigation which the Government think it is for their interest to avoid, that these recommendations have been made, and I say it would be disrespectful, in my judgment, for the Senate of the United States in the face of these recommendations, in the face of the deliberate action of the Finance Committee, to state to the Treasury officials that we will disregard and utterly ignore the recommendations which they have made, and carry the bill back to the committee and defeat this proposed legislation at this session.

I ask for a vote on the motion.

Mr. EDMUNDS. I move that the Senate proceed to the consideration of executive busines

Mr. EUSTIS. I should like to have a vote on the motion to recom-

it. Let us just take a vote.

The PRESIDING OFFICER (Mr. HARRIS in the chair.) The Senator from Vermont moves that the Senate proceed to the consideration of executive business

Mr. HOAR. Will the Senator from Vermont allow me to make a statement in regard to a committee which was appointed this morning? The PRESIDING OFFICER. Does the Senator from Vermont withdraw his motion?

Mr. EDMUNDS. Subject to my right.
Mr. HOAR. Pending that motion I wish to make a statement.
The PRESIDING OFFICER. The Senator from Massachusetts The Senator from Massachusetts will proceed.

AMERICAN ANNIVERSARY CELEBRATION.

Mr. HOAR. The committee appointed in regard to the matter of the centennial celebration was by the vote of the Senate to consist of the President of the Senate and six other members. It was the intention in framing the resolution that the President of the Senate should be the chairman of the committee. He has announced the committee. putting my name at the head. I ask unanimous consent that it shall be the understanding of the Senate that the President of the Senate shall stand at the head of that committee.

The PRESIDING OFFICER. The Senator from Massachusetts asks the unanimous consent of the Senate to reform the committee as he suggests, by putting the President of the Senate as the chairman of the committee. If there be no objection, that order will be made.

committee. If there be no objection, that order will be made.

Mr. HOAR. I now desire that the resolution reported from the Committee on the Library on the subject be indefinitely postponed, so as to get it off the Calendar, the Senate having passed a similar one.

The PRESIDING OFFICER. If there be no objection the resolution suggested by the Senator from Massachusetts will be indefinitely postponed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed the bill (S. 1532) to regulate commerce, with an amendment; asked a conference with the Senate on the bill and the amendment, and had appointed Mr. Reagan, Mr. Crisp, and Mr. A. J. Weaver the managers at the conference on the part of the House.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 7988) granting an increase of pension to Bryant Waters;

A bill (H. R. 8180) to increase the pension of Charles Hahneman; A bill (H. R. 9129) granting a pension to Rebecca Wiswell; and A bill (H. R. 7696) for the relief of George W. Robaugh.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 190) for the relief of certain employés and others of the twelfth United States light-house district; and it was thereupon signed by the President pro tempore.

PACKING AND SELLING CUT TOBACCO.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is upon recommitting House bill 8738 to the Committee on Fi-

Mr. EDMUNDS. No, Mr. President.
The PRESIDING OFFICER. Pending which the Senator from Vermont moves that the Senate proceed to the consideration of executive business

Mr. CAMERON. I hope that motion will not prevail.
The question being put, there were on a division—ayes 20, noes 15.
Mr. ALDRICH. I ask for the yeas and nays.
The yeas and nays were ordered, and the Secretary proceeded to call

the roll.

Mr. SAULSBURY (when his name was called). I am paired with

the Senator from Vermont [Mr. Morrill].

The roll-call having been concluded, the result was announced—yeas 21, nays 26; as follows:

YEAS-21

Allison,		Edmunds,	Maxey,	Walthall,
Berry,		Harris,	Platt,	Wilson of Iowa.
Blair,		Harrison,	Ransom,	Wilson of Md.
Butler,		Hoar,	Sherman,	
Camden,		Ingalls,	Spooner,	
Dawes,	110 31	Jones of Arkansas,	Stanford,	THAT ST. LINES OF LIGHT

NAYS-26.

Aldrich, Beck.	Dolph, Eustis,	McPherson, Miller,	Teller, Vance,			
Blackburn,	Frye,	Mitchell of Oreg.,	Vest.			
Call,	Gray,	Palmer,	Voorhees,			
Cameron,	Hampton,	Plumb,	Whitthorne.			
Conger,	Hearst,	Sawyer,				
Cullom,	Jones of Nevada,	Sewell,				

	ABSE	NT-29.	
Bowen, Brown, Chace, Cockrell, Coke, Colquitt, Evarts, Fair,	George, Gibson, Gorman, Hale, Hawley, Jones of Florida, Kenna, Logan,	MeMillan, Mahone, Manderson, Mitchell of Pa., Morgan, Morrill, Payne, Pike,	Pugh, Riddleberger, Sabin, Saulsbury, Van Wyck.

So the motion was rejected.

The PRESIDING OFFICER. The question is on the motion to re-commit to the Committee on Finance the bill (H. R. 8738) to so further amend section 3362 of the Revised Statutes, as amended, and section 3363 as makes a distinction in the mode of packing and selling cut to-

Mr. ALDRICH. I was instructed by the Committee on Finance by a unanimous vote to move that the bill be recommitted to that committee.

I stated the other day in discussion some of the reasons which led to this action. It is true that the committee ordered a favorable report to be made upon the bill upon a statement made by the Commissioner of Internal Revenue and by the Senator from Louisiana [Mr. Eustis].

That statement was made at a session of the committee at which there was barely a quorum present, and the statement was that the bill met with the approval of the Department and of the trade, and that there were no objections to it in any quarter.

The bill had barely been reported to the Senate when it was found that two members of the committee who were absent when this action was

taken had at the time protests in their possession from the leading manufacturers of the country against the passage of the bill, and that they understood no action was to be taken upon it at the meeting of the committee to which I have alluded. It soon became apparent that a very large portion of the trade in all parts of the country, I think with a single exception of one or two small manufacturers in the city of New Orleans, was strongly opposed to the bill on the ground that it opened the door to the gravest and grossest frauds.

The committee have not determined whether that state of affairs is

true or not, but considering the unusual circumstances under which the approval of the committee was obtained, and the fact that almost without exception the manufacturers of the country believe that the bill ought not to pass and that it does open the door to fraud upon the revenue and upon their business, the committee by a unanimous vote instructed me to have the bill recommitted to the committee. The bill stands here to-day in that way. Instead of having the approval of the committee it has the adverse report of the committee, if the Senator chooses to press it, because upon the state of affairs as we now understand it I am sure that no member of the committee would vote in favor of the passage of the bill.

Mr. EUSTIS. Will the Senator allow me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. EUSTIS. I should like to ask the Senator how a fraud can be committed under the provisions of the bill, and whether he does not think that the Treasury officials are as competent as manufacturers to determine the question whether a fraud can be committed under its provisions?

Mr. ALDRICH. In my experience as a member of the Finance Committee I have found that it is very unsafe to follow the Treasury offi-

cials upon questions of this kind. I think the members of the committee have all found that it is safer to trust to their own judgment.

I do not care to discuss the merits of the bill. I say that the manu-I do not care to discuss the merits of the bill. I say that the manufacturers throughout the country are entitled to be heard before the committee. They have not been heard.

Mr. SEWELL. Will the Senator allow me to interrupt him?

Mr. ALDRICH. Certainly.

Mr. SEWELL. The largest tax-paying tobacco manufacturers of New Jersey are in favor of the bill.

Mr. EUSTIS. Also the second largest manufacturer in New York. I have a telegram stating that he approves it.

Mr. ALDRICH. I think the Senator from New Jersey is mistaken

I think the Senator from New Jersey is mistaken Mr. ALDRICH. about the bill which is now before the Senate for consideration. that the Senator's colleague stated that the manufacturers in his State were opposed to the bill, and he stated so to the committee.

Mr. McPHERSON. No; the Senator is mistaken. All the manu-

facturers of my State with whom I have been in communication favor

the House bill

Mr. PALMER. Mr. President, I do not know whether the bill should ass or not, but I feel convinced that it should not pass in the closing hours of the session.

The Senator from Louisiana has said that there was no objection to it in the House. That arose from the fact that the manufacturers throughout the country were not apprised of the fact that it was pending. He says it is very much desired by the Treasury officials. I think that it may possibly be a good bill to pass, but those interested in the business should be heard before the measure is passed.

In this connection I send to the desk and ask to have read a remonstrated in the send to the desk and ask to have read a remonstrated in the send to the desk and ask to have read a remonstrated in the send to the desk and ask to have read a remonstrated in the send to the desk and ask to have read a remonstrated in the send to the desk and ask to have read a remonstrated in the send to the desk and ask to have read a remonstrated in the send to the send that the send to the send that the manufacturers are send to the send that the manufacturers are throughout the country were not apprised of the fact that it was pending. He says it is very much desired by the Treasury officials.

strance from my city, from persons who are very largely interested in

the tobacco business.

The Chief Clerk read as follows:

To the honorable Senate of the United States:

To the honorable Senate of the United States:

We, the undersigned tobacco manufacturers and dealers in manufactured tobacco, do most earnestly protest against the passage of House bill 8738, in so far as it refers to the changing of the present style of packing manufactured tobacco. We give a few of the many reasons which may be urged against it.

First. The present manner of packing smoking tobacco prevents frauds in the collection of the tax. Smokings can be made with small expense and with little or no machinery. Chewings require expensive machinery and skill to manufacture. If smokings are packed in bulk the packages can be refilled, and thus defraud the Government and legitimate manufacturers.

Second. Packing smokings in bulk would allow the substituting of other goods for well-known brands. As long as a tax is collected on tobacco, legitimate manufacturers should be protected.

Third. The records of the Internal Revenue Office must show the great number of frauds which were perpetrated on the Government under the old law which allowed smokings to be packed in bulk, and the many reasons urged for the adoption of the present system now so satisfactory to all.

Mr. PALMER. From that remonstrance it is apparent that the proposed method of packing smoking tobacco was in vogue some years and it was changed on account of frauds. At least it is so stated in that memorial. I do not know whether that is the fact or not; but there seems to be a wonderful amount of ignorance existing as to the merits of the bill, and I think it is no more than just and fair to the manufacturers of the United States that the bill should be recommitted to the Committee on Finance.

Mr. BECK. Mr. President, I reported the bill under instructions from a majority of the Finance Committee after a somewhat limited hearing. The Senator from Louisiana [Mr. Eustis] and a very intelligent gentleman, Mr. Curtis, I believe, presented the case very fairly. We sent for the Commissioner of Internal Revenue to ascertain what his views were, he having written to me in the mean time a letter which I hold in my hand, and which was referred to by the Senator from Louisiana. The letter is as follows: Louisiana.

TREASURY DEPARTMENT, OFFICE OF INTERNAL REVENUE, Washington, July 6, 1886.

Washington, July 6, 1886.

Sir: Allow me to call your attention to House bill 8738, now pending before the United States Senate.

I am very anxious to have Congress act upon that bill soon, as its passage will relieve the Government and the trade. The bill only relates to the packing of cut tobacco, at the option of the manufacturer, in packages not to exceed, in any case, 10 pounds. But its ultimate effect will be to dispose of a delicate and difficult question, to wit, making a distinction between fine-cut chewing and other kinds of cut tobacco.

I would be gratified to have your opinion as to the probability of early action by the Senate on this bill. It was urged in the House by the Secretary of the Treasury, and I suppose his correspondence on the subject will be transmitted to the Senate, if it has not already been sent there.

I remain, sir, yours, very respectfully,

JOS. S. MILLER, Commissioner.

Hon. James B. Beck, United States Senate, Washington, D. C.

We sent for Mr. Miller and he announced before the committee that he could only say to the whole committee what he had written to me. Therefore I ordered his letter to be published as a document and reported the bill, not being able to see any wrong in it, but on the contrary it seemed to me that the words should be stricken out which exist in the present law. The law at present reads "fine-cut chewing to-bacco." The change now proposed is to make the law read "fine chewing tobacco," leaving out the word "cut."

Not being able to see any serious reason why that should not be done.

Not being able to see any serious reason why that should not be done either then or now, I reported the bill believing it to be desired by the Department. But at once remonstrances came from Michigan, from

New York, from all over the country, the Senator from New York [Mr. MILLER], whom I see before me, avowing that he had left the committee before action was taken, and that he would have opposed it if he had been there because of remonstrances sent to him, and the Senator from Ohio, the President of the Senate, having left the committee. When I submitted it to him he said if a majority of the committee desired to report it, let it be done, but he received remonstrances from Cincinnati, and the remonstrances came from such and so many respectable sources that it seemed to me justice to the trade required that we should not act upon the bill now, but that we should postpone it and give to the gentlemen who are interested in this business a hearing.

So I united with the committee in asking that the bill should be rereferred to it in order that whatever objection gentlemen from Michigan, North Carolina, Ohio, New York, or anywhere else had against the measure should be made known.

All the effect of the postponement will be to give us until December to look into it. We do not defeat the House bill. All the complaints may prove not to be worthy of serious consideration; but the rule in the committee has been, and fair dealing requires, that when men think they are going to be injured and desire to have a hearing and have not had a hearing, which they would have had if we had known before what we know now, we ought to have the bill recommitted so that they can all be heard.

Men who are manufacturing what is called granulated tobacco think they have as much right as those who are manufacturing cut tobacco to put it in 10-pound packages, and perhaps they will be able to show that they have. They surely ought to have a chance to do so. Perhaps there is no fraud and might not be any in allowing tobacco to be so put up, whether it was fine-cut chewing or simply cut that might be used for smoking, or cut that might be used either for smoking or chewing, for there is where the difficulty comes in in the Department. The distinction which has existed before ought to be carefully looked at.

While I believe from all the information I have now that I shall vote for the bill as reported and am sorry that this confusion has arisen, I think it ought to go back to the committee so that there shall be no complaint by any respectable number of manufacturers that they have

not had a chance to be heard.

Mr. EUSTIS. Will the Senator allow me to ask him a question?

Mr. EUSTIS. Will the Senator allow me to ask him a question?
Mr. BECK. Certainly.
Mr. EUSTIS. I ask the Senator whether in reference to all other legislation it would not be fair to assume that when a printed protest, as in this case, has been sent to the United States Senate, that protest contains all the arguments and all the objections against the measure?

Mr. BECK. It may be that it contains all that those particular persons making the protest have, but others may have many other reasons against it. For example, the protest from Michigan which has been read does not state any of the objections which the North Carolina tobacco manufacturers have, and they have sent their protests to us, and very emphatic ones.

Mr. EUSTIS. I should like to know what the objection stated by the North Carolina manufacturers is.

Mr. BECK. It is simply that gaanulated tobacco ought to have the

same right as cut tobacco.

Mr. RANSOM. That is one point.

Mr. BECK. They say that if granulated tobacco is limited to 16 ounces and cut tobacco has a right to be put up in 10 pounds that is a discrimination against the granulated which ought not to be given.

Mr. EUSTIS. That is simply a one-sided argument. No one chews

granulated tobacco, whereas people do chew and smoke cut tobacco, and that is the reason why this measure is recommended. I wish to ask the Senator what possible reason can there be for putting granulated tobacco upon the same footing as cut tobacco.

Mr. BECK. I am not sure that there is any reason why it should

be done, but I believe the men who manufacture granulated tobacco ought to have a right to come before the Finance Committee of the

Senate and show what they can, and not be cut off without a hearing.

Mr. EUS IIS. I suggest to the Senator from Kentucky that the court has been open for a very long time, so far as a hearing is concerned. These protests and appearances might have been made before the House of Representatives. It looks to me like an extraordinary proposition when not a word of protest was heard while this measure was pending in the House of Representatives and when it was sent here and was before the Senate committee and considered, that we are now to arrest this legislation merely because A, B, and C choose to send a protest to the United States Senate. I say that it is unusual and unprecedented in this body.

Mr. BECK. I desire to say that it is neither unusual nor unprecented. We have taken back in the Finance Committee very many reports since I have been a member of it in order to give men a fuller hearing.

Mr. EUSTIS. At this session?

Mr. BECK. I am not sure. I can not name any bill at this session,

but I can find many such cases.

Mr. HARRIS. The Journal will show a number of instances at this session where bills which have been reported from committees have been recommitted.

Mr. EUSTIS. On the ground that persons have filed protests against the proposed enactment? I ask the Senator from Tennessee if he can name a single case where a bill has been recommitted because a protest was filed against it.

Mr. BECK. Let me state—
Mr. HARRIS. I will answer the Senator from Louisiana—
Mr. EUSTIS. Can the Senator name a single instance where a bill

has been recommitted solely and exclusively for the reason that some-body filed a protest against that bill in the Senate?

Mr. HARRIS. I will answer the Senator from Louisiana by saying that I know of no instance where a committee of this body have asked to have a bill recommitted that the Senate has refused to recommit.

Mr. EUSTIS. That is not an answer to my question.
Mr. HARRIS. And whatever reason the committee may have had for asking a recommittal is not a matter that I have known the Senate to inquire about.

Mr. EUSTIS. That is not an answer to my question.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The

Senator from Kentucky has the floor.

Mr. BECK. I only desire to add that the practice of the Finance Committee is in accordance with fair dealing to all men by giving all a hearing. The gentlemen who think with the Senator from Louisiana a hearing. The gentlemen who think with the Senator from Louisiana that the bill ought to pass will not be prejudiced. They may be delayed a few months by giving others a hearing, but whatever is just in their bill will be fairly considered.

For one, I see no difficulty in granting the request they make, nor do I see any difficulty in putting granulated tobacco in packages of 10 pounds; but I may after hearing everything change my views. I design to be said and the committee unanimously design.

sire to hear all that can be said, and the committee unanimously desire to hear all that may be said, believing that when that is done all parties will be better satisfied.

Mr. CULLOM. I understand that the motion is to recommit the

bill to the Committee on Finance.

The PRESIDING OFFICER. That is the pending motion.

Mr. CULLOM. I do not pretend to know what the merits of the bill are, but under the circumstances I hope that the bill will be recommitted. Since the bill was reported from the committee, and placed on the Calendar of the Senate, I have had very many letters from business men in my State protesting earnestly against the passage of the bill as it is. I therefore hope that the committee will have an opportunity to reconsider it, and when they do reconsider the bill and report it back to the Senate we can dispose of it as the judgment of the Senate may dictate.

Mr. CONGER. I feel it due to myself to say that I have received from constituents of mine in different places urgent telegrams asking that the bill be defeated or recommitted to the committee so that they was he heard in regard to the injury that they are not as the passage of the bill as it.

may be heard in regard to the injury that they can see will come to them and their business if the bill should be passed. A petition, signed by ten or fifteen of the largest fine-cut tobacco manufacturers in Detroit and one or two other places in Michigan, requests me to use whatever effort I may use to have the bill either defeated or recommitted with an opportunity of being heard.

The bill passed along through the House and came to the Senate, and I venture to say that the manufacturers of Chicago and Michigan had no idea that a bill which may so seriously affect their interests was under consideration or they would have been heard, for they are a kind

of men who generally speak in time.

I hope that the bill will be recommitted, and that between now and the next session, when it may be reported upon again, all the different tobacco interests may be heard, and a proper bill, just and equal to all and to the Government, may be presented to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the

motion to recommit the bill to the Committee on Finance.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills this day received from the House of Representatives were severally read twice by their titles and referred to the Committee on Pensions:

A bill (H. R. 7988) granting an increase of pension to Bryant Waters:

A bill (H. R. 8180) to increase the pension of Charles Hahneman; A bill (H. R. 9129) granting a pension to Rebecca Wiswell; and A bill (H. R. 7696) for the relief of George W. Robaugh.

COURTS IN PENNSYLVANIA.

Mr. CAMERON. I move that the Senate proceed to the considera-tion of the bill (H. R. 2124) amendatory of and supplementary to "An act to alter the judicial districts of Pennsylvania, and for other purposes," approved May 26, 1824, and providing an additional place for holding the several courts thereof.

The bill was reported from the Committee on the Judiciary with

amendments

The first amendment was, in section 1, line 9, after the word "next," to strike out the remainder of the section in the following words:

And be continued and adjourned from time to time as the courts may deem expedient for the transaction of the business thereof.

The amendment was agreed to.

The next amendment was to strike out section 2 in the following

SEC. 2. That all suits which shall be brought against persons residing in the counties of Lackawanna, Susquehanna, Wyoming, Luzerne, Bradford, and Columbia shall be determined at the sessions of the courts herein provided to be held at Scrantor; but nothing herein contained shall be construed to limit or confine the business of said terms to said counties.

The amendment was agreed to.

The next amendment was to strike out section 3 in the following words:

SEC. 3. That the clerk of the district and circuit courts for the western judicial district of Pennsylvania, and marshal and district attorney for said district, shall perform the duties appertaining to their offices, respectively, for said courts; and said clerk and marshal shall appoint deputies who shall reside and keep their offices at Scranton, Pa. Said deputies shall keep in their offices such records as appertain to their offices, and said deputy clerk shall keep in his office full records of all actions, proceedings, and judgments in said courts.

The amendment was agreed to.

The next amendment was, in section 4, line 2, after the word "being," to insert the words "and with the approval of the Attorney-General;" so as to make the section read:

SEC. 4. That the marshal of said western judicial district shall for the time being, and with the approval of the Attorney-General, provide a suitable place at the city of Scranton for holding the several courts and for keeping the records thereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

INTERSTATE COMMERCE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1532) to regulate commerce, which was to strike out all after the enacting clause and insert a substitute.

On motion by Mr. CULLOM, it was

Resolved, That the Senate disagree to the said amendment and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered. That the conferees on the part of the Senate be appointed by the President pro tempore.

The PRESIDENT pro tempore appointed Mr. CULLOM, Mr. PLATT, and Mr. HARRIS the conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7480) making approthe amendment of the Senate to the bill (H. R. 1480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, further insisted on its disagreement to the said amendment, asked for a further conference thereon, and had appointed Mr. WILLIS, Mr. GLOVER, and Mr. MARKHAM managers at the further conference on the part of the House.

The message also announced that the House had passed the bill (H. R. 3280) to restrict the ownership of real estate in the Territories to American citizens, &c.; in which it requested the concurrence of the

RIVER AND HARBOR BILL.

Mr. McMILLAN, from the third committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, submitted a report; and,

On motion by Mr. McMILLAN,

Resolved, That the Senate still further insist upon its amendment to the said bill disagreed to by the House of Representatives and agree to the further con-ference asked by the House on the disagreeing votes of the two Houses there-

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President pro tempore

The PRESIDENT pro tempore appointed Mr. McMillan, Mr. Con-GER, and Mr. RANSOM the conferees.

HOUSE BILL REFERRED.

The bill (H. R. 3280) to restrict the ownership of real estate in the Territories to American citizens, &c, was read twice by its title, and referred to the Committee on Public lands.

TAX ON DISTILLED SPIRITS.

I move that the Senate proceed to the considera-Mr. ALDRICH. ion of the bill (H. R. 4833) relating to the taxation of factional parts of a gallon of distilled spirits.

Mr. INGALLS. I move that the Senate proceed to the consideration

of executive business.

The PRESIDENT pro tempore. The Senator from Kansas will allow the Chair to state the question. The Senator from Rhode Island moves

that the Senate proceed to the consideration of the bill indicated by him. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

CONSIDERATION OF THE CALENDAR.

Mr. EDMUNDS submitted the following resolution for consideration:

Ordered. That on Monday, August 2, subject to conference reports and action thereon, the Senate will, immediately after the strict morning business, proceed to matters on the Calendar at No. 1565 and proceed therewith in order. The five-minute provision of Rule VIII shall apply to debate, and one objection shall be sufficient to pass the matter over, retaining its place.

EXECUTIVE SESSION.

Mr. INGALLS. The bill called up by the Senator from Rhode Island being before the Senate, I move that the Senate proceed to the consideration of executive business

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours and fifty-four minutes spent in executive session the doors were reopened, and (at 6 o'clock and 32 minutes p. m.) the Senate adjourned to Monday, August 2, 1886, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate the 31st day of July, 1886.

UNITED STATES MINISTER.

Dabney H. Maury, of Virginia, to be envoy extraordinary and minister plenipotentiary of the United States to the United States of Colombia, vice Charles D. Jacob, resigned.

UNITED STATES ATTORNEY.

Cornelius C. Watts, of West Virginia, to be attorney of the United States for the district of West Virginia, vice W. H. H. Flick, whose commission expires August 3, 1886.

PROMOTION IN THE NAVY.

Paymaster Charles F. Guild, to be a pay inspector, from the 16th of

July, 1886, vice Swan, retired.

Passed Assistant Paymaster Samuel R. Colhoun, to be a paymaster, from the 16th of July, 1886, vice Swan and Guild, promoted.

COLLECTOR OF INTERNAL REVENUE.

Mahlon D. Manson, of Crawfordsville, Ind., to be collector of internal revenue for the seventh district of Indiana, vice William W. Carter, resigned.

POSTMASTERS.

Robert Newell, to be postmaster at Salem, Salem County, New Jersey, vice Lambert L. Mulford, commission expired.

W. R. Chapple, to be postmaster at Little Falls, Herkimer County, New York, vice Alonzo H. Greene, whose commission expires August 3, 1886.

John W. Cage, to be postmaster at Mineola, Wood County, Texas, vice Thomas Breen, whose commission expires August 4, 1886.

INDIAN AGENT.

William M. Campbell, of Trigg, Ky., to be agent for the Indians of the Uintah and Ouray agency (consolidated), in Utah, to fill an original vacancy.

ASSISTANT COMMISSIONER OF INDIAN AFFAIRS.

Alexander B. Upshaw, of Nashville, Tenn., to be Assistant Commissioner of Indian Affairs, to fill an original vacancy created by the act of Congress making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30,

COMMISSIONER OF EDUCATION.

Nathaniel H. R. Dawson, of Selma, Ala., to be Commissioner of Education, vice John Eaton, resigned.

REGISTER OF LAND OFFICE.

A. C. Bradford, of San Francisco, Cal., to be register of the land office at San Francisco, Cal., vice William R. Wheaton, resigned.

COLLECTORS OF CUSTOMS.

George Hines, of California, to be collector of customs for the district of Wilmington, in the State of California, to succeed John R. Brierly, whose term of office has expired by limitation.

James Brady, jr. of Massachusetts, to be collector of customs for the district of Fall River, in the State of Massachusetts; reappointment.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 27, 1886. INDIAN INSPECTOR.

Morris A. Thomas, of Baltimore, Md., who was designated during the recess of the Senate, to be an Indian inspector.

ASSOCIATE TERRITORIAL JUSTICE.

William F. Henderson, of Arkansas, to be associate justice of the supreme court of the Territory of New Mexico.

Executive nominations confirmed by the Senate July 30, 1886.

SOLICITOR-GENERAL.

George A. Jenks, of Pennsylvania, to be Solicitor-General. COLLECTOR OF INTERNAL REVENUE.

John B. Redman, of Maine, to be collector of internal revenue for the district of Maine.

Executive nomination confirmed by the Senate July 31, 1886.

ASSISTANT COMMISSIONER OF INDIAN AFFAIRS.

Alexander B. Upshaw, of Nashville, Tenn., to be Assistant Commissioner of Indian Affairs.

REJECTIONS.

Executive nominations rejected by the Senate July 27, 1886. COLLECTOR OF INTERNAL REVENUE.

Thomas Hanlon, of Indiana, nominated to be collector of internal revenue for the seventh district of Indiana.

Clinton Rosette, nominated to be postmaster at De Kalb, in the county of De Kalb and State of Illinois.

HOUSE OF REPRESENTATIVES.

SATURDAY, July 31, 1886.

The House met at 11 o'clock a. m. Prayer by Rev. Dr. BULLOCK, of Washington, D. C.

The Journal of the proceedings of yesterday was read and approved.

PUBLIC BUILDING, SPRINGFIELD, MO.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, on motion of Mr. WADE, referred to the Committee on Public Buildings and Grounds:

To the House of Representatives:

CONGRESSIONAL RECORD—HOUSE.

To the House of Representatives:

I hereby return without my approval House bill No. 1391, entitled "An act to provide for the erection of a public building at Springfield, Mo." It appears from the report of the committee of the House of Representatives, to which this bill was referred, that the city of Springfield is in a thriving condition, with stores, banks, and manufactories, and having, with North Springfield, which is an adjoining town, about 20,000 inhabitants. No Federal courts are held at this place, and apparently the only quarters which the Government should provide are such as are necessary for the accommodation of the post-office and the land office located there. The postmaster reports that six employés are engaged in his office. The rooms used as a post-office are now furnished the Government free of expense, and the rent paid for the quarters occupied as a land office amounts to \$300 annually. Upon the facts presented I am satisfied that the business of the Government at this point can be well transacted for the present without the construction of the proposed building.

GROVER CLEVELAND. GROVER CLEVELAND.

EXECUTIVE MANSION, July 30, 1886.

WESTERN JUDICIAL DISTRICT OF WISCONSIN.

The SPEAKER laid before the House the bill (H. R. 9857) in relation to the western judicial district of Wisconsin, with the Senate

amendments thereto.

Mr. PRICE. Mr. Speaker, I ask that the House concur in the amend-tents of the Senate. The bill as amended has been submitted to each ments of the Senate. member of the Judiciary Committee and to each member of the Wisconsin delegation, and it is satisfactory to all of them.

Mr. RANDALL. Let the amendments be read.

The amendments were read.

Mr. PRICE. The whole object of the amendments is to prevent the possibility of some marshal, in some contingency, getting some fees more than the Senate Judiciary Committee think he ought to have.

The SPEAKER. In the absence of objection, the Clerk will report the bill as it would stand if amended.

The Clerk read as follows:

Be it enacted, éc., That the regular terms of the circuit and district court shall be held at the times and places following: At Eau Claire, on the first Tuesday of June; at La Crosse, on the third Tuesday in September; and at Madison on the first Tuesday in December in each year; and the clerk residing at Madison shall attend all terms of said court at Eau Claire as clerk thereof.

The SPEAKER. This is the whole bill as it would stand if amended.

The amendments of the Senate were concurred in.

Mr. PRICE moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DISTRICT JUDGE FOR SOUTHERN DISTRICT OF ALABAMA.

The SPEAKER also laid before the House the bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama, the bill having been returned from the Senate with amendments.

Mr. OATES. I ask that the House concur in the amendments of the Senate. While they are necessary, they are not of great consequence. In the first instance the Senate put on this bill as an amendment the substance of a bill on the Calendar here for the increase of the salaries of judges. Subsequently the Senate recalled the bill, and that amendment has been taken off. The remaining amendments merely modify the terms of court as prescribed by the House bill; provide for a salary of \$3,500 for this judge, the same as the other judge gets, and restrict the jurisdiction of this additional judge to his own district and that of the judge of the northern and middle districts to those districts.

Mr. EDEN. This does not now affect in any way the general ques-

tion of the salaries of judges? Mr. OATES. Not at all.

Mr. HENDERSON, of Iowa. Has the amendment of the Senate, providing for the general increase of the salaries of judges, been receded

Mr. OATES. It has been receded from as an amendment to this bill. There is on the Calendar a general bill to that effect, which has been mr. OATES. That is a fact; but the Senate afterward recalled the

bill and receded from that amendment, relying on the passage of the general bill now on the Calendar.

The SPEAKER. That proposition with reference to a general increase of salaries of judges is not now in this bill at all.

Mr. HENDERSON, of Iowa. I understand it is not there now; but it was there when the bill first came from the Senate.

Mr. HOLMAN. I ask to have the amendments read.

The amendments were read.

Mr. HOLMAN. I will not press further any objection to this measure, though I think, as I have heretofore remarked, that we are extending the Federal judicial system far beyond the necessities of the country.

This additional judge in Alabama is very necessary. Mr. HOLMAN. As the House has already passed upon this question I will not urge any objection.

Mr. HENDERSON, of Iowa. I shall not object; but I am very sorry

that the Senate receded from its original amendment.

The amendments of the Senate were concurred in.

Mr. OATES moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to re-consider be laid on the table.

The latter motion was agreed to ..

PHŒNIX NATIONAL BANK OF NEW YORK.

The SPEAKER also laid before the House the bill (S. 1599) for the relief of the Phœnix National Bank of the City of New York. The following message, accompanying the bill, was read:

Resolved. That the Senate disagree to the amendment of the House of Representatives to the bill (S. 1599) for the relief of the Phenix National Bank of the City of New York, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. Evaris, Mr. Ingalls, and Mr. Vest be the conferees on the part of the Senate. IN THE SENATE OF THE UNITED STATES, July 30, 1886.

Mr. HOLMAN. Is it in order to refer this bill back to the committee from which it came—the Committee on Claims?

The SPEAKER. There is nothing now pending in relation to this bill except the amendment of the House, to which the Senate has dis-The bill has reached that stage of proceeding when the apagreed. pointment of a conference committee is in order.

Mr. JAMES. I ask that the request of the Senate for a conference

be agreed to.

Mr. HOLMAN. But, Mr. Speaker, it is in order, is it not, to move a reference to the Committee on Claims?

The SPEAKER. It would be in order, because the committee might recommend that the House recede from its amendment.

Mr. HOLMAN. I move that reference.

The SPEAKER. The gentleman from Indiana moves to refer this bill, with the accompanying amendment, to the Committee on Claims. Mr. JAMES. I move to amend so as to send the bill to a committee

of conference

The SPEAKER. That is not a proper motion in the form of an amendment, but if the House should decline to refer the bill the motion to agree to the request of the Senate for a conference will be in order.

Mr. JAMES. I hope the House will disagree to the motion for reference.

The SPEAKER. The Chair will state further that if the bill should be referred to the Committee on Claims and reported back it would be privileged, because it has reached the stage of actual disagreement between the two Houses.

The question being taken on the motion of Mr. HOLMAN, there were—ayes 27, noes 54.

Mr. HOLMAN. While I reserve the question of a quorum I hope

the fact will appear as to what this amendment is. The House in adopting the amendment acted no doubt deliberately, and I think that with a knowledge of the present posture of the question the House would probably insist on the amendment.

The SPEAKER. The gentleman has the right to have the amend-

ment read. The House is now voting on the question of reference.

Mr. HOLMAN. I ask for the reading of the amendment.

Mr. JAMES. All I want is to have this matter go to a conference committee to be fairly and fully considered.

The Clerk read the amendment, as follows:

In lines 1 and 2 strike out "\$29,624.35" and insert "\$12,117.38."

Mr. JAMES. This is the unanimous report of the Committee on Claims, and the amendment proposes to cut off at least half of the money that was expended necessarily by this Phoenix Bank in defending the suit. The facts of the case are that the United States Government confiscated the money which belonged to the Bank of Georgetown, S. C., at the close of the war, which amount was covered into

the Treasury of the United States.

Subsequently suit was brought in the supreme court of the State of New York, and it went through the various courts of that State, in every case being decided that the bank should pay the second time. On writ of error it was appealed to the Supreme Court of the United States writ of error it was appealed to the Supreme Court of the United States and when it went to the court of appeals of the United States and was under consideration in that court, the Attorney-General was brought in to the counsel, and every step in defending the suit was under his advice and guidance. The bank paid the money the second time, and this bill propose to pay them the expenses incurred in defending the suit and the money originally taken, without interest. It is simply giving the money back as they paid it, without interest; and now the proposition is to amend by paying them less than half the amount which they actually paid out under the order of the courts of the United States.

Why, it is a case as clear as the sunlight, and the attempt to strike down. Why, it is a case as clear as the sunlight, and the attempt to strike down, to cut off, half of the money ought not to receive a moment's consideration in this House.

Mr. HOLMAN. I think the only question is as to the propriety of refunding to this bank the amount of money paid by them—something

over \$12,000. So far as the costs and interest—
The SPEAKER. The Chair will state that under the rules of the

House this question is not debatable at all.

Mr. HOLMAN. I know that.

The SPEAKER. All the committee could do would be to recommend that the House recede, or insist and agree to the conference.

The question now is on the motion to agree to the conference.

Mr. JAMES. I think that was carried.

The SPEAKER. It was, but the gentleman from Indiana reserved the right to make the point of order.

the right to make the point of order.

Mr. HOLMAN. I think it ought to go to the Committee on Claims.

Mr. JAMES. Why, that committee have already reported it, unanimously.

Mr. HOLMAN. But I think they did not consider the question of interest.

They have the right to report it back under the motion. I make the point of order that no quorum has voted.

The SPEAKER. The point of order being made that no quorum

has voted, the Chair will appoint tellers.

Mr. Holman and Mr. James were appointed tellers.

The House again divided; and the tellers reported—ayes 43, noes 105.

So (no further count being demanded) the motion of Mr. Holman was not agreed to.

Mr. JAMES. I now move that the House agree to the conference.

The motion was agreed to.

The SPEAKER. The Chair will announce the managers during the

day.

RETURN OF JOINT RESOLUTION FROM THE SENATE.

The SPEAKER. The joint resolution (H. Res. 209) providing for a change in the authority for the construction of a public building at Savannah, erroneously numbered 295, has been returned from the Senate. If there be no objection, the number will be corrected and it will be returned to the Senate again.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. Johnston, of Indiana, indefinitely, on account of sickness. To Mr. Wade, for the remainder of the session. To Mr. Green, of New Jersey, for four days.

To Mr. ERMENTROUT, for the remainder of the session, on account of important business.

To Mr. Comstock, for the remainder of the session, on account of important business.

To Mr. Dingley, indefinitely.

To Mr. Brumm, indefinitely, on account of sickness.

LEAVE TO PRINT.

By unanimous consent, leave was granted to Mr. SMALLS to print in

the RECORD remarks in relation to the joint resolution introduced by him on yesterday and referred to the Committee on Appropriations.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. SAWYER to withdraw from the files of the House papers in relation to House bill No. 1972, Forty-sixth or Forty-seventh Congress.

IMPROVEMENT NEW YORK HARBOR.

Mr. JOHNSON, of New York. I ask unanimous consent to have printed in the RECORD a communication addressed to my colleague Mr. BURLEIGH, with an accompanying letter from the engineer in charge of the work of improvement of New York Harbor in reference to that improvement, and have it referred to the Committee on Rivers and Har-

There was no objection, and it was so ordered. The communication is as follows:

Office of the Chief of Engineers, United States Aemy, Washington, D. C., July 26, 1886.

Office of the Chief of Engineers, United States Army, Washington, D. C., July 26, 1886.

Dear Sir: I send you herewith a copy of a letter from Lieutenant-Colonel McFarland, corps of engineers, stationed in New York city, now temporarily absent on sick leave.

The bill referred to by Colonel McFarland is S, 2157, which is used by the opponents of the improvement of the bar at the Sandy Hook entrance, New York Harbor, as a means to defeat the appropriation intended for that purpose. I understand from the debates the opponents of the improvement are equally opposed to the methods by jetties or by dredging unless the improvement is made at the spot which they have selected, and not the principal entrance at Gedney's Bar already appropriated for by Congress.

I beg leave to say in addition that the idea of waiting for a complete and elaborate survey of New York Harbor before the project of the improvement of the bar could be adopted is a far-fetched one and will not stand investigation by experienced engineers. The survey now in progress and not finished may be of use for the interior harbor and contiguous waters thereto, especially in view of laying down the harbor lines on the New Jersey side and in deciding what encroachments, if any, might be tolerated upon the tidal area without future injury to the harbor; but when it is attempted to be shown that the completion of this survey is necessary before a project should be stadied for the improvement of the depth over the bar it manifests a want of examination and a decided inattention to the features of the shoals and channels at the bar. These shoals and channels have in their general features possessed a permanence for a long lapse of years not often met with at the sea entrances to harbors, and no one who has been practiced in the observation of such phenomena could fail to see by an examination of the charts already existing not only the causes of the shoal depth, but the remedy also for this defect. In fact, the substantial permanence of the shoals and channels

JOHN NEWTON, Chief of Engineers, Brig. and. But. Maj. Gen.

Hon. H. G. Burleigh, U. S. House of Representatives.

SHARON SPRINGS, N. Y., July 24, 1886.

Gentlemen: The newspaper statements concerning the discussions that have recently taken place in Congress and before some of its committees in relation to the bills for the improvement of New York Harbor, now pending, have but just come to my notice.

I regret exceedingly that my illness and absence for three months have prevented me from learning earlier the course that was being followed in respect to these bills, for as the engineer now in charge of the river and harbor improvements in the vicinity of New York I should have been glad to have given to the Congressional committees such aid as my knowledge of the subject under discussion enabled me to furnish.

As it is, at this late date, I can only put hastily in writing some of my ideas upon the subject, hoping that the committee will give them due consideration. There are two bills now before Congress affecting the welfare of the harbor of New York. One is the river and harbor bill, which provides for its protection against dumping ashes and other things in it, and makes the usual annual appropriation for its improvement; and the other is the one known as the New York Harbor commission bill. This bill originated in the desire to prevent the dumping of ashes and garbage in the waters of New York Harbor, and so far as this provision of it is concerned there is no objection to it, except that in view of the similar provisions contained in the present river and harbor bill, which apply to all the waters of the United States, it is wholly unnecessary and would involve a large and useless annual expenditure.

But its promoters are not content with this, for they had a much greater object in view, though it was carefully concealed at first, and that was nothing more nor less than the taking of the whole matter of the improvement of New York Harbor out of the hands of the engineers who had skillfully and creditably managed it for so many years, and placing it in the hands of a mixed body, only one of whom is required to be an engineer; and yet the questions involve

and whom it means to put in their places in charge of the improvement of York Harbor.

General Newton, Chief of Engineers, is one of the first; who has spent more than forty years in the practice of engineering; whose work on the Hudson River and at Hell Gate has given him a world-wide reputation, and who has done more for the improvement of New York Harbor than any other engineer, living or dead.

General Duane is another, a New Yorker with thirty-eight years of engineer service in every variety of work, and remarkable for his sound judgment in questions of engineering.

General Abbot, with more than thirty years' service in every variety of hydraulic work especially, a member of the National Academy of Sciences, and an authority on the subject of hydraulics.

General Comstock—of more than thirty years' experience in engineering—a member of, and for a long time president of the Mississippi River Commission,

a member also of the National Academy of Sciences, and one of the best informed river and harbor engineers in the world.

These last three gentlemen constitute the board of engineers which prepared the scheme for the improvement of New York Harbor for the beginning of which an appropriation was inserted in the river and harbor bill now before Congress, and this is the appropriation which one of the distinguished Representatives from New York declares conceals a job, and which he says should be stricken out of the river and harbor bill until the opinion of the proposed harbor commission is obtained. It is difficult to imagine what misrepresentation of facts could have led him to make so serious a charge as this, but whatever it may have been I must believe that he will withdraw it when he learns that his attack is directed toward officers of the Corps of Engineers.

Now let us see what kind of a body it is whose judgment on questions of harbor improvement is to be substituted for that of the board of engineers who proposed the plan for the improvement of New York Harbor. This harbor commission, it appears, is to be composed of one engineer officer of the Army, one officer of the Navy, one Coast Survey officer, and two civilians, one to be appointed from the State of New York and one from the State of New Jersey.

This would be a good enough commission for determining where ashes and other matter should be dumped, but for this purpose, as before shown, the river and harbor bill renders it unnecessary and a useless expense. But in regard to harbor improvements, which require not only engineering knowledge but engineering experience, it is difficult to see in what respect its opinion could have any value as compared with the opinion of a body of engineers trained to their profession. Neither the naval officer nor the Coast Survey officer have any such training or experience, and there is nothing in the bill which requires the civilians to be engineers; and as appointments are usually made they probably would not be

Every member of Congress from the city of New York was seen—the Chamber of Commerce was besieged and all opposition was to be allayed and conflicting interests were to be united by having the proposed commission consist of a number of members of different occupations, coming from different localities, and among which the engineering profession and the Corps of Engineers, to whom are intrusted all the other works of river and harbor improvement in the country, were to be represented by a hopeless minority of one. And all this for the management of purely engineering questions!

ties, and among which the engineeric profession and the Corps of Engineers, to whom are intrusted all the other works of river and harbor improvement in the country, were to be represented by a hopeless minority of one. And all this for the management of purely engineering questions?

The chief movers in this scheme were a naval officer and an ex-officer of the British navy who had been employed for awhile on the East River improvement, and afterward, so I am informed, by the Chamber of Commerce and the Coast Survey. The original draught of the harbor commission bill provided a comfortable place for him, but this provision was subsequently thrown out. This gentleman has made a model of a part of New York Harbor which has been shown and lectured on in various places, by means of which he has endeavored to show that by dredging through a sand-bank a shorter channel seaward from New York Harbor would be formed than the main channel which nature has laid out and has kept in permanent good order for over a hundred years, or as far back as our records extend.

No engineer familiar with hydraulic work would think of making such a mistake as this, and the author's ignorance of the subject is shown by the very suggestion. Yet he has talked it up so much that he has found some unprofessional followers, and it is this wild proposition that has led the distinguished representative from New York Harbor has not yet been determined, and to express the fear that the harbor of New York may be ruined if the opinion of the board of expert engineers who recommend the improvement of the main channel be not thrown aside, and the opinion of the mongrel harbor commission which is not yet formed be not taken in its stead.

Now, through all this, from beginning to end, not a single officer of engineers nor any other engineer that I have heard of has been asked one solitary question about the wants of New York Harbor or the merits of this bill.

It is plain to me that neither this bill nor any other bill affecting the public good ought t

\$6,000,000.

At the best possible rate of work it will take five or six years to get this depth, and in the interest of the commerce of the city it is very much to be desired that this appropriation may not be struck out; for the distinguished member is plainly wrong in every one of his statements concerning it.

Very respectfully, your obedient servant,

WALTER McFARLAND, Lieutenant-Colonel of Engineers.

COMMITTEE ON RIVERS AND HARBORS, Washington, D. C.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 1008) to empower the Board of Foreign Missions of the Methodist Protestant Church to hold property in the District of Co-

lumbia; and
A bill (S. 2530) for the relief of the legal representatives of John Wightman, deceased.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles;

when the Speaker signed the same: A bill (S. 13) for the relief of William J. Smith, late surveyor of cus-

toms for the port of Memphis, in the State of Tennessee;
A bill (S. 68) for the relief of S. B. Cranston, of Oregon

A bill (S. 28) to confirm the title to certain lands in Platte County, Missouri, and authorize patents to be issued therefor to Kinsey B. Cecil;

A bill (S. 224) for the relief of Charles F. Bowers; A bill (S. 304) to compensate physicians for services rendered under the order of the United States court for the northern district of Ala-

A bill (S. 380) for the relief of Mrs. Henrietta Cole;

A bill (S. 632) to provide for the settlement of the estates of deceased

Kickapoo Indians in the State of Kansas, and for other purposes;

A bill (S. 699) to authorize the Secretary of the Interior to issue to George K. Otis duplicates of certain land-warrants lost while in the possession of officers of the Government;

A bill (S. 708) for the relief of Stephen H. Smith; A bill (S. 718) for the relief of Francis Gilbeau; A bill (S. 936) for the relief of John M. McClintock; A bill (S. 972) for the relief of Thomas P. Morgan, jr.;

A bill (S. 1899) for the relief of Mrs. Lizzie Maynadier Phelps, widow of Capt. Seth Ledyard Phelps, late minister of the United States to Peru; and

A bill (S. 2415) for the relief of the trustees of the Christian Brothers' College, Saint Louis, Mo.

PUBLIC BUILDING AT ANNAPOLIS.

Mr. COMPTON. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill (S. 201) to provide for the erection of a public building in the city of Annapolis, Md., and that the same be now considered.

The bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BRADY. I object.
Several members called for the regular order.

RIVER AND HARBOR APPROPRIATION BILL.

The SPEAKER. The regular order is the consideration of the report of the committee of conference on the river and harbor appropriation bill.

I desire to submit a point of order on the report and Mr. HATCH. the statement of the House conferees

Mr. BLANCHARD. The report has been read, but not the statement.

The SPEAKER. The report of the conference committee has been read, but the statement which the rules of the House require the managers of the conference on the part of the House to make has not been read. The Clerk will read the statement.

The Clerk commenced to read the statement.

Mr. PAYSON (interrupting the reading). Would it be in order to ask unanimous consent to dispense with the further reading of the statement.

The SPEAKER. It would.

Mr. PAYSON. I make that request.

The SPEAKER. Is there objection to the further reading of the statement being dispensed with?

There was no objection.

The statement in full is as follows:

The statement in full is as follows:

House of Representatives, United States,
Washington, D. C., July 30, 1886.

The undersigned, managers on the part of the House, make the following statement in respect to the conference report on H. R. 7480, known as "the river and harbor bill."

The Senate struck out all after the enacting clause in the House bill and inserted a bill of their own, taking the House bill as the basis therefor. Their action was treated as one amendment.

The House receded from its disagreement to this amendment and concurred in the same with an amendment to which the Senate agreed.

The bill as it passed the Senate appropriated \$14,013.393.25; the amount of the amendment agreed upon by the conferees of the two Houses increases the above amount about \$728,031.75, making the total amount appropriated by the proposed amendment about \$14,766,400. 'The changes made in the bill as it came from the Senate are as follows:

Lines 12 and 13, strike out "\$11,250" and insert "\$12,500."

Lines 22 and 23, strike out "\$11,250" and insert "\$15,000."

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Lines 25 and 26, strike out "$7,500" and insert "$10,000."
Line 43, strike out "$4,500" and insert "$6,000."
Lines 45 and 46, strike out "$11,250" and insert "$15,000."
Lines 47 and 48, strike out "$7,500" and insert "$10,000."
Lines 53 and 54, strike out "$11,250" and insert "$10,000."
Line 56, strike out "$4,500" and insert "$6,000."
Line 58, strike out "$4,500" and insert "$6,000."
Lines 60 and 61, strike out "$2,250" and insert "$3,000."
Lines 62, 63, and 64, strike out "$3,750 and $1,500" and insert "$5,000."
Lines 67, strike out "$4,500" and $1,500" and insert "$5,000 and
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\$2,000."

S2,000."

Line 67, strike out "\$75,000" and insert "\$100,000."

End of line 68 insert:

"Provided, That this sum and that appropriated in the last river and harbor bill shall be expended only upon that portion of the work at Sandy Bay which may be beneficial to commerce in the event Congress should not determine to construct said national harbor of refuge of the first class: And provided further, That the Secretary of War shall appoint a board of three engineers to examine into the practicability, expediency, and advisability of the construction of a national harbor of refuge of the first class at Sandy Bay and report the facts and their conclusions to Congress at its next session: And provided further, That the expenses of said board be paid out of the appropriation herein made."

Line 70, strike out "7,500" and insert "\$10,000."

Line 72, strike out "\$750" and insert "\$10,000."

Lines 75 and 76, strike out "\$10,875" and insert "\$14,500."

Lines 75 and 76, strike out "\$11,250" and insert "\$14,500."

Line 82, strike out "\$11,250" and insert "\$15,000."

Lines 78 and 76, strike out "\$10,875" and insert "\$14,500."

Lines 78 and 80, strike out "\$15,000, \$5,000, and \$9,000" and insert "\$20,000, \$8,000, and \$12,000."

Line 84, strike out "\$11,250" and insert "\$15,000."

Lines 84, strike out "\$15,000" and insert "\$20,000."

Lines 85, and 87, strike out "\$15,000" and insert "\$20,000."

Line 91, strike out "\$15,000" and insert "\$20,000."

Line 93, strike out "\$15,000" and insert "\$20,000."

Line 95, strike out "\$15,000" and insert "\$20,000."

Line 97, strike out "\$15,000" and insert "\$20,000."

Line 107, strike out "\$15,000" and insert "\$20,000."

Line 109, strike out "\$15,000" and insert "\$20,000."

Line 109, strike out "\$15,000" and insert "\$20,000."

Line 111, strike out "\$7,500" and insert "\$20,000."

Line 112, strike out "\$7,500" and insert "\$10,000."

Lines 118 and 119, strike out "\$5,625" and insert "\$1,000."

Lines 126 and 127, strike out "\$3,750" and insert "\$10,000."

Lines 129 and 130, strike out "\$3,750" and insert "\$10,000."

Lines 129 and 130, strike out "\$3,750" and insert "\$10,000."

Lines 133, strike out "\$7,500" and insert "\$10,000."

Lines 148 and 149, strike out "\$7,500" and insert "\$10,000."

Lines 153, strike out "\$7,500" and insert "\$10,000."

Lines 154 and 159, strike out "\$1,250" and insert "\$10,000."

Lines 158 and 159, strike out "\$1,250" and insert "\$15,000."

Lines 158 and 159, strike out "\$7,500" and insert "\$15,000."

Lines 158 and 159, strike out "\$7,500" and insert "\$10,000."

Lines 158 and 159, strike out "\$7,500" and insert "\$10,000."

Lines 158 and 159, strike out "\$7,500" and insert "\$10,000."

Lines 158 and 159, strike out "\$7,500" and insert "\$10,000."

Lines 150 and 121, strike out "\$7,500" and insert "\$10,000."

Lines 158 and 159, strike out "\$1,250" and insert "\$10,000."

Lines 158 and 159, strike out "\$1,250" and insert "\$10,000."

Lines 150 and 121, strike out "\$1,250" and insert "\$5,000."

Lines 203 and 204, strike out "\$1,250" and insert "\$5,000."

Lines 219, 30, and 221, strike out "\$1,250" and insert "\$5,000."

Lines 229

Ince 237 and 238, strike out "\$11,250" and insert "\$15,000."

Lines 237 and 238, strike out "\$11,250" and insert "\$15,000."

Lines 240 and 243, strike out \$7,500" and insert "\$10,000."

Lines 251 and 252, strike out "\$3,750" and insert "\$5,000."

Lines 261 and 262, strike out "\$9,000" and "\$1,500" and insert "\$12,000" and "\$2,000."

Lines 212 and 232, strike out "\$3,750" and insert "\$10,000."
Lines 261 and 262, strike out "\$2,000" and "\$1,500" and insert "\$12,000" and \$20,000."
Lines 266 and 267, strike out "\$1,875" and insert "\$2,500."
Line 299, strike out "\$1,5000" and insert "\$20,000."
Line 271, strike out "\$7,500" and insert "\$20,000."
Line 272 and 273, strike out "\$5,250" and insert "\$10,000."
Lines 273 and 273, strike out "\$5,250" and insert "\$10,000."
Lines 274 and 273, strike out "\$5,250" and insert "\$12,500."
Lines 305 and 306, strike out "\$7,500" and insert "\$10,000."
Line 317, strike out "\$1,500" and insert "\$2,900."
Line 317, strike out "\$1,500" and insert "\$2,900."
Line 338 and 339, strike out "\$2,521" and insert "\$5,000."
Line 338, strike out "\$2,250" and insert "\$10,000."
Line 338, strike out "\$7,500" and insert "\$10,000."
Line 338, strike out "\$7,500" and insert "\$10,000."
Line 338, strike out "\$7,500" and insert "\$10,000."
Lines 365 and 364, strike out "\$7,500" and insert "\$10,000."
Lines 365 and 364, strike out "\$1,250" and insert "\$10,000."
Lines 365 and 364, strike out "\$1,250" and insert "\$10,000."
Lines 365 and 367, strike out "\$1,250" and insert "\$10,000."
Line 379, strike out "\$5,250" and insert "\$10,000."
Lines 388 and 384, strike out "\$1,250" and insert "\$10,000."
Lines 389 and 384, strike out "\$1,250" and insert "\$10,000."
Lines 389 and 384, strike out "\$1,250" and insert "\$10,000."
Lines 389 and 384, strike out "\$3,750" and insert "\$15,000."
Lines 380 and 387, strike out "\$3,750" and insert "\$15,000."
Lines 399, strike out "\$7,500" and insert "\$10,000."
Lines 399, strike out "\$7,500" and insert "\$10,000."
Lines 400, strike out "\$7,500" and insert "\$10,000."
Lines 401, strike out "\$7,500" and insert "\$10,000."
Lines 402 and 403, strike out "\$3,750" and insert "\$15,000."
Lines 415 and 416, strike out "\$3,750" and insert "\$1,000."
Lines 425 and 427, strike out "\$1,250" and insert "\$5,000."
Lines 426 and 427, strike out "\$1,250" and insert "\$5,000."
Lines 428 and 427, strike out "\$1,250" and insert "\$5,000."
Lines 4

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Line 544, strike out "$7,500" and insert "$10,000."
Line 549 and 550, strike out "$1,250" and insert "$15,000."
Lines 551 and 552, strike out "$11,250" and insert "$15,000."
Lines 553 and 554, strike out "$7,500" and insert "$15,000."
Lines 553 and 554, strike out "$7,500" and insert "$10,000."
Lines 555 and 556, strike out "$7,500" and insert "$10,000."
Lines 557 and 558, strike out "$1,875" and insert "$10,000."
Lines 559 and 570, strike out "$1,875" and insert "$2,500."
Lines 559 and 570, strike out "$1,500" and insert "$5,000."
Lines 574 and 575, strike out "$2,750" and insert "$5,000."
Line 579, strike out "$1,500" and insert "$10,000."
Line 679, strike out "$1,500" and insert "$10,000."
Line 600, strike out "$1,500" and insert "$10,000."
Line 611, strike out "$7,500" and insert "$10,000."
Line 613, strike out "$7,500" and insert "$10,000."
Line 614, strike out "$7,500" and insert "$10,000."
Line 615, strike out "$7,500" and insert "$10,000."
Line 614, strike out "$7,500" and insert "$10,000."
Line 615, strike out "$7,500" and insert "$10,000."
Line 643, strike out "$7,500" and insert "$10,000."
Line 645, strike out "$7,500" and insert "$10,000."
Line 657, strike out "$7,500" and insert "$10,000."
Line 658, strike out "$5,500" and insert "$10,000."
Line 657, strike out "$5,500" and insert "$10,000."
Line 667, strike out "$7,500" and insert "$12,500."
Line 676, strike out "$7,500" and insert "$12,500."
Line 677, strike out "$7,500" and insert "$10,000."
Line 677, strike out "$7,500" and insert "$10,000."
Line 678, strike out "$7,500" and insert "$10,000."
Line 679, strike out "$7,500" and insert "$10,000."
Line 679, strike out "$1,000."
Line 789, 740, 741, and 742, strike out "$1,200."
Lines 781 and 782, strike out "$1,200."
Lines 783 and 794, strike out "$1,000."
Line 785, strike out "$7,500" and insert "$10,000."
Line 789, 740, 741, and 742, strike out 
                Line 796, strike out "$15,000" and insert "$20,000."
Lines 800 and 801, strike out "$15,000 and $3,750" and insert "$20,000 and $5,000."
         Lines 800 and 801, strike out "$15,000 and $3,750" and insert "$20,000 and $5,000."

Lines 802 and 806, strike out "$11,250" and insert "$15,000."

Lines 808 and 809, strike out "$5,625" and insert "$7,500."

Lines 808 and 809, strike out "$11,250" and insert "$15,000."

Lines 818 and 819, strike out "$11,250" and insert "$15,000."

Lines 821, strike out "$1,000" and insert "$15,000."

Lines 823, strike out "$3,000" and insert "$1,000."

Lines 825, 826, 827, and 828, strike out "$11,250, $3,750, and $7,500" and insert "$1,500, $3,750, and $7,500."

Lines 831 and 832, strike out "$9,625" and insert "$1,300."

Lines 836 and 837, strike out "$9,750" and insert "$1,500."

Lines 846 and 847, strike out "$1,250" and insert "$3,000."

Line 849, strike out "$1,250" and insert "$3,000."

Lines 858 and 859, strike out "$5,625" and insert "$7,500."

Lines 858 and 859, strike out "$5,625" and insert "$7,500."

Lines 875 and 876, strike out "$3,750 and $1,500" and insert "$5,000 and $2,000."

Lines 894 and 895, strike out "$1,250" and insert "$7,500."

Lines 894 and 895, strike out "$1,500" and insert "$2,500."

Lines 894 and 895, strike out "$1,500" and insert "$2,500."

Lines 894 and 895, strike out "$1,500" and insert "$2,000."

Lines 894 and 895, strike out "$2,625" and insert "$2,500."

Lines 894 and 895, strike out "$3,750 and insert "$2,000."

Lines 894 and 895, strike out "$3,750 and insert "$2,000."

Lines 894 and 895, strike out "$3,750 and insert "$2,000."

Lines 894 and 895, strike out "$3,750" and insert "$2,000."

Lines 990 and 907, strike out "$1,500" and insert "$2,000."

Lines 990 and 907, strike out "$1,500" and insert "$2,000."

Lines 900 and 907, strike out "$1,500" and insert "$2,000."

Lines 900 and 907, strike out "$1,250 and insert "$2,000."

Lines 910 and 911, strike out "$1,250 and insert "$2,000."
         Lines 906 and 907, strike out "$11,250 and $3,750" and insert "$15,000 and $5,000."

Lines 910 and 911, strike out "$3,750" and insert "$5,000."

Lines 917, strike out "$1,500" and insert "$5,000."

Lines 919 and 920, strike out "$3,750" and insert "$5,000."

Lines 922 and 923, strike out "$3,750" and insert "$5,000."

Line 925, strike out "$3,750" and insert "$5,000."

Line 925, strike out "$1,500" and insert "$2,000."

Line 929, strike out "$1,500" and insert "$2,000."

Lines 932 and 933, strike out "$1,500" and insert "$10,000."

Lines 935, strike out "$3,000" and insert "$10,000."

Lines 939, 940, and 941, strike out "$71,250 and $18,750" and insert "$75,000 and $25,000."

Lines 946 and 947, strike out "$1,875" and insert "$2,500."
      $25,000."

Lines 946 and 947, strike out "$1,875" and insert "$2,500."

Line 950, strike out "$1,500" and insert "$2,000."

Line 950, strike out "$1,500" and insert "$2,000."

Line 953, 954, and 955, strike out "$13,125 and $5,625" and insert "$17,500 and $7,500."

Line 969, strike out "$50,250" and insert "$75,000."

End of line 971, strike out all beginning with line 972 down to and including line 976and insert: "According to the plan and recommendations in Appendix V 13, Executive Document 1, Forty-ninh Congress; of which there are to be expended $8,000 at Pine Bluff, $13,000 at Fort Smith, and $10,000 at Dardanelles, or so much thereof under those sums respectively as may be necessary at those points."
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Doints."
Line 985, strike out "\$5,250" and insert "\$7,000."
Lines 986 and 987, strike out "\$2,250" and insert "\$3,000."
Lines 988 and 989, strike out "\$3,750" and insert "\$5,000."
Lines 990 and 991, strike out "\$2,625" and insert "\$3,500."
Lines 993 and 994, strike out "\$13,500 and \$9,750" and insert "\$18,000 and \$13,000."

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Lines 1000 and 1001, strike out "$3,500" and insert "$5,000."

Line 1003, strike out "$2,250" and insert "$3,000."

Line 1007, strike out "$2,250" and insert "$3,000."

Line 1007, strike out "$2,250" and insert "$3,000."

Lines 1014 and 1015, strike out "$9,375" and insert "$1,500."

Lines 1017, strike out "$4,500" and insert "$6,000."

Between lines 1017 and 1018 insert: "$6,000."

Between lines 1017 and 1018 insert: "$6,000."

Improving Hiawassee River, Tennessee: Continuing improvement, $2,500.

"Improving South Fork of Forked Deer River, Tennessee: Continuing improvement, $5,000."

Lines 1019 and 1020, strike out "$5,625" and insert "$7,500."

After line 1024 insert:

"Improving South Fork of Cumberland River, Kentucky: Continuing Improvement $5,000."

Line 1020, strike out "$1,500" and insert "$2,000."

Line 1051, strike out "$1,500" and insert "$2,000."

Line 1050, strike out "$1,500" and insert "$6,000."

Line 1080, strike out "$1,500" and insert "$5,000."

Line 1106, after the words "United States," insert:

"And provided further, That notwithstanding the report of said board of engineers, the money herein appropriated for the purchase of said water ways shall not be expended unless the Secretary of War and Chief of Engineers shall be satisfied of the expediency and desirability of the United States acquiring and making free of "!! said harbors of refuge and water ways."

Lines 1149 and 1150, strike out "$5,625" and insert "$7,500."

Lines 1149 and 1150, strike out "$5,625" and insert "$7,500."

Lines 1149 and 1150, strike out "$5,625" and insert "$7,500."

The clause relating to Hennepin Canal (lines 1204 to 1234 inclusive) is stricken out and a clause inserted making an appropriation for the enlargement of the Illinois and Michigan Canal, and for the final and definite survey and location of a line for the proposed Illinois and Mississippi Canal. The report of this final survey and location to be made by the Secretary of War to Congress at its next session.

Line 1236, strike out "$5,625" and insert "
Illinois and Michigan Canal, and for the final and definite survey and location of a line for the proposed Illinois and Mississippi Canal. The report of this final survey and location to be made by the Secretary of War to Congress at its next session.

Line 1236, atrike out "$5,625" and insert "$7,500."

Lines 1238 and 1339, strike out "$7,500" and insert "$1,0,000."

Lines 1230 and 1251, strike out "$1,875" and insert "$2,500."

Lines 1250, after the word "operations," insert "and the cost of the proceedings hereinafter authorized."

Line 1255, before the word "ten." insert "also,"

Line 1255, before the word "tributaries," insert: "If he be not so satisfied, he is hereby instructed to institute such legal proceedings as may be necessary to prevent the washing, sluiding, dumping, or discharging détritus, débris, or slickens, caused by or arising from such hydraulic unining, into either of said rivers or any of its tributaries, or into the San Joaquin River or any of its tributaries, or in or to such place or situation from which such détritus, débris, or slickens may be liable to be washed or carried by storms or floods into either of said rivers or into the San Joaquin River or any of its tributaries, or in or to such place or situation from which such détritus, débris, or slickens may be necessary for said purpose."

Lines 1265 and 1257, strike out "$15,000" and insert "$10,000."

Lines 1266 and 1257, strike out "$7,500" and insert "$10,000."

Line 1270, strike out "$7,500" and insert "$10,000."

Line 1270, and 1280, strike out "$7,500" and insert "$20,000."

Line 1282, strike out "$1,500" and insert "$20,000."

Line 1290, strike out "$1,500" and insert "$2,000."

Line 1290, strike out "$1,500" and insert "$2,000."

Line 1290, strike out "$1,500" and insert "$2,000."

Line 1303 and 1404, strike out "$1,500" and insert "$2,000."

Line 1403 and 1404, 
       ment of said farour mose jacobs
such improvements.
Line 3, section 7, strike out "$75,000" and insert "$100,000."
N. C. BLANCHARD,
THOS. J. HENDERSON.
                                                                                                                                          I desire to make a parliamentary inquiry.
                        The SPEAKER. The gentleman from Missouri [Mr. HATCH] has
       a question of order pending.

Mr. WILLIS. If the gentleman will yield to me for a moment I desire to make this inquiry: If the House rejects the present conference
          report can it order a further conference on this bill?
       The SPEAKER. Certainly. If the House refuses to agree to this report the whole subject is where it was before the report was made.

Mr. DUNN. Of course the gentleman from Kentucky understands that that loses the bill.
                       The SPEAKER.
                                                                                                                                                                   The gentleman from Missouri [Mr. HATCH] will
       state his point of order.

Mr. HATCH. I send to the Clerk's desk and ask to have read, as
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Resolved, That the managers of the said further conference on the part of the House be, and they are hereby, instructed that it is the sense of the House that the item in the Senate amendment to said bill, making an appropriation for the Portage Lake and Lake Superior Ship-canal, be stricken from said Senate amendment.

Resolved, That the managers of the said further conference on the part of the

the basis of my point of order, the instructions given by the House to

the conference committee. The Clerk read as follows:

House be, and they are hereby, instructed to insist on striking out from the amendment of the Senate to said bill the item making an appropriation for the Lake Michigan and Hennepin Canal.

Resolved, That the managers of the said further conference on the part of the House be, and they are hereby, instructed to insist upon striking out from the amendment of the Senate to said bill the item making an appropriation for Sturgeon Bay and Lake Michigan Ship-canal.

Resolved, That the managers of the said further conference on the part of the House be, and they are hereby, instructed to insist upon striking out from the amendment of the Senate to said bill the item commencing with line 1446, down to and including line 1525, providing for the improvement of the Mississippi River from the head of the passes to the mouth of the Ohio River.

Resolved, That the managers of the said further conference on the part of the House be, and they are hereby, instructed to insist upon striking out from the amendment of the Senate to said bill so much thereof as appropriates \$375,000 for continuing the improvement of the Potomac River in the vicinity of Washington.

Mr. SPRINGER. I raise the point of order on that proposition.

The SPEAKER. A point of order is pending.

Mr. SPRINGER. Is that a resolution instructing the conference committee?

The SPEAKER. The gentleman from Missouri has caused to be read as part of his remarks the resolutions heretofore adopted by the House

Mr. SPRINGER. What is the point of order? The SPEAKER. It has not been stated.

Mr. HATCH. If the gentleman from Illinois [Mr. SPRINGER] will contain himself for a few minutes I will state my point of order

Mr. Speaker, the items embraced in the instructions just read from the Clerk's desk were adopted by this House by direct votes, and in two or more instances by a yea-and-nay vote on record. They were positive and direct instructions to the conference committee then appointed to insist upon striking from the Senate amendment the items designated. Now, my point of order is that the report made by that conference committee appointed in pursuance of the instructions of the House is in direct violation of every single statement read from the Clerk's desk as part of the instructions, and therefore that the report and statement are not in order and should not be received by the House.

There is nothing in the record of the proceedings of the House to show that since these instructions were passed the House has taken any action conferring any additional authority upon the conference committee to make any such report as they have put in here upon this bill. The report is in direct violation of the instructions of the House, and therefore it is not in order and should not be received by

Why, Mr. Speaker, if this report can be received what confidence can the House hereafter repose in a conference committee when it gives them positive and direct instructions how to act and when they come into conference with the Senate conferees they violate and refuse to carry out the positive instructions of the House as to their action? In that event the action of this House in occupying its time for nearly one whole day in expressing its opinions on these several propositions is simply a farce. I undertake to say that since the first day of the first Congress no such record has ever been made by a conference committee appointed by the House of Representatives. It stands here alone withont a single precedent. It never has had one and I trust it will never in the future be duplicated by a conference committee of this House.

Mr. CLARDY. May I ask my colleague a question?

Mr. HATCH. Yes, sir.

Mr. CLARDY. I ask the gentleman if he holds the conferees on the

part of the House were utterly powerless to listen to the overtures of the conferees on the part of the Senate?

Mr. HATCH. I hold the conferees on the part of the House were bound in honor by the instructions of the House, and that they had no power to exceed those instructions until they reported back that they were unable to agree

Mr. CLARDY. If they had no power why go through the farce of appointing them?

Mr. HATCH. The farce is not in appointing them, but in their having violated the instructions of the House. They should have come back, as every conference committee has done when it found it could not carry out the instructions of the House, and report that fact to the House and let the House take further action.

1 Mr. CLARDY. Will the gentleman tell us how this amounts to anything more than non-concurrence in the Senate amendments?

Mr. HATCH. The conferees are simply the agents of the House to carry out the instructions given them, and they can not exceed those instructions, and it never has been done before by a committee of con-

Mr. DUNN. Let me ask the gentleman from Missouri [Mr. HATCH] did not the House the other day, on the sundry civil bill, non-concur in more than two hundred amendments of the Senate, and on the legislative bill likewise; and did not the conferees bring in a report agree-

ing to a large majority of the items that had been non-concurred in?

Mr. HATCH. Ah! yes; but that is a very different question.

Mr. RANDALL. The gentleman from Arkansas [Mr. DUNN] is mistaken. The sundry civil bill has not yet come back from conference.

Mr. DUNN. But the legislative bill has. And has not that been the history of every report that has been made on these appropriation bills?

Mr. RANDALL. The line of distinction is this: Where the House by a vote has given expression to its will, the conferees should conform to that instruction until it is reversed by a contrary vote.

Mr. DUNN. I do not remember a case of non-concurrence in numerous amendments where the managers of the conference on the part of the House did not make a report concurring in a great many of those amendments. In fact there could not be a conference under instructions. Such a thing could not exist.

The gentleman from Missouri [Mr. HATCH] talks about a farce of a report. How much more a farce would it be to undertake a conference

under instructions!

Mr. RANDALL. When the will of the Houthe conferees are in honor bound to execute it. When the will of the House has been expressed,

Mr. HATCH. The difference between the case presented by the gentleman from Arkansas [Mr. DUNN] and this one is too plain for any gentleman to fail to see it. In the ordinary course of proceedings the House non-concurs in a number of amendments, and, as has been suggested, that action is simply an informal motion to send the bill to a conference; but in this instance these items were separated and voted upon separately and specifically by the House, and now, for the first time in the history of Congress, the conferees on the part of the House have violated its instructions, and brought in a report which, instead of striking out the items condemned by the House, retains every one of them in the bill.

Now, Mr. Speaker, I desire to emphasize the point of order that, in the face of the record, which the Speaker is bound to know and of which he must take official notice, this report is in direct violation of the instructions of the House, and therefore is not in order and should not be received, but should be sent back to the conferees, leaving them to bring in a report in consonance with the instructions of the House.

Mr. BRECKINRIDGE, of Arkansas. Will the gentleman from Missouri permit me to ask the Chair a parliamentary question?

Mr. HATCH. Certainly.

Mr. BRECKINRIDGE, of Arkansas. I wish to ask the Chair whether, under the rule, the House now has the power to have a separate vote upon the points upon which instructions were given.

The SPEAKER. Not while this report is pending.

Mr. HATCH. I am obliged to the gentleman from Arkansas for his question, for that is the point in the case. This report comes in here and must be accepted or rejected by the House as a whole. The conferees, by their action, have taken away the power of the House to vote again upon these questions separately. That is what renders the report even more obnoxious to the objection I make. They have grouped these items together in the report, and the House must now accept that report or reject it as a whole. The power is taken away from the House to again take those items one by one and have separate votes upon them. Therefore the entire report, as I have said, is out of order. upon them.

npon them. Therefore the entire report, as I have said, is out of order.

Mr. BLANCHARD. Mr. Speaker, the conferees on the part of the
House do not propose to take their ideas of what is honor from the gentleman from Missouri [Mr. HATCH], as I am pleased to inform him in
the outset of my remarks. It is not true, as stated by the gentleman
from Missouri, that every one of the propositions which the House voted
upon separately the other day is in this bill just as voted on, and the

gentleman knows it is not true.

Mr. HATCH. Did I say—
Mr. BLANCHARD. I do not yield to the gentleman from Missouri.
Every one of the propositions which were voted upon separately has been modified in essential and vital particulars, except the one in relation to the Potomac flats. The gentleman knows that to be the fact if he has read the report, and I judge he knows what the report contains, since he insisted upon its being read last evening. This very tains, since he insisted upon its being read last evening. This very question which the gentleman has raised—and I know that in raising it he does not expect his point of order to be sustained; I know that it is only a part of his plan and that of other would-be leaders on this floor is only a part of his plan and that of other would be leaders on this hour to defeat this bill by raising this question and provoking a long and angry debate; I know that it is the purpose and motive of the gentleman from Missouri—this very question, I say, which the gentleman has raised here was debated at length in the Senate when it was reported to that body, that the House had asked a further conference and had instructed its conferees to insist upon the disagreement to certain amendments put into the bill by the Senate.

It was debated by some of the ablest and most experienced members of the Senate, and the view was taken that what the House had done did not amount to an instruction to its conferees to adhere to its disagreement to those amendments, and the distinction was there pointed out, which the gentleman from Missouri [Mr. HATCH] with all his astuteness seems to have overlooked, that there is a difference in parliamentary law between the House insisting upon its disagreement to certain amendments and the House instructing its conferees to adhere. The House did not instruct its conferees to adhere to the disagreement to the Senate amendments. It instructed its conferees that it was "the sense of the House" that they should insist upon the

disagreement.

Mr. WHEELER, And I understand that the conferees did insist just as long as they could.

Mr. BLANCHARD. And I am here to state, Mr. Speaker, that we

did insist, that we used every persuasion which argument could suggest and every honorable means that ingenuity could invent to carry out the instructions of the House as conveyed to us in those separate votes. And it was only after a majority of the conferees on the part of House saw that this bill was about to be lost, entailing a loss of millions of dollars to the Government of the United States in the way of the destruction of works now in an incompleted state, as well as in the way of deterioration of plant owned by the Government, which would necessarily lie idle and decay, that for the purpose of saving this great loss to the Government and great loss to the commerce of the country the House conferees or a majority of them receded from the Senate amendment with important modifications, except in one particular.

Mr. BLAND. Why did not the conferees come back to the House and ask further instructions instead of receiving instructions from the

Senate conferees

Mr. BLANCHARD. I will answer that question and state that it was fully considered by us. We received no instructions from the Senate conferees.

It ought to have been considered by the House. Mr. BLAND.

Mr. BLANCHARD. We all appreciated that the element of time was essential; in fact that it was vital to the fate of this bill. We feared we did not have time to come back to the House and ask another vote on the propositions. It was thought Congress would speedily adjourn, perhaps by Monday. It was either a choice of taking the bill with these modifications, or the cessation of all of river and harbor im-Now, with reference to the point of parliamentary law I wish to read from the Digest the following language:

Mr. BRECKINRIDGE, of Arkansas. From what page?

Mr. BLANCHARD. Page 320.

In the case of disagreeing votes between the two Houses, the House may either recede, insist and ask a conference, or adhere, and motions for such purposes take precedence in that order.

When we reported back to the House that the conferees were unable to agree, the first motion was not made, that the House recede from its disagreement to the Senate amendments; but the second motion was made, that the House ask another conference; and in that connection the House adopted certain specific resolutions that it was the duty of the House conferees to insist on their disagreeing to certain amendments.

The third motion which might have been made, providing for an adherence to the disagreement on the part of the House, was not made, and no instructions to adhere were given by the House. All that was done was to ask another conference and insist on the disagreement to certain specific amendments. In a parliamentary sense, nothing more was meant by the House by its separate dissenting votes. That is all the significance the resolutions adopted by the House have; and that was the view taken of the question by the best parliamentarians in the debate in the Senate. And, Mr. Speaker, I would be glad to have the gentleman from Missouri [Mr. HATCH] understand that before I, a comparatively inexperienced member of this body, yielded on that point I sought the advice of discreet friends in both Houses, men who are the peers of the gentleman from Missouri in all that goes to make up character, and fully his equal in intellectual ability; and it was upon their assurance that there was involved no question of personal or legislative honor that I, at length, with important modifications to the Senate amendments, assented to the report in the shape it was presented.

Mr. HATCH was recognized.

Mr. HENDERSON, of Illinois. I desire to be heard for a few mo-

The SPEAKER. The Chair has recognized the gentleman from Mis-The Chair presumes the gentleman from Illinois rises to oppose the point of order

Mr. HENDERSON, of Illinois. Yes, sir.
The SPEAKER. The Chair has just recognized a gentleman to opose it, but after the gentleman from Missouri has concluded the gen-

tleman from Illinois will be recognized.

Mr. HATCH. Mr. Speaker, I am not aware of having said anything in my remarks calling in question the honor of the gentleman from Louisiana. If I used that word at all I have forgotten it. I am satisfied, however, that a careful examination of the report of my remarks will show that I never used it.

Mr. DUNN. Yes; you used the word. Mr. BLANCHARD. Let the RECORD judge.

Mr. HATCH. I am content that it shall. As I remember, I never used the word in connection with my remarks about the gentleman from Louisiana; and I am sure I do not desire the tutelage of the gentleman on that subject. I have not offered my services to him. I want to instruct gentlemen upon points of honor I will select my own pupils.

Mr. BLANCHARD. And the "gentleman from Louisiana" will

select his own preceptor.

Mr. HATCH. But if the gentleman wants to consult the history of similar cases in past Congresses for the wisdom to guide him on the

floor of the House, and not adopt the suggestions of the Senate conferees with whom he comes in contact, he had better read the Con-GRESSIONAL RECORD for the past ten years. I do not understand why the gentleman should go to the Senate for their instructions as to what would be right and proper in carrying out the instructions of the House of Representatives with regard to the action of its conference commit-

Mr. BLANCHARD. And the gentleman from Louisiana did not do it. Mr. HATCH. The gentleman stated positively and emphatically more than once what the arguments of those distinguished gentlemen in the Senate were upon this question.

Mr. BLANCHARD. That is correct; I did so state.
Mr. HATCH. Yes, sir; and the inference from the gentleman's remarks was that he had been guided by the instructions of the Senate conferees and not by the action of the House. Well, we have had enough of the Senate controlling this body, and it is pretty nearly time for us to come to the point where the House of Representatives shall control its own matters while in conference; and when we instruct gentlemen what they are to do they should be expected to carry out the instruc-

The gentleman says I stated what was not true in connection with these matters all being in the bill. I reiterate just what I said: the gentleman and his fellow-conferees were instructed to insist upon striking from the Senate amendments each one of these paragraphs. what I say now, that every one of these is still in the bill. I did not say that any of them had not been modified. They have been modified. They have been oiled just a little to induce the House of Representatives to swallow them; that is all.

A MEMBER. A little eleomargarine has been put on them. Mr. HATCH. They would be better if they had on them even a little of the meanest eleomargarine that ever was manufactured, rather than that oil which the gentlemen of the conference committee have put on

them. [Laughter.] Mr. MURPHY. The only difference between the oleomargarine used by this conference committee and that used by the gentleman from Missouri is, that it was hatched by a different person. [Laugh-

ter.]
Mr. HATCH. Well, it was hatched out of a mighty bad egg when you brought it in here in violation of the instructions of the House of

Representatives. [Laughter and applause.]

Now it is a fact, Mr. Speaker, that every one of those items which the House insisted should be struck out has been retained in the bill. That there has been a change in an amount or a change in phraseology I have never disputed. But what I maintain is that the House instructed these gentlemen to insist upon striking those paragraphs from

the bill, yet every one of them is retained.

Mr. HENDERSON, of Illinois. Mr. Speaker, as one of the conferees I desire to say that this matter was, as has been stated, fully discussed in the conference committee; and, as I understand, there was no disagreement whatever on the part of the conferees either of the House or the Senate as to our freedom of action under the resolutions of the House. As for myself, being a young member of conference commit-tees at least, and not knowing clearly what my duty might be under the circumstances, I advised with as eminent men as are in either branch of Congress; and they clearly stated there was no objection to our taking the course which was taken in reaching an agreement; and, so far as I am concerned, I did not act until the resolutions of the House had first been receded from as to some of the propositions which were contained in the Senate amendment.

I will say further that I am told now by men of experience around me here, who have been on conference committees, that these resolutions amount to nothing more nor less than a non-concurrence on the part of the House; that an insistence is not an adherence; that if this House wanted to conclude the action of the conferees, it should have instructed them to adhere to the disposition of the House in regard to any of the subjects contained in this bill; that in resolving that it was the sense

of the House

Mr. WILLIS. Was there not in this instance a difficulty in adhering, from the fact that the Senate has sent us only one amendment? Mr. HENDERSON, of Illinois. Did you find any difficulty in disobeying the resolution of the House?

Mr. WILLIS. I am not discussing that question.

Mr. HENDERSON, of Illinois. That is the question I propound to

Mr. WILLIS. Nor am I criticising my colleagues on the conference committee. I have not raised this point of order. I only desire to call attention to the fact that the Senate sent us one amendment, and I would like to have that discussed.

Mr. HENDERSON, of Illinois. Why did you not discuss that, and Mr. HENDERSON, of Illinois. Why did you not why did you not insist upon that?

Mr. WILLIS. That does not answer my question.

Mr. HENDERSON, of Illinois. Mr. Speaker, I can not be interrupted further by the gentleman. I believe that the gentleman wants to defeat this bill; and I have believed for a week that he has wanted to do so.

Mr. WILLIS. The gentleman has no authority in the world for

that statement—not a particle.
Mr. HENDERSON, of Illinois. I want to say further-and I am going to speak plainly while I have the floor—it was, as has been stated by my co-conferee who united in this report, the belief that if any river and harbor bill whatever was to be passed by this House at this session we should act, and act speedily. It was generally believed that Congress might adjourn to-day or at the farthest on Monday next, so that whatever was to be done must be done promptly; and no one pressed this consideration more than the gentleman from Kentucky, who urged that if we did not act promptly there would be no possibility of passing any bill at this session. He repeated that again and again. Yet Mind him to-day asking a parliamentary question, whether if this conference report be voted down we can not then have another conference. I want to say now that if any bill is to be passed at all, in my opinion, at this session, it must be passed now, and upon this

I want it to be understood distinctly in answer to what the gentleman from Missouri [Mr. HATCH] has said, that this is an entirely different proposition as to every one of the subjects of the bill upon which resolutions were passed by the House. Every one of them that comes back here, with the exception of that in relation to the Potomac Flats, is modified, and materially different from what they were, and it is sub-mitted to the sense of the House whether it will adopt this report or not. If it be voted down, I will try to accept the verdict of the House as cheerfully as anybody else. But I shall then say to the friends of river and harbor improvements, "You may bid farewell to any river and harbor bill at this session of Congress." That is perhaps what is wanted by the gentleman from Missouri who raises the point of order; it is certainly what is wanted by many other members of this House;

and they must take the responsibility-not myself.

[Here the hammer fell.]

Mr. MURPHY. It does by indirection what they have not the man-

hood to do directly.

Mr. HATCH. Mr. Speaker, I wish to say in reply to the gentleman from Illinois, as the members of this House well know, that a proper, legitimate river and harbor appropriation bill has had no firmer or more constant friend for four Congresses than myself. I am in favor now of a proper river and harbor bill, and I am insisting on the point of order and the rejection of this report in favor of a legitimate river and harbor bill. I believe propositions for the building of canals throughout the country have no place on a legitimate river and harbor appropriation bill. Every one of them is out of order under the rules of this House, and they have been rejected when brought up in the ordinary course of business in the House.

Gentlemen standing here in the interest of these canal projects are attempting to force them on this river and harbor appropriation bill. They are attempting to force members on this floor in favor of such a bill to pass it with such projects or to have no bill at all. That is their proposition, Mr. Speaker, and so far as I am concerned I am not to be driven from my purpose by any such threat. I will vote for a proper river and harbor appropriation bill; but, sir, I will never vote for any

one of these canal projects.

"Mr. SPRINGER." Mr. Speaker, the gentleman from Missouri [Mr. HATCH] has intimated this as an unusual proceeding on the part of conferees to differ from the resolution of the House expressing the sense of the House. I desire to inform the gentleman, and also to call the attention of the House to the fact, that on the contrary it is an unusual proceeding to instruct or to attempt to trammel in any way a conference committee. There are but few instances in parliamentary history where such a thing has ever been attempted in parliamentary bodies, and in nearly every case where formal instructions were at-tempted to be given to a conference committee by one House the other House has refused longer to consider the matter, because there can be no free conference when the hands of one House are tied.

Why, sir, the object of a conference is to have a free discussion of all

the differences between the two Houses

Mr. HENDERSON, of Iowa. And they are always subject to the

ratification of the House.

Mr. SPRINGER. Yes; as my friend from Iowa suggests, they are always subject to the ratification of the two Houses. There is no such thing as a free conference if one side goes there saying they are in the position they can not approve or disapprove; and in that condition of affairs the other conferees of course at once say there can be no free conference in such a condition of affairs, and they withdraw.

Now, Mr. Speaker, there can be no action of a conference committee that does not advance a step in one direction or the other. Every attempt which takes a step in advance differs as a matter of course from what has been done by one side or the other. You can not have a conference committee that does not dissent or disagree on one side or the other from action already taken. It is because of the disagreements which have occurred between the two Houses that a conference has been appointed to harmonize and adjust such differences.

What does the conference committee propose to do? Do they propose to go into conference and stand like stubborn mules, refusing to

yield on one side or the other? Not at all. Their object is to harmonize the differences between the two House

This House has expressed some opinion on this bill. The Senate has expressed some different opinion on it. This conflict can not be harmonized in the open Houses, and consequently the two Houses have appointed a committee of conference to adjust the differences between The House has said what it would like to have in regard to two or three propositions. They were careful to state, however, in their amendment itself, in reference to the Portage Lake and River Improvement Company Canal, and the Lake Superior Ship-canal Railway and Iron Company Canal, that it is the sense of the House the item in the river and harbor bill for that purpose merely expresses the sense of the House that such and such works should be included if possible, leaving the determination of the matter, of course, to the conference com-

That is undoubtedly true, because if this House had desired to say to the other House that it would not under any circumstances yield in reference to those points there was a parliamentary motion well-recognixed in all parliamentary bodies which would completely effect their purpose, and that was, not a motion to instruct the conferees, but a motion to adhere on the part of the House to its disagreement. motion to recede cuts off all discussion on the part of the conferees and settles the matter finally. It is a motion which instructs the conferees to stop parleying, and when that motion to adhere is adopted the duties of the conferees are at an end and the bill itself is defeated.

That time has not yet been reached, and we are now considering the report of a committee of conference whereby agreement can be reached between the two Houses, and unless we are resolved to adhere to our disagreement and defeat the bill this conference report should be

adopted.

Mr. SOWDEN. Will the gentleman permit me to ask him a question?

Mr. SPRINGER. Certainly.
Mr. SOWDEN. Is there not a marked difference between insisting and yielding? [Laughter and applause.] Has not this conference committee yielded to the Senate and abandoned the instructions given to it by the House? Is the House bound by the acts of a conference when the conferees on the part of the House have transcended the authority dele-

gated to them?

Mr. SPRINGER. The House is not bound by anything that has occurred. The conference committee has made a recommendation to the House, and you can vote down this report, if you choose, and appoint another committee. But we are now endeavoring in the ordinary course of conferences between the two Houses to reach an agreement, and these gentlemen have exercised their best discretion in bringing forward an approach to an agreement and asking the House to ratify it. If you do so the bill passes; if not, chaos has come again so far as this bill is concerned.

The SPEAKER. The proceedings when there has been a disagreement between the two branches of a legislative body are different in many respects from the proceedings in other cases. The paramount object of all such proceedings is to bring the two branches to an agreement. Therefore either may, without reconsidering previous votes, take action in a directly opposite direction. For instance, the House may refuse to concur in an amendment and may afterward insist again and again upon its disagreement to the amendment, and yet it may ultimately, without reconsidering any of these votes, recede absolutely from its disagreement or recede from it with an amendment as its judgment may dictate. And while it is competent under the recent practice of the House to instruct conference committees, still the House in that case as in the other may ultimately recede from its disgreement to the very amendment in regard to which it had instructed its conferees to insist on a disagreement; and that may be done with or without a conference report upon the subject.

The whole effect of the conference report in such a case is to bring the matter again directly before the body for its consideration and action. That is the whole effect of this conference report. It does not bind the House at all. The House may refuse to agree to it, in which case the whole subject is again open; and the House may absolutely recede from its disagreement to the Senate amendment, or recede with an amendment, which is the course recommended by the present managers of the conference on the part of the House. So the Chair thinks the point of order is not well taken.

In a case where the House instructs one of its ordinary committees to report back a proposition with an amendment, it would be a very serious question whether it could report back without that amendment, or with that amendment and others. But that is not this case.

In the case supposed the House instructs its committee what it shall

report to the House. In this case the House has not instructed its conferees what they shall report, but has expressed its judgment on the question and directed them to insist upon striking out certain clauses. They have now brought it back to the House in order that it may have an opportunity to recede from that action if it desires to do so, or fur-Mr. HATCH. I raise the question of consideration.

The SPEAKER. The gentleman from Missouri on yesterday raised be question of consideration against this report. The question is, the question of consideration against this report. Will the House now proceed to consider it?

The question being taken, the Speaker stated that the "ayes" seemed to have it.

Mr. HATCH. I call for a division.

The House divided; and there were-ayes 111, noes 24.

So (further count not being called for) the House determined to con-

sider the report.

Mr. BLANCHARD. I move the previous question on the adoption of the report.

The previous question was ordered.

The SPEAKER. Under the rules of the House thirty minutes are allowed for debate, fifteen minutes in support of the report and fifteen minutes in opposition. [Cries of "Vote!" "Vote!"]

Mr. WILLIS. Mr. Speaker, I did not sign this conference report because I honestly and firmly believe that if this House by its vote today ratifies this report it is not only an end of this bill but the end of every river and harbor bill in the future. That was my firm and deliberate conclusion, and as my position in the conference committee has been referred to, I will state that that was my position there. The vote of the House upon these disputed propositions only confirmed me in that position. Fully convinced myself and sustained by the House which gave me the authority to act, I found no avenue of escape from the stand I had taken.

I did not raise the point of order this morning. I did not know that it would be raised. My colleagues in the conference committee are known here and known to the country as gentlemen of the highest integrity and intelligence. They acted from the very best motives. I do not come before this House to criticise them. I come to plead with the friends of rivers and harbors to vote down this conference report, and I state it as my belief that if it is voted down and other conferees promptly named, before this sun sets we will have another report free from these objectionable features-one that can pass this Congress and become a law.

I object, Mr. Speaker, to this report for various reasons, but mainly because it embraces three canal projects. I would have gone as far as any one in-attempting to come to some compromise in the conference committee had these three canals been omitted from this bill, but I did not, and could not, after a most careful and impartial examination, see that it was right or prudent to put these canals on a river and har-

At least one of these projects—the Hennepin Canal—is an intruder. Under the rules of this House it has twice been stricken from this bill on a point of order. But aside from this and other objections, the time when it comes before this House does not admit of an examination into its practicability, into the engineering propositions involved in it, or into the amount that will be involved if we commit the Government to its construction. Before we act finally all these questions should be fully discussed. By the clause adopted in this conference report we

accept the Illinois and Michigan Canal.

That question was submitted to the people of Illinois upon a bill which contains a clause requiring us, if we accept that canal, to go forward and complete the Hennepin Canal. If, therefore, you adopt this conference report, you commit this Government to the construction of a canal which may cost anywhere from nine to nineteen millions of dollars. How many men in this House are to-day fortified with facts upon which to vote this enormous appropriation? How many men have studied the engineering features of this proposed Hennepin Canal? Here, sir, is a map made by an engineer of the United States, from which it appears that when you leave the Illinois and Michigan Canal at Hennepin, within a distance of 25 miles, you have got to climb to-ward the skies 208 feet before you reach the point where the canal feeder begins, and between that and a certain other point you have another 84 feet to climb. Will any one say that that is a practicable scheme? It may be; but whose mind is satisfied that such is the case? Are we prepared to vote to-day upon such an immense and unique proposition as that?

The scheme, as I have said, involves from nine to twenty million dol-The widening of the Illinois and Michigan Canal, 96 miles long, will, according to the official estimate, cost over two millions. lowest estimate made by the engineers for the Hennepin project is from five to six millions; but the opinion is freely expressed, and I firmly believe it is correct, that fifteen millions will not complete the two And how are you going to complete it? Upon an appropriation bill? You appropriate here \$300,000. Even putting the total cost at ten millions, which is the lowest estimate, a quarter of a century will be required to complete the canal, and by that time we may be ballooning over the country, or the Keely motor may have solved

this great question of freight transportation.

At this rate of appropriation, therefore, twenty-five years will elapse before the work is completed, or else you must increase your appropriation for it upon your river and harbor bills to such an extent that the great harbors and rivers of this country, the legitimate subjects of a river and harbor bill, will be stricken down. Are we prepared to go before the country and say, as has been said here, that unless we can

have the Hennepin Canal we will have no river and harbor bill? Is that the spirit in which the American Congress is invited to the consideration of a great engineering problem which involves a new departure in our relations to the people? I ask to have read from the Clerk's desk a telegram from the city of Chicago which illustrates the

spirit in which this proposition is urged upon us.

For one, I protest against that method of forcing through any proposition. For one, my ear will be closed to its merits, if merits it has,

as long as a threat is held over me that unless I vote for it no river and harbor bill shall be passed.

Mr. HENDERSON, of Illinois. Will the gentleman allow me a

question?

Mr. WILLIS. I ask to have that telegram read. My time is very brief, and there are several points that I wish to notice.

The Clerk read as follows:

The following dispatch, signed by the mayor, the president of the board of trade, and other prominent citizens, was sent to-day to Senators Cullom, Wilson, and Warner Miller:

"We, in behalf of the board of trade and the citizens of Chicago, beg you to insist upon the Hennepin Canal amendment or to defeat the river and harbor bill."

Mr. WILLIS. Now, Mr. Speaker, are these the methods by which the judgment of the members of this House is to be influenced? Is this the "argument" by which we are to be coerced into accepting this proposition? Sir, when that issue is made I will appeal to that very Northwest, that Northwest which is more deeply interested in rivers and harbors than any other part of this country, and I will do so with a confident expectation that the appeal will be heard and that these threats will not dare be executed. I am ready at any time to consider fairly and properly this Hennepin proposition, but not under duress, not on a river and harbor bill in the last hours of Congress.

As I have already said, it has under our rules no part or place in this ll. True it was put in by the Senate, and it is claimed that the Senate, through its Committee on Commerce, has jurisdiction of the subject. It has jurisdiction also of light-houses, but we would promptly strike from this bill a proposition for a light-house had it been put there by the Senate, and with equal promptness we should strike out

from this bill every extraneous proposition.

But, sir, there are two other canals included in this conference re-One is the Sturgeon Bay Canal, connecting the waters of Green Bay with Lake Michigan, in the State of Wisconsin. It was, sir, built with the money of the people of the United States. Indeed, the most extraordinary financial operation contained in the grotesque and marvelous financial history of this country is presented in these reports, a part of which I shall embody in my remarks. A body of land comprising 200,000 acres was given by the United States to this canal com-The officers of the company paid themselves high salaries; they paid for the canal; they paid compound interest to all those who had advanced money; and after they had made out their own accounts in their own way and presented them to the engineer who was "investigating" them by accepting their statements, the result was that there was still \$25,000 to the credit of the United States.

Sir, why press this canal upon us with such urgency? There are many and serious facts which confront us when we examine this transaction. the "canal" is an open ditch, without lock or dam, and only 7,600 feet in length. It was "completed" by the company, chartered and authorized by the State of Wisconsin, on December 5, 1881. A resolution was promptly introduced and passed in Congress to negotiate for the purchase of it that it might be made "free to commerce." This was March 9, 1882, less than ninety days after it was accepted by the State. When the United States engineer sought information it was only to be had from the company's books. The act of Congress provided that "an accurate account of the sales and net proceeds of the lands hereby granted and of all expenditures in the construction, repair, and operating of said canal and of the earnings thereof" should be kept by the State and a statement of the same should be annually returned to the

Secretary of the Interior.

The governor, when applied to by the board of engineers seeking information, informed them that "there is no public record of what the company realized for the land grant." "There being no other source of information," so says the board, the President of the company was applied to, who informed it that the "net sum realized from the land grant was \$344,687." Certainly this was a munificent sum with which to construct a short ditch less than 2 miles long. The board also applied to the governor for the account of construction, and was informed that "no such record was on file." The law provided for a canal free from toll when these expenses had been reimbursed. And now they coolly step forward and ask \$100,000 or \$150,000 for the purchase of that which rightly belongs to the United States; and here, although this bill was sent to the Senate on the 6th of May, we are called upon within, it may be, forty hours of adjournment to face this proposition. venture to say that there are not twenty members of this House who have ever considered it, who have ever discussed it, who are at all familiar with the facts connected with it. For me, I want more light before I go further.

Then we have another canal, the Portage Lake Canal, only 21 miles in

length and without a single lock or dam, for which the sum of \$200,000 to \$350,000 is appropriated in this conference report. In this case, too, the Government has given 400,000 acres of land, worth half a million of dollars; and upon an investigation of the manner in which that land was used, an investigation made by a committee of Congress, it was charged that those lands were selected from the very richest mineral lands of Michigan, and that they were worth anywhere from \$5,000,000 to \$15,000,000. Yet this company, claiming now that the interests of commerce demand that this channel be opened, wants from \$200,000 to \$350,000 more of the public money. The average annual toll for a

period of ten years appears to have been only \$7,500.

Sir, let these propositions wait a while. Michigan and the Northwest have been liberally dealt with in this bill. Over \$1,200,000 has been appropriated—and I am glad to know it—for the State of Michigan alone. We have liberally appropriated for all of her great harbors and water ways; and in behalf of those I appeal to the Michigan delegation not to destroy by connecting these canal schemes with this bill the just hope that they have of receiving appropriations for the objects which properly belong to the bill.

I urge my appeal in the name of humanity. Ships may be cast where these breakwaters would protect them. Precious human lives will find shelter and safety in the protecting arms of these great harbors. Commerce may have its fields of enterprise enlarged, cheap transportation—the chief question of the hour—will be hastened if we secure the passage of this measure. But by hampering it, by weighing it down, by putting upon it propositions which do not properly belong to it, by exciting criticism which does not justly attach to the bill, we shall, in my judgment, not only defeat this bill, but I honestly believe defeat every bill of a similar character in the future.

Sir, the Hennepin Canal is not the only canal that stands at this bar sking for help. When the Chesapeake and Delaware Canal asks your votes, what answer can you make? When the great Erie Canal is urged upon you, what answer can you make? When the great shipcanal across the isthmus of Florida demands a place in your river and harbor bill, what answer can you make? Can you turn all these aside? They are all great measures; and there are a dozen others having equal merit with the Hennepin. You could not, if you would, resist their merit with the Hennepin. combined strength.

I am not discussing the merit of these canal projects. I am com-plaining that we have not time to enter into all the facts connected with their construction. But when these dozen or twenty canals are brought forward for appropriation in your next river and harbor bill you can not deny the application; and you will have a bill of canals, you can not deny the application; and you will have a bill of canals, while the natural water ways and harbors of the country will be pushed aside because of these canal propositions. As it is we barely appropriate one-third of what the War Department says it needs for the year. It declares it can "profitably expend" forty-two millions; we give only fourteen millions in this bill. Let us complete, or at least partially complete, existing works before we begin in this hasty manner new, bold, and expensive experiments. Therefore, I repeat, I believe that this bill, if passed in its present form, is the death-knell of all legitimate appropriations for rivers and harbors. Hence I appeal to the friends of propriations for rivers and harbors. Hence I appeal to the friends of river and harbor improvements to stay their hands. Let us reject this report. I am not a prophet nor the son of a prophet; but I predict that if this report be rejected we shall in time have here a report with these propositions eliminated; and we can pass it.

[Here the hammer fell.]

Mr. BLANCHARD obtained the floor.

Mr. CLARDY. Will the gentleman from Louisiana yield a moment, that I may put a question to the gentleman from Kentucky [Mr. WILLIS?

Mr. BLANCHARD. I can not yield if it is to be taken out of my time. I yield five minutes to the gentleman from Illinois [Mr. HEN-DERSON

Mr. HENDERSON, of Illinois. I yield for half a minute to the gentleman from Pennsylvania [Mr. BAYNE].

Mr. BAYNE. Mr. Speaker, in that half-minute I desire to say it is my firm conviction that if you do not take this bill you will get no

Mr. BLAND. Then we ought not to have any.

Mr. BAYNE. In the second place, I wish to say the canals are in this bill to stay; and in my opinion there will be no more river and harbor bills passed by the Congress of the United States without canals. Canals have been voted for in Texas and South Carolina and on the Ohio River and elsewhere for some years past, and I see no good reason why the Hennepin Canal should not go into this bill.

[Here the hammer fell.]
Mr. HENDERSON, of Illinois. Mr. Speaker, I ought, perhaps, to qualify a remark which I made a little while ago in reference to the gentleman from Kentucky [Mr. WILLIS], when I said he wanted this river and harbor bill defeated. I ought, perhaps, to have said that I thought the course pursued by him was calculated to defeat this bill. And that gentleman knows that no stronger threat has been made in regard to the defeat of this bill than he himself made in the first instance, that he never would vote for this bill with either of these canals in it. I said to him that was a game that two could play at.

Mr. HENDERSON, of Illinois. I do not yield.
Mr. WILLIS. As the gentleman misstates my position—
Mr. HENDERSON, of Illinois. I can not yield, and have not mis-

stated your position.

Mr. WILLIS. If the gentleman is willing to rest on a misstatement

he may do so.

Mr. HENDERSON, of Illinois. I do not yield for anything that is to come out of my time. The gentleman himself has said right here and now exactly what was said in the dispatch which he caused to be read from the city of Chicago. He says here on this floor that he will never support this bill with these propositions in it. There is any number of men here who will be justified when he makes that statement in taking the same position that he does.

But, Mr. Chairman, the position of the chairman of the Committee on Rivers and Harbors seems strange to me when I remember that on one or two different occasions he has here on the floor of this House voted against striking out the very proposition he now insists shall not remain in this bill; I mean the Hennepin Canal. On two occasions he

voted against striking it out.

Mr. WILLIS. If you wish to be true to yourself, you will state the

circumstances under which I voted.

Mr. HENDERSON, of Illinois. You have often stated them yourself. I wish to say here, Mr. Speaker, that we are not forcing this matter through the House without discussion. Why, sir, this matter has been before Congress for fourteen or fifteen years. It has been discussed at almost every session of Congress. Members have examined maps and plats and surveys and estimates, and the measure has often been discussed. And now the gentleman talks about forcing the measure upon Congress without discussion, and comes here and tells you it will cost, in his opinion, \$15,000,000 to construct this canal, while competent engineers, and more than one of them, have, after careful surveys and estimates, reported that it would not cost but about \$6,000,-000, or perhaps a little more, to construct it. I am not an engineer, and must leave these engineering questions with engineers, who are skilled in their profession; and they say the surveys demonstrate a perfectly feasible route for this canal.

The lift is not an extraordinary lift at all in the construction of canals. On the contrary, it is often double what he has stated it to be in

this instance.

But, Mr. Speaker, the point I wish to make here is this: That on two different occasions the gentleman from Kentucky himself voted with us against striking the Hennepin Canal out of the river and harbor bill. Now he says I ought to state the reasons why. How can the gentleman explain his votes against striking out the Hennepin Canal consistently with his present action unless he was insincere, which I will not state but leave others to judge? Members know about this canal or have heard about it. It has been discussed. Boards of trade and transportation and boards of commerce, here and there all over the and transportation and boards of commerce, here and there all over the country, have declared themselves in favor of this internal improvement. Yet you want forty or fifty Representatives interested in the construction of these canals to vote with you for all sorts of improvements, which are local in character and of but little value to commerce, and still you vote to strike out this great improvement which has been regarded favorably by the country.

[Here the hammer fell.]
Mr. BLANCHARD. No one regrets, Mr. Speaker, more than I do
that the distinguished chairman of the Committee on Rivers and Harbors [Mr. Willis] has been unable to agree to the bill presented to the House. I wish to disabuse the minds of the House, or the minds of any members who entertain any such idea, that if this bill is voted down to day there is any hope whatever of a river and harbor bill. know whereof I speak. I warn the House if this conference report be rejected there is no chance of a river and harbor bill at this session of

Mr. Speaker, the remark made by the gentleman from Kentucky [Mr. WILLIS] that in ceding the Illinois and Michigan Canal to the United States Government a condition was attached whereby the Government of the United States absolutely pledged itself to the construc-tion of the Hennepin Canal. I understand from the friends of the Hennepin Canal measure, who are more familiar with the subject than

myself, that such is not the case.

Mr. WILLIS. Will the gentleman permit me to read two or three lines from the act itself?

Mr. BLANCHARD. I will yield to the gentleman to read it. I am only speaking from information.
Mr. WILLIS. It is as follows:

Its right of way and all its appurtenances, and all right, title, and interest which the State may now have in any real estate ceded to the State by the United States for canal purposes, be, and are hereby, ceded to the United States, for the purpose of making and maintaining an enlarged canal and water way from Lake Michigan to the Illinois and Mississippi Rivers; and this cession is made upon the condition that the United States shall, within five years from the time this act takes effect, accept this grant, and thereafter maintain the said canal and water way for the purpose aforesaid.

Mr. BLANCHARD. The canal referred to there means the canal known as the Michigan and Illinois Canal, which connects the Illinois River with the lake at Chicago and through the Illinois River to the

Mississippi River.
Mr. HENDERSON, of Illinois. And with the Gulf at New Orleans. Mr. BLANCHARD. And with the Gulf at New Orleans. With reference to the Sturgeon Bay Canal, it will be seen by reference to the bill that a board of engineers is to be appointed, and they are to determine how much this company is to receive for their work there after debiting them with the value of the land granted and the amount paid to them in tolls which they have collected. So that it is not giving to this canal company a land grant and in addition thereto buying their works.

With respect to the Lake Portage Canal, it is not to be purchased until after a board of engineers shall have reported to the Secretary of War touching the value of that property, and even then only in the event that the Secretary of War and the Chief of Engineers shall become satisfied that it is expedient and advisable for the Government of the United States to acquire the ownership of the water way so as to relieve the commerce of the country from toll.

Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. O'NEILL].

[Mr. O'NEILL].

The SPEAKER. The gentleman has five minutes remaining.

Mr. O'NEILL, of Missouri. Mr. Speaker, the rapidly decreasing attendance in this House indicates that this is the last opportunity we have a staining a river and harbor bill at this session. We failed in the last Congress to obtain the passage of a river and harbor bill, and the work of improving our water ways, with the view of less-

ening the cost of transportation, and thereby saving millions of dollars to the people, has stopped, and the expensive plants formerly engaged in the work are now rotting at the wharves.

I favored a separate distinct Mississippi River improvement bill in the last Congress, but the judgment of the House and the judgment of the friends of river improvement was that this combination plan of embracing all the river and harbor items in one bill gave the best guarantee of success by enlisting the active support of many members.

I appeal to the friends of internal improvement to waive their prejudices in the interest of the great benefit that the entire country will experience from the benefit to commence by the continuation of the present works and an extension of the process of deepening our chan-

nels to conform to the requirements of to-day.

The \$15,000,000 that will be distributed over this country through the instrumentality of this bill, nearly every dollar of which will go to labor, is too great a question and too important—it is of much more material importance to the people-to allow this bill to be defeated by

a mere prejudice against the canal system.

The people of the sections where these canals exist are as much interested in their improvement or their opening to commerce and have as good a right to stand up here and petition for cheap transportation of their grain and supplies as the people of the Mississippi Valley have to come here and ask Congress for the improvement of the Mississippi River.

The present House has by its legislation on the land question, by the passage of bills in the interest of labor and other important measures, made a magnificent record in favor of the labor interests of the country. Now let them pass this crowning act to distribute \$15,000,000 in the interests of cheap transportation throughout the whole country, giving

work to thousands of unemployed men.

Mr. BLANCHARD. I now yield the remainder of the time to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON, of Iowa. Mr. Speaker, it has been said on the other side in the course of this debate that the Hennepin Canal has no business on this bill. It need only be said in reply that it is in this bill, and under the rules of the House. I want to say beyond that that the people I represent are interested vitally in cheap transportation. They have little or no interest in this bill outside of that single question; and they are not going to pause to know about rules of order.

We have a bill here involving the question of transportation by water,

and if this great improvement is thrown out here, if only certain methods of transportation are to be recognized, we must accept that gauntlet, and be governed by the challenge. For one, I am willing with its many imperfections to stand by this bill. But if we are to be stripped of this great avenue by which to transport the commerce of the country, if the farmers of the State of Iowa are to be cut off from this avenue, I for one, sir, shall not feel that I am justified in giving an affirmative vote for it. If I did I could not meet my people and justify that action. There are imperfections, as all know, many imperfections in the bill; imperfections enough to stagger any man who approaches it with an affirmative vote. I understand the difficulties that lie in the way of getting up such a great bill as this. But here is a proposition familiar to all, a proposition familiar to the country, one that the great Northwest demands, and I warn you all, who are friends of the commerce of the country, friends of the river and harbor bill, that they do not strike down this amendment, opening up as it does such great advantages to those whose industries depend upon getting cheaply to a market for their products.

The SPEAKER. The time for debate has expired.

Mr. MURPHY. I would like to ask unanimous consent to offer some memorials from Knights of Labor in regard to this canal question and have them printed in the RECORD. [Cries of "Regular order!"]

Mr. HEWITT. I ask unanimous consent to print some matters in this connection also.

Several members demanded the regular order.

The SPEAKER. The regular order is demanded. Mr. SPRINGER. But there are requests to print.

The SPEAKER. They are requests for unanimous consent, and the regular order cuts off all such demands.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama; and

A bill (H. R. 9857) in relation to the western judicial district or Wisconsin.

RIVER AND HARBOR APPROPRIATION BILL.

The SPEAKER. The question is on agreeing to the report of the committee of conference.

Mr. RANDALL. I call for the yeas and nays.

The yeas and nays were ordered

The question was taken; and there were—yeas 102, nays 134, not voting 86; as follows:

	YE	AS-102.	
Baker, Barry, Bayne, Blanchard, Brady, Breckinridge, C. R. Brown, W. W. Brumm, Caldwell, Carleton, Catchings, Compton, Conger, Crain, Culberson, Davis, Dibble, Dougherty, Dunn, Ely, Farquhar,	Fuller, Funston, Gay, Gibson, C. H. Gilfillan, Goff, Guenther, Hall, Henderson, D. B. Henderson, T. J. Hermann, Hitt, Holmes, Hopkins, Hudd, Irion, Jackson, Johnson, F. A. Jones, J. T. Kleiner, Lawler,	AS-102. Maybury, McKenna, McRae, Moffatt, Morgan, Murphy, Neal, Necce, Nolson, Norwood, O'Neill, J. J. Owen, Payne, Payson, Peel, Pettibone, Pirce, Plumb, Price, Riggs, Romeis,	Snyder, Spooner, Stephenson, Stewart Charles St. Martin, Stone, E. F. Strait, Struble, Swinburne, Symes, Tarsney, Taylor, Zach, Van Eaton, Wakefield, Wallace, Ward, J. H. Warner, William Weaver, J. B. Weber, White, A. C.
Farquhar, Felton,	Libbey,	Romeis, Rowell,	White, A. C. Wise,
Fleeger, Foran, Forney,	Lindsley, Louttit, Markham,	Sayers, Sessions, Skinner,	Wolford, Worthington.
Frederick,	Martin,	Smalls,	

NAYS-134. Perry, Peters, Pidcock, Pindar, Randall, Johnston, T. D. Jones, J. H. Kelley, Ketcham, Adams, J. J. Allen, J. M. Anderson, J. A. Atkinson, Daniel. Dargan, Davidson, A. C. Dingley, Dockery, Laffoon, La Follette, Laird, Lanham, Le Fevre, Lehlbach, Little, Lore. Ballentine. Barnes, Belmont, Bennett, Bland, Dorsey, Dowdney, Eden, Eldredge, Reagan, Reid, J. W. Rice, Richardson, Bliss, Blount, Ellsberry Rockwell, Evans, Everhart, Ford, Geddes, Ryan, Scott, Scranton, Bound, Boutelle, Lore, Lovering, Boyle, Geddes,
Breckinridge, WCP.Glass,
Browne, T. M. Glover,
Brown, C. E. Grout,
Buck, Halsell,
Bunnell, Harmer Lowry, Lyman, Mahoney, Matson, McAdoo, Seney, Seney, Seymour, Singleton, Sowden, Stone, W. J., Ky. Stone, W. J., 1 Swope, Taulbee, Townshend, Trigg, Tucker, Viele, Wait, Warner, A. J. Weaver, A. J. Whiting, Wilkins, McComas, McCreary, McMillin, Harmer, Harris, Hatch, Hayden, Heard, Hemphill, Henderson, J. S. Hepburn, Herbert, Hewitt, Hiestand, Hires. Harmer, Bunnell,
Burnes,
Butterworth,
Bynum,
Campbell, Felix
Campbell, J. M.
Campbell, J. E.
Clements,
Cobb,
Collins,
Cooper Merriman, Millard, Milliken, Mitchell. Mitchell, Morrill, Morrison, Muller, O'Ferrall, O'Neill, Charles Cooper, Cowles, Wilkins, Hires, Hiseock, Holman, Hutton, Willis, Wilson, Woodburn. Osborne, Outhwaite, Cox, Crisp, Croxton, Curtin, Parker, Perkins, James.

NOT VOTING-86.

Adams, G. E. Aiken, Allen, C. H. Anderson, C. M. Arnot, Barbour, Barksdale, Beach Comstock, Cutcheon, Davenport, Davidson, R. H. M. Dawson, Dunham, Hill, Houk, Robertson, Rogers, Sadler, Howard. Johnston, J. T. Sawyer, Shaw, Spriggs, King, Landes, Ermentrout, Long, McKinley, Springer, Stahlnecker, Beach, Bingham, Bragg, Buchanan, Burleigh, Findlay, Fisher, Gallinger, Gibson, Eustace Green, R. S. Green, W. J. Miller, Mills, Morrow, Steele, Stewart, J. W. Stone, W. J., Mo. Store, W. J., Mo Storm, Taylor, E. B. Taylor, I. H. Taylor, J. M. Thomas, J. R. Thomas, O. B. Thompson, Throckmorton, Negley, Burrows, Cabell, Campbell, T. J. Candler, Cannon, Caswell, Oates, O'Donnell, O'Hara, Grosvenor, Hale, Hammond. Phelps, Hanback, Haynes, Henley, Ranney, Reed, T. B. Reese,

Tillman. Turner, Van Schaick, Wade, Wadsworth, Ward, T. B.

Wellborn, West, White, Milo Winans.

So the report was not agreed to.

Mr. PAYSON. I ask unanimous consent to dispense with the feading of the names.
Mr. BLANCHARD. I object.

Mr. TUCKER. I desire to say I have been paired on most questions with Mr. Stewart, of Vermont. On this question he has voted as I vote to-day. He voted against the canal provision the other day, and I voted the same way. I therefore have felt at liberty to vote on this proposition.

The following pairs were announced:

Until further notice:

Mr. TURNER with Mr. DORSEY. Mr. HALE with Mr. WADE.

Mr. Green, of New Jersey, with Mr. Burleigh. If present, Mr. Burleigh would vote for and Mr. Green against the river and harbor bill.

Mr. HENLEY with Mr. HANBACK. Mr. COMSTOCK with Mr. BURBOWS. Mr. McKinley with Mr. Mills.

Mr. ERMENTROUT with Mr. WHITE, of Minnesota.

Mr. CANDLER with Mr. HAYNES.

Mr. John M. Taylor with Mr. IKE H. Taylor.

Mr. MILLER with Mr. BUCHANAN. Mr. WINANS with Mr. CUTCHEON. Mr. Winans with Mr. Cutcheon.
Mr. Wellborn with Mr. O'Donnell.
Mr. Hammond with Mr. O'Donnell.
Mr. Throckmorton with Mr. Wadsworth.
Mr. Reese with Mr. Adams, of Illinois.
Mr. Stoem with Mr. Dunham.
Mr. Rogers with Mr. Ezra B. Taylor.
Mr. Robertson with Mr. Steele.
Mr. Hill with Mr. Houk.
Mr. Sadler with Mr. Van Schaick.
Mr. Tucker with Mr. Stewart, of Vermont.
Mr. Rabour with Mr. Libber.

Mr. BARBOUR with Mr. LIBBEY. Mr. BRAGG with Mr. CASWELL.

Mr. BARKSDALE with Mr. DAVENPORT.

Mr. Dawson with Mr. RANNEY.

Mr. ARNOT with Mr. THOMAS, of Illinois.

Mr. DAVIDSON, of Florida, with Mr. Gallinger.
Mr. Oates with Mr. Clardy, on the conference report on the river and harbor bill; Mr. Oates would vote against it, Mr. Clardy for it.
Mr. Reed, of Maine, with Mr. Grosvenor, on the river and harbor bill. If present, Mr. Grosvenor would vote for and Mr. Reed against the bill.

Mr. Gibson, of West Virginia, with Mr. Allen, of Massachusetts, on the river and harbor bill.

For this day:

Mr. King with Mr. Morrow.

Mr. Landes with Mr. Anderson, of Kansas.

Mr. Tarsney with Mr. Thompson.

Mr. Cabell with Mr. Cannon.

Mr. Anderson, of Ohio, with Mr. Long, on this vote.

Mr. NEGLEY. I ask unanimous consent to be allowed to vote in the affirmative. I was in my committee-room and left word that I should be notified when the roll was called but by some oversight this. should be notified when the roll was called, but by some oversight this

was not attended to.

The SPEAKER. Under the rules the Chair can not entertain a request for unanimous consent under those circumstances. But the gentleman has stated which way he would have voted had he been present.

Mr. TARSNEY. I am paired with Mr. Thompson, of Ohio, but as I understand only on political questions. I have voted on this measure, not regarding it as a political measure.

The SPEAKER. The gentleman must decide that matter for him-

self.

Mr. TARSNEY. I understand the gentleman from Ohio would have voted as I have done.

The result of the vote was then announced as above stated.

Mr. WILLIS. I move that the House insist upon its disagreement to the Senate amendments and ask for a further conference, and upon that I demand the previous question.

The previous question was ordered. The motion of Mr. WILLIS was

then agreed to.

The SPEAKER. The Chair will announce the managers on the part of the House during the day.

CONTINUING APPROPRIATIONS.

Mr. RANDALL. Mr. Speaker, I report a privileged resolution from the Committee on Appropriations, and ask its present consideration.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Joint resolution to continue the provisions of the joint resolution entitled "A joint resolution to provide temporarily for the expenditures of the Government."

Resolved by the Senate and House of Representatives, &c., That the provisions of the joint resolution entitled "A joint resolution to continue the provisions of the

joint resolution approved July 1, 1886, entitled "A joint resolution to provide temporarily for the expenditures of the Government, approved July 15, 1886,'" be, and the same are hereby, extended and continued in full force and effect to and including the 10th of August, 1886.

Mr. HISCOCK. I object.

ALIEN LANDHOLDERS IN THE TERRITORIES.

Mr. PAYSON. Mr. Speaker, I desire to present a privileged report from the Committee on Public Lands. I report back the bill (H. R. 3280) to restrict the ownership of real estate in the Territories to American citizens, &c., and ask its immediate consideration.

The SPEAKER. The bill will be read.

The bill was read, as follows:

Be it enacted, &c., That no non-resident alien or foreigner, nor any resident alien or foreigner who has not declared his intention to become a citizen of the United States, nor any corporation or association where, at most, one-tenth of its stock or right of property is owned or controlled by aliens or foreigners, shall acquire or own, hold, or possess, by right, title, or descent accruing hereafter, any real estate in any of the Territories of the United States: Provided, That the provisions of this act shall not apply to the real estate necessary for the construction and operation of any railroad.

Mr. PAYSON. The report of the committee which I send to the Clerk's desk is a unanimous one, and I ask that it be read in support of the bill.

The report was read, as follows:

Clerk's desk is a unanimous one, and I ask that it be read in support of the bill.

The report was read, as follows:

Mr. Patsox, from the Committee on Public Lands, submitted the following report (to accompany H. R. 3280):

The bill is as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no non-resident alien or foreigner, nor any resident alien or foreigner who has not declared his intention to become a citizen of the United States, nor any corporation nor association where, at most, one-tenth of its stock or right of property is owned or controlled by aliens or foreigners, shall acquire or own, hold, or possess, by right, title, or descent accruing hereafter, any real estate in any of the Territories of the United States; Provided, That the provisions of this act shall not apply to the real estate necessary for the construction and operation of any railroad.

It has for its basis the proposition that American soil shall be owned by Americans, so far as Congress can control it.

The Committee on the Public Lands in this Congress, as well as in the last, is thoroughly committed to the policy of so adjusting and administering our public-land system that the agricultural lands of the nation shall be parted with, without cost, to be held in small tracts by actual settlers only, for the purpose of cultivation by the owner, securing thereby the thrift of the citizen and economy in his management which ownership always simulates.

This policy, we submit, should become the national one.

The experience of so many thousands of our people in the securing of homes of the control of the provision of the securing of homes of the provision of the security of the Government of turnish to its people cheap homes: to aid the actual settler whose labor would make the land fruitful and productive, giving added wealth to the locality, and stability and strength to the country; and it had the great, magnificant possession, the public domain of that time,

An English syndicate, No. 3, own in Texas	9 000 000
	3,000,000
The Holland Company, New Mexico	4,500,000
Sir Edward Reid and a syndicate in Florida	
English syndicate in Mississippi	1, 800, 000
Marquis of Tweeddale	1,750,000
Phillips, Marshall & Co., London.	1,300,000
German syndicate	1,000,000
Anglo-American syndicate, London	750,000
Byron A. Evans, of London	700,000
Duke of Sutherland	425,000
British Land Company in Kanaas	320, 000
William Whalley, M. P., Peterborough, England	310,000
Missouri Land Company, Edinburgh, Scotland	300,000
Robert Tennent, of London	230, 000
Dundee Land Company, Scotland	247,000
Lord Dunmore	
Benjamin Newgas, Liverpool	100,000
Lord Houghton, in Florida	60,000
Lord Dunraven, in Colorado	60,000
English Land Company in Florida	
English Land Company in Arkansas	
Albert Peal, M. P., Leicestershire, England	10,000
Sir J. L. Kay, Yorkshire, England	5, 000
Alexander Grant, of London, in Kansas	
English syndicate, Wisconsin	

M. Ellerhausen, of Halifax, in West Virginia	600,000 500,000 50,000 165,000
	STATE OF THE PARTY OF

This list could be greatly enlarged. Only the more important cases are given ases of like character are very numerous, but small in area, aggregating over

This list could be greatly enlarged. Only the more important cases are given. Cases of like character are very numerous, but small in area, aggregating over 30,000,000 acres.

The reasons for the passage of this bill readily suggest themselves; but a memorial recently presented to the Senate and printed in the Record so clearly expresses the views of your committee that we insert the substance of it.

The memorial relates that the rapid absorption of the public domain by non-resident aliens furnishes occasion for much anxiety to the people. A few years ago the citizens had little difficulty in acquiring desirable land for actual settlement, and there were homes for multitudes besides, but within a recent period the conditions have changed. Large portions of the public land have been acquired by non-resident aliens, as individuals or in syndicates, and nearly all of what remains is either arid or difficult of access.

The remainder of the public lands should be preserved from the encroachment of aliens whose birth and education create and foster sentiments infinical to the country from which they are attempting to derive wealth to maintain an aristocratic splendor in their own country. It may happen that the nation which failed to conquer us with its arms may yet prevail with its treasure. The history of our own and of all countries has shown most emphatically that the public domain whose title is vested in and held by the Government is a God-given property of the people. It can not be alienated either by loss or misappropriation, whether by the sword or money of aliens, except at imminent peril to the life of the nation. Our land in its entirety is a sacred heritage, and it ought to be as a sacred trust transmitted in its entirety to posterity with the same unfailing care with which we hand down the record of the glories of the fathers of the Republic. The public lands have not been regarded as a source of revenue to the Government.

The policy of holding the public domain as a trust to be held by the central p

There is no question as to the power of Congress over the subject.
England exercised it during all the years of her progress, and it has only been till very recent years that the right to hold real estate there has been granted to The question as to how cheap homes for the poor can best be secured will soon

The question as to how cheap homes for the poor can best be secured will soon be upon us.

At the present rate of disposition this generation will see the last acre of public land worth taking for a home by a farmer disposed of.

This committee has devoted its best efforts and most earnest endeavors to perfect and present to the House for its consideration and action such measures as in its judgment would reclaim such lands as had been improvidently granted to corporations, and to which they are not entitled; also, for the repeal of such laws as rendered possible the improper acquisition of great areas of land from the Government, and to preserve what it had and should reclaim of the public lands as a reservoir, to be drawn upon by the actual settler, without cost, in homesteads, in small allotments for actual cultivation, believing, as we do, that not only the fostering of the home sentiment and individual prosperity, would result, but, in addition, that there is no greater safeguard against public disorder, tumults, and riots than a generally distributed ownership of lands and homes. Such a general condition of affairs would be a guarantee in favor of law and order, and we therefore recommend the passage of the bill.

MESSAGE FROM THE SENATE.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Johnson, one of its clerks, informed the House that the Senate had passed without amendment the bill (H. R. 190) for the relief of certain employés and others of the twelfth United States light-house district.

The message also informed the House that the Senate had passed with amendments the bill (H. R. 6664) to increase the naval establishment.

The message further announced that the Senate had passed the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt, with amendments, asked for a conference on the joint resolution and the amendments, and had appointed as conferees on the part of the Senate Mr. Allison, Mr. Aldrich, and Mr. Beck.

ALIEN OWNERSHIP OF LANDS.

Mr. HEPBURN. Mr. Speaker, I ask the gentleman from Illinois [Mr. PAYSON] to yield to me to offer an amendment to this bill.

Mr. PAYSON. I decline to yield.

Mr. Speaker, several gentlemen have expressed a desire that at the proper time I should ask general leave for members who wish to print remarks upon this bill in the RECORD. If it is in order now, I make

The SPEAKER. In the absence of objection it will be so ordered.

Mr. PAYSON. Mr. Speaker, the report just read expresses the views of the Public Lands Committee with reference to this bill, and I shall not consume the time of the House by discussing it. I therefore call the previous question upon ordering the bill to be engrossed and read a third time.

Mr. ROWELL. Why not take up the bill that has passed the Senate, which covers the ground, and more than is covered by this bill, and pass it, so as to be certain of getting a bill that will become a law?

Mr. PAYSON. Because the Senate bill is not as good a bill as this,

and because it is before the Judiciary Committee and will probably

never be reported. That is my answer.

Now, Mr. Speaker, I demand the previous question upon ordering this bill to be engrossed and read a third time.

Mr. BENNETT. Mr. Speaker, when may I have an opportunity of being heard in opposition to this bill?

The SPEAKER. Not at all, if the House orders the previous ques-

Mr. WEAVER, of Nebraska. Regular order. Mr. BENNETT. I thought so, and that is Mr. BENNETT. I thought so, and that is the reason I made the inquiry. I would like to be heard a few minutes on this bill in order to enlighten the conscience of the House a little bit. [Laughter.] Mr. O'NEILL, of Missouri. The gentleman has leave to print, has

he not?

The SPEAKER. All gentlemen who desire to print remarks on this bill in the RECORD have leave to do so.

Mr. McADOO. Regular order. Mr. BENNETT. Is there any way, Mr. Speaker, by which I can be heard in opposition to this bill now?

The SPEAKER. If the House refuses to order the previous ques-

tion the bill will be open to debate.

Mr. BENNETT. May I ask unanimous consent to be heard five min-

utes in opposition to the bill?

The SPEAKER. The gentleman can ask it. The gentleman from North Carolina [Mr. BENNETT] asks unanimous consent that he may be allowed to speak five minutes in opposition to the bill. [Cries of

"Regular order!"] Mr. PAYSON. I object.

The SPEAKER. The question is upon ordering the previous ques-

The question was taken; and there were—ayes 87, noes 26.

Mr. BENNETT. No quorum has voted. Mr. PAYSON. I call for the yeas and nays.

Mr. PAYSON. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BENNETT. I desire to make a proposition to the gentleman from Illinois [Mr. PAYSON]. [Cries of "Regular order!"] I want leave to imparl a moment. I will withdraw this point of no quorum if the gentleman will allow me to occupy ten minutes.

Mr. PAYSON. General leave to print! That is discussion after the question adjacent of I haved to any something that might influence the

tion is disposed of. I hoped to say something that might influence the action of the House

Mr. BUTTERWORTH. I desire to make a parliamentary inquiry. Will there not be thirty minutes for debate after the previous question

The SPEAKER. There would be if no discussion had taken place; but before the previous question was demanded there was a discussion.

Several papers were read, which were in the nature of debate.

Mr. CANNON. Mr. Speaker— [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded on all sides.

Mr. CANNON. I desire to make a request for unanimous consent.

If this bill is strong enough to stand discussion I hope my friend from Illinois who is in charge of it will agree now that at least ten min-utes of the time which would be occupied in this roll-call be given to debate.

Mr. PAYSON. So far as I am concerned, I would be perfectly willing to agree to that. I only demanded the previous question because there seemed to be a universal desire for it by gentlemen in all parts of the House.

Many Members. Regular order!
The SPEAKER. The regular order is insisted upon by a number

gentlemen.

Mr. BENNETT. -I have been thus importunate in my request to be heard because I reported from the Judiciary Committee a bill identical in terms with this and reported it adversely. This bill will not

The question was taken; and it was decided in the affirmative-yeas 183, nays 21, not voting 118; as follows:

Adams, J. J.	Clements,	Fuller.	Hudd,
Allen, J. M.	Cobb,	Funston,	Hutton,
Atkinson,	Collins,	Gay,	Irion.
Baker,	Compton,	Geddes,	Jackson,
Ballentine.	Conger,	Gibson, C. H.	James,
Barnes,	Cooper,	Glass,	Johnson, F. A.
Bayne,	Cowles,	Glover,	Johnston, T. D.
Belmont,	Cox,	Goff.	Jones, J. H.
Bland,	Crisp,	Green, W. J.	Jones, J. T.
Blount,	Curtin,	Grout.	Kelley,
Bound,	Dargan,	Guenther.	Kleiner.
Boyle,	Davidson, A. C.	Halsell,	Laffoon,
Breckinridge, C. R.		Harmer,	La Follette,
Breckinridge, WCP	.Dockery,	Harris,	Laird,
Browne, T. M.	Dorsey,	Hatch,	Lanham,
Brown, W. W.	Dougherty,	Heard,	Lawler,
Brumm, ·	Dowdney,	Hemphill,	Lehlbach,
Buck,	Dunn,	Henderson, D. B.	Lovering,
Bunnel!,	Eden,	Herbert,	Lowry,
Burnes,	Eldredge,	Hermann,	Mahoney,
Butterworth,	Ely,	Hewitt,	Markham.
Bynum.	Evans,	Hiestand.	Matson.
Cabell,	Fleeger,	Hires,	Maybury,
Caldwell,	Foran,	Hitt,	McAdoo.
Campbell, J. M.	Ford,	Holman,	McComas,
Campbell, J. E.	Forney,	Holmes,	McCreary,
Campbell, T. J.	Frederick,	Hopkins,	McMillin,

Thomas, O. B.
Townshend,
Trigg,
Viele,
Wait,
Wakefield,
Warnd, J. H.
Warner, A. J.
Warner, William
Weaver, A. J.
Weaver, J. B.
Weber,
White, A. C.
Wilkins,
Willis,
Wilson,
Wolford,
Worthington. McRae, Merriman, Millard, Morgan, Morrison, Seymour, Singleton, Skinner, Perkins, Perry, Peters, Pettibone, Smalls, Smans, Snyder, Sowden, Spooner, Springer, Stahlnecker, Pindar, Morrison, Murphy, Neal, Neece, Negley, Norwood, O'Ferrall, O'Neill, Charles O'Neill, J. J. Price, Randall, Reagan, Rice, Richardson, Stanmecker, Stephenson, Stewart, Charles St. Martin, Stone, E. F. Stone, W. J., Ky. Struble, Swope. Riggs, Romeis, Rowell, Ryan, Sayers, Scott, Scranton, Seney, Sessions, Osborne, Outhwaite, Swope, Symes, Taulbee, Taylor, Zach. Payne, Payson,

Barry, Bennett, Boutelle, Brown, C. E. Daniel.	Gilfilan, Henderson, J. S. Henderson, T. J. Hepburn, Hiscock.	Long, Louttit, Nelson, Reed, T. B. Rockwell,	Swinburne, Van Eaton, Whiting.
Everhart,	Little,	Sawyer.	41

NOT VOTING-118.

Adams, G. E.	Davidson, R. H. M.	I. Libbey,	Spriggs,
Aiken.	Dawson,	Lindsley,	Steele,
Allen, C. H.	Dibble,	Lore,	Stewart, J. W.
Anderson, C. M.	Dingley,	Lyman,	Stone, W. J., Mo.
Anderson, J. A.	Dunham,	Martin,	Storm,
Arnot.	Ellsberry,	McKenna,	Strait,
Barbour.	Ermentrout,	McKinley,	Tarsney,
Barksdale,	Farquhar,	Miller,	Taylor, E. B.
Beach,	Felton,	Milliken,	Taylor, I. H.
Bingham,	Findlay,	Mills,	Taylor, J. M.
Blanchard,	Fisher,	Mitchell,	Thomas, J. R.
Bliss,	Gallinger,	Moffatt,	Thompson,
Brady,	Gibson, Eustage	Morrill,	Throckmorton,
Bragg,	Green, R. S.	Morrow,	Tillman,
Buchanan,	Grosvenor,	Muller,	Tucker.
Burleigh,	Hale,	Oates,	· Turner,
Burrows,	Hall,	O'Donnell,	Van Schaick,
Campbell, Felix	Hammond,	O'Hara,	Wade,
Candler,	Hanback,	Peel,	Wadsworth,
Cannon,	Hayden,	Phelps,	Wallace,
Carleton,	Haynes,	Pidcock,	Ward, T. B.
Caswell,	Heuley,	Pirce,	Wellborn,
Catchings,	Hill	Plumb,	West,
Clardy,	Houk,	Ranney,	Wheeler,
Comstock,	Howard,	Reid, J. W.	White, Milo
Crain,	Johnston, J. T.	Reese,	Winans,
Croxton,	Ketcham,	Robertson,	Wise,
Culberson,	King,	Rogers,	Woodburn.
Cutcheon,	Landes,	Sadler,	
Davenport,	Le Fevre,	Shaw,	a to the state of the state of
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So the previous question was ordered.

Mr. PAYSON. I ask unanimous consent that the reading of the names be dispensed with.

Mr. NELSON. I object. A gentleman could not get ten minutes to speak in opposition to the bill, but a half hour has been occupied by the roll-call.

The list of names having been read,

The following pairs were announced:

Mr. Anderson, of Ohio, with Mr. Grosvenor, until further notice.

Mr. Peel with Mr. Allen, of Massachusetts, until further notice.

Mr. Croxton with Mr. Johnston, of Indiana, on this vote.

Mr. Dibble with Mr. Milliken, for the rest of the day.

The result of the vote was announced as above stated.

The SPEAKER. The question is now on ordering the bill to be engrossed and read a third time.

Mr. Brankert addressed the Chair.

Mr. BENNETT addressed the Chair.

The SPEAKER. The previous question is now operating.

Mr. PAYSON. At the proper time I propose to yield to the gentleman from North Carolina [Mr. BENNETT].

The question being taken on ordering the bill to be engrossed and read a third time, there were—ayes 78, noes 7.
Mr. NELSON. No quorum.

Tellers were ordered; and Mr. PAYSON and Mr. NELSON were appointed.

INTERSTATE-COMMERCE BILL.

The SPEAKER. If there be no objection, while the House is dividing the Chair will appoint as managers of the conference ordered on the disagreeing votes of the two Houses on the bill known as the interstatecommerce bill Mr. REAGAN, Mr. CRISP, and Mr. WEAVER of Ne-

ALIEN OWNERSHIP OF LANDS.

Mr. NELSON. Mr. Speaker, I am not opposed to the principle of the bill if the gentleman from Illinois will consent to reasonable de-bate and reasonable opportunity for amendments. The SPEAKER. The gentleman from Illinois can not himself con-

sent to amendments, because the House has ordered the previous ques tion. It would require unanimous consent of the House to offer amendments, but the gentleman might make a motion to reconsider.

Mr. BLAND. I think we should have the yeas and nays, which would settle it.

Mr. PAYSON. We only lack a few votes of making a quorum.

only lack I believe 8 votes. There is a quorum in the House, I am satisfied.

The House again divided; and there were—ayes 155, noes 10.

So the bill was ordered to be engrossed and read a third time; and

being engrossed, it was accordingly read the third time.

Mr. PAYSON. In order to save time, Mr. Speaker, I have agreed with the gentleman from North Carolina [Mr. BENNETT] to yield to him ten minutes for debate. I yield that time now.

Mr. BENNETT. I sent forward an amendment which I wish to offer

to the bill.

The SPEAKER. It can be read, but it is not in order to offer amendments to the bill at this time.

Mr. BENNETT. I will ask then unanimous consent of the House to accept it.

The Clerk read as follows:

Add to the end of section 1:

"Also provided that this act shall not prevent any alien or foreigner from taking up by devise or descent any lands now owned by any alien or foreigner who has not declared his intention of becoming a citizen."

Mr. BENNETT. If in order I ask unanimous consent to offer that amendment.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to offer that amendment.

Mr. NELSON. I object.

The SPEAKER. The gentleman will proceed; he has ten minutes.

Mr. BENNETT. Mr. Speaker, John Randolph, of Roanoke, said many years ago in a speech on the Army bill: "That one of the dangers to the free institutions of this country was this, That the people would sacrifice some great principle of free government to temporary passion."

If this bill shall pass it will not only be a change of law, but it will be

a change of front of a continent.
On the 28th day of July, 1855, Caleb Cushing, Attorney-General of the United States, published this opinion—I read from the head-notes the poverty of my time not allowing me to read from the body of the opinion [laughter and applause]: "Under the land laws of the United States aliens are entitled to purchase the public lands, subject only, as to their tenure, to such limitations as particular States may enact, with this exception, however, that pre-emptions are secured to aliens who have declared their intentions to become naturalized according to law, and to citizens whether native-born or naturalized, and none other

This opinion of Mr. Cushing has controlled the Departments of this Government from that day until now.

I will not try to recount the services of foreigners to this Government in war and in peace.

Under the provisions of the common law aliens were not permitted to hold lands in England, except leasehold and qualified estates. Every single possible provision of the common law in that particular has been cut up by the root.

In this connection I can not help but think upon this bill the Anglo-Saxon greed for land cuts a great figure. Every State in this Union except Vermont has a statute or a provision in its constitution enabling aliens to hold lands. The great State of Wisconsin has that provision in its fundamental law.

By the statutes, thirty-third and thirty-fourth Victoria, chapter 14, section 2, in Great Britain, Scotland, and Ireland every disability in the matter of holding land has been removed, and aliens are absolutely free to take and hold the soil of those precious islands, and yet this great country, that has accepted the services of foreigners in war and in peace, this country that extends from "sunrise around to sunrise," is afraid of the presence of these people in the territories of the General Government. There is not phariseeism. [Laughter.]
Mark the bill: There is nothing more splendid in the long annals

No non-resident alien or foreigner, nor any resident alien or foreigner who has not declared his intention to become a citizen of the United States, nor any corporation or association where, at most, one-tenth of its stock or right of property is owned or controlled by aliens or foreigners, shall acquire or own, hold, or possess, by right, title, or descent accruing hereafter, any real estate in any of the Territories of the United States.

Foreigners hold lands now in the Territories of the United States; they die, and those that come after them, in whom they live again, can not hold them by descent.

Mr. BROWN, of Pennsylvania. They can get naturalized. Mr. BENNETT. This country has not the constitutional power to

Mr. BENNETT. This country has not the constitutional power to say, where a right of property has attached, and the person in whom it is attached dies, that his children shall not take and hold the property; and in support of that I cite that great and massive name John Marshall, who was esteemed a very considerable man in his day.

All change is now vulgarly called "reform." [Laughter and applause.] "And progress means taking something from somebody that does not belong to the taker." [Renewed laughter.] If this bill is to pass, this great body which is always just [laughter] ought to see to it that an amendment which saves to these people who have not violated the law and are not responsible for their birth the benefit of the propthe law and are not responsible for their birth the benefit of the property which their ancestors earned by the sweat of their faces should be incorporated in this bill. As for me, while I do not believe that the policy of this Government in the matter of its public domain has been directed with sufficient regard to the natural increment of population,

yet, sir, I could not be brought to the support of this measure unless its execution should be postponed to a day so far ahead that all the world might take notice of its unseemly provisions and guard against

its injustice. [Laughter and applause.]

Mr. NELSON. I wish to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NELSON. I desire to know whether I can make a motion to recommit the bill now, or must I wait until after the previous question

The SPEAKER. The previous question has been demanded, and pending that motion, or after the previous question is ordered, the motion to recommit is in order.

Mr. NELSON. Then I move to recommit the bill to the Committee on the Public Lands with instructions to report it back immediately with the following amendment:

The Clerk read as follows:

At the end of section 1, add:
"Provided, That this act shall not prevent any alien or foreigner from taking by devise or descent any lands now owned by any alien or foreigner who has not declared his intention of becoming a citizen."

Mr. HALL. I move to amend by adding the following additional

Mr. NELSON. If I understand the gentleman's amendment I will

The SPEAKER. The Chair will then consider that the gentleman has modified his amendment?

Mr. NELSON. Let it be read.

The Clerk read as follows:

That no non-resident alien or foreigner who may now be seized or shall hereafter become so seized of real estate in the Territories by descent or devise from such alien or foreigner who has not declared his intention to become a citizen of the United States shall hold any such real estate at law or in equity for a longer period that five years from the date of the passage of this act; and every such title so held after the lapse of such period shall vest in the United States in trust for the use and behoof of such person or persons, their heirs or devisees; said lands to be sold and disposed of by the Secretary of the Interior, and the proceeds paid to the beneficiaries under such regulation as may be prescribed by said Secretary.

Mr. NELSON. I was under a misapprehension as to the gentleman's amendment. I supposed it was simply to perfect mine, but I

find it to be an entirely different matter. I can not accept that.

The SPEAKER. The gentleman from Iowa has the right to offer it in his own right, the previous question not having been demanded on the motion to recommit with instructions.

Mr. HALL. Then I offer it as an amendment.

Mr. NELSON. He offers it, then, as an amendment to my amendment?

The SPEAKER. The Chair so understands.

Mr. NELSON. I have no objection to that; but I do not accept it.

The SPEAKER. The first question then is on the amendment of the gentleman from Iowa [Mr. Hall] to the motion of the gentleman from Minnesota [Mr. Nelson.]

Mr. HALL. I wish to explain the purpose of that amendment.

The SPEAKER. The question is not debatable.

Mr. HALL. I understand that. [Cries of "Regular order!"]
Mr. BAYNE. I ask unanimous consent that the gentleman

I ask unanimous consent that the gentleman from Iowa be permitted to explain his amendment.

Objection was made.

Mr. OATES. Is a substitute in order?

The SPEAKER. A substitute for the proposition of the gentleman from Minnesota [Mr. Nelson] is in order, the previous question not

Mr. OATES. I offer then, as a substitute, to recommit the bill with instructions to substitute for the bill what I send to the desk.

Mr. NELSON. I demand the previous question.
The SPEAKER. The gentleman from Minnesota demands the previous question on the motion to recommit and the amendments pending. Mr. McADOO. Is debate in order on the motion of the gentleman from Minnesota?

The SPEAKER. It is not, even without the previous question ordered on it; because it is made pending the demand for the previous question on the bill. The gentleman now demands the previous question on his motion, the effect of which is to cut off further amendments.

Mr. OATES. Is not the motion for the previous question made too

late to exclude other amendments?

The SPEAKER. It does not exclude the amendment of the gentleman from Alabama

Mr. OATES. My amendment has not yet been read.

The SPEAKER. It is pending.

Mr. NELSON. I meant to include the substitute of the gentleman

from Alabama in my motion for the previous question.

The SPEAKER. It is included, because the gentleman from Alabama was recognized and sent his substitute to the Clerk's desk. The Clerk will now report it.

The Clerk read as follows:

That no alien or person who is not a citizen of the United States shall acquire title to or own a greater interest than a leasehold for five years in any lands anywhere within the United States of America and their jurisdiction; and any deeds or other conveyances of lands acquired after the approval of this act by

any alien or unnaturalized foreigner, or by any company, firm, or corporation composed of such, shall be void,

The previous question was ordered.

The SPEAKER. The question is first on the amendment of the gentleman from Iowa [Mr. Hall] to the motion of the gentleman from Minnesota.

The amendment was not agreed to.

The SPEAKER. The question is now on the substitute proposed by the gentleman from Alabama [Mr. OATES] for the motion of the gentleman from Minnesota [Mr. Nelson].

Mr. OATES. Upon that I call for the yeas and nays.

The yeas and nays were not ordered, only 25 members voting therefor—not one-fifth of the last vote.

Mr. BUTTERWORTH. I ask that the substitute offered by the gen-tleman from Alabama may be again read.

The substitute was again read.

Mr. HERBERT. I ask that the original bill be read. The SPEAKER. That is not before the House on the That is not before the House on this question. I mean the bill for which this is a substitute. Mr. HERBERT. The SPEAKER. It is a substitute for the motion of the gentleman

from Minnesota.

The question being taken on agreeing to the substitute, the Speaker stated that the "ayes" seemed to have it.

Mr. OATES. I call for a division.

The House divided; and there were—ayes 24, noes 73.

Mr. OATES. No quorum.

The SPEAKER. The Chair appoints as tellers the gentleman from Alabama, Mr. OATES, and the gentleman from Minnesota, Mr. NELSON.

The House again divided; and the tellers reported—ayes 30, noes 130.

Mr. OATES (one of the tellers). Mr. Speaker, I desired an opportunity to discuss the instruction that I offered; but I see no opportunity, and I do not think I will reach any by insisting on the point of no quorum, and I therefore withdraw it.

So (further count not being called for) the substitute was not agreed to. Mr. NELSON. I ask that the instruction I have offered be again read.

The Clerk read as follows:

At the end of section I add the following:
"Provided, That this act shall not prevent any alien or foreigner from taking by devise or descent any lands now owned by any alien or foreigner who has not declared his intention of becoming a citizen."

The SPEAKER. The question is on the motion of the gentleman from Minnesota to recommit the bill with the instruction which has just been read. Mr. OATES.

Mr. OATES. I ask for the yeas and nays.

On the question of ordering the yeas and nays there were—ayes 26, noes 102.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

RIVER AND HARBOR APPROPRIATION BILL.

The SPEAKER. The Chair appoints as conferees on the part of the House on the disagreeing votes of the two Houses on the river and harbor appropriation bill the gentleman from Kentucky, Mr. Willis, the gentleman from Louisiana, Mr. Blanchard, and the gentleman from

Illinois, Mr. HENDERSON.

Mr. BLANCHARD. I think under the circumstances the House will excuse me from further service on the conference committee. I understand also that is the position of the gentleman from Illinois [Mr. Henderson]. In fact, he told me so. I will ask that the gentleman from Illinois and myself be excused from service on the conference committee.

The SPEAKER. The gentleman from Louisiana asks for himself and the gentleman from Illinois [Mr. Henderson] that they be excused from service on the conference committee. If there be no objection that request will be granted.

There was no objection.

The SPEAKER. The Chair appoints as the conferees on the part of the House the gentleman from Kentucky, Mr. WILLIS, the gentleman from Missouri, Mr. GLOVER, and the gentleman from California, Mr. MARKHAM.

ELECTION OF PRESIDENT AND VICE-PRESIDENT.

Mr. CALDWELL, in accordance with leave heretofore given, submitted the views of the minority of the Select Committee on the Election of President and Vice-President on the joint resolution (H. Res. 61) proposing an amendment to the Constitution of the United States creating and defining the office of Second Vice-President of the United States, accompanied by a substitute therefor; which were referred to the House Calendar, and ordered to be printed.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Several messages in writing from the President of the United States were communicated to the House by Mr. PRUDEN, one of his secretaries, who also informed the House that the President had approved bills of the following titles:

An act (H. R. 1580) for the relief of Emily B. Baker; An act (H. R. 1802) for the relief of Moses B. Walker; An act (H. R. 2475) to amend an act approved May 25, 1882, entitled "An act for the construction of a public building at Galveston, Tex.;"

An act (H. R. 5705) granting a pension to Charles Wyant; An act (H. R. 5179) to prohibit the passage of local or special laws in the Territories of the United States to limit Territorial indebtedness,

and for other purposes;
An act (H. R. 5921) granting an increase of pension to John Ryan;
An act (H. R. 6747) granting a pension to Mary A. Thomas;
An act (H. R. 7193) granting a pension to Sarah A. Tucker;
An act (H. R. 4335) making an appropriation to continue the construction of the public building at Clarksburg, W. Va., and changing

the limit of cost thereof; and
An act (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes.

ALIEN OWNERSHIP OF LANDS.

The question was taken: and there were-veas 85, nays 127, not voting 110; as follows:

	YE	AS-80.	
Atkinson, Ballentine, Barry, Bayne, Bennet, Bingham, Blanchard, Bound, Boutelle, Boyle, Breekinridge, WCI Browne, T. M. Brown, C. E.	Everhart, Felton, Fleeger, Fuller, Gay, Geddes, Gilfillan, Green, W. J. Grout, Guenther,	Long, Louttit, Lyman, Matson, McKenna, Millard, Moffatt, Negley, Nelson, Oates, O'Neill, Charles O'Neill, J. J. Payne,	Skinner, Smalls, Spooner, Stephenson, St. Martin, Stone, E. F. Strait, Struble, Swinburne, Symes, Taulbee, Thomas, O. B. Trigg,
Brown, C. E. Brunnell, Campbell, J. E. Cannon, Cowles, Croxton, Daniel, Dunn, Eldredge,	Hiestand, Hiscock, Hudd, Jackson, Kelley, La Follette, Laird, Lehlbach,	Perkins, Pirce, Price, Reed, T. B. Reid, J. W. Rice, Romeis, Sawyer,	Van Eaton, Wait, Wakefield, Ward, T. B. Warner, William Weber.

Ely,	Little,	Scott,	
	. NA	YS-127.	
Adams, J. J.	Dorsey,	Kleiner,	Ryan,
Allen, J. M.	Dougherty,	Laffoon,	Sayers,
Barnes,	Dowdney,	Lanham,	Seranton,
Belmont,	Eden,	Lawler,	Seney,
Bland,	Farquhar,	Lovering,	Sessions,
Bliss.	Foran,	Lowry,	Seymour, -
Blouut,	Ford,	Mahoney,	Singleton,
Breckinridge, C. R.		Martin,	Snyder,
Brown, W. W.	Frederick,	Maybury,	Sowden.
Brumih,	Funston,	MeAdoo,	Springer,
Buck,	Glass,	McComas,	Stahlnecker,
Butterworth.	Hall.	McMillin,	Stewart, Charles
Bynum.	Halsell.	McRae,	Stone, W. J., Ky.
Cabell.	Harmer,	Morgan,	Swope,
Caldwell.	Harris,	Morrison;	Taylor, Zach.
Campbell, Felix	Hatch,	Murphy,	Townshend,
Campbell, J. M.	Heard,	Neal,	Viele,
Campbell, T. J.	Henderson, D. B.	Neece,	Ward, J. H.
Clements.	Herbert.	Norwood,	Warner, A. J.
Cobb,	Hermann,	Osborne,	Weaver, A.J.
Collins.	Hewitt,	Outhwaite,	Weaver, J. B.
Compton,	Hitt,	Parker,	West,
Conger,	Holman,	Payson,	Wheeler,
Cooper,	Holmes,	Perry,	White, A. C.
Cox,	Hopkins,	Peters,	Whiting,
Crisp,	Hutton,	Pettibone,	Wilkins,
Culberson,	Irion,	Pindar,	Willis,
Curtin.	James,	Plumb,	Wilson,
Dargan,	Johnston, T. D.	Randall.	Wise,
Davidson, A. C.	Jones, J. H.	Reagan,	Wolford,
Davis,	Jones, J. T.	Richardson,	Worthington.
Dockery,	Ketcham.	Riggs,	
TO THE OWNER OF THE OWNER	ATTENDED TO THE PARTY OF THE PA		

	NOT VO	TING-110.	
Adams, G. E. Aiken, Allen, C. H. Anderson, C. M. Anderson, J. A. Arnot, Baker, Barbour, Barksdale, Beach, Brady, Bragg, Bucbanan, Burleigh, Burrows, Candler, Carleton, Caswell, Catchings, Clardy, Comstock, Crain, Cutcheon, Davenpore, Davelson, R. H. M.	Dingley, Dunham, Ellsberry, Ermentrout, Evans, Findlay, Fisher, Gallinger, Gibson, C. H. Gibson, Eustace Glover, Goff, Green, R. S. Grosvenor, Hale, Hammond, Hanback, Haynes, Henderson, T. J. Henley, Hepburn, Hill, Hires, Houk, Howard, Johnson, F. A.	OTING—110. Landes, Le Fevre, Libbey, Lindsley, Lore, Markham, McCreary, McKinley, Merriman, Miller, Mills, Mitchell, Morrill, Morrow, Muller, O'Donnell, O'Ferrall, O'Hara, Owen, Peel, Phelps, Pidoock, Ranney, Reese,	Rowell, Sadler, Shaw, Spriggs, Steele, Stewart, J. W. Stone, W. J., Mo. Storm, Tarsney, Taylor, E. B. Taylor, E. B. Taylor, J. M. Thomas, J. R. Thompson, Throckmorton, Tillman, Tucker, Turner, Van Schalek, Wade, Wade, Wadsworth, Wallace, Wellborn, White, Milo Winans, Woodburn,
Dawson, Dibble,	Johnston, J. T. King,	Rockwell, Rogers,	

Mr. DOCKERY. I ask unanimous consent that the reading of the names of members voting may be dispensed with.

Mr. NELSON objected, but withdrew his objection before the read-

ing of the list was completed.

The following additional pairs were announced:

Mr. PIDCOCK with Mr. JOHNSTON, of Indiana, until August 2. Mr. O'FERRALL with Mr. JOHNSON, of New York, for the remainder

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on ordering the previous question upon the passage of the bill.

Mr. EVERHART. Is it in order to move to recommit the bill with

instructions?

The SPEAKER. It is not. The House has just voted upon a mo-tion to recommit with instructions, and the rule provides that only one

such motion shall be entertained.

The previous question was ordered.

The question was taken on the passage of the bill; and there were—ayes 121, noes 9.

Mr. NELSON. No quorum has voted.

Mr. PAYSON. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were-yeas 210, nays 6, not voting 106; as follows:

	YE	AS-210.	1
Adams, J. J.	Dowdney,	La Follette,	Ryan,
Allen, J. M.	Dunn,	Laird,	Sawyer,
Atkinson,	Eden,	Lanham,	Sayers,
Baker,	Eldredge,	Lawler,	Scott,
Ballentine,	Ely,	Lehlbach.	Scranton.
Barnes,	Evans,	Lindsley,	Sessions,
Barry,	Everhart,	Louttit,	Seymour,
Bayne,	Farquhar,	Lovering,	Singleton,
Belmont,	Fleeger,	Lyman,	Skinner.
Bingham,	Foran,	Mahoney,	Smalls.
Blanchard,	Ford,	Markham,	Snyder,
Bland,	Forney,	Martin,	Sowden,
Bliss.	Frederick.	Matson,	Springer,
Blount.	Fuller,	Maybury,	Stahlneeker.
Bound,	Funston,	MeAdoo,	Stephenson,
Boutelle,	Geddes,	McCreary,	Stewart, Charles
Boyle,	Gibson, C. H.	Makanna	St. Martin.
	Gilfillan,	McKenna, McMillin,	
Brady,			Stone, E. F.
Breckinridge, C. I		McRae,	Stone, W. J., Ky.
Breckinridge, WC	r.Glover,	Merriman,	Strait,
Browne, T. M.	Green, W. J.	Millard,	Struble,
Brown, C. E.	Grout,	Moffatt,	Swinburne,
Brown, W. W.	Hall,	Morgan,	Swope,
Buck,	Halsell,	Morrison,	Symes,
Bunnell,	Harmer,	Muller,	Tarsney,
Butterworth,	Harris,	Murphy,	Taulbee,
Bynum,	Hatch,	Neal,	Taylor, Zach.
Cabell,	Heard,	Neece,	Thomas, O. B.
Caldwell,	Hemphill,	Negley,	Townshend,
Campbell, Felix	Henderson, D. B.	Norwood,	Trigg.
Campbell, J. E.	Henderson, J. S.	Oates,	Van Eaton,
Campbell, J. M.	Hepburn,	O'Neill, J. J.	Viele,
Campbell, T. J.	Herbert,	Osborne,	Wait.
Cannon,	Hermann,	Outhwaite,	Ward, J. II.
Carleton,	Hewitt,	Parker,	Ward, T. B.
Catchings,	Hiestand.	Payne,	Warner, A. J.
Clements,	Hires,	Payson,	Warner, William
Collins,	Hiscock,	Perkins,	Weaver, A. J.
Compton.	Hitt,	Perry,	Weaver, J. B.
Conger,	Holman,	Peters,	Weber,
Cooper,	Holmes,	Pettibone,	West,
Cowles,	Hopkins,	Pindar,	Wheeler,
Cox,	Hudd.	Pirce,	White A ft
Crain,	Hutton,	Plumb.	White, A. C.
Crain,	Trion,		Whiting,
Crisp,	Ision,	Randall,	Wilkins,
Culberson,	Jackson,	Reagan,	Willis,
Dargan.	James,	Reed, T. B.	Wilson,
Davidson, A. C.	Johnston, T. D.	Reid, J. W.	Wise,
Davis,	Jones, J. H.	Rice,	Wolford,
Dingley,	Jones, J. T.	Richardson,	Woodburn,
Dockery,	Kelley,	Riggs,	Worthington.
Dorsey,	Kleiner,	Rockwell,	
Dougherty.	Laffoon.	Romeis.	

Dougherty, Laffoon, Romeis, NAVS-6 Bennett, Daniel. Nelson.

Н	-Croxton.	Little,	A CONTRACTOR OF THE CONTRACTOR		
		NOT VOTING-106,			
	Adams, G. E.	Ellsberry,	Le Fevre.		
	Aiken,	Ermentrout,	Libbey,		
	Allen, C. H.	Felton,	Long,		
	Anderson, C. M.	Findlay,	Lore,		
	Anderson, J. A.	Fisher,	Lowry,		
	Arnot,	Gallinger,	McComas,		
	Barbour,	Gay,	McKinley,		
	Barksdale,	Gibson, Eustace	Miller,		
	Beach,	Goff,	Milliken,		
	Bragg.	Green, R.S.	Mills,		
	Brumm,	Grosvenor,	Mitchell,		
	Buchanan,	Guenther,	Morrill,		
	Burleigh,	Hale,	Morrow,		
	Burnes,	Hammond,	O'Donnell,		
	Burrows,	Hanback,	O'Ferrall,		
	Candler,	Hayden,	O'Hara,		
	Caswell,	Haynes,	O'Neill, Charles		
	Clardy,	Henderson, T. J.	Owen,		
	Cobb,	Henley,	Peel,		
	Comstock,	Hill,	Phelps.		
	Curtin,	Houk,	Pideock,		
	Cutcheon,	Howard,	Price,		
	Davenport.	Johnson, F. A.	Ranney,		
	Davidson, R. H. M.	Johnston, J. T.	Reese,		
	Dawson,	Ketcham,	Robertson,		
	Dibble,	King,	Rogers,		
	Dunham,	Landes,	Rowell,		

So the bill was passed.

Spooner.

Sadler, Seney, Shaw, Snaw, Spriggs, Steele, Stewart, J. W. Stone, W. J., Mo.

Stone, W. J., Mo.
Storm,
Taylor, E. B.
Taylor, I. H.
Taylor, J. M.
Thomas, J. R.
Thompson,
Throckmorton, Tillman, Tucker, Turner, Van Schaick, Wade, Wadsworth, Wakefield, Wallace, Wellborn, White, Milo Winans.

On motion of Mr. DOCKERY, by unanimous consent the reading of the names of members voting was dispensed with.

Mr. McCOMAS. Mr. Speaker, I was on a conference committee and heard of the roll-call and hurried here to vote on this bill. Can I now, under the rule, ask unanimous consent to vote?

The SPEAKER. The Chair state how he would have voted. The Chair thinks not, but the gentleman may

Mr. McCOMAS. If I had been present I would have voted "ay."
The following additional pairs were announced:

Mr. Lore with Mr. Brumm, for the rest of the day.
Mr. Le Fevre with Mr. Wakefield, for the rest of the day.
Mr. Burnes with Mr. Owen, for the rest of the day.
Mr. Lowry with Mr. O'Neill, of Pennsylvania, for the rest of the

The result of the vote was then announced as above recorded.

Mr. PAYSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. SPRINGER. I ask unanimous consent to submit a resolution in regard to a session on next Monday night for the consideration of private bills.

Several Members. Oh, no.
The SPEAKER. Objection is made by several gentlemen.

EMILY C. STANNARD.

Mr. LOVERING submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2609) granting a pension to Emily C. Stannard having met, after full and free conference have been unable to

H. B. LOVERING, W. P. TAULBEE, E. N. MORRILL, Managers on the part of the House. H. W. BLAIR,
W. J. SEWELL,
E. K. WILSON,
Managers on the part of the Senate.

Mr. GROUT. I move that the House recede-

The SPEAKER. The first question is upon accepting the report just read, which will be done if there be no objection.

There was no objection.

Mr. GROUT. I move that the House recede from its amendment.

Mr. SPRINGER. What is the amendment? The SPEAKER. The amendment will be read:

The Clerk read as follows:

In line 6 strike out "one hundred" and insert "fifty." In line 7 strike out "June 1, 1886," and insert "the passage of this act;" so

In line 7 strike out June 1, 1009, and the the line of the pension laws, the name of Emily C. Stannard, widow of the late George J. Stannard, brevet major-general of volunteers, and to pay her a pension at the rate of \$50 a month from and after the passage of this act.

The SPEAKER. The question is on the motion of the gentleman from Vermont [Mr. GROUT] that the House recede from its amend-

Mr. GROUT. Mr. Speaker, I propose in the fewest possible words to make clear the grounds on which the House is asked to recede from this amendment, which reduces the amount expressed in the Senate bill from \$100 per month to \$50 per month as the allowance for the widow of General Stannard. I want to say that it is not alone because of the distinguished services of this officer, though it must ever remain a proud passage in the history of our common country how at Gettys-burg, in the very nick of time, Stannard swung out the "Green Mount-ain boys" upon the flank of Pickett's division, changing front forward on the right in the midst of shot and shell, and thus getting home upon the flank of that advancing column. When close upon the flank of Pickett's force, Stannard's men poured volley after volley straight into those brave fellows, who were pressing forward to break through our center. This continuous fire was more than the stoutest and best disciplined troops could endure, and the column fell back in confusion, and the day was won.

I say, however, it is not alone because of this historical achievement of Stannard that this pension of \$100 per month, as proposed by the Senate, should be granted; yet so distinguished service should receive the attention of the House and be properly understood. I desire to read from the report of the committee who favorably reported this bill a portion of the account of this attack and repulse as given by Colonel Benedict, the military historian of the State of Vermont, who was himself a participant in this affair, being at that time upon the staff of Gen-

eral Stannard:

The front of our regiments, where they opened fire, was hardly a dozen rods from the enemy's flank, and they advanced while firing, so that that distance was much lessened. At this short range the Thirteenth fired ten or fifteen rounds, and the Sixteenth probably half that number, into a mass of men on which every bullet took effect, and many doubtless found two or three victims. The effect upon the rebel lines was instantaneous. Their progress ceased close upon the breastworks of the Second Corps. For a moment they crowded to-

gether in bewilderment, falling like wheat before the reaper; then breaking into a disorderly mob they fied in all directions. The larger portion, on their right and center, dropped their arms and rushed within our lines as prisoners. On their left, where Pettigrev's division had made a less resolute advance, the larger portion retreated whence they came. Their dead and wounded and small arms by thousands strewed the ground over which they charged.

But the work on the left center was not yet ended. The rebel brigade, which formed the support to Pickett's division on the right, was now advancing across the open fields. It did not follow the flank movement which had proved so disastrous to the main column, but marched straight forward, directing its course upon the position of the Fourteenth Regiment. The Fourteenth received it with a hot fire in front, while the Sixteenth (which had been already faced about by Colonel Veazey and started back in anticipation of the order) was ordered back to take them on the flank. The Thirteenth was at the same time directed to take its former position. The enemy's batteries, which had ceased their fire, now reopened with redoubled fury, and shot and shell tore thickly through the ranks of our regiments as these orders were obeyed. They sustained it without being thrown into disorder, some of the rebel accounts to the contrary notwithstanding.

The Thirteenth resumed its place in the line in good order, while the Sixteenth, marching by flank, hurried back at double quick across the open field, losing many men Killed or wounded, but keeping its formation as perfectly as if marching on parade. Soon changing front to the left, the regiment formed in line of battle, facing obliquely the left flank of the rebel force, now brought nearly to a halt by the front fire. At Colonel Veazey's request, preferred in person to General Stammard, he was now given permission to charge. The regiment feld, losing a shot. The movement was so sudden that the rebel commander could effect no change of

I desire also to read some extracts from Richmond papers published within a few days after the battle of Gettysburg, and which will be accepted as good authority, giving an account of this movement. The Richmond Sentinel of July 13, 1863, speaking of Pickett's charge, contained the following passage:

The order-

To advance-

was given at 3 p. m., and the advance was commenced, the infantry marching at common time across the field, and not firing a musket until within 75 yards of the enemy's works. As Kemper's brigade moved up it swung around to the left and was exposed to the front and flanking fire of the Federals, which was very fatal. This swinging around unmasked a part of the enemy's force, five regiments being pushed out from their left to the attack.

Directly after this force was unmasked our artillery opened on it with terrible precision."

Soon confederate flags were planted on the stone fence, but there not being enough men to support them, they were captured by the advancing Yankee force, and nearly all of our severely wounded were left in the hands of the

enemy.

The First Virginia carried in one hundred and seventy-five men, about twenty-five having been detailed for ambulance and other duty. They brought out between thirty and forty, many even of them being wounded. There was but one officer of the regiment who was not killed or wounded, and that was Lieutenant Ballou, who now commands it.

Another account in the same paper is derived from a surviving officer of the First Virginia. He says:

When the firing of cannon ceased the order for the infantry to advance was given, which was done at common time—no double-quicking or cheering, but solemnly and steadily those veterans directed their steps toward the heavy and compact columns of the enemy. The skirmishers were at once engaged, the enemy having a double line of skirmishers to oppose our single line. The enemy were driven from their position behind a stone fence, over which intrenchments had been thrown up, and our forces occupied their position about twenty minutes. About this time a flanking party of the enemy, marching in a column by regiments, was thrown out from the enemy's left on our extreme right, which was held by Kemper's brigade, and by an enfilading fire forced the retirement of our troops.

That was Stannard's force.

That was Stannard's force.

With their repulse the heavy fighting of the day terminated. Our loss here was heavy, and our forces, after the most desperate fighting, were forced to fall back beyond the range of fire.

The correspondent of the Richmond Inquirer, in a vivid account of the charge, after stating that Pettigrew's division, on the left, first broke, adds:

"Pickett is left alone to contend with the hordes of the enemy pouring in on him on every side. Garnett falls, killed by a minie ball, and Kemper, the brave and chivalrous, reels under a mortal wound, and is taken to the rear. Now the enemy move around strong flanking bodies of infantry, and are rapidly gaining Pickett's rear. The enemy press heavily our retreating line, and many noble spirits who had passed safely through the advance and charge now fall on right and left. Armistead is wounded and left in the enemy's hands. The shattered remnant of Wright's Georgia brigade is moved forward to cover their retreat, and the fight closes here."

Similar extracts might be multiplied, but those given are sufficient to show that on the rebel side, at least, and corroborative evidence is not wanting on our own.

own.

In Major-General Doubleday's testimony before the Congressional Committee on the Conduct of the War he says, after describing the flank attack: "The prisoners stated that what ruined them was Stannard's brigade on their flank, as they found it impossible to contend with it in that position, and they drew off, all in a huddle, to get away from it."

Bachelder says: "Stannard, whose brigade was at the front, moved it by the right flank, changed front forward on first company, and with his Green Mount-

ain Boys opened a murderous fire upon their (the enemy's) exposed flank. The effect was resistless. The ground lay thickly covered with killed and wounded; hundreds, thousands threw down their arms; while the broken, shattered mass sought refuge behind the hills from which they had emerged."

I said it was not alone on account of Stannard's bravery and soldiership displayed at Gettysburg, though they are worthy of very great consideration, that this unusual sum is asked. The distinguishing ground upon which the Senate fixed this pension at \$100 a month, instead of \$50, the sum generally allowed the widows of general officers, is based upon the condition of General Stannard's widow, who is a confirmed invalid, unable to raise her hand to her head, and who requires the constant care of another person and more or less medical care, while there is an invalid daughter, unmarried, who is also a

member of the family.

Another daughter, also unmarried, remains in the family to care for her mother and sister as far as she can. There are then three persons to provide for, and it will be seen that an allowance of \$50 a month would be entirely insufficient for that an allowance of \$50 a month would be entirely insufficient for that purpose, insufficient to feed and clothe and house the persons and pay for the medical attendance of two invalids. If an allowance of only \$50 a month be made, the support of these three persons will, I fear, have to be provided for to some extent out of the contributions by the soldiers of Vermont, who would not see the family of the hero of Gettysburg in want or in the poor-house.

General Stannard was wounded on the field at Gettysburg by the side of General Hancock near the time the latter was wounded; and he was wounded five times afterward, losing his arm at Chapin's farm. General Hancock's widow was voted a lump sum of \$2,000 a year, and with no evidence brought to the attention of the House that Mrs. Hancock is not a person in the full possession of her physical faculties and in every respect in good health. Therefore, I say, guided by this precedent, it is not asking too much for us to ask the sum provided in the Senate bill.

Now, one word as to the action of the Committee on Invalid Pensions, which I do not wish to be understood as in any way criticising. In accordance with the rule they have adopted of only allowing \$50 to the widows of general officers, the amount in the Senate bill has been reduced to that figure.

It seems this rule was a necessary and wholesome one for them. They reported this amendment to the House, which was agreed to, and now refuse to recede from their position. This is an exceptional case in every way, and I do not believe the members of that committee and of this House, touched as you all must be with generous sympathy for this hero and for his invalid family, fail to recognize this as a case where you may well cease to longer insist upon that rule, but that on the facts as above stated a different rule may properly be adopted by the House and this larger sum be granted this poor woman, who will not be likely to long remain to need it.

Mr. MATSON. Mr. Speaker, I began my service in the House in the Forty-seventh Congress. I was appointed a member of the Com-mittee on Invalid Pensions at the same time General Stannard was ap-pointed upon the soldier's roll of this House. He was a messenger of the Committee on Invalid Pensions and continued to be from that time to his death. So I became well acquainted with him and admired and loved him because he was a modest hero. He was one of the heroes of the late war. I would as soon do a favor for his widow as I would for my own mother.

But, Mr. Speaker, this is not a question of favoritism. It is a question to make a law that is to be used hereafter as a precedent. danger is if we raise these pensions to \$100 a month for the widows of these soldiers there will not be money enough left to go round, and the difficulty will be that while some will get large pensions others will get none at all.

Mr. GROUT. Will you not admit there is ground for distinguishing between the widow and daughter of an officer who are confirmed invalids and absolutely dependent?

Mr. MATSON. I am not prepared to admit that by any means.

The widow of a soldier is pensioned only because of the death of her husband and not because of her own disability. There is no principle upon which this House can enter on that sort of a proposition, that is, to pension the widows of soldiers because of the disability of the wid-

Mr. GROUT. On what principle does the widow of General Hancock get \$2,000 a year?

Mr. MATSON. She was given a pension of \$2,000 a year because of the eminent and distinguished services of her husband, and because of his national reputation more than anything else. It was a matter of It was a pension which ought not to have been granted, and one I did not vote for and had nothing to do with. Nor will I vote for this pension, although I would rather vote for it than for the pension to General Hancock's widow. But I say this House can not afford to establish such a precedent.

After all is said in behalf of these gallant men and their stricken widows it is a matter of favoritism, a matter of pure favoritism, on the part of the House to give one widow \$100 a month and to give another a much smaller amount. The House has tolerated the practice of giving \$50 a month to the widows of general officers. It has been done in many cases. That is what should be given to the widow of General

Stannard, under the circumstances of the case, because she needs it. If she did not need it she ought to have no more than the general law gives to the widows of officers of this rank. I have no doubt, for I remember well to have heard General Stannard during his lifetime speak of the fact, that his wife was an invalid and had been upon her bed for years unable to leave it. I know that as well as I know any fact of which I have no personal knowledge.

But, Mr. Speaker, I wish if I can to impress upon the House the importance of this legislation. Some gentlemen will say this is a case that ought to be passed and that it would afford no precedent for another case that is not precisely like it in all respects. In response I say that is not a true statement of the facts. It will be used for a precedent in the case of every other general officer whose widow applies for a pension or for an increase of pension, because they all could show more or less of gallantry in the discharge of their duties while in the service. Therefore if a hundred dollars a month is given to this widow it will not be long before it will be urged that the widows of all general officers who are now receiving \$50 a month should be increased to \$100 a month, and on the same ground.

General Stannard had a pension during his lifetime of \$48 per month. That pension was increased from \$30 to \$48 by an act of Congress, the application being made at my suggestion. That increase, in my opinion, was rightly given, because he had lost his arm above the elbow, for which he received a pension of \$30 a month, and he had five wounds, I believe in one leg, besides two or three others; I think eight wounds in all. I insisted that he should make a personal application to Congress, because under the law he could get but \$30. My friend from Alabama [Mr. OATES] I think joined in that request. I remember Alabama [Mr. OATES] I think joined in that request. I remember well he had something to do with it, because he admired General Stannard. But he could only get for himself \$48 a month during his lifetime, and yet it is proposed here to give his widow \$100 a month.

Mr. McMILLIN. Is it not true that under this bill, if it passes, the widow of General Stannard gets more than he got during his lifetime? Mr. MATSON. Yes, sir; under this bill she would get \$2 per month more than General Stannard was able to get while alive.

Mr. GROUT. Will the gentleman allow me to make a suggestion? Mr. MATSON. Certainly.

Mr. GROUT. As I said, until General Stannard was appointed on the soldiers' roll of this House in the Forty-seventh Congress, owing to his infirm health and the invalid condition of his wife they were helped by the soldiers of the State. After he got this position, that, with his pension combined, was sufficient to give them the means of living.

Mr. MATSON. I do not believe that General Stannard was ever an

object of public charity.

Mr. GROUT. Not of public charity; but I can tell the gentleman that the soldiers of the State of Vermont contributed to the support of General Stannard and his family by providing them a home previous to his appointment here.

Mr. MATSON. That is not to his discredit.
Mr. GROUT. Not at all to his discredit; I am merely stating that

Mr. MATSON. The truth of the matter is that General Stannard had no business capacity to acquire for his family a subsistence during

his lifetime, although he was a most worthy and excellent man.

Mr. GROUT. No; but his health was broken, and he was unable to do anything for his family.

Mr. MATSON. During the latter part of his life he was in very

poor health.

But I insist, Mr. Speaker, that if the House recedes in this case and gives to this widow a pension of a hundred dollars a month it will be a precedent to return here and plague Congress for all time to come. It ought not to be done, for it is a clear and plain distinction.
"Vote!" "Vote!"

The SPEAKER. The question is on the motion of the

The question is on the motion of the gentleman from Vermont that the House recede from its amendment to the Senate

The question was taken; and upon a division there were ayes 59. Before the negative vote was announced,

Mr. GROUT said: No further count is required; we yield the point. I now move, if in order, that the conferees be instructed to agree on \$75 a month. [Cries of "No!" "No!"]

Mr. TAULBEE. Is that binding on the conferees?
The SPEAKER. The Chair thinks it is, but not upon the House. The conferees may bring back a proposition, especially when one of the conferees asks for this action.

The gentleman moves to instruct the next conference, when appointed, to modify the amendment so as to make the sum \$75 a month.

The question was taken; and on a division there were-ayes 57, noes

So the motion was not agreed to.

Mr. STRUBLE. Is this question disposed of?
Mr. MATSON. I move that the House insist and request a further conference.

There was no objection, and the order was made.

The SPEAKER appointed as the conferees Mr. LOVERING, IIr. TAULBEE, and Mr. MORRILL.

Mr. DOCKERY. Mr. MORRILL is out of the city.

The SPEAKER. The Chair is informed that the gentleman from Kansas has left the city, and will appoint the gentleman from Iowa, Mr. CONGER.

Mr. FORNEY was recognized.

Mr. MORRISON. I ask the gentleman to yield to me for a mo-

Mr. FORNEY. Certainly.

TREASURY SURPLUS.

On motion of Mr. MORRISON, by unanimous consent the joint resolution (H. Res. 126) providing for the payment of the surplus in the Treasury on the public debt, with Senate amendment, was taken from

the Speaker's table, the Senate amendment non-concurred in, and a conference asked by the House on the disagreeing votes thereon.

Mr. HISCOCK. I do not call for a separate vote on that question, because the House decided it very fully when the resolution was passed.

The SPEAKER. The Chair will appoint the managers on the part of the House benefits. of the House hereafter.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the fol-

lowing title; when the Speaker signed the same:

A bill (H. R. 190) for the relief of certain employés and others of the Twelfth United States light-house district.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had agreeed to the following resolutions of the House of Representatives with amendments, requested a conference with the House on the disagreeing votes of the two Houses on said resolutions and amendments, and in each case had appointed Mr. MANDERSON, Mr. HAWLEY, and Mr. GORMAN as the conferees on the part of the Senate.

Resolution of the House of Representatives of July 27, 1886, to print Senate Executive Document No. 85, Forty-ninth Congress;
Resolution of the House of Representatives of July 27, 1886, to print special intelligence report by Lieutenant Kimball and Naval-Cadet Capp, of the United States Navy, upon the progress of the Panama Canal during the year 1885;
Joint resolution (H. Res. 20) to print the annual bulletins of the

Bureau of Ethnology; and Joint resolution (H. Res. 87) providing for the printing and distribu-

tion of documents of the monetary conferences of 1878 and 1881.

The message further announced that the Senate had agreed to the resolution of the House for the printing of 5,000 copies of the navigation and custom collection laws relating to vessels, including the laws relating to merchant seamen and the regulation of steam-vessels, compiled by the Bureau of Navigation in the Treasury Department.

The message further announced that the Senate had passed a resolution, in which the concurrence of the House was requested, for printing and hinding 5,000 additional copies of the report of the Bureau of

ing and binding 5,000 additional copies of the report of the Bureau of Education on art and industry; 1,000 for the use of the Senate, 2,000 for the use of the House, and 2,000 for the use of the Bureau of Edu-

cation.

The message also announced that the Senate had passed a bill (S. 2126) for the relief of L. B. Townsend, Louis D. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett; in which the concurrence of the House was re-

The message further announced that the Senate had passed with amendment, in which the concurrence of the House was requested, the bill (H. R. 2124) amendatory of and supplementary to "an act to alter the judicial districts of Pennsylvania, and for other purposes," approved May 26, 1824, and providing an additional place for holding the several courts thereof.

MARY E. CASEY.

Mr. WEAVER, of Nebraska. I ask unanimous consent to move non-concurrence in the amendment of the Senate to the bill (H. R. 5003) for the relief of Mary E. Casey, and that a conference be requested. Mr. HOLMAN. Let us understand what the amendment is. Mr. REED, of Maine. The House proposes to give land, and the Sen-

ate proposes to give money.

Mr. HOLMAN. I understand the difference between the two prop-Senate, more wisely I think, proposes to give 80 acres of land, while the Senate, more wisely I think, proposes to pay this applicant \$134. I move that the House concur in the Senate amendment.

Mr. WEAVER, of Nebraska. I will agree to that.

The Senate amendment was concurred in.

Mr. HOLMAN moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FORTIFICATIONS APPROPRIATION BILL.

Mr. FORNEY. I rise to make a privileged report. I am directed by the Committee on Appropriations to report back the Senate amend-

ments to the fortifications appropriation bill, recommending non-con-

The report of the Committee on Appropriations was read, as fol-

The Committee on Appropriations, to whom was referred the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes, with amendments of the Senate, report as follows: They recommend non-concurrence in the amendments 1, 2, 3, 4, and 5.

Mr. FORNEY. I move the previous question.
Mr. BUTTERWORTH. I ask the gentleman to yield to me for one
moment. I submit to my friend from Alabama the propriety of having some expression from the House touching these amendments. It will be remembered the House showed a disposition to increase the appropriation to \$3,000,000 if the money could be expended in the manner suggested by this body. The Senate has increased the appropria-tion to \$6,000,000 and inserted certain provisions as to the expenditure of that sum; providing for the manufacture of steel for guns, for the purchase or manufacture of two steel guns, for the establishment of a plant for finishing heavy ordnance, also for the purchase of rifled mortars from a Boston foundery. It occurs to me some expression on the

part of the House before we go into conference would be advisable.

The SPEAKER. Even if the previous question should be ordered it is the right of any member to demand a separate vote on each amend-

ment.

Mr. REED, of Maine. Can not we have an explanation of the amendments before we are called on to vote on them

The SPEAKER: It is not for the Chair to answer that question. Mr. REED, of Maine. Is the commission re-established in this bill? Mr. BUTTERWORTH. It is not.

The previous question was ordered.
The SPEAKER. Gentlemen can indicate the amendments on which separate votes are desired.
Mr. REED, of Maine. Let the amendments be read.

The Clerk read the first and second amendment, as follows:

The Clerk read the first and second amendment, as follows:

Add at the end of section 1, the following:

"(1) For continuing the sea-wall around Governor's Island, \$50,000."

Strike out section 2, as follows:

"(2) For the armament of seacoast fortifications, including the procurement of steel forgings for the manufacture of heavy guns; for guns, carriages, projectiles, fuses, powder, implements, and materials for which shall all be of American production, their trial and proof, and the testing of improvements of the same, and all necessary expenses incident thereto, \$500,000, to be available until expended."

And in sert in lieu thereof the following:

"For the purchase, manufacture, and erection of the necessary tools and machinery for the finishing and assembling of heavy ordnance at the Frankford Arsenal, Philadelphia, Pa.; for guns in process of construction, gun-carriages, projectiles, fuses, powder, implements, and materials for the trial and proof of such ordnance, and to complete the two 10-inch breech-loading steel guns now under fabrication, their trial and proof, and all necessary expenses incident thereto, including compensation of draughtsman on gun construction while employed in the Ordnance Bureau, \$400,000, to be available until expended."

Mr. McKENNA. Mr. Sneaker, if the point of order were made.

Mr. McKENNA. Mr. Speaker, if the point of order were made, would not these amendments have to be considered in Committee of the Whole?

Mr. SPEAKER. They would, if the point of order had been made in time before the House entered upon the consideration of the amendments.

Mr. REED, of Maine. The amendments have not been read yet.

The SPEAKER. But the House has ordered the previous question on them. If any gentleman had demanded the reading of them they would have been read and the point of order could have been made; but no gentleman called for the reading of the amendments, and the

House has just ordered the previous question.

Mr. REED, of Maine. But the regular order is to read them without its being demanded. Why was that departed from in this case?

The SPEAKER. The Chair does not know.

Mr. REED, of Maine. I trust that hereafter the regular course will be followed, and that bills will be read in the usual way, whether the

be followed, and that bills will be read in the usual way, whether the reading is called for or not.

Mr. RANDALL. That would only impede the passage of the bill.

Mr. REED, of Maine. But there is such a thing as the decent, proper passage of a bill, and there is also such a thing as the improper passage of a bill. We are not here merely to pass bills, but to pass bills understandingly. I should like to know how it happened that this was not read according to the regular form.

The SPEAKER. The Chair thinks the point of order is now too late. Does any gentleman desire a separate vote on this amendment?

Mr. BUTTERWORTH. Mr. Speaker, I suppose there is no time for discussion of the amendment.

discussion of the amendment. The SPEAKER. The previous question has been ordered, and the

committee recommend non-concurrence in this amendment.

Mr. BUTTERWORTH. I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. BUTTERWORTH. I am on the subcommittee on this bill, but was not present when it was considered in the committee, and hence was not advised as to what course would be taken in the House in regard to it. I ask now whether there will be any opportunity to dis-

The SPEAKER. The committee recommend non-concurrence, and the previous question has been ordered, but notwithstanding that it is competent for any gentleman to move to concur, and the motion will have priority.

Mr. BUTTERWORTH. Then I move that the House concur in

this amendment.

Now, Mr. Speaker, although the previous question has been ordered,

is there not thirty minutes for debate? The SPEAKER. There is. Under There is. Under the rules of the House thirty minutes are allowed for debate, fifteen minutes in support of the recommendation of the committee and fifteen minutes in opposition to it. The Chair, however, does not desire to be understood as now deciding that that would apply to each one of these amendments. The Chair has never been called upon to decide the question whether after the first thirty minutes have been exhausted any more time will be allowed

Mr. BUTTERWORTH. I shall occupy only a few minutes on this

Mr. SPRINGER. I rise to a point of order. The SPEAKER. The gentleman will state it.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. My point is that the gentleman is too late after two or three of the amendments have been read and discussed.

The SPEAKER. The reading of the amendments is not discussion. Mr. SPRINGER.

But there was discussion. The Chair remembers none. The SPEAKER.

Mr. BUTTERWORTH. Mr. Speaker, I rise simply to call the attention of the House to the Senate amendments, not for the purpose of urging their adoption in the exact form in which they are presented, but in order that the House may indicate to its conferees what it desires to have done in regard to the provisions of the amendments which have reference to securing a proper plant for the manufacture of guns and ordnance, and generally for providing the necessary enginery of war. There is no question but that we are greatly deficient in facilities for the manufacture of steel guns. We have no plant that is sufficient for the manufacture of the class of guns which are now used in Europe and which will be used here in case of war.

The House has already indicated a willingness if a board could be appointed to supervise the expenditure of the money to appropriate three million or three and a half million dollars to put the country in proper condition of defense, at least I inferred that the House was prepared to vote that appropriation if the money could be expended under the supervision of a board to be appointed for that purpose.

ate has amended the House bill.

I will read the second amendment, and we can determine whether it is a wise one. That it is a step in the right direction every member of this House knows. That the step is indispensable, and must be taken now or at an early day, no gentleman upon this floor doubts. But whether it is properly taken in this amendment, or whether the provision is in all respects what it ought to be, whether it contains suitable conditions and proper limitations, is a question upon which I for one would like the judgment of this House. I have conversed with the distinguished chairman of the Committee on Appropriations, who has given considerable attention to this matter, and I think I but re-flect his judgment when I say that he desires a liberal appropriation if it can be expended under proper direction and supervision

Mr. RANDALL. I am much obliged to the gentleman, but I would

rather speak for myself.

Mr. BUTTERWORTH. I have never known the gentleman when he did not desire to speak for himself, and I have no desire to speak for him, but I think I do not mistake the tenor of the interviews that we have had with respect to this subject, in which we both expressed a deep interest-

Mr. RANDALL. I have never legislated except in public.

Mr. BUTTERWORTH. I understand that, nor have I suggested that the gentleman has attempted to legislate otherwise. I only intimated that as I understood his views in regard to this measure it was as I have suggested. If I am wrong in that, then I will retract and say that I do not understand that the gentleman has any definite position on the subject. [Laughter.]

The provision inserted by the House was this:

SEC. 2. (2) For the armament of seacoast fortifications, including the procurement of steel forgings for the manufacture of heavy guns; for guns, carriages, projectiles, fuses, powder, implements, and materials for which shall all be of American production, their trial and proof, and the testing of improvements of the same, and all necessary expenses incident thereto, \$500,000, to be available until expended.

Now I will read the Senate provision, which differs from the House provision chiefly in amplifying the powers of the Secretary having control of the expenditure of the appropriations. In other words, the Senate authorizes the officers of the Government to procure the things which this House concedes to be indispensable to the proper armament of the country. This is the Senate provision:

For the purchase, manufacture, and erection of the necessary tools and machinery for the finishing and assembling of heavy ordnance at the Frankford arsenal, Philadelphia, Pa.; for guns in process of construction, gun-carriages, projectiles, fuses, powder, implements, and materials for the trial and proof of such ordnance, and to complete the two 10-inch breech-loading steel guns now under fabrication, their trial and proof, and all necessary expenses incident

thereto, including compensation of draughtsman on gun construction while employed in the Ordnance Bureau, \$400,000, to be available until expended.

Whether that provision fully meets all requirements I do not pretend at this moment to say. The idea is, it will be remembered, that the steel ingots, the rough boring, &c., for guns should be secured by contract with private parties and the work finished at the arsenals of the Government; that such contracts should be made as will enable our own people to provide the steel, &c., necessary for making the guns, and that when the material is thus provided the work shall be finished at the Frankford arsenal, Pennsylvania, or such other place as Congress may suggest or direct.

The particular clause of the provision of the Senate amendment re-

lating to plant is the following:

For the purchase, manufacture, and erection of the necessary tools and machinery for the finishing and assembling of heavy ordnance at the Frankford areenal, Philadelphia, Pa.

The difference between this and the House proposition is not very

substantial, except in this, that the Senate in express terms authorizes that to be done which we say ought to be done, and which can not be done in the absence of a provision authorizing the establishment of plants, or a plant with suitable tools and machinery, and also the making of contracts with firms that are able to produce the steel in such condition as may be required.

Mr. BUCK. Is there not this additional difference, that in the bill as amended by the Senate there is no provision for the fabrication of anything but cast-iron mortars and other large guns, no provision being made for the fabrication or purchase of smaller guns for secondary bat-

teries, whereas in our bill we made such provision?

Mr. BUTTERWORTH. That is true. In other words, while the Senate amendment provides for one emergency, it omits some impor-

tant provisions inserted by the House.

I hope my friend from Alabama [Mr. FORNEY] who has had charge of the bill will point out the particular objections he has to this amendment. I hope the gentleman from Pennsylvania [Mr. RANDALL] will do the same. Let us do something; let us not refuse to do anything for fear we may go wrong. This is a plain business proposition, as I understand it. I shall be very glad to hear from my friend from Alabama what it is in this proposition that he objects to. It is not conclusively settled, I may say, that steel guns are to be the guns of the future; but whether they are to be steel or iron or both, it is clear we must have the guns.

Mr. FORNEY. My objection is simply to the establishment of a

plant at Frankford, Pa

Mr. BUTTERWORTH. I cannot hear my friend from Alabama. I will yield the floor for the present, reserving the residue of my fifteen minutes until the gentleman from Alabama [Mr. FORNEY] has spoken.

PHŒNIX NATIONAL BANK.

The SPEAKER announced the appointment of Mr. SPRINGER, Mr. LANHAM, and Mr. BUCHANAN as managers on the part of the House at the conference on the disagreeing votes of the two Houses upon the bill (S. 1599) for the relief of the Phoenix National Bank of the city of

Mr. PRICE. I desire to state that the gentleman from New Jersey

[Mr. BUCHANAN] has gone home sick.

The SPEAKER. The Chair understands that he will return soon; if not, some other gentleman will be substituted.

PAYMENT OF SURPLUS ON PUBLIC DEBT.

The SPEAKER also announced the appointment of Mr. Morrison, Mr. Breckinridge of Kentucky, and Mr. Hiscock as managers on the part of the House at the conference on the disagreeing votes of the two Houses upon the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

J. J. B. WALBACH.

Mr. TUCKER, by unanimous consent, reported back favorably from the Committee on the Judiciary a bill (H. R. 9017) to remove the po-litical disabilities of J. J. B. Walbach, of Baltimore, Md.; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

PROPOSED EVENING SESSION.

Mr. SPRINGER. I ask unanimous consent that the House consider and adopt at this time a resolution providing for a session on next Monday night for the consideration of private bills.

Several members objected.

FORTIFICATIONS APPROPRIATION BILL.

The House resumed the consideration of the amendments of the Senate to the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes

Mr. FORNEY. Mr. Speaker, the difference between section 2 as passed by the House and the amendment proposed by the Senate consists in this: The Senate proposes the erection of all necessary tools and machinery for the finishing and assembling of heavy ordnance at the Frankford arsenal, Philadelphia, Pa. This is the beginning of the establishment of a plant there. Now, the question is whether the House is ready to commence the establishment of a plant at that particular point. One other difference: We appropriate \$500,000 for the purchase of steel forges for the manufacture of heavy guns, &c.; the Senate proposes to appropriate \$400,000. These are the only differences between the House bill and the Senate amendment in reference to this section. The Committee on Appropriations recommend nonconcurrence

Mr. BUTTERWORTH. Ido not know that I understood the ground

of the gentleman's objection.

Mr. FORNEY. I object to establishing a plant at Frankford, Pa.

Mr. BUTTERWORTH. Then I understand the only or chief objection is that this provision of the Senate looks to establishing a plant

at Frankford, Pa., or enlarging the plant already there.
Mr. FORNEY. Yes, sir.
Mr. BUTTERWORTH. Now, I do not know that it is important to establish a plant at Frankford, Pa.; but that it is important to establish a plant somewhere everybody admits. If my friend from Alabama can suggest a better place I for one am quite willing to assent.

Mr. FORNEY. I should say Birmingham, Ala.

Mr. BUTTERWORTH. Well, I am not averse to establishing a plant at Birmingham, Ala., if from a practical business point of view that is the better place. I am willing to establish a plant at two or three places in this country, if necessary, in order that the United States may in matter of proper equipment for offensive and defensive warfare stand before the world abreast with at least fourth-rate nations. That we cought to establish a plant semawhere is beyond one. That we ought to establish a plant somewhere is beyond question. It is a plain, practical, business proposition, and should be so considered. Frankford is named, I presume, because we already have a plant there, but it is not provided with sufficient tools and machinery necessary to manufacture or complete the kind of guns now in use and which are confessedly required for public defens

Mr. CURTIN. And because the Government already has an estab-

lishment there.

Mr. BUTTERWORTH. Undoubtedly the Government has valuable property there in the shape of buildings, machinery, tools, &c., and I know of no reason why that plant should not be enlarged and fitted up to meet the demands resulting from the growth in the art which pertains to the production of implements and enginery of war. If any of our friends here can suggest another place better suited to the purpose I am quite willing to agree to it. If my information is correct there has been an arsenal at Frankford almost ever since the Government was founded.

There is another thing which ought to be provided for, and which

the Senate amendment omits; that is, the purchasing of guns.

The SPEAKER. The hour of 5 o'clock having arrived, the House stands adjourned until Monday morning next at 11 o'clock.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ALLEN, of Mississippi: Papers relating to the claim of Thomas S. Slaughton, of Alcorn County, Mississippi-to-the Committee on War Claims.

By Mr. FORNEY: Petition of Elizabeth Booker, of Cherokee County, Alabama, asking that her claim be referred to the Court of -to the same committee.

By Mr. MORGAN: Petition of the heirs of Jos. A. Grier, of Mar-

shall County, Mississippi, for relief—to the same committee.

Also, papers in the case of John Carruth, of Benton County, Missis-

sippi-to the same committee.

By Mr. NEAL: Petition of Mrs. Annie Lynch Hamilton, daughter of Patrick Lynch, deceased, of Fulton County, Georgia, requesting that her war claim be referred to the Court of Claims—to the same com-

By Mr. ZACH. TAYLOR: Petition of Jonathan Newman, of Jefferson County; of John W. Cain, of Hamblin County; and of W. A. Albright, administrator, of Shelby County, Tennessee, asking that their claims be referred to the Court of Claims-to the same committee

The following petitions, asking for the passage of House bill 7887, repealing timber-culture, pre-emption, and desert-land acts; of House bill 7021, for adjustment of railroad and other land grants; of bill forfeiting all railroad land grants the conditions of which have not been strictly complied with; of House bill organizing the Territory of Oklahoma; of Senate bill opening a portion of the great Sioux reservation to settlement; of bill prohibiting aliens from holding land in the United States; of bill making Presidential and Congressional election days holidays, and punishing bribery; and of bill directing disbursement of at least \$200,000,000 Treasury surplus, and substituting Treasury notes for bank notes retired, were severally referred to the Committee on the Public Lands:

By Mr. RIGGS: Petition of F. H. Crandell and others, of Pike

County, Illinois.

By Mr. SAWYER: Petition of George Burkhardt and 39 others, and of J. W. Whittleton and 22 others, citizens of the thirty-first district of New York.

SENATE.

Monday, August 2, 1886.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Saturday last was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had concurred in the amendment of the Senate to the bill (H. R. 5003) for the relief of Mary E. Casey

The message further announced that the House had non-concurred in the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Morrison, Mr. W. C. P. Breckinridge, and Mr. Hiscock the managers at the conference on the part of the House. ence on the part of the House.

The message also announced that the House further insisted upon its amendments to the bill (S. 2609) granting a pension to Emily J. Stannard, disagreed to by the Senate, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOVERING, Mr. TAULBEE, and Mr. CONGER the man-

agers at the further conference on the part of the House.

The message also announced that the House insisted upon its amendment to the bill (S. 1599) for the relief of the Phœnix National Bank, of the city of New York, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Springer, Mr. Lanham, and Mr. BUCHANAN the managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by

the President pro tempore:

A bill (S. 1008) to empower the Board of Foreign Missions of the Methodist Protestant Church to hold property in the District of Co-

lumbia

A bill (S. 2530) for the relief of the legal representatives of John Wightman, deceased;

A bill (S. 13) for the relief of William J. Smith, late surveyor of cus-

A bill (S. 13) for the rener of William 3. Sinker, are stronged toms for the port of Memphis, State of Tennessee;
A bill (S. 68) for the relief of S. B. Cranston, of Oregon;
A bill (S. 218) to confirm the title to certain lands in Platte County,
Missouri, and authorize patents to be issued therefor to Kinsey B. Cecil;

A bill (S. 224) for the relief of Charles F. Bowers;
A bill (S. 304) to compensate physicians for services rendered under an order of the United States court of the northern district of Ala-

A bill (S. 380) for the relief of Mrs. Henrietta H. Cole; A bill (S. 632) to provide for the settlement of the estates of deceased Kickapoo Indians in the State of Kansas, and for other purposes;

A bill (S. 699) to authorize the Secretary of the Interior to issue to George K. Otis duplicates of certain land-warrants lost while in the

possession of the officers of the Government;
A bill (S. 708) for the relief of Stephen N. Smith;
A bill (S. 936) for the relief of John M. McClintock;
A bill (S. 1899) for the relief of Mrs. Lizzie Maynadier Phelps, widow of Capt. Seth Ledyard Phelps, late minister of the United States

to Peru; and
A bill (S. 2415) for the relief of the trustees of the Christian Brothers'

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I present the report of the committee of conference on the sundry civil appropriation bill, and ask that it be read.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, having met, after a full and free conference, have been unable to agree.

WILLIAM B. ALLISON, EUGENE HALE, JAMES B. BECK, Managers on the part of the Senate. SAMUEL J. RANDALL, WILLIAM H. FORNEY, THOMAS RYAN, Managers on the part of the House.

Mr. ALLISON. It will be seen that this is a general disagreement. I will say, however, that the conferees have gone over every item of the bill with great care, occupying much time of the conferees. After all this labor we find ourselves unable to agree upon certain points which the House conferees desire the sense of the House upon and which we should be glad to have the sense of the Senate upon.

The first difference relates to the items of appropriation for the Coast

and Geodetic Survey. The original House provision reduces the appropriation for the Coast Survey about \$100,000 below the appropriation of last year and makes practically a new arrangement and adjustment with reference to the official force of the survey, creating new officers, abolishing old officers, changing compensations, &c. The Senate amended the bill so as to practically continue the force as it nov. exists under the appropriations, but made a concession to the House respecting the field force of the survey by allowing its reduction from sixty-four to fifty-two as vacancies should occur in the force.

The House conferees insist that this new adjustment shall be made in this bill. Our answer to that is that the Coast Survey since August, 1885, has been practically without a scientific head. So far as the Committee on Appropriations can judge, the young man now in charge of the Coast Survey is a very intelligent, industrious, and capable man, but he has no knowledge whatever of the scientific work of the survey.

Our answer to the conferees of the House with reference to this amendment was that when a responsible head of the Coast Survey, having scientific knowledge of its work and of its force, should enter upon the subject of reorganizing and making recommendations to us, we would then feel that we could carefully take up that question; but until that was done we felt it our duty to stand by existing law with reference to the organization of the Coast Survey and with reference to the appropriations for it so far as the field and the office force is concerned.

The next item of difference will be found in amendments numbered 138 and 139, relating to the Pension building. The House provisions require that the General Land Office, the Indian Office, the Bureau of Education, the office of the Commissioner of Railroads, the Bureau of Labor, the office of the agent for the payment of pensions in the District of Columbia, and the office of the Geological Survey shall all be transferred to the new Pension building, and that a rearrangement of that building shall be made whereby a fourth story shall be erected in the building.

The confeeres on the part of the Senate were willing that this fourth story should be provided for, inserting a provision that it should be used for records and for records only, it being manifest to any one who will examine the building that it is not possible to put clerks in a fourth story lighted from the roof, as it must necessarily be chiefly, and I believe the Senate has acted on that subject.

Mr. BECK. The Senate has been passing a bill for a hall of records

for the last four or five years.

Mr. ALLISON. I believe the Senate has three times passed a bill providing for a hall of records.

Mr. BECK. For all the Departments.

Mr. ALLISON. This fourth story would furnish a very excellent

hall for the records of the Government, especially for the records of the Interior Department. It could be profitably and economically used for that purpose, and would largely give space then for other uses of the Interior Department of the remainder of the building.

Mr. McPHERSON. Does that require the walls to be raised?

Mr. BECK. No.
Mr. ALLISON. No; the fourth story can be erected without any change of the exterior of the building except perhaps punching little circular holes just under the roof for light and air. The third story is

now 31 feet high. It is proposed to divide that story into two.

The Senate conferees insist—and we desire the judgment of the Senate upon that question—that it will take a year to complete that building; that during its construction the whole building will necessarily be torn up, and that it will be exceedingly difficult for the present force to work there during the rearrangement and reconstruction of the building and its completion.

We said to the House conferees that this was a question of administration which should be left somewhat to the head of the Department; that it should be left to an arrangement after the building is completed, and that then we could direct (unless the Secretary of the Interior him-self should provide in the mean time) that the building should be filled up, as it is manifest that it would not be wise to have vacant space in any of our public buildings whilst we are paying large amounts for rented buildings outside. That is practically the difference between the two Houses respecting the Pension building.

The next items of difference relate to the survey, &c., of the public ands. The money difference respecting the public-land surveys is very small, but the House conferees insist upon the original provisions of the House respecting the survey of public lands. For example, \$50,000 was appropriated for the survey of public lands. Under the original House provision this entire sum could be expended for re-examination of surveys. The Senate made several amendments respecting that particular provision and other provisions, which the Senate conferees proposed to modify somewhat, but were not able to make such suggestions as were acceptable to the House conferees.

The next item of difference relates to the Yellowstone Park.

Mr. BECK. The Nevada survey was reserved.
Mr. ALLISON. Yes; the provision in relation to the Nevada survey was also reserved, the Senate having inserted a special provision for surveys in Nevada on the ground that we were bound by law to provide surveys for lands in lieu of school lands.

The House conferees insist that the Senate provision respecting the

Yellowstone Park shall be stricken out and that that park shall be placed practically under the control of the Secretary of War. The Senate conferees did not feel at liberty to surrender that provision without consulting the Senate.

The Senate inserted a provision for the erection of a hospital adjacent to our hospital for the insane, for convict and homicidal patients,

and inserted an appropriation of \$50,000 for that purpose.

Mr. McPHERSON. Will the Senator from Iowa, before he departs from the question concerning the Yellowstone Park, please inform the Senate whether the Secretary of War has a force which can be employed for such a purpose, or will it entail a like expense on the War

epartment as that proposed under existing regulations?

Mr. ALLISON. The law now provides for a superintendent of the park and ten assistants. It also provides for the building and repair of roads and bridges under an officer of the Army. Under the law the Secretary of the Interior can at any time call upon the Secretary of War for aid in order to keep and preserve order in the park, to protect the game, &c. The House conferees insist that this provision is ample to protect the game in the park and to protect the park in every way, and that it will not entail any additional cost upon the Government. That is their claim. is their claim.

Mr. PLUMB. Was there any agreement on that point?
Mr. ALLISON. There was no agreement reached.
Respecting the hospital building in the District of Columbia, Dr. Godding, the superintendent, came before us and stated that the space now required is beyond the present scope of the building.

now required is beyond the present scope of the building.

Mr. EDMUNDS. That is, they have not space enough?

Mr. ALLISON. There is space for about one thousand patients in the normal condition of the hospital, and they have twelve hundred and forty-one there now, and among these there are, first, the insane convicts sent there by the United States.

Mr. VOORHEES. What?

Mr. VOORHEES. What?
Mr. ALLISON. Insane convicts.
Mr. VOORHEES. The Senator does not mean to use those words. Mr. VOORHEES. The Senator does not mean to use those words. There are no convicts for crime there. I presume the Senator means to say those committed by the Government.

Mr. ALLISON. No, I mean to say that where in the Army a man has been convicted of crime and subsequently becomes insane he is sent

to that hospital.
Mr. PLUMB.

Mr. PLUMB. And so in the Navy.
Mr. ALLISON. And in the Navy as well.
Mr. VOORHEES. He is sent there because his insanity has been ascertained in the trial for homicide.

Mr. ALLISON. Convict insane. Mr. VOORHEES. That is not t That is not the right term. Mr. EDMUNDS. He becomes insane afterward.

Mr. VOORHEES. I see

Mr. ALLISON. In addition to that there is another class of insane called in technical terms homicidal insane; that is, persons who are determined to commit homicide. Dr. Godding insists that these two classes of people should be, for the benefit of the remaining patients, kept separate.
Mr. VOORHEES. Undoubtedly.

Mr. ALLISON. He asked us to provide a building for that purpose, and we inserted a provision for \$50,000. The House conferees answer us by saying that that can be postponed for another year.

The next item of difference is that relating to stenographers or law

clerks for the Chief-Justice and associate justices of the Supreme Court, I do not think I need mention what that is; we all understand the provision.

The next items of difference will be found in amendments 230, 231, The next items of difference will be found in amendments 230, 231, and 232. Amendment 230 is the amendment authorizing the Committee on the Library to expend \$10,000 for works of art, and to this the House conferees object, insisting that this power ought not to be given to the Library Committee, and they say they can not agree to it.

Mr. VOORHEES. In regard to that item, I wish to say a word. This little appropriation for works of art has been made as a matter of

course for years and years past. This is the first time the House of Representatives has found out that it was not a proper thing to do. Ever since I have been a member of Congress, both the House and the Senate have agreed to it, and this is the first time I ever heard objection raised.

The rule has been, as the Chair is perfectly well aware, he having been connected with that committee himself, that a small sum, something like \$10,000, has been intrusted to the committee itself with which to purchase works of art, of not a great and expensive character, but now and then to pick up something of value, left to the discretion of the committee, and I am astonished that the House conferees

should insist on striking it out.

Mr. BECK. And it is left to the discretion of a joint committee. Mr. VOORHEES. It is left to the discretion of a joint committee that. The House is embraced in the committee, and I am surprised at that. at this objection arising on the part of the House at this late day. I should be glad to hear from the Senator from Iowa some of the reasons given by the House conferees for this extraordinary spasm of alarm at this time on this subject.

Mr. ALLISON. I suppose the reasons are practically that they de-

sire the two bodies to pass upon these questions.

The other two remaining items of difference respect the two paintings specially authorized, first, the Fight of the Iron-clads, and the painting called Farming in Dakota. They object to those items.

I believe I have stated all the real differences.

Mr. HOAR. If the Senator from Iowa will allow me, as the Senator from Indiana made a suggestion, I wish to say that I think every member of the House of Representatives and of the Senate vill see that it is important that there should be lodged somewhere under a sense of immediate responsibility the power to pick up certain works of art of a great national interest, without delay. There are a great many such relating to our Revolutionary and historical period which would be very eagerly procured at large prices by private collectors of wealth, or by art museums or public institutions in our various cities, who would, however, yield precedence to the Government in the begin-

Take two works of art which have been purchased from this fund this winter. There was sent here to Mr. Corcoran, at the price of something between \$1,000 and \$1,200, an original painting by Copley, in the Tower, of Henry Laurens, the president of the Continental Congress, who, as everybody remembers, was taken captive and committed to the Tower in London, and there Copley, his countryman, our most famous portrait painter, painted his portrait. There has never been a national recognition of the service and the suffering which that great patriot contrib-uted to the cause of his country in the Revolutionary war. Mr. Corcoran was eager to have it. The painting was sent here to him; and I will venture to say that if that picture was in the possession of the Historical Society of Massachusetts, or the American Antiquarian Society, or Mr. Corcoran himself here, it would not be parted with for the sum It is worth that sum, but Mr. Corcoran felt the propriety that that picture should be so disposed of as that its place of custody should of itself constitute a monument of national gratitude and regard.

Is it not fitting that this great patriot and sufferer should have his portrait hung in the Capitol of the United States by the country which he loved and served? Waiting a few weeks, coming to Congress, having to run through one of these disputes in the Committee on Appropriations, would have defeated the purchase of that picture for the Gov-

So in regard to another picture which the committee has acquired, the painting of Benjamin West by himself, a portrait of remarkable value and spirit, found in the collection of a dealer—the great Pennsylvania artist who went to London before the Revolutionary war and became the President of the Royal Society, but always patriotic, always a lover of his country.

It seems to me that nobody will question that there should be ledged somewhere the power to secure such things at an ordinary and reasonable expense, and it certainly can not be lodged any better than in these two committees which are constantly and immediately responsible to

The PRESIDENT pro tempore. What motion does the Senator from Iowa make?

Mr. BECK. Did the Senator from Iowa call attention to stenographers for the justices of the Supreme Court?

Mr. ALLISON. I called attention to that item.

I move that the Senate still further insist on its amendments, and ask for another conference.

I believe I have explained these items. I should be very glad to have an expression of the Senate and of Senators respectively in regard

to the matter. Mr. VEST. Will the Senator from Iowa permit me to make a remark about the appropriation for the Yellowstone Park? I drew that law when it was put into the sundry civil act some years ago, and the intention of myself and of the Senate I think, and of the House of Representatives at that time, was that troops could be called for by the Secretary of the Interior in the event that his assistant superintendents were not able to expel from the park the gangs of "skin hunters," as they are termed, who would go in upon snow-shoes and kill two or three hundred elk at once and skin them and leave their car-

It was never intended that the Secretary of War should put a cordon of troops around the park. There is no necessity for it. Soldiers could not do the work which is expected to be done there. It requires mountaineers, men experienced in the mountains, who know the roads and the paths, hunters and frontiersmen; and soldiers would be more

than useless for that sort of work.

Mr. DAWES. I suggest to the Senator to get an expression of the Senate upon that amendment by moving himself that the Senate recede and vote against it, stating the reason, and then a yea-and-nay vote upon his motion to recede will give the sense of the Senate. The Senate will understand the purpose of making the motion so that he will not be committed himself.

If he will allow me a moment, I did not think that the Senate ought to be more remiss than it has been about the care of that park. It is in danger of being lost in the multitude of interests that have encroached upon it, and I think it very desirable that the Senator should insist in pressing for his amendment. I make the suggestion. It has been the custom quite often to get an expression of one body or the

other by that very process.

Mr. VEST. I have no doubt that the ultimate intention of this sort of thing on the part of the House conferees is to destroy the park. That is the end of it. If this appropriation is taken away and it is put in the hands of the War Department it is virtually an end of the Yellowstone

National Park.

I should like to have an expression of the opinion of the Senate, and I will make the motion suggested by the Senator from Massachusetts in the hope that the Senate will emphatically refuse to recede from the

The PRESIDENT pro tempore. There is so much conversation it is impossible to hear the Senator from Missouri.

Mr. BECK. I can not hear a word. Mr. VEST. I can hardly hear myself.

The PRESIDENT pro tempore. Senators will please come to order so that the Senator from Missouri may be heard.

Mr. VEST. I move that the Senate recede from the amendment, hoping that the motion will be voted down unanimously.

Mr. EDMUNDS. Which one is that, the Library Committee amend-

ment?

Mr. VEST. No; the amendment as to the Yellowstone Park. House insists upon absolutely taking away all of the appropriation, the whole of the \$20,000 for the payment of a superintendent and assistants and for contingent expenses, leaving only \$20,000 for the construction of roads, and to put the park under the control of the Secretary of War, taking it away from the Secretary of the Interior. That is the whole of it.

I move that the Senate recede, hoping that the motion will be voted down unanimously, so that our conferees will be authorized to stand

by the amendment of the Senate, which is \$20,000.

Mr. BECK. I hope and I believe that there will be an agreement before long in regard to this bill, if there is a spirit of concession on both sides; but supplementing what the Senator from Iowa has said in regard to the Coast and Geodetic Survey, about which he is so well informed, having been on the commission for a long time, I am unable to see how that business can be carried on successfully by making the to see how that business can be carried on successfully by making the somewhat radical changes the House now insist on making. We have not got an experienced head there now, though a very intelligent young man, as far as I can judge from his conversation with the committee. Both Houses agreed practically last year to adjust the service upon the basis on which the Senate now insists. I think it ought to remain until it can be arranged under some thoroughly scientific person whom the President perhaps will soon be able to find to fill the place. Until that is done I do not see how we can get along at all unless we adhere to the Senate amendment. I understand that the salaries now paid are from 15 to 20 per cent. less than are paid in the Geological Survey for similar services. I ask the Senator from Iowa if I am not right in

Mr. ALLISON. I will say-I ought to have said before-that the salaries in the Coast Survey for the scientific employés as compared with the Geological Survey are from 15 to 20 per cent. less now.

Mr. BECK. So I understand, and that being the fact, I did not see how we could properly consent to any more radical changes in that direction, especially as the survey is not now under a head who will perhaps remain there permanently. That is all I care to say in regard to that.

As to the Pension Office building, it is utterly impossible for us to agree to order men in there now, with the work not done and while it is being done. Confusion will occur, which will make it difficult even for those there now to do their work satisfactorily. But to order the Land Office, the Geological Survey, and all these other offices in there in advance of the work being done, against the protest of the Secretary of the Interior and against the protest of those who are advised, seems to me to be a thing the Senate can not properly give up. We are willing to give them all the money they ask and let them go on. Congress meets again in December, and if it has progressed by that time, we can make any order needed unless the Secretary of the Interior in the mean time adjust it himself. There will be time enough. But it is like attempting to walk across a bridge before it is built instead of waiting until it is done, to act on the matter now. I think the Senate ought to be quite emphatic in its objection that it is not proper legislation to be ordering the bureaus of the Interior Department about at this time.

The land clauses I think can be adjusted. There does not seem to be any very serious difference between us about that. As to the convict insane building, whether they give it to us or not for homicidal insane, it is a public necessity, and it is so proper that I hope the Senate conferees will not yield their position very readily when we come to meet again, because men who have developed those tendencies ought not to be among other people. I think it is too obvious to need more than a statement.

As to the Yellowstone Park I agree to every word the Senator from

Missouri [Mr. Vest] has said. I was there a few years ago and went all over it, and I took some interest in it, as did the Senator from Massachusetts [Mr. DAWES]. We must maintain it; and the House provision striking down the superintendents and everything else is a virtual abandonment of it and everything in it and of all the things we have been trying to preserve. I do not see why that should be done until we have passed some law making some other regulations, because if we simply do what the House propose it leaves it open and there is nothing except this. The Secretary of the Interior has power under the law passed a few years ago, if a band of men, cowboys or others too strong for his superintendents and assistants to drive out, should go there to kill the buffalo, elk, and other game, to call on the Secretary of War to send a sufficient force to drive them out. That is the only power he has now. The House provision just leaves it to the mercy of everybody.

I believe in extending that park. I would vote to extend it 20 miles

farther south and 40 miles farther east, taking in the tops of the mountains, and I would take care of it or I would abandon it altogether; but I would not abandon it by indirection. I would retain it, and preserve it, and keep it, and it will improve in the estimation of the American people year by year. The buffalo, the elk, and the large game of America are there, and only there, and even their instinct teaches them that they are safe there and they do not leave it. I think we ought to

allow the provision, carefully drafted by the Senator from Missouri, to stand. It is not right to recede from it. That is my opinion.

I do not believe that the Senate will allow us to give up the right of the Library Committee to have a little fund of \$10,000 to purchase works of art. I said to the House conferees, "I will not report the bill without going to the Senate and consulting with the gentlemen who have charge of these matters, and I insist that they shall have that right."

As to stenographers to the judges, I hope when the conferees go to the House the House will advise them that they ought to agree to our amendment. It seems to me under the circumstances, the Senate having passed it, the House should agree to it, and we ought not to give that up without at least having a very decided expression upon it from the House itself.

That is all I care to say.

Mr. PLUMB. I did not agree in the committee except under a sort of protest to the provision in regard to the Yellowstone Park as inserted by the Committee on Appropriations; and if this matter were alone before the Senate I should vote for the House substitute. We have had ever since the park was in existence more or less, not only last year but in the years before, of difference between the Houses in regard to it. The Senator from Missouri very properly declaimed last year or the year before against the manner in which the park was carried on against the monopoly privileges there allowed. There has been in my judgment only a change of the persons who had that monopoly. The monopoly still exists. It is as grinding and as odious as ever and just as much a reflection on the administration of the park and the National Government to the extent it has to do with it. When I say that I do not say it for the purpose of reflecting upon anybody, but simply to remark that it is inevitable, and just as long as the Government undertakes to deal with this question it is going to have these difficulties on

I have a letter in my possession from a responsible party who says that the Secretary of the Interior has issued an order or directed the present superintendent of the park to issue an order that no vehicle having a tire less than four inches in width shall go into that park, leaving out of account the fact that the park has to be traversed in order to make connection between widely-separated communities by trains bearing freight to and from the railroads. In order to accommo-date the great traffic, if it is to be carried on at all, the persons concerned in that traffic will have to change their wagons to correspond with this

It is an inhibition against crossing the park by the freight trains doing the ordinary business of the people who have been invited thereon the public lands. But back of all that is this same monopoly. Of course as nobody can traverse the park except one having a wagon of this unusual width of tire, naturally the monopoly that owns all the places where hotels are to be located, and owns the hotels, &c., will own all the wagons of the particular character of manufacture that alone can enter the park.

Mr. BECK. The Senator would not give up his farm because his sent was cutting a little timber improperly. This is a matter of adagent was cutting a little timber improperly.

Mr. PLUMB. If my eye was going to offend me as long as I lived, I would pluck it out. This is one of those things that in my judgment are inevitable, resulting from the Government management or from the are inevitable, resulting from the Government management of from the civil management of the park, or from any management which goes into the great detail which has been cast upon that unfortunate piece of ground. A man who goes in there to pick up a thing of no value is liable to severe punishment. The monopoly which last year and the year before was offensive to everybody has been succeeded by another of the same kind. It not only has a monopoly of the hotel locations, but it has bought out a great monopoly. That is the ordinary way

telegraph companies do when they want to get rid of a pestiferous rival—buy them out. This same monopoly has bought all the stage lines, so that practically you can not get into or out of the park without the consent of this monopoly which has control of the hotels and of the means of transportation. It is a complaint made from quarters entitled to respect and consideration that under the administration of the present rules and regulations under the law the park is only set apart for

the rich; the poor can not get into it.

In 1884 a man who had been in the employ of the government of the park was directed by the order of the then superintendent of the park to erect a house in which he could stay all winter. Meantime, however, that superintendent went out, and some other one came in, and when he came in there came over a mandate from the new superintendent to remove that house. The man himself was away working in the mines in some contiguous portion of the country. He was sent for, and while he was coming over from the place where he was at work—
Mr. EDMUNDS. Was that at Fargo?

Mr. PLUMB. I have a letter here which sets out exactly where it When he came he was notified that he must leave. in the fringe of the winter. He protested against it, said he could not go away from there. He pleaded, but they told him he must leave. They took his family and every particle of furniture out of his house and burned his house down within his sight, and sent his family one way and him another. His captors took him a journey of more than 500 miles, during which his feet, his hands, his ears, and other portions of his body were frozen. He was cast into a cell in that condition, and is to-day permanently crippled by reason of that transaction.

Mr. VEST. I ask the Senator under whose administration as super-

intendent that was done?

Mr. PLUMB. I said that was done in 1884.

Yes. Mr. VEST.

Mr. PLUMB. The Senator did not need to remind me that I was characterizing a former administration. I undertake to say they are all tarred with the same stick. Whether the man in charge now is any better as an individual, I do not know; but the system is such that that kind of despotism is bound to characterize any administration of the affairs of that park. It all ought to be lopped off; it ought to be put temporarily in the hands of the War Department or somebody else, except the men in whose charge it is now and who have had charge of it heretofore, until we can devise some plan whereby we can save the curiosities that are worth saving in that great tract of land and turn the balance over to the public as a portion of the public do-main. The Senator from Massachusetts of course has this piece of land, that he never saw, very much at heart.

Mr. DAWES. I have spent a summer there.

Mr. PLUMB. That may account for some things I have heard about

Mr. VEST. I ask the Senator from Kansas if he does not really want that park broken up? Is not that his idea and his ultimate ob-

Mr. PLUMB. I do not know that I am required to answer that ques-I do not know that that is an indictable offense, but yet the lowering brow of the Senator from Missouri presents to me the idea that perhaps he would indict me right now. I do not know that it is an offense to want the park broken up. I can say that the whole area, however useful it might be, is not compensation for the outlay or for what has been done within its limits and under the charge under which the park is to-day maintained.

I would regard it as a blot on our civilization to maintain that sort of organization which subjects an American citizen to the outrages that man was subjected to, and which would procure the issuance of an order whereby the traffic necessary to the maintenance of the business of that section of country, to the support of the people who have gone on the public lands, should be subjected to the outrage of being required to substitute wagons having tires 4 inches in width for those of the or-

dinary width.

I never was there myself that I know of, though I have been in that section of country many a time. I know there are great objects of interest in all that mountain region. I know it is not possible for the Government to maintain them all. It may be wise to maintain a part of them, and I do not say that it is not. Those within the limits of the Yellowstone Park may have superior merit to deserve being maintained, but not by the interposition of rules of this kind and the erection of great monopolies which control the means of ingress and egress and the means of support while there.

Mr. BUTLER. May I ask the Senatof from Kansas what the annual appropriation for the support of that park is?

Mr. PLUMB. About \$40,000.

Mr. BUTLER. What is it likely to be?

Mr. PLUMB. The estimate this year was \$60,000 and the appropriation made in the bill, \$40,000, the same as last year. The Senator from Iowa corrects me. He says the estimate was \$100,000.

Mr. GEORGE. I should like to ask the Senator from Kansas a ques-

What is the monopoly that exists there?

Mr. PLUMB. These people have-and that I do not complain of, as it was a thing that perhaps was inevitable-a monopoly of the right to build hotels; that is to say, they have a lease of all the places where hotels can be built. Practically by that means, and especially by means of the order to which I have alluded that they have obtained, they have control of the means of ingress and egress, and they are the only persons who can authorize anybody to bring his trunk in the park, or his own body.

Mr. VEST. The Senator is entirely mistaken.

Mr. EDMUNDS. There is a Department order which regulates the matter.

Mr. PLUMB. So this letter states, and I have heard it from other sources

I know the Senator from Kansas does not want to make a statement which is absolutely without foundation. The Senator is utterly mistaken when he says there is any monopoly as to transportation in that park. The lease was made with the company that built the hotels there at the different points of interest. The former hotel company having failed and gone into bankruptcy was succeeded by another; and the lease to this last company expressly provides that there shall be no monopoly as to transportation.

The Secretary of the Interior did me the honor-to send for me and submit that lease to me, knowing the interest I had taken in the park, and I scanned every line and word in it closely, and I am confident in the assertion that there is no such thing. Any citizen of the United States can go into that park with his property in any way that he sees proper, and I positively assert, and other Senators who have been in the park will corroborate it, that you can go to Cinnabar and you can find a riding horse, a buggy, a wagon, or any sort of outfit you please; and to furnish such facilities is largely the business of the people living at Cinnabar; and there is not one particle or scintilla of foundation for the statement of the Senator.

Mr. DAWES. I spent ten days there, and traveled through every part of the park that I desired to go to without having to call upon this hotel organization at all. I took a team into the park, went everywhere I pleased, and built my own fires, with the company I was with, and we maintained ourselves there independent of the hotel company.

Mr. PLUMB. A United States Senator can do a great many things

out there which a private individual can not.

Mr. CHACE. When was this order issued?

Mr. PLUMB. It was issued very recently. I can explain it in a moment. Mr. CHACE.

Mr. PLUMB. This question of monopoly, in the first place, grows out of the fact that there is a monopoly of all hotel facilities; and I say that can not be helped. Therefore I do not speak of it except as that which is inevitable in connection with the park. I do not speak of it to blame anybody. But that to a large extent results in the control of the means and facilities of ingress and egress. I do not say a person might not take his own wagon in; but he does not generally go there Persons going there are necessarily dependent with his own wagon. on the means of public transportation, and those have passed into the control of the persons who own the hotel sites and the hotels.

In the next place, if there is anything necessary to make a monopoly it would be this regulation providing for the width of the tires. There is not a wagon not constructed to order in the United States probably with that width of tire.

Mr. BUTLER. Who makes that regulation?
Mr. PLUMB. The Secretary of the Interior on the request of the superintendent. I only speak of that to illustrate to what proportion a man will go when he gets into that country and how completely the question of public convenience or private convenience is subjected to a man's ideas of his own importance and responsibility as having the care of the Yellowstone Park. Regulations of that kind which are offensive and which are destructive of the liberty of the citizen who visits this place are simply the outgrowth of the remoteness from control and the inevitable surroundings of that place.

For these reasons, even though the regulations should be modified further, the park itself ought to be placed under a different control; some change ought to be made whereby these exactions and similar ones shall be removed. If it is to be a park for the people of the United States and not simply for certain favored people, then the law ought to provide certain regulations which will bring about that result. I of course undertand very well that to the men who go to the Yellowstone Park from the Senate or the House it is open sesame, and I suppose they could board there free if they wanted to do so.

The general genuflection which ensued at once on the appearance of a United States Senator having legislative authority over the Hot Springs when we arrived there, I suppose, is repeated at the Yellowstone Park. I do not want that park kept up for any such purpose. I want the park put in such shape that the people of the United States at large, the poor people as well as the rich, anybody who has money enough to get to the borders of it, may go into it freely and freely see whatever is there to be seen, and enjoy himself just as much as the rich people do who may go there,

When I spoke of what occurred in 1884 it was for the purpose of showing that in what I have said there is no reflection on this administration as against the other administration. When I say "administration" I mean administration of the park, not administration of

national affairs. It has been one tissue of trouble, of outrage, of monopoly from the beginning.

I appreciate the labor which the Senator from Missouri gave to this

question a few years ago with the view of getting rid of the monopoly, but, as I said, he only got rid of one monopoly to saddle the park with another, and if we get rid of this one it will be saddled with still another one. To avoid it is beyond his power or the power of any individual. There must be some way of legislation not yet found out, or we shall have just the spectacle which has been existing there all the

Mr. DAWES. Mr. President, I spent some time in the Yellowstone Park and have taken a great deal of interest in it; indeed I think I

drew the bill that originally set it apart.

I have observed that those who complain of its management most are those who before they get through with their complaints disclose the fact that they want it put to other purposes. I have had those come to me who complained of its regulations and suggested improvements, and who before they left disclosed the fact that they thought the park ought to be open to be appropriated as a part of the public domain of the nation; that they were sick of the setting apart of this region of country for any such public purposes; that it was a part of the public domain and ought to be the common property of all the people.

That is the animus. I do not say it is on the part of the Senator from Kansas, for the Senator confesses it; but those who have pressed upon us most this view of the subject are the men who feel as if these guards that have been thrown around this region of country ought to be broken

down and done away with at once.

In going about the park I saw many things that I thought could be I saw a kind of monopoly which had been got up there or attempted to be got up by the hotel people to secure the custom of every-body who went in there. When I came back I represented it to the Interior Department, and that feature passed away. There are a great many things that can be improved there; but, as the Senator from Kentucky very forcibly put it, is that any reason why we should abandon this wonderful region of country? There is a region of country 50 or 60 miles wide and as many or more miles long, that is good for nothing as a part of the public domain; it can be utilized in no way for farming purposes, in no way for grazing purposes, in no way that the ordinary public domain can be appropriated, but it is filled with wonders, the like of which-

Mr. GIBSON. Allow me to ask a question. Is the privilege of keep-

ing a hotel in the park confined to one person?

Mr. DAWES. I will tell the Senator what I believe is the fact. The Senator from Colorado [Mr. Teller] will be likely to tell him more accurately than I can. We have fixed by law how much should be accurately than I can. leased for hotel purposes.

Mr. TELLER. If the Senator from Massachusetts will allow me, I

will answer the Senator from Louisiana.

Mr. DAWES. In a moment. I wish to say that this matter about the tires of the wheels is a simple matter of administration. We have spent a great deal of money in making very fine roads from one wonder to another, from one great geyser to one magnificent waterfall, and there are those who want to appropriate those roads as thoroughfares from outside to outside. I saw emigrant trains and I saw freight trains trying to utilize those roads, cutting them up in all ways. It was a part of the duty of the superintendent of the park to protect the roads against them. Perhaps he has adopted a method which is not wise; but if these roads are to be common thoroughfares that park ceases to be a home for the wild animals, it ceases to be a preserve for these wonders. It must be kept.

There are people here trying to get a railroad run through it, and they come and before they leave the room of your committee they will say, "We do not think it ought to be a park; it mad better be done away with," and they appropriate as they can its wonders. They want to We do not think it ought to be a park; it had better be done away be let in upon the great mammoth springs and the great geysers, the like of which are nowhere to be found in the world, where a magnificent column of boiling hot water is sent up 180 feet in the air once in fifty-eight minutes as regularly as the clock strikes the hour. magnificent natural wonder as that is worth more than dollars and cents; and the longer we keep this wonder the more we shall esteem and prize it. It has got to go through a season of hostile attack; but if it can survive these attacks a few years there will be nobody found in either branch of Congress who will not gather around it a solicitude and a care that is commensurate with that wonder. It has got to be worked up so that everybody can approach it.

It is true that the difficulty of traveling through it now is so great that everybody can not afford the expense of going there; but it is these very roads that are to be constructed, it is the idea of having hotels there at proper points that poor people can avail themselves of that was in the mind of those who made the law putting the park in the hands of the Secretary of the Interior to prescribe rules and regulations. The prices for the articles on the tables of the hotels and for the use of the teams are fixed by the Interior Department here. They must be fixed somewhere, or the natural grasp and greed of a man anywhere to grasp and monopolize all he can will produce the condition of things suggested by the Senator from Kansas. More solicitude and anxiety in administration, not less, is what is called for in reference to this great wonder

of the world.

Mr. TELLER. I should like to say to the Senator from Louisiana [Mr. GIBSON] who inquired if there was any monopoly that there has not been any hotel monopoly in the park. That falsehood has been not been any hotel monopoly in the park. That falsehood has been repeated over and over again in the public prints, and once or twice on this floor. There never was an hour that anybody living had the absolute control of the hotel interest in the park.

Mr. PLUMB. Does the Senator refer to charges on the floor here?

Mr. TELLER. It was charged on this floor that the hotel company had occupied the only places where a hotel could be built in the park, when every man who was familiar with it knew that there were five hundred places just as eligible as the place that they occupied.

The Secretary of the Interior was charged with the management of this park by the act of Congress. In the absence of the Secretary of the Interior the Assistant Secretary made a contract with the hotel company that they should have the exclusive privilege of putting up I was then Secretary of the Interior, and when I returned, I being at that time absent in the West, I declined to carry out the contract on the ground that there was no legal authority in the Secretary of the Interior to make such a contract, and there never was under the statute. If such a contract had been made it would have been a nullity as to the clause, there is no doubt. So the lease was not signed by the Secretary for that reason.

In the mean time, either in an appropriation bill or somewhere else, there was a provision put that there should be no exclusive control; and since that time, both by the late Secretary of the Interior, and I understand by the present Secretary, hotel privileges have been granted to every reputable and respectable person who has asked for them. There is no monopoly at all. The hotel business has not been profitable to the people who have gone into it, I think.

Now, as to the rule in relation to the 4-inch tire, I never heard of it I should think that was a bad rule to adopt. I do not know why it was adopted. It certainly was not in my time, and I think it probably ought to be annulled if any such rule has been made.

At one time it was claimed that the superintendent of the park, a Mr. Conger, I think then, had granted an exclusive privilege to some people to run carriages through the park. As soon as the attention of the Department was called to it that order of his was rescinded. It never had any force, but it was annulled at once. I understand ever since that time everybody has been at liberty to pick up a passenger outside and run him through the park whenever he saw fit. the rule now.

Mr. Marshall built a hotel, and other people have built hotels there. The great corporation that put in \$100,000 in a hotel broke up and turned it over to another corporation that I understand keeps up the hotel. The Interior Department fixes the rates of that hotel, and the prices are largely below the prices at any watering place in the United States, less than the New York watering places, less than all the watering places in Colorado and in other States. I do not believe anybody who has gone there has any reason to complain of any monopoly what-

Whether it is a wise thing to keep up the park is an entirely different question. There is one thing certain, if the park is to be kept up you have to appropriate more than \$40,000 a year to do it properly. It never can be done for that. I do not know that it is worth while for the Government to attempt to keep up such a thing for the few people that go there; but if the Government intends to do it there should be liberal appropriations. To turn it over to the Army is in my judgment to practically destroy the park. I am inclined to think that I shall vote, if the matter is fairly presented, that the United States abandon any control over the park except the small points where these large geysers and other things are. I believe that to be the proper thing to do.

Mr. McPHERSON. Unless it is the intention of the Senate to remain here all summer, it is well that we should consider what we are We have settled almost every point in dispute about all the appropriation bills, and a single bill is now before us with four or five points in dispute. According to the statement made by the chairman of the committee and also by the Senator from Kentucky there are four or five items of dispute which it is impossible for our committee to surrender.

The public interests demand that provision should be made for the sane. They demand that the Pension building should be improved. It is important that the surveys should be continued. Now if I understand the duty of a committee of conference, it is that an agreement may be reached, if possible, between the disagreeing votes of the two Houses. The very name implies concession, compromise.

Now it is proposed by the Senator from Missouri to keep in this bill the only point in dispute which it is apparent to my mind might be surrendered by the Senate without injury to the public, because it is proposed to place the responsibility and duty upon the Secretary of War. I do not suppose the Secretary of War would consent for a single moment to have the game in that park disturbed. I suppose the Secretary of War would detail a military force from the great number of military stations where soldiers are quartered, for no purpose in the world

that the public has in view. It is only a piece of caution. The Indians are comparatively quiet. We have five thousand soldiers in that vicinity, many of them unemployed. The forces in the park to-day are sufficient and ample; the quarters provided for the officers and men are ample; and it is perfectly absurd to suppose for a single moment that a soldier, drawing rations from day to day, requiring no particular appropriation to preserve the park, could not with equal ease do ex-

appropriation to preserve the park, could not with equal ease do exactly what it is proposed to do by the \$40,000 appropriation.

If I believed for a single moment that by surrendering this item the public service would be damaged, I would not do it. I do not yet know that it is necessary to surrender it; but I am told by the committee that of all the things in dispute it is that thing which may be surrendered, at least their language so implies, without injury to the public service. And if some concession be needed, as I think some will he needed, then is it not a thousand times better for us not to obtain be needed, then is it not a thousand times better for us not to obtain the judgment of the Senate in substance instructing the committee so that there can not be a full and fair conference on the points in dispute because one of the points has been eliminated from the dispute and the Senate takes the responsibility of instructing the committee as to that.

There can not be such a thing as a full and free conference when you

Instruct the committee in regard to one point, and that the least important, the point of least consequence of all the points in dispute between the two Houses. I am in favor of the Yellowstone Park; I am in favor of preserving it, maintaining it, improving it, and of making such liberal appropriations of money as may be needed for that purpose; but I understand this appropriation does not involve its preservation. It involves its maintenance, its guardianship, its projection. If that can be done by the War Department without any additional expense to the Government, why not do it, and why instruct the committee in such a way that we shall be compelled to remain here for a week longer perhaps simply to decide as to a little point like this in the only, single, and last appropriation bill there is to be acted on by the Senate?

Mr. VEST. If the Senator from New Jersey—and I have no reason to question it—desires this park to be maintained, then he is utterly mistaken as to the effect of placing it in the hands of the War Department. I affirm from my own personal knowledge of the character of soldiers and the work to be done in the park that they can not perform it. It requires mountaineers; it requires huntsmen; it requires men who can use snow-shoes, who know the paths and roads of the mountains; and to put it in the hands of the United States Army is simply to throw it open to the public and allow anybody to go in there and kill the game and destroy the objects of curiosity and interest throughout the park. We know the character of the men in the regular Army of the United States. There is one of them now acting as assistant superintendent, and I received a letter from the superintendent of the park, who has attempted time and again to have this man removed-two days ago I received a letter in which he says that he has now with one exception the best force of assistant superintendents that could be selected anywhere in this whole country. More than that, the government of the park today is in better condition than it ever has been-infinitely better. One of the assistant superintendents reported to the superintendent, as I am informed in his letter, that ten days ago a band of two hundred elk were found within 5 miles of Mammoth Hot Spring, and the antelope can be seen even at this season of the year all over the park. The small bison, which exists nowhere else on this continent except in that park, are increasing in number.

I know where all this talk about monopoly and Senatorial privileges and the extraordinary privileges of Congressmen comes from. I have been notified time and again that unless I withdrew my opposition to the Cinnabar and Cooke City Railroad that park would be broken up. There is a lobby here, in which newspaper men and others are engaged, who are assailing Senators and attacking private character, making infamous charges; and these men are in the employ of the speculators who seek to run a railroad in the park and break it up and destroy it forever; and this is one of the means used to force Congress to allow that railroad to go through. I have been told that if I did not permit the railroad bill to pass through Congress not a dollar should be given to the protection of the park, and that the act incorporating it should finally be repealed. That is the meaning of this whole thing.

Now, Mr. President, let us look at the real truth in regard to this monopoly and to these legislative and Senatorial privileges, this cheap talk thrown in here for the purpose of prejudicing the public against the Yellowstone National Park, as if it belonged to certain individuals. Why, Mr. President, last summer a member of the House of Representatives was arrested and fined \$100 in that park-a gentleman who is now a member of the House of Representatives. That does not look very much as if they paid special attention to position and official dig-nity. And I affirm here now positively that there is no monopoly in that park, unless you call it a monopoly to permit certain persons to put up hotels at different places of interest. The Senator from Colorado referred to the fact that statements had been made here some years ago in regard to a lease that gave exclusive privileges. I did speak on this floor of a lease.

Mr. TELLER. It never was signed.
Mr. VEST. I know it was never signed. I was about to state that there was a lease drawn up and about to be signed that did give a mo-

nopoly both of transportation and hotel privileges, but I offered a resolution in this body which stopped the signing of that lease, and it never went into effect. Afterward I drew a law which prohibited more than ten acres of ground to be leased to any one corporation or individual. I was unfortunate in the language used in that law, and the Interior Department so construed it as to cut up the ten acres into ten different tracts and lease them to the same corporation. That was not the intention of Congress, but that was done. That company went into bankruptcy, and last summer there was great complaint because there were no hotels in the park and persons were forced to camp out. They built a large hotel at the Mammoth Hot Springs, which was seized by the mechanics for their pay that was due them and held for some time, and it anally went into the hands of a receiver; but this new company are now putting up hotels at the different points of interest in the park and putting them under leases so severe that there is no possibility of anything like imposition being practiced upon the public.

As to the order of which the Senator from Kansas spoke in regard to

the width of the tire of wagon wheels, I never heard of it before to-day, but I have no question that it was made in order to protect the roads which have been constructed by the United States and which were being cut to pieces by the heavy ore wagons from Cooke City to Cinnabar. I will undertake to say that upon examination it will be found to be an order that is right, and that the Government is simply protect-

ing its property.

The Superintendent there to-day is an honest man and a vigilant officer. The game has increased in the park, and with no law at all, because Congress has failed to pass any law, by his own strong will and good judgment he is a law himself to all disorderly and lawless persons

within the territory of the national park.

Now, sir, if Congress wants to abandon the park, let it do so openly and plainly. I am willing to meet that issue. If bad orders have been made there the Secretary of the Interior can rescind them. He has no interest in this matter except as a citizen of the United States. I have endeavored to do my duty, and simply and only my duty, and I ask this vote in order that the Senate may say now whether they propose that this park shall be continued or not, because I do positively declare that if the House conferees are able to hold their position and to cut off these salaries and this amount for contingent expenses and put this park into the hands of the military, it is but another form for repealing the act which created the park itself.

Mr. CALL. Mr. President, I hope the Senate will insist upon adhering to the provision it inserted in the bill for the protection of the

Yellowstone National Park.

To talk about monopolies being protected by reserving the control of any portion of the public domain in the Congress of the United States for the benefit of the people of the United States without distinction, is certainly a very singular contradiction of terms. To make a thing private property instead of retaining it as public property, in order to prevent monopoly, simply indicates that Congress or the Government can not be trusted to protect the people.

I am in favor of preserving whatever portions of the public domain may minister to the delight and pleasure of the people of the United States as public property for their benefit, and particularly this great park, the Yellowstone Park, with all its natural and magnificent feat-I know of no object of public policy that will be more important when this country shall have one hundred millions of people and transportation be cheap and at the command of the people everywhere, than to preserve this great natural curiosity for all the people of the United States

When the Senator from Kansas speaks of some man having been arrested and treated with cruelty, he only condemns us and condemns the administration that has not followed up and found out the perpetrators of that offense. It has nothing to do with the preservation of this park for the people of the United States. To destroy it, to make it private property, would be to create a monopoly, and a most wicked monopoly, of that which ought to belong to all the people of the United

Another very singular feature is that, with all the talk about legislation on appropriation bills, after Congress has solemnly dedicated this park to the people of the United States and pledged itself that it should be so governed that it would inure to their advantage and their pleasure, here at the very last hours of the session, when we ought to be at home, it is insisted, without any examination, without any opportunity for consideration, that those laws shall be in effect repealed by a

nity for consideration, that those laws shall be in effect repealed by a simple provision upon an appropriation bill, and the whole turned over, without any adequate appropriation, to the Secretary of War.

Sir, I am not one of those persons who object to general legislation upon an appropriation bill under proper circumstances, when there is time to consider it. An appropriation bill is just as good a method of legislation as any other, in my opinion. But when it is brought in suddenly, without opportunity of examination, and it is proposed to reverse and repeal the whole antecedent legislation of the country, there is certainly a serious objection as to the time and the manner in which

this is to be done.

I agree with the Senator from Missouri. It would be highly criminal, in my opinion, in this body at this moment, to do away with all

the past legislation respecting this park, whether it were good or bad, and hastily turn it over to the War Department without adequate provision for it

Mr. ALLISON. I offer the following as a substitute for the proposition of the Senator from Missouri [Mr. VEST]:

Resolved. That in the opinion of the Senate the committee of conference should insist upon the usual appropriations for all branches of the public service, and should recede from all amendments of the Senate proposing changes of existing legislation or unusual items objected to by the House conferees.

Mr. MANDERSON. I ask that the motion of the Senator from Missouri be read, and then the amendment of the Senator from Iowa. The PRESIDENT pre tempore. The Senator from Missouri moves that the Senate recede from its amendment in respect to the Yellowstone Park. This is offered as a substitute for that proposition.

Mr. VEST. I did not catch the proposition of the Senator from Iowa.

Is it substantially the same?
The PRESIDENT pro tempore. The resolution will be again read. The Chief Clerk read the resolution of Mr. Allison, as follows:

Resolved, That in the opinion of the Senate the committee of conference should insist upon the usual appropriations for all branches of the public service, and should recede from all amendments of the Senate proposing changes of existing legislation or unusual items objected to by the House conferees.

Mr. PLUMB. I should like to have the Senator from Iowa explain the items which are now in dispute between the two Houses that are unusual or that change existing law. With me it is simply a question of what we get or what we lose, as far as my action is concerned. If the House has put legislation on appropriation bills that has never been the subject of objection here, or at all events that the Senate has undertaken to amend, why object now? The House may accept and has often accepted our amendments to such provisions. We had a very noted case up the other day about silver certificates where the Senate amended a House provision. The objection does not lie to legislation as legislation.

Mr. ALLISON. This is a mere declaration to enable the conference committee to have a guide respecting the judgment of the Senate. For instance, suppose the House propose a change of law and the Senate does not agree to it. This is simply a declaration that the House ought to recede from its proposed change of law. Suppose the Senate has proposed a change of existing law. This is a declaration that if the House do not agree to it, we ought to recede.

Mr. PLUMB. What legislation did the Senate put on this bill other than the stenographers for the instiges of the Supreme Court?

than the stenographers for the justices of the Supreme Court?

Mr. ALLISON. I think the whole provision about the Coast Survey, where the House proposed to make an entire change, was legislation.

Mr. PLUMB. Is there any legislation put on this bill by the Senate

to which the House objects, other than providing stenographers for the judges of the Supreme Court?

Mr. ALLISON. That is not legislation, strictly speaking.

Mr. PLUMB. Are they authorized now to have stenographers?
Mr. ALLISON. They are if we appropriate for them as the Senator from Maine says. It does not require a special faw to make stenograhers if we appropriate the money.

Mr. HOAR. I wish the Senator would strike out the words "unusual items;" they are liable to be very much misunderstood.

Mr. ALLISON. I will strike out the words "or unusual items."

Mr. MANDERSON. I wish the Senator from Iowa would explain how he would consider himself instructed as one of the conferees with respect to the subject-matter that seems to be in dispute this morning in regard to the Senate amendment as to the Yellowstone Park appropriation, and how are we to construe that section in reference to this matter?

Mr. ALLISON. I would not consider myself instructed at all by

that resolution.

Mr. HOAR. Let the resolution be read as it now stands.

Mr. ALLISON. I withdraw the amendment I proposed. I do not want to have any more discussion. I think it raises new questions

which I do not desire to have discussed.

Mr. PLUMB. I wish to call attention to what I believe to be the only legislation upon the subject of the park which it is said we are to make appropriations to carry out, certainly all that has been passed in the last few years, and that is found on page 626 of the statutes of

For the protection and improvement of the Yellowstone National Park: For every purpose and object necessary for the protection, preservation, and improvement of the Yellowstone National Park, including compensation of Superintendent and employés, \$40,00,\$2,000 of said amount to be paid annually to a superintendent of said park and not exceeding \$900 annually to each of ten assistants, all of whom shall be appointed by the Secretary of the Interior, and reside continuously in the park and whose duty it shall be to protect the game, timber, and objects of interest therein; the balance of the sum appropriated to be expended in the construction and improvement of suitable roads and bridges within said park, under the supervision and direction of an engineer officer detailed by the Secretary of War for that purpose.

I do not understand that that was a continuing approximation. It did not

I do not understand that that was a continuing provision. It did not create these offices except for the year for which the appropriation was made. Succeeding that is a paragraph which the Senator from Missouri I think drew, and under which leases are made now:

The Secretary of the Interior may lease small portions of ground in the park, not exceeding 10 acres in extent for each tract, on which may be erected hotels

and the necessary outbuildings, and for a period not exceeding ten years; but such lease shall not include any of the geysers or other objects of curiosity or interest in said park, or exclude the public from the free and convenient approach thereto; or include any ground within one quarter of a mile of any of the geysers, or the Yellowstone Falls, nor shall there be leased more than 10 acres to any one person or corporation; nor shall any hotel or other buildings be erected within the park until such lease shall be executed by the Secretary of the Interior, and all contracts, agreements, or exclusive privileges heretofore made or given in regard to said park or any part thereof, are hereby declared to be invalid; nor shall the Secretary of the Interior, in any lease which he may make and execute, grant any exclusive privileges within said park, except upon the ground leased.

So the tes fermantly

So that so far as the House provision is concerned it is not legislation any more than the Senate provision is legislation. There is nothing so far as the management of the park is concerned except to appropriate money to authorize a superintendent and assistants to be present there for the purpose of carrying out the orders of the Secretary of the In-

Mr. MANDERSON. I ask the Senator from Kansas whether it is not the fact that the Superintendent of the park and his assistants or policemen have continued in charge of the park year after year under

provisions in the appropriation bills?

Mr. PLUMB. They have been there every year, because there has been an appropriation every year for their payment, but I do not understand the provision which I have read, which is the only one I know of, to be a continuing provision. In other words, there would be no office there if there was no appropriation.

Mr. MANDERSON. Then would not the result be if the Senate amendment to this bill should not be passed, there would be a complete abandonment of anything like government of that park?

Mr. PLUMB. I think not, because the House provision provides for putting it under the control of the Secretary of War in the immediate charge of an engineer officer. What would undoubtedly happen in that case would be that a military post would be established there with soldiers around it, as everybody knows.

Mr. VEST. I beg the Senator's pardon. That is not the provision. The House simply appropriates \$20,000 for roads and does nothing else. The result of that would be that unless the Secretary of the Interior, under the original act, which established the park, should call upon the

under the original act which established the park, should call upon the Secretary of War for troops, there would be no troops there. It is not put under the charge of the Secretary of War.

Mr. MANDERSON. Even if there were troops there, there would

be no method by which depredators could be arrested and taken to

Mr. PLUMB. The appropriation bill of 1883 further provides:

The Secretary of War, upon the request of the Secretary of the Interior, is hereby authorized and directed to make the necessary details of troops to prevent trespassers or intruders from entering the park for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law, and to remove such persons from the park if found therein.

That provision is a continuing provision, and it will be enforced whether we make any appropriation or net, and that is the only one which in my judgment is effective for the purpose of preventing tres-

passes, and that will go on just the same as before.

Mr. VEST. But it is manifestly obvious that it was not the intention of Congress that the Secretary of War of his own motion or judgment should send troops there. We provided that the Secretary of the Interior should have control over the park, and that clause which the Senator has just read I drew, and it means this and nothing more, that if the Secretary of the Interior with his superintendent and ten assistants was not able to construct the secretary. ants was not able to cope with the marauding parties who were then going into the park to destroy game, he could call on the Secretary of War for troops, but the Secretary of War has no soldiers there, and there has been no such thing as that done. The construction put upon that clause was not what the Senator from Kansas says.

Mr. PLUMB. Under the provision of the House the natural and obvious result would be that the Secretary of War would establish a small post there under the charge of an engineer officer, and that post would have more or less soldiers just as the Secretary of War made the numhave more of less solders just as the secretary of war made the infinite regreater or smaller, and those men would perform the offices of police, and I think do it more effectively than it is done by civilians and of course a great deal cheaper to the General Government than to have to pay from \$40,000 to \$100,000 a year for administration.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Missouri that the Senate recede from the amendment.

Mr. VEST. I make the motion that the Senate recede from the amendment in regard to the Yellowstone Park in the hope that it will be voted down. A negative vote is a vote in favor of the Senate amendment; an affirmative vote is a vote for the House provision.

Mr. INGALLS. Why not make it clearer by moving that the Senate insist?

Mr. VEST. I have no objection to that.

Mr. MANDERSON. I hope the Senator from Missouri will change his motion and move that the Senate insist.

Mr. VEST. Very well, I do so.

The PRESIDENT pro tempore. The Senator from Missouri now moves that the Senate insist on its amendment in respect to the Yellow-The Senator from Missouri now stone Park

The motion was agreed to.

Mr. ALLISON. That was included in my motion. I move to insist on all the Senate amendments to the bill.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate insist on its amendments to the bill disagreed to by the House of Representatives.

The motion was agreed to.

Mr. ALLISON. Now I move that the Senate ask for a further conference with the House of Representatives on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Allison, Mr. HALE, and Mr. BECK were appointed.

REPORTS OF COMMITTEES.

The PRESIDENT pro tempore. Reports of committees are in order.
Mr. BLAIR. Is it in order now to move to proceed—
The PRESIDENT pro tempore. The morning hour is not yet concluded. By one construction it will be over in fifteen minutes.

Mr. BLAIR, from the Committee on Pensions, to whom were re-ferred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 9129) granting a pension to Rebecca Wiswell; A bill (H. R. 7988) granting an increase of pension to Bryant Waters; A bill (H. R. 8180) to increase the pension of Charles Hahneman;

A bill (H. R. 7696) for the relief of George W. Robaugh.

Mr. PLUMB. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 3280) to restrict the ownership of real estate in the Territories to American citizens, and so forth, to report it with an amendment. I will state concerning that bill—
Mr. BLAIR. I hope the Senator will not take much time. I want

to get up one of the pension matters. I object to debate. I have only ten minutes in which to make my motion, but I will not insist on the

The PRESIDENT pro tempore. Reports of committees are still in

Mr. SPOONER, from the Committee on Claims, submitted the follow- .

The Committee on Claims, to whom was referred the petition of George Brown asking pay for property taken by the United States Army in 1862, have carefully considered the same, and, in accordance with the resolution of February 7, 1884, report as follows:

That they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

BILLS INTRODUCED.

Mr. GIBSON introduced a bill (S. 2886) for the relief of the heirs of John R. Temple; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a joint resolution (S. R. 81) making an appro priation for the construction, repair, and preservation of certain pub! works on rivers and harbors, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. SHERMAN, it was

Ordered, That the petition of Capt. John Condon in regard to the jetties at the mouth of the Mississippi River, now before the Committee on the Judiciary, be at his request returned to him.

On motion of Mr. HAWLEY, it was

Ordered, That the manuscripts of a compilation of the internal-revenue laws by Daniel R. Goodloe be withdrawn from the files of the Senate and referred to the Committee on Printing.

SOLDIERS' HOME ACCOUNTS.

Mr. SEWELL submitted the following resolution:

Resolved. That the Secretary of the Treasury be directed to furnish the Senate at the next session of Congress an estimate of the amount due the Soldiers' Home on the books of the Treasury Department, said estimate to be based on amounts already ascertained for certain years, allowing for increase of number of men and increase of pay and bounties during and subsequent to the war.

Mr. PLUMB. I should like to ask a question of the Senator from New Jersey about that matter. We have appropriated money every year for a number of years-

Mr. BLAIR. Is it in order to object to the resolution?

The PRESIDENT pro tempore. It is.

Mr. BLAIR. I object to the consideration of the resolution.

The PRESIDENT pro tempore. The resolution goes over.

Several SENATORS. "Regular order!"

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution that comes over under the rule.

CONSIDERATION OF HOUSE BILLS.

The resolution submitted by Mr. BECK on the 31st of July was read, as follows:

Resolved, That at the next meeting of the Senate, after the routine morning business is disposed of, the Senate will proceed under the provisions of Rule VIII to the consideration of bills which have passed the House of Representatives and have been reported favorably by the Senate committees.

Mr. BECK. I hope there will be no objection to that.

Mr. BLAIR. Is that a resolution that comes up necessarily?

The PRESIDENT pro tempore. It is a resolution that comes over under the rule.

Mr. BLAIR. Well, sir-

Mr. MILLER. I rise to a point of order. This resolution changes the rules of this body. It does not give notice of any such change at

all. It is a simple resolution. I make that point of order against it.

The PRESIDENT pro tempore. The Chair is of opinion that the resolution of the Senator from Kentucky is faulty in not having specified

the rule it proposes to change.

Mr. BECK. Perhaps so; I do not know. I had it lie over one day, and I thought that was enough. I want to take up the House bills that have been passed by that body and reported favorably by our committees, so as to do something.

Mr. BLAIR. I desire action on a few of the vetoed pension cases. I insist on my motion, if it is in order, to take up Order of Business

1630, Senate bill 2005.

The PRESIDENT pro tempore. The Chair thinks the resolution of the Senator from Kentucky is not in compliance with the rules, as it does not specify the rule which it proposes to change.

Mr. BECK. Very well; let it go over.

CONSIDERATION OF THE CALENDAR.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution that comes over under objection.

The following resolution, submitted by Mr. EDMUNDS on the 31st

of July, was read:

Ordered. That on Monday, August 2, subject to conference reports and action thereon, the Senate will, immediately after the strigt morning business, proceed to matters on the Calendar at No. 1565 and proceed therewith in order. The five-minute provision of Rule VIII shall apply to debate, and one objection shall be sufficient to pass the matter over, retaining its place.

Mr. MILLER. I make the same point of order on that.

The PRESIDENT pro tempore. The Chair is of opinion that the same point of order will lie to that.

Mr. EDMUNDS. I think it will, but I expected to get general consent at the proper time. It may as well be ruled out of order.

Mr. BECK. The Calendar is in order.

Mr. BECK. The Calendar is in order.
The PRESIDENT pro tempore. It will be at 1 o'clock. The Chair lays before the Senate another resolution that comes over under the

RELATIONS BETWEEN LABOR AND CAPITAL.

The following resolution, submitted by Mr. BLAIR on the 31st of July, was read:

Resolved. That the Committee on Education and Labor be directed to continue, with a view to its completion during the ensuing vacation, the investigation of the relations between labor and capital authorized and directed by Senate resolutions of August 7, 1882, and February 26, 1883, with the same rights and powers conferred by previous resolutions of the Senate.

Mr. BLAIR. I do not wish that considered now, but I do not desire it to lose its rights.

The PRESIDENT pro tempore. The resolution must take its place on the Calendar.

Mr. BLAIR. Very well.

INTERNATIONAL USE OF SILVER COINAGE.

The PRESIDENT pro tempore. Another resolution comes over under

The following resolutions, submitted by Mr. EVARTS on July 31, were

read:

Resolved, That the President be requested, if he shall deem it compatible with the public interests, to open a correspondence with the principal commercial powers of Europe with the view of ascertaining their estimate of the effect now operating upon commercial exchanges, and the values of commodities therein exchanged, by the great fall in silver bullion and the disuse of free silver coinage, which date, progressively, from the demonetization of silver by Germany in 1873. And, further, by such correspondence, to ascertain whether such powers or any of them are disposed, separately or in concert with others, either with or without the United States, to engage, either by domestic regulation or international convention, in any movement toward the restoration of parity between gold and silver in full function as intrinsic money, upon a ratio to be established by law.

Resolved, That the President be requested, if he shall deem it compatible with

Resolved, That the President be requested, if he shall deem it compatible with the public interests, to lay this correspondence before Congress at its next session.

Mr. EVARTS. Mr. President—
Mr. BLAIR. I should like to inquire what the desire of the Senator from New York may be. Does he wish to have the resolutions considered at this time?

Mr. EVARTS. I desire them to be considered, and I hope they will be passed before the adjournment of the Senate.

Mr. BLAIR. Is it the desire of the Senator to submit remarks at this time?

Mr. EVARTS. I gave notice that I should make a few observations. Mr. BLAIR. I was not aware of that. I will yield.

Mr. EVARTS. Mr. President, as we all remember, a debate was opened early in this session having relation to the general condition of the currency, and especially of the silver coinage and its use as currency. Interesting speeches were made and various propositions were referred, as I understand, to the Committee on Finance. I had sup-

posed that during this session, either in the shape of some legislation which would come here from the House of Representatives or of some which might be introduced from a committee of the Senate, some action and some debate looking to action might properly come about. Although I had not announced in any manner that I proposed to take part in that debate, yet I had intended so to do, and I mention this now to foreclose any suggestion that I now desire to open any of those general considerations.

The resolutions I have offered have in my mind only relation to one situation, and that I think they should be applied to and usefully. As far as I can foresee, the very necessary consideration and an important one of coinage and currency will be a topic of first prominence in the next session of this body. I should have preferred that before the elections for the House of Representatives which are to take place this fall there had been a fuller consideration and deliberation, and that some conclusions should have been presented as the views of the two Houses of Congress, whether resulting in legislation or not, upon this great subject. But the session comes to a close without any settlement of ideas on the general topic, and I do not propose to open it now.

I have, however, thought that considerable progress has been made in the public mind on some matters on which there had been great dis-

parity and a good deal sometimes of harsh expressions. I believe a good deal has passed out of the minds of men as being the prominent topics to be dealt with as bearing upon the patronage of the silver mines or their products. I think a good deal also has passed out of at-

tention as to the necessary importance of the question of the payment of interest on the public debt in silver as by law it may be made.

The PRESIDENT pro tempore. The Senator from New York will pause for a moment. The hour of 1 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business of

yesterday.

The CHIEF CLERK. "A bill (H. R. 4833) relating to the taxation of fractional parts of a gallon of distilled spirits."

Mr. ALDRICH. If the Senator from New York desires to proceed with

Mr. ALDRICH. If the Senator from New York desires to proceed with his remarks, I have no objection to the bill being laid aside informally. The PRESIDENT pro tempore. If there be no objection the pending bill will be laid aside informally to proceed with the consideration of the pending resolutions. The Chair hears no objection.

Mr. EVARTS. Therefore, as it seems to me, when the new session commences we shall be enabled to take up the question on what basis our currency in respect of the two metals and in respect of the paper money of the United States is to be made. Preparatory I have desired to ask the attention of the Senate to the position in which the matter was left by the conference of 1881. At the close of those deliberations four resolutions were presented as the concurrent views of the delegates of the United States and of France, and as the opinions, as they presented them, of the governments of those two great nations, not binding them, or either of them, but as a presentation of the conclusions to which they had concurrently come in view of the debates which had been conducted at large and also in the conference itself. As those resolutions are brief I will ask the attention of the Semte to them while I read them:

Mr. Evarts, on behalf of the delegates of France and of the United States of America, read the following declaration.

The delegates of France and of the United States, in the name of their respective Governments, make the following declaration:

1. The depreciation and great fluctuations in the value of silver relatively to gold, which of late years have shown themselves, and which continue to exist, have been, and are, injurious to commerce and to the general prosperity, and the establishment and maintenance of a fixed relation of value between silver and gold would produce most important benefits to the commerce of the world.

2. A convention, entered into by an important group of states, by which they should agree to open their mints to free and unlimited coinage of both silver and gold, at a fixed proportion of weight between the gold and silver contained in the monetary unit of each metal, and with full legal-tender faculty to the money thus issued, would cause and maintain a stability in the relative value of the two metals suitable to the interests and requirements of the commerce of the world.

of the two metals suitable to the interests and requirements of the commerce of the world.

3. Any ratio, now or of late in use by any commercial nation, if adopted by such important group of states, could be maintained; but the adoption of the ratio of 15½ to 1 would accomplish the principal object with less disturbance in the monetary systems to be affected by it than any other ratio.

4. Without considering the effect which might be produced toward the desired object by a lesser combination of states, a convention which should include England, France, Germany, and the United States, with the concurrence of other states, both in Europe and on the American continent, which this combination would assure, would be adequate to produce and maintain throughout the commercial world the relation between the two metals that such convention should adopt.

If I am at all right in thinking that the general judgment in France and the general judgment in this country concurs in those general practical resolutions, and that on that basis, if these nations or other nations are to pursue the matter of restoring by law the parity between the metals, that basis may be considered as prepared, and unless some good reason can be shown to the contrary will be the basis upon which such a combination will be made.

Now, coming to the close of this conference, the adjournment of the body took place upon this statement of the case:

The president read the following draught of resolutions:
The conference, considering that, in the course of its two sessions, it has heard
the speeches, declarations, and observations of the delegates of the states hereafter enumerated: Germany, Austria-Hungary, Belgium, Denmark, Spain, the

United States, France, Great Britain, British India, Switzerland, Canada, Greece, Italy, the Netherlands, Portugal, Russia, Sweden, Norway, considering that the declarations made by several of the delegates have been in the name of their

governments:

That these declarations all admit the expediency of taking various measures in concert, under reservation of the entire freedom of action of the different

in concert, under reservation of the entire freedom of action of the different governments;

That there is ground for believing that an understanding may be established between the states which have taken part in the conference;
But that it is expedient to suspend its meetings;
That, in fact, the monetary situation may, as to some states, call for the intervention of governmental action, and that there is reason for giving an opportunity at present for diplomatic negotiations;
Adjourns to Wednesday, 12th April, 1832.

Probably to the stage of possible agreement tending to what was always and everywhere admitted to be a desirable result as far as conference could go, we had then advanced; but the general opinion of the delegates of all these states was that an interval of a year might be and should be usefully occupied by diplomatic correspondence and bringing the governments themselves to a fair and frank statement of what they either would do or would not do, what they would desire to aim at or what they would not. Circumstances in the disaster to the President of the United States, President Garfield, and the interruption of representation in the administration of the State Department, among other reasons, probably rendered any movement during that year not serious or important. So, too, subsequently no great advance was made by this Government in that direction, nor was there an active movement on the part of any of the great powers in Europe. Great Britain was occupied with its do-mestic subjects which still engross its interest, and Germany was then occupied as well with knitting together the frame of the great imperial

occupied as well with kinting together the frame of the great imperial power which had recently been established.

Mr. President, all I seek by these resolutions is that in the interval between the adjournment now and the reassembling of Congress in December the executive government, if the President shall be so inclined and advised, may not enter upon any other or further negotiations than by correspondence, to ascertain, so that when we meet together we may know, whatever may be our wishes one way or the other, what responsible attitude toward this subject the great commercial powers of Europe are disposed to take. If their answers be in favor of concert with this or that degree of interest and this or that method of execution, very well, or if their answers be that they see no opportunity and no occasion for undertaking concurrent regulation either at home or abroad on the subject, then we meet in that situa-

I submit, after an interval of five years, since 1881 to the present time, if we shall be advised that there is no intent or purpose on the part of the foreign powers to enter into a redress of this divergence between the two metals, then we shall be confronted, and properly, with the practical question of what this nation proposes to do with it. Beyond that these resolutions do not go, nor do they carry any color. They ask simply as to the situation as it now stands in 1886, what the

disposition of these great powers is. In 1876, when the domestic commission of which the Senator from Nevada [Mr. Jones] was the chairman completed its examination and made its report, and when the English commission, occupied with somewhat the same subject, made their report, I do not think that I mis-represent the general attitude and feeling of all engaged in that inves-tigation as indicated in their reports when I say that the divergence between gold and silver was imputed in good part at least to the tem-porary and commercial reasons, and that the divergence would not per-sist, or certainly would not progress.

sist, or certainly would not progress.

The feeling undoubtedly in Europe when the conference of 1881 was The feeling undoutedly in Europe when the conference of 1881 was brought to a close did not contemplate a continuous and persistent divergence between these two metals; but it is now evident from the largeness of the divergence, from its progress, and from its persistency, that it is not to be attributed to circumstantial incidents in the production of the two metals or in the exchanges of commerce.

I may perhaps not receive the entire concurrence of the Senators in expressing my opinion that the only fact and act which has substanexpressing my opinion that the only lact and act which has substantially disturbed the parity which was maintained for so many years without conventions between the two metals was the intervention by positive act of Germany. Germany intervened first in 1857, and in the opposite direction. The immense development of gold, as we remember, had led speculative and scientific observers of the subject to a conclusion that an inundation of gold was apparent. Germany then took its position under the lead of those doctrinaires and in favor of silver so its gold and single standard for increased prefering of gold. ns its own and single standard, fearing the increased profusion of gold. No disturbance took place from that, because the situation not changing that of England nor affecting at all that of France, had perhaps put the concurrence of parity on a little better footing than if Germany had not taken that position.

The progress in a few years showed that that alarm about the profusion of gold was entirely chimerical, and that all that was needed was that the doctrinaires should leave things alone, unaffected by the in-

tervention of positive law, for the redress to come about in the two metals being able to balance one another.

In 1873, upon an announcement made in 1871, Germany then discarded her sole and universal system of silver as the standard and took

gold as the sole standard, and, as I imagine, without anticipation of any greater disturbance to the world taking place by that act than had followed its action in 1857, excepting that the interest of Germany as governing its course in 1857 in espousal of silver was anew and to be again applied, that is, the same interest in the opposite direction by the profusion of silver, and meditating no disturbance to the value of its own silver or disturbance of the intercourse of commerce.

I do not intend to trench in the least upon any of these doctrines. I only wish to ask attention to the situation of silver as standing at that time. The par at 151 between gold and silver, which is the ratio of France, makes 60% pence equivalent to an ounce of silver in gold. As the matter stood in 1876, when the silver commission here and the silver commission in England were deliberating upon the situation, fluctuating month by month, in that year the average was about 54 to 55 pence an ounce. That was the situation under view when these 55 pence an ounce. deliberations by the two nations of England and ourselves in their domestic examinations treated the subject. To-day the last quotation of silver gives it but 42½ pence value in the bullion market, and our silver dollar compared with the gold dollar is now worth—in this bullion estimate I mean—71 cents and about a quarter of a cent. You will observe then this fall of bullion from $60\frac{1}{5}$, which is the par of $15\frac{1}{2}$ between gold and silver, down to $42\frac{1}{4}$ is a full amount of a third, certainly of 30 er cent

The different stages that we have passed through when silver was worth with us 93 cents, and then 87 cents, and then 85 cents, and then 80 cents, and then 77, 75, where it lingered for a long while, until now at 71, have, as it seems to me, removed from practical considera-tion any idea that this redress between the metals, if desirable, could be accomplished by coining a larger and heavier dollar. I say that these different stages in the decline of silver, proceeding quite beyond the calculations of either the friends of silver or those who are in favor of gold, have removed, it seems to me, practically from sensible consideration the question whether the redress between the metals could be accomplished by coining a heavier dollar. We should have seen

be accomplished by coining a heavier dollar. We should have seen under that instruction, which was really a sentiment of a very large part of the most intelligent people in this country, a dollar coined at 93 and then by the same reasoning at 85, and then at 80, and then at 75, and then again at 70, if it should fall.

I think it must be apparent that this idea of producing a parity in circulation by a conformity in weight is an impossible transaction and does not meet the exigency at all. Of course for trivial variations there might need to be, and there might come about after long experience and observation a readjustment, but I think it must be made apparent that if a parity and use of the two metals is to be accomplished it must be accomplished by the power of law which is the power that assigns be accomplished by the power of law which is the power that assigns

and measures the value of money as money.

One point I will suggest in support of the idea, that there was an expectation that a beneficial result might be accomplished by putting more weight of silver without any change of convention or of law, and that is from the report of the minority of the monetary commission in which a very distinguished professor, Mr. Bowen, and a distinguished gentleman, my friend, now the Senator from Louisiana [Mr. Gibson] gave the result, and this was one part of that recommendation, recommending that 345.06 grains of pure silver legal tender should be put in the dollar, a modification of currency, and that it should be a legal tender up to \$20. There seems to have been all around an opinion that the variations were not so vast but that they might be accommodated by the statement of the seems of th dated to one another by an arrangement of coinage. A modification also reducing the value of gold from 23.2 grains to 22.6 grains of pure A modification gold to the dollar was suggested by this enlightened professor in which this enlightened Senator concurred. I do not criticise the matter at all except in the point of view that there might have been a general concurrence in a feeling that an accommodation might be made by an adjustment of the coinage

Mr. President, as I think that the opinions of mankind in every great nation are an important element of its financial and its money arrangements, it seems to me that when we meet next December we should be prepared to determine whether we are further to expect any adjustment by convention or by co-operative action of the great powers of Europe with this nation, and if we are satisfied there is no reliable determination in that regard, then we should take up and debate and settle the whole basis of our currency and of our coinage. It is simply in that view that I have asked that these resolutions might be put upon their passage, that we might not longer deliberate and doubt as to whether we were to grapple with this great subject by ourselves or in concurrence with others. In whatever alternative of that result, all of us I think will be disposed to regard the subject as one of the

most momentous which can attend the action of any nation. Mr. GIBSON. Mr. President

Mr. GIBSON. Mr. Fresident—
Mr. EUSTIS. I propose the following amendment—
Mr. ALDRICH. If this discussion is to continue I shall have to object to the further consideration of the resolution at the present time.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The Senator from Louisiana [Mr. EUSTIS] proposes an amendment, which will be stated.

The SECRETARY. After the word "Resolved," in the first line, it is proposed to insert the words "by the Senate (the House of Representatives concurring)."

Mr. EUSTIS. Mr. President-

Mr. ALDRICH. If the matter is to be discussed further, I shall have to ask that the resolutions go over until to-morrow.

Mr. EUSTIS. I understood that the resolutions were up for the con-

sideration of the Senate.

Mr. ALDRICH. The unfinished business was laid aside informally, by unanimous consent, to allow the Senator from New York to finish

his remarks, and for no other purpose. Mr. BECK. I should be very glad to see the resolutions go over until to-morrow. I wish to read the speech of the Senator from New York before I suggest any amendment, but it has occurred to me that perhaps I would move to strike out all after the word "Resolved" and insert:

That Prince Bismarck be respectfully requested to advise the American Congress how best to destroy silver coinage.

Mr. ALLISON. That is a very important amendment suggested by the Senator from Kentucky.

The PRESIDING OFFICER. The Chair understands that the resolutions are being considered by unanimous consent, as the business properly before the Senate is the unfinished business of Saturday.

Mr. ALDRICH. I feel obliged to object to their further considera-

Mr. GIBSON. I should like to ask the Senator from New York a question, if the Senator from Rhode Island will permit.

Mr. ALDRICH. Certainly.

The PRESIDING OFFICER. Does the Senator from Rhode Island

withdraw his objection?

Mr. ALDRICH. For the purpose of allowing the Senator from Louisiana [Mr. Gibson] to ask a question.

Mr. EUSTIS. I have the floor.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. EUSTIS] has been recognized by the Chair.

Mr. ALDRICH. I object if the Senator insists on having the floor. I did not hear the Senator from Rhode Island.

Mr. ALDRICH. I was willing to yield to the Senator from Louisiana [Mr. Gibson] to ask the Senator from New York a question, but I object to any further discussion of the resolutions at this time.

Mr. EUSTIS. Does the Senator object to my making a statement

explaining the object of my amendment?

Mr. ALDRICH. The resolutions are to be debated, and must go

over, and might as well go over now and be printed.

The PRESIDING OFFICER. If objection is made and insisted upon the resolutions must go over until to-morrow. The Chair will lay before the Senate the unfinished business which was in order at 1 o'clock.

TAX ON DISTILLED SPIRITS.

The Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 4833) relating to the taxation of fractional parts of a gallon of distilled spirits.

Mr. BLAIR. With the consent of the Senator-

Mr. ALDRICH. This bill will be finished in a few moments.
Mr. BLAIR. If it is understood that it will be finished soon, I shall not move now to take up the pension cases.

The PRESIDING OFFICER. The bill is before the Senate as in

Committee of the Whole, and open to amendment.

Mr. ALDRICH. Certain amendments have been reported by the

Committee on Finance.

The PRESIDING OFFICER. The amendments will be stated.

The first amendment was, in line 6, after the words "first day of," to strike out "May, 1886," and insert "the second month succeeding the month in which this act is approved;" so as to read:

That in lieu of the existing law taxing certain fractional parts of a gallon of distilled spirits and exempting from taxation certain other parts of a gallon, all fractional parts of a gallon of distilled spirits produced on or after the first day of the second month succeeding the month in which this act is approved shall be taxed.

The amendment was agreed to.

The next amendment was, in line 13, after the words "said first day of," to strike out "May, 1886," and insert "the second month succeeding the month in which this act is approved;" so as to read:

Ing the month in which this act is approved;" so as to read:

And the Commissioner of Internal Revenue shall thereafter assess, monthly, against each distiller, owner, or person having them in possession, a tax of 90 cents upon each proof-gallon, or wine-gallon when below proof, which the fractional parts of a gallon contained in cakes or packages of distilled spirits produced by such distiller on or after said first day of the second month succeeding the month in which this act is approved, and withdrawn from distillery warehouse or from special bonded warehouse upon payment of tax, or upon which the tax has otherwise become payable, during the preceding month, may aggregate, together with the proportionate tax upon any final fraction of a gallon beyond the number of full gallons aggregated; and the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make such regulations and prescribe such warehousing bonds as are needful to carry this law into effect.

The amendment was agreed to.

The next amendment was to add as new sections the following:

SEC. —. That the provisions of an act entitled "An act relating to the production of fruit-brandy, and to punish frauds connected with the same," approved

March 3, 1877, be extended and made applicable to brandy distilled from apples or peaches: Froeider, That each of the warehouses established under said act, receptor of a storckeeper and gauger, at the discretion of the Commissioner of Internal Revenue.

Revenue, and a storckeeper and gauger, at the discretion of the Commissioner of Internal Revenue and gauger, at the discretion of the Commissioner of Internal Revenue and gauger, at the discretion of the Commissioner of Internal Revenue and the producer of pure sweet wines, who is also a distiller, authorized to separate from formended grape-juice, under internal revenue laws, winespirits, may use, free of tax, under such regulations and after the filing of such motions and winespirits are such as a such a

regulations as to sealing packages and vehicles containing the same, and as to supervision of transportation from the point of departure, which point shall be determined as the place where such wine-spirits may be introduced into such wines, to the point of destination, as may be necessary to insure the due expor-

wines, to the point of destination, as may be necessary to insure the due exportation of such fortified wines.

SEC.—. That all provisions of law relating to the reimportation of any goods of domestic growth or manufacture which were originally liable to an internal-revenue tax shall be, as far as applicable, enforced against any domestic wines sought to be reimported; and duty shall be levied and collected upon the same to the extent of the distilled spirits contained therein which were originally liable to internal-revenue tax; and in case it is impracticable to determine the exact amount of such distilled spirits liable to tax, the rule for levying the duty thereon at the port of entry shall be by considering all the alcohol in such wines, other than sweet wines, in excess of 15 per cent., to be subject to duty at the rate of 90 cents per proof gallon, or at the same rate for each fractional gallon; and all domestic wines containing more than 24 per cent. of alcohol sought to be reimported from foreign countries shall be classed as alcoholic liquors, and taxed at the port of entry at the rate of 90 cents per wine gallon for each gallon of such liquors, if not exceeding in strength that of proof spirits, and if exceeding the strength of proof spirits, then at the rate of 90 cents per proof gallon: Provided, however, That if any distilled spirits have been added to such wines of domestic growth after they have been exported to foreign ports, or if such wines have been compounded with any foreign wines or other substances not produced from grapes, the rate of duty levied and collected on the same, when reimported, shall be equal to that levied and collected on foreign products of a similar nature.

Sec. — That any person using winesorivity or other substances not produced from exact any person using winesory of the substances not produced from exact any person using winesory other substances not produced from grapes, the rate of duty levied and collected on foreign products of a similar nature.

SEC. —. That any person using wine-spirits or other spirits which have not been tax-paid, in fortifying wine otherwise than as provided for in this act, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished for each offense by a fine of not less than \$200 nor more than \$2,000, and for every offense other than the first also by imprisonment for not less than thirty days nor more than one year.

SEC. —. That wine-spirits used in fortifying wines may be recovered from such wine only on the premises of a duly authorized grape-brandy distiller; and for the purpose of such recovery wines so fortified may be received as material on the premises of such a distiller, on a special permit of the collector of internal revenue in whose district the distillery is located; and the distiller will be held to pay the tax on a product from such wine as will include both the alcoholic strength therein produced by the fermentation of the grape-juice and that obtained from the added distilled spirits.

The amendment was agreed to.

Mr. ALDRICH. I ask that the sections may be numbered consecutively from the beginning.

The PRESIDING OFFICER. The sections will be numbered in their

consecutive order.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. ALDRICH. I move that the Senate insist on its amendments, and ask for a conference with the House of Representatives thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. ALDRICH, Mr. Jones, of Nevada, and Mr. HARRIS were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments of the Senate to the bill (H. R. 2124) amendatory of and supplementary to "An act to alter the judicial districts of Pennsylvania, and for other purposes," approved May 26, 1824, and providing an additional place for holding the several courts thereof; and to the bill (H. R. 6664) to increase the naval establishment.

The message also announced that the Speaker of the House had appointed Mr. Payson one of the conferees on the part of the House on the amendment of the House to the bill (S. 2172) restoring to the United States certain of the lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound and to restore the same to settlement, and for other purposes, in place of Mr. FISHER, erroneously announced to the Senate.

EXPORT TOBACCO.

Mr. MAHONE. I move that the Senate proceed to the consideration of the bill (H. R. 8585) to provide for the inspection of tobacco, cigars, and snuff, and to repeal section 3151 of the Revised Statutes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that manufactured tobacco, snuff, and cigars may be removed for export to a foreign country without payment of tax, under such regulations, and the making of such entries, and the filing of such bonds and bills of lading as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe; and repeals section 3151 of the Revised Statutes of the United States.

Mr. CULLOM. I wish to inquire if this is the bill which was recommitted to the Committee on Finance?

Mr. MAHONE. No; it is not.

Mr. BECK. I can not hear. I am trying to hear. I reported the I ask what the Senator from Illinois said.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The Senator from Illinois asked whether this was the bill which was recommitted a day or two since.

Mr. CULLOM. I noticed that it referred to tobacco.

Mr. BECK. This is another bill which was passed by the House,

referred to the Committee on Finance, and reported unanimously by me from that committee the other day.

Mr. CULLOM. I supposed from the reading that it was the bill recommitted a day or two ago on motion of the Senator from Rhode Island [Mr. Aldrich] in oposition to the wish of the Senator from Louisi-

ana [Mr. Eustis].

Mr. SHERMAN. It is due to the Senate and to the public at large, and the newspapers especially, who may fall into error, to state that there are three bills relating to tobacco pending either in the Finance Committee or before the Senate. This bill simply allows the exportation of tobacco without the payment of the tax, and also repeals the section of the statutes which provides for the inspection of tobacco to be exported, a provision which is a totally useless expense to the man-ufacturer without protecting the Government. It is recommended by the Commissioner of Internal Revenue that the section be repealed. Of the other two bills, one relates to the mode of packing cut tobacco in 10-pound packages, which was recommitted to the Committee on Finance and will no doubt remain there during the rest of the session. The other is to give a drawback for domestic articles exported. bill also remains in committee, and no report is made upon it. I think there will be no objection from any quarter so far as I know to the bill now under consideration.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM H. WHEELER.

I ask unanimous consent to take up a little bill which Mr. BECK. has been passed by the House and reported unanimously by the Senate Committee on Military Affairs. It is the bill (H. R. 822) for the relief of William H. Wheeler. I hope it may be allowed to be passed.

The PRESIDING OFFICER. Is there objection to the consideration

of the bill?

Mr. INGALLS. It is important that there should be an executive

Mr. BECK. Do not ask for that now. I have to go away to a conference, and this is a little bill involving only four or five hundred dollars. Mr. INGALLS. I will yield to the Senator from Kentucky, as he has to return to a committee of conference.

The PRESIDING OFFICER. If there be no objection the bill is be-

fore the Senate.

Mr. BLAIR. I object. I will say to the Senator that I have been for a long time endeavoring-

Mr. BECK. All right.

Mr. BLAIR. I should like to hear the Senator's reason for desiring to take up the bill.

Mr. BECK. It is a little bill reported unanimously from the Committee on Military Affairs, and I may be out of the Senate in conference the rest of the day.

Mr. BLAIR. I do not object, but the Senator will see that I have been laboring under embarrassment and difficulty for a long time. withdraw the objection.

Mr. BECK. I am very much obliged.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay William H. Wheeler, of Warren County, Kentucky, \$633.50, for quartermaster's stores furnished the United States Army in the year 1862.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

SAINT LOUIS RIVER BRIDGE.

Mr. McMILLAN. I ask the Senate to proceed to the consideration of the bill (S. 2611) to authorize the construction of a bridge across the Saint Louis River at the most accessible point between the States of Minnesota and Wisconsin. The bill provides for a bridge at Duluth, and is in conformity with all the recommendations of the Department and the engineers.

The PRESIDING OFFICER. Is there objection to the present con-

sideration of the bill?

Mr. BLAIR. I understand it will take but a moment.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Commerce with amend-

The first amendment was, in section 2, after the word "act" in line 17, to strike out the remainder of the section in the following words:

That said bridge shall be constructed and built without material interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted: *Trovited*, That as to any bridge built under this act, if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation in any case than 50 feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spins of said bridge be less than 150 feet in length, and the pairs of said bridge shall be parallel with the current of said river, and the main span shall be over the main channel of the river and not less than 150 feet in length: *And provided also*.

The amendment was agreed to.

The next amendment was, in section 3, line 2, after the word "draw-

bridge," to strike out the words "the same" and insert "and;" so as

That if any bridge built under this act shall be constructed as a draw-bridge, and shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an accessible and the best navigable point, and with spans of not less than 110 feet in length in the clear on each side of the central or pivot

The amendment was agreed to.

The next amendment was, in section 3, line 7, after the word "provided," to strike out the word "also."

The amendment was agreed to.

The next amendment was to strike out section 5, in the following

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said structure, at the expense of the owners thereof, whenever Congress shall decide that the public interests require it, is also expressly reserved.

The amendment was agreed to.

The next amendment was to insert, as section 6:

SEC. 6. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railroad trains or cars over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

The amendment was agreed to

The amendment was agreed to.

The next amendment was to strike out section 8, in the following words:

SEC. S. That this act shall take effect and be in force from and after its pas-

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL CADET-ENGINEERS.

Mr. McPHERSON. I desire to call up for consideration the joint resolution (S. R. 60) for the purpose of temporarily increasing the number of assistant engineers in the United States Navy by restoring certain cadet-engineers named therein to their legal rights and to their proper office and rank in the United States Navy, authorizing and directing the President to appoint such cadet-engineers (graduates) assistant engineers, to commission them as such, and to antedate their commissions. It is a very important measure, touching twenty-one naval officers, who, by the action of the Secretary of the Navy were turned out of the service, and, by the action of the court, restored. I do not think it will provoke any discussion. It has been ordered by the court and recommended by the Department.

The PRESIDING OFFICER. The Senator from New Jersey moves

that the Senate proceed to the consideration of the joint resolution.

Mr. BLAIR. Is the joint resolution open to objection at this time? If it is, I object to its consideration.

If it is, I object to its consideration.

Mr. INGALLS. A majority can take it up.

Mr. BLAIR. I understand that.

The PRESIDING OFFICER. The joint resolution can be considered by a majority vote, under the rule.

Mr. BLAIR. I object to its consideration.

Mr. MCPHERSON. I move that the joint resolution be taken up,

notwithstanding the objection.

The PRESIDING OFFICER. The Senator from New Jersey moves that the Senate proceed to the consideration of the joint resolution.

Mr. INGALLS. Pending that motion, I move that the Senate pro-

ceed to the consideration of executive business

Mr. HOAR. I desire to give notice, if the Senator will permit me, by unanimous consent, that I shall move at the first opportunity to proceed to the consideration of the bill (S. 2171) to provide for inquests under national authority, and shall resist all applications for taking up the time of the Senate except those made by the Senator from New

Hampshire with his pension bills.

Mr. McPHERSON. Will the Senator from Kansas please give me one moment before he moves to proceed to the consideration of execu-

tive business

The PRESIDING OFFICER. Does the Senator from Kansas withdraw the motion?

Mr. INGALLS. I will temporarily withdraw it for the purpose of enabling the Senator from New Jersey to say anything, but I shall in-

sist on the motion being put.

Mr. McPHERSON. I wish to say that these young naval officers were turned out of the Navy by the law of 1882, under the construction placed upon it by the then Secretary of the Navy. An appeal was made to the court, and the court ruled that they were not out of the service. The condition of the matter is simply this: The classes of 1882, 1883, and 1884 have been promoted to places which belong to these young men. To continue this condition of things longer will simply complicate the Navy still further and make it more difficult in the fut-

ure to place them back where they properly belong. The Government has done an injury to these men, and in order that the Navy Department may do them justice it is proposed to pass the joint resolution. It is recommended by the Secretary of the Navy and by the Committee on Naval Affairs of both Houses.

Mr. VOORHEES. I wish to say further—

The PRESIDING OFFICER. The Senator from Kansas has the

Does the Senator from Kansas yield?

Mr. VOORHEES. The Senator from Kansas I am quite sure will yield to me for a moment.

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Indiana?

Mr. INGALLS. For a moment. Mr. VOORHEES. I am satisfied if the Senate understood the simplicity of action asked for these young gentlemen by the Senator from New Jersey, and at the same time their high merit and the cruelty it would be not to allow them this action at this session, there would be no objection at all to the consideration of the joint resolution.

Mr. McPHERSON. It is fulfilling the action of the court.
Mr. VOORHEES. It is fulfilling the action of the highest court of this Government in behalf of these young gentlemen, and we should not deprive them of their rank and of their avocation in life. I can conceive of no higher appeal that could be made to the sense of justice of the Senate.

ALE. Let me make a suggestion to the Senator from New I am with him and the Senator from Indiana upon this reso-Mr. HALE. Jersey. I am with him and the Senator from Indiana upon this lution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Indiana upon this lution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution; but I have just been informed by the Senator from Massachulution in the senator from Massachul setts [Mr. DAWES] that if this bill comes up he will move to put upon it all those other cadets who were disposed of after a long debate in the Senate; and if that is done, of course this will open the whole question and will take a great while. So I suggest to the Senator that he withdraw his motion for the present.

Mr. INGALLS. I renew my motion.
The PRESIDING OFFICER. The Senator from Kansas moves that the Senate proceed to the consideration of executive business.

EMILY J. STANNARD.

Mr. BLAIR. I wish to make a conference report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2609) granting a pension to Emily C. Stannard having met, after full and free conference have been unable to

H. W. BLAIR,
W. J. SEWELL,
E. K. WILSON,
Managers on the part of the Senate. H. B. LOVERING, W. P. TAULBEE, E. N. MORRILL, Managers on the part of the House

Mr. BLAIR. The matter between the House and Senate is this: The Senate passed a bill giving this widow \$100 a month pension. The House have amended the bill by substituting \$50 for \$100, and it has been in conference.

The committees have disagreed, and the House has asked a further conference. It is thought best by the friends of the claimant to accede to the House amendment, and, therefore, I move that the Senate recede from its disagreement to the House amendment, and that the House amendment be agreed to.

The PRESIDING OFFICER. The Senator from New Hampshire moves that the Senate recede from its disagreement to the House amendment, and that the House amendment be adopted.

The motion was agreed to.

PUBLIC BUILDING AT SPRINGFIELD, MASS.

Mr. DAWES. I ask to take from the table the bill relative to a public building in Springfield, Mas

The PRESIDING OFFICER laid before the Senate the amendments

of the House of Representatives to the bill (S. 263) providing for the erection of a public building at Springfield, Mass.; which were read.

Mr. DAWES. This is a Senate bill which passed fixing the amount of the cost of the site and building at \$150,000. The House of Representatives has cut that down to \$125,000 and put a further restriction upon the bill that nothing can be done until a site and plan for a building not to cost more than \$125,000 all told shall be completed. This is fatal to the object of the bill. It is impossible to construct such a building for that sum in Springfield, Mass. I am prepared to satisfy the Senate that they ought not to agree with the House amendments, but under the circumstances surrounding the enactment of public building bills at the present time, and at the request of the Representative from that district in the other House, I move a reference of this bill with the House amendments to the Committee on Public Buildings and Grounds, without any expectation of a report at this session.

Mr. HOAR. I should like to add to what my colleague has said on that subject that I concur in this reference which he has moved, solely because I am informed by the Representative who represents Springfield in the other House that it is the desire of the Springfield people that this subject shall go to the committee, in order that they may be

able to present more fully their views in regard to it than they can at this moment, and also in order that the bill may go to the Executive at a time when his attention may be called carefully and precisely to the distinction between this case and a case which he has vetoed, which there would not be time for at the present session of Congress

Mr. DAWES. Those are the reasons, in addition to those I have

stated, which operate on my colleague and myself.

The motion to refer to the Committee on Public Buildings and Grounds was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House further insisted upon its disagreement to certain amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes; insisted upon its amendments to the amendments numbered 74 and 78 to the said bill disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RANDALL, Mr. FORNEY, and Mr. RYAN managers at the further conference on the part of the House.

The message also announced that the House had passed the bill (S. 201) to provide for the erection of a public building in the city of An-

napolis, Md.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by

signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 2124) amendatory of and supplementary to "an act to alter the judicial districts of Pennsylvania, and for other purposes," approved May 26, 1824, and providing an additional place for holding the several courts thereof; and

A bill (H. R. 5003) for the relief of Mary E. Casey.

THE CONGRESSIONAL LIBRARY.

Mr. VOORHEES introduced a joint resolution (S. R. 82) making additional appropriation for purchase of site for Congressional Library; which was read the first time by its title, and the second time at length,

as follows:

Whereas under the provisions of an act of Congress "authorizing the construction of a building for the accommodation of the Congressional Library," approved April 15, 1886, the sum of \$550,000 was appropriated for the purchase of a site for the Congressional Library; and

Whereas in the proceedings in the supreme court of the District of Columbia, had in pursuance of said act, the amount of damages has been assessed at about \$35,000 in excess of the amount so appropriated: Therefore,

Bettresolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the additional sum of \$35,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, for the purchase of a site for the Congressional Library, to be immediately available.

Mr. VOORHEES. I move that the joint resolution be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. VOORHEES. I ask that the letter from the Secretary of the Interior, who is chairman of the Library commission, may be printed in the RECORD.

The PRESIDENT pro tempore. That order will be made if there be no objection.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR, Washington, August 2, 1896.

Department of the Interior, Washington, August 2, 1886.

Sir: In view of the fact that the second jury appointed by the supreme court of the District of Columbia to assess damages to property in squares 729, 730, and 731, for site of building for the accommodation of the Congressional Library, have placed said damages at a sum of about \$35,000 in excess of the appropriation of \$550,000, heretofore made for such purpose, I have the honor to recommend, and beg leave to urge, that an additional appropriation of from \$35,000 to \$40,000 be made as soon as practicable to enable the commission to complete the purchase of said squares without further delay.

It is further suggested that the proceeds of sale of old material upon the site in question may be made available for disbursement by the commission for any purposes contemplated by the act notwithstanding the provisions of section 3618 Revised Statutes.

Very respectfully,

L. Q. C. LAMAR, Secretary of the Interior, Chairman Library Commission. Hon. D. W. Voorhees, Chairman Library Committee, United States Senate,

EXECUTIVE SESSION.

Mr. INGALLS. I renew my motion.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The question is on the motion of the Senator from Kansas [Mr. INGALLS] that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After four hours and thirty minutes spent in executive session the doors were reopened.

A. K. CUTTING.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which, with the accompanying papers, was ordered to be printed, and referred to the Committee on Foreign Relations:

To the Senate of the United States:

In response to the resolution of your honorable body of the 26th ultimo I trans-

mit a report of the Secretary of State, with accompanying papers, communicating the information possessed by the Department of State "concerning the alleged illegal detention of A. K. Cutting, an American citizen, by the Mexican authorities at El Paso del Norte," and as to the further inquiry contained in said resolution "whether any additional United States troops have been recently ordered to Fort Bliss," I answer in the negative. GROVER CLEVELAND.

EXECUTIVE MANSION, Washington, August 2, 1886.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 31st ultimo approved and signed the following acts:

ne 31st ultimo approved and signed the following acts:
An act (S. 948) granting a pension to Joseph S. Moody;
An act (S. 1112) granting a pension to Phœbe H. Meech;
An act (S. 1289) granting a pension to Thomas J. Owen;
An act (S. 1766) granting a pension to William Brentano;
An act (S. 1853) granting a pension to Isabella Jessup;
An act (S. 2113) granting a pension to Mrs. Sarah Young;
An act (S. 2163) granting a pension to Powhattan B. Short;
An act (S. 2233) granting a pension to John P. McElroy; and
An act (S. 1625) granting a pension to Rebecca Hollingsworth Humbreys. phreys.

WILLIAM H. WEAVER-VETO MESSAGE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, referred to the Committee on Pensions, and ordered to be printed: To the Senate :

To the Senate:

I herewith return without my approval Senate bill No. 1421, entitled "An act granting a pension to William H. Weaver."

The claimant named in this bill enlisted August 12, 1862, and was mustered out of service June 12, 1865. During his service he was treated in hospital for diarrhea and lumbago, and in the reports for May and June, as well as July and August, 1864, he is reported as absent sick.

He filed his application for pension in November, 1877, alleging that in March, 1863, he contracted measles, and in May, 1864, remittent fever, and that as a result of the two attacks he was afflicted with weakness in the limbs and eyes. He made statements afterward in support of his application that he was also troubled in the service with rheumatism and diarrhea.

The case was examined by several special examiners, from which, as reported to me, it appeared from the claimant's admission that he had sore eyes previous to his enlistment, though he claimed they were sound when he entered the Army.

Army.

A surgeon who made an examination in March, 1881, reported that he could not find any evidence whatever of disease of the eyes, and nothing to corroborate the claimant's assertion that he was suffering from rheumatism, piles, or diarrhea.

diarrhea.

Another surgeon who examined the claimant in 1872 reported that he found the eyelids slightly granulated, producing some irritation of the eyeball, and rendering the eyes a little weak, and that he found no other disability.

In 1882 a surgeon who made an examination reported that he discovered indications that the claimant had suffered at some time with chronic ophthalmia, but that in his opinion his eyes did not disable him in the least, and that the claimant was well nourished and in good health.

The report of the committee to whom this bill was referred in the Senate states that six special examinations have been made in the case, and that two of them were favorable to the claim.

The trouble and expense incurred by the Pension Bureau to ascertain the truth and to deal fairly by this claimant, and the entire absence of any suspicion of bias against the claim in that bureau, ought to give weight to its determination.

The claim was rejected by the Pension Bureau in July, 1885, upon the ground.

termination.

The claim was rejected by the Pension Bureau in July, 1885, upon the ground that disease of the eyes existed prior to enlistment, and that the evidence failed to show that there had existed a pensionable degree of disability, since discharge, from diarrhea or rheumatism.

It will be observed that this is not a case where there was a lack of the technical proof required by the Pension Bureau, but that its judgment was based upon the merits of the application, and affected the very foundation of the claim.

claim.

I think it should be sustained; and its correctness is somewhat strengthened by the fact that the claimant continued in active service for more than a year after his alleged sickness, that after filing his claim headded thereto allegations of additional disabilities, and that he made no application for pension until more than twelve years after his discharge.

EXECUTIVE MANSION, July 31, 1886.

GROVER CLEVELAND.

MARY J. HAGEMAN-VETO MESSAGE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, referred to the Committee on Pensions, and ordered to be printed:

To the Senate

To the Senate:

I return without approval Senate bill No. 2160, entitled "A bill granting a pension to Mary J. Hageman."

The husband of this proposed beneficiary enlisted in 1861 and was wounded by a gun-shot which seriously injured his left forearm. In 1864 he was discharged; was afterward pensioned for his wound, and died in August, 1884.

Dr. Hageman, who attended the deceased in his last illness, testifies that he was called to attend him in August, 1884; that he was sick with typho-malarial fever, and that upon inquiry he (the physician) found that it was caused by hard work or overexertion and exposure. He was ill for about ten days.

The application of his widow for pension was rejected in 1885 on the ground that the fatal disease was not due to military service.

I am unable to discover how any different determination could have been reached.

To grant a pension in this case would clearly contravene the present policy of

reached.

To grant a pension in this case would clearly contravene the present policy of the Government, and either establish a precedent which, if followed, would allow a pension to the widow of every soldier wounded or disabled in the war without regard to the cause of death, or would unjustly discriminate in favor of the few thus receiving the bounty of the Government against many whose cases were equally meritorious. GROVER CLEVELAND.

EXECUTIVE MANSION, July 31, 1886.

COMMITTEE ON TRANSPORTATION ROUTES.

Mr. ALDRICH, from the Committee on Transportation Routes to the

Seaboard, who were authorized by resolutions of the Senate of July 5, 1884, and January 20, 1885, to take testimony for the purpose of "preparing statistical data relative to freights, commodities, and prices for the period from 1873 to the present time," submitted a report thereon.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had receded from its disagreement to the amendments of the Senate to the following resolutions of the House, and agreed to the same:

Concurrent resolution providing for printing the report of the Di-rector of the Mint on the production of precious metals in the United

States; and

Joint resolution (H. Res. 201) for printing the report of the Com-

missioner of Agriculture.

The message also announced that the House had agreed to the amendments of the Senate to the following resolutions of the House:

Concurrent resolution to print Senate Executive Document No. 85,

Forty-ninth Congress; and

Joint resolution (H. Res 87) providing for the printing and distribution of documents of the monetary conferences of 1878 and 1881.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 160) to authorize the Commissioner of the General Land Office to cause 15,000 copies of the map of the United States and Territories to be printed.

The message also announced that the House had passed the following

joint resolutions; in which it requested the concurrence of the Senate:

Joint resolution (H. Res. 211) to continue the provisions of a joint resolution entitled "Joint resolution to provide temporarily for the expenditures of the Government;"

Joint resolution (H. Res. 212) authorizing the payment of the officers and employes of the Senate and House for the month of August as soon after the adjournment of the present session as practicable; and Joint resolution (H. Res. 213) authorizing the Secretary of War to pay

certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the

President pro tempore:

A bill (S. 289) for the relief of J. A. Henry and others;
A bill (S. 1184) granting a pension to Jane D. Mumford;
A bill (S. 1398) granting a pension to Milton P. Shockley;
A bill (S. 2325) to grant a pension to Nancy Mason;

A bill (S. 2366) granting a pension to Elizabeth Garaghty;

A bill (S. 2502) granting a pension to Louise Paul.

NEW ORLEANS, BATON ROUGE AND VICKSBURG RAILROAD GRANT.

Mr. VAN WYCK, from the Committee on Public Lands, submitted the views of the minority on the bill (H. R. 3186) to declare a forfeiture of lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company, to confirm titles to certain lands, and for other purposes, heretofore reported.

HOUSE BILLS REFERRED.

The joint resolution (H. Res. 211) to continue the provisions of a joint resolution entitled "Joint resolution to provide temporarily for the expenditures of the Government" was read twice by its title, and referred to the Committee on Appropriations.

The following joint resolutions were severally read the first time by their titles, and referred to the Committee on Appropriations:

Joint resolution (H. Res. 212) authorizing the payment of officers and employes of the Senate and House for the month of August as soon

after the adjournment of the present session as practicable; and
Joint resolution (H. Res. 213) authorizing the Secretary of the
Treasury to pay certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July, 1886.

ADJOURNMENT.

Mr. EDMUNDS. I move that the Senate do now adjourn until 10 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 40 minutes p. m. the Senate adjourned until to-morrow, Tuesday, August 3, 1886, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate the 2d day of August, 1886. PROMOTIONS IN THE ARMY.

Third Regiment of Infantry.

Maj. Horace Jewett, of the Sixteenth Infantry, to be lieutenant-colonel, August 1, 1886, vice Gibson, promoted to the Fifth Infantry.

Fourth Regiment of Infantry.

First Lieut. Walter T. Duggan, to be captain, August 1, 1886, vice Parke, promoted to the Sixteenth Infantry.

Second Lieut. Charles J. T. Clarke to be first lieutenant, August 1, 1886, vice Duggan, promoted.

Fifth Regiment of Infantry.

Lieut. Col. George Gibson, of the Third Infantry, to be colonel, August 1, 1886, vice Wilkins, retired from active service.

Sixteenth Regiment of Infantry.

Capt. John B. Parke, of the Tenth Infantry, to be major, August 1, 1886, vice Jewett, promoted to the Third Infantry.

CONFIRMATION.

Executive nomination confirmed by the Senate August 2, 1886.

COLLECTOR OF CUSTOMS.

James Brady, jr., of Massachusetts, to be collector of customs for the district of Fall River, Mass.

REJECTIONS.

Executive nomination rejected by the Senate July 31, 1886.

JUSTICE OF THE PEACE.

John T. C. Clark, of the District of Columbia, nominated to be justice of the peace for the District of Columbia.

Executive nominations rejected by the Senate August 2, 1886.

SURVEYOR-GENERAL.

Richmond S. Dement, of Lexington, Ill., nominated to be surveyorgeneral of the Territory of Utah.

INDIAN AGENT.

Charles H. Potter, of Homer, Dakota County, Nebraska, nominated to be agent of the Omaha and Winnebago agency in Nebraska.

POSTMASTER.

Edward M. Kinman, nominated to be postmaster at Jacksonville, Morgan County, Illinois.

HOUSE OF REPRESENTATIVES.

Monday, August 2, 1886.

The House met at 11 o'clock a. m. Prayer by Rev. Dr. Bullock, of Washington, D. C.

The Journal of Saturday's proceedings was read and approved.

COST OF PRINTING PRIVATE BILLS.

The SPEAKER laid before the House a communication from the Public Printer in response to a resolution of the House asking the cost of printing private bills for the fiscal year ending June 30, 1886; which was referred to the Committee on Rules.

JUDICIAL DISTRICTS OF PENNSYLVANIA.

The SPEAKER also laid before the House the bill (H. R. 2124) amendatory of and supplementary to "An act to alter the judicial districts of Pennsylvania, and for other purposes," approved May 26, 1824, and providing an additional place for holding the several courts thereof, with Senate amendments.

Mr. SCRANTON. I ask unanimous consent to concur in the Senate amendments

The SPEAKER. The amendments will be read subject to objec-

The Clerk read as follows:

The Clerk read as follows:

In section I, after the word "next," in the ninth line, strike out "and be continued and adjourned from time to time as the courts may deem expedient for the transaction of the business thereof."

Strike out section 2 of the bill; also section 3.

In section 4, after the word "being," insert "and with the approval of the Attorney-General;" so as amended the bill will read as follows:

"Be it enacted, &c., That besides the terms of the circuit and district courts of the western judicial district of Pennsylvania now directed by law to be held in said western district, there shall be held two terms of each of said courts in every year at Scranton, in the county of Lackawanna, which shall commence the first Mondays of the months of March and September in each and every year, beginning in September next.

"SEC. 2. That the marshal of said western judicial district shall for the time being, and with the approval of the Attorney-General, provide a suitable place at the city of Scranton for holding the several courts and for keeping the records thereof."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOLMAN. The effect of these amendments are not clearly understood

Mr. SCRANTON. The amendments are simply restrictive in their nature.

Mr. HOLMAN. I have no objection.

The amendments were concurred in.

Mr. SCRANTON moved to reconsider the vote by which the amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MONETARY CONFERENCES 1878 AND 1881.

The SPEAKER also laid before the House a joint resolution (H. Res. 89) providing for the printing and distribution of documents of the monetary conferences of 1878 and 1881, with Senate amendments; which was referred to the Committee on Printing.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate disagreed to the amendments of the House to the bill (S. 1532) to regulate commerce, and agreed to the conference asked by the House thereon, and had appointed Mr. CULLOM, Mr. PLATT, and Mr. HARRIS as conferees on the part of the Senate.

Also that the Senate further insisted on the amendments to the bill

making appropriations for rivers and harbers, and agreed to the further conference asked by the House on the disagreeing votes thereon, and had appointed Mr. McMillan, Mr. Conger, and Mr. Ransom as conferees on the part of the Senate.

INCREASE OF NAVAL ESTABLISHMENT.

The SPEAKER also laid before the House the bill (H. R. 6664) to increase the naval establishment, with Senate amendments.

Mr. HERBERT. I ask unanimous consent to concur in the amendments of the Senate.

The SPEAKER. They will be read, after which the Chair will ask

The amendments of the Senate were read, as follows:

In section 4, after the word "parties," strike out the words "otherwise the Secretary of the Navy is hereby authorized to purchase the same, or any portion thereof, and import it."

In section 6 strike out the first proviso: "Provided, That the Secretary of the Navy may buy abroad and import such shafting and other material or machinery as he may be unable to procure in the United States;" and the word "further," in the tenth line.

Mr. HOLMAN. I hope the effect of these amendments will be stated.

Mr. BOUTELLE. I understand they embody substantially the proposition submitted by myself in the House.

Mr. HERBERT. The amendments of the Senate have been sub-

mitted to all of the members of the committee, and they all unite in requesting a concurrence. The gentleman from Indiana desires an explanation.

I state that there is no change either in the number of vessels ordered or in the amount appropriated. In section 4 the provision is stricken

Otherwise the Secretary of the Navy is hereby authorized to purchase the same, or any portion thereof, and import it.

The section thus amended will provide that the Secretary of the Navy shall purchase the armor of domestic manufacture, provided contracts for furnishing the same within a reasonable time and at a reasonable price as well as of the required quality can be made with responsible parties.

Mr. BUCK. I would like to ask whether this amendment and the other coming from the Senate are not precisely the amendments which were adopted by the Committee of the Whole House on the state of the Union last Friday in respect to the purchase of armor abroad, with

the exception of the amendment of the gentleman from Tennessee.

Mr. HERBERT. The effect is very nearly the same, though I do not understand that the amendments are precisely similar; but I will explain the effects, although I understand that both gentlemen who make these inquiries, my colleagues on the committee, have consented

to the motion I make that the House concur.

Mr. BOUTELLE. I desire to say the object of my request for this explanation is on behalf of gentlemen on this side of the House who have asked to be informed.

Mr. HERBERT. I understand perfectly well the object of the gen-tleman's inquiry, and my answer is in brief that the first amendment strikes out the words which I have quoted, which words stricken out of that portion of the section will leave it as follows:

SEC. 4. That the armor used in constructing said armored vessels and for completing said monitors shall be of the best obtainable quality and of domestic manufacture, provided contracts for furnishing the same in a reasonable time, at a reasonable price, and of the required quality can be made with responsible par-

The Government is here protected by a discretion lodged in the Secretary of the Navy not to make these contracts unless they can be made at a reasonable price, and it also provides further that-

Such armor shall be accepted only after passing such tests as shall be prescribed by the Secretary of the Navy and inserted in the contracts.

Mr. BOUTELLE. I understand the clause stricken out prohibits Mr. BOUTELLE. I understand the clause stricken out promotes the Secretary of the Navy from purchasing any of the armor abroad. Mr. HERBERT. I think I have made the explanation sufficiently clear and plain to the House.

Mr. BOUTELLE. I would like to have it made plain to myself.

Mr. HERBERT. I think the gentleman understands it; I submitted it to him before making the motion.

The SPEAKER. If objection is made there is nothing before the House for consideration.

House for consideration.

Mr. BOUTELLE. I can not see any reason why these amendments

should not be explained thoroughly.

Mr. HERBERT. I thought I had explained this amendment. I will explain it again.

Mr. BOUTELLE. I desired to bring out a very important phase of these amendments.

The SPEAKER. Does the gentleman from Maine object to the consideration of the amendments?

Mr. BOUTELLE. No, sir.
The SPEAKER. Thep the amendments are before the House for onsideration, and the gentleman can proceed.

Mr. BOUTELLE. I am endeavoring to have the amendment un-

derstood.

Mr. PAYSON. Let there be order.
The SPEAKER. The Chair will ask gentlemen again to resume

their seats and preserve order.

Mr. BOUTELLE. The point I endeavored to bring out was that the clause stricken out by the Senate was the clause which permitted the purchase of this armor abroad.

Mr. HERBERT. I have stated that distinctly, and I am satisfied

wr. HERBERT. Except myself.
Mr. BOUTELLE. Except the gentleman from Maine, and he read it before he made this inquiry, and consented to have me make this motion to concur.

The next amendment, Mr. Speaker, is found in section 6, on page 3. These words are stricken out:

Provided, That the Secretary of the Navy may buy abroad and import such shafting and other material or machinery as he may be unable to procure in the United States.

That was stricken out. That proviso stricken out by the Senate was substantially the same as the proviso which follows, though they were both adopted by the committee. The proviso left standing by the Senate is as follows:

Provided further, That the Secretary of the Navy may purchase abroad only such shafting and other special materials as it may be impossible to obtain in the United States in time for use in the construction of the vessels herein provided for.

The words in that proviso, "and other special materials" are stricken out; and that is the third amendment.

But all these amendments taken together really amount only to a prohibition against the purchase abroad of such materials, such armor, &c., as can be obtained in this country. That is to say, there is now left in the bill no power to purchase this armor abroad. There is left in the bill power to purchase shafting abroad which can not be obtained in this country.

I do not know that it is necessary to speak further on this question. All the members of the Committee on Naval Affairs had this matter submitted to them and we all united in agreeing to ask the House to concur in these amendments. As I stated before there is no change in the amount; there is no change in the number of vessels provided for; and there is no other change than that I have spoken of. All the other provisions of the bill remain as passed by the House. There is no change as to the mode of making contracts or as to the manner of building the vessels. All these things are left as in the House bill.

Mr. SOWDEN. I ask the gentleman whether the material referred

to by him can be bought in this country, and if so why it should not be

purchased here in preference to abroad?

Mr. HERBERT. We ask the House to concur in the Senate amendments.

The SPEAKER. Does any gentleman desire a separate vote on any amendment?

Mr. BOUTELLE. I understand these amendments of the Senate provide substantially for the same prohibition of the purchase of materials abroad that was proposed in the amendments offered by myself in Committee of the Whole adopted in the committee and which only failed in the House by two or three majority. The purchase of armor abroad is prohibited by the Senate amendment. The further clause which provided that in case certain shafting "and other special ma-terial" could not be obtained in this country it might be purchased abroad, is modified so that the Secretary is permitted to obtain abroad only certain shafting which is understood to be or is said to be difficult

if not impossible to obtain immediately in this country.

I desire to call the attention of my colleague, the chairman of the committee, if he will permit me, to an observation made by him in the remarks that were printed in the RECORD of July 27, and which would seem to have been a slip of the tongue, or perhaps I should say a slip of the pen, where he says in regard to the bill then under discussion:

But, Mr. Chairman, this is not and ought not to be made a party question. I have seen some indications here that there was a disposition on the part of a few gentlemen on the other side of this Chamber to put impediments in the way of this bill—

The bill under consideration being House bill 6664, the original bill of the Naval Committee-

in order, as it occurred to me, that party capital might be made by reason of a failure of the Democratic majority here to answer the demands of the country; but, sir, I can not believe that any such motives will actuate gentlemen, now

that the question is up for consideration. This bill is not for party, but for the country—a bill for the "common defense"—the great purpose for which the Union of these States was formed.

Now I am very sure my colleague, the chairman of the committee. could hardly have intended deliberately to impute to this side of the House, as he did in his speech as printed, a disposition to obstruct or oppose the passage of the bill he was discussing, because, as the record of the debate and the record of the votes will show, House bill No. 6664 was supported on this side by a unanimous vote, and all the opposition to it that was manifested in the House was led by my friend the chairman of the committee, and sustained by his party associates.

I submit that his statement in that regard ought to be modified to comport more exactly with the record and more fully with justice to this side of the Chamber. I presume, however, that the statement was an inadvertence on the part of the chairman of the committee.

serve the remainder of my time.

Mr. HERBERT. Mr. Speaker, the statement was not an inadvertence at all, but I do not now desire to go into the discussion of that question. As I indicated in my remarks, which have been quoted by the gentleman, it was my purpose all along to endeavor to get this bill through this House and through Congress.

Mr. BOUTELLE. Which bill?
Mr. HERBERT. This bill—House bill 6664.

Mr. REED, of Maine. Why did you not get it through? We could

have given you votes enough on this side.

Mr. HERBERT. One reason was because my friend from Maine who asks the question was one of those who voted against the consideration of the bill, or against fixing a day for its consideration.

Mr. REED, of Maine. Under what circumstances? State the whole

truth about it if you are going to make any statement at all.

Mr. HERBERT. I will state the whole truth and nothing but the

truth, if I understand it.

Mr. REED, of Maine. That is a good medification.
Mr. HERBERT. Yes, and I think I understand as much about it, or perhaps more, than the gentleman thinks I do. But, Mr. Speaker, I shall not be led into the discussion of the partisan aspects of this question now, except to reply to the inquiry of the gentleman from Maine [Mr. REED]. Shortly after this bill was reported here I moved to fix a day for its consideration. The opposition to that motion came from the gentleman from Maine, as well as other leading gentlemen on that side of the House. He criticised the resolution which I had introduced. He said, in the first place, that it did not give sufficient time for the discussion of the bill. It fixed two days for the consideration of the bill, and he critisised it upon that ground. Again, he said that it did not give opportunity for amendment. I thought it did, and stated on the floor at the time that there was no purpose on my part or on the part of the committee to prevent its being amended, and that the fullest opportunity for amendment would be given when the proper time came. Nevertheless the gentleman from Maine [Mr. REED] voted against fixing a day for the consideration of the bill. Afterward, on more than one occasion, when there was but a single committee between the Committee on Naval Affairs and the hour in which that committee would be called for the consideration of business, I asked the House not to dispense with the morning hour and not with the regular call of committees for business, and stated at the time that my purpose was to reach the hour in which we could fix a day for the consideration of this bill. Knowing well the influence which the gentleman from Maine [Mr. Reed] exercises, and deservedly exercises, on that side of the House, and feeling that if I had him with me it would be a much easier matter to pass the bill, I noticed him on more than one occasion voting against me, against the consideration of the bill, and in favor of taking up some other bill.

What his motive was it is for him to say. I only state these facts, and I should not have mentioned them now if the gentleman from Maine [Mr. REED] had not risen to make the inquiry which he has Now I leave it to all the members of this House who have witnessed the different efforts on the part of the Committee on Naval Affairs to get at this bill at different times during this session to say whether the remarks which I made and which have been quoted by my colleague

on the committee [Mr. BOUTELLE] were not justified by the facts.

Mr. BOUTELLE. Will my colleague permit me to call his attention to the fact that my criticism is based entirely on remarks printed by him after the bill had been disposed of, and after he was aware of the fact that the Republicans had championed this bill while he had opposed it? My criticism is that, in his speech printed after the bill was disposed of, he criticised the Republicans as having obstructed the passage of the bill, which he knew they had all voted for, against his

passage of the bill, which is before the House—passed by the strenuous opposition.

Mr. HERBERT. This bill which is before the House—passed by the House and by the Senate and sent back here by the Senate with amendments—I thought I had been in favor of all along. I thought I had moved it in the House and urged its passage, and I am not aware that

I have ever at any time said a single word against it.

Mr. BOUTELLE. Did you not distinctly in terms oppose the original bill and favor the substitute, and did not I assume the championship of the original bill?

Mr. HERBERT. I did favor the substitute in lieu of the original bill. But, Mr. Speaker, as I said in the extract which the gentleman from Maine [Mr. BOUTELLE] has quoted, this is not a partisan bill; this is a bill for the whole country, and the record will show what part each of us has taken in dealing with the bill.

Mr. BOUTELLE. And it will show a solid Republican vote for this

very bill which you were opposing.

Mr. HERBERT. The record shows that the bill was voted for by nearly everybody on this floor, including Democrats and Republicans.

The great difficulty was—and that was what I anticipated—to reach the I was satisfied that if we could overcome all objections and get the bill before the House there would be no considerable opposition to it on any side whatever. But what I said in the extract which the gentleman from Maine has read was, that when we were trying to get at this bill the opposition came from certain leading Republicans whom I did

Mr. BOUTELLE. I beg the gentleman's pardon; he spoke in the

present tens

Mr. HERBERT. And whom I would not now name had not the gentleman from Maine asked me the question. I felt justified in making a personal allusion by simply showing what part he had taken. The record shows that he did what I said; as to his motives, it is for him to explain.

Mr. REED, of Maine. Does the gentleman from Alabama [Mr. Herbert] yield to me?

Mr. HERBERT. For how long? Mr. REED, of Maine. Ten minutes.

Mr. HERBERT. I yield to the gentleman. Mr. REED, of Maine. I am very much obliged to the gentleman

for his courtesy.

Mr. Speaker, the gentleman from Alabama seems to direct his attack upon me. I am very glad to have him do it, because I can stand it by reason of my record on this subject. The House, now that he has made his remarks, can apprehend well the reservation he made when he stated

that he would tell the truth if he understood it.

The gentleman very well knows that when he presented the original proposition for a discussion of the Navy bill, I then and there stated my reasons for the position I took, and they were valid reasons, namely that the situation of the business of the House showed that it would not be possible to get discussion on this bill. It was then proposed that it should be discussed, not in Committee of the Whole, where we could get discussion, but in the House as in Committee of the Whole, where discussion can be suppressed, and where facilities for making amendments are denied. That was early in the session, when there was ample time in the future, when there was ample opportunity to bring the matter up again. I have repeatedly since voted with the gentleman from Alabama to take up this question. If there were times, as he asserts, when I have voted in opposition to motions he has made, it was because I deemed that at those particular times certain business other than his ought to be transacted. It is one of the common charges on the floor of this House by men who delay the business intrusted to their care that at some time or other somebody voted against their proposition to take it up. The proposition to do business in this House is always in the alternative; and there may be inopportune times which show bad management. But the gentleman knows that when he presented this bill for discussion in the House, he had the promise given by me and assented to by every Republican in this House, and followed by the vote of every Republican here, in favor of the original bill appropriating six and a half million dollars for the Navy.

Now, why was the gentleman recreant to his own bill? Why did he

refuse to co-operate with the Republican party in their unanimous determination in favor of a larger appropriation and a larger increase of the Navy? Why does he endeavor to shield himself and his party by all this long personal attack? Why did he not come forward then? All it needed was thirty Democrats. All it needed was less than ten more. Why were they not forthcoming? On what account and for what reason did he get up the bill which was actually passed? was his motive? Was it not on account of opposition on his side? Was it not on account of opposition on the part of the Democratic party to the bill for the increase of the Navy which the members of the Repub-lican party were unanimously in favor of? How can he and his party

escape the responsibility?

I say that you gentlemen can not occupy both positions in this affair. If you prefer to sacrifice the Navy to a lower figure in the sum total of your appropriation bills come out like men and say so. Say that to have \$3,000,000 less in the figures in your appropriation bills was your motive in refusing to appropriate six and one-half million dollars for the Navy. Stand up before the country and say so, machine.

pretend that with 40 Democratic majority, so called, you were impotent.

Why, what is the whole history of the present House? It is a history of refusal

tory of refusals to consider important business; it is a history of refusal to transact legislation required by the public interests; and all for the sake of showing on the stump certain figures which will indicate, not economy, but that you have not spent the money of the Government for the purposes of the Government.

Why, sir, the last week and a half have witnessed scenes which ought

to make a legislator blush. Here are bills of the gravest importance, of the most serious character, thrust upon this House at the very last moment, after having been eight months in incubation, and in some instances six months in the House. These are thrust upon us now with instances six months in the House. These are thrust upon us now with no opportunity for discussion, bills the nature of which this House does not know to day, the provisions of which have never been explained, and the insufficient character of which we should find out by experience, if it were not for the staying powers of other branches of the Government.

Again, I say, look at the facts. There is a bill for putting out the surplus in the Treasury; not the surplus the Democratic party charged was put there by Republicans, but the more extraordinary surplus which has been put there by a Democratic administration. And even that was kept back solely so as to deprive us of any reason to suppose

it can pass through the Senate.

It can pass through the Senate.

It is precisely the same with the interstate-commerce bill. Instead of passing a bill which the Senate has passed, and which would afford some real relief to the business of the country, this House has insisted, without suitable discussion, after eight months of inaction and inactivity, to thrust that into a committee of conference so that no result will ever come from it. Consider this very naval appropriation. It is only because the Republican Senate in this particular instance, waiving their own wishes and belief in favor of larger increase of the Navy, we get even this small sum which now comes before us.

And we have another measure liable to meet with the same fate, the measure in favor of changing in many respects the warehousing system. That has been delayed until the very end of the session, and it will be brought up, if brought up at all, in the closing hours where we can not

have an opportunity to carefully consider its details.

I have only mentioned a few instances, I have only given a few speci-mens of the indictment which can be brought and will be brought against this House. Whatever you have done by your delays you have rendered futile. Whatever you have presented to the House you have presented in such fashion that discussion could not reach it, and it is of the very life and essence of honest and manly legislation that there should be full and free discussion. [Applause on the Republican side of the House.]

Here the hammer fell.

Mr. HERBERT. How much time have I left? The SPEAKER. The gentleman has occupied The gentleman has occupied thirty minutes of his

Mr. BOUTELLE. I also ask that he will give me ten minutes.

Mr. HERBERT. I propose to call for the previous question in the House.

Mr. BOUTELLE. But did not you agree to let me have ten minutes?

Mr. REAGAN. I should like to have five minutes.
Mr. HERBERT. I will yield to both gentlemen; and I will now yield to the gentleman from Texas for five minutes.

Mr. REAGAN. I do not know that I shall desire to occupy five minutes time.

Mr. BOUTELLE. I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. HERBERT. I have already stated I would yield to the gentleman ten minutes, and will do so after the gentleman from Texas has occupied five minutes.

Mr. BOUTELLE. The parliamentary inquiry which I wish to present to the Chair is this: Am I entitled to take the floor in my own right; and, if so, am I not entitled to an hour?

The SPEAKER. When the gentleman from Maine gets the floor in

his own right he will be, of course, entitled to an hour. The gentle-man from Alabama [Mr. HERBERT] is now entitled to the floor, and has yielded for five minutes to the gentleman from Texas

Mr. BOUTELLE. I thought I was addressing the Chair in my own

The SPEAKER. No; the gentleman from Alabama still holds the floor and has thirty minutes of his time remaining. He has at present yielded for five mintes to the gentleman from Texas.

Mr. BOUTELLE. Will I not be entitled to take the floor in my own

right for an hour? The SPEAKER.

Yes, unless the previous question is ordered. Mr. REAGAN. Mr. Speaker, the gentleman from Maine [Mr. REED] in arraigning the Democratic party in its alleged shortcomings in the present session of Congress chooses to charge on it that we have presented measures and insisted on action on them without giving time for their proper consideration. Among the measures he considers as important and upon which he says time was not given for consideration was the interstate-commerce bill. He alleges while the Senate sent a bill here which passed that body we refused to accept it and insisted on a conference, which we know can never amount to anything. This is a remarkable statement to be made by a gentleman who has been a member of the House for many years and is familiar with its business. He knows the interstate-commerce bill has been discussed here at every Congress for the last eleven years.

Mr. REED, of Maine. And changed.

Mr. REAGAN. Not materially changed.

Mr. REAGAN. Not materially changed.

Mr. REED, of Maine. Changed at every one of them.

Mr. REAGAN. Still the main body, main purpose, and philosophy have always been the same. It has been the same in general purpose during these eleven years. It has been thoroughly discussed. It is well known that measure has been opposed by the whole railroad power of the country. Its officers, its lobbyists have been always able to retard action on it by this House, so that up to this time we never have been able to secure action on that bill during the first session of

any Congress.

This is the very first time in the history of the promulgation of this legislation that we have been enabled to secure consideration in the first session of Congress. It has always been heretofore postponed.

But, Mr. Speaker, the gentleman from Maine should remember that this is the third time that this bill has passed the House by a decided majority. He should remember that in two other Congresses it received on test votes an emphatic indorsement by the House, having been therefore five times indorsed by emphatic majorities of the House. But the gentleman tells us that the Senate bill should be passed now

by the House because it has passed the Senate. Why has not the House bill been passed by the Senate because it has passed the House? The same logic would apply, and with more force, with reference to the House bill, because it has passed oftenest.

The gentleman will understand that he will not make much capital by saying what he has said on this subject. Of all measures that have been brought before this House for consideration not one has ever received more earnest, continuous, persistent, and faithful attention, or has undergone more investigation and discussion than this; and I think the gentleman is mistaken in his suggestions that he fears the conference will not reach any results. If it shall lead to no results it will be because the power which has prevented action heretofore will continue to control the whole question and prevent the giving of any re-lief to the people. I am sure the House conferees will leave no efforts untried to secure a practical result as soon as possible.

[Here the hammer fell.]
Mr. HERBERT. I now yield ten minutes to the gentleman from

Maine [Mr. BOUTELLE].

Mr. BOUTELLE. Mr. Speaker, I regret exceedingly that my col-league, the chairman of the Committee on Naval Affairs, seems unwilling to make the frank amendment of his remarks which I had expected him to make. He stands recorded in his speech, printed after the de-bate and vote upon the naval increase bill, as arraigning the Republicans on this side of the Chamber for opposition to the bill which by the RECORD they are shown to have favored by voice and vote at every stage during the proceedings on that question. But as my colleague seems unwilling to modify his remarks in that regard, I will leave the RECORD to stand and speak for itself.

There is one other passage in the chairman's speech to which I feel it my duty to call attention. In the closing part of his remarks, in a very eloquent eulogy of the personnel of the Navy, the gentleman from Alabama said, after citing the gallant acts of John Paul Jones, of Preble, Perry, Hull, McDonough, and Lawrence, in the war of 1812:

Look at our civil war-at Federals and confederates-Americans all.

And then the chairman of the Naval Committee of the United States House of Representatives went on to enumerate a list, selecting such names in the order of merit as it appeared to his mind, as the men who had rendered illustrious that great branch of our military service. And his enumeration was in this order:

his enumeration was in this order:

There was Catesby Jones in the Merrimac at Hampton Roads; Buchanan on the Tennessee in Mobile Bay; Brooke, who designed the great ironclad; Hunter Davidson constructing torpedoes; Maffit, with a genius born of audacity, running the blockade in open day in the presence of a hostile fleet, whose officers could not believe, until the feat was almost accomplished, that an enemy would dare to attempt it; and there was Waddell in the Shenandoah, and Semmes, bold rover of the seas, who developed that branch of warfare inaugurated by the United States in the war of 1812, and whose wonderful career was cut short only when those two American game-cocks met—the Alabama and the Kearsarge. All these were officers trained in the American Navy.

And on the Union side there were the passage of the batteries at Vicksburg, the capture of the forts on the Mississippi, the exploits of the fleet at Fort Fisher, and many other engagements in which officers and men distinguished themselves by their gallantry. There was Porter, bold, indefatigable, fertile in expedient; John Rodgers, chivalrous and cultivated; Jouett, full of dash and courage; and Dupont and Truxtun and Farragut; and there were Worden and his men, whose courage in trusting themselves to go down in the untried Monitor and out to sea, while the waves dashed over it, even surpassed, if possible, the gallantry with which they fought that vessel when it was in that great contest with the Merrimac.

Now, without dwelling upon the question of teste involved in this

Now, without dwelling upon the question of taste involved in this classification of the naval heroes of the war, I am willing to assume for the moment that the mind of my friend may have reverted to other days, and he may possibly have thought for the time being that he was addressing another congress that once assembled in another place within the limits of his own State. But to the ordinary reader of American history it seems to me that the heroes of the United States Navy would appear in a different order and I would be unfaithful to my own convictions of justice to the gallant men of that splendid corps were I to fail to call attention to this remarkable enumeration of the men who are held up to the admiration of the country by the official representative of the naval branch of the service in a public speech in the Congress of the United States. Here are several men of the confederate service placed first on the roster of fame as officers in the Navy of the United States. Three of these were comparatively obscure officers of the Navy; three others who are thus honored, Semmes, Maffit, and Waddell, won a sort of distinction not generally coveted by brave men, and were only saved from being classed as corsairs by a construction of maritime law now happily become obsolete.

Mr. Speaker, I am sorry that the gentleman from Alabama when he saw fit to speak of the great names that the Navy had given to this country failed to make a different classification. If I had made up the gentleman's list for him I would most cheerfully have given the first place on the list to a man of Southern birth.

I should have been proud to have placed first a name which the gen-tleman has relegated to a subordinate and obscure position in his catetleman has relegated to a subordinate and obscure position in his category. I should have been proud to have named first, as the history of the Navy, the history of the country, and the common award of mankind would place first, the name of "that noblest Roman of them all," David Glascoe Farragut, of Tennessee. I would have named other officers from that part of our land. I could have named men who, filled with that nobler than mere physical courage, remained in spite of every personal influence faithful to the country's flag; who, though nurtured and trained under the influence of that fatal dogma that made a man's supreme allegiance due to his State rather than to that made a man's supreme allegiance due to his State rather than to his country, yet, when the hour of trial came, rose superior to early prejudice, resisted the seductive pleadings of State-rights' advocates, and held more sacred than all other obligations the oath they had taken in their youth to pledge "their lives, their fortunes, and their sacred

in their youth to pledge "their lives, their fortunes, and their sacred honor" to the defense of their common country.

And first, I would name that peerless naval chieftain and hero, Admiral Farragut, a name which recalls the glories of New Orleans and Mobile Bay and Vicksburg, and all the grand achievements that have placed his name unchallenged among the greatest captains of the world's history; I would add the names of Stribling and Shubrick, of South Caroline both of whom head greatest training hoth of whom head greatest training hothers. Carolina, both of whom had grown gray in their country's service when the war broke out, and who devoted their last years as they did their first to the service of their country. South Carolina has always been foremost in its claims of chivalrous devotion to the State, and has made recognition of State supremacy more arbitrarily the test of public favor than any other community; and this consideration adds to the credit and the honorable significance of the fact that of all the officers of the United States Navy from the State of South Carolina who had reached the grade of commander at the outbreak of the war only two of them deserted the flag of the nation to follow the flag of the confederacy. Those two were gallant officers in the olden time—Duncan N. Ingraham, who gained a national fame by his rescue of Martin Koszta from an Austrian fleet, and Henry J. Hartstene, who led a famous polar expedition and delivered the rescued Resolute to the British Government. These men rendered faithful service to their country before the war and conspicuous service to the confederacy, but they failed to find mention in the gentleman's list.

But grander and more illustrious to my mind are those sons of South Carolina who remained true to the flag they had sworn to defend in spite of all temptation, and who fought gallantly to preserve the life of the American Republic and to render it possible for the gentleman to speak of a common country to-day. I recall a number of such names that deserve to be remembered and ought to be mentioned here. William B. Shubrick, Cornelius K. Stribling; John L. Misroon, who, when in command of the frigate Sabine, in 1862, tenderly cared for the welfare of two sisters whose residences were within the lines of the two armies, while he sturdily and gallantly fought his own brother on the confederate side; Edward Middleton, who gave up home and property as a sacrifice to his sense of duty; Percival Drayton, that magnificent lieutenant of Farragut, one of the noblest officers whose name ever illumined the roster of any service; Drayton, in the Pocahontas, fighting his own brother in chief command on the confederate side, holding Stono River against the rebels in 1862, gallantly assaulting Fort McAllister and Fort Sumter in 1863, and acting as Farragut's trusted fleet captain in that magnificent passage of the forts in Mobile Bay, everywhere earning fresh laurels, and dying at the close of the war in the fullness of his powers, but too soon for his grateful country to reward

Charles Steedman, my old and revered commander, son of a former mayor of Charleston, and who had himself shouldered a musket on the Union side in nullification times, was another gallant gentleman who early won distinction on the Bienville at Port Royal, and afterward on the Paul Jones earned the honors that he so gracefully wears as a retired rear-admiral. And there were J. P. Bankhead and H. Rolando, also from South Carolina, but true to their allegiance when the trial

These sons of South Carolina were so conspicuous in their loyalty to the Union cause that the Legislature was said to have passed an act denouncing them by name as forever infamous. When the gallant denouncing them by name as forever infamous. When the gallant Drayton was informed of this reported action of the Legislature of his native State he is said to have quietly remarked that he should endeavor to obtain a certified copy of the act, and would leave it to his posterity as the highest honor ever conferred upon him.

Another name that I would wish to add to the list of the Southernborn naval heroes of the war is that of Alexander C. Rhind, of Georgia, under whose command I feel it an honor to have served. and impetuous officer, when in 1863 he was in command of the doubleturreted iron-clad Keokuk in the great naval assault on Fort Sumter, ordered his pilot to put his vessel as near the fort as her draught of water would admit, that he might try his heavy guns at short range upon the brick walls. The little vessel, having the lightest armor of any of the ironclads, was placed within 500 yards of the fort and held her position thirty minutes, during which time she was struck ninety times and nineteen shot went through her at and below the water-line; but she was bravely handled to the last, and sank at her anchors in the

channel next morning.

A colored pilot had been assigned to the Keokuk, and the captain, with some of the traditional prejudice, was doubtful whether a negro could have the nerve for such a desperate battle. After the fight he frankly attested that no man could have been cooler, that the colored pilot "handled the ship in that hell of fire as though we had been on

drill."

The intrepid Rhind is now a rear-admiral on the retired-list, and the pilot who shared the honors of that splendid exploit is a native of South Carolina, and now worthily represents his people on this floor,

Hon. ROBERT SMALLS.

If I had made out the gentleman's list I would have given the meed of praise to other tried and true men of the South, to whom the nation owes its gratitude. Upon the active-list of the Navy in 1860 were seventy-nine captains, which was then the highest grade; of these seventy-nine there were twenty-one of Southern birth, of whom eleven went into the rebellion. Of one hundred and fourteen commanders then on the active-list forty-one were of Southern birth and nineteen of the forty-one seceded. So that of the one hundred and ninety-three officers of the two highest grades of the Navy when the war began sixty-three, or one-third, were of Southern birth, and less than one-half of them proved regreat when their country summended them to half of them proved recreant when their country summoned them to its defense.

Among those who reached the highest rank during the war were Admirals Farragut, of Tennessee; S. P. Lee, of Virginia, long in command of the North Atlantic squadron; H. H. Bell, of North Carolina, Farragut's second in command at New Orleans; W. B. Shubrick, of South Carolina, and E. E. F. Lavalette and William Radford, of Virginia. The rank of commodore was won by Misroon, Glendy, Turner, Smith, W. D. Porter, and Craven; and as captains there were Taylor, Drayton,

W. D. Porter, and Craven; and as captains there were raylor, Draylon, Winslow, Berrien, Carter, Steedman, Middleton, Pennock, Scott, Patterson, and a long list of others.

Of these John A. Winslow, of North Carolina, in command of the Kearsarge, fought and sunk the Alabama in a little more than an hour, and thus summarily ended the career of Semmes as a "bold rover of the seas," the first time that he encountered an antagonist in fair fight.

I have thus confined myself to suggesting the names of Southern-born men which might well have been placed by the chairman of the Naval Committee on his roll of honor; and they are the more entitled to the distinction because of the powerful influences they had to resist in remaining true to their country.

There are other names from other sections of the country that will be fitly remembered side by side with those of Farragut and S. P. Lee and Bell and Drayton and Winslow and Steedman and Rhind and their

noble associates.

History will never let injustice be done to Dupont's first great and inspiring victory at Port Royal; to Foote's early triumphs at Donelson and Fort Henry; to Porter's brilliant achievements on the Mississippi; to Rowan's gallant seizure of the North Carolina sounds; to Thatcher, Palmer, and Simpson, at the capture of Mobile; to Worden's timely and glorious defeat of the Merrimac with the Monitor at Hampton Roads; to Rodgers capturing the Atlanta; to Roe, in the Sassacus, fearlessly grappling with the iron-clad Albemarle; to Cushing's startling exploits; to Craven's self-sacrificing chivalry, as he uttered the memorable words, "After you, pilot," and went down with his sinking ship.

These are but a few of the shining lights among the galaxy of heroes whose deeds will render the United States Navy illustrious forever. I need not attempt to enumerate them here. My object has been simply to hold up to the future heroes of the naval service and to the youth of our land examples that will tend to increase their devotion to their country and strengthen the sense of the paramount duty they

owe to its institutions and its flag.

The SPEAKER. The time of the gentleman has expired.

Mr. BOUTELLE. I trust the gentleman from Alabama will allow

me to complete the enumeration.

Mr. HERBERT I have to yield to the gentleman from Connecticut

[Mr. BUCK].

Mr. BOUTELLE. Then I ask permission to extend my remarks in the RECORD.

There was no objection.

Mr. HERBERT. I yield to the gentleman from Connecticut [Mr.

BUCK. One point ought to be understood. The question before the House is whether we shall concur in the amendments of the Senate to the substitute bill. A week ago last Saturday while considering the original bill in Committee of the Whole we amended that original bill by providing that the material of which these ships should be built should be made in this country, but after the original bill came from the Committee of the Whole into the House a substitute was passed for it, and that substitute unfortunately contained those identical provisions which had been stricken out in Committee of the Whole, and it was difficult to get at the matter, owing to parliamentary rules. The bill was accordingly passed in that form. It went to the The bill was accordingly passed in that form. It went to the The Senate adopted the substitute bill, which struck out this very provision in relation to armor and material purchased abroad, sent it back in this shape, and it is now precisely as it came out of Committee of the Whole House on the state of the Union a week ago last Saturday as regards the purchase of materials abroad. All that this substitute bill provides in regard to that matter is that the shafting may be purchased abroad if it is impossible to obtain it here. I hope that every gentleman on this floor will vote to concur in this amendment. The gentleman from Alabama [Mr. HERBERT] has yielded and is perwilling to support the amendment.

Mr. HERBERT. Mr. Speaker, I shall not undertake to reply at length to the aspersions of my colleague on the committee from Maine [Mr. BOUTELLE]. His mind is of so peculiar a character that if, in enumerating the exploits of confederate and Union officers during the war, which I did solely for the purpose of illustrating the sailor-like qualities developed by training in the American Navy, I had placed the confederates last and the Union men first, his comment would have been that I had reserved the confederates for a climax, mentioning them last, and that I had put the names of the Union men in a position of comparative obscurity. I despair, Mr. Speaker, of ever mentioning confederates and Federals in one breath on this floor in such a manner as to satisfy the gentleman from Maine. He says it is a question of taste. I think so too, and I submit to the House and to the country the question whether he has shown good taste this morning in his comments upon the closing words of my speech on this.

Now, as to the reply made by the other gentleman from Maine [Mr. REED] as to his course in regard to this bill. I think this House will agree with me not only that I spoke the truth as I understood it, but that his reply shows that I did understand the whole truth. the question was up of setting a day for the consideration of this bill, his comment upon the proposition in the first place was that there would be no opportunity to amend the bill if it was to be considered in the House as in Committee of the Whole. Now I at that time gave assurance on behalf of the committee that there should be the fullest and fairest opportunity not only to debate the bill but also to amend it. That, however, did not satisfy the gentleman. He admits, too, that afterward when the question came up whether we should reach the hour when we could again ask for the setting of a day for the consideration of this bill, he voted against it.

Mr. REED, of Maine. I never did anything of the sort to my knowl-

Mr. HERBERT. I say that you did, for I was particularly interested and I watched you.

Mr. REED, of Maine. I say if I did I did not know it.

Mr. HERBERT. The gentleman did, and I am sure he will not deny He can not deny it.

Mr. REED, of Maine. There may have been many times when you intended to get up the bill and nobody knew it.

Mr. HERBERT. Ah, but I announced it, and announced it as loudly as I could, and I saw the gentlemen on that side voting against reach ing the hour in which I could move to fix a day. The gentleman admits that he may have so voted, but says it was because there was other business more urgent.

The gentleman has not told us what the business was which was so

important that he and other gentlemen on that side preferred it to the consideration of this bill. What was it?

And now, Mr. Speaker, I did not desire the political turn which this discussion had taken. I endeavored to put this bill to a vote without any discussion whatever and with as little explanation as possible, but gentlemen on the other side have insisted upon discussing the political aspects of the question and I accept the challenge. I wish I had time to go into it fully, for I am perfectly willing to contrast the course of this Democratic House under a Democratic administration with that of the Republicans when they had control of the whole Government during the Forty-seventh Congress. Did they pass any such bill as this providing for ships that would cost in the end over \$10,000,000? They had the power; why did they not exercise it? I know their answer is that they demand a larger appropriation now than gentle-men on this side of the House are willing to vote for. If that demand of yours, gentlemen, is not made for political effect, if it is made for the benefit of the country, if you make it because you really want to increase the Navy, why did not you increase the Navy when you had the power?

Mr. REED, of Maine. Will the gentleman permit me to tell him?

Mr. HERBERT. No; I have not the time.

Mr. REED, of Maine. I will tell you if you will give me time.

Mr. HERBERT. I understand. I know the gentleman can make a

plausible answer to almost any proposition; but I leave it to the country to answer the question.

Mr. REED, of Maine. You do not want me to answer it, then? All

Mr. HERBERT. The gentlemen upon the other side say that this is only a small appropriation, three and a half million dollars, and they ask why I voted against the original bill. I stated my reasons fully when I moved the substitute. This Democratic House passed this bill when I moved the substitute. This Democratic House passed this bill appropriating \$3,500,000 providing for more ships, appropriating more money, and making a more substantial increase of the Navy than has been made since the close of the civil war. That fact speaks for itself.

Mr. Speaker, look at the record. The naval appropriation bill just passed by this Congress amounts to only \$13,000,000, or a little less. The present bill includes three million and a half of dollars; and this

is all that can be spent advantageously during the fiscal year upon which we have already entered. This appropriation of three and a half million dollars, added to the \$13,000,000 to which we have reduced the naval appropriation bill, would be sixteen and a half million dollars. Now, with this sixteen and a half million dollars every year, under Democratic administration, we shall gradually build up an efficient navy. Before the Democrats came into power in this House ten years ago what did we find? The expenditures for the naval service in 1876 amounted to \$18,963,309.82, in round numbers to \$19,000,000 annually nearly \$2,500,000 more than will be spent this year. This is Democratic administration. I put it before the country. We provide for the increase, the efficient increase of the Navy. Our appropriation bill of less than \$13,000,000 included more than \$185,000 for the completion and armament of the four ships begun under the former administration. In this bill we provide for the completion of four monitors and for the building of two armored vessels, one cruiser, one dynamite cruiser, and one torpedo boat. With an expenditure of \$17,500,000 per annum for four years, under a Democratic administration, we can complete all these vessels, complete the four vessels ordered by the last Congress, and the armament of all the vessels ordered by both Con-Thus will a Democratic administration gradually build up a But the Republicans, while they spent in the ten years preceding and including 1876 \$21,000,000 a year and in the year 1876 spent \$19,000,000, left our Navy to rot, to go down to the pitiable condition in which we now find it, and from which we are endeavoring to rescue it.

Mr. Speaker, I demand the previous question.
Mr. BRECKINRIDGE, of Arkansas. Mr. Speaker, pending the demand for the previous question, I desire to submit an amendment in lieu of one of the Senate amendments in which the gentleman wishes to concur.

The SPEAKER. The gentleman from Arkansas, as the Chair understands, desires to move to concur with an amendment. That is a separate and distinct motion, which will be entertained afterward. The question is first on ordering the previous question.

Mr. BOUTELLE. I ask the gentleman from Alabama [Mr. Her-

BERT] to allow me to occupy five minutes for the purpose of concluding my remarks before the previous question is ordered. [Cries of "Regular order!"]

The previous question was ordered.

The SPEAKER. The gentleman from Arkansas moves that the amendment of the Senate to section 6 be concurred in with an amendment, which will be read.

We would like to know the exact position of this Mr. RANDALL.

question

The SPEAKER. The Chair will cause the clerk to read first what the Senate proposes to strike out, and afterward what the gentleman from Arkansas moves to insert in lieu of that which the Senate amendment would strike out.

Is debate now in order? Mr. RANDALL.

The SPEAKER. The Chair thinks not, except by consent.

Mr. RANDALL. I would like to occupy a moment, if the House will permit.

Mr. REED, of Maine. There will be equal time allowed on this side,

The SPEAKER. If there be no objection, the gentleman from Pennsylvania [Mr. RANDALL] will be permitted to make a statement, and afterward equal time will be allowed on the other side.

Mr. RANDALL. I only wish to say that, in my judgment, those of us who favor the original House bill had better vote simply to con-I believe that concurrence with an amendment might endanger the bill altogether, so that we would not secure the three and one-half million dollars now provided for.

Mr. REED, of Maine. I desire to say that it seems to me we had better concur absolutely with the Senate, else we may be in danger of losing even this "half loaf," which, by reason of the engineering of the Committee on Naval Affairs seems to be all that we can get.

The SPEAKER. The Clerk will read the amendment proposed by

the gentleman from Arkansas.

The Clerk read as follows:

Insert in lieu of the part stricken out the following: Provided always

The SPEAKER (interrupting the Clerk). The Chair will state that there are several parts stricken out in the Senate amendments.

Mr. BRECKINRIDGE, of Arkansas. There are not several parts stricken out in the sixth section. This is offered as an amendment to the amendment of the Senate to the sixth section.

Mr. DINGLEY. Can this amendment be offered after the motion

has been made to concur and the previous question ordered?

The SPEAKER. The Chair thinks so, because a motion to concur in a Senate amendment with an amendment takes precedence of a motion simply to concur or non-concur; and for this obvious reason: if the House refuses to concur, that is equivalent to non-concurrence; and if it refuses to non-concur, it is equivalent to concurrence. Hence a vote on the motion simply to concur or non-concur might take the whole subject away from the House, so that there might be no opportunity to offer an amendment unless it were allowed in the first instance.

Mr. DINGLEY. But if the House desired to concur in a Senate amendment with an amendment, could it not vote down the previous

question?

The SPEAKER: This is a separate motion. The previous question was ordered upon the motion to concur. This is a distinct motion to concur with an amendment.

Mr. RANDALL. But the previous question having been ordered upon the motion to concur, does not that cut off any modification of that

motion in any particular?
The SPEAKER. The Chair thinks not, according to the rulings heretofore, which have been made after a good deal of consideration in the House; because the motion of the gentleman from Arkansas to concur in the Senate amendment with an amendment is not an amendment to the motion to concur, but a separate and distinct motion.

Mr. HERBERT. This amendment the gentleman offers to the first

amendment.

The SPEAKER. The Chair understands it and is causing it to be read.

Mr. BRECKINRIDGE, of Arkansas. If there be no objection I will withdraw it.

The amendments were then concurred in.

Mr. HERBERT moved to reconsider the vote by which the Senate amendments were concurred in; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

BULLETINS OF BUREAU OF ETHNOLOGY.

The SPEAKER laid before the House joint resolution (H. Res. 120) to print the annual bulletins of the Bureau of Ethnology, returned from the Senate with amendments; which was referred to the Committee on Printing.

L. B. TOWNSEND AND OTHERS.

The SPEAKER also laid before the House a bill (S. 2126) for the relief of L. B. Townsend, Louis S. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett; which was referred to the Committee on Claims.

PANAMA CANAL.

The SPEAKER also laid before the House concurrent resolution providing for the printing of special intelligence report by Lieutenant Kimball and Naval Cadet Capp, United States Navy, upon the progress of the Panama Canal during the year 1885, returned from the Senate with an amendment and request for conference on the disagreeing votes of the two Houses; which was referred to the Committee on Printing.

EXECUTIVE DOCUMENT NO. 85.

The SPEAKER also laid before the House concurrent resolution providing for the printing of Senate Executive Document No. 85, Fortyninth Congress, returned from the Senate with amendment and request for a conference on the disagreeing votes of the two Houses; which was referred to the Committee on Printing.

REPORT ON ART AND INDUSTRY.

The SPEAKER also laid before the House concurrent resolution of the Senate that there be printed and bound 5,000 additional copies of the report of the Bureau of Education on art and industry; of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House, and 2,000 copies for the Bureau of Education.

LEAVE OF ABSENCE. .

Leave of absence was granted by unanimous consent in the following cases:
To Mr. PEEL, for the remainder of the session.

To Mr. OUTHWAITE, for three days, on account of important busi-

To Mr. Cabell, until Saturday next, on account of important business.

To Mr. Brown, of Ohio, indefinitely, on account of illness in his family.

To Mr. OWEN, on account of sickness.

To Mr. Croxton, for five days, on account of important business. To Mr. Johnson, of New York, for the remainder of the session.

To Mr. MARTIN, for the balance of the session of the Forty-ninth Congress, on account of urgent business.

MRS. E. R. TEMPLETON.

On motion of Mr. BYNUM, by unanimous consent leave was granted to withdraw from the files of the House papers in the case of Mrs. E. R. Templeton, and they were referred to the Committee on Invalid Pensions, no adverse report having been made thereon.

HARBOR OF NEW YORK.

Mr. HEWITT, by unanimous consent, was granted leave to print in the RECORD the following correspondence with the Chamber of Com-merce of the State of New York in reference to the harbor of New York.

WASHINGTON, D. C., July 25, 1886.

Washington, D. C., July 25, 1886.

Dear Sir: An examination of the documents published in the Congrissional.

Record since Friday, July 23, will show that on the 10th of June, 1886, at a joint
session of the executive committee and the committee on harbor of the chamber of commerce, a resolution was adopted, as follows:

"Resolved, That these committees learn with pleasure and gratitude that
through the efforts of Senator Warner Miller an appropriation of \$1,000,000
has been placed in the river and harbor bill for the improvement of New York
Harbor. And we respectfully request that such amount be placed subject to
the discretion and judgment of the Secretary of War, and not be entirely confined to any one locality or plan of improvement.

"Attest:

"Cornellus N. BLISS,

"Chairman Executive Committee,
"A. FOSTER HIGGINS,
"Chairman Committee on the Harbor."

It is apparent from this resolution that the item of \$1,000,000 had been inserted

It is apparent from this resolution that the item of \$1,000,000 had been inserted without any application having been made therefor by the chamber of commerce. Its approval was given after such insertion in the river and harbor bill, upon the distinct condition that its expenditure should "not be entirely confined to any one locality or plan of improvement."

The language used in the river and harbor bill directing this expenditure is as follows:

"Harbor of New York: Continuing improvement to converge to the converge of the converge of

The language used in the river and harbor bill directing this expenditure is as follows:

"Harbor of New York: Continuing improvement to secure a 30-foot channel at mean low water at the Sandy Hook entrance to the harbor, upon such plans as the Secretary of War may approve, \$750,000."

You will observe that this appropriation is limited to continuing improvement at Sandy Hook. The only improvement in progress is under an appropriation of \$200,000 made in the last river and harbor bill for dredging Gedney's channel, and therefore this additional appropriation could only be used for continuing these dredging operations, the plan of which would be subject to the direction of the Secretary of War. This I understand to be in direct contradiction of the resolution of the executive committee above quoted, which expressly protests against any such limitation.

Under these circumstances I felt justified, and in fact constrained to resist the adoption of the appropriation; and I was confirmed in this course by communications which had been received from Mr. Higgins, the chairman of your harbor committee. What I said has already appeared in the Record, and has received the approval of Mr. Higgins, speaking on behalf of the chamber of commerce.

commerce.
You may imagine my astonishment, therefore, when I find in the Record of
July 25 a letter signed by "Cornelius N. Bliss, chairman of executive committee,
approved by James M. Brown, president, Charles S. Smith, vice-president," addressed to "Hon. Warner Miller, United States Senate, Washington, D. C.,"
under date of July 23, from which I quote the following:
"Mr. Hewirt's remarks in the House of Representatives relative to an appropriation for New York Harbor, as reported in the Record of the 21st instant,
must have been made under serious misapprehension of the position of the

chamber of commerce.

"The statement of Mr. Hewitt places the chamber before Congress as not knowing its own mind or of being divided in its counsels, neither of which is

Having acted upon the distinct resolution above quoted, and strictly in accordance with its terms, and having received the approval of your chairman of the harbor committee in thus acting, it would seem that the statement made about division in the counsels of the chamber of commerce must be true. For this I am not responsible, my desire being, as a Representative and as a member of the chamber of commerce, to secure to New York the improvement of its harbor upon some well devised system which will give us a channel of at least 30 feet of water at low tide, without wasting the public money upon tentative schemes which have not received the approval of either the engineers of the Army or of any competent board of experts. I am the more confirmed in this course by the following extract from the letter of General Newton, of the 23d instant, to Hon. A. S. Willis, chairman of the Committee on Rivers and Harbors:

instant, to Hon. A. S. Willis, chairman of the Committee on Rivers and Harbors:

"Iknow of no engineer of any experience who would rely upon dredging in this harbor, except as a temporary measure in default of a better method, and it may be said that there is no certainty even of temporary benefit from dredging to last sufficiently long to prove of advantage to navigation."

In view of the apparently contradictory position of the chamber upon the questions at issue, I deem it due to me that you will as soon as possible make an authoritative statement as to what the chamber of commerce really wishes to have done in reference to appropriations for the harbor in the pending bill. Owing to divided counsels, and apparently contradictory action, Senator Miller, who is doubtless as desirous of carrying out your views as I am, and myself are placed in the position of antagonizing each other, when both of us, I have no doubt, sincerely desire to co-operate for the good of the harbor. I venture, therefore, to ask a reply to this letter by return of mail, or by telegraph, if possible, in order that it may be used before the conference committee on the river and harbor bill shall make their final report.

I have the honor to be, very respectfully, your obedient servant,

ABRAM S. HEWITT.

James M. Brown, Esq., President of the Chamber of Commerce, New York city.

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK, New York, July 26, 1886.

Dear Sir: I am in receipt of your favor of July 25 and have submitted the same to the executive committee and to the committee on harbor and shipping of this chamber and beg to say that I officially, the executive committee of the chamber, the chairman of the harbor and shipping committee, A. Higgins, esq., all unite in confirming the letter of Mr. C. N. Bliss of July 23, addressed to Senator Miller, and to which you have referred.

We also confirm the joint resolution of the executive committee and of the committee on harbor and shipping of this chamber of June 10, which was as follows:

"Resolved, That these committees learn with pleasure and gratitude that

through the efforts of Senator Warner Miller an appropriation of \$1,000,000 has been placed in the river and harbor bill for the improvement of New York Harbor, and we respectfully request that such amount be placed subject to the direction and judgment of the Secretary of War, but not to be entirely confined to any one locality or plan of improvement."

I assure you that in our united judgment there is no conflict in this chamber as to the desired appropriation. We agree with you that a commission is wise and desirable, but we emphatically support the desirability of the appropriation of the \$750,000 at this time and to be expended upon such plans as the Secretary of War may approve. Under the wording of the bill I understand the Secretary of War has full power over the plans to be adopted as well as the expenditure of this sum. If this is not carefully guarded in the bill, as your letter seems to convey that it is not, I am sure no one will object to modifying the phraseology of the bill to meet this requirement. This change would, I hope, meet your present objections, and I trust you will see your way clear to make the suggested change and then give it your hearty support.

Yours respectfully,

JAS. M. BROWN, President.

JAS. M. BROWN, President.

Hon, Abram S. Hewitt,
House of Representatives, Washington, D. C.

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK, New York, July 19, 1886,

New York, July 19, 1886.

Dear Sir: The chamber of commerce has endeavored to embody in the bill S. 2157, now before the House after being passed by the Senate, legislation deemed absolutely necessary to the protection and preservation of this harbor, and, as well, prudent provisions whereby the Government will be saved useless or inexpedient expenditure of money, all the results of many years of ineffective State measures and efforts, and as the only hope of relief from acts of vandalism only to be reached by this bill. In behalf of the people of this State and city, and as well of the whole nation to which this occan highway is so important and valuable, we respectfully ask your individual consent and action in having this measure taken up and passed at this session. Your compliance can only be creditable to your wisdom, and the boon to this port and city will be so important that we will ever remember your exertions for us with gratitude.

Yours truly,

JAS. M. BROWN.

JAS. M. BROWN,
President Chamber of Commerce.
CHAS. S. SMITH,
Via President

CHAS, S. SMITH,
Vice-President,
Vice-President,
CORNELIUS N. BLISS,
Chairman Executive Committee,
SOLON HUMPHREYS,
Treasurer,
A. FOSTER HIGGINS,.
Chairman of Committee on Harbor and Shipping.

Hon. Abram S. Hewitt, House of Representatives, Washington, D. C.

PUBLIC BUILDING, ANNAPOLIS.

Mr. COMPTON. I move to discharge the Committee of the Whole House on the state of the Union from the further consideration of a bill (S. 201) to provide for the erection of a public building in the city of Annapolis, Md., and put the same upon its passage.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the post-office, custom-house, and other Government offices, at the city of Annapolis, Md. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of \$100,000: Provided, That the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 50 feet, including streets and alleys; and for the purposes herein mentioned the sum of \$100,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: Provided further, That no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Maryland shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The SPEAKER. Is there objection?
Mr. BURROWS. Are terms of United States courts held there?
Mr. COMPTON. I hope the House will indulge me for a few minutes to state the case.

Mr. BURROWS. I only want an answer to my question.
Mr. COMPTON. No, sir; there is not any United States court held there.

Mr. BURROWS. What are the receipts?

The office pays nearly \$10,000. What are the receipts from customs? Mr. COMPTON.

Mr. BURROWS.

Mr. COMPTON. The receipts from customs, and I speak only from memory, not having the figures at hand, are from four to five hundred

Mr. BURROWS. How much rent is paid for the post-office?
Mr. COMPTON. If the gentleman will allow me, I will state ex-

actly the reasons for this bill.

Mr. BURROWS. I do not wish to object, but simply call attention to these facts, because otherwise I am apprehensive that the bill might provoke lengthy discussion.

Mr. COMPTON. If the gentleman will hear me for a moment I

think he will be satisfied.

The SPEAKER. The gentleman from Michigan states that he does

Mr. BRECKINRIDGE, of Arkansas. I am not willing that the right to object should be altogether waived. I am willing to hear a statement from the gentleman as to the necessity for this building subject to the right to object.

Mr. COMPTON. This bill passed the Senate in the Forty-eighth

Congress by a unanimous vote and came to the House, where it was reported back unanimously from the Committee on Public Buildings and

ported back unanimously from the Committee on Public Buildings and Grounds accompanied by their report.

The facts are about as I shall state them. In the first place, as every one knows, Annapolis is the capital of the State of Maryland. It is, I believe, with but two exceptions, the only State capital in the country which has not had provision made for a public building of some kind. Mr. ADAMS, of New York. What is the necessity for it there?

Mr. COMPTON. The necessity is that there is no building at present available which can be rented to serve the purposes for which this building is contemplated. Twice the post-office in that city has been robbed, and a bill has been already passed by Congress at my suggestion appropriating nearly \$6,000 on account of money lost by robbery because of the insecurity of the building.

Everybody knows that Annapolis is the seat of the Naval Academy, one of the most important, if not the most important institution of a

one of the most important, if not the most important institution of a public character in this country. There are connected with that establishment, from the superintendent down, nearly or quite one thousand Government employés, and there is a constant communication between the Government and that institution.

Let me say in addition, Mr. Speaker, that the receipts from this office in the Treasury amount to between seven and ten thousand dollars over and above the expenditures; and \$100,000 worth of business is done

which gentlemen are familiar in the post-offices of the system with which gentlemen are familiar in the post-offices of the country.

I do think that if there is a bill before this Congress which ought to claim the consideration of the House, and which is entitled to favorable claim the consideration of the House, and which is entitled to favorable attention at the hands of the Congress of the United States, it is the bill now pending before you, and for which I ask consideration to day.

Mr. BRECKINRIDGE, of Arkansas. I will state one or two reasons why I feel constrained to oppose the bill.

The SPEAKER. Does the gentleman object? Because if there is objection the bill is not before the House for discussion.

Mr. BRECKINRIDGE, of Arkansas. I will not object to consideration if I may be permitted to give my reasons for opposing the bill. But without this privilege I shall not give my consent to its considera-

The SPEAKER. Then the Chairwill ask if there is other objection?
Mr. WARNER, of Ohio. Let us have a vote upon it.
The SPEAKER. Of course there will be a vote if consent is given

for its consideration; but the Chair desires now to know whether there is objection to its consideration.

Mr. BRECKINRIDGE, of Arkansas. I will consent to consideration upon the condition I have stated; otherwise I will not. I shall only consent with the understanding that I be permitted to make some remarks in opposition to the bill.

The SPEAKER. It will be open to debate if it is before the House

for consideration.

Mr. RANDALL: Would that give the gentleman from Arkansas one hour? For if so I shall have to object.

Mr. BURROWS. Can the report be read?

The SPEAKER. It can be as a part of the debate if the bill is con-

sidered.

Mr. BURROWS. I ask unanimous consent to have the report read,

subject to the right of objection.

Mr. RANDALL. If it gives the gentleman one hour on this bill I shall feel it incumbent upon me to object for the reason that I hope to have in the House a report from the conferees on the sundry civil bill, and I would not like to have the gentleman occupy an hour and keep me from taking up that report for consideration.

Mr. BRECKINRIDGE, of Arkansas. I have no intention of occupy-

ing over five or ten minutes.

Mr. RANDALL. Very well; I have no objection.
Mr. COMPTON. If permitted I will read the report.
Mr. O'NEILL, of Pennsylvania. Does this come up by unanimous consent?

The SPEAKER. Unanimous consent is being asked to take it up.
Mr. DINGLEY. I will reserve the right to object subject to the
same conditions made by the gentleman from Arkansas who announced his desire to be heard in reference to the bill.

The SPEAKER. Is there further objection to the consideration of the bill?

There was no objection.

Mr. BRECKINRIDGE, of Arkansas. The proposition here submitted is to spend \$100,000 for the construction of a public building in one of our towns. I have very serious doubts about my doing my duty in permitting this proposition to become a question of privilege at this time, for I am afraid the House is not very reliable in voting upon bills to erect public buildings.

Gentlemen will not fail to note that the gentleman from Maryland has stated only negative reasons why this expenditure should be made at this point. It is an old place, rich in Revolutionary traditions; but that does not furnish the commercial or business necessity for an ex-

penditure of this character.

The postmaster time and again has been robbed; but that is only a reason why we should vote a few hundred dollars to buy a burglar-

proof safe, and not a reason for our spending \$100,000 for a building to put the safe in. The gentleman wants a court-house, when he distinctly states he has no court. He wants a custom-house; and I hold in my hand the recommendation of the Secretary of the Treasury that this port be abolished as a port of customs. I have pending now before the Ways and Means Committee a bill that is indorsed by the Secretary of the Treasury to abolish that and similar ports where the cost of collecting the customs is more than \$2 for every \$1 collected. The receipts are \$875 a year, and the expenditures are \$2.51 for every dollar that is collected. And now it is proposed you should spend \$100,000 to provide a custom-house at a place where it is a shame that we maintain a customs port at all, and to provide a court-house for a place where you have no court to occupy it.

If the question should come up here of making that the seat of a United States court, of course it would receive fair consideration. But do you propose to forestall your liberty of action and your freedom of judgment by putting in \$100,000 as a hostage to compel you not to make yourselves ridiculous by refusing to give that place a court when you have agreed to give it a court-house, however unnecessary it may appear that they should have a court with all its expenses of mainte-

nance?

On these grounds I oppose this measure as a lavish and unwise piece of public policy. The gentleman has not stated what is the rental of his post-office. So far as the naval establishment is concerned we provide all the buildings that are necessary for the Naval Academy, and unless the record for this post-office is something like 5 per cent. and unless the record for this post-office is something like 5 per cent. on \$100,000, and if we take into consideration the line of expenses for a janitor and other things that always come along with these public buildings, there is not the slightest necessity or justification for erecting this public building or any other of a like character.

I am willing, although I have profound convictions in this case, to let this question be submitted to the House, but I will promise the

House I will be more scrupulous about discharging my duty if I am equally cognizant of such reasons for not erecting a public building than to grant unanimous consent again when a similar case comes up, if this bill passes. It is said I should permit a vote. I will incline to the generous and confiding side and permit a vote, and then we shall to the generous and confiding side and permit a vote, and then we shall see, and I have my fears and doubts about it, whether any proposition for erecting a public building can be too bad to pass. The tendency seems to be irresistible to stand together upon any and all propositions to vote away the public money, when the country is groaning under taxation and has a debt carrying interest which needs to be paid with surplus funds. I fully expect that this will be my last consent for the consideration of a bill proposing a lavish and unwarranted expenditure. penditure.

Mr. WARNER, of Ohio. I think on a measure like this we should have a yea-and-nay vote, at this stage of the session at any rate.

Mr. BLAND. Let the vote be first taken by a division.

Mr. McADOO. Is an amendment to the bill in order?

The SPEAKER. It is.

Mr. McADOO. I offer the amendment which I send to the desk. The Clerk read as follows:

Amend the bill by striking out "\$100,000" and inserting "\$20,000."

Mr. McADoo addressed the Chair.

Mr. BRECKINRIDGE, of Arkansas. With the permission of the gentleman from New Jersey [Mr. McADOO] I will reserve my time, yielding him what time he wants in order that I may retain the floor and not allow discussion to take too wide a range, as I promised the gentleman from Pennsylvania [Mr. RANDALL] that I would guard

The SPEAKER. The gentleman from New Jersey will, then, proceed in the time of the gentleman from Arkansas.

Mr. SCOTT. I understood the gentleman from Arkansas only claimed five minutes.

The SPEAKER. That is what the Chair understood. He stated to the gentleman from Pennsylvania, when that gentleman was about to

object, that he would not occupy more than five minutes.

Mr. RANDALL. I did not object to the gentleman from Arkansas [Mr. Breckinride] proceeding, but I did not want the right to occupy the floor for an hour should be given him, because in the mean time the sundry civil conference report might come in. Mr. BLAND. Let us have a vote.

The SPEAKER. The gentleman from New Jersey [Mr. McAdoo]

has the floor.

Mr. McADOO. Just one word in behalf of my amendment. Outside of the fact that the Legislature of Maryland meets once a year in this old, picturesque, and historic town of Annapolis, it is absolutely as stationary and dead commercially as the ancient, venerable, and interesting city of Alexandria in Virginia. I am sure that a \$20,000 building is more than sufficient to meet all the postal and revenue collection wears of this quiet and sedate old town of Annapolis. The lection wants of this quiet and sedate old town of Annapolis. The town has no commercial significance whatever, as is shown by the report of the Secretary of the Treasury asking that the customs-house at that point be abolished. It has no manufacturing interests. It has ceased long since to be a port of any considerable importance. Even in months with an R in them the native oyster comports himself in keeping with the quiet dignity of the place.

Mr. FINDLAY. Will the gentleman allow me a question?
Mr. McADOO. Yes, sir.
Mr. FINDLAY. The gentleman from New Jersey is on the Committee on Naval Affairs. Will he inform the House what part of the naval appropriation goes to the maintenance of the Naval Academy at Annapolis?

Mr. McADOO. That has nothing to do with the question, as my friend must know. I dislike to oppose my excellent friend from Maryland [Mr. COMPTON], but feel it to be my duty to ask at least a reduc-

tion of this appropriation.

Mr. COMPTON. Mr. Speaker—
Mr. BRECKINRIDGE, of Arkansas. How much time does the

gentleman want?

Mr. COMPTON. Five minutes, at most.

Mr. BRECKINRIDGE, of Arkansas. I yield the gentleman five

Mr. COMPTON. Mr. Speaker, I am surprised, sir, and I do not hesitate to express my surprise, at the opposition which has been manifested to this bill, particularly opposition coming from the quarters from which it does come. These gentlemen upon my right [Mr. Breckinrider, of Arkansas] and upon my left [Mr. McAdoo] have sat here and silently, without a murmur, have seen bills passed, and have helped to pass bills, of a similar character to this, bills of no more meritain for half so much merit as the one now pending before this House merit if of half so much merit as the one now pending before this House

which they are now opposing.

The gentleman from New Jersey says that the town of Annapolis is as dead commercially as the town of Alexandria. Sir, he does not know of what he speaks. He says that the town of Annapolis has no commercial interests and no manufacturing interests. Sir, there is being built to-day by capital from the State represented by the gentleman from Maine a railroad into that town which will bring there a trade and a connection which will make the town necessarily of commercial importance. Besides, sir, it has an oyster-packing interest which is worth ten times more than any manufacturing interest in the city of Alexandria, and very much more than many of the manufacting interests in the State which the gentleman from New Jersey represents.

Sir, as I said at the outset, this is the only capital of any State in this country, except possibly the capitals of Delaware and Florida, which has not an appropriation for a public building. This ancient town of Annapolis, connected closely as it is with this great national capital—the eyrie in which the young eaglets of the Republic are taught to plume their wings for the flights of their after lives—is certainly entitled to ask some consideration at the hands of this Congress.

Sir, who knows but that at the next robbery of the post-office of Annapolis, as a result of the opposition upon this floor to providing an adequate public building there, some Government document of value, incalculable in dollars and cents, may be carried away or destroyed? Two robberies have already occurred there. I appeal to this House not to treat this old historic town of Annapolis and its interests prejudicially when they have considered favorably so many other bills similar to this. I said that Annapolis was the only State capital which dicially when they have considered favorably so many other bills similar to this. I said that Annapolis was the only State capital which had not had an appropriation for a public building, except perhaps the capitals of Delaware and Florida. I have just been informed that Dover, the capital of Delaware, has a public building.

Mr. McADOO. Mr. Speaker, as a tribute to the eloquence of the gentleman from Maryland [Mr. Compton] I will modify my amendment so as to really the amount \$50,000.

ment so as to make the amount \$50,000.

Mr. TUCKER. Mr. Speaker, I rise to a question of almost personal

Mr. BRECKINRIDGE, of Arkansas. I yield the gentleman five min-

Mr. TUCKER. Mr. Speaker, in the absence of my friend the Representative of the eighth district of Virginia, in which the city of resentative of the eighth district of Virginia, in which the city of Alexandria is located, and as almost the senior member from Virginia (very soon to pass away from this scene), I feel constrained to rise to a question of almost personal privilege when the gentleman from New Jersey [Mr. McAdoo] speaks of the city of Alexandria as more dead than Annapolis. [Laughter.] It seems to me that the announcement of the death of so venerable a city as Alexandria ought almost to call for an adjournment of the House; but I take it for granted, sir, that "the flowers that bloom" in Alexandria "have nothing to do with this case." [Laughter.] And I hope that Alexandria will be excused from being put alongside of Americal "the nowers that bloom" in Alexandria "have nothing to do with this case." [Laughter.] And I hope that Alexandria will be excused from being put alongside of Annapolis as one of the two dead cities in which no public buildings are to be erected. [Laughter.]

The SPEAKER. The question is upon the amendment of the gentleman from New Jersey as modified.

Mr. BRECKINRIDGE, of Arkansas. I will ask the gentleman from Maryland to state what is the annual rental of the post-office building at Annapolis.

at Annapolis.

Mr. COMPTON. I am unprepared to say. I am relying upon the

reports.

Mr. BRECKINRIDGE, of Arkansas. There is not a single fact stated to justify this expenditure.

Mr. BLAND. I move to lay the bill and the pending amendment on

The SPEAKER. This is a Senate bill, and although the House may

lay a Senate bill upon the table, as a matter of courtesy it usually ab-

stains from doing so.

Mr. BLAND. I withdraw the motion.

The SPEAKER. The question is on the amendment of the gentleman from New Jersey [Mr. McADoo] to strike out "\$100,000" and insert "\$50,000,"

Mr. BRECKINRIDGE, of Arkansas. I ask for the previous question upon the bill and the amendment.

The previous question was ordered.

The amendment was rejected—ayes 34, noes 86.

The question being taken on ordering the bill to be read a third time, there were—ayes 87, noes 55. Mr. SOWDEN. No quorum.

Tellers were ordered; and Mr. Sowden and Mr. Compton were ap-

Mr. WARNER, of Ohio. We may as well have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative-yeas 121, nays 91, not voting 110; as follows:

TOTAL	ter I Tay	

Adams, J. J.	Ford,	Louttit,	Singleton,
Baker,	Frederick,	Lovering,	Snyder,
Barnes,	Funston,	Mahoney,	Stahlnecker,
Barry,	Gay,	Maybury,	Stephenson,
Bennett,	Gibson, C. H.	McComas,	Stewart, Charle
Bliss,	Green, W. J.	McKenna,	St. Martin,
Blount,	Grout,	Merriman,	Stone, W. J., Ky
Boutelle.	Guenther.	Milliken,	Strait,
Brady,	Harmer,	Mitchell,	Struble,
Browne, T. M.	Hatch,	Morrison,	Swinburne,
Brown, W. W.	Heard,	Murphy,	Swope,
Bynum,	Henderson, J. S.	Neal,	Symes,
Campbell, T. J.	Henderson, T. J.	Neece,	Tarsney,
Carleton,	Hepburn,	Nelson,	Taylor, Zach.
Catchings,	Hermann,	Norwood,	Thomas, O. B.
Compton,	Hewitt,	O'Ferrall,	Townshend,
Conger,	Hiestand,	O'Hara,	Trigg,
Cooper,	Hill,	O'Neill, Charles	Tucker,
Cowles,	Hiscock,	O'Neill, J. J.	Van Eaton,
Crain.	Holmes,	Osborne,	Viele,
Crisp,	Hudd,	Perry,	Wade,
Culberson,	Johnson, F. A.	Pettibone,	Wakefield,
Curtin,	Johnston, T. D.	Pindar,	Wheeler,
Dibble,	King,	Reid, J. W.	Wilkins,
Dingley,	Laird,	Rockwell,	Wilson,
Dougherty,	Lanham,	Rowell	Wise,
Dowdney,	Lawler,	Ryan,	Wolford,
Ermentrout,	Lehlbach,	Sawyer,	Woodburn.
Evans,	Libbey,	Scott,	
Farquhar,	Little,	Scranton,	San Professional Property of the Parket of t
Findlay,	Lore,	Shaw,	

NAYS-91.

Allen, J. M.	Ely,	Kelley, ·	Reagan,
Bayne,	Everhart.	Kleiner,	Richardson,
Belmont,	Fisher.	La Follette,	Riggs,
Bingham,	Fleeger,	Le Fevre,	Seney,
Bland,	Forney,	Lowry,	Sessions,
Bound.	Fuller,	Matson,	Seymour,
Boyle,	Geddes,	McAdoo,	Skinner,
Breckinridge, C. R		McCreary,	Smalls,
Breckinridge, WC		McMillin,	Sowden,
Buek,	Hall,	McRae.	Spooner.
Bunnell.	Halsell.	Millard.	Stone, E. F.
Caldwell.	Harris,	Moffatt,	Taulbee,
Campbell, J. M.	Hemphill,	Morgan,	Thompson,
Clements,	Herbert,	Oates.	Wait,
Cobb,	Hitt.	Parker.	Ward, J. H.
Cox,	Holman,	Payne,	Warner, A. J.
Daniel.	Hopkins,	Payson,	Weaver, A. J.
Dargan,	Hutton,	Pidcock,	Weaver, J. B.
Davidson, A. C.	Irion,	Pirce,	Weber,
Dockery,	Jackson,	Plumb,	West,
Dunn,	James,	Price,	White, A. C.
Eden,	Johnston, J. T.	Randall,	Whiting.
Eldredge,	Jones, J. H.	Ranney,	wanting.

VOTING-110.	

	NOT VO	TING-110.	
Adams, G. E.	Comstock;	Jones, J. T.	Romeis,
Aiken,	Croxton,	Ketcham,	Sadler,
Allen, C. H.	Cutcheon,	Laffoon,	Sayers.
Anderson, C.M.	Davenport,	Landes,	Spriggs,
Anderson, J. A.	Davidson, R. H. M		Springer,
Arnot,	Davis,	Long,	Steele,
Atkinson,	Dawson,	Lyman,	Stewart, J. W.
Ballentine,	Dorsey,	Markham,	Stone, W. J., Mo.
Barbour,	Dunham,	Martin,	Storm,
Barksdale,	Ellsberry,	McKinley,	Taylor, E. B.
Beach,	Felton,	Miller,	Taylor, I. H.
Blanchard,	Foran,	Mills,	Taylor, J. M.
Bragg,	Gallinger,	Morrill,	Thomas, J. R.
Brown, C.E.	Gibson, Eustace	Morrow,	Throckmorton,
Brumm,	Glover,	Muller,	Tillman,
Buchanan,	Goff,	Negley,	Turner,
Burleigh,	Green, R. S.	O'Donnell,	Van Schaick,
Burnes,	Grosvenor,	Outhwaite,	Wadsworth,
Burrows,	Hale,	Owen,	Wallace,
Butterworth,	Hammond,	Peel,	Ward, T. B.
Cabell,	Hanback,	Perkins,	Warner, William
Campbell, Felix	Hayden,	Peters,	Wellborn,
Campbell, J. E.	Havnes,	Phelps.	White, Milo
Candler,	Henderson, D. B.	Reed, T. B.	Willis,
Cannon,	Henley,	Reese,	Winans,
Caswell,	Hires,	Rice,	Worthington.
Clardy,	Houk,	Robertson,	NUMBER OF STREET

So the bill was ordered to be read a third time.

Mr. PETERS. As I am paired with the gentleman from Alabama [Mr. MARTIN], and do not know how he would vote on this question, I have refrained from voting.

Mr. TUCKER. Though I am paired with the gentleman from Vermont [Mr. STEWART], I have voted in the affirmative, understanding that he would vote in the same way.

The following pairs were announced:

Until further notice:

Mr. TURNER with Mr. DORSEY.

Mr. HALE with Mr. HOUK.

Mr. Green, of New Jersey, with Mr. Burleigh. Mr. Henley with Mr. Hanback. Mr. Comstock with Mr. Burrows.

Mr. McKinley with Mr. Mills

Mr. CABELL with Mr. WHITE, of Minnesota.

Mr. CANDLER with Mr. HAYNES.

Mr. John M. Taylor with Mr. IKE H. Taylor.

Mr. MILLER with Mr. BUCHANAN. Mr. Winans with Mr. Cutcheon, Mr. Wellborn with Mr. Phelps.

Mr. HAMMOND with Mr. O'DONNELL. Mr. THROCKMORTON with Mr. WADSWORTH.

Mr. REESE with Mr. ADAMS, of Illinois. Mr. STORM with Mr. DUNHAM.

Mr. Rogers with Mr. Ezra B. Taylor. Mr. Robertson with Mr. Steele.

Mr. SADLER with Mr. VAN SCHAICK.

Mr. TUCKER with Mr. STEWART, of Vermont.

Mr. BARBOUR with Mr. LIBBEY.

Mr. BRAGG with Mr. CASWELL.

Mr. BARKSDALE with Mr. DAVENPORT.

Mr. DAWSON with Mr. RANNEY.

Mr. ARNOT with Mr. THOMAS, of Illinois.

Mr. Davidson, of Florida, with Mr. Gallinger. Mr. Jones, of Alabama, with Mr. Beown, of Ohio Mr. Outhwaite with Mr. Morrill.

Mr. Gibson, of West Virginia, with Mr. Morrow.

Mr. MARTIN with Mr. PETERS. Mr. CROXTON with Mr. HAYDEN.

Mr. PEEL with Mr. Allen, of Massachusetts. Mr. Anderson, of Ohio, with Mr. Grosvenor.

For this day:

Mr. CAMPBELL, of Ohio, with Mr. GOFF.

On this vote:

Mr. LAFFOON with Mr. REED, of Maine.

Mr. ELLSBERRY with Mr. CANNON.

Mr. CLARDY with Mr. LONG.

The result of the vote was announced as above stated.

The bill was accordingly read the third time.

The question being taken on the passage of the bill, there werees 77, noes 52.

Mr. SOWDEN. No quorum. Tellers were ordered; and Mr. Sowden and Mr. Compton were appointed.

The House again divided; and the tellers reported—ayes 114, noes 51.

So the bill was passed.

Mr. COMPTON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Sympson, one of its clerks, announced that the Senate insisted on its amendments disagreed to by the House to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes; asked a further conference with the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. Allison, Mr. Hale, and Mr. Beck.

ORDER OF BUSINESS

Mr. MATSON. Mr. Speaker, I demand the regular order of busi-

Mr. RANDALL. Unless the Chair desires to proceed with the call

of States I will present a conference report.

The SPEAKER. The conference report has precedence, of course, but the rules require the call of States and Territories for the introduction of bills and joint resolutions for reference, and the conference report can be called up afterward.

Mr. RANDALL. I wish to conform to the wishes of the Chair. Mr. BELMONT. I move that the morning hour for the call of States and Territories for the introduction of bills and joint resolutions be dis-

pensed with, and that by unanimous consent members shall be allowed to file their bills and joint resolutions with the Clerk, to be entered on the Journal and in the RECORD.

The SPEAKER. The gentleman from New York moves, by unani-mous consent, to dispense with the formal call of States and Territories,

and that members be allowed to present them to the Clerk for reference. Is there objection?

Mr. COLLINS. I object.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. I will come in now. I present a report from the committee of conference, which I ask to be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 20, 1887, and for other purposes, after full and free conference have been unable to

S. J. RANDALL, W. H. FORNEY, THOS. RYAN, Managers on the part of the House. W. B. ALLISON, E. HALE, J. B. BECK, Managers on the part of the Senate.

Mr. RANDALL. Mr. Speaker, I hope the House will be quiet, as

my voice is not strong to-day.

The SPEAKER. The gentleman will not proceed until members

resume their seats and order is preserved.

Mr. RANDALL. Mr. Speaker, the report shows a disagreement as to the entire number of amendments of the Senate, and the whole bill is in controversy. Our conferees desired to come back with a report is in controversy. Our conferees desired to come back with a report showing where the two Houses did agree, but the Senate conferees preferred full disagreement; in fact, the conferees have really agreed to 201 amendments out of 243. So that 42 only are still in controversy. The bill as it went to the Senate appropriated \$21,311,525.24. The bill as passed by the Senate appropriated \$24,418,375.32. The increase, therefore, made by the Senate was \$3,106,150.08.

The amount receded from by the Senate is \$1,803,460.32. The amount receded from by the Senate is \$1,803,460.32.

amount receded from by the House, \$974,286.94.

The forty-two amendments about which there is disagreement involve an amount of \$229,103.82. Of the \$974,286.94 receded from by the House there are various items in reference to which recession was compelled on the part of the House conferees because of bills which have become law since action was taken on this bill by the House committee and House, those items aggregating \$476,750. So that the recession by the House of the amount within the discretion of the conferees of the House is half a million of money.

will enumerate the matter about which there is disagrement. There is disagreement in reference to amendments of the Senate from No. 80 to No. 105, which relate to the Coast and Geodetic Survey

The House desired to reduce the number of field officers and also the office force, and to make a change in some of the salaries of these officials. There are many matters, if these were out of the way, the Senate would recede from, resulting in further reduction in the amount of the bill.

The next amendments on which there is disagreement are 138 and

That is the appropriation for the completion and change of the original plan in connection with the Pension building on Judiciary Square.

The House desired, as soon as the building shall be completed in the manner provided in the House bill, certain other bureaus under the control of the Secretary of the Interior now occupying rented buildings to the extent of \$37,000 shall go into that Pension building, thus sav-

ing to the Government the amount now paid for outside rent.

There is, the House conferees thought when this was done, sufficient room to accommodate all of these bureaus, as provided for in the House bill. The Senate dissent from that view, but agree to the appropria-tions as fixed by the House for the completion of the building and put-ting it in such order as to receive all of these bureaus, or some of them at least.

Perhaps I ought to say that the Senate conferees, or some of them rather I believe, think this building, if put in complete order, would be ample for the purpose, and would not resist placing some of these bureaus, if not all of them, in that building, thereby saving to the Government \$37,000 now paid in rent.

The next matter of disagreement relates to the land service. While a settlement might have been reached on one or two or perhaps three of these amendments embraced in Nos. 146, 148, 150, 151, 152, 153, 154, and 155, there being a disagreement on some of them, the conferees thought it better to bring the entire number back. The first is under the head of protecting the public lands:

For the protection of the public lands from illegal and fraudulententry or appropriation.

The House provided \$90,000 for this service. The Senate placed the amount at \$75,000. I can say to the House I think if there could be an agreement reached as to some of the other items the Senate conferees might possibly recede and permit the House amount to be fixed as a final recommendation of the conferees. The House conferees adhere tenaciously to the \$90,000.

The next item of disagreement is that in relation to the swamp lands, amendment numbered 148, for which the House appropriated \$15,000; the Senate increased it to \$20,000. The House would recede and accept the \$20,000 provided the rest of these amendments could be agreed

upon or some conclusion reached in regard to all of those points of disagreement covered by the public-land service.

Amendment numbered 150, to enable the reproduction of worn and defaced official plats on file, was fixed by the House at \$5,000, and by the Senate at \$10,000. I think in this connection I can say also that the Senate will probably recede in that matter. Amendment 151 is for furnishing transcripts of records and plats, \$5,000, which amount is to be expended under the direction of the Secretary of the Interior. There will not be any difficulty about that if the matters embraced in the preceding amendments can be arranged.

The survey of the public lands, for which the House appropriated \$50,000, is provided for in the House bill, and to this the Senate have incorporated amendments numbered 152, 153, and 154. The language

of the House bill was-

And the sum hereby appropriated, as far as may be necessary, may be expended for the examination of surveys in the field to test the accuracy of the work, &c.

The Senate amendments, if adopted, will make it read:

And of the sum hereby appropriated \$10,000, or so much thereof as may be necessary, may be expended for the examination of surveys in the field made under this appropriation, &c.

It will be observed that while 50,000 is given for the surveys of the public lands, and the discretion is allowed for the expenditure of the entire amount for the examination of what may be called alleged fraudulent entries and the detection of fraud in connection with that matter. Both sides seem equally determined in relation to this matter, and the conferees of the House were unwilling to move at all from the position the House had taken unless they first came here and informed the House of their difficulties in this direction. My own judgment is that if the House conferees felt themselves at liberty there could be an agreement reached as to these items going to appropriate \$25,000 to be used for the survey of the public lands and the other \$25,000 for the purpose of the investigations of fraudulent entries.

The next amendment about which there is disagreement, No. 159, relates to the Yellowstone Park. Here is a park I think 55 miles in length in one direction and 65 miles in length in the other. The eleven civilian officials there which the Senate desire to continue. There are House conferees are of opinion that eleven men with the civil authority of law only are altogether inadequate to the care and protection of such vast domain as that, and desire to appropriate \$20,000, to be used in the repair of roads and bridges, and to provide that hereafter there shall be a company of cavalry stationed there by order of the proper authorities for the protection of the park. While the House is quite determined in that direction the Senate conferees seemed to be equally determined in the other.

The next amendment, No. 160, relates to the appropriation of \$50,-000 for the erection of a hospital building for convict and homicidal insane persons at Saint Elizabeth, the Government Insane Hospital. I think there could be an agreement reached as to that if the rest of these matters were reconciled.

Amendments 227 and 228 relate to the stenographers for the judges the Supreme Court. It will be remembered that I, in my own of the Supreme Court. individual relation, on the floor when this bill was under consideration offered an amendment permitting this provision to be incorpo-But when I come to act as conferee I necessarily sink rated into law. my own individual beliefs in that and conform to the opinion of the House; and we have, therefore, with unanimity I think, dissented from this proposition, believing that the House having had that provision rejected on a point of order, and not having sought in any other way possible to embrace it within the bill, we preferred to come back and give the House the opportunity of action as to this particular clause.

The next three amendments, which are the concluding amendments about which there is a difference, are Nos. 230, 232, and 233, under the heading, "Works of Art."

Amendment 230 is as follows:

For the purchase of works of art, and the necessary cleaning and repairing hereof, including new frames, under the direction of the Joint Committee on the abrary of Congress, \$10,000.

This is a provision which places at the disposal of the Joint Committee on the Library \$10,000 for the purchase of such works of art as they in their judgment see fit to buy for the ornamentation of this building. The House conferees believe that whatever the purchases are to be of this sort ought to be made with the direct approval of the two Houses of Congress

The same remark applies to the other two amendments of the Senate, No. 232 and No. 233, which are as follows:

For the purchase of the painting of "The First Fight of Ironclads," by W. F. Halsall, \$7,500.

For the purchase of the painting entitled "Farming in Dakota," by Carl Gutherz, \$3,000.

This is a summary of the disagreements. The Senate further insists, and the House conferees in form ask for like action by the House, but desire if possible by the discussion which may occur in this connection an expression of the sentiments in some degree even informally of the House in these particulars. I am now ready to yield to any gentleman who desires to be heard on any of these amendments.

Mr. SPRINGER. I desire to call attention to the amendment in Mr. SPRINGER. I desire to call attention to the amendment in regard to the Pension building. The Senate amendment strikes out that part of the House bill which provides an appropriation for completing the fourth story for the occupancy of "the General Land Office, Indian Office, Bureau of Education, Office of the Commissioner of Railroads, Bureau of Labor, the office of the agent for the payment of pensions in the District of Columbia, and Office of the Geological Survey."

Likelieus the Senate did not invest any specific amount.

I believe the Senate did not insert any specific amount.

Mr. RANDALL. There really will be no difficulty about that appropriation for the completion of the building. The only difficulty is about the occupation of the building. The Senate conferees prefer that matters should be adjusted after the completion of the building. The

House conferees thought it could be as well fixed now.

Mr. SPRINGER. I want to call attention very briefly to the proposition which is embraced in the present bill and the amendment of the Senate. It is proposed by the House provision to locate certain public offices in the new part of the fourth story of this building. I want to state to the gentleman from Pennsylvania I have taken the pains to visit the Pension building recently, since this subject was before the House a short time ago, to see for myself what rooms would be provided for the occupancy of the offices I have named if this pro-

vision as embraced in the House bill is adopted.

The fourth story of that building as now contemplated for completion will not have any openings on the outside of the building at all but will be lighted by a sky-light and will receive air only from the

inside court of the building.

Mr. RANDALL. I will state to the gentleman that that fourth story is only intended for record rooms. No clerks are to work there under

any circumstances.

Mr. SPRINGER. I am glad to hear the gentleman say so because I do not think it would be safe even for life to put a human being in that fourth story in summer, the rooms being lighted by sky-lights only and having ventilation only from the court which has no outside communication. To do so would be forcing human beings into a place not suitable for human existence.

I have endeavored to call the attention of the committee, however, and of the House to the necessity of putting another story on the building, and with that in view I desire to move at the proper time to recede from our disagreement to the Senate amendment and concur

therein with the following amendment.

Mr. RANDALL. The original bill provided that the fourth story should be used for records. I do not yield for the gentleman's amend-

Mr. SPRINGER. I will read it:

That the work on the fourth story of the building be suspended until further appropriation be specifically made therefor; and that the Architect of the Treasury Department be, and he is hereby, authorized to prepare and transmit to Congress at the next session a plan and estimates of cost for the construction of a mansard story on said building to take the place of the fourth story as contemplated on the present plan.

This will give the Government another story suitable for office-rooms over the entire area of this building; a story adapted to the very offices named in this bill; while the story provided for in the bill when completed will not be useful for anything except for storage purposes.

A very small cost will give us enough room for all the offices contemplated here, and the object of my amendment is that the Architect of the Treasury Department-it will cost the Government nothingshall make an estimate of the cost and draw plans which will provide this additional room and which when provided will afford rooms suited for public offices. We have elevators in that building and another story added will not make a tall or unsightly building, but, in fact, will

added will not make a tail or unsightly building, but, in fact, will greatly improve the present architectural appearance, if I may use such an expression in speaking of this building.

I think that a very little increase over the cost of preparing the fourth story room would put a mansard story upon the building, which would greatly improve its present unsightly appearance, and furnish a large amount of useful office room at small expense. It will certainly cost nothing to suspend work in the mean time upon the building and get a plan and estimate from the Architect of the Treasury for another story. It is with a view to that, and with a view to improving the another story. It is with a view to that, and with a view to improving the appearance of a building which is now extremely unsightly and not creditable to the architectural skill of our country, or to any person that has had anything to do with its construction, that I offer this amendment. I hope therefore the gentleman from Pennsylvania [Mr. RANDALL] and the Committee on Appropriations will agree to this amendment, as it does not involve any additional expenditure but simply asks for an estimate from the Architect as to the cost of a mansard story to take the place of the fourth story contemplated by the present plan.

Mr. RANDALL. Will the Speaker be good enough to tell me how

much time I have left?

The SPEAKER. The Chair thinks the gentleman has occupied eighteen or twenty minutes, including the time occupied by the gentleman from Illinois [Mr. SPRINGER].

Mr. RANDALL. I wish to say, Mr. Speaker, in reply to the gentleman from Illinois [Mr. Springer], that in my judgment to take this building away from the architect who has been engaged in its construction and put in under another architect would not be wise, and

therefore, if I can, I shall at the proper time prevent that amendment from interfering with the general motion which I wish to make, that the House further insist upon this point, because I believe that after discussion the conferees will feel themselves at liberty to act in the direction of the wish of the House in matters about which there is disagreement.

Mr. CANNON. Mr. Speaker, I agree with the gentleman from Pennsylvania [Mr. RANDALL] that this building ought to be completed on the present plan, whether we provide to move the offices in or not; and I want to suggest to the gentleman, if the Senate will not the building could be completed at all events, and also a modification of the law as it now is, for I believe it is held by the Attorney-General that under the law none but the Pension Office can occupy the building.

Mr. RANDALL. That is merely an opinion Mr. CANNON. But it has the force of law. That is merely an opinion.

Mr. RANDALL. But we propose to put something in the law that will change that. It can not be possible that, with room vacant which would accommodate fourteen hundred clerks and with a rental of \$37,000 a year against the Government for the use of buildings outside, the Congress can not say that that space shall be occupied when it is

ready for occupation.

Mr. CANNON. I agree with the gentleman, but I want to call his attention to the fact that unless a change is made in the existing law the Pension Office will continue to occupy the building to the exclusion

of other offices

Mr. RANDALL. The position of the Commissioner of Pensions, as I understand him, is this: While he does not deny that there is room for fourteen hundred more clerks in that building, yet he does not want that room occupied by any other Department. Now, it had occurred to us that the Secretary of the Interior himself might consider that that was a place to be preferred to his present small and confined quarters in the Patent Office. I think all the conferees look to having ultimately some of the bureaus go into that office, and as I have said, perhaps the Secretary himself may conclude to go there also. I now yield five minutes to the gentleman from Missouri [Mr. O'NEILL].

Mr. O'NEILL, of Missouri. Mr. Speaker, concerning the appropria-tion for the Yellowstone Park, as I understand the chairman of the committee, it is proposed to have a company of cavalry sent there—
Mr. RANDALL. I said a company, but I will change the remark

and say that we propose to have some cavalry sent there.

Mr. O'NEILL, of Missouri. The present assistants employed in the park are not selected alone for the protection of the curiosities in the park are not selected above for the protection of the curtostates in the park, but also for the purpose of preserving the game; and since the new superintendent has been appointed he has selected mountaineers, men familiar with the passes in the mountains, men familiar with the habits of animals, men who are accustomed to the use of snow-shoes, and who can go in winter from place to place to protect the game from the hunters who go in there to destroy it.

Aside from the preservation of objects of curiosity or interest, the purpose is to preserve the natural game in the park, and I believe that the idea of having a company of cavalry, or such a number of cavalry as may be necessary, sent up there is an excellent one. In conversation with Lieutenant Kingman, the United States officer in charge there, who certainly is remarkably competent and whose work reflects great credit upon him, he told me he believed that ultimately the only way in which we could preserve the game in the park would be by the construction of immense stockades, in which the different species of native animals abounding in that section of the country may be preserved. This could be done by troops at trifling cost to the Government.

Mr. RANDALL. Can the gentleman enumerate some of the animals out there?

Mr. O'NEILL, of Missouri. I believe there are some seventy or eighty buffaloes now in the park, and a great many deer, elk, and antelope. Two years ago, I believe, one enterprising hunter killed some forty deer in one herd that he caught in the snow.

Now, the object of these assistants is to preserve the game. Any one who has visited that park must admit that it is the grandest object of interest in the United States; it is one which to-day is very largely attracting travelers from abroad who come here to witness those grand objects of interest-nature's wonders. Hence we should be liberal in building roadways in that park, in preserving the game there, and protecting the objects of interest. The reason the Senate so tenaciously clings to this feature of retaining these assistants is that many Senators have visited the park and recognize the benefit to be derived from the labors of those competent mountaineers in preserving and protecting the game.

Mr. RANDALL. I now yield to the gentleman from Iowa [Mr.

HENDERSON] whatever time he wishes.

Mr. HENDERSON, of Iowa. Mr. Speaker, I am opposed to the Senate amendment; and I differ from my friend from Missouri [Mr. O'NEILL] when he states that the reason this amendment has been urged by the Senate is that so many Senators have wandered around the spouting springs of the Yellowstone and have become so enamored of its beauty that they feel it necessary to make large expenditures to keep up the force now running that park. If the gentleman would speak with the candor which usually characterizes him, he would say that the real

reason is that the present superintendent of that park is from the State of Missouri, and that a prominent gentleman from his State is trying to keep that superintendent with his subordinates in control of the park.

Mr. O'NEILL, of Missouri. And he is the most efficient and compe-

tent man you ever had there.
Mr. HENDERSON, of Iowa. "Most efficient!" We will look into that in a moment. In the first place I want to call attention to the fact that there is in the existing law ample power to provide for the care of that park. The act of March, 1883, contains the following provision with reference to the care of the national park:

The Secretary of War, upon the request of the Secretary of the Interior, is hereby authorized and directed to make the necessary details of troops to prevent trespassers and intruders from entering the park for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law, and to remove such persons from the park if found therein.

That is the only statute authorizing the control of the national park. You have no law for your present system of a superintendent with as-

You have no law for your present system of a superintendent with assistants, except what has been put in an appropriation bill. What I have just read is the law giving the power to exercise proper care of that park, and it is this provision that we should be governed by.

Now, here is a little empire, as has been shown, 55 by 65 miles in extent, and it is expected, as we now learn for the first time, that nine or eleven "mountaineers" are to control and regulate this park and protect the game—"mountaineers" from Illinois, "mountaineers" from Missouri, "mountaineers" from every part of the country (except the mountains), who have been imported into that section within the last few months, many of whom would not know a bear from a jackal or a few months, many of whom would not know a bear from a jackal or a jack-rabbit from a jackass! [Laughter.] These are the kind of "mountaineers" that Mr. Wear, the superintendent, is putting into that park. I say, Mr. Speaker, that we have ceased to have a national park. It is no longer a national park, but the property of a private corporation and a ring of park hotels. That is the fact of the matter. There are now in the national park, under what is called the Park Hotel Association, five hotels. When you go to Saint Paul or Minneapolis and want to buy a ticket to the national park you are furnished with a ticket with coupons to stop at these hotels, which are in combination and practically in copartnership with the Northern Pacific Railroad Company, as I am informed. The independent hotels are not recognized in the transaction. I know of one instance-

Mr. O'NEILL, of Missouri, rose.

Mr. O'NEILL, of Missouri, rose.
Mr. HENDERSON, of Iowa. Just wait a little. I will let you loose on the "mountaineers" presently.
Mr. O'NEILL, of Missouri. I only wish to ask a question.
Mr. HENDERSON, of Iowa. All right.
Mr. O'NEILL, of Missouri. Are you aware that this great corporation you speak of is in bankruptcy—in the hands of a receiver?
Mr. HENDERSON, of Iowa. No, sir. There is one bankrupt corporation; but there is another full-fledged corporation, thoroughly armed and conjuned which now practically owns the National Park poration; but there is another full-fledged corporation, thoroughly armed and equipped, which now practically owns the National Park. My friend from Missouri should read up and inform himself. He is better posted about "mountaineers" than he is about this association. Mr. O'NEILL, of Missouri. I think I am posted on the facts. Mr. HENDERSON, of Iowa. There is a regularly organized and equipped Park Hotel Association that has the National Park in its pocket; and I charge that the superintendent has gone to Saint Paul, as the agent both for the purchaser and the seller, to buy out or force

as the agent both for the purchaser and the seller, to buy out or force out other hotel-owners there.

Mr. O'NEILL, of Missouri. I do not think the gentleman's state-

ments are correct

Mr. HENDERSON, of Iowa. Absolutely correct. Let me make a further statement. The gentleman from Missouri has spoken of the present superintendent as so far superior to preceding superintendents. Let us see about him.

I have seen with my own eyes an order of the Interior Department, which I understand this superintendent had brought about, requiring every vehicle for carrying freight to have a wagon-tire 4 inches wide. Mr. CANNON. Four inches and a half.

Mr. HENDERSON, of Iowa. I am corrected by my friend from Illinois, requiring them to have a wagon-tire 4 inches and a half.

Now, Mr. Chairman, that puts it in the power of the park monopoly to freeze out every man there who has his little wagon for hauling his lumber or food through the park. The poor man is thus practically driven from the park.

Who recommended such an order? This superior gentleman who has raked the mountains for mountaineers to effectually guard this

That is not all. I appeal to members of the House who have visited the National Park within the last twelve or fourteen months. The regulations require that \$1 shall be charged for carrying passengers from the station of the Northern Pacific Railroad to the great hotel at Mammoth Hot Springs

Mr. BROWN, of Pennsylvania. They are charged \$2.
Mr. HENDERSON, of Iowa. You are right, sir; they are charged \$2. But when a member of Congress, on this floor now, pressed that "faithful" superintendent to know if such things were done he

evaded at first, but finally and reluctantly admitted that he knew it. Yet there is no letter on file from this "vigilant superintendent" to show he knew there were men who had violated the law in that great domain.

That is not all. The Government owns a great saw-mill there. I know of one little hotel whose owner went to ask to have sawed 25,000 feet of lumber at that mill. He was denied the privilege, although he offered to pay for it, and then that same mill, under the management at that park, turned around and sawed 1,000,000 feet of lumber for the ring hotels there, which fatten under the protecting wing of your "competent superintendent."

Mr. O'NEILL, of Missouri. Is not the gentleman from Iowa speak-

ing of the ring superintendent from his own State?

Mr. HENDERSON, of Iowa. No, sir; it was not. It was under the superintendence of Mr. Wear, a gentleman from your State. The superintendent from my State, Major Conger, fought the old hotel associa-tion with all his might until he brought down upon his head the whole force of that once powerful corporation.

Mr. O'NEILL, of Missouri. When did your superintendent get out?

They have not been out for six months.

Mr. HENDERSON, of Iowa. Major Conger has been out for a year and a half at least. Major Carpenter, who succeeded him, was one of

the first removals under this administration.

Mr. O'NEILL, of Missouri. I assert all these things originated under your Republican superintendent. It was done when Mr. Teller was Secretary of the Interior. Then the old hotel system which you denounce was created. It has been only within the last few months a change has been made, and that ring has been driven out of the park. therefore suggest to the gentleman not to indulge in any more rhet-

oric. [Laughter.]
Mr. HENDERSON, of Iowa. My dear boy, just keep your seat and attend to your panthers. [Laughter.] I am making specifications; I am stating facts that have occurred and are now occurring under the

present management.

Mr. O'NEILL, of Missouri. You had better furnish some plans with

the specifications.

Mr. HENDERSON, of Iowa. Let us see further about the present Mr. HENDERSON, of Iowa. Let us see further about the present superintendent. I am not done with him yet. My friend from Missouri is a great advocate of the laboring man. He is chairman of the Committee on Labor in this House. Does he, with his inquiring mind, in the interest of this superintendent, not know that there is posted up in this great hotel at the Mammoth Springs a notice that no laboring man is to be allowed to come into that hotel?

Mr. O'NELL of Missouri.

Mr. O'NEILL, of Missouri. I have never seen it or heard of it. Mr. HENDERSON, of Iowa. It is true, and I will tell you more, as chairman of the Committee on Labor, that the superintendent of that hotel, a man by the name of Strang, insults every laboring man who appears on the threshold of this hotel, a hotel which is being kept up for foreign flunkies, foreign aristocrats, and moneyed men from our own country who go there to spend their leisure hours under the protection of these "mountaineers." [Laughter.]
Mr. O'NEILL, of Missouri. Will you give me a minute to answer

that?

Mr. HENDERSON, of Iowa. I have no time to yield; the gentleman must get it from the gentleman from Pennsylvania.

Mr. WEAVER, of Iowa. If that fact is established I would vote to

put him out very quick.

Mr. HENDERSON, of Iowa. I have it on good authority. thing, too, Mr. Speaker: One man held a lease which authorized him to build a hotel of wood. He gothis lumber on the ground for the purpose of finishing the hotel this very summer in order to be prepared for the visitations of this year. This gentleman, Mr. Wear, the present superintendent of the park, came to him and questioned him like an autocrat as to what he was about to do. Being fully answered he stopped him in his work, and then when asked for the reasons why he did so, he said it was because he could build the hotel of logs, for he held that lumber was not wood, but logs were. [Laughter.] Why, this fellow lumber was not wood, but logs were. [Laughter.] Why, this fellow is a sort of a philosopher—this superintendent of the National Park. He knows and sees a fine distinction in the language of a contract, so that a man who is rearing a hotel of suitable and sightly character to be built of lumber is stopped and prevented from doing it because the superintendent holds that logs are wood but lumber is not! That is a very nice distinction indeed.

Mr. O'NEILL, of Missouri. Will you not allow me just a minute? Mr. RANDALL. If the gentleman from Iowa is through I will be

glad to arrange so as to pass from this part of the bill.

Mr. HENDERSON, of Iowa. Just in a very few minutes. I will yield the floor to the gentleman from Pennsylvania after a word or two

When this man of whom I have spoken appealed to the Secretary of the Interior he found that he could get no speedy remedy, but a tedious correspondence and a provoking delay ensued.

Mr. O'NEILL, of Missouri. Let me finish that part of the gentle-

man's speech.

Mr. HENDERSON, of Iowa. The gentleman can get time from the gentleman from Pennsylvania. I say when this man appealed to the

Secretary of the Interior by letters and telegram to have this wrong rectified, after having negotiated and negotiated, the day before yesterday I received a letter from the gentleman saying that Wear's tyranny had won and he had been compelled by the advanced season and the delay to give up the enterprise; and that, too, weeks after I had received an intimation that the superintendent of the park had sworn to freeze that man out of it.

I assert here before this House and before the country that the National Yellowstone Park is in the hands of a copartnership between the Hotel Park Association and the Northern Pacific Railroad Company, as it seems to me. I know the fact that independent lessees who had bought provisions at Saint Paul could not get them shipped to the park by the Northern Pacific Railroad, evidently hoping, as I fear, thereby to compel this single hotel to abandon its business because of not being

able to put provisions upon the tables for the guests.

It is time, I claim, that the House of Representatives of the United States should tell those pressing this amendment on the Senate that they can not put fancy officers in there to rule like tyrants over the park in the interests of a ring or corporation, when the law of the land has intended that this should be free to every American citizen whether he wears a plug hat or the garb of a workman; and my friend from Missouri will appreciate that illustration, I apprehend. [Laughter.]

I have much more that I would like to say in this connection, but having been invited to yield the floor for the purpose of proceeding as rapidly as possible with the consideration of this bill I will now yield to the gentleman from Pennsylvania [Mr. RANDALL].

Mr. RANDALL. I now yield three minutes to the gentleman from Missouri [Mr. GLOVER] and also to the gentleman on the right, Mr. O'NEILL. I want to pass from the consideration of this Yellowstone Park matter.

Mr. GLOVER. Mr. Speaker, I sincerely hope that this amendment may be adopted. I desire the House to understand that the people of Saint Louis have some higher ideas than that of merely prying open the

doors of the Treasury.

I do not know that the people of Saint Louis are particularly proud of, or particularly wrapped up in, the gentleman who is now the superintendent of the Yellowstone Park. If they are I do not know it; and I desire to state here that the last I heard of the superintendent of that park was that he had become personally interested in a coal mine which was situated on the margin of the park; and that thereupon, or immediately thereafter, no doubt without the knowledge of the Senator who introduced the bill, a bill was introduced in the Senate of the United States which would cut off that portion of the park, leaving it in his possession with a title. If that is so it indicates jobbery. I do not mean to say that this is true; but if an investigation is moved into this matter by anybody, I will undertake to introduce a gentleman of credible character to this House who claims to be able to give the information necessary to substantiate that fact.

I have carefully scrutinized this amendment, and notwithstanding the gentleman who last spoke insinuates that the members from Saint Louis can be influenced by the fact that this superintendent is from that State, I deem it only necessary to say in reply that whoever may be in charge there, I hope most devoutly this amendment may be adopted.

Mr. O'NEILL, of Missouri. I do not know where the gentleman from Iowa [Mr. Henderson] got his information. He seems to be very well up in little points and little details, which it is marvelous that a man in a busy life here can acquire. I do know the superintendent of that park has incurred the eternal ill-will and hostility of a railroad ring which to-day hangs about the corridors surrounding this Chamber asking for the building of a railroad through that park; and I believe the gentleman from Iowa has obtained some little of his information from the gentlemen who are identified with that interest. They have shadowed this Hall and the Senate Chamber from the beginning of this session.

Mr. HENDERSON, of Iowa. I will state to the gentleman that I am against any railroad going through the National Park, as my voice and vote will tell when the time comes.

Mr. O'NEILL. I say the great crime that superintendent has committed has been that he has stood up there a bulwark against that ring

which has endeavored to destroy that park by the introduction of railroads into it. These are the men who go around and make those charges.

I assert every charge the gentleman has made applies only to the former management. The leases he refers to were made under the late Republican administration, and the monopoly he refers to had for superintendent of the park a gentleman from his own State. As it proved a heavy loss, and went into the hands of a receiver, it is idle to refer to it. The present efficient superintendent has vindicated the judgment of the Secretary of the Interior in his appointment. He has enforced the law and protected the property; and to-day the fact you have any game in that park is due more to that man's courage, integrity, and faithful performance of duty than to the existing provisions of law.

[Here the hammer fell.] Mr. RANDALL. I now yield three minutes to the gentleman from Kentucky [Mr. Breckingings], who desires to be heard on the amendment providing stenographers for the justices of the Supreme Court.

Mr. BRECKINRIDGE, of Kentucky. I send a resolution to the desk with the view of obtaining on it an expression of the opinion of the House.

The Clerk read as follows:

That the House recede from its disagreement to Senate amendments 227 and 228, and agree to the same.

Mr. BRECKINRIDGE, of Kentucky. The amendment the Senate has made is as follows:

For stenographic clerks for the Chief-Justice and for each associate justice of the Supreme Court, at not exceeding \$1,600 each.

The object of the amendment is to give to that court as much more time in each year as is now occupied in the manual labor of writing their opinions. It is an increment of just that much to the working time to each of the justices.

The dearest of all things is cheap justice. The most wasteful of all extravagance is so-called economy in our courts of justice. If the Chief-Justice be worth \$10,000 a year and the associate justices \$8,000 surely it is very bad economy to require them to do the manual labor of writing their opinions when it can be done at \$1,600 a year. Our docket is behind, and we are giving it no relief. Our court is delayed, and we are offering them no additional help. This gives to them the time now taken up in most irksome and fatiguing manual worksto devote to their intellectual efforts.

I can think of no small assistance that can have so great fruit as this. Why we ourselves employ stenographers out of our own salaries.

Mr. HOLMAN. We pay for them out of half the salaries those gentlemen get.

Mr. BRECKINRIDGE, of Kentucky. We pay for them out of our salaries, which are less than the salaries of these justices; and there is not one among us that in doing it does not believe that we have been required by our constituents to do that which is unjust to ourselves. Yet we are not willing to undergo that labor. A man who has to work with his brains in the library over a record and finally has reduced it down until it is fit to be the decision of the last court of resort in a great country like this is not the man that ought to be required to take the time to write that opinion. It is a very small addition in money, while it is a very great aid to give that man a stenographer that he may dictate that opinion to him.

I confess, sir, when this was before the House and was ruled out on a point of order it hardly seemed to me to be subject to the point of order, because we had it in our power to say what should be the expenses of that court. But now it is before us legitimately and the real question involved in it is this: Is the help thus to be given to the Supreme Court worth that much money? For one, I do not hesitate to say it is. I have practiced law all my manhood before overworked men, men who have tried faithfully to do the duty that they were required to do in spite of the tremendous labor it involved. I believe that the Supreme Court can be aided somewhat by this. And if we will not take time from other and less important things to adopt some measure of relief by adding to the number of the judges, let us at least give them this small relief.

Mr. RANDALL. I now ask that the House further insist upon its disagreement to the Senate amendments, and accede to the request of the Senate for another conference.

Mr. Reagan and Mr. Holman both addressed the Chair.

Mr. RANDALL. I yield first to the gentleman from Texas [Mr. REAGAN

Mr. REAGAN. Mr. Speaker, referring to the question of the Yellow-stone National Park, which as I understand is a territory 65 miles in extent one way by over 50 in the other, large enough for a quarter of a State, which has been set apart as a public park, it seems to me that the amendment which ought to be made to the bill would be one which would repeal all laws setting that territory apart as a park, discharging all the men engaged in taking care of it, and providing that the property, under such regulations as might be made by the proper Government offi-cers, should be sold, and should pass into the hands of private parties. I do not think it is the duty of this Government to go into the show business, or to undertake to provide imperial parks for the few wealthy persons who can take advantage of them at the expense of the great mass of the people, and I hope the time will come, and that as early as possible, when that park will be abandoned, for as long as it lasts it will be a source of corruption, jobbery, and scandal.

Mr. RANDALL. I now yield three minutes to the gentleman from Indiana [Mr. HANDALL].

Indiana [Mr. HOLMAN].

Mr. HOLMAN. Mr. Speaker, I do not agree with the gentleman from Texas in regard to the Yellowstone Park. I think it is very clear that we should adopt with reference to that park the same policy that we have adopted with reference to the other parks. If I remember correctly we transferred the island at the Straits of Mackinaw at the head of Lake Michigan, a very interesting island, to the State of Michigan, and the Yosemite Valley to the State of California, both public parks, both to be held in trust for the original objects to which they were dedicated. The same ought to be done with the Yellowstone Park.

It is now a precinct of one of the counties of Wyoming. Two justices of the peace and two constables are employed under the laws of Wyo-

ming to administer justice in the park, and that Territory has expended heretofore \$5,000 a year to maintain the public peace and order in that region. In my judgment the park ought to be turned over to the Territory of Wyoming in trust for the purposes for which the dedication was originally made. Gentlemen will see upon examining the subject that a very carefully prepared law has been enacted defining criminal offenses in the park, a law intended to protect the objects of interest there from injury and destruction and the wild animals, and to protect the forests from fire.

I think that the Government ought to give Wyoming the trusteeship of the park. At the same time I think the Government should aid somewhat in keeping up bridges and highways for the convenience of the people who flock to that park from all portions of the United States.

But Wyoming can manage that park much better than Congress.

But, Mr. Speaker, I rose for another purpose. I hope the House will not consent to go any further this session in increasing the number of public employés. Gentlemen will be astonished when they come to look at the list of new offices created by this Congress. They will find that it is almost without precedent since the close of the war, or at least since the 4th of March, 1873.

The list is much larger than gentlemen who have not kept a vigilant watch of the record apprehend. And yet no increase in the public em-

plotments ought to have occurred.

It is proposed now to add quite a number of salaried officers at \$1,600 a year each, nine in number, involving \$14,400 in salaries. Why, sir, the main objection made to allowing clerks to Senators was that it was an indirect mode of increasing salaries. The salaries of the supreme judges are now very ample, made so by the famous act of the 4th of March, 1873, which increased them from \$8,000 to \$10,000 a year, the salary of the Chief-Justice being \$10,500, very ample salaries for life; yet it is now deliberately proposed to add, in effect, \$1,600 to each salary, making the salary of the supreme judges \$11,600 to each sulary in the salary of the supreme judges \$11,600 to each sulary in the salary of the supreme judges \$11,600 a year. I hope that will not be done. I hope gentlemen will stop the increase of public employments and salaries, at least for this session of Congress.

Mr. RANDALL. I now ask the previous question.

The SPEAKER. The report has been accepted, and two motions are pending before the House, one made by the gentleman from Pennsylvania [Mr. RANDALL] that the House further insist upon its disagreement, and the other by the gentleman from Kentucky [Mr. Breck-

Mr. BRECKINRIDGE, of Kentucky. After consultation with the chairman of the Committee on Appropriations, I withdraw the amendment and leave the matter in the hands of the committee.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

Mr. RANDALL. I move that the House further insist upon its disagreement to the amendments of the Senate, and agree to a further con-

The motion was agreed to.

Mr. RANDALL moved to reconsider the vote by which the motion was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER appointed as managers on the part of the House upon the disagreeing votes of the two Houses Mr. RANDALL, Mr. FORNEY, and Mr. RYAN.

CONTINUING APPROPRIATIONS.

Mr. RANDALL. I now ask leave to introduce a joint resolution, and ask its immediate consideration.

The SPEAKER. The joint resolution will be read.

The Clerk read as follows:

Joint resolution (H. Res. 211) to continue the provisions of a joint resolution en-titled "A joint resolution providing temporarily for the expenditures of the Government."

Resolved by the Senate and House of Representatives, &c., That the provisions of a joint resolution entitled "A joint resolution to continue the provisions of the joint resolution approved July 1, 1886, entitled 'A joint resolution to provide temporarily for the expenditures of the Government, approved July 15, 1886," be, and the same are hereby, extended and continued in full force to and including the 5th day of August, 1886.

Mr. RANDALL. I ask for the previous question on the passage of the joint resolution.

Mr. HISCOCK. That takes in Thursday.

Mr. RANDALL. It takes in the day which I have learned unofficially the Senate will report as the day of final adjournment, Thursday, the 5th day of August.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. RANDALL moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SESSIONS OF APPROPRIATIONS COMMITTEE DURING RECESS.

Mr. RANDALL. I ask unanimous consent to present for considera-

tion at this time a resolution authorizing the Committee on Appropriations to sit during the vacation.

The Clerk read as follows:

Resolved, That the Committee on Appropriations, or such subcommittees as they may designate, are hereby authorized to sit during the vacation, for the purpose of considering and facilitating the business of the committee in advance of the next regular session; to be convened at such time as the chairman of said committee may order.

There being no objection, the House proceeded to consider the reso-

Mr. RANDALL. One word of explanation. A resolution of this kind is usually adopted by the House at the end of the first session of each Congress, the object being to permit the Committee on Appropria-tions to assemble about the 15th of November preceding the short session. It involves no extra pay to anybody nor any extra expense in any way, so far as I am aware.

Mr. RYAN. The extra expense is only to the members of the com-

mittee?

Mr. RANDALL. Yes, sir. The resolution was adopted.

Mr. RANDALL moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PAY OF HOUSE AND SENATE EMPLOYÉS.

Mr. BUTTERWORTH. I desire consent to introduce at this time a joint resolution such as is usually passed at the close of every session.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, &c., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and directed to pay to the officers and employés of the Senate and House borne upon the annual roll their respective compensations, including the Capitol police, for the month of August, 1886, as soon as practicable after the adjournment of the present session of this Congress.

There being no objection, the joint resolution, entitled "Joint resolution (H. Res. 212) for the pay of House and Senate employés for the month of August" was read a first and second time, ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BUTTERWORTH moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to recon-

sider be laid on the table.

The latter motion was agreed to.

EXPENSES OF BUREAU OF LABOR.

Mr. HOLMAN, by unanimous consent, introduced a joint resolution (H. Res. 213) authorizing the Secretary of the Treasury to pay certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July, 1886; which was read a first and second

Mr. HOLMAN. I ask the immediate consideration of this resolution; and after it has been read I desire to submit a word of explanation

The Clerk read as follows:

Resolved by the Senate and House of Representatives, d.c., That the Secretary of the Treasury is hereby authorized to pay the subsistence and traveling expenses of the special agents and experts of the Bureau of Labor for the month of July current, as they may be certified to him by the Secretary of the Interior; such payment to be made from the appropriation for the Bureau of Labor for the fiscal year ending June 30, 1887.

Mr. HOLMAN. The legislative, executive, and judicial appropriation bill contained provisions for the Bureau of Labor, which, as the House will remember, very materially increased the force of that bureau. Acting upon the assumption that when the bill became allow to would operate from the 1st of July, experts and agents of that bureau have already been sent into the field. It is, however, the opinion of the First Comptroller that the money appropriated by the legislative, executive, and judicial appropriation bill for that service can not be applied to meet these expenses. This resolution has therefore been suggested for the purpose of curing that defect, so that the employés Acting upon the assumption that when the bill became a law it of the bureau may be paid their expenses for the month of July immediately preceding the passage of the bill.

Mr. BUTTERWORTH. As I understand, this will pay them from the last of June until the time of the approval of the bill.

Mr. HOLMAN. It does not make any additional appropriation; it simply provides that these employés shall be paid out of money appropriated for the present fiscal year.

There being no objection, the House proceeded to the consideration of the joint resolution, which was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HOLMAN moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Several members called for the regular order.

The SPEAKER. The regular order is the call of States and Terri-

tories for the introduction of bills and resolutions.

Mr. BELMONT. I believe the gentleman from Massachusetts [Mr. Collins] is willing to withdraw the objection he made to my proposition that gentlemen desiring to introduce bills or resolutions may send them to the desk.

Mr. COLLINS. I am willing to withdraw the objection if I can have permission to have printed in the RECORD a bill which I desire

Mr. SCOTT. If the gentleman from Massachusetts withdraws the objection I renew it.

EDWARD HEALY.

Mr. LOUTTIT introduced a bill (H. R. 9991) to place on the pension-roll the name of Edward Healy; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARGARET CONDON.

Mr. BYNUM introduced a bill (H. R. 9992) for the relief of Margaret Condon; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MRS. SARAH M'ADAMS.

Mr. PERKINS introduced a bill (H. R. 9993) granting an increase of pension to Mrs. Sarah McAdams; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

COMMERCIAL INTERCOURSE.

Mr. COLLINS introduced a bill (H. R. 9994) relating to commercial intercourse with foreign countries; which was read a first and second time (the first reading being at length, upon the demand of Mr. Col-LINS)

Mr. COLLINS. I ask unanimous consent that this bill may be printed

in the RECORD.

The SPEAKER pro tempore (Mr. TOWNSHEND). If there be no objection that order will be made.

There was no objection.

The bill is as follows:

The bill is as follows:

Be it enacted, &c., That whenever by the laws, decrees, regulations, or acts of any foreign country, full freedom of commercial intercourse or full commercial privileges are denied to any citizens of the United States, their vessels in the ports or waters, or their cars or other vehicles within the limits of such foreign country, the President, upon receiving satisfactory proof thereof, is hereby authorized to issue his proclamation excluding, from and after such date as he may fix, from all commercial privileges in the ports and waters of the United States, all vessels of such foreign country, and excluding from the limits of the United States all cars and vehicles used in the transportation of passengers or merchandise owned, operated, managed or controlled by any corporation or association organized under the laws of such foreign country; and thereupon it shall be unlawful for any such foreign vessel to enter any port or come within the waters of the United States for any purpose, or for any such car or vehicle to come within the limits of the United States; and for any violation of the terms of this act, the provisions of the seventeenth section of the act approved June 19, 1886, entitled "An act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes," shall be applicable.

The SPEAKER pro tempore. The bill will be referred to the Committee on Commerce.

Mr. BELMONT. Is not the proper reference the Committee on For-

eign Affairs?

The SPEAKER pro tempore. The Chair thinks the bill should properly go to the Committee on Commerce. But, unless there is objection, the bill will be referred to the Committee on Foreign Affairs.

Mr. REAGAN. I object. I think the bill ought to go to the Committee on Foreign Affairs.

mittee on Commerce.

Mr. DINGLEY. There is no propriety in referring it to the Committee on Foreign Affairs.

The SPEAKER pro tempore. The question will be taken on the motion of the gentleman from New York [Mr. Belmont] to refer the bill to the Committee on Foreign Affairs.

The motion was not agreed to.

The bill was then referred to the Committee on Commerce, and ordered to be printed.

DAY FOR FIRST MEETING OF CONGRESS.

Mr. GILFILLAN introduced a bill (H. R. 9995) appointing the day for the assembling of Congress at the first meeting thereof; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LEWIS I. CUNDIFF.

Mr. CLARDY (by Mr. DOCKERY) introduced a bill (H. R. 9996) for the relief of Lewis I. Cundiff; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SALLY B. WILSON.

Mr. WADE introduced a bill (H. R. 9997) granting a pension to Sally B. Wilson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

THOMAS GOODWIN.

Mr. WADE also introduced a bill (H. R. 9998) granting an increase

of pension to Thomas Goodwin; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELIZABETH WARD.

Mr. WADE also introduced a bill (H. R. 9999) granting a pension to Elizabeth Ward; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WINBURN HICKS.

Mr. WADE also introduced a bill (H. R. 10000) granting a pension to Winburn Hicks; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HOUSE RETURNS RESOLUTION TO ITS AUTHOR.

Mr. BAKER. I send up a resolution which I ask to be read.

The Clerk proceeded with the reading of the resolution.

Mr. REAGAN. I make the question of order against that resolu-

The SPEAKER pro tempore (Mr. Townshend in the chair). The gentleman will state it.

Mr. REAGAN. This is neither a bill nor a resolution, but a stump speech. [Laughter.]

Mr. KELLEY. Is not that the case with most of the resolutions

offered here? Mr. BLAND. We ought to appoint a committee of cranks and refer

what has been read to its author as the chairman of that committee. Mr. BAYNE. Let the Clerk go on with the reading of the resolu-

The SPEAKER pro tempore. The gentleman from New York [Mr. BAKER] submitted the resolution to the House when his State was called. It purports to be a resolution. The reading of the paper has not been completed, and the Chair is unable to determine the nature of the resolution until it has been read.

Mr. REAGAN. It is evidently an imposition on the House.

The Clerk proceeded with the reading of the resolution.

Mr. REAGAN. I again raise the point of order that this is neither a bill nor a resolution, but merely a political stump speech. It is a fraud upon the House. [Cries of "Order!"]

Mr. REED, of Maine. If it is nothing but a political stump speech,

as the gentleman alleges, there can be no objection to that in this House. Laughter.

Mr. HOPKINS. The Chair has already decided the question.

The SPEAKER. The Clerk will proceed with the reading of the resolution.

The Clerk proceeded with the reading of the resolution.

Mr. REAGAN. I renewmy point of order. It is perfectly manifest what this is.

Mr. WARNER, of Ohio. It is the political slush of that side of the House, and that is all.

Mr. REAGAN. It is not a bill or a resolution, but merely political

The SPEAKER. What the Clerk is reading now appears to be a preamble. [Laughter.] The Chair understands by inspection of the paper there are resolutions to it. It is for the House to determine the character of resolutions introduced, whether offensive or not.

Mr. REAGAN. This seems to be a mere stump speech. The SPEAKER. The resolution must be read before th

The resolution must be read before the House can determine what action it will take.

The Clerk concluded the reading of the preamble and resolutions.

Mr. RANDALL. Mr. Speaker, I do not consider this as either respectful or decent.

Mr. REED, of Maine. Is this debatable?

The SPEAKER. The gentleman has the right to make a motion in regard to it.

Mr. RANDALL. I state again, Mr. Speaker, this is a thing neither respectful nor decent, and I move it be referred back to the gentleman from whom it came.

Mr. BAKER. I desire, modestly, it should go to the steering com-

ittee. [Laughter.] Mr. SPRINGER. It should go to the Committee on Ventilation and

Acoustics

The SPEAKER. The gentleman from Pennsylvania moves the resolution be returned to the member who offers it.

Mr. REED, of Maine. The original motion is for reference to a committee.

The SPEAKER. The House always has the right to determine for itself whether it will receive matter which it deems offensive and in-

Mr. BAKER. Mr. Speaker—
The SPEAKER. The House is dividing.
Mr. BAKER. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. BAKER. I wish to ask if it is in order for the gentleman who introduced the resolution by consent of the House to withdraw it, [Cries of "No!" on the Democratic side.]

The SPEAKER. It can be done only by unanimous consent.

The ayes are 70, the noes none.

Mr. BAYNE. No quorum.

The SPEAKER. The point of order being made that no quorum has

Mr. BAYNE. I withdraw it.

So (no further count being demanded) the previous question was

The SPEAKER. The question is on agreeing to the motion of the gentleman from Pennsylvania to return the resolution to the gentleman who introduced it.

Mr. BAYNE. Is that question debatable?

The SPEAKER. Under the rule of the House thirty minutes are allowed for debate, fifteen in support of and fifteen in opposition to the motion.

Mr. BAKER. I ask unanimous consent to withdraw the resolution.

I do not want to take up the time of the House.

Mr. CALDWELL and others objected. [Cries of "Vote!" "Vote!"]

Mr. BAYNE. Mr. Speaker, I demanded the reading of that resolution, but did not know what its contents were, only assuming that they would be found to consist of pertinent and valuable truths, and I find I was not mistaken in that assumption. I paid very close attention to the reading of the resolution, and my observation and experience here during this session of Congress enable me to say that I do not believe they contain one word which is not strictly true. [Cries of "Oh!" and derisive laughter on the Democratic side.]

I see nothing whatever that is disrespectful in the resolutions, unless the truth itself is so unpalatable to the majority party of this House that they do not like it to be honestly told, and therefore reject the

resolutions on that ground.

may never emerge.

The facts are, that although we have been sitting here in continuous session for eight months, and although we have been struggling with one proposition or another, there is not one single important legislative enactment that has passed the two Houses, excepting, as I believe, the oleomargarine bill, which I regard as a very important enactment.

Mr. McMILLIN. How about the land-grant forfeiture bills?

Mr. PAVNE. The interested compared bill and excessively the

Mr. BAYNE. The interstate-commerce bill, and especially the proposition of the Senate, is one which should have received favorable and early attention from both Houses of Congress, and should have been enacted into a law long before this late date in the session. Yet it comes in at the very heels of this long session of Congress, and is now lodged in the hands of a committee of conference, from which it

The bankruptcy bill was one which deserved prompt consideration. The bill with reference to regulating the coinage of silver has not met with that favorable consideration which it merited at the hands of the American Congress. We were told that the agitation of that subject had brought down the value of silver bullion, and that as soon as the matter was adjusted here, and legislation upon the subject had become settled, the silver bullion in a 412½-grain dollar would rise to the equality of the gold dollar. The agitation was then done away with. There

was a refusal on the part of the majority side of this House to consider a bill which would have remedied our silver coinage and made it safe. That measure was rejected. They declined to consider it; and yet the bullion in that silver dollar continued to depreciate. Is that the effect of good or bad legislation?

A resolution went from the House to the Senate at the very close almost of this session of Congress, taking from the Secretary of the Treasury the command of any fund as a working balance for the necessary expenditures of the Government, and leaving in the hands of the Secretary only the \$100,000,000 which were pledged as a reserve fund for the redemption of the greenback currency. It passed the House of Representatives in that form and went to the Senate, and is now back in the hands of the conferees; and there does not seem to be any haste even at this late day on the part of the Democratic majority to take up that resolution and either agree to the amendment of the Senate or else reject it, and thus arrive at a final conclusion on that important question.

So that I think, Mr. Speaker, on a hasty examination of the field of legislation during this session of Congress, that the propositions embodied in the preamble and resolution of my friend from New York set forth merely the truth, which is borne out by the record; and I do not doubt that he himself prepared this resolution and that preamble from the legislative records which contain our proceedings from day to day. We now find that the best that the Democratic majority can do, after having their misdeeds and shortcomings successfully embodied in this preamble and resolution, is to hurl it back into the teeth of the mover of it, because the truth seems to be so objectionable to that majority in this House.

I reserve the remainder of my time.

I reserve the remainder of my time.

Mr. RANDALL. Mr. Speaker, I have only to say that I made the motion I did in no spirit of temper. This is a proceeding the like of which I have never known in my long experience in this House. I thought it unworthy of an American House of Representatives, and have all the motion. hence it was that I submitted the motion.

I reserve, if necessary, the remainder of my time

Mr. BAKER rose.

The SPEAKER. Does the gentleman from Pennsylvania yield? Mr. BAYNE. I yield to the gentleman from New York [Mr. Ba-

KER]

Mr. BAKER. The writer of the preamble and resolution read had no purpose or intention, I am sure, of writing or saying anything that should be disrespectful to the majority of this House. I think it is hardly necessary for him to assure his friends on the other side of his personal esteem and regard.

Mr. CALDWELL. We were surprised you were the author of the

resolution.

Mr. BAKER. It was my purpose to relieve, it might be, some member of the other side of the labor of preparing a résumé of the excellent work which has been performed this session. But in view of the fact that my honored friend from Pennsylvania is somewhat grieved by the presentation of the resolution-Mr. RANDALL. Not a bit.

You are the one that ought to feel

badly about it and suffer.

Mr. BAKER. I trust unanimous consent will be given to the mover of the resolution to withdraw it.

Mr. ADAMS, of New York. I object.
Mr. WARNER, of Ohio. I desire to ask the Chair whether the reading of that paper will carry it into the RECORD?
The SPEAKER. It will not, especially if the House directs it to be

returned.

Mr. REED, of Maine. It seems to me there is good ground for the indignation expressed on the Democratic side, for while this matter assumed in its final results the form of a jest, it still contained so many unpleasant truths that the indignation of the gentleman from Pennsylvania certainly could not have been feigned. It is true that this Democratic House with 40 Democratic majority has determined and has acted upon that determination to keep half a million of citizens of the United States out of the Union. It has flouted the demand of the great Territory of Dakota to become one of the sisterhood of the States. That is a fact. That is a fact that can not be gainsaid, and it is a fact which no jest can obliterate. And it is another fact that the gentlemen upon the Democratic side have not dared to bring that measure into the light of day.

There is an omission with relation to the Territories which was unfortunately made by the gentleman from New York, and that naturally ought to arouse the indignation of the gentleman from Pennsylvania and of the Democratic party. He never made mention of the fact that this House has deliberately suppressed legislation with regard to the Territory of Utah. The Senate passed strong legislation on that subject. The House Committee on the Judiciary, in their desire to appear to do something, added amendments still more stringent. And this

to do something, added amendments still more stringent. And this Democratic House, with forty majority, have suppressed that legislation, and Mormondom continues in possession of the Territory of Utah. That was omitted. No wonder that in the detail of their great achievements they are angered to have this greatest one left out.

Why, sir, it is all of a piece. There is always the same kind of paint that goes over the whole of this surface. They have pretended much legislation. They pretended even to be more eager than the Senate upon the Mormon question; and yet they have done nothing. much legislation. They pretended even to be more eager than the Senate upon the Mormon question; and yet they have done nothing. They have pretended on interstate commerce to be more radical than the Senate, and yet so act as to do nothing. The gentleman from Texas [Mr. Reagan] said of me this morning that I would gain no capital by alluding to that question. Capital! I did not come here to gain capital. [Derisive cheers on the Democratic side.] I came here for the purpose of doing what is decent and proper, and I see the fine scorn with which that is treated by the Democratic party. [Laughter and applause on the Republican side.] They can no more comprehend it than the gentleman from Texas [laughter and applause], whose business all his life has been to defend a Constitution unassailed and a people unattacked.

These things are going into history. These gentlemen can not con-cal their doings. They will find that their little parrot speeches about ceal their doings. what the figures of appropriation bills foot up are not going to stand them in stead as a victorious party. It is a party that has discredited every department of the Government which had not already discredited itself; and here they flame out into a fine state of indignation about

an affair like this.

Mr. PETERS. And unite on it.

Mr. REED, of Maine. Yes; and unite on it. The Democratic party for the first time comes up solid; even the gentleman from New York [Mr. ADAMS] is with the brethren. [Laughter.] Now, what a great party to govern a country! The SPEAKER. The ti

The time in opposition to the motion has expired.

Mr. RANDALL. How much time is left?

The gentleman from Pennsylvania occupied just The SPEAKER. one minute.

Mr. RANDALL. That leaves me fourteen minutes. I would like three minutes of my time, and the rest I am willing to give as the Chair may see fit. I yield now to the gentleman from Texas [Mr. REAGAN].

Mr. REAGAN. This is a rare presentation by one branch of the greatest legislative body in the world—allowing a member, in fraud of

the rules and in contempt of his associates, to introduce as a resolution a statement bearing scarcely the semblance of truth on it in the form

of a political harangue against an adverse party.

The gentleman from Maine [Mr. Reed], finding the dilemma into which his associate had put himself, comes to the front, of course, as always-but never with a desire to make any capital out of it-to arraign the Democratic party.

Mr. REED, of Maine. I did not arraign them. I merely stated

Mr. REAGAN. The Democratic party of this House has passed some bills declaring the forfeiture of land-grants and restoring public lands for the use of settlers, a measure which has been long demanded

and which the gentleman from Maine opposed.

This House has passed a resolution proposing to pay out the surplus in the Treasury for the redemption of a portion of the interestbearing debt in order to relieve the people from paying interest upon that much money, and that measure of relief the gentleman from Maine opposed. The House of Representatives by a vote of 192 to 40 Maine opposed. The House of Representatives by a vote of 192 to 40 passed a bill, which has been long considered, to regulate interstate commerce and to give relief to the people against the oppressions under which they have groaned for years, which bill the gentleman from Maine opposed. On yesterday the House passed a bill to prevent the absorption of the public lands in the Territories by alien aristocrats and speculators, which the gentleman from Maine opposed. Those and speculators, which the gentleman from maine opposed. Those four measures will go to the American people as a part of the action of this Democratic House, and the gentleman from Maine will have to answer to the country for having opposed them and each of them [applause on the Democratic side]; and his party will have to answer for it. The gentleman again enters his complaint about the passage of the interstate-commerce bill without sufficient discussion. trouble with the gentleman is that it passed at all. His pretense now is that it was too slow in passing, but his real complaint is that it passed at all, for he has fought it continuously at every session of Congress since it first came before this House, and has sought to refuse to the American people the relief which they have demanded by their periods. titions, by their memorials, through their press, through their public

speakers, in every way and in every portion of the country.

The gentleman understands very well that in a body of three hundred and twenty-five Members and eight Territorial Delegates, each struggling to advance the measures in which his own constituents are most directly interested, it is very difficult to bring forward and mature in a single session bills affecting great public interests, and on that account, as he very well understands, a number of bills, such as that in relation to Utah, have not yet been acted upon. But the gentleman will find in due time that this Democratic House means to have proper and efficient legislation with reference to the suppression of Mormondom, as he calls it. I do not wish to occupy the time of the House further than to say that when the number of bills passed at this session of Congress comes to be considered and when the number of reports made from the committees comes to be considered, it will be found that this Democratic House, which the gentleman takes so much pains to upbraid, has performed more labor, made more reports, passed more bills than any House of Representatives since the foundation of this overnment. [Renewed applause on the Democratic side.]
Mr. RANDALL. How much time have I left?
The SPEAKER. The gentleman has nice.

Government.

Mr. BOUTELLE. I would like to ask the gentleman from Texas if those four important measures which he has enumerated have become

Mr. REAGAN. This Democratic House has acted upon them. Whether the Republican Senate has acted upon them is another ques-

Mr. BOUTELLE. They passed the House too late to become laws. Several MEMBERS (on the Democratic side). Oh, no. Mr. SPRINGER. The gentlemen on the other side have referred to Mr. SPRINGER. The gentlemen on the other side have referred to the fact that no legislation has been enacted at this session in regard to the admission of Dakota into the Union. The gentleman from Maine [Mr. Reed] has said that this House has refused the demand of the 500,000 people of Dakota for the admission of that Territory as a State. That is not the fact. The people of Dakota, or a portion of the people of Dakota, asked that one-half of that Territory should be admitted into the Union as a State, the other half remaining as a Territory. There are only about 225,000 people in the southern portion of Dakota, which is seeking admission into the Union as a State. Now I undertake to say that there is not a precedent from the foundation of the Government to this time where any political Territory has sought to divide itself in two and asked for the admission of one-half as a State, the other half remaining as a Territory. There is no precedent for this action on the part of a portion of the people of Dakota.

The Committee on Territories, on the 25th day of May last, reported a bill for the admission of the whole of the Territory of Dakota into the Union. If that bill should pass—and I hope it will pass; I am in favor of it—it will enable the people of that Territory to form a constitution and to be admitted into the Union by the ordinary processes by which States are admitted. That bill has not been reached upon the Calendar. There are a great many good bills upon the Calendar that have

not been reached. I am sorry that we have not been able to reach that I am willing to take it up at any moment and pass it, in order to enable the people of Dakota to form a State constitution and to be admitted into the Union. The gentleman from Maine said that we had suppressed legislation in regard to Utah. The only bill on that subject that I remember that has been suppressed in this House is one that was suppressed by the single, solitary objection of the gentleman from Maine himself when the gentleman from Ohio [Mr. Hill] asked unanimous consent to consider it. I mean the bill providing for an extra session of the Legislature of Utah to make provision to carry on the insane asylum, the deaf and dumb asylum, and to make provision for educational and charitable objects in that Territory which the Legislature had failed to provide for.

That bill met with the solitary objection of the gentleman—
Mr. REED, of Maine. It was my objection that did it.
Mr. SPRINGER. And the gentleman now objects to that bill.
Mr. REED, of Maine. Yes; but I am ready to appropriate every

Mr. SPRINGER. Yes, the gentleman wants now to go through the farce of appropriating by an act of Congress money to be paid cut of the Territorial treasury of Utah—a thing utterly without precedent. Mr. REED, of Maine. I am for that. Are you opposed to it?

Mr. SPRINGER. Opposed to appropriating money out of the Territorial treasury of Utah?

Mr. REED, of Maine. For the benefit of the Territory.

Mr. SPRINGER. I know of no precedent-Mr. REED, of Maine. Are you opposed to it?

Mr. REED, of Maine. Are you opposed to it?
Mr. SPRINGER. I am.
Mr. REED, of Maine. Well, I am glad to get the gentleman's answer at last; it required a good deal of coaxing.
Mr. SPRINGER. I am opposed to it; and every man who has any sort of knowledge of the proper proceeding in such cases is opposed to it. The gentleman wants to pass an act of Congress to take money out of the Territorial treasury of Utah—
Mr. REED, of Maine. For the benefit of the Territory.
Mr. SPRINGER. Such a proceeding is without a precedent; and the centleman knows it can not be done.

gentleman knows it can not be done.

Mr. REED, of Maine. I am in favor of it, and I know it can be

Mr. SPRINGER. Meanwhile the blind, the deaf and dumb, and the insane in that Territory are without the means of support; and the gentleman from Maine is alone responsible.

Mr. REED, of Maine. No, he is not.

[Here the hammer fell.]

Mr. RANDALL. Mr. Speaker, if this had been legitimate political warfare my motion would not have been made, for I do not believe anybody here supposes I would shrink from any fair political contest. But the gentleman from New York took advantage of the rules to introduce a proposition which was neither respectful nor decent, and from the responsibility for which he himself, the moment after it was read, sought to escape.

Mr. BAKER. Not on my own account at all, but as a concession to the gentleman from Pennsylvania.

Mr. CALDWELL. And a confession of the gentleman from New

Mr. RANDALL. I needed no concession.

Mr. Speaker, we are all about to return to the people who sent us here; and the record of this House will be weighed and measured by them. The results of our actions will be carefully scanned, and the elections will show whether in the popular judgment the party in control of this House to-day should receive the respect and approval for the future of the American people. Let me recite a few of the results of their legislation:

We have returned to the public domain millions of acres of public lands sought to be unlawfully kept by insatiate corporations, reaching

70,000,000 acres. [Applause.]

We have entered upon the work of constructing a new navy. We have passed every act that we have been asked to pass for the purpose of bettering the condition of the working people of the United States. We have not in a single instance, so far as I remember, passed through this House a bill in favor of monopolies. We have given to the Senate an opportunity to join with us in passing an interstate-commerce bill which only forty men on the other side dared to vote against. But for the delay involved in the present proceeding on the part of gentlemen on the other side we should probably have reached to-day an opportunity of passing a bill to increase the pensions of one-armed and onelegged soldiers.

Finally, I say deliberately that the appropriation bills as they have passed this House are, so far as I know, freer from suspicious or unnecessary propositions than they have been in any Congress since the war, whether this remark applies to the appropriations reported from the committee over which I have the honor to preside or those emanating from the other committees having charge of appropriation bills. What-ever may be the result of the next election, I venture to say we have done so well that we ought to command, and I believe will command,

the confidence and approval of the American people.

Nay more; when we came here thousands and thousands of working people throughout the United States were idle. Even in my own city the number ran up to tens of thousands. But to-day, so far as my information gives me knowledge, there are few laboring men who want work who can not secure it [applause]; and I add that this is due in a large degree to the confidence which this Democratic House and the Democratic Executive in direction of good government have given to the American people. [Applause.] [Cries of "Vote!" "Vote!" The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL].

Mr. BAYNE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BAYNE. In the event of this resolution being referred back to the member who presented it, will it be printed in the RECORD?

The SPEAKER. It will not be, unless the House so orders.

Mr. REED, of Maine. Will the member have a right to report it back for immediate consideration? back for immediate consideration?

The SPEAKER. He could reintroduce the proposition the Chair supposes, before the Chair had passed from the call of his State.

Mr. BAYNE. As I understand, then, if a vote be taken and this be re-

ferred back, the situation of the Journal and of the RECORD will be that the House will have referred back to a member a resolution introduced by him, and there will be no evidence on record of what that resolu-

on was. Is that the situation?
The SPEAKER. The resolution was read to the House, and the House heard what it was. The proposed order is not to refer the resolution back to the gentleman, but that the House declines to receive

the proposition—that it be returned to him.

Mr. REED, of Maine. That was not the motion, as I understood it.

The SPEAKER. The motion of the gentleman from Pennsylvania was that the resolution be returned to the gentleman who introduced

Mr. REED, of Maine. Can the language of the motion be given? The SPEAKER. The Chair will cause the motion to be read. Mr. REED, of Maine. The motion, as we understood, was to refer

it back; that, I think, was the language of the gentleman from Penn-

The SPEAKER. The gentleman from Pennsylvania, according to the understanding of the Chair, moved that the resolution be returned to the gentleman who introduced it.

Mr. REED, of Maine. "Referred back."
The SPEAKER. Not "referred," but "returned."
Mr. REED, of Maine. "Referred."

The SPEAKER. The Chair will cause the notes of the official stenographer to be read.

The Official Reporter read as follows:

The gentleman moves that the resolution be returned to the member who offers it.

Mr. BAYNE. If the resolution is returned or referred or committed to the gentleman, is it not implied that the member to whom it is returned or referred shall have the right to report it again to the House?

The SPEAKER. The House on the statement of the gentleman from Pennsylvania [Mr. RANDALL] that the resolution was not respectful to the House proposes to return it to the gentleman; that is, it refuses to receive the proposition which is considered by the House to be disrespectful. That is all there is about it.

Mr. BAYNE. The gentleman proposes to return the resolution to the member from whom it came on the ground that it is disrespectful, and if it is not printed no one can judge from the RECORD in reference to the matter whether it is or not.

The SPEAKER. No one has the right to judge but the House it-

Mr. BAYNE. How are they to judge if it was disrespectful?

The SPEAKER. No one has the right to judge of it but the House itself. The House has heard it read, and it must determine for itself whether the resolution is disrespectful or not. The question recurs on

the motion of the gentleman from Pennsylvania [Mr. RANDALL] that the resolution be returned to its author.

The motion was agreed to; and the resolution was accordingly returned to Mr. BAKER.

CANCELLATION OF PATENTS.

Mr. PARKER introduced a bill (H. R. 10001) to provide for the repeal and cancellation of patents in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

NICHOLAS BUSH.

Mr. PARKER also introduced a bill (H. R. 10002) for the relief of Nicholas Bush; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

TAXES ILLEGALLY ASSESSED.

Mr. BINGHAM introduced a bill (H. R. 10003) to amend section 3220 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COINAGE OF STANDARD SILVER DOLLARS.

Mr. SCOTT submitted the following resolution; which was referred to the Committee on Coinage, Weights, and Measures:

to the Committee on Coinage, Weights, and Measures:

Resolved, That the Secretary of the Treasury be, and is hereby, requested to furnish this House with a statement, showing:

First. The actual profit, if any, accruing to the Treasury of the United States from the coinage of the standard silver dollar since February 28, 1878.

Second. The cost of the bullion in such coin as compared with its bullion value on the 2d day of August instant.

Third. The percentage of cost to the Government of the coinage of such silver coin, as well as the amount, if any, paid out by the Treasury Department for the transportation of silver in connection with its circulation or its transportation for the ordinary disbursements of the Treasury, in excess of what the cost would have been for the transportation of gold or greenbacks.

Fourth. Whether the difference between the cost of the bullion in our present silver coin, and the nominal value of such coin can be considered as a profit to or a liability of the Treasury, and, if a profit or a liability, the amount thereof.

WILLIAM MYERS.

Mr. SWOPE introduced a bill (H. R. 10004) placing on the pension-roll the name of William Myers, Company H, Third Pennsylvania Vol-unteer Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

W. J. M'GILL

Mr. BROWN, of Pennsylvania, introduced a bill (H. R. 10005) to place the name of W. J. McGill on the pension-roll; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

IMPROVEMENTS OF RIVER RHONE, FRANCE.

Mr. BAYNE submitted the following resolution; which was referred to the Committee on Rivers and Harbors.

Resolved. That the Secretary of War be requested to submit, without delay, to the House of Representatives the report recently made by Capt. F. A. Mohan, Corps of Engineers, on the improvements of the river Rhone, in France, now on file in the office of the Chief of Engineers, United States Army.

ACQUISITION OF REAL PROPERTY BY CORPORATIONS.

Mr. ATKINSON introduced a bill (H. R. 10006) to prevent the acquisition of real property by corporations, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. McMILLIN introduced a bill (H. R. 10007) for the relief of John Wood; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

GEORGE W. CONATZER.

Mr. McMILLIN also introduced a bill (H. R. 10008) for the relief of George W. Conatzer; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 289) for the relief of J. A. Henry and others;
A bill (S. 1184) granting a pension to Jane D. Mumford;
A bill (S. 1398) granting a pension to Milton P. Shockley;
A bill (S. 2366) granting a pension to Elizabeth Garaghty;
A bill (S. 2502) granting a pension to Louise Paul; and
A bill (S. 3225) to grant a pension to Nancy Mason.

JOHN NELSON.

Mr. RICHARDSON introduced a bill (H. R. 10009) for the relief of the legal representatives of John Nelson, deceased; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JERE WEBB.

Mr. RICHARDSON also introduced a bill (H. R. 10010) for the relief of Jere Webb, relieving him from the charge of desertion; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LUDWIG SOMMERFIELD.

Mr. GUENTHER introduced a bill (H. R. 10011) granting a pension to Ludwig Sommerfield; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC LANDS, SAINT AUGUSTINE, FLA.

Mr. DOUGHERTY introduced a bill (H. R. 10012) donating certain lands to the city of Saint Augustine, Fla., for public schools, parks, and a public library; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CHANGE OF REFERENCE.

Mr. DOUGHERTY. During my absence the other day the gentleman from Florida, Mr. DAVIDSON, my colleague, introduced a bill (H. R. 9941) of similar purport to the one I have just introduced, which was referred to the Committee on Public Buildings and Grounds. I ask that the reference be changed, and that it go to the Committee on the Pub-

There was no objection, and the change of reference was ordered.

JOEL J. GOSS.

Mr. CLEMENTS introduced a bill (H. R. 10013) for the relief of Joel J. Goss, of Georgia; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 2124) amendatory of and supplementary to "an act to alter the judicial districts of Pennsylvania, and for other purposes," approved May 26, 1824, and providing an additional place for holding the several courts thereof; and

A bill (H. R. 5003) for the relief of Mary E. Casey.

ORDER OF BUSINESS.

Several members addressed the Chair.

The SPEAKER. The regular order has been demanded.

Mr. OATES. I ask unanimous consent to present a report from the Committee on the Judiciary.

The SPEAKER. The Chair can not recognize any gentleman for such requests unless the demand for the regular order is withdrawn. The Chair understands the gentleman from Indiana to insist upon it.

Mr. McRAE. Mr. Speaker, I ask consent—

The SPEAKER. The regular order is demanded. If the demand for the regular order is withdrawn the Chair must recognize gentlemen in the order in which they stand.

The Chair will state that there are two messages from the President of the United States which should have been laid before the House this morning, but being in a drawer they were overlooked, jection they will now be presented. Without ob-

There was no objection, and it was so ordered.

JENNETTE DOW.

The SPEAKER laid before the House the following message from the President of the United States, returning without his approval the bill (H. R. 3363) granting a pension to Jennette Dow; which was read, as follows:

To the House of Representatives:

To the House of Representatives:

I herewith return without approval House bill number 3363, entitled "An act granting a pension to Jennette Dow."

The husband of the claimant enlisted August 7, 1862; received a gunshot wound in his left knee in September, 1863, and was mustered out with his company June 10, 1865. He was pensioned for his wound in 1878, at the rate of \$4 per month, dating from the time of his discharge, which amount was increased to \$8 per month from June 4, 1880. The pensioned soldier died December 17, 1882, and in 1833 his widow, the claimant, filed an application for pension alleging that her husband's death resulted from his wound. Her claim was rejected in 1885, upon the ground that death was not caused by the wound.

The physician who was present at the time of the death certifies that the same resulted from apoplexy in twelve hours after the deceased was attacked.

It also appears from the statement of this physician that the deceased was employed for years after his discharge from the Army as a railroad conductor, and that at the time of his death he had with difficulty reached his home. He then describes as following the attack the usual manifestations of apoplexy, and adds that he regards the case as one of "hemiplegia, the outgrowth primarily of nerve injury, aggravated by the life's calling, and eventuating in apoplexy, as stated."

Evidence is filed in the Pension Bureau showing that after his discharge he was more or less troubled with his wound, though one witness testifies that he railroaded with him for fifteen years after his injury. I find no medical testimony referred to which with any distinctness charges death to the wound; and it would be hardly credible if such evidence were found.

I am sure that in no case, except in an application for pension, would an attempt be made in the circumstances here developed to attribute death from apoplexy to a wound in the knee received nineteen years before the apopletic attack.

EXECUTIVE MANSION, July 31, 1896.

EXECUTIVE MANSION, July 31, 1886.

GROVER CLEVELAND.

Mr. MATSON. I move to refer the bill and message of the President to the Committee on Invalid Pensions, and on that I demand the previous question.

The previous question was ordered, under the operation of which the motion of Mr. MATSON was agreed to.

PUBLIC BUILDING-CLARKSBURG, W. VA.

The SPEAKER also laid before the House the following message from the President of the United States in relation to House bill No. 4335 making an appropriation to continue the construction of a public building at Clarksburg, W. Va., and changing the limit of cost thereof; which was referred to the Committee on Public Buildings and Grounds:

which was referred to the Committee on Public Buildings and Grounds: To the House of Representatives:

I have approved House bill No. 4335, entitled "An act making an appropriation to continue the construction of a public building at Clarksburg, W. Va., and changing the limit of cost thereof."

A law passed by the last Congress authorized the construction of this building, and appropriated \$50,000 for that purpose, which was declared to be the limit of its cost. A site has been purchased for said building, and, as is too often the case, it is now discovered that the sum appropriated is insufficient to meet the expense of such a building as is really needed.

The object of the bill which I have approved is to extend the limit of cost to \$50,000, and to make the additional appropriation to reach that sum. The first section fixes the limit above mentioned, but the second section appropriates \$55,000, and thus, with the appropriation of \$50,000 heretofore made, the aggregate appropriations exceed the sum to which the cost of the building is limited by \$5,000.

Inasmuch as this latter sum can not properly be applied to the construction of the building, attention is called to the existence of this excess of appropriation, and the suggestion made that it be returned to the Treasury.

GROVER CLEVELAND.

EXECUTIVE MANSION, July 31, 1886.

REPORT OF COMMISSIONER OF AGRICULTURE.

Mr. REID, of North Carolina. I rise to submit a privileged report. The SPEAKER. The gentleman will send it to the desk.

Mr. REID, of North Carolina. I am directed by the committee of

conference to report back House joint resolution No. 201, and move to concur in the Senate amendments.

The SPEAKER. The report will be read.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution of the House No. 201, for printing the Report of the Commissioner of Agriculture, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4; and the Senate agree to the same.

JAMES W. REID,
JOHN M. FARQUHAR,
WILLIAM H. HATCH,
Managers on the part of the House,
CHARLES F. MANDERSON,
JOSEPH R. HAWLEY,
A. P. GORMAN,
Managers on the part of the Senate,
Mr. WARNER, of Ohio, I would like to hear some explanation of

Mr. WARNER, of Ohio. I would like to hear some explanation of

the effect of this report.

The SPEAKER. The rules require that the report shall be accompanied by a statement signed by the managers of the conference on the part of the House. There is no written statement accompanying this

Mr. REID, of North Carolina. I will state the effect of the report. It reduces the cost of the report about \$20,000 and lessens the number originally proposed 40,000. As compared with the previous year it increases the number to each member of the House from 590 to 901, and it gives the Senate 75,000 copies instead of 76,000 copies. Representatives and Delegates will each receive 310 copies more of the report than last year, the number then being only 590.

The report was agreed to.

REPORT ON PRODUCTION OF PRECIOUS METALS.

Mr. REID, of North Carolina. I present another conference report. The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the House concurrent resolution for printing the report of the Director of the Mint on the production of the precious metals in the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered I and 2, and agree to the same.

JAS. W. REID,
JOHN M. FARQUHAR,
RICHARD P. BLAND,
Managers on the part of the House.

ARTHUR P. GORMAN,
CHARLES F. MANDERSON,
JOS. R. HAWLEY,
Managers on the part of the Senate.

Mr. REID, of North Carolina. I move that the report be adopted.

Mr. REID, of North Carolina. I move that the report be adopted. raises the number of copies from 6,000 to 9,000. It increases the It raises the number of copies from 6,000 to 9,000. number to be printed and the cost correspondingly.

Mr. McMILLIN. How many were printed last year?

Mr. BLAND. This provides for the same number as last year. Mr. McMILLIN. And it cuts the number down to the number printed last year?

Mr. REID, of North Carolina. Yes, sir.

The report was agreed to.

Mr. REID, of North Carolina, moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MAP OF UNITED STATES AND TERRITORIES.

Mr. REID, of North Carolina. I present another conference report. The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (II. Res. 160) to authorize the Commissioner of the General Land Office to cause 15,000 copies of the map of the United States and Territories to be printed, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered I, and agree in lieu thereof to insert the following: "7,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree in lieu thereof to insert the following: "2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree in lieu thereof to insert the following: "4,000;" and the Senate agree to the same.

That the House agree to the insertion, after the word "office," on line 8 of the joint resolution, the following: "And that 1,000 copies be printed and mounted, to be sold under direction of the Secretary of the Interior, at \$1.50 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate agree to the same.

numbered 4, and agree in lieu thereof to insert the following: "10,125;" and the Senate agree to the same.

That the House recede from its disagreement to the title of the joint resolution as amended by the Senate, and agree in lieu thereof to insert the following: "Joint resolution to authorize the Commissioner of the General Land Office to cause 7,500 copies of the map of the United States and Territories to be printed;" and the Senate agree to the same.

JAMES W. BEID

JAMES W. REID,
JOHN M. FARQUHAR,
P. DUNN,
Managers on the part of the House.
CHARLES F. MANDERSON,
JOS. R. HAWLEY,
A. P. GORMAN,
Managers on the part of the Senale.

Mr. SPRINGER. Is there a statement accompanying the report? The SPEAKER. The Chair has already called the attention of the gentleman from North Carolina to the fact that the rules require a written statement signed by the House conferees to accompany every report of a conference committee. There is no written statement here.

Mr. SPRINGER. Let the gentleman state verbally the effect of the

report.

Mr. REID, of North Carolina. It reduces the number to be printed down to 7,500 from 15,000 as it was in the bill as it passed the House, and of course it also reduces the cost. I can withdraw the report and present it again accompanied by a statement.

The SPEAKER. That is not insisted upon.

The report was agreed to.

PRINTING OF DIGEST.

Mr. FARQUHAR. I present a privileged report from the Committee on Printing.

The Clerk read as follows:

The CIERK read as follows:

"Resolved, That 2,000 copies of the Digest for the second session of the Fortyninth Congress be printed for the use of the House."

The Committee on Printing, to which was referred the foregoing resolution, having had the same under consideration, report it back with the recommendation that it do pass. The edition for the present session is exhausted, and as there have been several changes in the standing rules and orders during the session, as well as changes in the membership of the House and committees, it is necessary that this resolution should be passed in order that the Digests may be ready for members at the commencement of the next session. As each edition is stereotyped, a portion of the book only will have to be reset, the cost of which is estimated by the Public Printer to be about \$455.

The resolution was adopted.

The resolution was adopted.

Mr. FARQUHAR moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF MONETARY CONFERENCES OF 1878 AND 1881.

Mr. FARQUHAR. Can the Committee on Printing at this time make a report recommending a concurrence in amendments of the Sen-

The SPEAKER. That is a privileged matter if it is printing for the two Houses

Mr. FARQUHAR. It is.

The Clerk read the title of the joint resolution on which a conference was asked by the Senate on the disagreeing votes of the two Houses, as

A joint resolution (H. Res. 87) providing for the printing and distribution of documents of the monetary conferences of 1878 and 1881.

The Clerk read the Senate amendments, as follows:

In line 3, after "1881," insert "also the report of the monetary commission created under joint resolution of August 15, 1876, being Senate Report No. 703, second session of the Forty-fourth Congress, with such indices to the three reports as may be supplied by the Secretary of State."

Amend the title so as to read: "Joint resolution providing for the printing and distribution of documents of the monetary conferences of 1878 and 1881 and the report of the monetary commission created under the joint resolution of August 15, 1876."

Mr. FARQUHAR. I move that the House concur in the amend-

ments of the Senate.

The SPEAKER. Unless separate votes are demanded the question will be put upon agreeing to the amendments in gross.

The amendments were agreed to.

Mr. FARQUHAR moved to reconsider the vote by which the amendments were agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SENATE EXECUTIVE DOCUMENT NO. 85.

Mr. FARQUHAR. I desire to present another privileged report. The SPEAKER. The report will be read.

The Clerk read as follows:

In the House of Representatives, July 27, 1886.

Resolved by the House of Representatives (the Senate concurring therein), That 10,000 copies of Senate Executive Document No. 85, Forty-ninth Congress, be printed; one-half for the use of the Senate and the other half for the use of the House.

The Senate proposes to amend as follows:
In line 2 strike out "ten" and insert "six;" in line 5 strike out the word "half" and insert "thousand five hundred;" in line 5 strike out "the other" and insert "three thousand five hundred;" and in line 6 strike out "half."

Resolved, That the Senate request a conference with the House of Representatives on the resolution and the amendments.

Ordered, That Mr. MANDERSON, Mr. HAWLEY, and Mr. GORMAN be the conferees on the part of the Senate.

Mr. FARQUHAR. I move to concur in the amendments of the Senate.

The amendments were concurred in.

Mr. FARQUHAR moved to reconsider the vote by which the amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INDEX TO SOUTHERN CLAIMS COMMISSION REPORTS.

Mr. SPOONER. Mr. Speaker, I desire to present a privileged re-

port from the Committee on Accounts.

The SPEAKER. The report will be read.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, July 19, 1886.

In the House of Representatives, July 19,1886.

Resolved, That the Clerk of the House be authorized to employ, for a period not exceeding two months, a clerk, at the rate of § per diem, to be paid out of the contingent fund of the House, to complete the index of Southern Claims Commission Reports, and cases referred to the Court of Claims under the Bowman act, as heretofore authorized by the House.

The Committee on Accounts, after consideration of the accompanying resolution authorizing the Clerk of the House to employ a clerk at §6 per day for two months to complete the index of Southern Claims Commission Reports, and cases referred to the Court of Claims under the Bowman act, find that it will be necessary to employ a clerk three months to complete such work. The index is now complete for two years, and unless the work is followed up all that has been done to date will be valueless. The committee therefore recommend that the resolution be passed with this amendment: Strike out the word "two," in line 2 of the resolution, and insert in its place the word "three."

The amendment was agreed to.

The resolution as amended was then adopted.

Mr. SPOONER moved to reconsider the vote by which the resolu-tion was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INCREASED PENSIONS FOR ONE-ARMED AND ONE-LEGGED SOLDIERS.

Mr. MATSON. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the Clerk's desk, with the amendments indi-

The SPEAKER. The bill will be read.

The Clerk read as follows:

The Clerk read as follows:

A bill (8, 2056) to amend the pension laws by increasing the pension of soldiers and sailors who have lost an arm or leg in the service.

Be it enacted, &c., That from and after the passage of this act all persons on the pension-rolls, and all persons hereafter granted a pension, who, while in the military or naval service of the United States and in line of duty, shall have lost one hand or one foot, or been totally or permanently disabled in the same, shall receive a pension of \$30 a month; that all persons now on the pension-rolls, and all persons hereafter granted a pension, who in like manner shall have lost either an arm at or above the elbow or a leg at or above the knee. or been totally or permanently disabled in the same, shall receive a pension of \$35 per month; and that all persons now on the pension-rolls, and all persons hereafter granted a pension, who in like manner shall have lost either an arm at the shoulder-joint or a leg at the hip-joint, or so near the joint as to prevent the use of an artificial limb, shall receive a pension at the rate of \$45 per month: Provided, That nothing contained in this act shall be construed to repeal section 4690 of the Revised Statutes of the United States, or to change the rate of \$18 per month therein mentioned to be proportionately divided for any degree of disability established for which section 4635 makes no provision.

The Committee on Invalid Pensions, recommended an amendment

The Committee on Invalid Pensions recommended an amendment, striking out in line 7, and again in lines 11 and 12, the words "or per-

The SPEAKER. Is a second demanded?

The SPEAKER. Is a second demand a second.

Mr. COWLES. I demand a second.

Mr. BURROWS. Let a second be considered as ordered

The SPEAKER. The gentleman from North Carolina objects. The SPEAKER. The gentleman from North Carolina objects. The Chair will appoint the gentleman from Indiana [Mr. MATSON] and the gentleman from North Carolina [Mr. CowLES] to act as tellers.

The question was taken; and the tellers reported—ayes 158, noes 5.

Mr. COWLES. No quorum.

The SPEAKER. There is a quorum and a second is ordered. Under the role thirty minutes are allowed for debate, fifteen minutes in sup-

the rule thirty minutes are allowed for debate, fifteen minutes in supthe rule thirty minutes are allowed for debate, lifteen minutes in support and fifteen minutes in opposition to the bill. The gentleman from Indiana [Mr. MATSON] will control the time in support of the bill and the gentleman from North Carolina [Mr. COWLES] the time in opposition to it. [Cries of "Vote!" "Vote!"

Mr. MATSON. I will detain the House only two or three minutes. This bill proposes to increase the pensions of soldiers or sailors who

have lost a limb in the military or naval service of the United States. It proposes an increase of \$6 a month to those who have lost a hand or a foot, an arm or a leg, and an increase of \$7.50 a month to those who have lost an arm of a leg, and an increase of \$7.50 a month to those who have lost an arm at the shoulder joint or a leg at the hip joint. The cost of this bill will be \$615,000 per annum. It appears that there are eight thousand survivors with this kind of disability. The amendment proposed to the Senate bill is simply the striking out of two words. The Senate bill provides that those who are so disabled totally "or permanently" in one hand or foot shall receive the same rate of pension. The Committee on Invalid Pensions thought that those two words "or permanently" might be construed to apply to a permanent disability which did not amount to a total disability, so to guard

against that the words are proposed to be stricken out, and with that amendment the committee ask that the bill as it came from the Senate I reserve the remainder of my time.

Mr. COWLES. I yield ten minutes to the gentleman from Ohio [Mr. WARNER].

Mr. WARNER, of Ohio. Mr. Speaker, I know the position in which a member of this House places himself when he rises to oppose a measure of this kind; and I should not do so if I did not think good reasons

exist why the bill should not pass.

Certainly no class of soldiers are entitled to higher honors or greater consideration than those who lost limbs in battle, save those who lost their lives on battlefields. But the loss of limbs was not the only severe injuries which were sustained. Often an injury to some vital organ or part compels a man to go through life under greater difficulty than would the loss of an arm below the elbow, or even the loss of a leg. Many a soldier who is now drawing but \$4 a month for an injury to some vital organ—perhaps a diseased or injured lung—suffers more severely and goes through life under greater difficulty than a man who has lost a limb; and his life, too, is more likely to be shortened.

Again, there are thousands and tens of thousands not on the pension-

roll at all, and who can scarcely keep out of the poor-house, who, though their disabilities are not so marked or so apparent, are suffering perhaps quite as severely as those who have lost limbs.

But, Mr. Speaker, I have another reason for voting against this bill,

which I shall do reluctantly but from a sense of duty. That reason is this: I take as a fair standard for the equivalent of total disability the average earnings of laboring men who toil all day from morning to night. If we give to one totally disabled for performing manual labor for his support the full earnings of another man who must toil through the day, it seems to me we give the full measure of compensation which there is any right to demand.

If, however, in addition to the loss of a limb, which is counted total disability (although it really is not total disability), the one disabled is put to an expense or cost for medical or surgical attendance, an allowance should be made for that; and if his disability is such that he can not minister to or help himself, then he should be entitled to the proceeds of the labor of two men. That I think is the true standard, and the one that should guide us in these matters.

I have never heard any good reason why we should go above that standard. There are now twenty millions of men in this country who must labor to maintain themselves and to support and educate their families. Their average earnings are not \$30 a month. They can not earn that working all day on the average; and besides they have to take all the chances of being thrown out of employment and of loss of time from sickness and other causes; while the pensioner draws quarted with a school of the causes; terly with regularity his full pension. And it should not be forgotten that these same men who toil for less than \$30 per month on the aver-

age have in the end these pensions to pay.

A former Secretary of State, Mr. Evarts, tersely gave as the cause of the greater burdens sustained by countries in Europe that every peasant there had to carry a soldier on his back. Now, I do not think we are in danger of coming to that condition of things here. I hope not, at any rate. But when you give to one who has lost a limb the earnings of another man for his relief you make, as things go, reason-

able provision. You afford reasonable compensation.

Besides, Mr. Speaker, a considerable part of these men, if not a majority of them, are either in Government employ or otherwise occupied at regular and full salaries. So that their disability is not that kind of total disability suffered by many other men whose wounds were not of a nature to cause the loss of a limb. There are many wounded soldiers in Government employ, and I am glad of it, drawing the same salaries that other employes draw. A man who has lost an arm below the elbow, as everybody knows, is not so disabled that he can not do anything. He can help himself in many ways. He can earn in many kinds of employment about the same as others earn. He can do more than a man with a diseased lung or heart or other vital organ can. Who would not rather lose an arm, bad as it is, than be compelled to go through life with half-destroyed lungs or otherwise diseased?

I think, therefore, to increase the pensions of the class contemplated in this bill is to raise them out of proportion to the pensions granted for other kinds of disability, and to give more than a just standard which such disability requires. It is lifting higher a few from the top while those at the bottom, who now get the least compensation, are left untouched. Hence, I do not think this is a just measure. In ethics it is laid down as a maxim that the essence of injustice is inequality where there ought to be equality, unfairness in granting favors where there should be a fair distribution.

These, Mr. Speaker, briefly stated, are the reasons which constrain me reluctantly to cast my vote against this bill. I would much rather give something to that class who are drawing no pensions but who are more or less disabled and who are hardly able to keep out of the poorhouses. I think it would be far more equitable and a far better measure of relief to give some assistance to these rather than increase the pensions of those who are now receiving \$24, \$30, and \$37.50 per month. regret that the chairman of the Committee on Invalid Pensions [Mr. MATSON] did not see fit to bring forward, instead of this measure, some

measure which would give even a little belp to the many who are in need and who are receiving nothing at all.

Mr. BUCK Why not provide for both classes?

Mr. BUCK. Why not provide for both classes?

Mr. WARNER, of Ohio. But let us at any rate give first to those who now have nothing. But I have given my reasons for voting against increasing the pensions of the class whom this bill will benefit. The average earnings of a healthy laboring man is the highest standard and let me and is higher than that of any other nation in the world; and let me say that no other country in the world has ever been so generous to its say that no other country in the world has ever been so generous to its soldiers as ours. We have been none too generous; but in no other country are pensions so general nor is the grade of pensions so high. In this bill we pass beyond all precedent in fixing the rating for total disability. Formerly \$8 a month was full pension for the loss of a limb.

Mr. SOWDEN. To what class of soldiers does the gentleman refer when he speaks of those who though entitled to pensions are getting

Mr. WARNER, of Ohio. A very large class.

[Here the hammer fell.]

Mr. COWLES. I will now yield for five minutes to the gentleman

from Alabama [Mr. OATES].

Mr. OATES. During the period of my service in this House I have never uttered a word on this floor on the subject of pensions. Now, the original purpose of pensioning a soldier is that he who has been faithful to his Government and has become disabled in its service or becomes so from disease engendered in it should not be compelled to go to the poor-house, but should receive sufficient allowance from the Government to maintain him comfortably. There is no estimating in dollars the suffering of men who have lost an arm or leg. I can speak from experience. That is not the question; the question is how much is a proper allowance to maintain them in comfort. As I understand the present law it allows these unfortunates from \$35 to \$40 a month.

I will not be positive.

Mr. WARNER, of Ohio. Twenty-four dollars.

Mr. OATES. Twenty-four to thirty dollars, I believe.

Mr. WARNER, of Ohio. Twenty-four dollars to \$37.50.
Mr. OATES. That allowance, in my judgment, is large enough to

meet the objects and purposes of our pension laws.

This disposition to have an increase is common not alone to pensioners, but nearly all the officials of the Government. I, sir, am the last man who would deny to these unfortunates the bounty of the Government to any extent necessary. The fact I wore the gray when I lost my own good right arm does not affect my sympathy for those who wore the blue.

[Applause.] My sympathy is for the man who met me gallantly in

[Applause.] My sympathy is for the man who met me garanty in battle. [Applause.] Remember he is his country's stay in the hour of danger. I recognize every one of them as my brethren.

But, sir, I think this extension is wholly unnecessary. Look at the unfortunate confederate soldier; they have no government to pension them. They have lost an arm or a leg, and you find them following the plow or using the hoe with one arm and hobbling along on one leg, and yet, sir, I have never seen a beggar among them all. [Applause.] Certainly, if men thus circumstanced can earn a living, and none of them are found to be beggars, our brethren who fought them in battle and who likewise have been unfortunate, who now receive from \$25 to \$30 per month, ought, it seems to me in all justice, to consider that amount enough. I am, therefore, opposed to this bill; I do not believe it is necessary.

I will say in conclusion, Mr. Speaker, that if I believed it were not sufficient to maintain these men I would give my vote even if it should require \$100 a month in order to supply them with the necessaries of life. [Cries of "Vote!"]

The question recurred on Mr. MATSON'S motion to suspend the rules and pass the bill.

Mr. SPRINGER demanded the yeas and nays. The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative-yeas 166, nays 51, not voting 105; as follows:

YEAS-166. Hall, Harmer, Hatch, Heard, Henderson, T. J. Crain, Curtin, Davis, Dingley, Dockery, Dowdney, Landes Landes, Lawler, Lehlbach, Lindsley, Little, Long, Bayne, Bingham, Bliss, Bound, Boutelle, Boutelle,
Boyle,
Brady,
Brady,
Breckinridge, WCP. Ely,
Brown, W. W.
Brown, W. W.
Evans,
Evans,
Bunnell,
Bunnell,
Burrows,
Farquhar,
Felton,
Fisher, Hepburn, Hermann, Hiestand, Hill, Hiscock, Hitt, Holman, Lore, Loutit, Lovering, Lowry, Lyman, Mahoney, Matson Matson, Maybury, McAdoo, Holmes, Hopkins, Hudd, Bynum, Campbell, Felix Campbell, J. E. Campbell, J. M. Campbell, T. J. Fisher, Fleeger, Ford, Frederick, Fuller, Funston, Jackson, James, Johnson, F. A. Johnston, J. T. Kelley, Ketcham, McGreary, McKenna, Merriman, Millard, Milliken, Moffatt, Morrison Cannon, Carleton, Catchings, Collins, Gay, Gibson, C. H. Gilfilian, King, Kleiner, La Follette, Laird, Morrison. Morrow, Guenther, Hale, Muller Murphy,

Neal,	Rice,	Spooner,	Wade, Ward, J. H.
Neecc,	Riggs,	Springer,	Ward, J. H.
Negley,	Rockwell,	Stahlnecker,	Ward, T. B.
Nelson,	Romeis,	Stephenson,	Ward, T.B. Warner, William
O'Hara,	Rowell,	Stone, E. F.	Weaver, A. J.
O'Neill, Charles	Ryan,	Strait,	Weaver, J. B.
O'Neill, J. J.	Sawyer,	Struble,	Weber,
Osborne,	Scott,	Swinburne,	West,
Parker,	Scranton,	Swope,	White, A. C.
Payne,	Seney,	Symes,	Whiting,
Perkins.	Sessions,	Tarsney,	Wilkins,
Peters,	Seymour,	Taulbee,	Wilson,
Pideoek,	Shaw,		Wolford,
Pirce,	Skinner,	Taylor, Zach.	
Price,		Thomas, O. B.	Woodburn,
	Smalls,	Thompson,	Worthington.
Randall,	Snyder,	Townshend,	
Reed, T. B.	Sowden,	Viele,	
	NA?	YS-51.	
Allen, J. M.	Cox,	Hemphill,	O'Ferrall,
Ballentine,	Crisp,	Henderson, J. S.	Perry,
Barnes,	Culberson,	Herbert,	Reagan, Reid, J. W.
Barry,	Daniel,	Hutton,	Reid, J. W.
Bennett,	Dargan,	Irion,	Richardson,
Blanchard,	Davidson, A. C.	Johnston, T. D.	Sayers,
Bland,	Dibble,	Jones, J. H.	Stewart, Charles
Blount,	Dunn,	Jones, J.T.	St. Martin,
Breckinridge, C. R.		Laffoon,	Trigg,
Cabell,	Forney,	Lanham,	Van Eaton,
Caldwell,	Glass,	McMillin,	Warner, A. J.
Clements,	Green, W. J.	McRae,	Wise.
Cowles,	Halsell,	Oates,	11 100.
Comica	TO SERVICE VALUE OF THE PARTY O	TING-105.	
Adams, G. E.	The second secon	Le Fevre,	Speigere
	Davenport, Davidson, R. H. M.		Spriggs,
Adams, J. J.			Steele,
Aiken,	Dawson,	Markham,	Stewart, J. W.
Allen, C. H.	Dorsey,	Martin,	Stone, W. J., Ky. Stone, W. J., Mo.
Anderson, C. M.	Dougherty,	McComas,	Stone, W.J., Mo.
Anderson, J. A.	Dunham,	McKinley,	Storm,
Arnot,	Findlay,	Miller,	Taylor, E. B.
Atkinson,	Foran,	Mills,	Taylor, I. H.
Barbour,	Gallinger,	Mitchell,	Taylor, J. M.
Barksdale,	Geddes,	Morgan,	Thomas, J. R.
Beach,	Gibson, Eustace	Morrill,	Throckmorton,
Belmont,	Glover,	Norwood,	Tillman,
Bragg,	Goff,	O'Donnell,	Tucker,
Brown, C. E.	Green, R.S.	Outhwaite,	Turner,
Browne, T. M.	Grosvenor,	Owen,	Van Schaick,
Brumm,	Grout,	Payson,	Wadsworth,
Buchanan,	Hammond,	Peel,	Wait,
Burleigh,	Hanback,	Pettibone,	Wakefield,
Burnes,	Harris,	Phelps,	Wallace,
Candler,	Hayden,	Pindar,	Wellborn,
Caswell,			Wheeler,
Clardy,	Haynes,	Plumb,	
	Henderson, D. B.	Ranney,	White, Milo
Cobb,	Henley,	Reese,	Willis,
Comstock,	Hewitt,	Robertson,	Winans.
Cooper,	Hires,	Rogers,	
Croxton,	Houk,	Sadler,	
Cutcheon,	Howard,	Singleton,	

and pass the bill was agreed to.
On motion of Mr. EDEN, by unanimous consent the reading of the

names was dispensed with.

The following additional pairs were announced: Mr. CLARDY with Mr. OWEN, until further notice. Mr. HARRIS with Mr. WAIT, for the rest of the day.

Mr. STONE, of Missouri, with Mr. ANDERSON, of Kansas, for the rest

Mr. BALLENTINE with Mr. WAKEFIELD, for the rest of the day. Mr. White, of Minnesota, with Mr. Martin, on this vote. The result of the vote was then announced as above recorded.

Mr. BURROWS. Mr. Speaker, I am paired with my colleague, Mr. COMSTOCK. On examining the pair I find it applies to political questions. This is not regarded as a political question, and I would like to vote. I have no doubt that my colleague if present would vote "ay,"

and under the circumstances I shall record my vote in favor of the bill.

Mr. CAMPBELL, of Ohio. I wish to ask, Mr. Speaker, if I am an-

nounced as paired?

The SPEAKER. The Chair is informed that the gentleman is paired

for the day Mr. CAMPBELL, of Ohio. If I were not paired, I should vote "ay" on this question. Can I transfer my pair to the gentleman from West

The SPEAKER. The Chair thinks the gentleman could do so if he

saw proper.

Mr. WILSON. The gentleman from Ohio is paired with my colleague, Mr. Goff. I am satisfied that if Mr. Goff were present he would vote in the affirmative on this motion.

The SPEAKER. The Chair has no doubt the gentleman from West Virginia would so record his vote.

Mr. CAMPBELL, of Ohio. Believing that to be true, I shall also record my vote in the affirmative.

Mr. ATKINSON. Mr. Speaker, it is possible that I may be interested in this bill, and I ask leave to withdraw my vote. [Cries of "Regular order!"]

The SPEAKER. Is there objection to permitting the gentleman from Pennsylvania to withdraw his vote?

There was no objection, and the vote was withdrawn.

MESSAGE FROM THE PRESIDENT.

Several messages in writing from the President of the United States | deficiency appropriation bill.

were communicated to the House by Mr. PRUDEN, one of his secre-

The message also announced the approval of an act (H. R. 3379)

granting a pension to George G. Early;
An act (H. R. 5051) to place the name of Jacob Madison Pruitt on

the pension-roll;
An act (H. R. 7531) granting a pension to Catharine Nickert; and
An act (H. R. 8328) defining butter, also imposing a tax upon and
regulating the manufacture, sale, and importation and exportation of oleomargarine.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate receded from its disagreement to the amendment of the House to the bill (S. 2609) granting a pension to Emily J. Stannard, and agree to the same.

Also, that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 822) for the relief of William H. Wheeler; and
A bill (H. R. 8585) to provide for the inspection of tobacco, cigars,
and snuff, and to repeal section 3151 of the Revised Statutes.

Also, that the Senate had passed a bill of the following title; in
which the concurrence of the House was requested:

A bill (S. 2611) to authorize the construction of a bridge across the Saint Louis River at the most accessible point between the States of

Minnesota and Wisconsin. The message further announced that the Senate had passed with amendments the bill (H. R. 4883) relating to the taxation of fractional parts of a gallon of distilled spirits, asked a conference with the House on the disagreeing votes thereon, and had appointed Mr. Aldrich, Mr. Jones of Nevada, and Mr. Harris as managers at the conference on the part of the Senate.

ORDER OF BUSINESS.

[Cries of "Regular order!"]
The SPEAKER. If there be no objection the message from the President of the United States accompanying the approval of the bill

Mr. MORRISON. Regular order.
And then (the hour of 5 o'clock and 5 minutes p. m. having arrived) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BYNUM: Petition of W. M. Ford and other citizens, for a pension to Tilman Bush-to the Committee on Invalid Pensions.

By Mr. CATCHINGS: Petition of Columbus Love and of James D. McAllister, of Monroe County, Mississippi, asking that their war claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. DORSEY: Petition of citizens of Nebraska, praying for the age of the bill to open up the Sioux reservation—to the Committee on Indian Affairs

By Mr. ERMENTROUT: Memorial of Messrs. Sullivan & Bro., of

Philadelphia, for the redemption of the trade-dollar—to the Committee on Coinage, Weights, and Measures.

By Mr. HARMER: Papers relating to the bill for the relief of W. H. Clay Fisher, United States Marine Corps—to the Committee on

By Mr. MAYBURY: Petition of Fairbanks Post, Grand Army of the Republic, of Detroit, Mich., for the passage of the bill for the relief of Mrs. Cornelia R. Schenek notwithstanding the objections of the President-to the Committee on Invalid Pensions.

By Mr. PERRY: Petition of C. M. Furman and others, for relief-

to the Committee on the Judiciary.

By Mr. SNYDER: Petition of C. D. Fitzwater and others, of Nicholas County, West Virginia, in relation to the coinage of silver—to the Committee on Coinage, Weights, and Measures.

By Mr. TUCKER: Petition of citizens of Georgia, for relief in respect

to the Freedman's Bureau, &c .- to the Committee on the Judiciary.

By Mr. WEST: Protest of Luther M. Wheeler, Post No. 92, Grand Army of the Republic, and veterans of the late war, against legislation attaching to pension bills propositions for raising revenue—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, August 3, 1886.

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. EDMUNDS, and by unanimous consent, the further reading was dispensed with.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I present the report of the conference committee on the

The PRESIDENT pro tempore. The report will be read. The Chief Clerk read as follows:

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 39, 1886, and prior years, and for other purposes, baving met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 7, 17, 18, 22, 23, 24, 28, 36, 43, 44, 53, 55, 56, 66, 70, 71, 85, 100, 107, 112, 114, 115, 116, 119, and 120.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 10, 11, 2, 13, 14, 15, 16, 21, 25, 26, 27, 31, 33, 34, 54, 90, 51, 52, 64, 55, 65, 75, 66, 69, 92, 23, 99, 109, 111, and 132.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed in the amended paragraph insert "\$200,000;" and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: At the end of the matter proposed to be inserted insert the following: "and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert the following: "and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert the following: "and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: Strike out the amended paragraph; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: Strike out, after the name "William M. Olin," the word "as," and insert in lieu thereof the following: "The difference between the amount of compensation received by him as an employé of the Government and the salary of;" and the Senate agree to the same.

Amendments numbered 102, 103, 104, 105, and 106: That the House recede from its disagreement to the amendments of the Senate numbered 102, 103, 104, 105, and 106, and agree to the same with an amendment as follows: Strike out the amended paragraph; and the Senate agree to the same.

Amendment numbered 108: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 108, and agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment as follows: Restore the matter stricken out, and in lieu of the matter proposed to be inserted insert the following: "And the Secretary of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury to re-examine the same and to certify anew the sums due and to whom due, respectively by name, as non-resident aliens entitled to refunding of taxes collected prior to July 1, 1883;" and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment as follows: Restore the matter stricken out, and in lieu of the matter proposed to be inserted insert the following: "That the House recede from its disagreement to the amendment as follows: Restore the matter stricken out, and in lieu of the matter pr

JAS. N. BURNES, BEN. LE FEVRE, LOUIS E. MCCOMAS Managers on the part of the House

The PRESIDENT pro tempore. The question is on agreeing to the

report.

Mr. EDMUNDS. I should like to hear it explained. Will the Senator in charge please explain the changes to us?

Mr. HALE. As Senators well know, the great object of this bill is to provide for necessary deficiencies in the appropriations of the last

year, and in a few cases of years preceding last year. All of these are sent in by regular estimates from the Departments, which are found in the various documents referred to in the bill.

When the bill reached the Senate and the Committee on Appropriations proceeded to consider it, the committee found that in these regular estimates in several cases the House had put a portion into the bill and excluded other portions. That obliged the Senate committee to of and excluded other portions. That offiged the Senate committee to of course consider every item—the items put in by the House to see what the foundation might be for them, and also the items rejected; and whenever the committee found that regular estimates from the heads of Departments were properly sustained by the accounting officers, in cases where they had been submitted to those accounting officers, the Senate committee added those to the bill as passed by the House, and I think in every case the Senate adopted the action of its committee.

When we came into conference, further examination and personal communication with the conferees disclosed the fact that in certain claims which had been sent down from the different Departments and which had passed through the hands of the accounting officers of the Treasury there were still objections, there were old claims, stale claims, and war claims, around which some doubt was thrown from the very fact of their age. The Senate conferees found that the House conferees had examined into those and in some cases had detected what appeared to be defects in substance; and in those cases the bill as now reported under this report provides for a further examination by the accounting officers of the Treasury, a reopening, and directs the Secretary of the Treasury to have the claims which are in dispute, and upon which the conferees of the Senate found their associates of the House very firm, fully examined and reported to the next session of Congress with the reasons, if they are certified as allowed, for such certification and allowance

Mr. EDMUNDS. All those the House put in are left?
Mr. HALE. No; in this examination that the committee were led to make they also discovered that the House had put in of this same kind and nature of claims, and in making up the direction to the Secretary of the Treasury the items put in by either House of this kind subject to dispute and raising naturally in careful minds questions are all comprehended there.

Mr. EDMUNDS. Not to be paid until December?
Mr. HALE. In fact they go over for future examination under the direction of Congress. It will put the accounting officers more upon their guard and will make them, as it should, very careful.

The Committee on Appropriations finds every time that it considers a deficiency appropriation bill that the accounting officers of the Treas-

ury Department have a great burden resting upon them in auditing and deciding upon these accounts. They are very numerous, and it would be a strange thing if they did not sometimes make mistakes.

That is the way that the bill has been left.

May I inquire of the Senator from Maine if the ac-Mr. SEWELL. counts for sites of public buildings are included in those of which he

Mr. HALE. No; I am referring now more to those accounts in the nature of transportation accounts in the different Departments.

Mr. SEWELL. Are they not adjudicated accounts?

Mr. SEWELL. Are they not adjudicated accounts?

Mr. HALE. Yes.

Mr. SEWELL. Then why are they not allowed?

Mr. HALE. Because, as I have just stated (the Senator probably was not in), there are certain claims which the Senate conferees found the House conferees had examined into and got all the papers upon, and they presented the facts and conditions of the case in such a way as to put the Senate conferees upon their guard.

Mr. SEWELL. Were the conditions different from those presented by the accounting officers of the Government?

by the accounting officers of the Government?

Mr. HALE. The papers themselves convinced the committee that the accounts ought not to have been passed; or at any rate they raised such a doubt that we did not venture to appropriate for them. There are some cases which, if the Senator himself would examine, he would not want to take the responsibility of passing without further exami-

Mr. CALL. I should like to ask the Senator from Maine a question. I understand that by the report of the committee of conference a provision for the repayment of certain taxes which was contained in the bill as passed by the Senate has been stricken out. I should like to

bill as passed by the School and Mr. HALE. We found the House conferees very determined upon that subject. The main question they raised was that under the form of the appropriation sought the money thus given might not, and indeed would not, go direct to the parties whom the Government owes, the foreign holders of the stock upon which the tax was assessed; and we settled that by providing that the Secretary of the Treasury should report to the next session of Congress in detail the names of the persons who were such stockholders.

Mr. EDMUNDS. Who are the beneficiaries.

Mr. HALE. Who are to be the beneficiaries and to whom the money should go. When the House insisted upon that the Senate conferees did not feel that they were justified in refusing that demand. Next year we shall get a list of the stockholders themselves, and the appro-

priation can be made directly to them rather than to the railroad com-

panies as trustees for them.

Mr. EDMUNDS. That is a good point.

Mr. CALL. I will ask the Senator from Maine if there were not among the papers unquestionable evidence of who were the owners of this money, and a power of attorney from them to entirely responsible and respectable persons to collect it.

Mr. HALE. Only for a portion.

That portion was left unprovided for with the others, Mr. CALL. I understand?

Mr. HALE. With all the others.

Mr. EDMUNDS. Is there any legislation in this bill? Mr. HALE. I think not.

Mr. MANDERSON. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Maine yield?

Mr. HALE. Certainly.

Mr. MANDERSON. Simply for a question. I find it so difficult to keep track of the changes made in conference by the numbers mentioned in the report that I desire to ask one or two questions. First, in reference to an amendment placed upon the deficiency bill by the Senate proposing to pay a certain amount of money for paving in front of the public building at Saint Louis. I ask what disposition was made by the conference committee of that item?

Mr. HALE. Those paving matters were the subject of a great deal of controversy, the House conferees declaring that until a general policy had been fixed by law the Government should pave the streets opposite their own buildings, and we finally agreed upon propositions which involve the making of sidewalks opposite the Government buildings, providing for those in a few cases; but the paving of the streets

upon the insistance of the House conferees was thrown out.

Mr. MANDERSON. There was but one such item in the deficiency bill, and that was placed in the bill by the action of the Senate Com-

mittee on Appropriations. Was that thrown out?

Mr. HALE. That was thrown out.

Mr. MANDERSON. I ask the Senator whether he recalls the fact

that there was abundant precedent for paying for the paving?

Yes; sometimes the House itself has agreed to such Mr. HALE. provisions, and I think in one case some time ago it put a provision of this kind upon such a bill as this; but all the same they insisted very strongly that they would not agree that the Government upon this bill should commit itself to the proposition of paving streets.

Mr. MANDERSON. And yet the House placed upon the deficiency

bill of last year two items paying for paving in front of public build-

The House agreed to the Senate provisions.

Mr. MANDERSON. Perhaps the Senate placed the provisions upon the bill, but the House agreed to it, and established the precedent.

Mr. HALE. It has never yet been adopted.

Mr. HAWLEY. Do I understand that the actual paving at the front doors of a post-office itself, the sidewalk paving right at the doors, is not to be paid for?

Mr. HALE. Yes; sidewalks laid at the doors. We do not make any point on that, and the House do not make any point on it.

Mr. HAWLEY. There is an item in the bill concerning the Hart-

ford post-office that the Senate put in.

I am not certain that that is in.

Mr. MANDERSON. I think that was in the sundry civil bill, not in the deficiency bill.

Mr. HAWLEY. Possibly. Mr. MANDERSON. I should like to ask with reference to the appropriation of \$90,000 to render it possible to give the fifteen days' leave of absence to the employés of the Public Printing Office, an amendment placed upon the bill by the Senate. Is that held to by the conferees?

Mr. HALE. It is Mr. MANDERSON. It remains in the bill?

Mr. HALE. It does.

Mr. SEWELL. I wish to ask the Senator from Maine whether the House conferees define the status of the Government in relation to a municipality as a lot and property owner in the paving of streets? it not as just a claim against that property as it is against an individual citizen in that municipality?

Mr. HALE. That is a question which has not yet been settled by any affirmative law. As I have said, the precedents have been that in a few cases they have been allowed, and in many other cases they have been disallowed. The cases have been accumulating, and there are a good many of them now pending and waiting to come in again the next

Mr. SEWELL. A few get in from time to time. Mr. HALE. A few get in, and more are kept out. It is one of those cases where if either House insists they are not allowed. There has not been any precedent fixed for allowing them on the appropriation bills.

Mr. SEWELL. Are we not to infer from that state of affairs that the conferees on the part of the House have more backbone than those on the part of the Senate?

Mr. HALE. The Senator has been in conference with House con-

ferees before now, and he has as good an opportunity as I have of judging which has the most backbone.

Mr. HOAR. Every Senator seems to be entitled to have a lick at

the Senator from Maine, and I should like to have mine.

Mr. HALE. As the Senator was not in when the very careful and illuminating report was read from the desk, I yield very willingly to

Mr. HOAR. I merely wanted to ask my honorable friend from Maine (I do not know but the report covers it, but if it does I will ask him to repeat it for my information) what is the tendency of late years in regard to these deficiency bills, whether they are increasing in proportion to the general appropriation bills, and whether there has been any such increase growing out of a struggle in any quarter to make the general appropriation bills show a greater economy than really belongs to them? I do not know but that that has been dealt with in the report by the Senator.

Mr. HALE. The committee find that the Departments of the Government are just as earnest and just as strenuous for supplemental appropriations to eke out their supplies as they ever were. We do not find-and this deficiency bill settles that-that the Departments of the Government as administered at present can get along with any less sum than their predecessors, as they were formerly administered.

Mr. HOAR. I meant to put my question to call out this point: I have seen, and of course every Senator, by the assignment of committee work that he has, has occasion to know something about the method of dealing with this matter of public expenditure on the Appropriations Committees of the two branches; and it seems to me that I have seen evidence that bills come up here from the House intended to make a great show of economy by omitting items which the necessities of the public service will require the Senate to put in those bills, and then the Senate is taunted with being lavish while the House is economical; or if the items are kept out of the regular appropriation bills, the necessity of the case requires the passage of a deficiency bill and the items in the deficiency bill to eke out this want, this deficiency which is occasioned by the attempt at economy elsewhere.

I wish to say, if I may be pardoned in connection with this (and I will not detain the Senator in getting the bill through for more than a moment), the attitude of the Democratic and Republican parties seems to me to be exactly this: The Democratic party comes to us omitting some provision which is essential to the very life of national administration, and they rely on the fact that we will not destroy the child, that the Republicans are so interested in good and reasonably well-conducted government that we will take upon ourselves that burden to that portion of the public who are deceived by such a proceeding, and not let the appropriation bills fail at all, because we do not want the confusion which would come from it; and therefore that year after year these gentlemen are enabled to make a certain pretense of superior economy to us, relying on us rather than have the Government suffer to take upon our shoulders that burden of obloquy and reproach, and give them that advantage.

I wanted to ask in reference to that point how this deficiency bill compares with former years, and whether there is not a great deal in it which might have been fairly foreseen and which ought to have been fairly foreseen and put in the general appropriation bills?

Mr. HALE. The Senator is undoubtedly correct. The Senate Committee on Appropriations when it comes to deal with these bills that are sent over by the House (and in what I say I do not mean to cast any improper reproach on the co-ordinate branch of the Legislature) finds these bills fragmentary, and a great many items which have to be put on for the running of the Government are left out. We find a page of regular estimates upon which two-thirds of the items have been put into the bill by the House and the other third left out, when there

is no difference between the two that we can find on examination.

So the Senate committee has to add to the bills as the House sends them over, and it does give rise to statements and to more or less declamation in another branch of the Government as to the extravagance of the Senate in increasing the appropriations made by the bills of the House of Representatives, while the fact is that the Senate is very careful in its examinations and seeks to put on nothing but what is necessary to run the Government.

An impatience has been felt not only by the Senator from Massachu-setts but by other Senators and by the Committee on Appropriations at this course, at our being charged and saddled with these increased

appropriations which we must put on.

I am bound to say that in the Committee on Appropriations in dealing with this subject it is not in any way considered as a party matter. The Democratic members of the Committee on Appropriations, as they have taken occasion to say here upon this floor before, and as I know they feel now, have the same impatience at our being submitted to this course as the Republicans. But there is nothing for the Senate to do but to find the subjects which are needed for the administration of the Government and to put them on, even if we are charged with extravagance.

As to the Senator's question whether as compared with previous years this evil is greater or less, my impression is that it is greater than it has been for the last few years; that we feel more and more that we

are confronted with bills which do not complete the appropriations necessary for the running of the Government; and that we have to take the burden of being charged with increasing the bills more and more. That is my impression.

Mr. EDMUNDS. What is the total amount of the bill?

Mr. HALE. I have not the figures here. They are in the report, but I can not give them exactly. The amount will be found in the report at the desk.

Mr. MANDERSON. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Maine yield

Mr. HALE. Yes; I ask for the adoption of the report. I yield the floor to the Senator from Nebraska.

Mr. EDMUNDS. The report can not be adopted until he yields the

The PRESIDENT pro tempore. The Senator from Maine paused, and the Chair merely inquired whether he was through.

Mr. HALE. If any Senator has any questions I shall be very glad to answer them. I am desirous of getting the report to the other House as soon as possible.

Mr. MANDERSON. I feel like congratulating the Senator from Maine upon possessing a degree of firmness and determinatirn beyond that which he claims for himself. I can realize that in the multitude of changes made in this bill he might very readily forget as to the action concerning some items.

I find upon examination that the House recedes from the disagreement as to paying for the paying in front of the public building at Saint Louis, following the precedent of last year. I simply make reference to this fact in order if possible to strengthen the conferees of the Senate that they may hold to similar items in the sundry civil bill, hav-

are that they may hold to similar items in the sundry civil bill, having not only the abundant precedent of past years but a precedent in the action of the House conferees at this session.

Mr. HALE. There are so many items that I could not pretend to be accurate as to a particular item.

Mr. MANDERSON. Of couse; I realize that.

Mr. HALE. I know that on the general subject we had a good deal of discussion, and that there are a great many of these cases which are accumulating, and which have not been settled.

Mr. MANDERSON. I submit to the Senator there should be no exception made. If the paving in front of a public building at Saint Louis is to be paid for to that municipality, certainly it should be so with others

Mr. HALE. Undoubtedly.
Mr. COCKRELL. I intended to explain to the Senator that he has in his explanation rather confused the sundry civil and the deficiency bills.

Mr. HAWLEY. Being on both committees.

Mr. COCKRELL. Being on both subcommittees. The pavement question was receded from by the House on the deficiency bill.

Mr. HALE. On that single item. Mr. COCKRELL. All that was in it.

Mr. HALE. Are there not other items than that?
Mr. COCKRELL. Yes; the Texas matter at Galveston.

Mr. HALE. There may have been one or two others.
Mr. COCKRELL. Probably there are two or three others. They

Mr. COCKRELL. Floods, were all yielded by the House.

Mr. MANDERSON. All of them paving matters?

Mr. COCKRELL. The Galveston was a paving matter which was a paving matter which was a paving matter which was wrong. appropriated for at the last session of Congress, but the name was wrong and the pavement could not be made. This was simply a reappropriation to the correct name.

Mr. MANDERSON. This certainly should be no matter of favor-Ido not mean to insinuate that it has been-but it is a matter of right. These municipalities have paid from their treasury the money ne sary to pay for the paving of the streets in front of these public buildsary to pay for the paving of the streets in Iront of these public bindings. In most cases, notably in the case of Omaha, the land upon which the public building is situated was donated by the city, and the Government of the United States is the only exception to the rule or the law which requires that the State, the church, the school-house, that everything in the way of property shall pay its proportion of the pavement in front of the property. I submit that it is a matter of common honesty and fairness on the part of the Government that it should pay.

Mr. COCKRELL. I should like to ask the Senator in connection

with that if any estimate has ever been made for it, and if it has ever been reported to Congress?

Mr. MANDERSON. In the case I mention? Mr. COCKRELL. Yes.

Mr. MANDERSON. It was reported by the officers of the municipality of Omaha to the Treasury Department, approved by the Treasury Department, put in the Book of Estimates, introduced in the form of an amendment, and referred to the Committee on Appropriations. It comes strictly within the rule, and was adopted on the sundry civil bill by the Senate. Mr. COCKRELL.

That was adopted on the sundry civil bill. If the money had ever been paid out by the city it ought not to have gone

on the sundry civil bill, because it was then a deficiency. There were two claims on the part of Saint Louis, one was for work which had actually been done, and the other was for the two unpaved streets. One, the first amendment, was put on the deficiency bill, where the work had been done, and that has been acceded to; the other is on the sundry civil bill. Not being a member of the conference committee on that bill, I do not know what its fafe will be.

Mr. MANDERSON. I know what its fate ought to be.
Mr. COCKRELL. I know the item to which the Senator refers

ought to have gone on the deficiency bill.

Mr. CALL. Mr. President, I think it due to myself to say that I should prefer if I had any power in this matter that Congress should not adjourn until the 1st day of next December to consenting to what I regard as a disgrace and a dishonor to the Government and the peo-

ple of the United States.

It is within my knowledge that in regard to these taxes to be repaid to the owners of the tax which was improperly and illegally collected from them under the income act, that there was no possible question in regard to the obligation of the Government to pay those people; that it has been so adjudicated by the Treasury Department; that the amounts have been fixed; that the claim has been urged time and time again; that it is nothing but the taking from the citizen and subject of another country a tax upon his income in no respect justified by the law in either its letter or its spirit; and that these people have been here before Congress with this adjudication of our own Department, with the full and ample and unquestionable authority from the owners of the tax for the payment to their representatives, and that they are entirely responsible people.

This fact came to my knowledge in the person of one of my neighbors, whom I have known for several years, a man of the highest respectability, a lawyer of character and capacity, upon whose character no stain rests. He brought the papers to me as a member of the Appropriations Committee, exhibiting a power of attorney from the most respectable banking firms in this country direct from the owners of this tax which has been adjudicated by the Government, and which was originally extorted by the tax collectors under an improper construction of the law, a tax upon the income of a citizen and subject of a foreign country who happened to own the bonds of corporations in this country when the income tax existed. There is no language which can too forcibly condemn this robbery of honest and unoffending people whose property has been forcibly taken away from them, to which we become a party when we fail or refuse to restore their property to them.

Mr. President, the reason alleged for it is a pretense, and one not worthy of consideration—of having the Treasury Department re-examine them and report to whom these claims are to be paid, as if the Treasury authorities could not do so as well after this appropriation was made, and require the evidence that the parties who represented them were properly authorized to do so. To delay and refuse this payment for years upon a pretense of that kind is unworthy the Senate of the United States, and for one I should never consent to such a repudiation of the honest obligations of the Government.

I desire to call attention, if my words can be heard elsewhere, to another fact in regard to this bill. There was placed upon the bill by the Senate a provision authorizing and requiring the reauditing of the disallowed accounts for the last four or five years where the evidence showed that the money had been paid under proper authority for services performed under proper executive authority, and the claim disallowed by reason of some technical objection or point in the law. It comes within my knowledge that one of those cases was of this character, where a contract was made in Florida for the survey of certain of the public lands of the United States, and the Surveyor-General instructed the surveyor, in the interpretation of that contract, to survey certain adjacent tracts of land.

The person who made that survey, a poor man, an honest and a capable man, borrowed the money upon a mortgage of his homestead that protected his wife and children, performed the contract, it was accepted by the Government, the survey approved, but the money never paid because it was not specifically described in the written contract, and to-day an execution is about to turn out that man's wife and children upon the street because the Government of the United States will not pay its honest obligation.

What object the committee has in persecuting this poor man and his wife and children, who are not known to them, can not be discovered. Certainly no proper object of public policy can justify a failure to make

provision by law of such ca

Mr. President, I undertake to say that that is dishonest and dishonorable, and as one Senator of the United States I would stay here until the next session before I would allow the poor people of this country and their wives and children, who have honest claims against the Gov-ernment of the United States, to be turned upon the street because of some idle and unreasonable objection on the part of those who have the appropriations to make.

Mr. HALE. The Senate conferees stood out very long upon the proposition which the Senate put on in reference to suspended accounts, but it was undoubtedly in the form of legislation, and the House conferees would not for a moment yield or consent even to discuss it, and in the end it had to go out with one or two other propositions that the House put on involving legislation.
I ask the adoption of the report.

Mr. EDMUNDS. Mr. President, on the general subject of these deficiencies I see in the estimate of deficiencies submitted on the 8th of February that the things which this bill is to provide for, and I supe does, are deficiencies in the State Department for \$80,000-I leave off the odd hundreds to condense-in the Treasury Department, \$394,-000; the District of Columbia, \$18,000; the War Department, \$1,409,000; the Navy Department, \$442,000; the Interior Department, \$6,000; the postal service, from the general Treasury, \$6,000, and from the postal revenues \$918,000; the Department of Justice, \$432,000, and besides that there is already an appropriation at this session of \$50,000 for urgent deficiencies in that Department, and some others for the other Departments.

Anybody knows that as to nine-tenths of all that sum, amounting, including the Post-Office deficiency, to three and a half million dollars, it was just as well known when we passed the regular bills at the last session of Congress that they were not adequate to the public service as it is now; and when we come to the next session of Congress with all this deficiency made up and all the regular appropriation bills passed, we shall find a still larger deficiency again; but meanwhile we shall be able to tell the dear people, the hard-working men, the farmers, and so on, how we have cut down the appropriations, and have been more economical than any of our predecessors, which will be true until after

the election, but then it will be false.

The PRESIDENT pro tempore. The question is on concurring in the report of the conference committee.

The report was concurred in.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service.

TRANSFER OF APPROPRIATIONS.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 4083) to empower the Commissioner of Agriculture to transfer certain appropriations, to report it with an amendment.

Mr. EDMUNDS. Let it go on the Calendar. Mr. HALE. I do not ask for action. Let it go on the Calendar with the amendment of the committee.

The PRESIDENT pro tempore. That course will be pursued.

THE CONGRESSIONAL LIBRARY.

Mr. ALLISON. I am instructed by the Committee on Appropriations, to whom was referred the joint resolution (S. R. 82) making additional appropriation for purchase of site for Congressional Library, to report it without amendment, and I ask for its immediate consideration. Mr. EDMUNDS. Let it be read subject to objection.

The joint resolution was read.

Mr. EDMUNDS. Let the letter of the Secretary of the Interior be read in the same connection so that the whole case may appear alto-

The PRESIDENT pro tempore. The letter will be read although it

is not in order, being in the nature of debate.
Mr. EDMUNDS. In the nature of debate

Mr. EDMUNDS. In the nature of debate?
The PRESIDENT pro tempore. The Chair is of opinion that objection should be made on the reading of the resolution. If there be no

objection, the letter will be read.

Mr. EDMUNDS. I do not so understand. The resolution was read for consideration, subject to objection. Now the resolution being under consideration, I ask for the reading of the letter of the Secretary of the Interior explaining the necessity for the resolution. I admit if anybody objects to it the Chair would probably have to put the question.

The PRESIDENT pro tempore. If there be no objection the letter will be read, although it is usual for objection to be stated on the read-

ing of the bill or resolution.

Mr. EDMUNDS. I stated distinctly that I would only consent to this resolution being read and considered subject to objection.

The PRESIDENT pro tempore. The letter will be read.

The Chief Clerk read the letter, as follows:

Department of the Interior, Washington, August 2, 1886.

Sir: In view of the fact that the second jury appointed by the supreme court of the District of Columbia to assess damages to property in squares 729, 730, and 731, for site of building for the accommodation of the Congressional Library, have placed said damages at a sum of about \$35,000 in excess of the appropriation of \$550,000, heretofore made for such purpose, I have the honor to recommend, and beg leave to urge, that an additional appropriation of from \$35,000 to \$40,000 be made as soon as practicable to enable the commission to complete the purchage of said squares without further delay.

It is further suggested that the proceeds of sale of old material upon the site in question may be made available for disbursement by the commission for any purposes contemplated by the act not with standing the provisions of section 3618 Revised Statutes.

Very respectfully, DEPARTMENT OF THE INTERIOR, Washington, August 2, 1886.

L. Q. C. LAMAR, Secretary of the Interior, Chairman Library Commission. Hon. D. W. VOORHEES, Chairman Library Committee, United States Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of this resolution? Mr. PLUMB. I object.

The PRESIDENT protempore. Objection being made, it will be placed on the Calendar.

Mr. VOORHEES. It went over yesterday.

Mr. EDMUNDS. But it is reported from a committee now.

Mr. VOORHEES. It was referred to the Committee on Appropriations yesterday and is reported to-day from that committee.

The PRESIDENT pro tempore. And therefore is open to objection.

TEMPORARY APPROPRIATIONS.

Mr. ALLISON. The Committee on Appropriations, to whom was referred the joint resolution (H. Res. 211) to continue the provisions of a joint resolution entitled "A joint resolution to provide temporarily for the expenditures of the Government," have instructed me to report it favorably, and I ask for its present consideration.

Mr. PLUMB. I object to the present consideration of that. Mr. ALLISON. I hope the Senator from Kansas will not object to the consideration of this resolution. I will explain it briefly.

The PRESIDENT pro tempore. Is there objection to the present con-

sideration of the resolution?

Mr. EDMUNDS. Yes, sir; we all object for the present. We have done this thing often enough.

The PRESIDENT pro tempore. Objection being made, the joint resolution goes to the Calendar.

Mr. EDMUNDS. I do not object to the Senator from Iowa making speech.

Mr. ALLISON. I think if I had unanimous consent to say a word both Senators would withdraw their objection.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent of the Senate to make some remarks on this resolution. Is there objection? The Chair hears none.

Mr. ALLISON. The appropriations of last year were extended to the 31st of July and the sundry civil bill undoubtedly will not be signed until to-morrow, so that there is a period of three days not provided for under the injury resolution and invent the 31st of July and which see under the joint resolution ending on the 31st of July, and which can not very well be provided for in the sundry civil bill. So all those who have been in the employ of the Government from the 31st of July to the 4th day of August will be in such employ without pay unless this resolution is passed. If this resolution shall pass they will be provided

for. That is all there is in it.

Mr. EDMUNDS. May I ask a question, Mr. President, by unanimous consent? I should like to have the Senator explain how, when the sundry civil bill passes, it being a bill to provide for paying the current expenses of the Departments that it covers from the 1st day of July inclusive to the 30th day of June next inclusive, it is possible that these people who are now working can not be paid out of it.

Mr. ALLISON. There are two laws which stand in absolute opposition to that view. The first is that no money shall be expended without a specific appropriation. The second is a provision attached to an appropriation bill two years ago whereby persons are prohibited from receiving pay for voluntary service to the Government in every case where there is no specific appropriation made at the time the service was rendered, except only in cases where life is involved. That will be found in an appropriation act of 1884.

Mr. PLUMB. If I may be permitted to say a word, I will state the

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. PLUMB. I will say first that I do not think this resolution will meet the case as stated by the Senator from Iowa because voluntary

service has been rendered already from the first day of the month until

Mr. ALLISON. For one day.
Mr. PLUMB. It is not as wide as a barn door or deep as a well, but it will do. Part of the time, at all events, the employés will not get any pay for, and I think we ought to take the whole subject into consideration when we get to that point and know what we have to provide for.

But there is another objection. The Senator from Iowa knows better than I that the House has been very tardy in sending the appropria-tion bills to the Senate this year. This is the third time that we have been asked to extend last year's appropriations in order that the Gov-

ernment might go on.

This is a proposition to extend appropriations for the third time, not on account of any neglect of the Senate to do its duty thoroughly and promptly and fairly and conscientiously with reference to all the interests of the public service so far as they are connected with appropriations, but simply because the House during the last eight months has been neglecting its plain duty in matter of making appropriations for the carrying on of the Government. When the new rules came to be adopted in that body, for the purpose of relieving the Committee on Appropriations from what had been considered an overload, some five or six of the fourteen appropriation bills were taken away from that committee and given to other committees. The bills thus taken away from the regular Appropriations Committee came to this body in due time and in better shape than heretofore and have passed and become laws,

and all of them with possibly a single exception passed before the 1st day of July. The bills which came from the regular Appropriations Committee have all been delayed, from which it would seem that the House did not cut quite deep enough, did not take work enough away from the regular Appropriations Committee. If more bills had been sent to other committees Congress would have adjourned by or before July 1, and been saved the spectacle of incompetency and disregard of the public interest which has been exhibited during the last six weeks, one part of which has been the extension of last year's appropriations by such resolutions as the one now before us-a confession that the legislative machinery of the House of Representatives has failed in the most important particular.

most important particular.

The Senator from Iowa also knows very well that the appropriation bills as they came to the Senate according to the judgment of the heads of Departments failed, very signally failed, to provide for the necessities of the public service. He knows that the Committee on Appropriations and the Senate, following that committee, put on various items for the different branches of the public service, which these Department officers said were absolutely necessary in order that those Departments might run during this fiscal year. They asked that and received that at the hands of their political opponents which they had not been able to get by solicitation or otherwise from the hands of their political to get by solicitation or otherwise from the hands of their political friends in the other body; and when those items came into conference the Senator from Iowa well knows that objection was made to everything the Senate had put on in toto upon the ground that the appropriation bills had originated in and been passed by a House of Representatives in full accord with the administration, and that the Republican Senate had no business to put anything on those bills which related to administration; and out of that contention has grown also other days of delay but for which the necessity of this joint resolution would not exist.

We have staid here at great discomfort and inconvenience and to the peril of the Government for the last two months simply because of the tardiness of the House of Representatives.

I might particularize a little further and say precisely where the responsibility for this delay and this course of proceeding rests. That is not, however, a part of my duty. The House of Representatives of course by tolerating the autocracy which controls and delights to control it simply for the sake of control, without reference to any public interest to be subserved thereby, becomes itself responsible for all this delay. This particular instance is the first at any rate in my experience where the old appropriations have been extended twice and were sought to be extended the third time. As far as I am concerned, accepting the declaration made on behalf of the House by its conferees on the question of the rights of the Senate in regard to the appropriations to carry on the Government, I am willing to have the matter stand just where it is and let the House accept the responsibility of the failure of appropriations to carry on the Government during the few days in August until the sundry civil bill shall pass.

The PRESIDENT pro tempore. Is there objection made to the consideration of the resolution?

Mr. EDMUNDS. Yes, there is objection.

ADJOURNMENT SINE DIE.

Mr. ALLISON. I report from the Committee on Appropriations a concurrent resolution of the House of Representatives with an amend-

The PRESIDENT pro tempore. The resolution will be read. The Chief Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned sine die at 3 o'clock p. m. July 23, 1886.

The amendment reported by the Committee on Appropriations was, at the end of the resolution, to strike out "at 3 o'clock p. m. July 28" and insert "at 4 o'clock p. m. August 4;" so as to make the resolution

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned sine die at 4 o'clock p. m. August 4, 1886.

Mr. MANDERSON. I object to the present consideration of that

Mr. HOAR. I wish to say a word on the resolution.

Mr. MANDERSON. I withdraw the objection to enable the Senator from Massachusetts to be heard.

Mr. ALLISON. I do not wish to adopt the resolution now. I ask

that it lie on the table for the present.

Mr. HOAR. I wish to say a few words on the resolution.

The PRESIDENT protempore. It lies on the table, objection being

Mr. ALLISON. I did not desire to take up the resolution at this

moment; but I am perfectly willing to take it up and consider it now if Senators wish to speak on it.

Mr. HOAR. It is debatable, and I desire to say a few words on it.

The PRESIDENT protempore. The resolution is debatable, although

the adjournment of this body until it has considered a bill introduced by me and reported from the Judiciary Committee on the 19th of April, 886, entitled "A bill to provide for inquests under national au-

I suppose that I am violating no propriety in saying that a committee of Republican Senators had considered the question of the business to be taken up during this session and had assigned to that bill, as its importance demanded, a very early place in the order of business, which promised its consideration long ago, and it was well understood, I suppose, on both sides of the Chamber that I for one desired the consideration of that measure.

Circumstances such as often happen in the course of legislation have arisen which from time to time have caused the attention of the Senate to be occupied with measures which seemed to have a most immediate and pressing demand and which have prevented that proposed order from being scrupulously observed, until at last we are in the situation which I never would have consented to if I had anticipated it when it seems unlikely that this bill can be taken up and disposed of if the Senate adjourn at the time proposed by the Committee on Appropria-

Mr. President, I ask the Chief Clerk to read at the desk the bill which

The Chief Clerk read the bill (S. 2171) to provide for inquests under national authority, as follows:

national authority, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any three citizens of the United States shall, under oath, present to any judge of a circuit court, either in termitime or vacation, their petition setting forth that within the circuit for which such judge has jurisdiction, and within the State of which the petitioners are residents, any person has been killed, or has sustained serious bodily injury, or serious injury in his estate, or been threatened with injury in person or estate, because of any political opinion which such person so killed, injured, or threatened may have held in regard to matters affecting the general welfare of the United States, or with design to prevent such person so killed, injured, or threatened, or others, from expressing freely such opinion, or from voting as he or they may see fit at any election of officers whose election is required or provided for by the Constitution or laws of the United States, or to influence or affect the votes of such persons or others at such elections, it shall be the duty of such judge, as soon as may be, to open a special session of such circuit court at such place within said circuit as he may appoint, and the duty of such court to hold an inquest into the circumstances of such killing, injury, or threatening, and to cause to be summoned and examined all such witnesses as the court may think proper.

eause to be summoned and examined an extended the proper.

Sec. 2. That said judge shall forthwith report the evidence by him taken, and his conclusions of fact thereon, to the President of the United States, to be by him laid before Congress.

Sec. 3. That the judge may require any district attorney of the United States within his circuit to attend such inquest, and to aid in preparing for and conducting the same, or he may, in his discretion, appoint any other counselor-at-law to prepare and conduct such inquest.

Sec. 4. That the expenses of such inquest shall be certified by the judge to the Department of Justice, and paid out of the appropriation made for the expenses of the courts of the United States.

May 110 AP. Mr. President, 17de not propose at this time to recapitu-

Mr. HOAR. Mr. President, I'do not propose at this time to recapitulate the familiar history of the methods by which, as a large and respectable portion of the American people believe, honest and fair elections have been suppressed throughout a considerable portion of this

As long ago as 1874 General Sheridan, now the illustrious head of the armies of the United States, then in command of the department which contains the State of Louisiana, declared that more men had been slain in that single State for political opinion than were slain in the whole Whether that were true or not, there were reported by committees of this or the other House, and scarcely disputed, the details of eight terrible massacres, the result of which, in spite of every exertion of the national power to prevent them, led to the overthrow of the rule of the majority in that State, as was the belief of a large number of American citizens

In the State of South Carolina it is not necessary to go beyond the columns of the chief Democratic paper of that State to establish a similar history. The Charleston News and Courier from time to time has expressed its regret at the necessity of the political methods which have been adopted there, admitting them, excusing, hoping that nothing will occur to make it necessary to have them again recurred to.

The press has brought to us within three weeks, without any contradiction which has met my eye, the statement that in the State of Alabama the first Republican meeting of the campaign at Birmingham, a large manufacturing city, has been broken up by Democratic violence, three weeks ago or thereabouts.

From the State of Mississippi, the history of whose political revolution in 1876 is fresh in the memory of the American people, there came last year the transactions at Copiah, and have come too in the course of this winter the account of the transactions at Carrollton.

In every one of these cases, so far as is made known to the people of the North by the press, a negro and a Republican is the victim, and a Democrat and a white man is the aggressor. Not only come these accounts from time to time, but here is a statement made in a pamphlet which has been sent to me, a little while ago, printed in Washington in 1886 by Mr. Frederick Douglass, the most distinguished and conspicuous it is subject to objection.

Mr. HOAR. Mr. President, I wish to express my dissent from the passage of this resolution or the passage of any resolution providing for relates to the relations between these two races, and in everything

which relates to the relations between these two parties, Mr. Douglass has been famous for his kindly and gentle utterances and the pacific counsels to his people, and for the generous judgment and allowance which he makes for the difficult position in which their former masters are placed. Now, let us see what Mr. Douglass states to us in this pamphlet, which is the report of three addresses: one delivered at Louisville, Ky., in 1883; one delivered at Washington in 1885 on the occasion of the twenty-third anniversary of the abolition of slavery in the District of Columbia; and one delivered in Washington in 1886. read several passages which I have marked. The first is from the address of 1883. Mr. Douglass said, speaking of the condition of the people of his race:

ple of his race:

There are occasional cases in which white men are lynched; but one sparrow does not make a summer. Every one knows that what is called Lynch law is peculiarly the law for colored people and for nobody else. If there were no other grievance than this horrible and barbarous Lynch-law custom we should be justified in assembling as we have now done to expose and denounce it. But this is not all. Even now, after twenty years of so-called emancipation, we are subject to lawless raids of midnight riders, who, with blackened faces, invade our homes and perpetrate the foulest of crimes upon us and our families. This condition of things is too flagrant and notorious to require specifications or proof. Thus in all the relations of life and death we are met by the color line. We can not ignore it if we would, and ought not if we could. It haunts us at midnight; it denies us accommodation in hotels and justice in the courts, excludes our children from schools, refuses our sons the chance to learn trades, and compels us to pursue only such labor as will bring the least reward.

Then, in a later passage:

Then, in a later passage:

We therefore throw off the burden of disgrace and reproach from the laborer, where Mr. Calhoun and others of his class would place it, and put it on the land-owner, where it belongs. It is the old case over again. The black man does the work and the white man gets the money.

Then he speaks of what is called the order system. See what is the testimony of this representative colored man as to the condition of his race on this subject:

No more crafty and effective device for defrauding the Southern laborers could be adopted than the one that substitutes orders upon shopkeepers for currency in payment of wages. It has the merit of a show of honesty, while it puts the laborers completely at the merey of the land-owner and the shopkeeper. He is between the upper and the nether millstones, and is hence ground to dust. It gives the shopkeeper a customer who can trade with no other shopkeeper, and thus leaves the latter no motive for fair dealing except his own moral sense, which is never too strong.

Here is another passage:

Flagrant as have been the outrages committed upon colored citizens in respect to their civil rights, more flagrant, shocking, and scandalous still have been the outrages committed upon our political rights by means of bulldozing and kukluxing, Mississippi plans, fraudulent courts, tissue ballots, and the like devices. Three States in which the colored people outnumber the white population are without colored representation and their political voice suppressed. The colored citizens in those States are virtually disfranchised, the Constitution held in utter contempt, and its provisions nullified. This has been done in the face of the Republican party and successive Republican administrations.

Now I come to the speech of 1885, in which Mr. Douglass, at a large meeting to which he was introduced by Mr. Bruce, late an honored member of this body, states the methods which were open to President Cleveland in dispessing of this question. dent Cleveland in disposing of this question:

First. He may adopt a policy of total indifference. He may sbut his eyes to the fact that in all of the Gulf States political rights of colored citizens are literally stamped out; that the Constitution which he has solemnly sworn to support and enforce is under the feet of the mob; that in those States there is no such thing as a fair election and an honest count. He may utterly refuse to interfere by word or deed for the enforcement of the Constitution and for the protection of the ballot, and let the Southern question drift whithersoever it will to a port of safety or to a rock of disaster.

Secondly. The President may pursue a temporizing policy.

Thirdly.

I read these passages to show Mr. Douglass's statement of the existing fact as it presents itself to him and to the people of whom he is a conspicuous representative-

Thirdly. He may decide to accept the Mississippi plan of conducting elections at the South; encourage violence and crime; elevate to office the men whose hands are reddest with innocent blood; force the negroes out of politics by the shotgun and the bulldozer's whip; cheat them out of the elective franchise; suppress the Republican vote; kill off their white Republican leaders, and keep the South solid; and keep its one hundred and fifty-three electoral votes—obtained thus by force, fraud, and red-handed violence—ready to be cast for a Democratic candidate in 1888.

Now comes the statement of 1886, from which I will read two or three passages:

three passages:

As far as the colored people of the country are concerned; their condition seems no better and not much worse than under previous administrations. Lynch law, violence, and murder have gone on about the same as formerly, and without the least show-of Federal interference or popular rebuke. The Constitution has been openly violated with the usual impunity, and the colored vote has been as completely nullified, suppressed, and scouted as if the fifteenth amendment formed no part of the Constitution, and as if every colored citizen of the South had been struck dead by lightning or blown to atoms by dynamite. There have also been the usual number of outrages committed against the civil rights of colored citizens on highways and by-ways, by land and by water, and the courts of the country, under the decision of the Supreme Court of the United States, have shown the same disposition to punish the innocent and shield the guilty, as during the Presidency of Mr. Arthur. Perhaps colored men have fared a little worse, so far as office-holding is concerned.

Then Mr. Douglass goes on:

Then Mr. Douglass goes on:

This protection is given to the vilest white criminal in the land. He can not be convicted while there is even a reasonable doubt in the minds of the jury as to his guilt. But to the colored man accused of crime in the Southern States a different rule is almost everywhere applied. With him, to be accused is to be con-

victed. The court in which he is tried is a lynching mob. This mob takes the place of "due process of law," of judge, jury, witness, and counsel. It does not come to ascertain the guilt or innocence of the accused, but to hang, shoot, stab, burn, or whip him to death. Neither courts, jails, nor marshals are allowed to protect him. Every day brings us tidings of these outrages. I will not stop to detail individual instances. Their name is legion. Everybody knows that what I say is true, and that no power is employed by the Government to prevent this lawless violence. Yet our chief magistrates and other officers, Democratic and Republican, continue to go through the solemn mockery, the empty form of swearing by the name of Almighty God that they will execute the laws and the Constitution; that they will establish justice, insure domestic tranquility, and secure the blessings of liberty to ourselves and to our posterity.

Mr. RIDDLEBERGER. Allow me to ask whether he includes Vir-

ginia in that section of country.

Mr. HOAR. I am reading what Mr. Douglass says.

Mr. RIDDLEBERGER. I know, but it goes into the Record, and if Virginia is considered as within those Southern States, I say that is not true.

Mr. HOAR. I do not yield to the Senator.
Mr. PLUMB. I should like to ascertain under what order this dis-

cussion is going on.

The PRESIDENT pro tempore. Under the presentation of the resolution to fix a time for adjournment, reported from the Committee on Appropriations.

Mr. GIBSON. I rise to a parliamentary inquiry. What is before the Senate?

The PRESIDENT pro tempore. If the Senator from Massachusetts will allow, the Chair will have the question before the Senate read.

Mr. HOAR. Very well.

The Chief Clerk read the resolution of the House of Representatives,

Reso'red by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned sine die at 3 o'clock p.m., July 28, 1886.

Mr. PLUMB. The Senator from Iowa said he did not ask for the present consideration of the resolution.

Mr. HOAR. I rose to make some remarks on the resolution.

Mr. KENNA. Allow me to ask whether that resolution is under consideration.

The PRESIDENT pro tempore. It is under consideration.

Mr. HOAR. I will proceed with the reading of the statement of Mr. Douglass:

Only a few weeks ago, at Carrollton (court-house), Miss., in the absence of all political excitement, while the government of the nation as well as the government of the Southern States, was safely in the hands of the Democratic party; when there was no pending election, and no pretense of a fear of possible negro supremacy, one hundred white citizens on horseback, armed to the teeth, deliberately assembled and in cold blood opened a deadly fire upon a party of peaceable, unarmed colored men, killing eleven of them on the spot and mortally wounding nine others, most of whom have since died. The sad thing is that, in the average American mind, horrors of this character have become so frequent since the slaveholding rebellion that they excite neither shame nor surprise, neither pity for the slain nor indignation for the slayers.

Mr. President, it is said that these are political charges: that the

Mr. President, it is said that these are political charges; that the transactions have no political significance; that they have no relation to the difference of race or to the difference of party; that they are sporadic; that they grow out of a condition of things following a great and excited civil war, which is inevitable so long as human nature remains the same. If that be true, so much the more is this measure which seeks to substitute for the reports of newspapers, for the discussions of orators, for the accusations of politicians or partisans a judicial inquiry presided over by a judge removed from politics. There is not a homicide on the face of the earth wherever the common law prevails except this class, which, so far as the reports come to us, goes unpunished and uninquired into, which would not be the subject of examina-

Now, we ask that within the national power, in a judicial district of the United States where an offense of this kind is committed against the United States where an offense of this kind is committed against the citizen and it is alleged by three respectable citizens under oath that that offense is committed because of the political opinion or because of the race of the person against whom it is committed, the facts shall be ascertained by the judge of the United States court and shall be properly reported to Congress for its proper action.

I think this measure is needed for the vindication of these communities if they be reported to the constant of the communities of the constant of the constant of the communities of the constant of the con

ties if they be unjustly accused. I think it is needed for the vindication of American honor if it be unjustly suspected. The Republican party have had no power of affirmative legislation in this country since the year 1875. At that time the Democrats took possession of the House of Representatives and they have held it in every Congress since except on occasions when the Democrats held control of the Senate. It has therefore been in the power of the Democratic party now for nearly twelve years to prevent any affirmative legislation which they did not approve, and by their control of the appropriations to prevent the vigorous enforcement of any existing law which they did not like.

I appeal to them to remove this question from the domain of parti-

sanship, to remove it as a temptation to political orators North or South, to remove it as a special grievance in the belief of the representatives of a race now numbering seven millions in this country, to remove it even from forensic discussion here or elsewhere, and transfer the investigation of these facts to the courts where they shall be investigated under judicial sanction, under judicial responsibility, and by judicial processes.

I have not now undertaken to express an opinion as to the truth or falsity of these transactions; I have not uttered a word upon the merits of the particular questions; I only affirm that there is a belief prevailing in the minds of a large number of American citizens that these things are true, and I demand that the facts be investigated. Why, Mr. President, on that statement of Frederick Douglass alone, if there were an affirmance of a single outrage such as he describes in these eloquent passages inflicted on a single American citizen of white blood in Mexico or on a fisherman in a Canadian port this Congress would not adjourn until it had put the national defenses in order for war.

I will not put this measure as a measure of redress for an injury. put it now on the ground that it is demanded to remove from a large number of people in this country a belief which is injurious alike to their affection for their country and to their happiness and contentment

as American citizens.

Mr. KENNA. Mr. President, I ask the Secretary to read the resolution to which the Senator from Massachusetts has addressed his remarks

The PRESIDENT protempore. The resolution with the amendment will be read.

The Chief Clerk read the resolution of the House of Representatives, and also the amendment of the Committee on Appropriations, which was to strike out "3 o'clock p. m., July 28," and insert "4 o'clock p. m., August 4;" so as to make the resolution read:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and Speaker of the House of Representatives declare their respective Houses adjourned sine die at 4 o'clock p. m., August 4, 1886.

Mr. KENNA. I desire simply upon my own responsibility to make a very brief commentary upon this extraordinary spectacle. Here we are in the last hours, in the very last moments of an expiring session We have been here day after day, and month after month, since the early part of last December. On the 19th day of April, as shown by a printed copy of the bill to which the substance of the remarks of the Senator from Massachusetts has been devoted, that measure was reported to the Senate. Up to yesterday, as far as my knowledge goes, no evidence has been furnished to this body by the Senator from Massachusetts or by any other Senator that any attempt would be made at any time during this session of Congress to secure action upon this measure. If any such purpose has been suggested it has not been acted on.

Mr. HOAR. I have informed Senators on the other side of the Chamber for the last two or three weeks of my purpose to bring this up in some form and insist upon it.

Mr. KENNA. The bill has been on the Calendar for three months and more

Mr. GEORGE. The Senator from Massachusetts has informed me several times in the last week or two that it was his unalterable determination to call the bill up and have action upon it at this session of

Mr. KENNA. No action has been taken by the Senator from Massachusetts, so far as I know, to carry out that unalterable purpose on his part, and now, when Congress is within twenty-four hours of its final adjournment, on a resolution looking to the consideration of the question of adjournment, even I believe down to a question of the very hour of adjournment, this speech is injected in this body. It goes into our RECORD; it goes into this campaign as a bloody-shirt campaign document, with the privilege of the public frank upon it, carried free through the mails of the United States, for purposes which, so far as I am concerned, are to agitate sectional sentiment and feeling, and which, so far as I am concerned further, is a thing of the dead past, to remain so forever.

I confess that I do not understand it. I confess that I do not see how the Senate and this country can understand the conditions or the purposes for which this sort of discussion without opportunity on this side of the Senate or anywhere to reply should be precipitated on an issue which invites the Senate to discuss a question involving a resolution for adjournment ...

Mr. HOAR. I gave public notice in my seat here two or three days

ago of my determination to bring this bill up.

Mr. KENNA. The fact that the Senator gave that notice two or three days ago, when we were practically in the same condition we are in now, and when we all know this bill can not be considered maturely does not alter the case or the purposes of my remarks, and I am willing to leave the matter there.

Mr. SAULSBURY, Mr. BERRY, and others addressed the Chair.

The PRESIDENT pro tempore. Reports of committees are still in order. This matter will be passed over informally.

Mr. BERRY. Is the resolution up for consideration? If so, I have a right to debate it.

The PRESIDENT pro tempore. Do to address himself to this resolution? Does the Senator from Delaware rise

Mr. SAULSBURY. Yes, sir.
The PRESIDENT pro tempore. The Senator from Delaware was recognized. Several Senators rose, as the Chair supposed, to morning

Mr. GORMAN. I rise to a parliamentary inquiry. This resolution

was only reported to-day, and can only be considered by unanimous consent

The PRESIDENT pro tempore. Objection was made to it, but that objection was withdrawn. It is now under consideration unless the objection is renewed, and the Senator from Delaware [Mr. Saulsbury] is recognized.

Mr. CULLOM. May I inquire on which resolution?

The PRESIDENT pro tempore. The Senator from Delaware is recognized as entitled to the floor.

Mr. SAULSBURY. I do not intend to occupy much of the time of the Senate.

Mr. CULLOM. I desire, by consent of the Senator from Delaware, to make an inquiry whether it is the resolution of the Senator from Massachusetts or the resolution of adjournment that is before the Senate?

The PRESIDENT pro tempore. The resolution providing for final

adjournment.

Mr. SAULSBURY. On that question I rise.

Mr. CULLOM. It may make some difference as to the method of discussion. That is all.

Mr. SAULSBURY. I had hoped, as I supposed every Senator on the

floor did, that we were about reaching a conclusion of our labors here, and I rise now more especially to express my surprise that a Senator with the experience of the Senator from Massachusetts, having served in both bodies of Congress for a number of years, should have so far departed from all legislative propriety as to inject into the discussion of a resolution in reference to adjournment the virulent spirit which has been manifested by the Senator in the discussion which he has made. He has risen here in his place to make a political speech of a malignant type against men of a different political persuasion at a time when he knew there was no opportunity to reply to him.

I say for one that the Senator will make no reputation for himself, he will make no advantage for his party by the injection of this speech into the discussion of this resolution, for I am satisfied from the empty seats while the Senator was delivering his tirade, quoting from speeches of Mr. Douglass in order to put them into the RECORD to go out as a political campaign document—from the exhibition I saw on his own side of the Chamber I knew he had not the approval of those with whom he is politically affiliated, and I exonerate his party of all com-plicity with the great impropriety which has been manifested by the

Senator from Massachusetts on this occasion.

I shall not go into a discussion. I hope we shall adopt the resolution offered by the Senator from Iowa, that we shall adjourn and go home, but I do want to emphasize my disapproval, my condemnation, my reprobation of the attempt on the part of the Senator from Massachusetts in the closing hours of the session to make political capital for his party when he knew there would be no opportunity to reply to him.

MINT REPORT.

Mr. GORMAN. I ask leave to make a report from a committee of conference

The PRESIDENT pro tempore. The Chair will receive it.

Mr. EDMUNDS. What has become of the concurrent resolution?

The PRESIDENT pro tempore. A report of a committee of confer-

ence is a privileged question.

Mr. EDMUNDS. Do I understand the Senator from Maryland to object to the adjournment resolution?

The PRESIDENT pro tempore. Does the Senator from Maryland

object to the pending resolution as to adjournment?

Mr. GORMAN. I ask that the report I make be considered.

The PRESIDENT pro tempore. The report is in order under the express terms of the rule.

The Chief Clerk read the report, as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the House concurrent resolution for printing the report of the Director of the Mint on the production of the precious metals in the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

A P GORMAN

ne.
A. P. GORMAN,
CHARLES F. MANDERSON,
JOS. R. HAWLEY,
Managers on the part of the Senate. JAS. W. REID, JOHN M. FARQUHAR, R. P. BLAND, Managers on the part of the House.

Mr. EDMUNDS. To avoid there being a precedent about this business I respectfully submit to the Chair that the resolution about adjournment is a matter of higher consideration than a conference report.

The PRESIDENT pro tempore. The Chair does not understand that a resolution to provide for the adjournment of the two Houses of Congress has any preference over any other bill or resolution, and the rule expressly gives to reports of committees of conference precedence whenever presented.

No action is necessary on the report of the committee of conference, the Chair thinks.

Mr. GORMAN. Am I to understand that the conference report is lagreed to?

The PRESIDENT pro tempore. No action is necessary, the House having receded from its disagreement; the resolution is passed

ADJOURNMENT SINE DIE.

The Senate resumed the consideration of the resolution of the House

of Representatives providing for final adjournment.

Mr. EUSTIS. Mr. President, as the Senator from Massachusetts

[Mr. HOAR] has referred to occurrences in the State of Louisiana, I desire very briefly to state that he has not referred to a single occurrence in that State which has not been the subject of investigation, of discussion, and of decision. I do not propose at this time to be enticed into any discussion of such stale subjects. At the proper time and on any proper occasion I hope that I shall find myself prepared both by the facts and the truth to defend the white people of the State of Louisiana

against any such accusations as have been made.
Since 1876, which was the year when the Democratic State government was inaugurated, I can not recall a single occurrence represent-ing any condition of things in Louisiana that does not exist in the State ing any condition of things in Louisiana that does not exist in the State of Massachusetts itself, which should require the attention of this body or of any national tribunal. There have prevailed peace and quiet and contentment among all the people of the State of Louisiana, irrespective of race or class or conditions, and the Senator from Massachusetts knows as well as I do, and it is known by every one in this country, that whatever disturbances and conflicts prevailed in Louisiana previous that whatever disturbances are constituted to the collisions of two roses which ous to that period were on account of the collisions of two races which were inhabiting the same territory and among whom was thrown the prize of political supremacy and political domination, and whatever happened in the State of Louisiana would have happened in any other State, even in the State of Massachusetts or any other Northern or Western State.

It was never for the interest of the white people of Louisiana to have any conflict or any disturbance with the colored race. All their interests, everything that they possess, everything that they can desire is involved in the question of peace and fraternity between those two races, and I must express my surprise that the Senator from Massachusetts, knowing him to be familiar with the political history of Louisiana, he having served upon committees of investigation, should at this late period, without any propocation whatsoever, endeavor to revive this late period, without any provocation whatsoever, endeavor to revive those unpleasant reminiscences.

Mr. HOAR. Will the Senator inform me why, then, he objects to

having these matters judicially ascertained by the courts?

Mr. EUSTIS. Because that involves an entirely different question. I do not consider that such a bill is constitutional, or that a United States judge has any such duty to perform, which is strictly political and not judicial.

Mr. HOAR. Does the Senator claim that the question whether a

homicide is committed or a serious attack on life or property is committed is a political and not a judicial question?

Mr. EUSTIS. Where the court has jurisdiction to try and convict, that is an entirely different proposition from a mere question of in-

Mr. HOAR. If the act be done for political motives or to suppress the constitutional rights guaranteed by the Constitution, does the Sen-ator deny that the courts of the United States have a right to inquire? Mr. EUSTIS. The Federal courts have no such jurisdiction in a

State.

Mr. HOAR. I want to give them jurisdiction.
Mr. EUSTIS. I say one of the objects of this inquiry would be to

accomplish a political purpose.

Mr. GIBSON. I ask the Senator from Massachusetts if this bill does not impose on the judge not only a duty to inquire but to report to

Mr. HOAR. To report the facts. It imposes on the judicial branch of the Government the right to inquire whether an offense has been committed against the constitutional rights secured by the Constitution of the United States

Mr. BERRY. Mr. President, I do not rise at this time for the purpose of discussing the bill introduced by the Senator from Massachusetts, and which he has discussed to some extent on this adjournment resolution. My friends on this side of the Chamber, notwithstanding the provocation which has been given by the Senator from Massachusetts so unexpectedly, think that this is not the time when this bill should be discussed in all its bearings. I am unwilling, however, that the statements made by Mr. Douglass and read by the Senator from Massachusetts should go out to the world as true as applying to the whole South, without entering my denial on this occasion so far as they

Mr. HOAR. The Senator says this has been precipitated upon the Mr. HOAR. The Senator says this has been precipitated upon the Senators on his side unexpectedly. I desire to ask that Senator if several days ago, two or three days ago, he did not himself call upon me, or send a message to me to inquire if I intended to bring up this bill, and say that, if I did, there were some twelve or fourteen speeches all ready on the other side of the Chamber to be made on it. I received such a message.

Mr. BERRY. I will say to the Senator that I stated to his colleague [Mr. DAWES] that I hoped the bill would not be pressed at this session, because a number of gentlemen desired to discuss it, and we had not time to do so. I stated that, having heard he was going to present it, but being informed that it was the universal sentiment on that side of the Chamber that it ought not to come up, I supposed their good judgment would prevail, and that the Senator would not bring it up. simply, however, intended to say this— Mr. HOAR. Will the Senator pardon me one word? Mr. BERRY. Certainly.

Mr. BERRY. Certainly.
Mr. HOAR. Does the Senator say my colleague told him that that was the universal sentiment on this side of the Chamber?

Mr. BERRY. No, sir; I made no such statement.
Mr. HOAR. I should like to know where that information came from

Mr. BERRY. The Senator charges me with words that I did not use. I did not say what his colleague had said one way or the other. I said that my information was that it was in opposition to a large number of Senators on that side of the Chamber.

The Senator will say in justice to my colleague and Mr. DAWES.

myself that I did not state that.

Mr. BERRY. I stated that the senior Senator from Massachusetts Mr. DAWES], for whom I have the highest regard, made no statement

about it one way or the other.

I intended to say, if I had not been interrupted, that I have been intimately associated with the public affairs in my own State for a period now almost continuously of twenty years. I wish to state that since 1874, when a war broke out between two Republican factions in the State of Arkansas, no one has been killed on account of politics; that while I have been four years in the General Assembly, four years that while I have been four years in the General Assembly, four years judge of the circuit court, and two years governor of the State, and thereby had every opportunity to know, I do not know since 1874 of a single, a solitary instance where a colored man has been killed on account of politics in my State. I state that since the Democrats came into power in 1874 peace and order and good government have prevailed. I state that the people there, the leading citizens of that State, are earnestly seeking to bring about the best feeling between the white and colored people. Last year we paid out over \$700,000 in school money, of which the colored people received a due and just and fair proportion. We are earnestly trying to settle the opestions of labor proportion. We are earnestly trying to settle the questions of labor there, and the questions between labor, and capital, to secure every colored man, as well as every white man, the right to vote, the right to sit upon a jury, the right to sue in the courts, and every right that is guaranteed to any man in the State of Massachusetts or elsewhere. I say the fact is that peace and order prevail; and I regret the more that the Senator from Massachusetts is willing at this time to precipitate a matter here which may disturb the kindly relations which exist

between these people.

It seems to me that it matters nothing to him that he is outside of the Constitution of his country; it matters nothing to him that he may embarrass those who are earnestly seeking to elevate the colored man to educate him, and to teach him to be a good citizen, to secure to him equal rights in all respects to every other citizen before the law; it matters nothing to him that he may bring about and arouse the worst passive that was registed that was registed in that section of the country. sions that may exist between the two races in that section of the country. I earnestly insist that this ought not to be done at this time without full

opportunity to be heard.

I simply rose for the purpose of uttering this denial. the matter will rest where it is. But I want the people of this country to understand that the statements made in the document read are not true; that it is not true that colored men are killed and murdered by midnight raiders. Such a thing has never been charged for a period now of more than ten years, and is not true, at least in the State from which I come.

Mr. GEORGE. Mr. President, the questions raised by the bill which has been read and discussed by the Senator from Massachusetts and reported by the Judiciary Committee I consider of very great importance to the American people. I do not know of any more important in all my legislative experience, or any questions which more deserve the careful, the calm, and the dispassionate consideration of statesmen and of people than the questions raised by this bill.

I have been aware for some weeks that it was the purpose of the Senator from Massachusetts at some time or other to press the consideration of the bill. Having that notice I have considered as carefully, as intelligently as I could the various questions which it raises. prepared, if it be the wish of the Senate to consider this bill in an orderly manner, with proper time and proper care for its full discussion and deliberation, to discharge in my humble way my part of the duties which will devolve on me in that discussion. I do not wish upon a mere resolution to adjourn to enter upon the discussion of these ques-

The Senator from Massachusetts belongs to the majority of this body. That majority can control the business of this body. If it be the wish of that majority to take up this bill for consideration, I am content and I am ready for its consideration. I should like to know now whether it be the wish and the intention of the majority of this body

to accede to the wishes of the Senator from Massachusetts to call up this bill for consideration. If it be, and it is called up, I make no complaint of the lateness of the session, provided that no hour, no day shall be fixed for adjournment until this discussion is over.

I do not wish to be understood at this late hour as challenging a discussion of this measure. I do not challenge it. I simply desire to be understood as saying that if it be the wish of the majority to consider this bill I am content, but I do not wish to discuss it under the pressure of an hour fixed for adjournment. There are very grave constitutional questions in my opinion involved in the bill; there are constitutional tional objections to it which extend not only to the end and the aim of the bill, but which extend with very great force to the instrumentalities by which this proposed investigation is to be had. I desire to consider both of these questions calmly and coolly, and I desire to contribute what little may be in my power to enable the American Senate to settle these great questions in accordance with the Constitution which we have sworn to support.

There is another question, Mr. President, raised by this bill which I think demands at some time or other the careful consideration not only of the American Senate but of the American people, a question which grows out of the very extraordinary condition in which the Southern States find themselves by what the Senator from Vermont on a former occasion denominated the want of homogeneity in our population. do not want this discussion opened or considered in a partisan spirit. These interests are too grave, they are too important, they too much concern the welfare of both races in the State in which I live to be discussed in a partisan or sectional spirit.

Having said this much, I think I may with propriety ask that the Senate may determine now whether it will consider this bill or not. If it be the purpose of the Senate to consider it, I am prepared. If it be the purpose of the Senate to not consider it, to postpone it until the next session, I am content with that.

Mr. DAWES. Mr. President, before this matter is laid aside I desire to add a word after the statement of the Senator from Arkansas [Mr. BERRY], who has stated truthfully, I believe precisely, the conference between himself and myself upon this matter. It is possible, however, that the impression may be left, if I remain silent, that the bringing of this matter before the Senate by my colleague has been without my approbation. My colleague communicated to me some time since his intention to bring this matter before the Senate before adjournment, and although it is of no consequence to him, yet it is to me that I say that that proposition of his met with my approval; and when the Senator from Arkansas sent to my colleague through me the message, I had heard from no quarter on the side of the majority of the Senate any disapprobation of the matter that has been brought before the Senate by my colleague. I took the message to my colleague from the Senator from Arkansas precisely as it was delivered to me, and returned to him such answer as was given me by my colleague.

I wish to say, however, that my colleague truly represents the feeling in the State of Massachusetts on this question. The painful thing about it is in the minds of the people of Massachusetts that those where these occurrences have recently taken place are indifferent. massacres have occurred from some cause or other in some of the Southern States, and so far as I know in this body or the other branch and in the States themselves there has been manifested such an indifference to them as that the people of Massachusetts infer from this absolute silence and from the absence of any effort to seek out the cause or the proper remedy that there is necessity for some action to secure the rights of citizens. To the people of Massachusetts it is a matter of serious concern when they consider that the life and liberty of one citizen of the United States, wherever he may reside, are just as dear to them, and his safety is of as much importance to them, as are the life and liberty and safety of those citizens of the United States who dwell within her own borders.

It may be that such a proposition as my colleague has submitted is not the best remedy. The trouble among these people is that no attempt at a remedy finds the slightest response where there ought to be the greatest interest and the greatest assiduity in seeking out the proper remedy. My colleague can justify himself without my help for bringing the matter up at this time. I have said thus much lest what has passed between the Senator from Arkansas and myself might be interpreted here or elsewhere as if I felt an indifference to the transactions out of which this measure has grown-a feeling I do not pos-I am in entire sympathy with an earnest and honest and calm effort of some kind to try to make the life and liberty and political rights of every citizen of the United States, wherever he may live, to

be more secure than they are now.

Mr. GIBSON. Mr. President, I must express my surprise and re-Mr. GIBSON. Mr. Fresident, I must express my surprise and regret that a gentleman of the learning and accomplishments of the Senator from Massachusetts [Mr. Hoar] should, at this hour, bring into the Senate a subject calculated to create sectional debate. I have served for many years in Congress with that distinguished Senator, and I had cherished the hope that his patriotism, extending beyond the Commonwealth he represents, might gradually widen until it embraced the whole country from one end of it to the other.

The speech of the Senator from Massachusetts comes to us like an ice-

berg from an arctic region into an atmosphere of genial warmth and sunshine, pervading not only this Senate Chamber but every part of our common country. It has drifted from its moorings and is out of season and out of place, and can not survive the patriotic warmth of this epoch

and out of place, and can not survive the patriotic warmth of this epoch of unity and concord and friendship, but will melt and fade out of sight. Edmund Burke declared that "to restore order and repose to an empire so great and so distracted as ours is merely in the attempt an undertaking that would ennoble the flight of the highest genius and obtain pardon for the efforts of the meanest understanding." He declared with all his genius and learning he found it impossible to frame an indictment against a whole people. The Senator from Massachusetts rejects the example and the advice of this one of the most gifted statesmen who who expects the English to great and the set the seat the senator. men who ever spoke the English tongue, and brings in here at the very end of the session a bill the effect of which is to frame an indictment against the entire population from the Potomac to the Rio Grande.

But, Mr. President, I will not enter into the discussion of this mat-

ter, for I do not believe it is brought into the Senate for any serious purpose; but I should feel that I was derelict in my duty to the people who have honored me with a seat on this floor if I did not bear testimony to the peace, to the repose, to the good order that exists in the Commonwealth of Louisiana.

I have been familiar with the people of that State since the year of my birth. I have been identified with them in every form and phase of their fortunes. I was identified with the old society that existed in Louisiana during my boyhood. I was associated with her sons in the darkest hours of the struggle during the civil war. I have been honored by the good people of my State beyond my deserts. I have traveled through the State from one end of it to the other recently, and I must bear testimony here to the perfect quiet and concord which exists between the white and the colored people, and to the earnest desire of the white people to educate and elevate the colored people to the extent of their ability.

The senior Senator from Massachusetts who sits on my right [Mr. DAWES has referred to massacres in the Southern States. of none such. I know there have been disorders in American society in the last twelve months. I know that occurrences have taken place in certain parts of the country that have cast their shadows over the American Capitol and awakened the deepest concern in the minds of Senators with respect to the peace and to the permanency of existing relations between our people in different parts of the country. I know that in Chicago the peace of society was stirred to its lowest depths and that throughout the whole section in which that city is located we have heard the murmurings of discontent threatening not the rectification of any particular wrongs in respect of any particular person or matter, but affecting the entire framework of society itself, the very foundation upon which titles to property rest, the very guarantees and safeguards which it has taken two hundred years of statesmanship to erect And yet in the presence of these disorders that are so grave, that

menace the very elements that constitute civil society, we are asked to turn away from them, as unworthy of our solicitude or concern. are asked to turn our attention to the South-and when we look out upon the section stretching from the Potomac to the Rio Grande we see peace, quiet, not a ripple upon the surface, God blessing the people with abundant crops, relations between capital and labor undisturbed not a strike, not a tumult, not a disorder, the law is executed, life and property protected; and yet we are told by the veteran Senator from Massachusetts that these conditions do not represent health but disease do not represent civil concord, but on the contrary are evidences of civil death and the denial of political rights!

Sir, if this be so, by what human standard are we to judge of the conditions of society in any part of the world? Where are the petitions coming into this body from any portion of the Southern people asking for examination, for investigation, for inquiry? Point to one that has been introduced here during this session. Where have there been any conventions or meetings in the Southern States demanding that the Federal Government should invest its judges with the ordinary powers of inquest into the political relations that exist between the races in Southern society?

But, sir, I will not betray myself into a further discussion of this bill. I express my deep regret that the learning and accomplishments of the Senator from Massachusetts should be dedicated to a purpose like this when that ampler field, the relations between capital and labor, the reform of our land laws, of our currency and of our revenue system—all the great questions that to-day tax American statesmanship—invite him to put forth his very best exertions; a more fruitful field never awaited the coming of an able and fearless statesman. Let him turn to these questions and trust the South. Those principles of home rule and that sense of self-respect and responsibility which after all afford the only safeguards for free institutions will insure the just right of all persons there. We are all devoted to liberty and will pre-serve all its muniment. We ought to know their value, for they were our inheritance from men you are proud to call your countrymen.

Mr. HOAR. Mr. President, I think the excited utterances of the

Senator from Delaware [Mr. SAULSBURY] and the Senator from West Virginia [Mr. Kenna] have been pretty well disposed of by the state-

ments made upon the Democratic side of the House. They charge that I have brought in here unexpectedly, out of time, in the dying hours of the session, a bill which they speak of, some of them, as an indictment against a whole people, involving sectional strife.

Why, Mr. President, just look at the history of this thing. On the 19th of April, 1886, now four months ago or thereabouts, the law com-

mittee of this body directed me to introduce a bill-I violate no committee secret when I say that, of course, the Democratic minority, the four able gentlemen who represent the Democracy, on that committee knew all about the bill, knew its contents, its purpose, its scope, and its effect.

Mr. RIDDLEBERGER. Will the Senator allow me to ask him a

question?

Mr. HOAR. No, I wish to proceed.

Mr. RIDDLEBERGER. I would like him to answer just this, whether the law committee of the Senate—

The PRESIDENT pro tempore. The Senator from Massachusetts de-

clines to yield.

Mr. RIDDLEBERGER. I will ask the Senator after a while by inquiry whether the law committee of this Senate directed him to make an indictment against all the Southern States for committing lynch

The PRESIDENT pro tempore. The Senator from Massachusetts has

Mr. HOAR. I will now proceed.

Mr. President, the bill was introduced by direction of the law committee of this body with the knowledge of every man on it on the 19th of April, 1886, in its present form without the dotting of an "i" or the crossing of a "t."

Next, the Republican majority of this committee held a meeting to

determine upon the order of business, and by the advice of a commit-tee of their number they determined an order of business which they communicated by authority to the other side, so that there is no secret as to what they did; and without a dissent so far as I know—if there was one I never heard of it—this bill was put down among the principal and leading public objects which were to be taken up in their order at this session, and that was done more than two months ago.

Next that official and most important fact was communicated to the other side through a similar committee of their number, that the Republicans had determined upon a certain order of business in which after disposing of five or six other topics they were going to take this up. That is the next fact which relates to this bringing it up out of

order!

Next it appears that that order of business was proceeded with until about four or five days ago every other matter upon it which preceded this was disposed of; and if the appropriation bills had not taken the place as they always do this would have come up, subject only to the constitutional obligation of dealing with the Presidential vetoes.

So then it is in its place where it has been put by a majority of the Senate and a place notice of which was given in the most formal man-

ner to the Democratic side of the body.

The appropriation bills have taken up the time for the last two or three weeks. The thirteen great appropriation bills and the river and harbor bill have at last got out of the way, and the time has come when this matter comes up in its order with greater formality of action by the Senate than any other subject, with the exception perhaps of half a dozen that have come up here. Then I gave notice three or four days are in my seat in the Senate that I proposed to demand a heaving days ago in my seat in the Senate that I proposed to demand a hearing by this body on the first practicable opportunity. I gave that notice to the whole Senate. There is the next fact. In addition to that, as the Senator from Arkansas has himself honorably stated, a message came to me through my colleague wishing to know whether it was my purpose to take up this bill, with the information that the other side of the Chamber had twelve or fourteen speeches ready to make upon it.

of the Chamber had twelve or fourteen speeches ready to make upon it.

Mr. BERRY. The Senator will excuse me.

Mr. HOAR. Certainly.

Mr. BERRY. The statement that I made was this: That I hoped
the Senator would not press this bill at this session, because if the
Senator did I thought it would bring ten or fifteen speeches from our
side and would delay the adjournment for a great many days.

Mr. HOAR. Very well; take it in that form.

Mr. BERRY. I did not say any speech was prepared.

Mr. HOAR. Take it that way. In the next place, as the honorable
Senator from Mississippi [Mr. GEORGE] most candidly and frankly
stated when the question was raised on his side of the Chamber, he
being a member of the Judiciary Committee, that he has been aware being a member of the Judiciary Committee, that he has been aware for weeks of my unalterable determination to bring this matter before the Senate

Mr. GEORGE. Will the Senator allow me to interrupt him right there?

Mr. HOAR. Certainly. I wish to be corrected if I misstate any-

thing.

Mr. GEORGE. No, sir; I do not wish to make any correction, but I inquire whether it is the purpose of the Senator now to ask the Senate to take this up in an orderly way?

Mr. HOAR. Of course it is.

Mr. GEORGE. That is all I want to know.

Mr. HOAR. Of course it is; and I suppose I am violating no confidence or propriety when I say that the Senator from Mississippi, being about to depart from the Senate in search of health a few days ago, asked me if I would permit it to rest until he came back, because he was prepared to speak upon it and wished to be here when it came up; and I told him that although I did not think it would be reached before Monday of this week (which was the time when he expected to return), such was my sense of the importance of the measure that I could not consent not to take it up if I saw a chance, but that I did not believe if it was taken up it would be concluded before his return, and I would see that it was not so concluded before his return.

Mr. GEORGE. That statement is entirely correct. Now, all I want

is this: I want an order of the Senate to take up the bill, if that is the

sense of the Senate, and let us consider it in an orderly way.

Mr. HOAR. The Senator from Delaware and the Senator from West
Virginia, if they have heard these statements confirmed by gentlemen
on the other side of the Chamber, will as gentlemen, as they are, take back what they said.

Mr. KENNA. If the Senator refers to me and will give me the opportunity at this moment, I will state that so far as the declaration of his purpose to have this bill considered is concerned, I have no issue with him whatever, but frankly I do not see, and I can not see, no matter what his purpose may have been, that the history as stated by him of this subject and of his connection with it furnishes either the cause or the pretext for the speech which has been precipitated upon this body to-day, when he knows as well as every one must know that the bill would not and could not be considered.

Mr. HOAR. I am coming to that next.

Mr. MAXEY. Before the Senator goes to that I should like to have one thing explained. The Senator has stated that this bill has been before the Senate by report for about two months.

Mr. HOAR. Nearly four.

Mr. MAXEY. And passed through the Republican caucus as one

of its pet bills.

Mr. HOAR. I did not say any such thing.

Mr. MAXEY. Substantially that.
Mr. HOAR. I did not say the Republican caucus had passed the

Mr. MAXEY. It was placed on the basis of bills to be considered?
Mr. HOAR. Yes.
Mr. MAXEY. That being the case, and it having been there for two months, I ask why it is that it has not been called up when the Republicans have the majority and have the absolute power to call up any bill they see proper at any time? Why has it not been called up and placed before the Senate in ample time to give Democratic mem-

bers full opportunity of discussing it?

Mr. HOAR. I have answered that once and I will cheerfully answer it again. An order of business was agreed on. It was made known to the other side, and the bills which preceded this in that order of business and the appropriation bills have taken up the time up to this day. That being the case, and I having done everything that in reason and decency I could by public notice, by private notice, by securing the approbation of the committee of the Republican caucus, by securing the caucus itself, at last it turns out that there comes into the Senate a resolution for adjournment leaving this matter on the edge, and I rise, as is my duty, to say at the first moment that that resolution comes in that we ought not to adjourn without completing the consideration of this

Mr. GEORGE. Will the Senator allow me a moment?

Mr. HOAR. Certainly.

Mr. GEORGE. I do not join the complaint made of the Senator's conduct in this matter, but right there I believe I have a right to object that the Senator in protesting against the adjournment of the Senate and speaking to that resolution injected a rather objectionable speech without an opportunity of reply. That is the point I object to.

Mr. HOAR. I am glad I have got your approbation, as I am quite sure I ought to have so far, and now I am coming to that point.

Mr. President, before I come to that immediate point, however, let me say what I was about to say. What is there in the nature of this bill that is an indictment against a whole people, that is going to stir up sectional strife? The bill simply says that if three citizens of the United States, inhabitants of any judicial district, shall under oath declare to a court that there has been a homicide or other serious offense against life or property by reason of the fact that the person killed or injured held certain political opinions or was of a certain race, by reason of the race or politics, thereupon the judge should do what is done in the case of every fire inquest and every coroner's inquest throughout the land, inquire into the facts, report them to the Attorney-General and to Congress, so that if the existing law furnishes a remedy the Attorney-General may set it in motion, and if the existing law is defect-

what is there on earth that should require gentlemen to plead that that bill is an indictment against a whole people? It includes the North as well as the South. It defends the Chinaman as well as the negro. It defends the Democrat in Vermont, where I suppose Dem-

ocrats are not a fifth of the voters-I do not know exactly what the proportion is-as much as the Republican in Louisiana. There is not a mention in the bill of which race is likely to be attacked by any other. There is not a mention in the bill of which party is likely to be attacked by any other; but it substitutes, and its purpose is to substitute, for the heated, angry political complaint the cool, dispassionate, non-partisan judicial finding of the court. That is all which excites my brethren on the other side of the Chamber.

Mr. GEORGE. Will the Senator allow me right there?
Mr. HOAR. Certainly.
Mr. GEORGE. It is very true that the bill on its face appears to be non-sectional and non-partisan, but there was a preamble to the bill, not printed with it but contained in the speech made by the Senator

from Massachusetts when he introduced it, which defined its character.

Mr. HOAR. That is precisely what I was going to deal with next,
as I had assured my honorable friend I would before I sat down. So far I think I shall have the assent of all candid minds on both sides of this Chamber that the bill was not precipitated, that I was not rash or hasty, that it was not out of its place, but that my duty to the measure required me to give this notice.

When I gave the notice I stated the reasons which seemed to me to make the bill important to be dealt with at once. I stated that there were rumors that the General of the Army had made a statement against one State. Is there any doubt about that? In former times

Mr. GIBSON. Over twenty years ago.
Mr. HOAR. I dare say.
Mr. EUSTIS. Has itever been verified?
Mr. HOAR. I think it is abundantly and amply verified.

Mr. EUSTIS. I think not.

Mr. HOAR. But I am not going into that.
Mr. EUSTIS. The matter was investigated.
Mr. HOAR. You can not find a respectable white Republican in the

State of Louisiana, in my opinion-whether right or wrong, I do not know; I never met one-who will admit that they have a fair and honest opportunity to cast the vote and to carry that State by a majority and vote as they see fit. I am not charging Louisiana. Do not get up now and say that I have made a charge against your State. I say that those reports come to me when I talk with men. I say that the leading Democratic paper in South Carolina, the Charleston News and Courier, again and again, down to this very year, has made certain allegations about the condition of things in that State. I am not saying now whether they are true or false.

Mr. Eustis rose.

Mr. HOAR. Let me make my point, and then I will yield to the Senator. I say that Frederick Douglass, the leading, candid, and honored representative of the colored race, has made these statements as to his belief of the condition of his people. I do not say whether they are true or false. I say that in the State of Mississippi, which my friend the state of Mississippi. represents who has just interrupted me, there came a rumor, and it was stated throughout the press of the whole country, that an attack was made on certain men, all of one race, by certain men, all of another race; and those statements are verified by the affirmations of respectable Democratic papers in Mississippi itself among others.

I say it is affirmed that within three weeks an attack was made on certain colored laborers there, forbidding them to labor, by certain white

Mr. President, I am not here making these things as charges. I am here saying that the existence of such a belief, whether in the press or in the minds of representative men throughout this country warrants inquiry, and that such a belief in regard to one American citizen in Mexico or Canada, if it were not removed, would produce war. I am here simply saying that while that belief exists we had better

am here simply saying that white that belief exists we had better substitute the judicial inquiry for the political inquiry.

Mr. EUSTIS. Will the Senator allow me to interrupt him?

Mr. HOAR. Certainly. That is my point.

Mr. EUSTIS. The Senator from Massachusetts dees not seem to commit himself as to whether he believes such a state of things to exist, but he quotes the testimony of witnesses. Among other things he said that there was not a respectable white Republican in the State of Louisiana who did not state that the elections in Louisiana were unfair.

Mr. HOAR. No; I did not. I said I did not believe there was.
Mr. EUSTIS. I dislike to correct or to challenge the testimony of Republican witnesses, but I will make the statement that at the election in 1884, as regards the election of President of the United States and Representatives in Congress, the election in the State of Louisiana was as fair as in the State of Massachusetts.

Mr. HOAR. I hope it was.

Mr. EUSTIS. I know it was.
Mr. HOAR. I hope it was.
Mr. EUSTIS. Therefore I am surprised that the Senator has insinuated otherwise.

Mr. HOAR. The Senators on the other side of the Chamber are very hard to please. First they criticise me for making a charge, and when I point out to them I did not make it, but merely said this belief was entertained, then they criticise me for not making the charge and say I am merely quoting the language of witnesses.

What is it that is producing the anger of the State of Texas with Mexico to-day and the demand for the forcible interference of the administration, and war if need be? It is an affront to one or two American citizens, and it warrants, if the reports be true, the feeling of indignation and excitement which prevails in that community and which should prevail throughout the entire United States. Is an American citizen to be safer in Mexico than in Carrollton or Copiah? If reports justify inquiry in the one case, do they not justify and demand inquiry alike in the other? Is the Mexican flag to give more safety to the American citizen than the Stars and Stripes?

Mr. GIBSON. Will the Senator from Massachusetts permit me to

interrupt him?

Mr. HOAR. Certainly.

Mr. GIBSON. If the State of Texas should be so excited about a wrong done to an American citizen in Mexico—perhaps not a citizen of Texas—can we not presume that the State of Texas would become equally indignant at a wrong done within her own jurisdiction against one of her own citizens entitled to her protection? Would it not naturally follow that Texas would take more interest in affording a remedy for a wrong done within her own household against one of the members of her own political family than on account of any wrongs inflicted upon a citizen of the United States in a foreign country?

Mr. HOAR. If the wrong be to an American because of his American citizenship in Mexico it is the national duty to redress it, and not

that of the State of Texas.

Mr. GIBSON. The State of Texas is manifesting, the Senator says, its indignation at a wrong done against an American citizen.

Mr. HOAR. Suppose she is. If the offense be committed against

an American citizen in regard to those political or personal rights which belong to his American citizenship at home, it is equally the duty of the American Government to afford the redress, and here is the place.

Mr. GIBSON. If the Senator from Massachusetts will permit me, suggest that primarily it is the duty of the State of Texas to protect her citizens within her own jurisdiction, and if a wrong were done to a citizen in Texas, no matter what may be the character of that wrong, whether in respect to the rights guaranteed to him by the Constitution of the United States or by the constitution of the State of Texas, nevertheless it is the duty, and I have no doubt it will be the will, of the people of Texas, of the government of the State of Texas, to protect one of her citizens in respect of either of these classes of right, and to afford

ample and just remedy.

Mr. HOAR. Now, the Senator put me a question. I will put him one. Does the Senator from Louisiana himself believe that there are not communities in this country where if a Republican was shot down as Print Matthews was because of his Republicanism or a negro outraged because he wanted to vote, that they would find grand juries to indict or petit juries to convict? Will the Senator, who everybody knows to be a man of honor, say that there are not communities to whom protec-

tion would be denied, and has been denied in the past?

Mr. GIBSON. I will answer the Senator from Massachusetts. lieve that there is not a community in the United States in which if any citizen were denied his right to vote or any other right to which he was entitled under the laws of the State in which he resided, that this or any other wrong would not be righted. In other words, I be-lieve that American citizens are as secure in their rights in the Southern States as in the Northern States, I will admit that at seasons of excitement growing out of neighborhood difficulties or of politics it might happen that in any part of the United States wrongs might be done against particular individuals without their being righted with that promptness which the Senator would desire and which I would

desire, but these are exceptional cases.

Mr. HOAR. Well, Mr. President, "I have not found so great faith; no, not in Israel;" but if the Senator be right, and I admit his opportunities of examination and of ascertaining the facts, then certainly this is a most harmless bill; it will not increase either the labor or the expense of the judiciary of the United States.

Mr. GIBSON. If the Senator from Massachusetts will permit me, to

place a man on inquiry, to assume that there is something wrong in the character of a citizen which should justify his fellow-citizens, his neighbors or friends in instituting an inquiry into his character or his life, creates of itself a suspicion that there is reasonable ground to believe that he has done wrong; and to frame a bill to put whole com-munities under inquiry and investigation in respect of their conduct, the manner in which they enforce their laws—
Mr. HOAR. How does this bill do it?
Mr. GIBSON. It authorizes the district judges—
Mr. HOAR. The Senator mistakes the character of the bill.

Mr. GIBSON. It authorizes the district judges to make inquiries into all these proceedings and to report them to Congress.

Mr. HOAR. The bill provides—

Mr. GIBSON. If the Senator from Massachusetts will permit me—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield? Mr. HOAR.

Mr. HOAR. Certainly.
Mr. GIBSON. I desire to call the Senator's attention to that principle in human nature which will always impel certain men in communities when they receive invitations from a powerful political organization to account for the shortcomings of that organization in that

political community.

It is an invitation which many men construe, without a very grave sense of responsibility, to pick up the current rumors which are circulated in the community, to pick up the current thiors which are circulated in the community, to he neighborhood scandals, to become scavengers in the community, to weld them together and present them as they would grave charges against respectable citizens of the community. The Senator from Massachusetts will remember the effect which the Lion's Mouth at Venice had upon that community during the reign of the

Mr. HOAR. Mr. President, I can not yield further. Mr. GIBSON. It was a perpetual and standing invitation to every man to become a witness against his neighbor.

Mr. HOAR. I do not yield.

Mr. GIBSON. And this, in my opinion—

Mr. HOAR. I do not yield to the Senator for a long speech.

The PRESIDENT pro tempore. The Senator from Massachusetts declines to vield further.

Mr. GIBSON. I do not wish to trespass upon the Senate or the courtesy of the Senator from Massachusetts. I supposed he was yielding. Mr. HOAR. I yielded for the Senator's question and his explanation. Mr. GIBSON. I have given it.

Mr. GIBSON. I have given it.
Mr. HOAR. But the Senator is making a comment on the bill which shows that he has not read it. It is the ordinary case which provides everywhere for a coroner's inquest, except this is to be done under the direction of the judges of the United States in instances which are under the cover of our national constitutional protection; and it simply says that when a man is killed or injured seriously in body or estate and three citizens petition the court and set forth that is done on account of his race or political opinion, the judge shall ascertain the The Senator from Louisiana has not been ignorant that whether true or false investigating committees by the hundred almost (one or two of which you have been chairman, sir, two of which I have been chairman, and one of which the Senator from Colorado [Mr. Teller] was chairman, and one of which the Senator from Colorado [Mr. TELLER] was chairman, and so on) have reported that such things exist, and rumors are in the press, and they are going on now; and how any Senator, when it is asked to substitute for the future for this kind of political investigation the calm and quiet of the judiciary, can get up and say why you are indicting a whole people, passes my comprehension.

Mr. GIBSON. The Senator confesses that it is a political consider-

ation.

Mr. RIDDLEBERGER. Mr. President-

The PRESIDENT pro tempore. Is there objection to the further consideration of the resolution?

Mr. ALLISON. I think I shall object for a moment. Mr. RIDDLEBERGER. I would have supposed an objection would have come just at this time

Mr. ALLISON. I do not object. I yield to the Senator from Virnia. I did not know that the Senator wished to make any remarks. Mr. RIDDLEBERGER addressed the Senate. [See Appendix.]

Mr. BLAIR. Mr. President-

Mr. SPOONER. I wish to ask the Senator from Virginia a question.
The PRESIDENT pro tempore. The Senator from New Hampshire has been recognized.

Mr. BLAIR. I object to the further consideration of the resolution

at the present time.

The PRESIDENT pro tempore. Objection is made, and the resolution goes over.

REPORT OF COMMISSIONER OF AGRICULTURE.

Mr. MANDERSON submitted the following report:

Mr. MANDERSON Submitted the ionowing report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 201) for printing the Report of the Commissioner of Agriculture, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

CHARLES F. MANDERSON, JOS. R. HAWLEY,
A. P. GORMAN,

Managers on the part of the Senate.

JAS. W. REID.

Managers on the J JAS. W. REID, JOHN M. FARQUHAR, W. H. HATCH, Managers on the part of the House.

The report was concurred in.

UNITED STATES MAP.

Mr. MANDERSON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 160) to authorize the Commissioner of the General Land Office to cause 15,000 copies of the map of the United States and Territories to be printed, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses

ference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree in lieu thereof to insert the following: "7,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree in lieu thereof to insert the following: "2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree in lieu thereof to insert the following: "4,000;" and the Senate agree to the same.

That the House agree to the insertion, after the word "office," on line 8 of the joint resolution, of the following: "And that 1,000 copies be printed and mounted, to be sold under the direction of the Secretary of the Interior, at \$1.50 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree in lieu thereof to insert the following: "10,125;" and the Senate agree to the same.

That the House recede from its disagreement to the title of the joint resolution as amended by the Senate, and agree in lieu thereof to insert the following: "Joint resolution to authorize the Commissioner of the General Land Office to cause 7,500 copies of the map of the United States and Territories to be printed;" and the Senate agree to the same.

CHARLES F. MANDERSON,

CHARLES F. MANDERSON, JOS. R. HAWLEY, A. P. GORMAN, Managers on the part of the Senale. JAS. W. REID, JOHN M. FARQUHAR, P. DUNN, Managers on the part of the House.

The report was concurred in.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

by the President pro tempore:

A bill (S. 201) to provide for the erection of a public building in the city of Annapolis, Md.;

A bill (S. 2056) to amend the pension laws by increasing the pension of soldiers and sailors who have lost an arm or a leg in the service;

A bill (S. 2609) granting a pension to Emily J. Stannard;

A bill (H. R. 822) for the relief of William H. Wheeler;

A bill (H. R. 6664) to increase the naval establishment;

A bill (H. R. 8585) to provide for the inspection of tobacco, cigars, and snuff, and to repeal section 3151 of the Revised Statutes;

Joint resolution (H. Res. 87) providing for the printing and distribution of documents of the monetary conferences of 1878 and 1881 and

bution of documents of the monetary conferences of 1878 and 1881 and the report of the monetary commission created under the joint resolution of August 15, 1876; and

Joint resolution (H. Res. 201) for printing report of Commissioner

of Agriculture.

FORTIFICATIONS APPROPRIATION BILL.

Mr. DAWES. I move that the House of Representatives be requested to return to the Senate the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes.

The motion was agreed to.

MARY J. NOTTAGE-VETO MESSAGE.

Mr. BLAIR. I move that the Senate proceed to the consideration of the bill (S. 2005) granting a pension to Mary J. Nottage, a vetoed

The motion was agreed to.

The PRESIDENT pro tempore. The bill is before the Senate, and the question is, Shall the bill pass, the objection of the President of

the United States to the contrary notwithstanding?

Mr. BLAIR. Mr. President, the bill now before the Senate is one of the twenty-five private pension acts originating in the Senate which have been vetoed by the President of the United States, the veto messages having been referred to the Committee on Pensions and returned for action by the committee to the Senate. Since then I think two more vetoes have been received, which are in possession of the committee. The reports of the committee and the views of the minority covering the general considerations touching all these vetoes are before the Senate. They are in the form of ordinary printed reports, and they are also to be found printed at large in the RECORD of last Saturday's proceedings, the RECORD of August 1, to which Senators can refer if they desire.

I had contemplated in my remarks to the Senate upon this or some other case a somewhat extended discussion of these vetoes, the causes apparently which have led to this action on the part of the Executive, the effect it has had on the country, upon public sentiment, the apparthe effect it has had on the country, upon public sentiment, the apparent effect it has had upon pending legislation, general legislation touching the pensions which have been granted and on which it has been proposed to give to our soldiery and to their dependent relatives. It certainly has had this effect, that general legislation, providing substantially for all the grievances which have been alleged by our soldiery, has been arrested in its progress; and in the other branch of Congress, where amarently these bills were passed to a rapid and to a gress, where apparently these bills were passed to a rapid and to a favorable consummation, we now find them locked up as with a clamp and an end put to their progress for the present.

But the approaching close of the session and my extreme anxiety that there shall be action upon some of these cases, in order that the sense of the Senate may be tested to see whether it is possible to obtain action such as will override the veto in any of these cases upon their merits, will preclude any attempt upon my part at general discussion. I will only say that so far as I am personally concerned I have taken occasion

in such of the reports to which I have alluded and in the preparation

of which I have been concerned to give my views at length.

I desire to call immediate and particular attention to the facts in this case, and before so doing I wish to state the exact form in which the question is presented to the Senate. It is a bill upon which both branches of Congress through their committees have passed favorable judgment, and so far as it was possible for them to do so have redressed the grievance of Mary J. Nottage. The bill then going to the Executive met with his veto. The facts in the case are none of them different as they come from the Executive from what they were as considered by the two Houses of Congress. There is, in other words, nothing new in the case. There is nothing new in this case as it is presented to the two Houses of Congress, nothing different from what appeared in the case as it was considered by the Pension Office itself. So from the beginning of the consideration of this case, from the time when it was first decided in the Pension Office until the present moment, there is no increase, there is no accumulation, there is no change in the evidence itself.

To the Senate the question presented is this: What ground for a change of action is there so that we are at the present time called upon to pass a different verdict upon these facts from that which we did when we originally passed the bill and sent it to the House for its consideration? That is the real question, the only question that is now presented to the Senate. As I stated before, there is neither increase nor diminu-tion in the evidence itself, and if the Senate now changes its judgment it can not be from any other consideration save that the Executive, upon the same evidence, upon the same state of facts, has come to a different conclusion from that which was reached by the Senate, and which was also reached by the other House.

I may say further that this case came from your committee to the Senate with a unanimous report; that this case went through the Senate and to the House of Representatives without opposition, with the unanimous indorsement of the Senate; that there was no opposition so far as I know in the other branch of Congress; that it has had the unanimous approval in committee and in the action of the two branches upon the facts as they appear now and as they always have been before the Senate.

That, sir, is the precise issue, and the form in which the question is presented to us for consideration, and that form in constitutional language, is stated thus: Shall the bill be passed, the objections of the President to the contrary notwithstanding?

To come a little closer to this particular case, it is one in which there is no conflicting evidence whatever—not a particle. It is a case where there is no question raised of the respectability of the applicant or of the deceased husband, and there is no contradiction of the testimony of a single witness that is in the case; so that it can not be claimed that here is a different finding upon matters of fact by reason of conflict of testimony. Every witness stands unimpeached; every fact that is proven at all is proven without contradiction; and thus it is that if upon an examination and review of this evidence, every particle of which is in print before the Senate, the several propositions which it is necessary to maintain in order to establish a claim for a pension are established at all, if there is the necessary unimpeached evidence to establish these propositions, they must be accepted by the Senate for the reason that there is no contradictory testimony whatever.

As I said before, all the parties in the case are of the highest respecta-

bility. There is no reason for impeaching a single witness. no reason whatever, no testimony, no suggestion from any source that this is a bogus claim; that there is anything wrong about it; that there is any assertion throughout the testimony of any question of fact which is to be contradicted, or any witness whose truthfulness, whose uprightness and reliability is in any wise to be impeached. It is that character of a case which it is now for the Senate to consider.

Mary J. Nottage is the widow of Thomas Nottage. Thomas Nottage

was a soldier of the Third New Hampshire Regiment. He enlisted the 31st day of July, 1861. He was mustered in a few days later. He was in the service nearly fourteen months. Practically he was in the service somewhat longer, but he was discharged on the 15th day of September of the year following the 31st day of July when he enlisted. He was a man of excellent character. He enlisted as a private. He rose to the position of a sergeant.

The first question which would arise in the establishment of the claim of the widow to a pension which is derived from the service of her deceased husband is as to his soundness and fitness for the service at the time he was mustered in. Upon that point there is no contradictory testimony whatever. In the year 1853 he took the only sickness of which there is any account in the evidence or from any source whatever prior to his muster-in. Then he had a lung fever. He was treated by a regular physician, who made him some fifteen visits, as I recollect the statement of the evidence. He was thoroughly cured; and the same physician who was the family physician of his father and of this man also for some forty years says that he was thoroughly recovered, and that he was sound and well at the time of his enlistment; and had there been anything to the contrary his relations with the family were such that he would have known of it.

life insurance, and he was carefully and fully examined by the officers of the life insurance company, pronounced a good subject, and insurance upon his life was effected. The evidence shows this conclusively and fully.

In addition to the testimony of the family physician, in addition to the testimony of the officers of the life insurance company who testified to the examination and to the insurance just prior to the enlistment, there is the further fact which by several bills which have passed, first the one and then the other branch of Congress, is held to be conclusive in the general judgment of Congress—the fact that he was actually mustered in and accepted as fit for the service by the officers of the United States. This I think the Senate must accept as conclusively establishing the fact of physical ability to render the service at the time of the muster-in.

As I said before, there is no trace of any evidence further than I have stated bearing upon the physical incapacity or disability of this man prior to his muster-in.

With reference to the service actually rendered by him, as I stated, he was mustered in in the summer of 1861; he rendered about four teen months' service, and was discharged in the month of September, 1862. The evidence shows that during this period of time he performed his duties as a soldier acceptably. His officers and others have testified as to his efficiency and high character and to his good desert as a soldier in the Army of the Union.

The captain of his company, who is now an officer in the regular Army, Capt. James F. Rundlett, a man who by his gallantry; good conduct, and good character while in the volunteer service was afterward accepted in the regular Army and has been in the regular Army ever since, says Nottage was always a good soldier. He states this substantially, and he says in his certificate of discharge as follows:

He was born in Quincy, in the State of Massachusetts; is thirty-one years of age, 5 feet 10 inches high, dark complexion, black eyes, black hair, and by occupation when enlisted a bootmaker. During the last two months said soldier has been unfit for duty thirty days. Sergt. Thomas Nottage, jr., has been sick nuch of the time since enlistment with gravel complaint. Although always willing, his services are ever uncertain.

The certificate of the physician upon which the discharge is made is to this effect:

I certify that I have carefully examined the said Sergt. Thomas Nottage, jr., of Captain Rundlett's company, and find him incapable of performing the duties of a soldier, because of lithier renalis arenosa, which has troubled him several years, and now increasing. He has passed stones several times since in service, and been under treatment. A few days since two passed as large as small sized peas, attended with the usual symptoms.

These extracts from the testimony I read at this time in order that the strongest possible presentation may be had to the Senate of whatever testimony there is indicative of any physical unsoundness at the time of the muster in. The captain of the company says, as I have stated, that he had been sick much of the time since enlistment with gravel complaint, and the surgeon of the regiment makes a statement with reference to the difficulty under which he was then suffering and on account of which immediately he was discharged.

But there is not in the testimony anywhere any trace of the origin of this difficulty prior to his entering the service. Here is the gratuitous statement by the surgeon of the regiment that the difficulty had been of several years standing, but there is no evidence of his acquaintance with the man, and there is no testimony from any other source that

any difficulty of this kind existed prior to the service.

I call the particular attention of the Senate to the point that however this may have been, and whether it was the fact or was not the fact, he was discharged by reason of this existing difficulty at the time, and that that was not the cause of death. The cause of death alleged is consumption, and that consumption is traced to the service by other evidence. The claim of the widow to her pension is based upon the death of the husband by reason of consumption, which was the result of other diseases, other disabilities contracted in the service from which he never recovered.

So this testimony, which is all that can possibly be relied upon from any source or which can be drawn from anything that is in the case itself, is entirely aside of the mark, and unless it may have contributed of itself it is not claimed that the ultimate result of consumption is in no wise connected with the cause of death which is the basis of the claim for pension. As I have stated before, in the testimony there is nothing to show that disease originated prior to the service, but on the contrary there is much in the testimony tending to show that it was itself the result of the service, the gratuitous statement of the acting assistant surgeon that it had troubled him for several years not being in itself in the nature of evidence, for there is nothing to lead to the supposition that the assistant surgeon had any previous knowledge whatever of the soldier himself.

Passing that point and coming to the evidence which bears directly upon the origin of the consumption which was the cause of death, the surgeons of the regiment are both dead. It was impossible for the claimant to produce testimony of a medical character in regard to the condition of this man while in the service, the treatment being by the surgeons of the regiment in regimental hospital, a very common occurrence, as every one familiar at all with the service well knows. Hence In the year 1860, the enlistment being July 31, 1861, he applied for | it is not to be charged to this account as showing any improbability as

to the facts in this case; and there is no general hospital record of his disabilities. As I said before, the medical evidence of the surgeons of the regiment it is impossible to produce by reason of their death.

The practice of the Pension Office and the law of course under these circumstances give us recourse to the testimony of non-professional persons, or non-expert testimony, that is to say the testimony of ordinary witnesses. I read first a statement by Mr. Copp, who was the adjutant of the regiment. He swears that he was the adjutant of the Third New Hampshire Volunteers:

That I was well acquainted with Thomas Nottage, sergeant in Company F of said regiment; that I have a distinct recollection of the serious sickness and intense suffering of said Nottage during the summer of 1862, while the regiment was stationed at Hilton Head, S. G., the disease being chiefly from malaria and kidney trouble, and resulting in his discharge from the service for disability; that I was well acquainted with said Nottage at the time of enlistment, and for some years before, and know he was an able-bodied, healthy man; that I met him frequently since 1864. living most of the time in the same city, and that he was out of health, gradually growing worse to the time of his death.

He says that he has no interest in the claim. Another witness I will read, Mr. E. P. Emerson, a man of high character and the agent of the insurance company who effected the insurance upon his life. He says:

Insurance company who effected the insurance upon his life. He says: I Edward P. Emerson, on oath depose and say that I reside in Nashua, N. H., and am the general agent for New Hampshire and Vermont of the New England Mutual Life Insurance Company of Boston, Mass., and I have access to the records of said company, and the foregoing is a correct copy from said records of the examination of Thomas Nottage, jr., for life insurance in said company, and said Nottage was insured in said company, and the said Thomas Nottage, jr., was well known to me for twenty-five years or more, and was the identical Thomas Nottage, jr., who was a sergeant in Company F of the Third Regiment New Hampshire Volunteers and who died in said Nashua some time in the month of January, 1879, and I have no interest whatever in the claim of his widow for a pension; that I have no hesitation in saying said Nottage was sound and free from disease at the time of enlistment, and that from and after his discharge from the service aforesaid up to the time of his death he was sick and ill from exposure, hardship, and disease contracted in said service, and that he finally died in consequence thereof.

This is the testimony of a witness who had constant browledge.

This is the testimony of a witness who had constant knowledge of the man before enlistment, after his discharge, and so on up to the time of his death. I now read the testimony of two comrades who were with him in his company during his service, and who testified in regard to the origin of the disease and his treatment for disease while in the service:

Personally came before me, a justice of the peace in and for aforesaid county and State, Alfred P. Hayden, aged forty-two years, and Norman E. Cobb, aged forty-seven years, residents of Nashua, in the county of Hillsborough, State of New Hampshire, who, being duly sworn, declare in relation to aforesaid case as

forty-seven years, residents of Nashua, in the county of Hillsborough, State of New Hampshire, who, being duly sworn, declare in relation to aforesaid case as follows:

That they were members of said company (said Hayden, sergeant, said Cobb, private); that they well knew said Nottage; that he was in good health, robust and strong, and he remained in good health until the summer of 1862; that in the summer of 1862; while on Hilton Head Island, doing picket duty, when it came his turn to go on duty from Stony Plantation, where the company was, to White House Landing, he was unable to go, which was the first we noticed of his being sick. He did some light duty after. The regimental hospital was with us in the Stony Plantation mansion. He was treated in said hospital. He had swamp fever, the result of malaria, and before the summer was out suffered very much from irritation of kidneys and bladder. He grew thin and pale and weak, and kept growing worse so that he suffered the most intense pain. His countenance became yellow, as though he had the jaundice. It was understood that he could not live but a short time unless sentaway; so that in the fall of 1862 he was discharged on account of his said disability. To our knowledge he passed gravel, which was attended with much suffering. The surgeon of the regiment, Moulton, was away North, sick. Assistant Surgeon Eaton attended said Nottage, and said B. F. Eaton is, we are informed, dead. We saw but little of said Nottage after our return from the Army.

We further declare that we have no interest in said case, and are not concerned in its prosecution, and are not related to said claimant.

These two witnesses make oath to what I have read. I again read an additional certificate by Captain Rundlett, who enlisted this man, observed his service, and was acquainted with him afterward. I read what he says under date of July 30, 1884, in a letter to the Commissioner of Pensions; and it will be observed that this is to be treated as testimony, he being an officer near in the service and even make that testimony, he being an officer now in the service and every such statement being understood to be upon honor and accepted as upon oath:

ment being understood to be upon honor and accepted as upon oath:

Sir: The widow of the late Thomas Nottage, of Nashua, N. H., having applied to me for testimony with regard to her husband's service, to be used in support of her claim to be placed upon the pension list. I hereby certify that at time of enlistment of said Thomas Nottage in the Third Regiment New Hampshire Volunteers he was well known to me and believed to be in sound physical condition, and known to have passed all the examinations required of him preparatory to his "muster into service"

He was enrolled in Company F, of the Third New Hampshire Volunteers. I was captain of said company; Nottage became a sergeant, and was discharged as such on surgeon's certificate of disability at Hilton Head, S. C., about the 20th of September, 1862.

I know by personal knowledge that the said Thomas Nottage was broken down with faithful service, and that he was not discharged until it was evident to all that it was necessary to save his life.

I further certify that I met the said Thomas Nottage several times after the war at his home at Nashua, N. H., and always found him suffering from the effects of his service, and advised him to apply for the pension I believed him entitled to receive from the Government.

From the facts known to me, I believe that his death was hastened from effects of disease contracted during the war, and that his widow's claim is entitled to all consideration provided for like cases.

At this point in passing I call attention to this statement of the cap-tain of his company, still in the regular service of the country, that he saw him several times after his discharge and prior to his death. He always found him suffering from these disabilities contracted in the

service, and advised him to apply for a pension to which he believed him to be entitled.

I call attention to this because it is sometimes urged against the claimant for a pension that those entitled to it have allowed years to elapse without application. It seems to be understood by some persons of this country that it is utterly impossible that there should have been any delay to make application for a pension when the party believed himself to be entitled to it. But the contrary is the fact, and any one familiar with the pension records of this country and the many soldiers and officers who have not made application for a pension at all knows that the most patriotic motives have, as a rule, been the reason why these applications have failed to be made; and it is a pretty hard thing after the Government has profited and the people have profited by the withholding of pensions to which men have been entitled during all these years, at last when they are obliged to have them or suffer, or where their relatives are living in want by reason of their death, and have come forward and claimed a pension, that they should be refused a pension for the very reason that they have been dilatory in enforcing their right, when that failure or delay has been the result of the same patriotic reasons which took them to the war and which led them to risk more for their country than those who have nothing to do but simply to assist in paying the bills.

I now read the testimony of Jonathan H. Nottage, a brother of the deceased soldier:

I, Jonathan H. Nottage, on oath depose and say that I reside in East Boston, Mass., and am employed in the iron works at the United States navy-yard at Charlestown, Mass., and have been so employed about two years, and that prior thereto I was assistant foreman, having charge of one room, for eight or nine years in said East Boston, of the Atlantic Works, and worked at the Hoosac Tunnel and in Nevada, and that I am a brother of Thomas Nottage, jr., late of Nashua, N. H., and a sergeant in Company F of the Third Regiment New Hampshire Volunteers, who died January 8, 1879, and whose widow, Mary J. Nottage, is an applicant for a widow's pension. That said Thomas Nottage, jr., incurred malarial poisoning in said service, and was discharged in consequence; that when he came home in fall of 1862 he was very emanciated, weak, and ill—

I call attention to this as the most particular history of the case that

at that time he looked as if he could not live a month. He was a shoemaker by trade, but during that year did not gain sufficiently to work at his trade. He was suffering with remittent fever. In the latter part of 1863 or first of 1864 I secured him a place in my room in the Atlantic Works, where no hard work was required, he not being obliged to lift a pound, but had charge of a machine where judgment and skill were required more than any bedily exertion.

This was done with a full understanding of his case by the foreman. Here he worked with me in my room until about 1871, and during the whole time I favored him about his work so that he had no hard manual labor to perform, and this was because during the whole of said time he was unft for any hard manual labor, and remained so until he died, on account of his disabilities contracted in the service aforesaid; and after he left East Boston he went to Fitchburg, Mass., and for a few months worked for the Fitchburg Machine Company, at work similar to what he had done under me in the Atlantic Works. Following that work at East Boston he came to me at the Hoosac Tunnel, where I was master mechanic in charge of the machines of the eastern division; here I gave him light employment for a year or more, such as he could do, which enabled him to live without charity. His mechanical skill stood in place of muscular exertion, of which he was incapable. His family had their home at Nashua, N. H., where also his mother resides. His work at Fitchburg was of short duration, and was after he left the Hoosac Tunnel. From 1873 or thereabouts he worked in the repair shop of the Jackson Company about five years as he was able, but lost a great deal of time, and finally became unable to work, and, growing worse, died January 8, 1879, at said Nashua. During the last year he worked for the Jackson Company he lost nearly half the time.

During all the years that he was employed he suffered a great deal, and frequently kept about his business while he was suffering with remittent fev

Signed and sworn to by Jonathan H. Nottage.

There is other testimony to the same effect from witnesses who knew him in the various places where he worked as he was able to be employed from the time he was discharged until his death, all showing his weak and emaciated and feeble condition and his frequently suffering from these diseases contracted in the service. The physician who attended him at his death certifies:

That during the years '73, '4, '5, and 6 he suffered from repeated attacks of remittent fever, occasioned by malarial poisoning. Also from irritability of bladder with inorganic deposits.

He had professional care from 1873 to 1879, the time of his death. This physician further says:

That in '77 (autumn) he had an ischio-vectal abscess, which culminated in anal stula, which never healed. That in the spring of '78 he had sore throat and ough, which gradually increased, phthisis pulmonalis resulting.

And from that disease as the culmination of all his ailments he

finally died on the 8th of January, 1879.

Not to weary the Senate with too much reading of this testimony, all of which is printed and to be found in the report of the committee, I will submit the case substantially upon this statement of facts. As I said in the first place, it is not a case open to suspicion. Nobody has raised a suspicion of this testimony or of this man, for he was a man of as good standing in the community as any of us. It is not a bogus case. There is no contradiction of the testimony. It shows that the man was a well man; that he entered the service and was accepted as a well man and served fourteen months; that when he was finally discharged it was for a disease which pursued him, to be sure, the rest of his life, but was not the disease from which he actually died, but that the disease from which he did die, consumption, was the natural and inevitable result of remittent fever, of swamp fever, of kidney complaint, the piles, and other things which he contracted in the service, which left him an enfeebled and emaciated and broken-down man from the day of his discharge until the day of his death, all these diseases in their future tendency, as any man of common sense, to say nothing about a medical expert, knows, tending so to enfeeble the constitution as to result in the disease of which he finally died—consumption.

Mr. President, these are the facts in the case. The widow I do not need to say anything in regard to further than that she is a woman of respectability, that she was left alone without any property and with two small children. She applied for the pension to which her husband was entitled, as I believe, upon these facts, a pension for which he was urged by his commanding officer to apply during his lifetime, but for which he failed to apply although he evidently was entitled to it as a matter of right. She applied for it after his death, being left in dependent circumstances, and the application was rejected by the Commissioner of Pensions.

As I have stated before, upon these facts I believe the Commissioner of Pensions should have allowed the claim. I admit, however, that upon a narrow, close, and technical, and illiberal construction of the law and of the evidence, if you please, it was possible to disallow this claim in the Pension Office. At all events, it was disallowed, and on application being made for its reconsideration, its reopening was refused. There was then only one remedy and that was for this woman to come with her case to Congress, and here it has been the universal rule ever since I have known anything of this class of legislation, ever since the records of the Government and the history of this legislation, ever since the enactment of our pension laws, it has been the rule to give to the facts in the case a liberal, fair construction.

Wherever there is any taint of fraud, any indication that the claim is, in common parlance which has come to be applied to many of these cases, a bogus claim, of course the closest scrutiny and the readiest repulsion and rejection of such claims is exercised by Congress; but wherever a claim is made in good faith and seems to be a fair one upon the merits, it has always been the tendency of Congress to give the testimony a fair, liberal construction, to give, in other words, to these people the benefit of the doubt, if there be any doubt, in the case, rather than to give it to the people at large. Congress is by no means bound by the action of the Pension Office; it seems an absurdity to lay down this proposition; and yet in nearly all the cases which have been vetoed, in one which came in yesterday, the thought of the Executive evidently is that these cases are to be allowed or ought to be allowed or disallowed under the state of the law and under the rules of action which govern the Pension Office itself.

But I understand quite the contrary in regard to the rule which should govern Congress. These cases come to Congress when disallowed in the Pension Office for the very reason that a remedy should be afforded, but on account of the restrictions which are imposed upon a mere executive or administrative officer he is unable sometimes to afford that relief which, under the equitable powers and those powers of general legislation which exist in Congress, should be afforded in order to do justice to the applicant. Under these general legislative powers to do justice it seems to me that this bill ought to pass, vetoed, as it has been, evidently, from the reading of the veto message itself and the veto messages generally which have come before us, under an impression that Congress should be bound by the same state of facts that applied to restrict the action of the Pension Office. It seems to me that the veto ought not to have weight with the Senate in its decision of this case. That it is one of justice I think must strike every Senator who has examined the facts. It is not open to suspicion. A poor woman left with nothing save two children, with no helper but God and the American Congress and the American Executive, this law-making power, it does seem to me that this case is entitled to the necessary two-thirds' vote to pass it over the executive yeto. I submit the case.

to pass it over the executive veto. I submit the case.

Mr. PLATT. Mr. President, when the vetoes of the President of the United States began to rain upon Congress like hail out of a summer cloud, I was led to make a somewhat critical examination of the circumstances under which the power called the veto power was given to the Executive in the convention which framed the Constitution and of the circumstances under which it has been exercised by Presidents of the United States prior to the accession of Mr. Cleveland, and I came to the conclusion that, while the present Executive is undoubtedly within the letter of the Constitution in the manner in which he has exercised this power, he is entirely outside of the spirit of the Constitution in that exercise; I had intended, and I should be glad now if time permitted, to go somewhat at length into the history of the origin of this power, into the history of its exercise, citing the views not only of the fathers of the Republic, but of all the great men who have preceded the present administration, and the views of Presidents who have exercised this power, for the purpose of showing that in no instance has it been claimed that the veto power should be used as it is being exercised by the present incumbent of the office of President of the United States.

There have been great and notable discussions in this country with regard to the veto power. Great men have differed as to how and when it ought to be exercised by the Executive; but I undertake to say that in all these discussions it has never been claimed by any one that it should be exercised as the Executive has seen fit to use it during the present session of Congress. The veto of pension bills is unprecedented in our history.

I hold in my hand a little table which I have prepared of the number of vetoes prior to this administration, giving each administration and the number of vetoes in each administration. Up to the commencement of the present administration the veto power had been exercised one hundred and nine times, a little more than an average of one a year. John Adams did not exercise it at all. Neither did Thomas Jefferson. John Quincy Adams did not exercise it. Van Buren did not exercise it. It was not exercised during the administrations of Taylor and Fillmore. It was exercised but once by Abraham Lincoln. And yet prior to July 12, 1886, Mr. Cleveland had sent to Congress one hundred and three vetoes, and the additional vetoes since July 12, 1886, will, I think, make up the number so that it will equal the number of the vetoes of all Presidents who have gone before him. As the table may be of use I will insert it, in the RECORD. It is as follows:

Vetoes.

Administration of—	Period,		No.	
Washington Adams, J. Jefferson Madison Monroe Adams, J. Q. Jackson Van Buren Harrison and Tyler Polk Taylor and Fillmore Pierce Buchanan Lincoln Lincoln and Johnson Grant Hayes Garfield and Arthur.	1797 to 1801. 1801 to 1809. 1809 to 1817. 1817 to 1825. 1825 to 1829. 1829 to 1837. 1837 to 1841. 1841 to 1845. 1841 to 1845. 1845 to 1849. 1849 to 1853. 1853 to 1857. 1867 to 1861. 1861 to 1865. 1865 to 1869.	888484444444	9 3 3 9 4 1 20 27 12 4	
Cleveland	1885 to July 12, 1886		103	

I think it quite time to stop and consider for a moment, in all courtesy and with all kindness to the Executive, whether such an unusual exercise of the veto power is not one never contemplated by the Constitution. I agree that there is no absolute, express limitation of the veto power in the Constitution, but I hold that, though it may have been exercised within its letter, the spirit of the Constitution has been violated in its exercise, and "it is the letter which killeth, but the spirit giveth life."

I hold further that while there may be no express limitations upon the use of the veto power by the President, there must in the nature of the case, there must in the history of its origin and from a consideration of the other provisions of the Constitution, be, and there is, a moral and equitable limitation upon the exercise of the veto power by the President. In other words, the President who conceives that he should veto every bill which as a member of the Senate or of the House he would feel called upon to vote against has mistaken entirely the purpose of the veto and the circumstances under which it was intended that it should be exercised.

In reply to this it is said that the Constitution provides that "every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated."

In discussions which have gone before it has been attempted to lay emphasis upon the words "if he approve he shall sign it," as if it was an argument to the effect that whenever the President examining a bill felt that if he were a member of the Senate or of the House he would be compelled to vote against it he was, under the Constitution, compelled to veto it. But manifestly that can not be so.

In the first place, this veto power is in no sense a legislative function; the President has no legislative power whatever. All legislative power is conferred upon Congress, and that is the very first sentence in the Constitution of the United States. Article 1, section 1, clause 1, says: "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

House of Representatives."

The President then has no legislative function, no legislative power.

The exercise of the veto is not a legislative function. I know that the
Executive has somtimes been spoken of as an independent power or
factor in legislation. I know that in 1879 the Democratic papers accused

General Garfield, when in the House of Representatives, of saying that the President was an independent factor in legislation, and then proceeded to comment upon and denounce the statement.

take; General Garfield did not say it.

All legislative power is vested in Congress, and if it be established that the President of the United States may properly veto any and every bill which is submitted to him for approval which as a legislator he might not "approve," then the legislative power which is declared to be vested in Congress is a snare and a delusion. If it be established that the President can by vetoing any and every bill which is passed by the two Houses, having at his back a faction of one-third of each House, prevent legislation, then the day of majority rule in this Government is over with us and the day of minority legislation has been ushered in.

When the Constitution says regarding the President "if he approve he shall sign," that word possesses another meaning from what it would have if it were applied to were legislative duty. The President, in considering whether he "approves" a bill or not for the purpose of affixing his signature, must remember that by the Constitution of the States "all legislative power" is committed to Congress and no particle of it is committed to him. He must remember the circumstances under which the qualified negative was conferred and why it was given to the President of the United States. He must remember that it was intended not to destroy the legislative power of Congress, but as a check only in rare instances.

Not having the time to elaborate this matter fully, I wish here in these closing hours to enter my dissent against any such exercise of the veto power as we have seen during this present session of Congress. I hope that at the next session I may be able at length, recurring to the past, recurring to the adoption of our Constitution, to the views of the fathers, of the great men of the Republic, to show that I am right in the view which I now take.

I will call attention to a very few authorities only at this time. I

shall probably not occupy fifteen minutes in doing so.

First, in the convention which formed the Constitution probably no matter was more thoroughly discussed or more frequently discussed than the conferring on the President a negative on bills with certain limitations. The word "veto" was then never heard. It was not then called "the veto power." That term came into use subsequently. It was called then a qualified negative given to the President. On four separate oc-casions in that constitutional convention this matter was discussed at great length by the ablest and strongest men in that convention; first, when the Virginia plan was under discussion in the convention as in committee of the whole; second, when it was reported to the house; third, when the report of the committee of detail was made; and fourth, on the very last day of the convention just before the signing of the document the whole matter was discussed and discussed at length; and I want to put on record here without referring to the debate this statement that in all that discussion but one man ever suggested that the qualified negative of the Executive was to be used except in two instances, those two being to defend the President when the Legislature should encroach upon the executive prerogative or upon the Executive branch of the Government; and second, when a bill which he believed to be clearly unconstitutional should have been passed by both Houses

One single member only of that convention (Mason, of Virginia) when it was urged that there was no danger to popular government in bestowing this qualified negative on the Executive, when it was urged that it would be like the power of the monarch of Great Britain, a valuable power in repose-when it was urged that it would never be exercised by a President except to defend the executive branch of the Government or to prevent the passage of unconstitutional laws, it was suggested by Mr. Mason, of Virginia, that it might be used for other purposes, that it might be used to "prevent the passage of unjust or pernicious laws." His view found no support in the convention.

That was the only suggestion which was made in the convention that the Presidential negative could ever be used except for the two purposes to which I have already alluded. It was decried even then as a power which would lead to the establishment of "one-man power" in this All the debates in the convention ranged around the question whether this qualified negative should be given to the President for those two purposes and those two purposes only, with the single exception to which I have alluded in the debate.

The first time that it was thought of exercising this power was when President Washington inquired of his Cabinet whether he ought to veto the bill establishing a national bank. Mr. Jefferson, his Secretary of State, was opposed to the bank, and gave an opinion that it was un-constitutional. Mr. Randolph, the Attorney-General, and Mr. Hamilton, the Secretary of the Treasury, wrote opinions that in their judgment it was constitutional; but Mr. Jefferson, though opposed to the bank, believing it to be unconstitutional, arguing against it and in favor of a veto, concluded his opinion with some observations on the question of whether the President ought to exercise that power, which are very short and which I will take occasion to read, reading from Jefferson's Works, volume 7, page 560:

The negative of the President is the shield provided by the Constitution to

protect against the invasions of the Legislature: (1) the right of the Executive, (2) of the judiciary, (3) of the States and State Legislatures. The present is the case of a right remaining exclusively with the States, and consequently one of those intended by the Constitution to be placed under its protection.

It must be added, however, that unless the President's mind on a view of everything which is urged for and against this bill, is tolerably clear that it is unauthorized by the Constitution; if the pro and the con lang so even as to balance his judgment, a just respect for the wisdom of the Legislature would naturally decide the balance in favor of their opinion. It is chiefly for cases where they are clearly misled by error, ambition, or interest, that the Constitution has placed a check in the negative of the President.

There is Thomas Jefferson, the father of the Democratic party, as we are told, who in the day and time of it, February 1, 1791, held that the veto was a shield provided by the Constitution to protect against the invasions of the Legislature as to the right of the Executive, of the judiciary, of the States, and the State Legislatures, and mentions no other purpose which it was to serve.

I am not going to go over the authorities, but I want to call attention to Mr. Webster. In his speech at Worcester, on the 12th of October, 1832, after the exercise of the veto power by President Jackson,

he said:

The power of the veto is exercised, not as an extraordinary, but as an ordinary power; as a common mode of defeating acts of Congress not acceptable to the Executive.

And again in his speech he said, referring to the use of the veto:

This practical innovation on the mode of administering the Government so much at variance with its general principles, and so capable of defeating the most useful acts, deserves public consideration. Its tendency is to disturb the harmony which ought always to exist between Congress and the Executive, and to turn that which the Constitution intended only as an extraordinary remedy for extraordinary cases into a common means of making executive discretion paramount to the discretion of Congress in the enactment of laws.

I call attention to that paragraph from Mr. Webster, and I ask for its application to the case now under consideration. Again: Mr. Webster, as is well known, was in Mr. Tyler's Cabinet as Secretary of State, was one of the Cabinet officers, and the only one who did not resign after Tyler's historical vetoes of the bank and the tariff, and Mr. Webster in his speech at Boston, while still Secretary of State, the exercise of the veto power having then become a burning question in American politics, said this:

Gentlemen, in speaking of events that have happened, I ought to say, and will, since I am making a full and free communication, that there is no one of my age, and I am no longer very young, who has written or spoken more against the abuse and indiscreet use of the veto power than I have. And there is no one whose opinions upon this subject are less changed. I presume it is universally known that I have advised against the use of the veto power on every occasion when it has been used since I have been in the Cabinet.

Yet it was used by President Tyler to veto great measures only, measures which, in comparison with these separate private pension bills, measures which, in comparison with these separate private pension only, assume an importance which would almost justify a President in the exercise of the veto power. Subsequently, in the administration of Tyler there was such universal indignation in reference to the manner in which he exercised the veto power that Mr. Clay introduced in the Senate a proposed amendment to the Constitution making it necessary to obtain only a majority to pass a bill over the President's veto, and almost the last speech he made in the Senate of the United States was upon this subject. I will not stop to read much, for the extracts would e so long that too much time would be consumed thereby in these closing hours, but he characterized the veto as a despotic power.

There, there, was the security-

He said-

and not in this miserable despotic veto power of the President of the United States.

Mr. Clay had already given his views of the exercise of the veto power in 1832, when he said:

The veto is an extraordinary power, which, though tolerated by the Constitution, was not expected by the convention to be used in ordinary cases. It was designed for instances of precipitate legislation in unguarded moments. Thus restricted, and it has been thus restricted by all former Presidents, it might not be mischievous. During Mr. Madison's administration of eight years, there occurred but two or three cases of its exercise. During the last administration, I do not now recollect that it was once. In a period little upward of three years, the present Chief Magistrate has employed the veto four times. We now hear quite frequently, in the progress of measures through Congress, the statement that the President will veto them, urged as an objection to their passage.

I had intended to read somewhat at length but I will forego doing so. Now, sir, to go outside of the authority of men who have been politicians as well as statesmen I want to refer only to Kent's Commentaries and a single other authority. Kent in the fourth volume of his Commentaries comments upon the origin and exercise of the veto power, and in the twelfth edition, published in 1873, is appended this note to what he had already written:

This qualified negative of the President has, in the progress of the administration of the Government, since the first publication of these commentaries. in 1826, become a very grave power, and applied, under the ordinary name of veto, with a familiarity which appears not to have been anticipated by the generation which adopted the Constitution.

What would the men who adopted the Constitution have thought if in their discussion about conferring this power upon the President they had been told that in future years a President of the United States would veto in a single session a hundred bills passed to pension the disabled soldiers of the war, their widows and their dependent rela-

I want to turn for a moment to the views of one whom I regard as perhaps the first, if not the first, among the first, of the publicists of this country, Dr. Francis Lieber. In his Political Ethics, volume 2, page 391, he says:

The veto question, in modern political law, can never be properly treated, except as a part of the greater question of executive concurrence in the great political act of making laws. This concurrence is the primary question, the veto a consequence only. The concurrence, however, is, as it appears to me, one of those necessary conciliatory principles so indispensable in politics. But it must appear, likewise, plain that the veto, being but incident to the concurrence, while the concurrence is the last finish given to a law, not the essential production and generation of it, which is the province proper of the Legislature, ought to be used with the utmost caution, and only when it appears to the Executive that insurmountable obstacles are in the way of his sanctioning the proposed measure.

Lest it should be said that I am to some extent reviving here the old Whig doctrine that there should be, there must be, in the nature of the case and that there is some limitation to be placed upon the exercise of the veto power by the President, I wish to refer to two good Democratic authorities, President Polk and President Pierce. President Polk in his fourth annual message discussed at length this power, and from that message I take this passage which I commend to the present Executive:

EXECUTIVE:

The power of the executive veto was exercised by the first and most illustrious of my predecessors, and by four of his successors who preceded me in the administration of the Government, and, it is believed, in no instance prejudicially to the public interests. It has never been, and there is but little danger that it ever can be, abused. No President will ever desire unnecessarily to place his opinion in opposition to that of Congress. He must always exercise the power reluctantly, and only in cases where his convictions make it a matter of stern duty which he can not escape. Indeed there is more danger that the President, from the repugnance he must always feel to come in collision with Congress, may fail to exercise it in cases where the preservation of the Constitution from infraction or the public good may demand it than that he will ever exercise it unnecessarily or wantonly.

To the Executive who can send to Congress messages returning bills without his approval, breathing executive sneers such as are contained in very many of these messages, I commend this language of President

He must always exercise the power reluctantly, and only in cases where his convictions make it a matter of stern duty which he can not escape.

Then, President Pierce, when he vetoed the French spoliation bill,

It is apparent, therefore, that the circumstances must be extraordinary which would induce the President to withhold his approval from a bill involving no violation of the Constitution.

And yet almost a hundred of those extraordinary occasions have, in the judgment of the present Executive of the United States, occurred at this very session—ninety-seven, the Senator from Colorado [Mr. Teller] says, pension vetoes alone. I go no further with these authorities. I have cited them to recall to the attention of the Senate of the United States and the country the idea which has prevailed universally hitherto in the history of our country with regard to the exercise of this veto power. I have spoken of them to arrest attention, to suggest inquiries as to whither we are tending, as to whether power is to be centralized in the executive branch which was intended by the Constitution to reside alone in Congress.

I do not stop to quote here the views of Abraham Lincoln, of John, M. Clayton, and of many other distinguished statesmen, Representatives, and Senators who have discussed this subject hitherto in the Senate and House of Representatives. If occasion shall offer at the next session of Congress I will go more fully into the subject.

Mr. WHITTHORNE. Mr. President—

Mr. WHITTHORNE. Mr. President—
Mr. CULLOM. Will the Senator yield to me to make a motion? Mr. WHITTHORNE. Yes, sir.

CENSUS REPORT.

Mr. CULLOM. On the 19th of July a communication was received from the Secretary of the Interior, transmitting, in response to a resolution of the 15th instant, a report of Fred. H. Wines, special agent of the Tenth Census, on the defective, dependent, and delinquent classes, which I ask to have referred to the select committee to make provision for taking the Tenth Census, and ascertaining the results thereof, and printed. It was referred without printing. I ask that an order be made for the printing.

The PRESIDING OFFICER (Mr. PALMER in the chair). That order will be made if there be no objection. The Chair hears none.

RETURN OF COTTON TAX.

Mr. WHITTHORNE. Mr. President, before commencing any remarks on the pending question may I ask unanimous consent to take from the table a bill introduced by myself, being the bill (S. 2864) to return the tax on cotton collected by the United States in 1865, 1866, 1867, and 1868 from the people of certain States of the Union, to be held and used by said States for educational purposes, and refer it to

the Committee on Education and Labor.

The PRESIDING OFFICER. That request will be granted if there be no objection. The Chair hears none.

EXTRA PAY TO EMPLOYÉS.

Mr. JONES, of Nevada. I wish to make a report. The Committee on Contingent Expenses, to whom was referred the joint resolution (S. R. 80) providing for one month's extra pay for certain employés of the

Senate and House of Representatives, report it without amendment. I ask for its present consideration.
Mr. EDMUNDS. I object.

I object The PRESIDING OFFICER. Objection being made, it can not be considered at this time.

BILL INTRODUCED.

Mr. DOLPH introduced a bill (S. 2887) granting a pension to Polly H. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

FORTIFICATIONS APPROPRIATION BILL

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned to the Senate, in compliance with its request, the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes

Mr. DAWES. I ask that that bill be laid before the Senate at this

The PRESIDING OFFICER. The Senator from Tennessee has the

Mr. WHITTHORNE. I yield. The PRESIDING OFFICER. The Chair lays before the Senate the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes.

Mr. DAWES. I move that the Senate insist on its amendments to

the bill and ask a conference with the House on the disagreeing votes.

The motion was agreed to.

By unanimous consent, the presiding officer was authorized to appoint the conferees on the part of the Senate; and Mr. DAWES, Mr. PLUMB, and Mr. GORMAN were appointed.

MARY J. NOTTAGE-VETO MESSAGE.

The Senate resumed the consideration of the bill (S. 2005) granting a pension to Mary J. Nottage, returned by the President of the United States with his objections.

Mr. WHITTHORNE. Mr. President, one thing I have been grati-

fied with, that the acting chairman of the Committee on Pensions has this morning in addressing the Senate on the subject-matter now pend-

ing avoided crimination and recrimination.

Looking at the question whether we shall approve the reasons given by the President of the United States in making known to the Senate, in which it originated, his objections to the pending bill, I have to say that I believe the Committee on Pensions, during the short acquaintance I have had with it, has been actuated by a single desire to do its duty

alike to the country and to the applicants for pensions.

I may add that I believe for that committee that it is moved, as I believe every man ought to be moved, by his sympathy for the unfortunate, for the widow and for the orphan; but I should be unjust to everybody if I did not say that standing as we do as members of that committee, so likely to be moved by our sympathies, so easily approached by those who know how to move us, and the committee being composed of a large number there is more or less of divided responsibility, and then knowing as we all must know how liable it is on the part of humanity to err, it is not to be wondered at that with this divided responsibility, with our liability to yield to sympathetic appeals, mistakes shall be more or less committed. Possibly if the responsibility was lodged on each one there would not be the same liability to error or mistake.

Mr. President, in the consideration of a Presidential veto it is right and proper that honesty and correctness of motive shall be allowed upon either side; and no case presents itself, at least to my mind, which better illustrates this than the pending case. I am frank to say to the Senate that in my own judgment upon the face of the case it is one of merit. I was not a member of the committee when the bill passed this body. I was not a member of this body at the time. I came therefore to look at it myself without any prejudice, and I make the frank admission that on the face of it the case is not without merit; and yet when I come to look at the President's veto and to examine the President's collation and marshaling of the facts I am, as a just man, in my own opinion at least, bound to say, I am compelled to say, that the objections made by the President are well founded. What are they?

Before I go to that may I turn back for a moment to notice the ar-

gument made by the Senator from Connecticut [Mr. PLATT] that the President is violating his privileges and prerogatives as conferred by the Constitution when upon a mere question of fact—I shall so put it—he places his judgment against that of this body. That can not be so. The history of the veto power is the history of our country. For years in the public opinion of the country there was waged a contest over the construction of this prerogative of the President such as belongs to only one other provision of the Constitution. In that contest were enlisted the best applied to the provision of the constitution of the contest were enlisted. the best political talent and wisdom of that age, in which it is said the giant statesmen of the country flourished. It was in the days of Webster, Calhoun, Clay, and others, and upon popular appeals after that contest, commenced in the year 1832 and running down to 1844, the popular judgment and verdict was in favor of a large and liberal discretion on the part of the Executive in the exercise of this power, and since that day that judgment of the country unappealed from stands as

the judgment of all parties.

I might retort to the Senator from Connecticut and point to him, if I spoke in the spirit of a partisan, that possibly the greatest exercise of this power in mere special matters, individual matters, by any other President than the present one was by him who has been as largely enshrined in the affections of his countrymen as any other President we have ever had, to wit, General Grant. To be sure, hitherto in the history of our country the veto power has only been exercised upon theoretical propositions or political questions; but in the history of the country there has been very little of special and individual legislation. Special and individual legislation is largely the result of the last few years; and, sir, may I not appeal to United States Senators here to-day if they will not agree with me that the great danger to popular institutions is the increase of special legislation, or job legislation, or individual profit secured by legislation that has permeated the municipal bodies of the country, running from the town corporation up to the Congress of the United These special individual matters, in their corrupting influences, are destroying the confidence of the people in a popular form of government. To-day, if I had no other credit to give to President Cleveland, I have this, that he knows and realizes this great danger to our popular form of government, and that he has the nerve, the courage, and the wisdom to grapple with it, although it come in this insidious, appeal-

But, says the Senator from Connecticut, in his construction for himself individually of this clause of the Constitution the President is not a part of the legislative power of the Government. Possibly the form in which the Senator puts it is not subject to criticism; but I submit that before any proposition of the Congress of the United States can become a law it must have the approval of the President, and in that act of approval the very act itself makes him a part of the legislative

power of the Government.

But, says the Senator from Connecticut, he ought not to exercise any discretion in mere matters of fact or detail, though the Constitution says if he approves a bill he, the President, shall sign it. My friend from Connecticut would say if he shall not approve it he shall sign it also. If his construction is to be taken as the correct one, why have any check? Why this conservative power that represents the great body of the people as against sections, as against localities, and as against States? Why have this check at all in the Government? Sir, the wisdom of our fathers was such as to provoke to this day the admiration and devotion of men of all nations who are friends of popular rights and constitutional liberty.

With these remarks, I come simply to refer for a moment to the facts involved in this case. I have said I frankly admit it is one of merit. Now note for a moment the objections of the President:

The beneficiary named in this bill is the widow of Thomas Nottage, who enlisted in August, 1861, and was discharged for disability September 17, 1862.

He died of consumption January 8, 1879, nearly seventeen years after his discharge, without ever having made any application for a pension.

For what was he discharged? Says his certificate of discharge in September, 1862, "disease of the urinary organs," and he died sixteen years afterward of consumption. I appeal to the experience and knowledge of every gentleman and his reading if that soldier had died of diabetes or gravel there might have been some necessary connection with the cause of his discharge.

Mr. BLAIR. At a convenient time on this point I wish to ask the

Senator a question.

Mr. WHITTHORNE. Do not interrupt me now. He was discharged in 1862 and died of consumption sixteen years afterward. When did a physician see him? Eleven years afterward. No physician was called to see this soldier until 1873. If a disease so fatal in its character had been his enemy in 1862 would he have slept for eleven years without making its appearance known? If the cause was what my friend from making its appearance known? If the cause was what my friend from New Hampshire will refer to, a statement on the part of his captain that every time he called upon him he was complaining. Complaining of what? During what years? If you want to follow from cause to effect, trace it step by step, but do not make a slip of eleven years at a time. What more? For sixteen years this soldier was living himself. If he had been suffering as gentlemen would argue to-day, why is it that the soldier himself did not apply for a pension? The patriarch of old served seven years to get a wife. Here sixteen years aleased and this

served seven years to get a wife. Here sixteen years elapsed, and this gentleman does not apply for a pension, and it is only after his death that the application is made, and that by his widow.

Mr. BLAIR. I do not want to interrupt the Senator's statement of facts, but I wish to call his attention and that of the Senate to a point which I discussed in my report, and which I think it may be well to call the Senator's attention to, and that is this: He seems to be reasoning that because the soldier at the time of his discharge was suffering from one disease and he died from something else, the connection must be made in proof between the difficulty for which he was discharged and the cause of death.

I expressly passed over and arranged the testimony with reference to that. He had swamp fever, he had the remittent fever, he had the

piles, he had kidney complaint, all these diseases, although they are not named in his discharge. Nevertheless the evidence shows that he contracted them in the service and that they pursued him and that they broke him down and that they drove him to consumption. It is not necessary to establish the connection between the consumption which killed him and the gravel with which he suffered at the time when he was discharged.

Mr. WHITTHORNE. Mr. President, it would strike the expert and the inexpert mind the same way I take it.

In 1880 his widow made an application for pension, alleging that he contracted in the service "malarial poisoning, causing remittent fever, piles, general debility, consumption, and death."

Mr. BLAIR. It does not say that he was discharged for those, but that he contracted them in the service.

Mr. WHITTHORNE. The discharge was for "disease of the urinary

organs."
Mr. BLAIR. That was what he suffered from at that particular time.

Mr. WHITTHORNE. Now, the proof by ex parte affidavits is that "somewhere in South Carolina while in the service he was heard to complain, after having stood on picket duty, of debility." No physician testifies to it. That was in 1862. Some comrade heard him complain. I take it for granted that the Senator from New Hampshire is familiar with the facts; but such a statement, unless backed by the statement of the surgeon, does not go for a great deal, particularly when a man is on hard duty. Then after he returned home among his friends, among his relatives, with physicians near him, it was eleven years before any physician was called to see him. After that, if you will observe his physician's statement, the disease of which he died made its first appearance a year or two after the physician had been called to see him. been called to see him.

I submit without arguing this case or without arguing the facts of all the cases presented here, that the reasons presented by the President are of sufficient character and weight-first, to attest the fidelity of the President; second, to attest his sound discretion in weighing the facts presented in the various cases. Take the great volume of cases approved by the President and it demonstrates his sympathy with the soldier. I can say for myself, and I think I may state for every one upon this floor, that the true soldier of the country, no matter where he is to be found, as long as he lives, is the object of our admiration, and when he dies his widow and dependent ones are the objects of our care, attention, and sympathy. Wherever their needs are demonstrated, I know I can speak for myself, and I believe I can speak for all others, when I say that the case shall receive our aid and assistance.

Mr. TELLER. Mr. President, the Government of the United States

is a constitutional Government, with the powers and duties of the several departments thereof clearly defined. There ought to be no real difficulty in determining the province of each department of Govern-

The legislative powers, with all that the term legislative implies, has been intrusted to Congress.

The executive power to the President.

The judicial, to the judges of the Supreme and other courts created

Each department is supreme in the exercise of the duties imposed on it by the Constitution. If there is any control by one department of Government with another, or mixing of powers, it is provided for by the Constitution, and such control or joint exercise of powers must be in the manner provided for by the Constitution and limited to the case mentioned in that instrument.

The framers of our Constitution saw fit to impose on the President the duty of executing the laws; and in order that he might discharge the duty thus imposed on him he was given the power to appoint his officers or agents, by whose hands he was to execute the laws, subject only to the approval of the Senate of the United States.

The duty of legislating for the country was imposed on Congress, subject only to the disapproval of the Executive.

It has been said that the approval or disapproval of a bill on the part of the President of the United States is the exercise of a legislative. function.

The Constitution declares that "all legislative power herein granted shall be vested in a Congress, which shall consist of a Senate and House of Representatives." (Section 1, Article I.)

If approving or withholding approval is a legislative function, it is not of the same character as that exercised by the Congress when it

passes a bill:

There is high authority for the statement that approval or disapproval is the exercise of a legislative function, and yet it can hardly be said that the legislative power of the Government is vested in Congress and the President. It is evident that the framers of the Constitution did not intend to vest legislative power in the President, or they would not have, ex industria, confined such power to Congress.

If the withholding approval to a bill is the exercise of a legislative function, the Executive is clothed with two-thirds of the legislative power of the United States, which the Constitution declares is vested

in Congress.

It will hardly be claimed by any one that the veto power was given to the President to clothe him with legislative authority; certainly not an authority equal to the two-third vote of both House

The President is not the direct representative of the people, but of the States. He has received his position from the electoral colleges of The act of the college is not the act of the people in their

representative capacity, but the act of a sovereign State.

The House of Representatives is the confessed, recognized, and acknowledged representative of the popular will; and it can not be believed that the founders of our Government, with their jealousy of the one-man power, intended to clothe the Executive with legislative power equal to two-thirds of the representation of the people in the House of Representatives, and two-thirds of the representation of the States in the Senate.

The framers of the Constitution, recognizing the tendency of the legislative department of the Government to encroach on the executive

department, provided a qualified veto for the Executive. It was not suggested that such power was necessary to secure wise legislation, but that it was necessary to prevent encroachment on the executive department, and to hold in check the legislative department in time of public excitement, and in case that the proposed legislation should be thought by the President in violation of the Constitution or a fundamental principle of government.

The power thus given to the Executive is a shield and not a sword. It is a negative power. It is not to create, but to destroy the work of If he withholds his assent or approval, and does nothing more, the bill becomes a law without further action of Congress or the President, "unless Congress by their adjournment prevents its return,

in which case it shall not be a law."

The President is required by the Constitution to "give Congress information concerning the state of the country, and to recommend to their consideration such measures as he shall judge necessary and ex-He shall take care that the laws are faithfully expedient. ecuted." There is no legislative function in this.

Congress is declared in section 1, article 1, to possess all the legislative

power granted in the Constitution.

In section 8 of article 1 the powers of Congress are declared in de-

Such power can only be exercised in form of bills, resolutions, or orders; and all are subject to the disapproval of the Executive if he

chooses to exercise such power.

The language of the Constitution is broad enough to authorize the Executive to veto all bills, orders, votes, and resolutions that Congress may pass, yet in so doing the Executive does not exercise a legislative function, but a function especially imposed on him by the Constitu-

It was maintained by those opposed to the adoption of the Constitution that this was power that would become dangerous in the hands of one man. It was said, on the other hand, that such power was essential to the preservation of the Executive and necessary to prevent the encroachment of the legislative branch of the Government on the executive.

It was said this power would only be used in extreme cases; in case of doubt in the mind of the Executive as to the constitutionality of the proposed law; in case of hasty and dangerous legislation; on great and extraordinary occasions; and such appears to have been the opinion of the early Presidents, who rarely used the veto power, and some of them

not at all.

Between 1789 and 1885 the veto power had been exercised only one hundred and nine times, making an average of only about one a year. Since that time I believe the veto power has been exercised over one hundred times. That its exercise is sometimes demanded can not be questioned. It is a constitutional function, and, whether we call it legislative or executive, it belongs to the President, and he is responsible alone for the proper exercise of the power.

Story, in his work on the Constitution, speaking of the exercise of

the veto power, says:

The truth is, as has been hinted, the real danger is the Executive will use the power too rarely. He will do it only on extraordinary occasions, when a just regard to the public safety or public interest or a constitutional obligation or necessity of maintaining the appropriate rights and prerogatives of his office compels him to the step, and then it will be a solemn appeal to the people themselves from their own representatives. (Section 887.)

Hamilton, speaking of the apprehended danger of the too frequent exercise of the veto power, said:

The superior weight and influence of the legislative body in a free government and the hazard to the executive in a trial of strength with that body afford a satisfactory security that the negative would generally be employed with great caution; and that in its exercise there would oftener be room for a charge of timidity than of rashness.

A king of Great Britain, with all his train of sovereign attributes, and with all the influence be draws from a thousand sources, would, at this day, hesitate to put a negative upon the joint resolutions of the two houses of Parliament. He would not fail to exert the utmost resources of that influence to strangle a measure disagreeble to him in its progress to the throne, to avoid being reduced to the dilemma of permitting it to take effect, or of risking the displeasure of the nation by an opposition to the sense of the legislative body. Nor is it probable that he would ultimately venture to exert his prerogative but in a case of manifest propriety or extreme necessity. All well-informed men in that kingdom will accede to the justness of this remark. A very considerable period has elapsed since the negative of the Crown has been exercised.

If a magistrate so powerful and so well fortified as a British monarch would have soruples about the exercise of the power under consideration, how much greater caution may be reasonably expected in a President of the United States clothed for the short period of four years with the executive authority of a government wholly and purely republican?

It is evident that there would be greater danger of his not using his power when necessary than of his using it too often or too much. An argument, indeed, against its expediency has been drawn from this very source. It has been represented on this account as a power odious in appearance, uscless in practice. But it will not follow that because it might rarely it would never be exercised. In the case for which, it is chiefly designed, that of an immediate attack upon the constitutional rights of the Executive, or in a case in which the public good was evidently and palpably sacrificed, a man of tolerable firmness would avail himself of his constitutional means of defense, and would listen to the admonitions of duty and responsibility.

No English sovereign has ventured to exercise the veto power since 1707, a period of one hundred and seventy-nine years.

There has been much controversy over the exercise of the veto power, and the greatest men of our history have added to our stock of knowledge on this question. I think I may say without exaggeration all have contended that it was a power to be exercised only in exceptional cases. It is true Calhoun declared the exercise of such power was a legislative function, yet he condemned its use except in extreme cases. Not a man of all the number of great men who have discussed this question in the House and Senate or the public forum but has united in the declaration that the veto power was a power to be exercised only on great and extraordinary occasions, only to defeat unconstitutional or otherwise bad legislation, and that such exercise was to be a solemn appeal to the people of the United States by the Executive from the act of their chosen representatives—an appeal so solemn that Washington exercised the veto power but twice in eight years; John Adams, not at all; Jefferson in his eight years had no occasion for its use; Madison exercised it six times, and Monroe once; John Quincy Adams, not at all; Andrew Jackson only eight times; Martin Van Buren, not at all; Tyler, with his continued struggle with the legislative department of the Government, but nine times, and James K. Polk but three times; Abraham Lincoln, but once.

Surely these early Presidents did not consider it their duty to controvert questions of fact with Congress; did not attempt to control by the exercise of the veto power that discretion that must be conceded to the legislative department of the Government, if it is to legislate with that independence that is absolutely necessary to proper action.

Investigation by committees, discussion, and deliberation are essential

to successful legislation. Congress may give weeks and months to such investigation, discussion, and deliberation to find its determination of facts and its settled determination of policies destroyed by the action of the President, who at best can have but scanty opportunity to consider the bill within the ten days given for consideration.

If he is to be equal to two-thirds of the Legislature in legislative function, greater opportunity ought to be given to him to examine and de-liberate on the bill before he must return it with his reasons than is possible within the limited time provided for in the Constitution.

Many of the great and renowned men of history have expressed fears that the Executive might override and control Congress by means of

official patronage.

What would these great man have said if they had been told that to this great engine of power and corruption—patronage—there should be added absolute control over the legislation of the country, save as that might be resisted by two-thirds of each House of Congress acting separately on the President's vetoes; that until two-thirds of the House of Representatives and two-thirds of the Senate could be induced to disagree with the Executive all legislation was under his control.

Patronage is still left to the Executive. It may be used to prevent the concurrence of the two Houses, and thus place in the hands of the Executive not only all the power to preserve to himself his patronage

but to dictate what laws shall be passed.

It is true that the exercise of the veto power does not put statutes on the statute-books, but if it is understood that all bills must undergo the scrutiny of the President, not only as to their constitutionality but as to their general policies, there will be but few bills passed that it is not understood before passage will receive his sanction.

Is there danger to representative governments in the exercise of the veto power? I think not, if exercised in the spirit and in accordance

with the Constitution as understood and expounded by the fathers of

the Republic.

If the Executive follows the precedents of the early Presidents, and only exercises the power in extraordinary occasions to prevent extraor-dinary legislation, there will be no real interference with legislative departments of the Government.

But if the President insists that it is his duty to pass on the merits of all bills, determining for himself questions of policies and discretion heretofore in practice left to Congress, there is danger that the will of the Executive will be substituted for the judgment of Congress.

That this can not advance the cause of good government can be readily seen, and no argument can make the case stronger than the mere statement of the facts that it will be the will and judgment of one man, overburdened with executive duties, as against the judgment of the House and Senate, charged by the Constitution with the exercise of all regislative powers.

Can it be possible that the people of the United States will be satisfied with the judgment of one man, and that his judgment must be final, unless that judgment is disapproved by the concurrent action of two-thirds of both branches of the National Legislature?

It is true it is but a negative power the President exercises, but it prevents the majority of the representatives of the people and States from putting into law the principles and ideas advocated and demanded by the people themselves. If such claim is made by the executive department of the Government, and an attempt is made by the executive department of the Government, and an attempt is made to exercise the power in accordance with the claim, the people will demand a change in the Constitution, and that the executive department of government be restricted to the exercise of the veto power in the exceptional and extraordinary cases heretofore recognized as the only cases in which the President should exercise so dangerous a power.

The people of the United States are not apt to be alarmed at trifles. They feel secure in their position as free men, and are attached to the idea of self-government, and at first they may not resist encroachments by the executive department of the Government on the legislative department, and may not realize the danger in the assumption of control over this branch of the Government by the Executive; but they are not slow to learn, and are jealous of their rights and deadly hostile to the "one-man power," and they will not be slow to resist such inter-

ference when it is fairly called to their attention.

He must be strongly entrenched in the confidence and affection of the people who can arrogate to himself such extraordinary powers without the most unequivocal constitutional authority for such a claim.

It is doubtful whether in the history of our country any man has ap-

peared who has been capable of maintaining and enforcing such claim; and it is late now, after nearly one hundred years under the Constitution, for such a claim to be made with success.

Other Presidents have exercised the veto power, but no one has claimed the right to exercise it to the extent now claimed by the pres-

ent Executive.

It is becoming and proper that, in the several Departments of the Government, in the discharge of duties provided for by the Constitu-tion, they should not invade the functions of any other Department; and it is equally becoming and proper that the discharge of such duties must, so far as it is possible, be without criticism or disparagement of other Departments of Government.

Congress is not responsible to the Executive, and he has no power over Congress, except as it is specifically given him in the Constitution. It is in no sense a subordinate branch of the Government, and it is not in the province of the Executive to dictate or control legislative action, except through the veto power. He ought not to criticise or condemn Congress, only so far as may be necessary in giving his reasons why he disapproves a bill.

As I have before said, each branch of Government is supreme in the

discharge of the duties conferred to it by the Constitution.

The House of Representatives may, for what appears to it proper cause, prefer articles of impeachment and the Senate may try the Executive on such articles. This, however, does not make the Executive subordinate to the House and Senate; each is independent in its sphere.

The President appears to suppose that if a member of Congress he should think it his duty to withhold his vote for a bill, that it is his

duty to veto the same when it comes to him. He says:

From the information furnished me, I am convinced that the difficulty alleged by this applicant had its origin in causes existing prior to his enlistment, and that his present condition of disability is not the result of his service in the Army. (Senate bill, 1253.)

Again he says:

The facts here presented come so far short of furnishing a satisfactory excuse for his delay that, in my judgment, the discrimination asked in his favor should not be granted. (Senate bill, 153.)

Considering that the injury complained of is merely a dislocation of the shoulder, and in view of the other facts developed in the case, I think the Pension Bureau arrived at a correct conclusion when this claim was rejected. (Senate bill, 789.)

Again he says:

Again he says:

His continued performance of military duty after he incurred this infirmity, the fact that he made no claim for pension on that account until twenty years had passed, and the unsatisfactory evidence now produced to support his allegation tend to induce the suspicion that the decision of the Pension Bureau was entirely just, and that this bill is not based upon substantial merits.

I find nothing in the facts presented to me which, in my opinion, justifies the reversal of the judgment of the bureau and the Secretary of the Interior. (House bill 1707.)

I am of the opinion that a correct conclusion was reached when the application for pension in this case was denied by the Pension Bureau. (Senate bill 1288.)

I am not prepared either to gratuitously set at naught two determinations of the Pension Bureau, one very lately made, after a special examination—and especially when the evidence produced before the committee to reverse the bureau's action is admitted to be "contradictory" and "biased in about equal proportion for and against the claimant." (Senate bill 1726.)

I am entirely satisfied with the rejection of this claim by the Pension Bureau. (House bill 7401.)

(House bill 7401.)

I concur in the judgment of the Pension Bureau which rejected for pension on the ground that "the death of the soldier was not due to his military service." (House bill 7162.)

This claim was rejected by the Pension Bureau, and I have no doubt of the correctness of its determination. (House bill 6688.)

I can hardly see how the Pension Bureau could arrive at any conclusion ex-

cept that the death of the soldier was not due to his military service, and the acceptance of this finding, after an examination of the facts, leads me to disapprove this bill. (House bill 2043.)

It is very clear to me that the Pension Bureau properly rejected the widow's claim for pension for the reason that the soldier was not in the line of duty at the date of his death. It is also impossible to connect the death with any incident of the soldier's military service.

It will be seen from the foregoing that if the President is satisfied with the action of the Pension Bureau he vetoes the bill.

And it will be seen from the following that the President is not in favor of extending the power of the existing laws to take other and different classes of disabled soldiers, for he says:

The passage of this law would in my opinion establish a precedent so far-reaching, and open the door to such a vast multitude of claims not on principle within our present pension laws, that I am constrained to disapprove the bill under consideration. (House bill 539).

Why disapprove of it? Congress has the power to declare by law

who and in what manner soldiers shall be pensioned.

It is well known that the Commissioner of Pensions does not personally pass on the claims of the applicants for pension. It is impossible that he should. It is his duty to direct the general course of the business in that office. He lays down general rules for the government of his force, and the actual determination of the merits of applicants' claims is left to the clerks of that bureau, acting under the general line of policy and the rules declared by the Commissioner; so the determination of the Pension Bureau is not actually the determination of the Commissioner.

When we reflect on a well-known fact that the employes of the bureau are not, as a general thing, men trained especially for the work in hand, and are in but a few cases fitted by their education and training to determine questions of fact or law, we need not wonder that very many cases are determined in a way to do great injustice to the claimants or

the Government.

It does not reflect on the Pension Bureau that a committee of Congress should come to a different conclusion from that arrived at by that bureau, or that Congress, not disapproving the action of the Pension Bureau, but accepting its judgment as a final disposition of the case under existing laws, should by special act give the applicant that which he has failed to secure under existing law through the Pension Bureau.

Such Congressional action is in no sense a review or a reversal of the

Pension Bureau.

The President in a great number of his vetoes expresses his satisfaction and approval of the action of the Pension Bureau. Why should not the President be satisfied with the action of the Commissioner of Pensions, for the action of the Commissioner is the action of the President, and, therefore, when the President affirms the finding of the Pension Bureau he only says in substance, I have examined this case through my proper officer, and I am satisfied with his conduct in the premises

But is Congress to have no opinion in a matter purely one of legis-

lation?

Is Congress estopped by the determination of the Commissioner of Pensions because the Executive especially signifies his approval of such determination?

The granting of pensions by Congress in special bills is not, and has not heretofore been understood to be, a reversal of the action of the Pension Bureau. If the applicant falls within the provisions of the statutes he is left to make his case in the Pension Bureau, unless it is impossible for him to do so because of technical difficulty in the proof.

If his case appears to be a deserving one and yet not within the statutes, or he may be unable to make proof, Congress by special bill may dispense with the lack of proof or declare the case to fall within the

law made for that particular ease.

Under the general law a soldier not mustered at the time of incurring the disability can not be allowed a pension by the Pension Bureau, but as Congress might by general law declare all soldiers disabled while serving in the Army should be entitled to a pension, even if they had not been mustered, it will hardly be contended that it may not declare that such shall be the law for the particular case.

The soldier to entitle him to a pension under existing law must have been disabled in the line of duty. It is certainly in the power of Congress to say that all disabled soldiers may be pensioned, whether their disabilities were incurred in the line of duty or not. If it can do that for all soldiers it may for one, if the service of the soldier, his condition, or the circumstances under which his disability was incurred convinces Congress that it is a proper thing to do.

If the soldier's case falls within the provision of the statutes as to disability and proof, Congress need not interfere by special bill; and it is not a proper reason for the Executive to give that he returns the bill because the soldier is not entitled to a pension under the existing laws. It is because he is not entitled under existing laws that he applies to Congress for special relief. To say that Congress can not in such a case great relief is to deny to Congress in a pension case what it is admits grant relief is to deny to Congress in a pension case what it is admitted it may do in all other cases. It is also to deny to Congress the exercise of a power frequently exercised from the commencement of the Government to the present time with reference to pensions.

I do not understand the President denies the power of Congress to grant special pensions, but he asserts that he is to be the judge whether

the services of the soldier are such as to merit such a favor. He asserts that it is for him to determine whether the applicant is disabled or not; and if disabled, whether he received such disability in the line of duty In a word, all questions of law and fact decided by Congres as well as Congressional discretion, must be reviewed by him; and that if he differs with Congress as to law, fact, or discretion, he will veto the bill. "For," he says, "I am satisfied there is not a particle of merit in this claim, and no facts are presented to me which entitle it to charitable consideration." (Senate bill 1192.)

If the President is to pass on all questions of fact, questions of law, and supervise the discretionary power of Congress with reference to a pension, why not in all cases of legislation? Surely there is nothing in a pension case different from the many other questions presented for the action of Congress. Shall we have a liberal general law in dealing with our disabled soldiers; or shall we have a hard, harsh law, full of difficulties and technicalities? That is a question surely for Congress. Shall we give to the soldier, disabled in the public service, sufficient to keep him from the poor-house; or shall we give him a mere pittance on which he will be unable to-live, is a question for Congress and not

for the Executive.

Shall dependent father and mother, deprived of the care of their sons, be cared for by Government, or neglected, is not a question for the Ex-

ecutive but for Congres

If it is true as to this class of legislation, it is as to all. that the President of the United States may supervise the action of Congress in this class of cases is to allow him to do it in all others, and to put the will and judgment of one man against two-thirds of the repto put the will and judgment of one man against two-thirds of the representatives of the people and the States. If this is allowed Congress will sit to register the decrees of the Executive. The Executive has sufficient power with the immense influence his position gives him. He has social position; public favors to bestow. The Executive of sixty millions of people will not be without great influence and control over Congress, and if to that we add the right to use and the consent that he do use the veto power to the extent indicated by the President's vetoes, the whole theory of representative government will be changed; or, I should say, will be at an end.

It may be said that no great danger can come to the country by the

veto of a few hundred private pension bills. That is true; and it is not contended that great harm will be done in that direction, but the danger lies in the assumption by the President of a power that may, when freely exercised, set at naught the will of the people as expressed

through their constituted agency.

It is no answer to the objection of the assumption of power to say that it is exercised only in cases of minor importance, and that because of the insignificance of the consequences that must follow such exercise, no danger need be apprehended. If the President may supervise the discretion of Congress in a matter of no importance, he may do the same in the most important legislation. In fact, the most alarming feature of this exercise of power, heretofore exercised with great caution and only in matters of the gravest character, is the fact that the President exercises this power in matters of trifling importance. Other Presidents appeared to think it was a power given to be used only where danger might come to the Republic by the legislation proposed, either because the proposed legislation was a violation of fundamental law or some great principle of government, and that the exercise of the veto power was necessary to the welfare of the people.

The President of the United States is charged with great duties, all clearly defined in the Constitution of the United States. It is his duty to call the attention of Congress to the needs and demands of the peo ple. He must inform Congress of the condition of the country as well as its wants. He is charged with direction of our relations with other rations; he must make and submit to the Senate treaties concerning in-tercourse and trade with all the world. He must receive embassadors and other foreign ministers, and see that the laws of the United States are executed. All this involves labor beyond the strength of one man; and much of this he must do by his Cabinet and other officials.

All these matters are of great importance; worthy of the attention of

the greatest and best. How can he do all this and attend also to this branch of the public service, intrusted by the Constitution to the House of Representatives and the Senate?

It was never intended that the President should review the action of Congress as an appellant court reviews the findings of an inferior court. It certainly can not be supposed that the President is charged with the duty of investigating the action of Congress and determining the question whether Congress did or did not err in a question of fact necessary to be determined as the first step in legislation. The utter interacticability of the President's doing this in an intelligent and satisfactory manner can at once be seen. If the President attempts this it must manner can at once be seen. If the President attempts this it must be admitted that he must do it in person. It would not comport with the high character of the function he is performing to allow it to be done by a subordinate. He certainly should not leave a matter of so much importance and delicacy to be performed by a clerk or a subordinate of any degree.

The relation that ought to exist between the President and the coordinate branches of the Government would preclude the idea that such action could be reviewed by any one save the President himself. To

do this in all cases, important and unimportant, is an impossibility; and in some cases the character of the work would be of so little importance compared with the greater cases presented to the President for his consideration that it would appear to be folly to attempt it.

The founders of our Government did not intend he should do that.

It was supposed the President would devote himself to the great matters of public interest, and that matters clearly intrusted to him would

occupy all his time.

The Romans had a maxim: Aquila non capit muscas—An eagle doos not catch flies. The President of the United States spending his time on the facts in a pension case, endeavoring to ascertain whether Congress had determined the facts correctly or not, involving \$8 a month, is very like an eagle catching flies. "Trifles ought not to engage the attention of kings." Eagles should have bigger prey than flies.

Questions of fact necessary to be determined in a pension case not infrequently require the skill of the medical fraternity, and are more

likely to be correctly determined by a doctor than a statesman.

As I have before said, the great and important interests intrusted by

the Constitution and laws to the charge and control of the Executive, as well as the many questions which he must of necessity make himself familiar with, precludes the possibility of the Executive giving his attention to the minor details of legislation; and the people neither demand nor expect that he will attempt this, or spend his time in determining questions that a doctor receiving \$1,800 a year is better qualified to determine than he.

Important as the question may be to the claimant for a pension, the people will hardly be satisfied that the Executive of sixty million of people shall spend his time to determine the pathological connection between chronic diarrhea and sore eyes, even if they shall be satisfied

that his conclusions are correct.

A President should find enough to engage his attention without attempting to correct errors of fact of a co-ordinate branch of the Government in a matter involving less than \$100 a year.

If these reviews and revisions were in the interest of an honest administration of Government, to prevent the robbery of the public Treasury or to compel the observance of good faith on the part of the Government, there would be no complaint; but when the great affairs of State go unattended, when our foreign commerce receives little or no notice from the Executive, when our hardy fishermen on our northern coast are insulted and plundered by a neighboring nation with scarcely a passing remark from the Executive office, our financial affairs in a deplorable condition and intrusted to a bank clerk, that the President may raise an issue with Congress on a question whether a soldier did or did not receive his disability in the line of duty, or whether he was sound or unsound when the Government accepted and received his services in its great war, the people have just cause of complaint.

The people are slow to complain of their Chief Magistrate. resents the sovereignty of the people as well as the States. No matter who he may be, nor of what political party, for the time being he is entitled to and receives the respectful consideration of all the people; and if the respect that they owe to the Chief Magistrate has induced silence on their part, it will be ultimately discovered that they do not want

their cagle to spend his time catching flies.

But does the President give to these vetoes of small pensions to our disabled soldiers his personal attention? Does he attempt to ascertain Does he attempt to ascertain by a personal examination of the proofs before the committees of the House and Senate before he determines the question that must have been determined in the affirmative by the committees of Congress be-

fore the bills could pass?

It is said that the committees are the eyes and ears of Congress. is through that source that facts are brought in an official way to Con-Who performs this service for the Executive? We know as a matter of fact that the President does not give his personal attention to these bills. As I have said, it is physically impossible he should do so. If he attempts it in one case he must in all. If one applicant do so. If he attempts it in one case he must in all. If one applicant for special relief receives the attention of the Executive in the consideration of his claim, it is but just and fair that all others should. This he can not do, even if he should devote himself, as it is claimed he does, on the Fourth of July and other holidays to the examination of these bills

The committees of Congress charged with the examination of these ases call on the Pension Bureau for the evidence filed in that bureau. Such evidence is transmitted to the committees. The applicant files such other evidence as he can get and all the evidence that can be produced. The committees act, and when the bill passes one House the evidence is sent to the committee of the other House, and when the bill is ready to go to the President the evidence received from the Pension Bureau, and that only, is returned to that office. Whatever may have been before the committee not received from the Pension Bureau is not sent. When the President receives the bills he sends them to the Secretary of the Interior, and he to the Commissioner of Pensions, for examination.

Heretofore it has been the practice of the Department of the Interior to examine only as to the form of the bill to ascertain whether it would or would not secure to the soldier what Congress by the bill evidently intended he should have. If correct in form it was sent back for executive approval. The practice now is to submit the bill to clerical inspection in the Pension Bureau, and a clerk makes up a synopsis of the evidence in that bureau, which, with such remarks as he chooses to make, is transmitted to the President with the bill. Thus it appears that the discretion and judgment of Congress is subject to the review of an inferior clerk in a bureau of the Government. It may be that the very clerk who has in the first instance examined and rejected the claim for pension passes on the question whether Congress ought or ought not to have granted a pension.

Many of the cases contain a large amount of evidence contradictory in character, requiring much time and patience to sift the truth from the abundance of material which must be examined.

The clerk being informed of the former action of the bureau, even if he has had nothing himself to do with it, can readily, and in most cases will, without intending so to do, color the character of the synopsis so as to give the President an impression not warranted by the facts

It is apparent by an examination of the several vetoes sent to Congress that either the committees and Congress have been in error as to condition of the soldier, the service rendered, and all the material facts necessary and proper to consider in determining whether the relief should be granted or not, or the President has been in error.

Congress can quite as correctly determine what the facts are in a case as the Executive, and it by no means follows because the President vetoes the bill and asserts a different state of facts from that stated by the committee in its report to Congress that the President is right and

the committees and Congress wrong.

An issue of fact is at once raised between the Executive and Congress. Who is to be the final arbitrator? It must be apparent to all that such a condition of affairs ought not to be brought lightly about. Such differences between co-ordinate branches of the Government are not calculated to promote that harmonious relation between co-ordinate branches of the Government indispensable to good government.

If such differences must arise they should only arise in matters of great importance and when they can not be avoided without great det-

riment to the public service.

Fortunately in our history controversies of this character have rarely ever occurred, and then only concerning matters of great public in-

If the President has doubts about a bill presented for his approval he should submit it to his Cabinet; and I doubt whether any of his illustrious predecessors ever sent a veto message to Congress that had not been submitted to his Cabinet. I hardly think from the insignificance of the sums involved, as well as the character of some of the messages transmitting these vetoes, that this rule has been observed in reference to recent vetoes.

Insinuations in the veto messages of the soldier's lack of soldierly qualities, a charge that his application was a scheme to rob the public Treasury, would seem to be out of place in a case where Congress had declared that there was sufficient merit to justify the special interposi-

tion of Congress making provision for his relief.

Justice to the applicant who was a soldier (whether he is entitled to a pension or not) should deter the Executive from speaking lightly of his service or sneeringly of his wounds or disabilities. It is bad enough that a soldier who has served his country and who believes he is entitled to a pension should be refused that boon without accompanying such refusal with insult and contumely. Accident, partiality, or good fortune may elevate one man to high public station, while another with equal merit may remain in the humblest obscurity. The difference is one of station and not of worth.

Official elevation adds nothing of value to head or heart; and all offi-

cial declarations of and concerning the great and respectable class of people who hold no official position should be couched in language implying no inferiority or lack of moral worth in them.

Great injustice may be and doubtless has been done to worthy and deserving men, whose only crime appears to be in believing that service in the Army of the United States entitles them to receive a pension from the Government that they faithfully served, by the harsh language from the Government that they faithfully served, by the harsh language of the President in reply to these claimants suffering with disease and disability that at least they claim were received in the service of the Government. They are entitled to courtesy and kindness at the hands of every Department of Government. If they must continue in want and distress they at least ought not to be subjected to insults and contumely at the hands of the officials of the Government that they did their part to save and preserve.

Contumely and reproach ought not to be heaped on them until there is better evidence of their misconduct than is afforded to the President by the examination of a clerk in the Pension Office or a special

examiner in the field.

I do not think it can be said that there has been reckless legislation concerning pensions; certainly not beyond the ability of the Government to meet. With an overflowing Treasury, with an income greatly beyond the needs of the Government, there ought to be no complaint about lavish expenditures in the interest of our sick and disabled soldiers, their widows or orphans.

The Government receives every week-day over a million of dollars,

more than \$40,000 each hour. Every minute of time during the three hundred and thirteen working days of the year there drops into the coffers of the Government nearly enough to pay the pensions of ninety private soldiers for a month, and had the President signed all the bills passed during the Forty-ninth Congress granting pensions to all classes of people who were supposed by Congress to be entitled to Government aid the whole annual sum could be paid by the income of one-third of a day, and all that has been saved by the vetoes could be paid by the income of the Government for one half-hour.

Surely a Government for one national.

Surely a Government so great and so rich will not honor itself by attempting to save in that direction. If there is necessity for economy it is not that kind of economy that sends the soldier to the pauper's home or consigns his widow and children to privation and want.

It has been said that there are now within the walls of public poor-

honses seven thousand men who served the Government in the hour of its danger and distress for the paltry wages of a soldier. If this be true Congress has not been lavish in its grant of special aid to that deserving class, whose claim on the Government is not for what they are

but for what they did.

All communications between the executive and the legislative departments of Government should be characterized with dignity, frankness, and courtesy; free from contemptuous or discourteous terms. cisms, sneers, criticisms, reprimands, or rebukes ought not to find place cisms, sneers, criticisms, reprimands, or redukes ought not to find place in an official communication—certainly not in a veto message. Questions of "quorum" or the proper and orderly procedure of the legislative branch of the Government, not being subject to the review or revision of the Executive, are not matters either for his approval or disapproval. Each House must of itself determine whether the bill passed in accordance with the formalities required in such cases.

I regret that the President appears in some instances to have departed from the rules here laid down, which I think have been studiously observed by his predecessors. It is to be hoped that this has arisen from inattention on his part, and not intended as a discourtesy to a co-ordi-

nate branch of the Government.

Keeping in view the rules that I have laid down in reference to the character of communications between the different departments of Government, and desiring to keep within the spirit of that rule, I have not attempted to impugn the motives of the Executive, nor to speak lightly of his work; but to point out the error into which he has fallen in supposing it to be his province to participate in legislation and his duty to review the action of Congress in matters of comparative unimportant details.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 2d instant approved and signed the act (S. 2794) to amend an act entitled "An act for the erection and construction of a public building at Oxford, Miss.," approved July 12, 1882.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House requested the return of the bill (S. 2056) to amend the pension laws by increasing the pension of soldiers and sailors who have lost an arm or leg in the service.

RIVER AND HARBOR BILL.

Mr. McMILLAN. I submit the conference report on the river and harbor bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report.

Mr. HOAR. I inquire whether the rule of the Senate demands that the portions of that bill which have been read already not only when it passed the Senate but on a former report of a conference committee should be read again, or whether only those portions shall be read which are affected by the former disagreement of the two Houses?

Mr. EDMUNDS. The whole of this report must be read, of course.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The Chair thinks the whole of the report should be read.

Mr. HOAR. I suggest that only the points of disagreement need be

Mr. EDMUNDS. Let the report be read through. I did not hear any of it before.

Mr. HOAR. I desire to say that this bill was read through when it

passed. It is not the ordinary case of a bill amended in certain particulars, but a new draught of the entire bill was substituted as one amendment. Then when the first disagreement took place that was read to the Senate, and now the Senate will have all the substance if what is found in the conference report on those parts of the bill about which the two Houses have heretofore disagreed is read. I submit that when a bill has been read twice it is pretty hard on the rest of the Senators to take two or three hours to read it over again for mere form because one highly respected and esteemed Senator absented himself from his seat when the rest of the Senate listened to it before and demands now that it shall be read because he has not heard it before. Still, of course, it is within the power of any Senator to object.

I ask unanimous consent that so much of the bill as is not the sub

ject of disagreement be omitted in the reading.

Mr. EDMUNDS. That is a most extraordinary proposition, Mr. President. We do not know without reading this report whether this report contains the parts of the bill that were read before or whether it does not. This is not the report that was read before. It is a new report. It may contain, and probably does in point of fact, a very large part of what was read before and of which it was said there was no point of disagreement. I certainly do not wish to insist on anything that will give any discomfort to anybody, but it seems to me that it is a very dangerous way to legislate, having a new report here, to leave it to the Chair or to the committee or to somebody to say how much of it or of some other report is or is not embraced in this, and to only read what is new.

Mr. HOAR.

Mr. HOAR. Everybody I think understands it.
Mr. McMILLAN. Let the reading proceed.
The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that so much of the bill as has not been in controversy before this report be omitted in the reading.

Mr. EDMUNDS. Every single item in the bill was in controversy,

Mr. EDMONDS. Every single team in the second of the control of the Minnesota allow me to call up a message from the House requesting the return of a bill?

Mr. McMILLAN. Yes.

ARMLESS OR LEGLESS PENSIONERS-RECALL OF A BILL.

Mr. SEWELL. I ask to call up the message of the House of Repre-

sentatives requesting the return of a general pension bill.

The PRESIDING OFFICER. The Chair will lay before the Senate a message from the House, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, August 3, 1886. Resolved, That the Clerk be directed to request the Senate to return to the House the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service.

Mr. SEWELL. I move that the request of the House be granted and the bill returned.

The PRESIDING OFFICER. Is there objection to that motion? The Chair hears none, and it is so ordered.

THE CONGRESSIONAL LIBRARY.

Mr. PLUMB. I ask leave to withdraw the objection I interposed to the consideration of Senate joint resolution 82 making additional appropriation for purchase of site for Congressional Library. The Senator from Indiana [Mr. VOORHEES] is so much interested in the matter and I defer to his judgment and his wish about it, and therefore withdraw my objection to the consideration of the resolution.

ARMLESS OR LEGLESS PENSIONERS-RECALL OF A BILL.

The PRESIDENT pro tempore. The Chair wishes to call the attention of the Senate to an order just made. He feels a hesitation about executing the order without the Senate knowing the situation. The House of Representatives has recalled the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service for amendment. The bill has been enrolled, and the Chair has signed the enrolled bill.

Mr. EDMUNDS. And it has been signed by the Speaker also?

The PRESIDENT pro tempore. It has been signed by the Speaker of the House and the President of the Senate and is ready to be presented to the President of the United States. The Chair is in doubt whether the bill is in such a condition that the Chair can withhold it. It is for the Senate to say. The Chair would not feel at liberty to do so without the unanimous consent of the Senate, his signature to the bill having been announced.

Mr. HARRISON. Do I understand the Chair that the bill was a

Senate bill or a House bill?

The PRESIDENT pro tempore. A Senate bill.

Mr. HARRISON. Has it been signed by the Speaker? The PRESIDENT pro tempore. By the Speaker of the House and

by the presiding officer of the Senate.

Mr. SEWELL. The case is simply this: There was an amendment offered and adopted, as I believe, but it did not appear in the engrossed bill. The House desire to put that amendment in. There is no possible birties the senate of t sible objection to the amendment. It simply removes a duplication of words in the bill.

The PRESIDENT pro tempore. The bill would have to be re-enrolled and resigned. As a matter of course it can not be altered after

the signature is attached.

Mr. SEWELL. I should think the presiding officer could strike his

signature out

Mr. EDMUNDS. The way that has been done, I think, hitherto-I remember one or two instances—has been that by a concurrent resolution the enrollment of the bill was agreed to be canceled, both Houses agreeing to it, and then the bill, of course, would be open to reconsideration as an engrossed bill in whichever House it then belonged, and the matter could be reached; but it certainly requires concurrent action of both Houses to change the bill now that it is enrolled. Sometimes by unanimous consent it has been agreed to direct the Secretary of the Senate or Clerk of the House to put in something omitted, but the correct way is by concurrent resolution to set aside the enrollment, and that leaves the bill open.

Mr. SEWELL. That requires a concurrent resolution. Mr. EDMUNDS. I know it.

The PRESIDENT pro tempore. The Chair would not feel at liberty to change an enrolled bill.

Mr. CULLOM. I inquire if the bill is effective as it is?
Mr. SEWELL. It is complete as it is. The desired change is only necessary to avoid tautology. It is of no consequence really to make the amendment.

Mr. CULLOM. Then I would not disturb the bill.

The PRESIDENT pro tempore. It can only be done by unanimous consent by destroying the present enrolled bill by the order of the two

Mr. SEWELL. I think in order to satisfy the House we had better have unanimous consent that the bill be returned.

The PRESIDENT pro tempore. Shall the enrolled bill be returned

to the House of Representatives? Mr. EDMUNDS. They can not erase the signature of the President

of the Senate.

Mr. CULLOM. I think the Senator had better have the House notified of the condition of the fill, that it has been signed by the pre-

siding officer, and that we have no power to do anything further with it.

Mr. SEWELL. Well, I ask that that be done, that the House be notified that the presiding officer of the Senate has signed the bill, and

it is too late to interrupt proceedings upon it.

The PRESIDENT pro tempore. If there be no objection, the House will be advised of the present situation of the bill.

RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference on the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDENT pro tempore. The reading of the conference report

will proceed.

The Secretary resumed the reading of the report.

Mr. CALL. I ask if the bill is required to be read entirely through from beginning to end? The PRESIDENT pro tempore. The reading of the report is called

Mr. CALL. I make the point of order. It seems to me that it is not in order to read that bill through from beginning to end.

The PRESIDENT pro tempore. The whole bill having been in dispute between the two Houses, and the report embracing the whole bill,

any Senator has a right to demand its reading.

Mr. CALL. I do not understand that the whole of that bill has been in controversy. I understand that certain amendments made by the Senate were disagreed to by the House.

The PRESIDENT pro tempore. There was but one amendment, and that was an entire substitute for the House bill, and a substitute is reported now for that amendment.

Mr. CALL. I beg pardon.

The reading of the report was continued and concluded, as follows:

The reading of the report was continued and concluded, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7489) "making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes" having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate with an amendment as follows: Strike out all after the enacting clause and insert the following:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered I, and agree to the same with an amendment as follows: Strike out all after the enacting clause and insert the follow-

ment as follows: Strike out all later the channes ing:

That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Secretary of War, for the construction, completion, repair, and preservation of the public works herein named:
Improving harbor at Rockland, Me.: Continuing improvement, \$25,000.
Improving barbor at Portland, Me.: Continuing improvement, \$30,000.
Improving harbor at Portland, Me.: Continuing improvement, \$30,000.
Improving the channel in Back Cove, Portland, Me.: Continuing improvement, \$26,250.
Improving harbor at York, Me., \$15,000.

ment, \$26,250.

Improving harbor at York, Me., \$15,000.

Improving harbor at Portsmouth, N. H.: Continuing improvement, \$15,000.

Improving the harbor of refuge at Little Harbor, New Hampshire: Continuing improvement, \$10,000.

Improving the harbor at Burlington, Vt.: Continuing improvement, \$18,750.

For a breakwater at Gordon's Landing, on Lake Champlain, to be built on

the 12-foot curve mentioned in the papers accompanying the report of the Secretary of War to the Senate dated March 1, 1886 (Executive Document No. 81, Forty-ninth Congress, first session), \$18,750.

Improving harbor at Boston, Mass.: Continuing improvement, \$56,230; of which \$18,750 are to be expended at Fort Point Channel, on Part A, below Congress street bridge.

Improving harbor at Lynn, Mass.: Continuing improvement, \$6,000.

Improving harbor at Nantucket, Mass.: Continuing improvement, \$15,000.

Improving harbor at Newburyport, Mass.: Continuing improvement, \$37,500.

Improving harbor at Wareham, Mass.: Continuing improvement, \$37,500.

Improving harbor at Pymouth, Mass.: Continuing improvement, \$6,000.

Improving harbor at Hingham, Mass.: Continuing improvement, \$6,000.

Improving harbor at Provincetown, Mass.: Continuing improvement, \$6,000.

Improving harbor at Gloucester, Mass., \$5,000; of which \$2,000, or much as may be needed, for a survey, and remainder on Babson's Ledge.

For the national harbor of refuge of the first class at Sandy Bay: Continuing improvement, \$10,000.

Improving harbor at Scituate, Mass.: Continuing improvement, \$10,000.

Improving harbor at Westport, Mass.: Continuing improvement, \$10,000.

Improving harbor at Westport, Mass.: Continuing improvement, \$10,000.

Improving harbor at Westport, Mass.: Continuing improvement, \$1,000, for sand-fence.

sand-fence

sand-fence.
Improving harbor at Wood's Holl, Mass,: Continuing improvement, \$14,500.
Improving harbor at Block Island, Rhode Island: Continuing improvement, \$20,000; of which \$8,000 shall be expended on the breakwater and \$12,000 on the inner harbor.
Improving harbor at Newport, R. I.: Continuing improvement, \$15,000.
Improving harbor at Bridgeport, Conn.: Continuing improvement, \$20,000.
Improving harbor at Black Rock, Conn.: Continuing improvement, \$5,000.
Improving breakwater at New Haven, Conn.: Continuing improvement, \$75,000.
Improving harbor at New Haven, Conn.: Continuing improvement, \$75,000.

\$75,000.

Improving harbor at New Haven, Conn.: Continuing improvement, \$20,000.

Improving harbor at New London, Conn.: Continuing improvement, \$2,000.

Improving harbor at New London, Conn.: Continuing improvement, \$2,000.

Improving harbor at Stonington, Conn.: Continuing improvement, \$2,000.

Improving harbor at Stamford, Conn.: Continuing improvement, \$20,000.

Improving harbor at Buffalo, N. Y.: Continuing improvement, and repairs on the outer breakwater, \$112,500.

Improving Buttermilk Channel, N. Y.: Continuing improvement, \$56,250.

Improving breakwater at Rouse's Point, N. Y.: Continuing improvement, \$20,000.

Improving harbor at Dunkisk N. Y.: Continuing improvement, \$20,000.

Improving harbor at Dunkirk, N. Y.: Continuing improvement, \$20,000.
Improving harbor at Canarsie Bay, N. Y.: Continuing improvement, \$10,000.
Improving harbor at Charlotte, N. Y.: Continuing improvement and repairs, 6,250.

\$26,250.
Improving harbor at Flushing Bay, New York: Continuing improvement,

Improving channel at Gowanus Bay, New York: Continuing improvement, \$7,500.
Improving harbor at Great Sodus Bay, New York: Continuing improvement,

Improving harbor at Greenport, New York: Continuing improvement,

Improving harbor at Little Sodus Bay, New York: Continuing improvement, 2,500.

Improving harbor at Oak Orchard, N. Y.: Continuing improvement by repairs, \$12,500,
Improving harbor at Olcott, N. Y.: Continuing improvement and repairs, \$10,000.

\$10,000.

Improving harbor at Wilson, N.Y.: Continuing improvement, \$10,000.

Improving harbor at Ogdensburg, N.Y.: Continuing improvement, \$10,000;

which, together with the amount on hand, is to be used in removing obstructions
from the mouth of the Oswegatchee and continuing the excavation at the lower
harbor up stream.

Improving harbor at Oswego, N.Y.: Continuing improvement, \$71,250; of
which \$56,250 to be used in repairs and \$15,000 in continuing work on the harhor.

Improving harbor at Rondout, N. Y.: Continuing improvement, \$2,500.
Improving harbor at Saugerties, N. Y.: Continuing improvement, \$15,000.
Improving harbor at Sheepshead Bay, New York: Continuing improvem \$5,000.

S5,000.

Improving New York Harbor, New York: To secure a 30-foot channel at mean low water at the Sandy Hook entrance of the harbor, upon such plan as the Secretary of War may approve, \$750,000.

Improving channel between Staten Island and the New Jersey shore, New York and New Jersey: Continuing improvement, \$15,000.

Improving harbor at Raritan Bay, New Jersey: Continuing improvement, \$27,700.

Improving harbor at Plattsburg, N. Y.: Continuing improvement, \$5,000.

For a more thorough and definite survey and examination of the harbor at Atlantic City, N. J., with a view to making a harbor of refuge at that point, \$5,000; said examination and survey to be made by a board consisting of three United States engineers.

Improving harbor at Erie, Pa.: Continuing improvement, and also for the improvement of said harbor as recommended by the Chief of Engineers January 13,1885, \$37,500: Provided, That the Secretary of War be, and he is hereby, authorized and directed to receive and accept for the United States, from the marine hospital of Erie, Pa., the title to the peninsula of Presque Isle, at Erie Pa., as tendered by the said marine hospital, agreeably to the provisions of an act of the Legislature of the State of Pennsylvania approved May 11, 1871: And provided further, That \$22,500 of said sum shall not be expended until the aforesaid title shall be accepted by the Secretary of War.

Improving ice-harbor at Marcus Hook, Pennsylvania: Continuing improvement, \$15,000.

The Secretary of War is authorized to cede to the city of Chester, Pa., the upper

ment, \$10,000.

The Secretary of War is authorized to cede to the city of Chester, Pa., the upper and lower piers located in said city and extending into the Delaware River, and formerly used as an ice-harbor.

Improving Delaware breakwater, Delaware: Continuing improvement, \$56,-250.

Improving ice-harbor at New Castle, Del.: Continuing improvement, \$5,000, Improving harbor at Wilmington, Del.: Continuing improvement, \$18,750. Improving harbor at Baltimore, Md.: Continuing improvement, \$150,000. Improving harbor at Breton Bay, Maryland: Continuing improvement, \$6,500. For continuing the improvement of the Potomac River in the vicinity of Washington, with reference to the improvement of navigation, the establishment of harbor-lines, and the raising of the flats, under the direction of the Secretary of War and in accordance with existing plans, \$375,000: Provided, That no part of the sum hereby appropriated shall be expended upon or with reference to any place in respect of which the title of the United States is in doubt, or in respect to which any claim adverse to the United States has been made. Improving harbor at Norfolk, Va., and improving approach to Norfolk Harbor and the United States navy-yard at Norfolk: Continuing improvement by widening the channel of Elizabeth River to the port-warden's line on the eastern side, between Lambert's Point Light and Fort Norfolk, \$187,500; of which \$50,000 shall be expended in improving the harbor, and \$137,500 in widening the chan-

nel of Elizabeth River to the port-warden's line on the eastern side, between Lambert's Point Light and Fort Norfolk, beginning at Lambert's Point Light, including the construction of the proposed dike.

Improving harbor at Beaufort, N. C.: Continuing improvement, \$15,000.

Improving harbor at Edenton Bay, North Carolina: Continuing improvement, \$2,000.

Improving the inland water way between New Berne and Beaufort, N. C., \$10,000.

\$10,000.
Improving harborat Charleston, including Sullivan's Island, South Carolina: Continuing improvement, \$187,500.
Improving Winyaw Bay, South Carolina: Continuing improvement, \$18,750.
Improving harbor at Georgetown, S. C.: Continuing improvement, \$22,500.
Improving harbor at Brunswick, Ga.: Continuing improvement, \$22,500.
Improving Cumberland Sound, Georgia and Florida: Continuing improvement, \$12,500.
Improving harbor at Savannah, Ga.: Continuing improvement, \$12,000.
Improving harbor at Apalachicola Bay, Florida: Continuing improvement, \$12,000; of which \$2,000 may, in the discretion of the Secretary of War, be expended at the Carabello or Crooked River.
For examination and survey of the entrance to harbor at Key West, Fla., \$2,500.
Improving harbor at Pensacola, Fla.: Continuing improvement, \$20,000.

\$2,500.

Improving harbor at Pensacola, Fla.: Continuing improvement, \$20,000.

Improving harbor at Tampa Bay, Fla.: Continuing improvement, \$10,000.

Improving harbor at Gedar Keys, Fla., \$7,000.

Improving harbor at Mobile, Ala.: Continuing improvement, \$90,000.

Improving harbor at Biloxi Bay, Mississippi: Continuing improvement, \$12,-500; which sum, together with the money on hand heretofore appropriated for the roadstead, is hereby directed to be used in deepening the channel from Mississippi Sound to the wharves at Biloxi.

Improving Arkansas Pass and Bay up to Rockport and Corpus Christi, Tex.: Continuing improvement, \$101,250.

Improving Brazos Santiago Harbor, Texas: Continuing improvement, \$37,-500.

Improvement of entrance to Galveston Harbor, Texas: Continuing improve-

Improvement of entrance to Galvesion Harbor, Texas: Continuing improvement, \$30,000.

Improving Pass Cavallo, Texas: Continuing improvement, \$37,500.

Improving Sabine Pass and Elue Buck Bar, Texas: Continuing improvement, \$198,700.

ment, \$198,750.

Improving ship-channel in Galveston Bay, Texas, from Morgan's Cut to Bolivar Channel: Continuing improvement, for which purpose the balance now remaining of the money heretofore appropriated for this work is hereby directed to be expended by the Secretary of War in the completion of said channel, in accordance with the plans heretofore adopted, and in marking out said channel by piles or stakes, so as to enable navigators to find the same without difficulty. Improving harbor at Ashtabula, Ohio: Continuing improvement, \$30,000.

Improving harbor at mouth of Black River, Ohio: Continuing improvement,

Improving harbor at Ashtabula, Ohio: Continuing improvement, \$30,000.

Improving harbor at mouth of Black River, Ohio: Continuing improvement, \$10,000.

Improving harbor at Cleveland, Ohio, on the last plan projected, \$93,750; of which \$30,000 are to be used in building a parapet on the existing breakwater, and the \$100,000 now on hand to be available for work on the last plan. Improving harbor at Fairport, Ohio: Continuing improvement, \$18,750.

Improving harbor at Huron, Ohio: Continuing improvement, \$30,000.

Improving harbor at Huron, Ohio: Continuing improvement, \$30,000.

Improving harbor at Port Clinton, Ohio, by repairs of existing works, \$2,000.

For the purpose of acquiring the title to the land adjoining the inner end of the west pier built by the United States for the improvement of the harbor at Port Clinton, Ohio, the Secretary of War shall negotiate with the owner or owners of the land for the purchase thereof at a reasonable price, to be approved by Congress; and if an agreement as to price can not be made with the owner, then the value of the same shall be assectained in the mode provided by the laws of Ohio for the condemnation of lands for public uses in that State, the result of said proceedings of condemnation, if taken, to be reported to the next Congress for its approval.

Improving harbor at Sandusky City, Ohio, by dredging the channel through the outer bar and within the bay; and for this purpose the money appropriated by act of July 5, 1884, now on hand, is hereby made available, and the further sum of \$5,000 is hereby appropriated.

Improving harbor at Toledo, Ohio: Continuing improvement of the Maumee River by a straight channel along such line as may be approved by the Secretary of War, \$112,500; and the balance of the \$25,000 heretofore appropriated are hereby made available for clearing the old channel.

Improving harbor at Vermillion, Ohio: Continuing improvement, \$3,000.

Improving harbor at Chicago, Ill.: Continuing improvement, \$3,000.

Improving harbor at Chicago, Ill.: Conti

Improving harbor at Crana Marias, Mich.: Continuing improvement, \$26,250.

Improving harbor at Manistee, Mich.: Continuing improvement, \$56,250.

Improving harbor at Manistee, Mich.: Continuing improvement, \$10,000.

Improving harbor at Manistee, Mich.: Continuing improvement, \$10,000.

Improving harbor at Muskegon, Mich.: Continuing improvement, \$12,500.

Improving harbor at Muskegon, Mich.: Continuing improvement, \$12,500.

Improving harbor at Pentwater, Mich.: Continuing improvement, \$12,500.

Improving harbor at Pentwater, Mich.: Continuing improvement, \$13,000.

Improving harbor at Pentwater, Mich.: Continuing improvement, \$15,000.

Improving harbor at Pentwater, Mich.: Continuing improvement, \$15,000.

Improving harbor at Saugatuck, Mich.: To complete improvement, \$10,000.

Improving harbor at Saugatuck, Mich.: To complete improvement, \$10,000.

Improving harbor at Saugatuck, Mich.: Continuing improvement, \$5,000.

Improving harbor at White River, Mich.: Continuing improvement, \$5,000.

Improving harbor at Manister, Mich.: Continuing improvement, \$5,000.

Improving harbor at Manister, Mich.: Continuing improvement, \$5,000.

Improving harbor at Ahnapee, Wis.: Continuing improvement, \$5,000.

Improving harbor at Green Bay, Wis.: Continuing improvement, \$15,000; but no part of said sum is to be expended until the wharfage over the Government piers at that port shall be made free.

Improving harbor at Kenosha, Wis.: Continuing improvement, \$10,000.

Improving harbor at Manitowoc, Wis.: Continuing improvement, \$5,000.

Improving harbor at Manitowoc, Wis.: Continuing improvement, \$5,000.

Improving harbor at Oconto, Wis.: Continuing improvement, \$5,000.

Improving harbor at Oconto, Wis.: Continuing improvement, \$5,000.

Improving harbor at Oconto, Wis.: Continuing improvement, \$5,000.

Improving harbor

ing improvement, \$22,500; and the engineer in charge, in his next annual report, shall submit an estimate of the cost of a dredge-boat or other facilities that may be needed for dredging the harbors of Duluth and Superior. Thirteen thousand five hundred dollars of the money hereby appropriated are to be expended in dredging in said Superior Bay and Harbor, and in repairing piers at natural entry, and \$9,000 in dredging Saint Louis Bay, along the dock-line on the Wisconsin shore, from deep water at Connor's Point toward deep water at Grassy Point.

Improving harbor at Sheboygan, Wis.: Continuing improvement, \$15,000. Improving harbor at Sturgeon Bay, Wisconsin: Continuing improvement, \$5,000.

Improving harbor at Sturgeon Bay, Wisconsin: Continuing improvement, \$5,000.

Improving harbor at Ashland, Wis: Continuing improvement, \$22,500.

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army whose duty it shall be to examine, in all their relations to commerce the Sturgeon Bay and Lake Michigan Ship-canal, connecting the waters of Green Bay with Lake Michigan, in the State of Wisconsin, with a view to making the same a free passage way and harbor of refuge, to consider their value, and all other matters connected with their usefulness to navigation, and which shall give information as to the expediency of the work and the desirability of their acquisition and improvement. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Engineers of the United States Army thereon; and \$5,000, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Improving harbor at Duluth, Minn.: Continuing improvement, and enlarging basin between Minnesota and Rice's Points, \$56,250; of which a sum not exceeding \$500 may be used in placing buoys in the channels and elsewhere where needed in the harbor: and the consent of the United States is hereby given to a change of existing dock-line on the east side of Rice's Point by the municipal authorities of Duluth: Provided, That such change meets the approval of the Secretary of War.

Improving harbor at Grand Marais, Minn.: Continuing improvement, \$10,000. Improving harbor at Agate Bay, Minn., \$22,500.

Improving harbor at Agate Bay, Minn., \$20,500.

Improving harbor at Marais Minn.: Continuing improvement, \$10,000. Improving harbor and bay at Humboldt, Cal.: Continuing improvement, \$10,000. The sum of \$11,000, or so much thereof as may be necessary, is hereby appropriated for a survey of San Francisco Harbor, San Pablo Bay, Suisan Bay, Strait of Carquinez, mouth of San Joaquin River, a

of Carquinez, mouth of San Joaquin River, and mouth of Sacramento River, California.

Improving harbor at Red Wood, Cal.: Continuing improvement, \$5.000.

The sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated for examination, survey, and estimated cost of obtaining a channel 250 feet wide and 24 feet deep at mean low water across the outer bar, and from thence to a point abreast of beacon No. 2, in San Diego Harbor, California; also, of obtaining a navigable channel at least 8 feet in depth at mean low water at Newport Harbor, California; also, of the establishment of a break water extending in a southeasterly direction one-fourth of a mile, more or less, along the sunken reef commencing at or near Whaler's Point, so called, at San Luis Obispo Harbor, California.

Improving harbor at Wilmington, Cal.: Continuing improvement, \$75,000. Improving harbor at Yaquina Bay, Oregon: Continuing improvement, \$75,000. Improving Moosebee Bar, Maine: Continuing improvement, \$10,000. Improving Moosebee Bar, Maine: Continuing improvement, \$10,000. Improving Moosebee Bar, Maine: Continuing improvement, by widening the channel opposite Bangor and removing obstructions near Crosby's Narrows, \$15,000.

\$15,000.

Improving Saco River, Maine, \$12,500,
Improving Narragangus River, Maine, \$10,000,
Improving Cocheoo River, New Hampshire: Continuing improvement, \$10,000,
Improving Cocheoo River, New Hampshire: Continuing improvement, \$10,000,
Improving Pawieh River, Rhode Island, \$5,000,
Improving Pawtucket River, Rhode Island: Continuing improvement, \$30,000,
Improving Providence River and Narragansett Bay, Rhode Island: Continuing improvement, \$30,000,
Por removing Green Jacket Shoal, Providence River, Rhode Island, \$26,250,
Improving Paweatuck River, Rhode Island, \$12,000,
Improving Connecticut River below Hartford, Conn.: Continuing improvement, \$25,250,
Improving Housatonie River, Connecticut, \$5,000,
Improving H

ment, \$26,250.

Improving Housatonic River, Connecticut, \$5,000.

Improving Thames River, Connecticut: Continuing improvement, \$22,500.

Improving East Chester Creek, New York: Continuing improvement, \$22,500.

Improving Hudson River, New York: Continuing improvement, \$26,250; of which \$15,000 may be used for the removal of the rock in channel at Van Wie's Point.

Point.
Improving Newtown Creek and Bay, New York: Continuing improvement, \$37,500; of which \$9,375 to be expended on west branch between Maspeth avenue and Dual Bridge, at Grand street and Metropolitan avenue; \$3,375 to be expended on main branch between Easterly Grand street bridge to Metropolitan avenue; and balance on lower end, from Maspeth avenue to the mouth of the

avenue; and balance on lower end, from Maspeth avenue to the mouth of the creek.

Improving Hell Gate, New York: Continuing improvement, \$112,500.
Improving Narrows at Lake Champlain, New York, from Benson, Vt., to canal locks at Whitehall, N. Y., \$30,000.
Improving Ticonderoga River, New York: Continuing improvement, \$2,000.
Improving Maurice River, New Jersey: Continuing improvement, \$5,000.
Improving Passaic River, New Jersey: Continuing improvement, \$5,000.
Improving Raritan River, New Jersey: Continuing improvement, \$26,250; of which \$2,250 are to be used above Newark.
Improving Raritan River, New Jersey: Continuing improvement, \$10,000.
Improving Shouth River, New Jersey: Continuing improvement, \$10,000.
Improving Saint Jones River, Delaware: Continuing improvement up to and near the town of Laurel, Del., \$10,000.
Improving Monongahela River, Pennsylvania and West Virginia: Continuing improvement, \$0,900; but no charges or tolls shall be collected on any other part of the river on any commerce on said river which originates above the works herein appropriated for.

For beginning the construction of a dam at Herr's Island, in the Allegheny River, Pennsylvania: Continuing improvement, \$30,000.
Improving Schuylkill River, Pennsylvania: Continuing improvement, \$30,000.
Improving Schuylkill River, Pennsylvania: Continuing improvement, \$30,000.
Improving Delaware River, Pennsylvania: Continuing improvement, \$38,000.
Improving Delaware River, Pennsylvania: Continuing improvement, \$18,000.
Improving Delaware River, Pennsylvania and New Jersey: Continuing improvement, \$18,000.

The proving Delaware River, Pennsylvania and New Jersey: Continuing improvement from Trenton to its mouth, \$210,000; of which \$30,000 shall be applied to improving the channel between Camden, N.J., and Philadelphia, Pa., and \$7.500, or so much thereof as may be needed, shall be expended on said river and its tidal tributaries above Bridesburg.

Improving Choptank River, Maryland: Continuing improvement, \$10,000. Improving Corsica Creek, Maryland: Continuing improvement, \$10,000. For rebuilding piers at Battery Island, head of the Chesapeake Bay, which were carried away by ice, strengthening and protecting the works at that point from future destruction, \$17,275.

Improving Susquehanna River, Maryland and Pennsylvania: Continuing improvement, \$6,000; to be expended above the Philadelphia, Wilmington and Baltimore Railroad bridge.

Improving Pocomoke River, Maryland: Continuing and completing improvement, \$8,000.

ment, \$8,000.

Improving, by dredging, and otherwise, the inland water way from Chincoteague Bay, Virginia, to Delaware Bay at or near Lewes, Del., to be used from Chincoteague Bay to Indian River Bay, \$18,750.

Improving Appomattox River, Virginia: Continuing improvement, \$18,750.

Improving Chickabominy River, Virginia: Continuing improvement, \$4,000.

Improving James River, Virginia: Continuing improvement below Richmond, \$112,000.

\$112,000.

Improving Mattaponi River, Virginia: Continuing improvement, \$5,000.

Improving New River, Virginia: Continuing improvement between the leadmines, in Wythe County, and the mouth of Wilson's Creek, in Grayson County, \$10,000, together with the \$3,000 now on hand.

Improving Pamunky River, Virginia: Continuing improvement, \$5,000.

Improving Rappahannock River, Virginia: Continuing improvement, \$20,-

000.
Improving Staunton River, Virginia: Continuing improvement, \$10,000; one-half of which is to be expended between the mounth of Pig River and the Midland Railroad Crossing.
Improving York River, Virginia: Continuing improvement, \$18,750.
Improving Dan River, Virginia: Continuing improvement, \$10,000.
Improving Big Sandy River, West Virginia and Kentucky: Continuing improvement, \$30,000; of which sum \$3,750 are to be expended on Tug Fork, in West Virginia, and \$3,750 on Lavisa Fork, in Kentucky.
Improving Buckhannon River, West Virginia: Continuing improvement, \$1,-

500

Improving Great Kanawha River, West Virginia: Continuing improvement, \$187,500.

Improving Great Kanawna River, West Virginia: Continuing improvement, \$1,500.

Improving Guyandotte River, West Virginia: Continuing improvement, the amount heretofore appropriated is made available for this purpose.

Improving Little Kanawha River, West Virginia: Continuing improvement, the amount heretofore appropriated is made available for this purpose.

Improving Little Kanawha River, West Virginia: Continuing improvement, \$16,875; of which \$1,875 shall be used in continuing the improvement of navigation above the west fork. But no toll shall be collected by any person or corporation for this improved navigation; and such right, if any exist, shall be relinquished, in a manner satisfactory to the Secretary of War, before the expenditure of any of the money herein appropriated for this work.

Improving Cape Fear River, North Carolina: Continuing improvement, \$168,-750; of which sum \$11,250 are to be expended above Wilmington, the remainder below and opposite the city of Wilmington, including as much of its northeast branch as lies in front of Wilmington, within the city limits.

Improving Contentnia Creek, North Carolina: Continuing improvement, \$15,000.

Improving Currituek Sound, Coanjok Bay, and North'River Bar, North Carolina:

\$15,000.

Improving Currituck Sound, Coanjok Bay, and North River Bar, North Carolina: Continuing improvement, \$10,000.

Improving Neuse River, North Carolina: Continuing improvement, \$22,500.

Improving New River, North Carolina: Continuing improvement, \$10,000.

Improving Pamlico and Tar Rivers, North Carolina: Completing improvements, \$5,000.

Improving Black Pines, North Carolina: Completing improvements, \$5,000.

Improving Pamlico and Tar Rivers, North Carolina: Completing improvements, \$5,000.

Improving Black River, North Carolina, \$3,000: Provided, That all claims of private parties to the navigation of the river shall be ceded to the United States, free of charge, before the commencement of said improvement.

Improving Roanoke River, North Carolina: Continuing improvement, \$20,000. Two thousand five hundred dollars, or so much thereof as may be necessary, of the aforesaid \$20,000 shall be used for the purpose of removing obstructions in Thoroughfare and Coshoke Creek.

Improving Trent River, North Carolina: Continuing improvement, \$3,500.

Improving Dan River, North Carolina: Continuing improvement between Madison, N. C., and Danville, Va., \$10,000.

Improving Yadkin River, North Carolina: Continuing improvement, \$1,000.

Improving the inland water way between Beaufort Harbor and New River, North Carolina, through Bogue Sound, \$10,000.

Improving Edisto River, South Carolina: Continuing improvement, \$1,000.

Improving Great Pee Dee River, South Carolina: Continuing improvement, \$3,000.

Improving Salkehatchie River, South Carolina: Continuing improvement, \$20,000.

Improving Salkehatchie River, South Carolina: Continuing improvement, \$20,000.

Improving Salkehatchie River, South Carolina: Continuing improvement,

Improving Santee River, South Carolina: Continuing improvement, \$18,750; no part of which sum to be used for the construction of any road-bridge across the Mosquito Creek Canal: Provided, That if salt water be found flowing into said Mosquito Creek, \$5,000 of said sum, or so much thereof as may be necessary, shall be nsed for the construction of a flood-gate at upper end of the canal, to prevent the same.

Improving Waccamaw River, South Carolina: Continuing improvement \$15,-

Improving Wappoo Cut, South Carolina: Continuing improvement, \$5,000.
Improving Wateree River, South Carolina: Continuing improvement, \$7,500.
Improving Congaree River, South Carolina, \$7,500.
Improving Altahama River, Georgia: Continuing improvement, \$20,000; of which \$10,000 are to be used on Doboy Bar, or so much thereof as may be nec-

essary.
Imroving Chattahoochee River, Georgia and Alabama: Continuing improve-ment, \$20,000. Improving Coosa River, Georgia and Alabama: Continuing improvement, \$45,000.

Improving Flint River, Georgia: Continuing improvement, \$20,000; of which sum \$5,000 are to be expended between Albany and Montezuma, and \$15,000

sum \$5,000 are to be expended between Albany and Montezuma, and \$15,000 below Albany.

Improving Ocmulgee River, Georgia: Continuing improvement, \$7,500.

Improving Oconee River, Georgia: Continuing improvement, \$9,000; \$1,500 of said sum to be expended between Skull Shoals and the railroad bridge.

Improving Romely Marsh, Georgia: To complete improvement, \$17,475; and so much of said sum as may be necessary may be applied by the engineer in charge, with the approval of the Secretary of War, to pay for work done on said improvement, under the direction of the War Department, since the last appropriation was exhausted. priation was exhausted.

Improving Savannah River below Augusta, Ga.: Continuing improvement, \$15,000.

\$15,000. Improving Apalachicola River, Florida: Continuing improvement, \$1,000. Improving Caloosahatchee River, Florida: Continuing improvement, \$4,000. Improving Choctawhatchee River, Florida and Alabama: Continuing improvement, \$15,000; of which sum \$5,000 to be expended below Geneva, and \$10,000 to be expended between Geneva and Newton, Ala. Improving Conceuh-Escambia River, Florida and Alabama: Continuing improvement, \$12,000.

Improving La Grange Bayou, Florida: Continuing improvement, \$2,000.
Improving Manatee and Pease Rivers, Florida: Continuing improvement, \$13,000; of which \$5,000 may be expended on Pease River.
Improving channel over the bar at the mouth of Saint John's River, Florida: Continuing improvement, \$150,000.
Improving Suwanee River, Florida: Continuing improvement, \$5,000.
Improving Volusia Bar, Florida: To complete improvement, \$5,000.
Improving Withlacoochee River, Florida: Continuing improvement, \$3,000.
Improving Alabama River, Alabama: Continuing improvement, \$15,000.
Improving Black Warrior River from Tuscaloosa to Daniels Creek, Alabama, \$56,250, together with the \$47,000 on land; to be expended in accordance with the plan adopted by the board of engineers.
Inproving Cahawba River, Alabama: Continuing improvement, \$7,500: Provided, That no part of said sum shall be expended until the officer in charge shall have reported that the railroad and other bridges across said river have been provided with good and sufficient draw-openings.
Improving Tallapoosa River, Alabama: Continuing improvement, \$7,500.
Improving Warrior River, Alabama: Continuing improvement, \$18,750; to be expended below Tuscaloosa.
Improving Tombigbee River, Alabama and Mississippi: Continuing improvement, \$18,750; to be expended below Tuscaloosa.
Improving Big Sunflower River, Mississippi: Continuing improvement, \$1000.
Improving Big Sunflower River, Mississippi: Continuing improvement, \$2000.

Fulton, \$7,500.

ment, \$18,750; to be expended below Vienna, \$11,250; and between Vienna and Fulton, \$7,500.

Improving Big Sunflower River, Mississippi: Continuing improvement, \$5,000; of which \$2,000 to be expended between Woodburn and Lehrton.

Improving Noxubee River, Mississippi: Continuing improvement, \$7,500.

Improving Pascagoula River, Mississippi: Continuing improvement, including bar at the mouth, and from there to the mills at Moss Point, \$20,000; and the balance of the money now on hand heretofore appropriated for improving Horn Island Pass is to be applied to the same purpose.

Improving Pearl River, Mississippi: Continuing improvement, \$17,625; of which \$2,250 are to be expended between Edinburg and Carthage, \$2,250 between Carthage and Jackson, and the remainder below Jackson, including bar at the mouth of East Pearl River.

Improving Steele's Bayou, Mississippi, including Washington Bayou: Continuing improvement, \$2,500.

Improving Tallahatchee River, Mississippi: Continuing improvement, \$2,000.

Improving Bayou Pierre, Mississippi: Continuing improvement, \$2,000.

Improving Bayou Pierre, Mississippi: Continuing improvement, \$5,000.

Provided, That no part of this appropriation shall be used until the State of Mississippi shall have first caused the bridges over said stream: south of the Vicksburg and Meridian Railroad to be so constructed as not to obstruct the navigation of said stream.

Improving Bayer River, Louisiana: Continuing improvement, \$2,000.

Improving Romite River, Louisiana: Continuing improvement, and for closing

Improving Amite River, Louisiana: Continuing improvement, \$2,000.
Improving Bouf River, Louisiana: Continuing improvement, and for closing Outlet No. 1, \$5,000.

outlet No. 1, \$5,000.

Improving Bayou Bartholomew, Louisiana and Arkansas: Continuing improvement, \$5,000.

Improving Bayou Courtableau, Louisiana: Continuing improvement, \$5,000.

Improving Bayou Untrebonne, Louisiana: Continuing improvement, \$2,000.

Improving Bayou Terrebonne, Louisiana: Continuing improvement, \$2,000.

Improving Bayou Terrebonne, Louisiana: Continuing improvement, \$2,000.

Improving Cypress Bayou and the lakes between Jefferson, Tex., and Shreveport, La., Texas and Louisiana: To complete improvement, \$18,000.

Improving Tensas River and Bayou Macon, Louisiana: Continuing improvement, \$4,000.

Improving Red River, Louisiana, and Arkansas: Continuing improvement from Fulton, Ark., to the Atchafalaya River, Louisiana, including completing the work at Alexandria, \$75,000; to which sum \$25,000, or so much thereof as may be necessary, shall be used in making a thorough survey of the river from Fulton, Ark., to the Atchafalaya River, and in completing the survey of Bayou Pierre, Louisiana.

Improving Tenefuncte River and Bogue Falia, Louisiana: Continuing improvement, \$2,500; to be expended in the improvement of Bogue Falia up to Covington.

Fulton, Ark., to the Atenatalaya River, and in completing the survey of Bayou Pierre, Louisiana.

Improving Tehefuncte River and Bogue Falia, Louisiana: Continuing improvement, \$2,500; to be expended in the improvement of Bogue Falia up to Covington.

Improving Tickfaw River, Louisiana and Arkansas, and Black River, Louisiana: Continuing improvement, \$2,000; to be expended on its navigable tributaries.

Improving Ouachita River, Louisiana and Arkansas, and Black River, Louisiana: Continuing improvement, \$17,500; of which \$7,500, or so much thereof as may be necessary, for repairing snag-boat Wagner.

Improving Calcasieu River and Pass, Louisiana: Continuing improvement to secure a navigable channel 8 feet deep over the bars affecting the entrance to said river and pass, and for this purpose the money on hand heretofore appropriated for improvement of Calcasieu River is to be used.

Improving Buffalo Bayou, Texas: Continuing improvement, \$18,750.

Improving Buffalo Bayou, Texas: Continuing improvement, \$18,750.

Improving Saint Francis River, Arkansas and Missouri, to the town of Saint Francis: Continuing improvement, \$8,000.

Improving Arkansas River, Arkansas: Continuing improvement, \$75,000, according to the plan and recommendations in Appendix V 13, Executive Document 1, Forty-ninth Congress; of which there are to be expended \$8,000 at Pine Bluff, \$13,000 at Fort Smith, and \$10,000 at Dardanelles, or so much thereof under those sums, respectively, as may be necessary at those points.

For the removal of snags, wrecks, and other obstructions in the Arkansas River, \$19,875; of which sum \$1,125, or so much thereof as may be necessary, shall be used to complete the survey of the Arkansas River between Little Rock, Ark., and Wichita, Kans.

Improving Black River, Arkansas, above Fulton, Ark., \$7,000.

Improving Black River, Arkansas, and Missouri, \$5,000.

Improving Bligh River, Francessee: Continuing improvement, \$3,000.

Improving Clinch River, Tennessee: Continuing improvement, \$3,000.

Improving Clinch River,

Improving Hiawasse River, Tennessee: Continuing improvement, \$2,500. Improving South Fork of Forked Deer River, Tennessee: Continuing improvement, \$5,000.

Improving Tennessee River above Chattanooga, Tenn.: Continuing improvement, \$7,500.

Improving Tennessee River at Big Muscle Shoals, Little Muscle Shoals, and Elk River Shoals, Alabama: To complete improvements at these localities, \$262,500

Elk River Shoals, Alabama: To complete improvements at these localities, \$262,500

Improving South Fork of Cumberland River, Kentucky: Continuing improvement, \$5,000.

Improving Kentucky River, Kentucky: Continuing improvement, \$187,500.

Improving Tradewater River, Kentucky: Continuing improvement, \$2,000.

Improving the Falls of the Ohio River at Louisville, Ky.: Continuing improvement, according to the last plan of the engineer in charge, and to be first applied to the completion of the work now in progress, \$150,000: Provided, That of that sum \$50,000 shall be expended in enlarging the canal-basin, as recommended in the last report of the engineer in charge.

The Secretary of War is hereby authorized and directed to ascertain the value and commercial importance of the works and property of the Green and Barren River Navigation Company, situated on the Green and Barren Rivers, in the State of Kentucky, and of the Monongahela Navigation Company, situated on the Monongahela River, in the State of Pennsylvania; and in order to acquire such information the Secretary of War shall appoint a board of three competent engineers from the Engineer Corps of the United States Army, which board shall in each case report to the Secretary of War, who shall report thereon to Congress at its next succeeding session; and the cost of such examination shall be paid out of the sum appropriated by this act for surveys: Provided, That nothing herein shall be construed as committing Congress to the purchase of the said works.

Improvement, \$2,000.

nothing herein shall be construed as committing Congress to the purchase of the said works.

Improvement of the Muskingum River, Ohio, between Zanesville and the mouth of the river, and for operating the same, \$20,000. And the United States hereby accepts from the State of Ohio the said Muskingum River improvement, and all the locks, dams, and their appurtenances, and the canals belonging to said improvement, and all the franchises and property of every kind, and rights in said river, and its improvements, now owned, held, and enjoyed by the State of Ohio, including all water leases and rights to use water under and by virtue of any lease of water now running and in force between the State of Ohio and all persons using said water, hereby intending to transfer to the United States such rights in said leases and contracts as are now owned, held, or reserved by the State of Ohio; but not to affect any right to the use of the water of said river now owned and held by the lessees of any water right under any lease or dontract with the State of Ohio. And the United States hereby assumes control of said river, subject to the paramount interest of navigation. The provisions of this act, so far as they relate to the Muskingum River, shall not take effect, nor shall the money hereby appropriated be available, until the State of Ohio, acting by its duly authorized agent, turns over to the United States all property ceded by the act of the General Assembly aforesaid, and all personal property belonging to the improvement aforesaid, and used in its care and improvement, and any balance of money appropriated by said State for the improvement of said river, and which is not expended on the 15th day of July, 1886.

Improving Clinton River, Michigan: Continuing improvement, \$3,000.

Improving Saint Clair Ship-canal, Michigan: Continuing improvement by a new lock and approaches \$250,000.

Improving Saint Clair Ship-canal, Michigan: Continuing improvement, \$13,750.

Improving Saint Mary's River, Michigan: Continuing improvement by a new lock and approaches, \$250,000.

Improving Hay Lake Channel, Michigan: Continuing improvement, \$150,000.

Improving Saginaw River, Michigan: Continuing improvement, \$33,750; of which \$16,875 are to be used above Bay City, and \$5,000 in improving the west channel along West Bay City.

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army, whose duty it shall be to examine in all their relations to commerce the two improved water ways known as the Portage Lake and River Improvement Company Canal and the Lake Superior Ship-canal, Railway, and Iron Company Canal, being the improved harbors of refuge and the water communication across Keweenaw Point, from Keweenaw Bay to Lake Superior, by way of Portage River and lake, in the State of Michigan, with a view to making the same a free passage way and harbors of refuge, to consider their value and all other matters connected with their usefulness to navigation, and which shall give information as to the expediency of the work and the desirability of their acquisition and improvement. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Engineers of the United States Army thereon; and \$10,000, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Improving Chippewa River, Wisconsin: Continuing improvement below Montello, on the approved plan, \$56,250. And the Secretary of War is hereby directed to have the examination and survey of the Wisconsin River from Portage to the mouth, now being made by a board of engineers, completed as soon as practicable, and a report thereof made on or before the meeting of the next session of Congress. And the sum of \$6,000 of the above appropriation, or so much thereof as may be necessary, may b

Improving White River, Indiana: Continuing improvement, \$30,000; of which \$11,250 are to be used between the Forks and one-half mile east of Hammond, Ind., \$5,625 of which are to be used in dredging the river between the Forks and the State line of Illinois and Indiana, and \$5,625 on the river at Hammond Ind: Provided, however, That no part of said sum, nor any sum heretofore appropriated, except the said \$11,250 for the river above the Forks, shall be expended until the entire right of way, as set forth in Senate Executive Document No. 9, second session Forty-seventh Congress, shall have been conveyed to the United States free of expense, and the United States shall be fully released from all liability for damages to adjacent property-owners, to the satisfaction of the Secretary of War; and if any of the owners of real estate required to be taken or that is damaged for the purpose of straightening or widening that portion of the Calumet River for which the appropriation herein is now made, can not be induced to convey to the United States such real estate so required, and release their claim for damages caused by said improvement, or should the owner or owners be incapable of conveying and releasing, or should his or her name or residence be unknown, or he or she be a non-resident of the State of Illinois, it shall then be the duty of the United States attorney for the northern district of Illinois to immediately file a petition in any court having jurisdiction thereof, in the manner and as authorized by the laws of the State of Illinois in such cases, for the purpose of ascertaining the just compensation to be paid to the respective owners of the land taken or damaged: Provided, however, That the other owners of property and parties interested in said improvement shall first execute a bond to the United States, to be approved by the Secretary of War, for the

payment of the costs of such proceedings, and to pay any judgment that may be rendered therein; and on failure to do so the proceedings shall be dismissed. Improving Illinois River, Illinois: Continuing improvement, \$112,500; of which sum \$3,750 may be expended in dredging the river in front of Peoria.

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army, whose duty it shall be to examine in all their relations to commerce the Illinois and Michigan Canal and the proposed Hennepin Canal, to consider their value and all other matters connected with their resultiness to navigation and shall record turns the acquisition and with their usefulness to navigation, and shall report upon the acquisition and improvement of the Illinois and Michigan Canal and the construction of the Henimprovement of the Illinois and Michigan Canal and the construction of the Hennepin Canal. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Engineers of the United States Army thereon; and \$15,000, or so much thereof as may be necessary, is hereby appropriated for this purpose: Provided, That nothing in this paragraph shall be construed as committing the Government to the said improvement.

Improving Gasconde River, Missouri: Continuing improvement, \$7,500.

Improving Osage River, Missouri: Continuing improvement by snagging and removing obstructions, \$10,000.

Improving Red River of the North, Minnesota: Continuing improvement from Breckenridge to the northern boundary-line of the United States, including dredging, removal of snags and bowlders, and construction of wing-dams, &c., and the money heretofore appropriated for locks and dams is hereby made available for this purpose.

ing dredging, removal of snags and bowlders, and construction of wing-dams, &c., and the money heretofore appropriated for locks and dams is hereby made available for this purpose.

Improving Yellowstone River between Glendive and the mouth, Montana: Continuing improvement, \$18,750.

Improving Mokelumne River, California, by removing obstructions, \$2,500.

Improving Sacramento and Feather Rivers, California, \$40,000 of the money heretofore appropriated for improving said rivers that may remain unexpended at the end of the present fiscal year, for snagging and dredging operations and the cost of the proceedings hereinafter authorized; also \$10,000 to complete dredges authorized by act of July 5, 1884; the balance of said unexpended money not to be used until the Secretary of War be satisfied that hydraulic mining hurtful to navigation has ceased on said rivers and their tributaries. If he be not so satisfied, he is hereby instructed to institute such legal proceedings as may be necessary to prevent the washing, sluicing, dumping, or discharging distritus, dibris, or slickens, caused by or arising from such hydraulic mining, into either of said rivers or any of its tributaries, or into the San Joaquin River or any of its tributaries, or in or to such place or situation from which such detritus, dibris, or slickens may be liable to be washed or carried by storms or floods into either of said rivers or tributaries; and he is hereby instructed to use out of said sum as much as may be necessary for said purpose.

Improving San Joaquin River and Stockton and Mormon Sloughs, California: Continuing improvement, \$187,500.

Improving canal at the Cascades, Oregon: Continuing improvement, \$187,500.

Improving Lower Willamette River, and Columbia River below Portland, Oreg.: Continuing improvement, \$10,000.

Improving Lower Willamette River, and Columbia River below Portland.

Improving Coulile River, Oregon: Continuing improvement, \$20,000.

Improving Chehalis River, Washington Territory: Continuing improvement, \$2,000.

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Improving Cowlitz River, Washington Territory: Continuing improvement,

\$2,000.

Improving Skagit, Steilaquamish, Nootsack, Snohomish, and Snoqualmie Rivers, Washington Territory: Continuing improvement, \$10,000.

Improving Missouri River from its mouth to Sioux City: Continuing improvement, including necessary work at Omaha, Atchison, Saint Joseph, Fort Leavenworth reservation, Arrow Rock, Kansas City, Plattsmouth, Brownsville, and Nebraska City, \$375,000: to be expended under the direction of the Secretary of War, in accordance with plans and estimates to be furnished by the Missouri River Commission.

worth reservation, Arrow Rock, Kansas City, Plattsmouth, Brownsville, and Nebraska City, \$375,000; to be expended under the direction of the Secretary of War, in accordance which plans and estimates to be furnished by the Missouri River Commission.

Improving Missouri River from Sioux City to Fort Benton: Continuing improvement, \$00,000, under the direction of the Secretary of War.

For removing obstructions in the Missouri River, \$22,500.

Improving the Ohio River: Continuing improvement, \$375,000; out of which sum \$37,500 are to be expended at Grand Chain in removing rocks and other obstructions to navigation at that locality; also \$18,750 may be expended in constructing or aiding in the construction of such an embankment on the south side of the Great Miami River, near its junction with the Ohio, as may be necessary to confine the waters of the Great Miami in great floods to the general course of its channel at or near the Ohio, to the end that the formation of the bar in the Ohio River now forming and obstructing navigation may be arrested; also \$37,500, or so much thereof as may be necessary, of said appropriation shall be expended in constructing five ice-piers, pursuant to the present or prospective plans of the Chief of Engineers, at or near the following places, to wit: One at Pomeroy, Ohio; one at Middleport, Ohio; one at Gallipolis, Ohio; and one at Ironton, Ohio; and one at or near Ashland, Ky., on the south side of the Ohio River: Provided, That the Secretary of War is hereby authorized and directed to obtain, if he can do so without cost to the United States, perpetual leases or conveyances of the riparian rights of the property-owners at each of said localities, in the event said ice-piers, or any one of them, shall be located where there is no improved landing-place: And provided further, That at localities where there are improved landing-place: And provided further, That at localities where there are improved landing-place: And provided further, That at localities where there are improved land

For dry-dock at Des Moines Rapids, \$48,750.

Improving ice-harbor at Dubuque, Iowa, the unexpended balance, or so much thereof as shall be necessary, shall be applied to paving instead of riprapping said ice-harbor.

Improving Mississippi River from Des Moines Rapids to the mouth of the Illinois River, including the river at Quincy Bay and the removal of the bars at the mouth of Whipple Creek and Hamburg Bay, including also the strengthening of Sny Island Levee where it crosses Snicarte Slough and other sloughs: Continuing the improvement, \$150,000.

Improving Mississippi River from the mouth of the Illinois River to the mouth of the Ohio River, including the completion of the work at Alton, and, at the discretion of the Seretary of War, the protection of the Illinois shore opposite the mouth of the Missouri River: Continuing improvement, \$375,000; of which \$37,500, or so much thereof as may be necessary, to be expended in extending the work for the protection of the eastwardly bank of the Mississippi River at Cairo, and the prevention of its wash or erosion, commencing at the southerly end of the present Government revetment work and continuing down stream, and \$22,500 for continuing improvement at Cape Girardeau, Mo., and Montona Point, Illinois: Provided, That the Secretary of War, in his discretion, may use not to exceed \$75,000 of said sum of \$375,000 to correct the current of the river and improve the channel at Saint Louis.

Improving Mississippi River from head of the passes to the mouth of the Ohio River: Continuing improvement, \$2,000,000; which sum shall be expended under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission: Provided That no portion of this appropriation shall be expended to repair or build levees for the purpose of reclaiming lands or preventing injury to lands or private property by overflows: Provided, however, That the commission is authorized to repair and build levees if, in their judgment,

lized to repair and build levees if, in their judgment, it should be done as part of their plan to afford ease and safety to the navigation and commerce of the river and to deepen the channel.

And provided further, That no works of bank protection or revetment shall be executed in said reaches or elsewhere until after it shall be found that the completion of the permeable contracting works and uniform width of the highwater channel will not secure the desired stability of the river banks: Provided, however, That nothing herein contained shall prevent the construction of revetment works where the banks are caving at Greenville reach, Delta Point, in front of the cities of Vicksburg, Memphis, Hickman, and Columbus: And provided further, That contraction works shall be built at the same time in the wide portions of the river immediately above the said revetment works. Of the amount herein appropriated for the Lower Mississippi, \$75,000 are to be expended in continuing the work in progress at New Orleans; \$187,500 for the rectification of the Red and Atchafalaya Rivers by preventing further enlargement of the latter stream and restricting its outlet capacity, and for keeping open a navigable channel through the mouth of Red or Old River into the Mississippi; \$75,000 in improving navigation in the Greenville reach by preventing the bank at Greenville from further caving; \$75,000 in deepening the channel at Vicksburg by dredging through the bar existing there; but this last-named sum shall not be expended unless after another examination or survey the commission shall deem it advisable; and if they shall not, then \$37,500 shall be expended in the improvement of navigation at Vicksburg by constructing suitable dikes and other appropriate works, and \$56,250 in completing the work on the river at Memphis; also \$18,750 for work on the river at Hickman, and \$18,750 for work on the river at Hickman, and \$18,750 for work on the river at Columbus, Ky.

For examinations and surveys at South Pass of the Mississippi River, pur

improvement.

SEC. 4. The Secretary of War shall prescribe such rules and regulations as may be necessary to secure a judicious and economical expenditure of the money herein appropriated, and shall cause to be made and submitted to Congress annual reports, together with maps and plans, including the report of the Mississippi River Commission, on or before December 1, giving detailed statements of the work done, contracts made, the expenditures thereunder or otherwise, and balances of money on hand up to November 1, and the effect of such work, together with such recommendations as he may deem proper. He shall, at the same time, report to Congress all cases in which piers, breakwaters, locks, and dams, or other structures or works built or made by the United States in aid of commerce or navigation are used, occupied, or injured by a corporation or an individual, and the extent and mode of such use, occupation, or injury. He shall report, at the same time, whether any bridges, causeways, or structures now erected or in process of erection do or will interefere with free and safe navigation. navigation.

navigation.

SEC. 5. It shall be the duty of the Secretary of War to apply the money herein appropriated for improvements, other than surveys and estimates, in carrying on the various works, by contract or otherwise, as may be most economical and advantageous to the Government. Where said works are done by contract, such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders, accompanied by such securities as the Secretary of War shall require, conditioned for the faithful prosecution and completion of the work according to such contracts, and for the prompt payment of all liabilities incurred in the prosecution thereof for labor and materials.

SEC. 6. The Secretary of War is hereby directed, at his discretion, to cause ex-

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aminations or surveys, or both, to be made, and the cost of improvements to be estimated, at the following localities, to wit:

In the States of—
   Arkansas:
Re-examination of Little River.
The lakes connecting with Red River, between Shreveport, La., and Fulton,
Ark.

Re-examination of Ouachita above Camden, Ark.
Saline River.
Cache River.
        California
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California:
San Pedro Bay near the entrance to Wilmington Harbor, with a view to establishing an outer harbor for the protection of deep-draught vessels.

Mouth of Smith's River.

Crescent City Harbor, with a view to a sea-wall from Battery Point to Flat

Connecticut:

Five-Mile River Harbor.

Resurvey of Duck Island Harbor, on Long Island Sound, including plans, specifications, and estimate of cost for making the same a harbor of refuge.

Dakota Territory: James River.

Delaware: Duck Creek.

Florida: Punta Rassa Harbor. Resurvey of Tampa Bay, incissing midsborough River up to the city of

Resurvey of Tampa Bay, including Ampa.

Resurvey of outer and inner bars at Pensacola.

Charlotte Harbor, including San Carlos Bay.

Clear Water Harbor, including Anclote and Saint Joseph's Bays and the Narrows into Boga Ciega Bay.

Wakulla River from its mouth to Wakulla Springs.

Survey of the channel from Haul-over, on Indian River, to Gilbert's Bar.

Saint Augustine, for a deep sea-channel on the outer bar. Georgia:
Savannah River from cross-tides above Savannah to the bar, with a view to obtaining 28 feet of water in the channel.
Flint River from Montezuma to Old Agency.
From Doboy Island to Doboy Bar.
Jekyl Creek.

Illinois:

Illinois:
Farm Creek, with a view to changing its course.
Kaskaskia River from New Athens to mouth.
Bars in Hamburg Bay.
Calumet River from the forks of the river near its entrance into Lake Calumet to Riverdale; also Calumet River from Riverdale to Blue Island.
Mississippi River at Rush Island Bend and Ivy Landing, with a view to confining and deepening the channel.

Indiana:

For a survey of the Ohio River near the city of Evansville, Ind., with a view to determine what, if anything, will be necessary to prevent a change of the channel of the river in front of that city. Kentucky: ond River.

Pond River.

The Secretary of War is directed to report to the next session of Congress whether or not the Government dry-dock at Louisville and Portland Canal is adequate for the purposes of commerce, and what alterations, if any, are necessary, and the cost of making the same.

Licking River from Farmer's to West Liberty.

Sait River. For ice-harbor at Paducah, Ky. The bar at the mouth of Limestone Creek, in the harbor of Maysville.

The bar at the mouth of Limestone Creek, in the harbor of Maysville.

Louisiana:
Little River.
Bayou Rouge.
Dugdemona River.
Mouth of Bayou Plaquemine, with a view to its connection with the Mississippi River by locks; also Bayou Plaquemine and other connecting streams, to form the best route to Grand Lake.
Bogue Falia from present landing to Covington.
Calcasieu Pass, the two bars obstructing the navigation thereof.
Mouth of Calcasieu River, the bar obstructing its mouth.
Bayou Terrebonne from Houma to Thibodeaux.
Bayou Terebonne from Houma to Thibodeaux.
Bayou Teche from Saint Mastinsville to Fort Barre.
Mouth of Bayou La Fourche, with a view to the construction of a lock and dam; Clear Lake, Black Bayou, Red Bayou, Black Lake, and Kelly Bayou, to reopen navigable communication between those streams and Red River; Bayou La Fourche, to secure navigation at low water.
Cornay River.
Ouchita River from Camden to mouth, with a slack-water navigation.
Bayou Vermillion, to secure navigation from Abbeville to the railroad bridge of the Louisiana and Texas Railroad.
Bayou Rondeway.
Cypress Bayou.
Bayou Vidal.
Maine:

Bayou Vidal.

Maine:
Bayoduee River between the towns of Penobscot and Brooksville.
Big Rapids of Saint John's River.
Camden Harbor.
Rockport Harbor.
Kennebee River at Bath, and from Augusta to lower end of Perkin's Island.
Saint George's River from Warren to Thomaston.
Matinicus Isle, with a view to a harbor of refuge.
Penobscot River from Bangor to Bucksport Narrows.
Saint Croix River from Ferry Point bridge, at Calais, to Breakwater Ledge.
Bar Harbor, Me., with the view to establishing a breakwater and deepening the waters of said harbor, and especially the channel between Rodick's Island and Mount Desert Island.

Maryland:

Maryland:
Cambridge Harbor.
Fairlee Creek.
Patuxent River from Benedict to Hill's Landing.
For widening the channel of Baltimore Harbor to 600 feet.

Massachusetts:
Manchester Harbor.
Duxbury Harbor.
Wellfleet Harbor.
Falmouth Harbor of Refuge.
Vineyard Haven Harbor.

Cottage City Harbor.
Menemsha Harbor of Refuge.
Taunton River.
Winthrop Harbor.
New Bedford Harbor.

New Bedford Harbor.

Michigan:
Bar in Saint Clair River opposite Saint Clair City.
Grand River.
North River between Essex and North bridges.
Biddle's Point at Mackinac Harbor, with a view to a breakwater.
Harbor at Forestville, Lake Huron.
Pigeon River.
Mouth of Black River, Saint Clair County.
Carp River at Leland, with a view to affording an entrance to Carp Lake for harbor of refuge.
Lake Michigan at Empire, with a view to cutting a channel across the bar from Lake Michigan to Bar Lake.
Grand Traverse Bay, with a view to connecting it with Torch Lake, near Eastport.

Eastport.

Eastport.
Pinepog River.
Rouge River at its junction with Detroit River, and up the river to bridge of Saint Louis and Wabash Railroad.
Torch Lake Channel, Lake Superior.

Minnesota:
Red River of the North from Moorhead to Fergus Falls.
Red Lake River from Grand Forks to Red Lake.
Mississippi River between Saint Paul and Saint Anthony's Falls.
Minnesota River, with a view to its improvement by locks and dams.

Mississippi:
Tombigbee River, to ascertain what improvement is necessary to make said river continuously navigable from Vienna, Ala., to Walker's Bridge, Mississippi.
Cassity Bayou.
Noxubee River, to ascertain whether it can be made continuously navigable by a system of locks and dams, or otherwise.

Bear Creek.

Missouri:

Resurvey of the Osage River from its mouth to Osecola, with a view to movable locks and dams, or other methods of improvement.

Little River from Hornersville to its junction with the Saint Francis River.

Saint Francis River from Greenville to the Arkansas State line.

New Hampshire: Bellamy River.

North Carolina:
Alligator River,
Lockwood's Folly River,
Lumber River,
Yadkin River from South Carolina line to the Narrows,
Catawba River.

New Jersey:
Thoroughfare running back of the ocean from Cape May to the Great Bay north of Atlantic City.
Channel back of Brigantine Beach, between Absecon and Brigantine Inlets.

Channel back of Brigantine Beach, between Absecon and Brigantine Inlets.

New York:
Channel between Jamaica Bay and Rockaway Inlet.
The East River, with a view to the removal of a ledge of rocks situated between five and six hundred feet from the foot of Tenth and Eleventh streets in the city of New York.

Spring Creek.
Waddington Harbor.
Mouth of Patchouge River.
Hudson River between New Baltimore and Coxsackie.
Peter's Neck Bay.
Tonawanda Harbor and Niagara River between Black Rock and Tonawanda, with a view to a 16-foot channel.
Glen Cove Harbor.

Oreson.

Oregon:
Wood River.
Link River.
Suislaw River and Bar.
Coquille River between Coquille City and Myrtle Point.
Nahalem Bay and Bar.
Tillamook Bay and Bar.
Umpqua River.

Ohio:
Sandusky Harbor, with a view to a straight channel from the north end of Cedar Point to the eastend of the existing channel in front of the city.

Big Hockhocking River from its mouth to Coolville.

Chagrin River at its mouth.

Pennsylvania: Darby Creek.

Rhode Island: Little Narragansett Bay, entrance to the wharves at Watch Hill.

South Carolina:
Mosquito Creek between the South Edisto and Ashepoo Rivers, with a view to connect the South Edisto with the Ashepoo at or near Fenwick's Island.
Mingo Creek.
Clark's Creek.
Little Pee Dee River.
Alligator River and other waters connecting Santee River and Bull's Bay.

Tennessee:
North Fork of the Forked River below Dyersburg,
Obeils River from the point where improvements have heretofore been made
to the mouth of the West Fork,

Texas: Cedar Bayou where it empties into Galveston Bay.

Virginia Mattox Creek.

Mansemond River.

Louisa Fork of Sandy River.

Roanoke River from Clarkesville, Va., to Eaton Falls, North Carolina.

Hunter's Creek.

West Virginia: Meadow River. Gauley River. Coal River.

Harbor at Hudson, Lake Saint Croix. Examination and report on the causes of the extraordinary overflows of the

Chippewa River, and What means, if any, can be adopted to prevent their recur-

Chippewa River, and what means, if any, can be adopted to prevent their recurrence.

SEC. 7. For examinations, surveys, and contingencies, and for accidental repairs, for which there is no special appropriation, for rivers and harbors, \$100,000: Provided, That no survey shall be made of any harbors or rivers until the Chief of Engineers shall have directed a preliminary examination of the same by the local engineer in charge of the district, or an engineer detailed for the purpose; and such local or detailed engineer shall report to said Chief of Engineers whether, in his opinion, said harbor or river is worthy of improvement, and shall state in such report fully and particularly the facts and reasons on which he bases such opinion, including the present and prospective demands of commerce; and it shall be the duty of the Chief of Engineers to direct he making of such survey if, in his opinion, the harbor or river proposed to be surveyed be worthy of improvement by the General Government; and he shall report to the Secretary of War the facts, and what public necessity or convenience may be subserved thereby, together with the full reports of the local engineer. Said reports of preliminary examinations and surveys shall be made to the House of Representatives, and are hereby ordered to be printed when so made.

SEC. 3. That the Secretary of War shall report to Congress, at its next and each succeeding session thereof, the name and place of residence of each civilian engineer employed in the work of improving rivers and harbors by means and as the result of appropriations made in this and succeeding river and harbor appropriation bills, the time so employed, the compensation paid, and the place at and work on which employed.

And the Senate agree to the same.

S. J. R. McMILLAN,

S. J. R. McMILLAN, O. D. CONGER, M. W. RANSOM, Managers on the part of the Senate. ALBERT S. WILLIS, JOHN M. GLOVER, H. H. MARKHAM, Managerson the part of the House.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes.

HELEN PLUNKETT.

Mr. HOAR. I ask unanimous consent that the House be asked to return to the Senate the bill (S. 757) granting a pension to Helen Plunkett. An amendment was put into the bill by the Senate which wrongly described the service of the husband of the widow for whom the bill provides, describing him as belonging to Company A instead of Company E. I should like to have the bill sent back and the correction made at once. It is a Senate bill which has not passed the House and has not been reported from the committee there.

The PRESIDENT pro tempore. If there be no objection a message will be sent to the other House as requested by the Senator from Massa-

chusetts.

PHIENIX NATIONAL BANK.

Mr. EVARTS submitted the following report:

Mr. EVARTS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1599) for the relief of the Phœnix National Bank of the city of New York, having met, after full and free conference have agreed to recommend and do recommend that the House of Representatives do recede from its amendment to said bill.

WM. M. EVARTS,
JOHN J. INGALLS,
G. G. VEST,
Managers on the part of the Senate.

W. M. SPRINGER,
S. W. T. LANHAM,
JAMES BUCHANAN,
Managers on the part of the House.

The PRESIDENT pro tempore. The report requires no action on the part of the Senate.

Mr. EVARTS. Except to be sent over to the other House, as the bill is with us.

The PRESIDENT pro tempore. The bill will be sent over.

ARMLESS OR LEGLESS PENSIONERS-RECALL OF A BILL.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a resolution requesting the President to return to the House of Representatives the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution of the House of Representatives, which will be read.

The Chief Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service.

I suggest that the resolution be amended so as to Mr. SEWELL. request the President to send the bill to the Senate, as it originated in the Senate.

Mr. EDMUNDS. That ought to be done, as he received it from the

Senate and can only send it back here.

The PRESIDENT pro tempore. The Senator from New Jersey moves that the resolution be amended by striking out "the House of Representatives" and inserting "the Senate."

Mr. EDMUNDS. That dugit to be done, as he received it from the senate and can only send it be done, as he received it from the senate and can only send it back here.

The PRESIDENT pro tempore. The Senator from New Jersey moves that the resolution be amended by striking out "the House of Representatives" and inserting "the Senator from New Jersey moves that the resolution be amended by striking out "the House of Representatives" and inserting "the Senator from New Jersey moves that the resolution be amended by striking out "the House of Representatives" and inserting "the Senator from New Jersey moves that the resolution be amended by striking out "the House of Representatives" and inserting "the Senate."

sity of the resolution.

The PRESIDENT pro tempore. The explanation has been made.

Mr. SEWELL. The explanation has been made. The House amended the bill but did not get it in the record, so that the clerks did not get it in the engrossed copy. They insist on making an amendment, which is of no importance practically, but they insist on it.

Mr. EDMUNDS. Then let the President sign the bill. It will hazard its passage very much to recall it.

The PRESIDENT pro tempore. Does the Senator from New Jersey press his motion?

press his motion?

Mr. SEWELL. Yes, sir.

The PRESIDENT protempore. The Senator from New Jersey moves to amend the resolution by striking out "the House of Representatives" and inserting "the Senate."

The amendment was agreed to.

The resolution as amended was agreed to.

RIVER AND HARBOR BILL. The Senate resumed the consideration of the report of the committee of conference on the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers

and harbors, and for other purposes.

The PRESIDENT pro tempore. The question is on concurring in the report of the committee of conference.

Mr. McMILLAN. Mr. President, I desire to make a brief statement

to the Senate in connection with this report. The bill as it first came from the House appropriated \$15,142,200.

As it passed the Senate it contained twenty-six new items and appropriated \$14,013,393.25.

The bill as agreed upon by the conference committee, and now reported to the Senate, appropriates \$14,473,900, which is \$668,300 less than the amount of the House bill.

The principal changes in appropriations made by the conferees in the bill as it passed the Senate are as follows:

INCREASES.

Mississippi River, from head of passes to mouth of the Ohio River, from \$1,687,500 to \$2,000,000.

For examinations and surveys at South Pass, from \$3,750 to \$5,000.

For the general surveys of the Mississippi River, from \$18,750 to \$30,000.

Red River, Arkansas, from \$71,250 to \$75,000.

Saint Mary's River, Michigan, from \$187,500 to \$250,000.

Hay Lake channel, Michigan, from \$12,500 to \$150,000.

James River, Virginia, from \$75,000 to \$112,500.

Arkansas River, Arkansas, from \$56,250 to \$75,000.

Sandy Bay Harbor of Refuge, from \$75,000 to \$100,000.

Appropriation for general surveys, from \$75,000 to \$100,000.

Wilmington Harbor, California, from \$56,250 to \$75,000.

All items of appropriations which were contained in the bill reported to the Senate by the Senate Committee on Commerce and which amounted to not more than \$20,000 each and which by the Senate amendment were reduced 25 per cent., the Senate conferees consented to restore to their original amounts respectively, thus restoring the reduction of 25 per cent. as to those items; the gross amount of this increase is in round numbers \$457,000.

Sturgeon Bay Canal from \$112,500 to \$5,000. Portage Lake Canal from \$262,500 to \$10,000. Hennepin Canal from \$225,000 to \$15,000.

The principal subjects upon which the conferees differed were the harbor of refuge at Sandy Bay, New York Harbor, Mississippi River, Potomac flats, Sturgeon Bay and Lake Michigan Ship-canal, Portage Lake and Lake Superior Ship-canal, and the Hennepin Canal.

The House conferees receded from their disagreement to the harbor of

refuge at Sandy Bay, and the amount of the appropriation was increased to \$1000,000. They also receded from their disagreement to New York

Harbor and to the Potomac Flats.

The House conferees receded from their disagreement to the Sturgeon Bay and Lake Michigan Ship-canal, the Portage Lake Canal, and the Hennepin Canal respectively, with amendments providing for a board of engineers to examine and report upon each of these improvements as stated in the conference report.

The Senate amendment in relation to the Mississippi River from the head of the passes to the mouth of the Ohio River was agreed to, increasing the appropriation therefor from \$1,687,500 to \$2,000,000 and striking out that portion of the provision directing the application of the amount appropriated indicated in the report.

There were some other changes, which I have not noted, but if any Senator desires to obtain any information upon the report, if I can give

it I shall be glad to do so.

Mr. CULLOM. Mr. President, I suppose it is decreed that this report is to be agreed to. I do not know that it is worth while for me to offer any objections to the report or to make any suggestions in reference of the control of the ence to it; but I shall not feel satisfied with myself at least without saying what I think, with due respect to the honorable gentlemen who have composed the committee on conference on the part of the Senate because I believe they have done exactly what they thought was best, yet taking that report it seems to me a very strange one.

We have had two or three conferences in reference to this bill, and there seemed for a time to be substantially no objection to the bill that I could hear of, except as to the canals that were incorporated in the

bill by the Senate in the first instance; but after we have conferred and reconferred and come to the subject again we have at last got rid of the reconserved and come to the subject again we have at last got rid of the canals and increased the appropriations for the rivers and little bays and harbors in the country scattered all about, especially if they happen to lie close by the localities represented by some new conferce. It seems very remarkable that the committee on the part of the Senate should allow these important measures to go out, and in addition to that, after we had scaled down the bill 25 per cent., should make fish of one and fowl of another and put up a good many of the items that we had passed upon. I do not understand it.

The honorable chairman of the committee who makes this report acts.

The honorable chairman of the committee who makes this report says that the conferees on the part of the House recede from their opposition to the appropriation for the Hennepin Canal with an amendment. What is the amendment? The amendment is to wipe the whole thing out and consent to another survey. The Government of the United States has been surveying that canal ever since I can recollect. There is a beaten path almost from the Illinois to the Mississippi River made by engineers sent out by the Government year after year to survey the Hennepin Canal. After all that long, tedious, and laborious effort on the part of the Government to find out where the canal ought to be located, the honorable conference committee comes in again and says that the House conferees recede from their opposition to the Hennepin Canal with an amendment, which is to survey it again. That is all there is of it. It is mere trifling, so far as the Congress of the United States is concerned.

I have stood here, and I expect to do so, year after year in favor of the improvement of the water ways of the country. I believe that the Government of the United States ought to make these improvements, and I want to act in good faith in reference to this measure; but when I am to be told for the fifth or sixth time that the Hennepin Canal is all right, that it is going to be surveyed again, I think it is pretty near time to stop and see what it all means. It simply means that it is not intended to do anything; and why do not the committee say so like men, strike out the item, and stop spending the money of the Government in surveying the line?

I do not know that it is worth while for me to stand here and talk about this matter, unless I could talk until the session ends, and I should be glad if I could and get rid of this thing; but I want to say, and I say it in perfect candor, that it does seem to me strange, if Senators upon this floor are looking upon the interests of this country as a whole, that the Congress of the United States is not willing to enter upon the work of building that great canal in the interest of the commerce of this country. In my opinion the construction of that canal, or a canal between the Mississippi River and the lakes in the region of Chicago, is worth more to the commerce of this country than all the rest of the bill outside of the harbor of New York. I believe, taking this nation as a whole, that that improvement is of more public utility to the commerce of this country than all the rest of the bill except, as

I say, the improvement of the harbor of New York.

Take the bill as it now comes here and as it has been acted upon before by the Senate, take the multitude of little bayous and rivers that we find in the bill, put them all together and they do not begin to compare with the advantage to this country which would come from the construction of that canal between that great river and the lake at

Just look at this bill, Mr. President, full of appropriations of small sums for the improvement of little rivers: Steele's Bayou in Mississippi, Tchula Lake, Mississippi River, \$1,500; Yalobusha River, Mississippi, \$1,500, raised to \$2,000. I should like to know of the chairman what was the reason for that?

Mr. McMILLAN. What item is that?

Mr. CULLOM. The raising of the appropriation for Yalobusha River from \$1,500 to \$2,000. That was a very momentous question to be considered by the committee of conference. It was very important to get that up \$500 and skip these improvements of importance to the country. Then when you get down to the Amite River in Louisiana, there was \$1,500 in the bill, but by some influence or other that item has been raised to \$2,000 in this last report that the committee has brought When you get down to Bayou Bartholomew in Louisiana, \$3,500 was the bill as passed by the Senate, and by a strong effort from Louisiana or some place else that amount has been raised to \$5,000. Then go down to another bayou, Courtableau, \$3,750, and the influence of my distinguished friend from Louisiana, I expect, raised it to \$5,000. So when you get over into Texas, represented on the committee by my distinguished friend the Senator from Texas [Mr. Coke], the amount for Cypress Bayou is increased from \$13,500 to \$18,000. I wonder what influence got hold of the committee of conference to give such a boost for that bayou down in Texas.

So you may go through the bill, and for some unexplained reasons or other the rivers and bayous in the South, which to-day is running the country so far as legislation is concerned, have managed by some means or other to get all that was wanted for them, and I do not know but more; while all the important improvements in the North have been passed by with the statement to me occasionally, "Do not ask for any more for Illinois River, or for Chicago River, because it might

injure the Hennepin Canal," and when the end comes the Hennepin Canal has disappeared from the bill.

Mr. GIBSON. Will the Senator from Illinois permit me to inter-

rupt him for a question?

Mr. CULLOM. Yes, sir.

Mr. GIRSON. I wish to state to the Senator from Illinois that I supported the Hennepin Conal, and that I have had about as much to do with increasing the appropriations for the bayous in Louisiana as he had. I do not now mean to speak, however, of the merits of those improvements. I merely wish to correct the intimation of the Senator that had sought to exert influence on the conferees. I have not been before them, nor have I attempted to exercise their judgment.

Mr. MILLER. I suppose the Senator from Louisiana, who is a member of the Committee on Commerce, heard the report which was made, which was to the effect that every item in the bill less than \$20,000 had been put back to the figure at which it originally passed the Senate before the reduction of 25 per cent. was made. That accounts for

all these additions.

Mr. McMILLAN. That is correct. I made the statement, and it

is in the RECORD.

Mr. GIBSON. If the Senator from Illinois will permit me, I have no doubt the improvements alluded to, though they appear to him to bear strange names, are meritorious. In fact I may say that they are meritorious. The Bayou Bartholomew, to which he refers, runs for 300 miles in the State of Arkansas, and is therefore an international stream, because it runs through two States, and that is the definition some strict constructionists require; but the appropriation in the bill about which I concern myself I think is quite as important as the Hennepin Canal. That is the Mississippi River, a stream with which I suppose the Senator from Illinois is familiar.

Mr. CULLOM. Perfectly.
Mr. GIBSON. If I understand the object of the Hennepin Canal it is to get communication with the Mississippi River, and I am sure that the Senator from Illinois will not undertake to deny that if it is important to improve the streams tributary to the Mississippi River and to dig canals in order to obtain communication from the lakes of the interior States in the Valley of the Mississippi River with that great river itself, it is equally important that we should deepen and improve the Mississippi River, the trunk line, to which all these other streams are tributaries. streams are tributaries.

I desire now with the permission of the Senator from Illinois to say that there has been no appropriation whatever for the Mississippi River Commission. This commission was organized under an act of Congress approved June 28, 1879, and the Senate adopted an amendment on the sundry civil bill providing for their salaries and expenses. I understand that the conferees on the part of the Senate consented that that appropriation should be stricken from the sundry civil bill, and that the conferees on that bill sent the amendment of the Senate respecting the Mississippi River Commission and the Missouri River Commission to the conferees on the river and harbor bill, and that instead of placing this amendment for the maintenance of the commissions intrusted with the improvement of these rivers and incorporating it upon the bill, they rejected it. I am constrained to express my profound regret at this, though I have no doubt they did all that was possible under the circumstances. The appropriation for the commission is, therefore, one under existing law not new legislation.

one under existing law not new legislation.

Here we are improving the Mississippi River, providing by law for the expenditure of \$2,000,000 on that river, and \$500,000 for the improvement of the Missouri River, the next river in this country, and yet denying the necessary funds for the payment of the salaries of the commission and for their expenses, and yet that commission has a plant of over a million and a quarter dollars. Now, there is no business in that.

Mr. COCKRELL. Then no such bill as this ought to pass.

Mr. GIESON. On general principles it should not, and but for the

Mr. GIBSON. On general principles it should not, and but for the perplexities and embarrassment attending this important bill I would make a motion to non-concur, but that motion might be construed to reflect upon the conferees, which, with my knowledge of the difficulties they have had to overcome, I can not get my own consent to do. I shall hope the Senator from Iowa [Mr. Allison], chairman of the Committee on Appropriations, will at the proper time offer the joint resolution I have prepared to meet the case. And at the worst, in my judgment, the salaries and expenses of the commissioners may be paid out of the appropriations for the Mississippi and Missouri Rivers. The Secretary of War will, I hope, so determine. Of course the officers on the commission authorized by law will be entitled to their salaries.

the commission authorized by law will be entitled to their salaries.

Mr. CULLOM. I desire to say in response to my honorable friend, the Senator from Louisiana that I had no intention whatever of intimating that he had improperly attempted to meddle with any conference or had done anything either in the Senate or out of it which was not entirely right and proper. I am only glad, if the rivers to which he refers are of the merit he seems to think they are, that the conference committee glided into them so nicely and gave the amount of money they wanted without the asking for it on his part. I am only sorry they did not see some of the rivers up in my country and do likewise.

Mr. McMILLAN. They did not come into the same classes. Mr. CULLOM. We did not seem to come into the same classes.

I wish to say furthermore that no man in the Senate or out of it has a greater desire than myself to see the grand Mississippi River improved as fully as it is possible to do it by money and skill and engineering; and I say it because I have always felt that way and have always advocated that policy on the part of the Government, and not only in relation to the Mississippi River but all the great rivers of the country, and the lakes, and the seaboard on our East and our West as well; and while I am for this grand improvement, which I regard as the most important measure that can come before Congress, I also want to see Senators take a little broader view than simply to look to the neighborhoods in which they live and get the rivers in which they are interested provided for and let other improvements go simply because work upon them has not yet been begun.

Now, sir, referring to this bill a little more, I see that when we get

over into Arkansas the rivers there fare splendidly under the administration of this last conference committee. I do not know how to explain it, unless it is because one of the new conferees happens to live

close by Arkansas.

Mr. McMILLAN. Will the Senator state who that was?

Mr. CULLOM. The Senator can tell. I suppose he was a gentleman from the House from the city of Saint Louis who got onto the conference committee. If he desires that I should name him, I can do so. The result was that the appropriations for a number of rivers in

that State have been increased.

Then after going a little further on in the bill we get over after a while into California, and there a new conferee turns up and there increases in appropriations are made. So that while I repeat again that I believe and have said all the time that the honorable conferees on the part of the Senate did the very best they could to resist these increases proposed in the South, and resisted the efforts on the part of the House conferees to get these canals out of the bill, yet their feeling was such that they yielded. I do not pretend to stand up and blame them for it, because it is a serious question, when it comes to the question whether we are to have no bill at all or the best we can get, what it is best to do, and I am willing to say that so far as they were concerned they felt that the time had come, if they were to get any bill, that they had to yield these measures and submit to the dictation of the conferees on the part of the House. The result is before us.

But I repeat again that so far as I am concerned, however much I

may feel interested in these improvements, taking the country over I do not feel that I can, consistently with my own sense of duty and my ideas of what ought to be done in this matter, submit to the passage of

this bill as reported without objection on my part.

I do not desire to take up the time of the Senate in discussing it for the purpose of consuming time, but I wish simply to say that I feel that the Senate conferees ought not to have consented to allowing those canals to go out of the bill and then report it here for the adoption of the Senate

The PRESIDENT pro tempore. The question is on concurring in the report of the committee of conference on the river and harbor bill. The report was concurred in.

ARMLESS OR LEGLESS PENSIONERS-RECALL OF BILL.

Mr. SEWELL. The House having adjourned for the day and the resolution amended a short time since not having gone to the House for action there, I move to reconsider the amendment adopted by the Senate asking the President to return the general pension bill to the

The PRESIDENT pro tempore. The Senator from New Jersey moves to reconsider the action of the Senate amending a resolution of the House in regard to recalling the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service. If there be no objection, the amendment

will be reconsidered and disagreed to.

Mr. EDMUNDS: I wish the Chair would put the question to a

The PRESIDENT pro tempore. The Chair will put the question on the motion of the Senator from New Jersey to reconsider the vote.

The motion was agreed to.

The PRESIDENT pro tempore. The resolution stands agreed to without amendment.

RECESS.

Mr. ALLISON. I move that at 6 o'clock the Senate take a recess

until 8 p. m.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Iowa that at 6 o'clock the Senate take a recess until 8 o'clock p. m.

The motion was agreed to.

MARY J. NOTTAGE-VETO MESSAGE.

Mr. BLAIR. I call for the regular order.

The PRESIDENT pro tempore. The regular order is called for.
Mr. PUGH. I ask the Senate to proceed to the consideration of Order of Business 1827, being House bill 5196. It will not take five

minutes. It is a bill of local importance and it is very much desired by the two Senators from California that it should pass

Mr. BLAIR. I feel obliged to call for the regular order.

The PRESIDENT pro tempore. The regular order is the Nottege pension bill.

Mr. CONGER. I hope the Senator from New Hampshire will allow

this bill to pass.

Mr. BLAIR. I can not. I must insist on the regular order unless I am overruled by a vote of the Senate.

Mr. PUGH. I ask the Senator from New Hampshire to allow this bill to pass. It will not take five minutes. Unless that House bill is acted on now it can not go back to the House.

Mr. BLAIR. The House has adjourned.

The PRESIDENT pro tempore. Pending the regular order, the pension bill, the Senator from Alabama asks—

Mr. BLAIR. I call for the regular order.

The PRESIDENT pro tempore. The regular order is before the Senate. Pending that, the Senator from Alabama moves to proceed to the consideration of a bill the title of which will be stated.

consideration of a bill the title of which will be stated.

The CHIEF CLERK. A bill (H. R. 5196) to detach certain counties from the United States judicial district of California and create the United States judicial district of Southern California.

Mr. EDMUNDS. I appeal to the Senator from Alabama. I reported that bill myself, and it ought to go through; but it is the fair thing about this vetoed pension bill that we should act upon it, and we can provide for that bill in a little while. Do let us do one thing at a time. There is no objection to the bill, but there are a great many others, and I think as a matter of fair play to the President we ought to take one I think as a matter of fair play to the President we ought to take one square vote on one of these vetoed bills.

Mr. KENNA. Can not we arrange an hour for the consideration of

the House bills on our Calendar?

Mr. EDMUNDS. When we can get the one vote on this pension bill we shall see about that.

The Chair will receive a message The PRESIDENT pro tempore. from the House of Representatives.

Mr. PUGH. The bill could be passed while we are talking about it.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes.

MARY J. NOTTAGE-VETO MESSAGE.

The PRESIDENT pro tempore. Does the Senator from Alabama withdraw his motion?

Mr. PUGH. Yes, sir.

The PRESIDENT pro tempore. The question before the Senate is on the passage of the bill (S. 2005) granting a pension to Mary J. Nottage, the objections of the President of the United States to the contrary notwithstanding. On this question the yeas and nays will be taken according to the requirement of the Constitution.

The Secretary proceeded to call the roll.

Mr. HALE (when Mr. FRYE's name was called). My colleague
[Mr. FRYE] is absent and paired with the Senator from Maryland

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. Pike]. If he were present, I

should vote "nay."

Mr. KENNA (when his name was called). I vote "nay," but I desire in that connection to state that I have been instructed to announce a number of pairs, but in the confusion of the closing hours of the session I can not recall them, so that I may announce generally

that everybody who does not vote on this question is paired.

Mr. PALMER (when his name was called). I am paired with the
Senator from North Carolina [Mr. VANCE]. If he were here, I should

Mr. PLATT (when his name was called). I am paired with the Senator from South Carolina [Mr. HAMPTON]. If he were present, I should vote "yea."

Mr. RANSOM (when his name was called). I am paired with the

Senator from Illinois [Mr. LOGAN]. If he were here, I should vote

Mr. McMILLAN (when Mr. Sabin's name was called). My league [Mr. Sabin] is detained from the Senate by indisposition. has a general pair with the Senator from West Virginia [Mr. KENNA].

He would vote "yea" if he were here.

Mr. KENNA. If the Senator from Minnesota [Mr. McMillan] states that his colleague [Mr. Sabin] would vote "yea" if present, I withdraw my vote. Not knowing how he would vote, I will not take any risk of misrepresenting him. I cheerfully withdraw my vote if the Senator thinks his colleague would vote "yea."

Mr. McMILLAN. I have no doubt in my own mind how he would

vote if present.

Mr. KENNA. Then I withdraw my vote.

Mr. SEWELL (when his name was called). I am paired with my bleague [Mr. McPherson]. Otherwise I should vote "yea." colleague [Mr. McPherson].
The roll-call was concluded.

Mr. RANSOM. The Senator from Colorado [Mr. Bowen] is paired on this question with the Senator from Alabama [Mr. Morgan].

Mr. TELLER. My colleague [Mr. Bowen] is paired with the Senator from Alabama [Mr. Morgan]. The Senator from Rhode Island [Mr. Chace] is paired with the Senator from Tennessee [Mr. Whitthorne]. The Senator from Rhode Island would vote "yea," if present, as would my colleague.

Mr. CAMERON. I am paired with the Senator from South Caro-

lina [Mr. BUTLER].

Mr. SAULSBURY. Iam paired with the Senator from Vermont [Mr.

MORRILL]. If he were present, I should vote "nay." The result was announced—yeas 26, nays 19; as follows:

Allison, Blair, Cameron, Conger, Cullom, Dolph, Edmunds,	Evarts, Hale, Harrison, Hawley, Hoar, Ingalls, McMillan,	Mahone, Manderson, Miller, Mitchell of Oreg., Riddleberger, Sawyer, Sherman,	Spooner, Stanford, Teller, Wilson of Iowa, Wilson of Md.
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		NA1S-19.		
Beck, Berry, Blackburn, Brown, Butler,	Call, Coekrell, Coke, Eustis, Gibson,	Gray, Harris, Hearst, Jones of Arkansas, Maxey,	Payne, Pugh, Vest, Walthall.	

ABSENT-31.

Aldrich, Bowen, Camden, Chace, Colquitt, Dawes, Fair, Frye,	George, Gorman, Hampton, Jones of Florida, Jones of Nevada, Kenna, Logan, McPherson,	Mitchell of Pa., Morgan, Morrill, Palmer, Pike, Platt, Plumb, Ransom,	Sabin, Saulsbury, Sewell, Vance, Van Wyck, Voorhees, Whitthorne.

The PRESIDENT pro tempore. Two-thirds not having voted in favor of the bill, it is not passed.

JOSEPH ROMISER-VETO MESSAGE.

Mr. BLAIR. I desire to call the attention of the Senator from Maryland [Mr. WILSON] to the bill which he has in charge, in regard to which I do not understand that there is any controversy, which might be disposed of at this time, and very likely without any discussion at all, if the Senator will call it up. It is on the sixteenth page of the Calendar. It is the bill which has passed the House over the veto and which has been reported unanimously by the Senate committee.

Mr. HARRIS Is that a vetoed bill?

Mr. HARRIS. Is that a vetoed bill?

Mr. EDMUNDS. Yes.

Mr. WILSON, of Maryland. It was returned to the House by the President and there passed by a two-thirds vote over his objections. ask that it be taken up.

The Senate proceeded to consider the bill (H. R. 1059) to grant a

pension to Joseph Romiser.

The PRESIDENT pro tempore. The question is, Shall the bill pass, the objections of the President of the United States to the contrary,

notwithstanding?

Mr. WILSON, of Maryland. This bill was vetoed by the President under the supposition that no application had been made to the Pension Office for the allowance of a pension by the applicant in this case. The President had been informed from the Pension Office that no application had been made and no proof filed. Under that supposition he vetoed the bill, not having the facts of the case before him. In fact, the veto was not the deliberate judgment of the President. I have the papers here now, which the President knew not of at the time he vetoed the bill. These papers contain proof sufficient to satisfy anybody that the applicant is entitled to the pension. I firmly believe if the President had seen these papers and examined them the bill would now be a law and we should be saved the necessity of acting on the veto.

Mr. HARRIS, Does the Senator from Maryland state that the President sent to the Pension Office for the papers and was told they were

not there?

Mr. WILSON, of Maryland. The President sent for the papers, but it appears that when they were sent back from Congress after the bill had passed they were in some way misplaced in the Pension Office, and when the President sent there the clerks could not find them, and a message was sent to the President from which he inferred that no application had been made and no papers filed.

Mr. HARRIS. He came to the conclusion that no application had ever been made to the Pension Office; and you think if he had seen the papers he would have signed the bill?

Mr. WILSON, of Maryland. I feel certain that pensions have been granted from the foundation of this Government and even before its foundation during the old Continental Congress under precisely such circumstances as these. Such bills were signed by General Jackson, and there are precedents back to the time of Washington. They were passed in the time of Lincoln; they were passed in the time of Grant,

and they have been passed in the time of President Cleveland under

precisely similar circumstances.

Mr. COCKRELL. I should like to know how it is that a clerk competent to discharge the duties of his office in the Pension Office could

make such a report.

Mr. WILSON, of Maryland. It is very strange.

Mr. COCKRELL. Do they not keep in the Pension Office a record, independent of the bundles of papers with the labels on them in each

Mr. WILSON, of Maryland. I can not state to the Senator from Missouri all the circumstances under which this report was made, but certain it is that the President had not the papers before him; certain it is that the President states in his veto message that he has been informed by the Pension Office that such papers were not there and were not in existence. I hold in my hand now the papers, and I think they prove the state of facts beyond all controversy, which if the President had known he never would have vetoed the bill. As I said before, there are precedents innumerable in the history of the Government of pension bills passed in just such cases.

Mr. COCKRELL. One question. I want to get at the point of how this information came to be sent to the President that there were no papers on file and that there had been no application filed. Do they not keep in the Pension Office a record showing the name of the application of the arming the pension of the pension of

not keep in the Pension Office a record showing the name of the applicant, the date of his application, his post-office address, and whether the application has been acted on, whether it is pending, or whether it

has been allowed?

Mr. WILSON, of Maryland. I presume they do, but I can only account for it by the carelessness on the part of the clerk on whose infor-

mation the President acted.

Mr. WHITTHORNE. I am thoroughly satisfied myself from my examination of this case, not being on the committee at the time it was originally examined, that there was a mistake, and that this is a meritorious case, and that it ought to pass, everybody to the contrary notwithstanding

The PRESIDENT pro tempore. The question is on the passage of the bill, the objections of the President of the United States to the contrary notwithstanding; on which question the yeas and nays will be taken in accordance with the requirement of the Constitution.

The Secretary proceeded to call the roll.

Mr. PLATT (when his name was called). I am paired with the Senator from South Carolina [Mr. HAMPTON], but I think on this vote I I vote "

may vote. I vote "yea."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. Morrill].

The roll-call having been concluded, the result was announced—yeas

50, nays 0; as follows:

YEAS-50.

Allison,	Edmunds.	Kenna,	Sawyer,
Beek,	Eustis, .	McMillan,	Sewell,
Berry,	George,	Mahone,	Sherman,
Blackburn,	Gibson,	Manderson,	Spooner,
Blair.	Gorman.	Maxey,	Teller.
Brown,	Gray,	Miller.	Van Wyck,
Butler.	Hale.	Mitchell of Oreg.,	Vest,
Call,	Harrison,	Palmer.	Walthall,
Cameron,	Hawley,	Payne,	Whitthorne,
Coekrell,	Hearst,	Platt.	Wilson of Iowa,
Conger,	Hoar.	Pugh,	Wilson of Md.
Cullom,	Ingalls.	Ransom,	
Dolph,	Jones of Arkansas.	Riddleberger.	

NAYS-0. ABSENT-26.

Aldrich,	Evarts.	Logan,	Sabin,
Bowen.	Fair.	McPherson,	Saulsbury,
Camden.	Frye.	Mitchell of Pa.,	Stanford.
Chace,	Hampton.	Morgan.	Vance.
Coke.	Harris.	Morrill.	Voorhees.
Colquitt,	Jones of Florida.	Pike.	
Dermog	Jones of Newada	Plumb	

The PRESIDENT pro tempore. The bill is passed unanimously. COURTS IN CALIFORNIA.

Mr. BLAIR. We should like to consider some more of these cases

Mr. EDMUNDS. I want to ask unanimous consent to do something, I ask unanimous consent that the bill for the southern district of California may be taken up, considered, and passed. We can do it before 6 o'clock, and our friends from California have not asked any favors of the Senate, and for them I make this request.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5196) to detach certain counties from the United States judicial district of California and create the

United States judicial district of Southern California. Mr. EDMUNDS. I ask unanimous consent to extend the time for the recess five minutes.

The PRESIDENT pro tempore. That order will be made if there be no objection. The Chair hears none. The amendments reported by the Committee on the Judiciary to this bill will be stated.

The first amendment reported by the Committee on the Judiciary was to strike out section 4, in the following words:

SEC. 4. That the circuit or district court for either of said districts may, in its

discretion, order special terms, and order a grand or petit jury, or both, to attend the same, by an order to be entered of record twenty days before the day at which said special terms shall be ordered to convene; and said courts, respectively, at such special terms shall have all the powers that they have at a regular term appointed by law: Provided, houever, That no special term of said circuit court for either district shall be appointed except by and with the concurrence and consent of either the circuit judge or circuit justice.

The amendment was agreed to.

The next amendment was, in section 8, line 4, after the word "payable," to strike out "monthly" and insert "quarterly;" so as to

SEC. 8. That there shall be appointed a district judge for said southern district of California, who shall reside therein, and who shall receive an annual salary of \$4,000, payable quarterly from the Treasury.

The amendment was agreed to.

The next amendment was, in section 9, line 6, after the word "fixed," to insert "and limited;" and in the same section, after the word "law," at the end of line 7, to strike out the words:

The same person may be appointed clerk of both courts.

So as to make the section read:

SEC. 9. That the circuit and district judges of said southern district of California shall each, respectively, appoint a clerk for their respective courts, who shall reside and keep their office at Los Angeles, in said district, and who shall receive such fees and compensation for services performed by them, respectively, as are now fixed and limited by law.

The amendment was agreed to.

The next amendment was, in section 11, line 5, after the words "and emoluments now," to strike out "received by them" and insert "provided by law;" so as to make the section read:

SEC. 11. That nothing in this act shall in any manner affect the tenure of office of the judge, marshal, United States attorney, or other officers of the present district of California, who shall, respectively, be entitled to the same salaries, fees, and emoluments now provided by law.

The amendment was agreed to.

The next amendment was, after section 11, to insert the following new section:

SEC. 12. That all offenses heretofore committed in the district of California shall be prosecuted, tried, and determined in the same manner and with the same effect, to all intents and purposes, as if this act had not been passed.

The amendment was agreed to.

The next amendment was to strike out section 12 of the bill, as

SEC. 12. That this act shall take effect from and after its passage.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. EDMUNDS. I move that the Senate insist on its amendments and ask for a conference with the House of Representatives thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. EDMUNDS, Mr. INGALLS, and Mr. PUGH were appointed.

ENOLS LLOYD.

Mr. HARRISON. I want to ask the Senate to consider a little House bill of nine lines favorably reported from the Committee on Military Affairs-House bill 3318.

The PRESIDENT pro tempore. The Senator from Indiana asks the unanimous consent of the Senate to proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. "A bill (H. R. 3318) for the relief of Enols

Lloyd."

By unanimous consent the Senate, as in Committee of the Whole. proceeded to consider the bill. It provides for payment to Enols Lloyd of the pay of a wagoner of artillery from the 10th of May, 1863, to the 1st of September, 1864, on account of services rendered in that capacity in Battery G, First Michigan Light Artillery Volunteers.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

PACKING AND SELLING CUT TOBACCO.

Mr. MAHONE. I offer an amendment which I intend to propose to the bill (H. R. 8738) to so further amend section 3362 of the Revised Statutes as amended and section 3363 as makes a distinction in the mode of packing and selling tobacco, and I move that it be referred to the Committee on Finance.

The motion was agreed to.

REPORTS OF COMMITTEES.

I had no opportunity in the morning hour to make Mr. MAHONE. I had no opportunity in the morning nour to make some reports. I now desire to report from the Committee on Public Buildings and Grounds without amendment the bill (H. R. 9371) for the completion of a public building at Santa Fé, N. Mex.

I also report from the same committee with an amendment the bill (S. 1597) for the erection of a public building at Yonkers, N. Y.

Mr. MILLER. I ask that that may lie on the table instead of go-

ing to the Calendar; I desire to ask utanimous consent this evening or to-morrow morning to passuit.

Mr. HARRIS. It will be in the same position if put on the Calen-

The PRESIDENT pro tempore. The bill will lie on the table.
Mr. MAHONE. The Committee on Public Buildings and Grounds report a joint resolution from the House of Representatives, that only embraces about five lines, which is necessary to give effect to a public building bill passed for the State of Georgia some weeks ago, and I ask

its immediate consideration.

Mr. EDMUNDS. There is not time now.

The PRESIDENT pro tempore. The hour of 6 o'clock and 5 minutes having arrived, it is the duty of the Chair to declare a recess until 8 o'clock.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

PETITION.

Mr. BLAIR presented the petition of Mrs. Sarah E. Rose, of Bloomfield, N. J., praying remuneration on account of confiscation of the schooner W. H. Rutan by the Government; which was referred to the Committee on Claims.

R. A. FENNELL.

Mr. VANCE, from the Committee to audit and Control the Contingent Expenses of the Senate, reported the following resolution for con-

Resolved, That one month's pay, from 15th April to the 15th May, be paid by the Secretary of the Senate out of the contingent fund of the Senate to R. A. Fennell, a messenger removed from office.

BILL INTRODUCED.

Mr. BLAIR introduced a bill (S. 2888) granting a pension to Mary J. Nottage; which was read twice by its title, and referred to the Com-

MISSISSIPPI AND MISSOURI RIVER COMMISSIONS.

Mr. ALLISON. I ask unanimous consent to introduce a joint reso-

lution and to put it upon its passage.

The joint resolution (S. R. 83) for the payment of the salaries of the Mississippi and Missouri River Commissions, and for other purposes, was read the first time by its title.

The PRESIDENT pro tempore.

Is there objection to the present consideration of the joint resolution?

Mr. EDMUNDS. I have no objection to its being considered sub-

ject to objection.

Mr. ALLISON. Very well.

The PRESIDENT pro tempore. The joint resolution will be read, subject to objection.

The joint resolution was read the second time at length, as follows: Be it resolved, &c., That the sum of \$50,000, out of any money in the Treasury not otherwise appropriated, be, and is hereby, appropriated for the payment of the salaries, traveling and office expenses, and contingencies of the Mississippi River Commission and the assistant engineers under them; and the sum of \$20,000 is hereby appropriated for the payment of the salaries, traveling and office expenses, and contingencies of the Missouri River Commission and assistant engineers under them.

Mr. EDMUNDS. I shall reserve the right to object. As it is taken up, I should like to have the Senator from Iowa explain how it happens that after the sundry civil bill, and the deficiency bill, and the river and harbor bill, and every other kind of a bill has been disposed of, that it turns out that it requires a special and speedy appropriation of

this kind to carry on the affair.

Mr. ALLISON. I will explain. Hitherto it has been the custom to appropriate for these two commissions in the sundry civil bill. The Senate inserted these two items in the sundry civil bill, and they passed the Senate. When the bill came into conference it was insisted on the part of the conferees of the House that this properly and appropriately belonged to the river and harbor bill, which I think was a very reasonable claim, and they insisted that they would not appropriate for it in the sundry civil bill. Thereupon the Senate conferees agreed that the item might be stricken from the sundry civil bill, and it was so done.

Immediately I notified the chairman of the Committee on Commerce and another conferee on the part of the Senate on the river and harbor bill that this was stricken from the sundry civil bill, and that if provided for at all it should be provided for in the river and harbor bill.

The conferees on the river and harbor bill provided for the continuance of the work on the Mississippi River and on the Missouri River under these commissions, but failed to make provisions for the neces-sary expenses of the two commissions, so that the river and harbor bill thus having passed to-day without this provision, and the sundry civil bill also having been passed without the provision, if these two commissions are to remain in charge of the work on the Mississippi and Missouri Rivers it is necessary that the joint resolution should be passed.

Mr. EDMUNDS. It is certainly a very singular thing that this empirical kind of legislation in what is supposed to be happily the last hours of the session has to be resorted to, when two committees

within twenty-four hours, one or the other or both of which ought to have had this item, if it be proper, as I have no reason to doubt it is, in one or the other of those bills, should follow right on after the passage of those bills, and it is necessary to have a separate measure to piece out one or the other of those two bills. I do not like that kind of legislation, but I shall not object if my friend from Iowa states, as I understood him to do, that this provision is precisely in the form in which it stood in the sundry civil bill.

Mr. ALLISON. It is, except that the amount is reduced in one in-

stance from \$100,000 to \$50,000.

Mr. EDMUNDS. But the modus is the same.
Mr. ALLISON. The modus is substantially the same.
Mr. EDMUNDS. Then I shall not object, but I hope it will never

Mr. ALLISON. I hope not either; and I wish to say that the Committee on Appropriations is in no sense responsible for this failure. It

is a matter which properly and legitimately belongs to the river and harbor bill, and it ought to have been provided for in that bill.

Another reason why the sundry civil bill does not contain it is the fact that up to the very last moment, and up to the report of the conferees on the part of the two Houses, it was not known whether the Mississippi River Commission would be abolished or continued, because the House bill abolished the Mississippi River and Missouri River Com-missions. The matter was thus held in controversy until the very last moment, and it was not until to-day that it was known whether the river and harbor bill would include these two commissions.

Mr. RANSOM. Mr. President, I shall not detain the Senate. I will simply say that the chairman of the Committee on Appropriations is mistaken in saying that this provision properly belonged to the river and harbor bill. It never has been put upon that bill. However, I do not care to debate the question. I wish to have the joint resolution

By unanimous consent the joint resolution was considered as in Committee of the Whole, reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT SAVANNAII.

Mr. SPOONER. When the Senate took the recess the Senator from Virginia [Mr. MAHONE] I think had the floor to make some reports from the Committee on Public Buildings and Grounds. He had not finished, and asked me, stating that he could not be here this evening, to make for him a favorable report, and to ask that the measure be

acted upon at this time.

Mr. EDMUNDS. The last part I object to.

Mr. SPOONER. It will take but a moment; it is a House resolu-

The PRESIDENT pro tempore. The resolution reported by the Senator from Wisconsin will be read by its title.

The CHIEF CLERK. A joint resolution (H. Res. 209) permitting the public building authorized by act of Congress approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 50 feet, as provided in said act.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. EDMUNDS. I object for the time being, until I can understand it.
Mr. SPOONER. I can explain it in a moment.
Mr. EDMUNDS. I want to see the old law.
Mr. SPOONER. The old law which was passed—
The PRESIDENT pro tempore. Objection being made, the joint resolution can not now be considered.

PUBLIC BUILDING AT YONKERS.

Mr. MILLER. I ask unanimous consent to take up the bill (S. 1597) for the erection of a public building at Yonkers, N. Y., which was reported favorably by the Senator from Virginia [Mr. MAHONE] just be-

The PRESIDENT pro tempore. Is there objection?

Mr. EDMUNDS. I object for the time being, until I can under-

Mr. BLAIR. I desire to call up Order of Business 1865. Mr. MILLER. I should like to inquire for my own satisfaction what information the Senator from Vermont desires to have in regard to these measures.

RELATIONS BETWEEN LABOR AND CAPITAL.

The PRESIDENT pro tempore. The Senator from New Hampshire moves that the Senate proceed to the consideration of a resolution on the Calendar. The resolution will be read.

the Calendar. The resolution will be read.

The Chief Clerk read the following resolution, submitted by Mr. BLAIR July 31, 1886:

Resolved, That the Committee on Education and Labor be directed to continue, with a view to its completion during the ensuing vacation, the investigation of the relations between labor and capital authorized and directed by Senate resolutions of August 7, 1882, and February 26, 1883, with the same rights and powers conferred by previous resolutions of the Senate.

The PRESIDENT protempore. The question is on proceeding to the consideration of the resolution.

Mr. COCKRELL. Is that in order?

Mr. COCKRELL. is that in order?

The PRESIDENT pro tempore. A motion is made to proceed to the consideration of the resolution, which is in order.

Mr. BLAIR. It will take but a moment.

The motion was agreed to.

The PRESIDENT pro tempore. The resolution is before the Senate, and the question is on agreeing to it.

Mr. BLAIR. Last year the committee was directed to proceed to the completion of its investigation, which is already substantially completed. It remains to prepare a single volume. Much of the evidence has been obtained and taken; but I was chairman of the committee, and owing to the fact that my election did not take place until after the termination of the session a question was raised as to my authority to proceed in the expenditure of public money. I thought it was a question which was so serious that I did not undertake the completion of the work; and so it has not been done to the present time. There will not be any great amount of expense attending it, and I simply desire authority to do in the coming vacation what otherwise would have been done in the last.

Mr. TELLER. How much will be the expense?

Mr. BLAIR. Of course I can not tell exactly. I have no idea that

it will be \$2,000.

Mr. COCKRELL. It will be the expense of a regular clerk and stenographer and the paraphernalia, I suppose, that attends these special committees

Mr. BLAIR. There have been some eight or ten of the kind already granted at this session; and I assure the Senator that if the committee has a clerk, and it needs to have one, there will not probably be occasion for the amount of expense that would otherwise attend the employment of a clerk, as it is impossible to complete this work without some assistance

Mr. COCKRELL. Does this refer to those four or five volumes of

reports that were printed two or three years ago?

Mr. BLAIR. It refers to the completion of the last volume. Four of them are already complete and published. The remaining, the fifth

wolume, is partially prepared.

Mr. COCKRELL. Are you going to commence the work over again and go over the same field that you did in the beginning, and get up another investigation, going all over the country, taking additional testimony, and bringing in four or five volumes more?

Mr. BLAIR. There is not the slightest design of anything of the

sort. A corresponding committee of the House of Representatives has been authorized to go on and make a similar investigation during the coming vacation. I assure the Senator that the committee, so far as I know anything about it, has only one desire, and that is to get through with what it has undertaken. It is not likely to attempt anything further than is absolutely necessary to the completion of the work that has been placed upon it.

Mr. COCKRELL. I am opposed to all these peripatetic committees.
Mr. TELLER. I do not know that I want to object to the completion of the work of the committee, but I wish to give notice that hereafter I shall object to all this class of expenditures. I believe that we have been expending a great deal of money which has been thrown away in enterprises of this kind. I want now to give notice that I shall feel at liberty hereafter, when a proposition of this kind is made, to antagonize it, no matter who makes it.

to antagonize it, no matter who makes it.

The PRESIDENT pro tempore. The question is on agreeing to the

resolution.

The resolution was agreed to-ayes 21, noes not counted.

MILITARY SITE ON LAKE MICHIGAN.

Mr. CULLOM. Before my colleague [Mr. Logan] went away he made one or two efforts to get up a joint resolution which he had introduced and which he was very anxious to have passed. I hope the Senate will allow it to come up and be acted upon at this time. Senate joint resolution 78.

The PRESIDENT pro tempore. The Senator from Illinois moves that the Senate proceed to the consideration of the joint resolution (S. R. 78) authorizing the Secretary of War to accept certain lands,

&c., near Chicago, Ill.

Mr. BECK. That can not go by unanimous consent. I do not object to its consideration, but I desire to debate it.

Mr. CULLOM. I move that it be now considered.
Mr. BECK. I do not object to its consideration, but I shall oppose the passage of the joint resolution.
The PRESIDENT protempore. The Senator from Illinois moves that the Senate proceed to the consideration of the joint resolution which has been indicated.

The motion was not agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report; which was read:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, having met, after full and and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, 11, 14, 15, 16, 21, 22,

26, 29, 31, 32, 33, 34, 35, 37, 41, 45, 50, 59, 61, 75, 76, 77, 81, 82, 83, 84, 87, 89, 18, 103, 104, 105, 106, 107, 110, 113, 119, 122, 124, 125, 126, 134, 135, 136, 146, 149, 150, 154, 159, 161, 162, 163, 164, 174, 176, 178, 182, 183, 185, 188, 193, 199, 200, 201, 207, 219, 222, 232, 233, 231, 235, and

the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Strike out the amended paragraph; and the Senate agree to the same.

Amendment of the Senate numbered 63, and agree to the same with an amendment of the Senate numbered 63, and agree to the same with an amendment insert the following: "The Light-House Board is hereby authorized to place a light-ship off the south end of Ram Island Reef, Fisher's Island Sound, Long Island Sound, New York;" and the Senate agree to the same.

Amendment numbered 71: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 74, and agree to the same.

Amendment numbered 78: That the House recede from its amendment to the Senate amendment to the Senate amendment as follows: Strike out of said Senate amendment the words "Great Kanawha River, West Virginia;" and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$190.000;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "And including traveling expenses of officers and men of the Navy on duty; for commutation to officers of the field force while on field duty, at a rate to be fixed by the Secretary of the Treasury not exceeding \$2.50 per day each;" and the Senate agree to the same.

Amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

Amendment numbered 79: T

amendment as follows: In lieu of the sum proposed insert "\$4,000;" and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$190,090;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "And including traveling expenses of officers and men of the Navy on duty; for commutation to officers of the field force while on field duty, at a rate to be fixed by the Secretary of the Treasury not exceeding \$2.50 per day each;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disgreement to

the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,005;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,000; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,250;" and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,250;" and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate agree to the same.

Senate agree to the same.

Amendment numbered 94: That the House recode from its disagreement to the amendment of the Senate numbered 94; and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$101,550;" and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows; In lieu of the matter proposed to be inserted insert the following: "For furnishing points for State surveys, to be applied as far as practicable in States where points have not been furnished, \$8,000;" and the Senate agree to the same.

amendment of the Senate numbered 96, and agree to the same with an amendment as follows; In lieu of the matter proposed to be inserted insert the following: "For furnishing points for State surveys, to be applied as far as practicable in States where points have not been furnished, \$8,000;" and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: Strike out line I of the matter proposed to be inserted by said amendment, and in lieu of the sum proposed in the last two lines of the matter proposed to be inserted insert "\$123,178.82;" and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 123; and agree to the same with an amendment as follows: In lines II and 12 of gaid amendment strike out the words: "\$5,000;" and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment into the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following, namely: "For extending the fourth floor around the whole building, to extend the wrought-iron gallery, and to provide light, heat, and ventilation for the new fourth-story rooms to be used for record rooms, \$61,000;" and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "In all, \$150,000; and the said Pension Office building shall be under the control of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment as follows: In l

amendment as follows: In lieu of the sum proposed insert "\$225,000;" and the Senate agree to the same.

Amendment numbered 187: That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following: "Wharf at Fort Monroe, Virginia: In full for the construction and completion of a new wharf, and improvements to the roadway leading thereto, on the Government reservation at Fortress Monroe, Va., upon plans to be approved by the Secretary of War, \$100,000, or so much thereof as may be necessary for the purpose;" and the Senate agree to the same.

Amendment numbered 195: That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "And in reducing the force the enlisted men at Fort Myer, Virginia, denoted the 'permanent party,' shall first be mustered out: Provided, That this restriction shall not apply to the pay or commutation or expense of return from their stations to their homes of any enlisted men in excess of the four hundred and seventy men, accruing prior to the passage of this act;" and the Senate agree to the same.

Amendment numbered 212: That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment as follows: In lieu of the matter proposed insert: "For necessary

construction and repairs at Southern Branch, Hampton, Va., under estimate in Appendix J j, pages 299 and 300, Book of Estimates for 1887, \$57,500;" and the Senate agree to the same.

Amendment numbered 213: That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,631,000;" and the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$5,000;" and the Senate agree to the same.

Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$40,000;" and the Senate agree to the same.

Amendment as follows: That the House recede from its disagreement to the amendment of the Senate numbered 237, and agree to the same with an amendment as follows: In line 1 of said amendment, after the word "and," where it first occurs, insert the word "hereafter;" and the Senate agree to the same.

Amendment numbered 243: That the House recede from its disagreement to the amendment of the Senate numbered 243, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"SEC, 2. That the appropriations herein provided for shall take effect from and after July 31, 1385."

And the Senate agree to the same.

Manag

W. B. ALLISON, EUGENE HALE, J. B. BECK, rs on the part of the Senate. SAM. J. RANDALL, WM. H. FORNEY, THOS. RYAN, Managers on the part of the House.

Mr. EDMUNDS. I wish to hear that explained.

Mr. DAWES. I should like to make an inquiry of the chairman of the committee. In a recent act a light-house was authorized to be the committee. erected at Gould Island in Narragansett Bay, and an appropriation was inserted by way of an amendment by the Senate Committee on Appropriations for the equipment of that light-house. I should like to make an inquiry what disposition was made of that amendment by the committee of conference.

Mr. ALLISON. That light-house, I think, was omitted from the bill as finally agreed on for the reason that on consultation with the two secretaries of the Light-House Board they stated that this light-

house could be postponed until next year.

Mr. DAWES. I suppose that was on the ground that if there an accident did not happen, and if no wreck should occur there, caused by the absence of it, it would do just as well next year. If there was any need of the light-house, which is provided for by statute, that need it seems to me would be just as pressing between now and next year as after next year. Was the Senator informed by the secretaries of any reason why they thought it would be safe to do without a light-house

until next year

Mr. ALLISON. I may say respecting the entire light-house provision, covering an aggregate amounting to nearly \$500,000 inserted by the Senate because of a bill which had passed the Senate a day or two before, and which was reported by the Senate Committee on Commerce, the House conferees insisted that they would not agree to an appropriation for all these light-houses. We said to the House conferees that inasmuch as there had been a recent statute upon this subject, and an examination by the Committee on Commerce, we could make no dis-tinction between these light-houses in respect to our obligation to insert them in the bill, and that as it appeared to us from a recent adjudica-tion of one of our own committees and the action of the Senate and of the House, we proposed to insert the whole of it. Thereupon the House conferees stated that they knew a portion of these light-houses could be postponed until next year; whereupon the two secretaries, the naval

postponed until next year; whereupon the two secretaries, the naval secretary and the Army secretary of the board, were called to ascertain what should be done with these lights.

The Gorld Island light—I speak from memory—is a light which is now supported, I believe, by one of the steamship companies whose boats traverse Long Island Sound, and it was thought that possibly they could maintain this light for another year, as they have maintained it for a good many years, and that the Government could build it next year as well as now; and it was more that idea that the conit next year as well as now; and it was upon that idea that the con-

ALM-

ferees acted. Mr. DAWES. The amendment was left out on the advice of the Light-House Board?
Mr. ALLISON. It was.
Mr. TELLER. How much would it cost to put it in?

Mr. ALLISON. It would cost \$10,000.

Mr. DAWES. One question more. I should like to inquire of the Senator what disposition was made of the amendment making an ap-

propriation of \$25,000 for the purposes of education in Alaska?

Mr. ALLISON. The Senator from Massachusetts takes the beginning and the ending of this bill and makes inquiries. The House conferees were not quite as vigorous on education in Alaska as were the Senate conferee

Mr. EDMUNDS. They did not want light on either side of the con-

Mr. ALLISON. No, they insisted that this item should be stricken out. After many friendly expressions of opinion on both sides it was

finally arranged that \$15,000 should be appropriated to the education of the native races in Alaska.

Mr. DAWES. I should like to inquire if the committee went into an investigation to ascertain about how much schooling in Alaska

\$15,000 would support?

Mr. ALLISON. We did not go into a detailed statement of that matter, although I think it would be healthy to make some investigation upon the subject. We had before the conferees a report made by a responsible agent of the Government in Alaska, in which he stated distinctly that there was one school of which he had familiar knowledge wherein there were five pupils and three teachers, and we supposed there might fairly be a reduction in the number of teachers and in the expenses in view of the statement made.

Mr. DAWES. Did the committee consider whether it might not be

better to improve the administration than to cut down the appropria-

Mr. ALLISON. Of course we should be very glad to improve the administration if we could do so, but that we find is a very difficult task at this moment.

Mr. DAWES. One question more, if the Senator will excuse me. There was an amendment inserted by the Senate appropriating a sufficient sum for the purchase of some land at the Carlisle school. What

disposition was made of that amendment?

Mr. ALLISON. I will say that the Senate conferees very reluctantly surrendered that appropriation, and we did it upon the statement from the House conferees, first, that we were paying a considerable sum be-yond the value of the land, and, secondly, that the land which it was proposed to purchase was not in the immediate neighborhood of the present Carlisle school farm.

Mr. TELLER. Then you were told what was not true.

Mr. ALLISON. Very likely, but in the hurry of the moment we could not send to Carlisle for further information upon the subject, and

concluded to let the matter go over until next winter.

Mr. DAWES. It seems that I have been very unfortunate in my selection of inquiries thus far, and I shall omit making any more, lest

I meet with further disappointment.

Mr. TELLER. I should like to say with reference to the Carlisle school that the committee had before it the report of the Department showing exactly how much this land would cost, the statement that it snowing exactly now much this land would cost, the statement that it was adjoining the school, abutting right on the present ground. Every fact that was necessary the committee had in print, which had been submitted by the Department. I do not see why they should have taken the information of the conferees of the House upon the question when the Department had sent here under the signature of the Secretary of the Interior a full and complete statement.

Mr. DAWES. And a statement of the precise cost.
Mr. TELLER. Together with a statement of the cost and just what was to be done with the money. If the conferees of the House made any statement that this land was not adjoining the land now occupied

with buildings they were certainly ignorant of the facts.

Mr. ALLISON. It adjoins the barracks but, not the farm.

Mr. TELLER. The Government has not got any farm. The pub-Mr. TELLER. The Government has not got any farm. The public-spirited, enterprising people of this country have bought a farm and put it in the hands of trustees and it is held for the benefit of that school. The Government has never put a dollar in it, and it has no business to exact that it should be adjoining that farm, which is 2½ miles away. It had nothing to do with this farm. The Government has not any claim on it. It is getting the value of rents and the profits out of it for the school, but it has never put in a dollar.

Mr. DAWES. The farm spoken of was donated to the school by a woman out of her own means, because the United States has never appropriated a dollar for the maintenance of the plant of that school.

Every dollar that has been put in there has been put in by the charitable contributions of those who have yielded to the solicitation of Captain Pratt; and this is the first attempt that was ever made to get the Government enlisted in purchasing means to carry on the school in the manner in which it ought to be done.

Mr. ALLISON. I must congratulate the generous woman who donated this fund.

Mr. DAWES. Congratulate the school.
Mr. ALLISON. I do. But so far as these particular 90 acres are concerned-

Mr. TELLER. One hundred and nine and a half acres.
Mr. ALLISON. Very well. Will the Senator from C

Very well. Will the Senator from Colorado tell me the price per acre?

Mr. TELLER. I understand that there are 109.57 acres that have been sold to parties who hold it for the purpose of turning it over to the Government at \$18,500, without the intention or purpose of making a cent out of it. That is the fact, and that fact was before the committee.

Mr. ALLISON. The appropriation proposed to be made was \$37,000. Mr. TELLER. The Senate inserted \$37,000 at the request of the Interior Department in a detailed statement which came to the committee and which was before the Senate and was, or ought to have been, before the conference committee, showing exactly where every dollar of that money was to be used.

And the items.

Mr. DAWES. Mr. TELLER. Mr. TELLER. And the attempt now to say that that was all to buy a farm is simply an admission on the part of the conference committee that they have not given attention to this matter. They ought not to come here with such a report; they ought not to be allowed to bring in a report here and legislate against the will of the Senate. The Sen-ate put this provision in the bill with understanding when the facts were before the Senate; and if the committee could not read that which was submitted to them, it was very strange, to say the least.

Mr. BECK. I have only to say that we were in conference with the House conferees, and they believed that the price was extravagant; that the land adjoined the barracks and did not adjoin the farm, and that just as good land could be had for half the price; and they positively

refused to agree to the Senate amendment.

When the Senator from Colorado says the conferces should not be allowed to come here with a report of this character, he forgets that the House of Representatives has as many rights as the Senate, that we have no power to control them, and that when we make a proposition to buy a farm and they will not agree to it, it not being a matter necessary to carry on the Government, we must yield if they insist upon it. A propesition made by one House and rejected by the other can not be enforced by the one that makes it.

When it came to any proposition to carry on the Government under any existing law, then a different position was presented, but when a proposition came to buy a farm at a price which the House conferees said was double the value of it, detached altogether from the farm that is now used, no matter how they got their information, we were com-pelled to yield; but for any sentimental gentlemen to come here and tell us, after sitting in conference three days and three nights struggling

to get what we could, that we ought not to be allowed to present a report that we can not force the House to agree to, I think is hardly becoming. I was about to use stronger language.

Mr. TELLER. Very well; I will not take any exception to what the Senator says and I will not take back anything I have said. I say that when the committee come here and make a statement, as they have come here, and give the Senate to understand that the whole \$37,000 was for the purpose of buying the farm, they have simply failed to read the papers that were before them and that were before the Senate, and I say they ought not to make such a report to give the Senate to understand that they have receded from this amendment of the Senate because there was a job in it, or because there was an extravagant outlay of money, when that statement is not supported by the facts before them. I do not care what the Senator from Kentucky may say or may think about it either. If they had not had the means of information, then there might have been some excuse. The committee of the House had it; they all had it; every member of the conference committee had it, or could have got it; and what is more, to the personal knowledge of some members of that committee attention was called to the fact that only one-half of the money was to be paid for the farm, and the statement that the land can be bought for one-half the price proposed to be paid for this farm is not supported by a single fact. More money has been offered for that farm in cash than the parties now holding it propose to sell it to the Government of the United States for.

Mr. BECK. I did not say that particular farm. I said they were

seeking to buy a farm.

Mr. TELLER. Itadjoins the ground on which all these public buildings are. It is the most suitable piece of ground that can be had in that section, and there is no necessity for its being adjoining the farm that somebody gave, not one woman, as the Senator from Massachusetts has mistakenly supposed, but a great number of people, one woman giving \$5,000, a farm that cost \$23,000 as I recollect it-one woman giving \$5,000, others giving \$500, a thousand, &c., to do what the Government of the United States is abundantly able to do and that which it undertakes to do. This picayune method of doing business, of asking the people of the United States to contribute for a work that the Government by its attempts to do admits its obligation to do, is unworthy of a great and rich people. Either we ought to do it, and do it like men, or we ought to abandon the whole thing. We might as well ask the charitable people to contribute to the payment of the expenses of the Senate and House of Representatives as to contribute to support the Indian schools if there is any obligation on the Government of the United States to support those schools, and if there is not, then we should abandon them at once.

Mr. HAWLEY. Before we pass from the recollection of the appropriation concerning Alaska, I wish to enter my protest, without blaming anybody but the United States Government for its gross neglect of the people, whom it may be said to have purchased from Russia. Russia people, whom it may be said to have purchased from Russia. Russia cared for them, I will say, tenderly, took care of their education, their schools, and their churches. For the first time since the United States acquired that land, last year—I think that was the first time—we appropriated \$25,000 for the purposes of education in Alaska. I do not know how far progress has been made in establishing schools; I do not know the details of the administration of that fund; but, as the Senator from Massachusetts says, the remedy is to correct the administration and not cut the appropriation down and leave the body of teachers to make their way home as best they can and to abandon 40 per cent of make their way home as best they can, and to abandon 40 per cent. of

the first attempt we have ever made to discharge our duty toward these people. A very considerable portion of them are not wild Indians by any means, but educated and religious people, people tolerably well advanced in civilization, and this conduct of the United States is simply That is all.

Mr. CONGER. Mr. President, the Senate by a decisive vote, after some discussion, put in an item of \$25,000 for education in Alaska, the same appropriation as last year, and after the members of the commitsame appropriation as last year, and after the members of the commit-tee had acknowledged the propriety and necessity of it. I wish more Senators would read the report of the agent in relation to education in Alaska than have read it. Instead of showing that there was a school there with five children and three teachers it goes on to state that the very action of the men sent by this Government into Alaska had broken up the schools, that when the charitable and religious public had carried on for years education in Alaska, the only gleam of light came from an appropriation by the United States, previous to which that people were sinking from their former education and from their former work in their churches and from their comfortable homes under rigid rules, sinking gradually into ignorance, forsaking to some extent their churches, losing entirely their educational opportunities and privileges under the

rule of the Christian nation and people of the United States.

There was a little appropriation given last year; and I have to say that but for the opposition, the wrongdoing, the shameful wrongdoing of officials of the United States sent there a few years ago, those schools which were flourishing would have continued to flourish until this time; but the persecution of the representatives of a Christian people destroyed here and there one or another of the schools and they left without scholars the teachers who had gone from motives of charity, of without scholars the teachers who had gone from motives of charity, of mercy, and of Christianity to that far-off land to teach for a pittance for the good of their kind. These agents of the Government drove away the children, brought suits against the teachers and against those who were carrying on the schools, turning them out of the old warehouses built by the Russians and improved and finished for school-houses by these missionaries and by these teachers. They were driving them out to make play-grounds for officers of this Government with the dancing

to make play-grounds for officers of this Government with the dancing girls of that Territory. That is the history of education in Alaska.

I have before this expressed my gratitude that this administration had removed that class of officers, had sent better men there, who had some idea of the obligations which this country was under to a people whom we acquired by treaty, and to a people who by treaty we promised to take care of, and to look after the interests and the education of, to preserve to them their rights of religion, their schools, their churches, their houses, and keep them in their position as the Russians had done be-The Senate saw and heard some of these things. They knew something about the condition of this country. It was discussed here somewhat, and by a positive and decided vote the Senate put into this bill, as the expression of its wish and the expression of its will, an appropriation of \$25,000 for education in Alaska.

I have no knowledge which would authorize me to say why the committee of the Senate did not carry out the will of the Senate, but I have a feeling for the people of that far-off land, in their ignorance and in their persecution and in their approaching degradation; I have an interest in them, partly because I am an American citizen and those people were acquired by treaty from a semi-barbarous government, and we have let them sink day by day, month by month, year by year, decade by decade from a peaceful and to some extent an educated condition, enjoying a quiet and a somewhat happy life, down to penury and want and ignorance, and, as far as the restraining influences of their religion do not protect them, down to degradation. I have no knowledge which would authorize me to say why the comdo not protect them, down to degradation.

It is unworthy of the Senate, unworthy of Congress, unworthy of the American people that we should have to make appeals for fifteen or twenty-five or one hundred thousand dollars to educate those we this nation—not Indians, but civilized people, Christian people.

Whatever the committee of the other House may have thought or whatever the committee of the Senate may heedlessly have admitted I regret; but I have no reproach to cast on any one. I regret more than I can express that when the attention of all the people of the United States was called by recent and frequent communications in the press to the condition of that country and by the indignation which followed the acts of our own agents there as they became known and were published in the religious and secular papers of the day—I say I regret more than I can express the shame that brands my people and my nation by failing to do even a small part of its duty to these remote, faroff people.

I desire to call the attention of the Senator from Kentucky to the fact that I asked him to examine this subject and to examine it in reference to the necessities and to the wants and to the condition of these people, and to some extent the Senator from Kentucky did it and was in favor of this amendment when it was presented in the Senate, favored its passage, and did what an honest Scotchman ever will do—the right

thing for the people.

Mr. BECK. Now, I want to say to the Senator from Michigan that he called my attention specially to this, and I examined it with all the care I could. We did urge it upon the House conferees as earnestly as we could, but we were met by a letter from one of our agents up there, which showed a very bad condition of things, and it was a struggle for

days to keep even the \$15,000 that we retained in the bill. It was the best we could possibly do under the circumstances; and we came very near not getting one dollar allowed; and had it not been for the earnest effort made by the Senator from Michigan, and the efforts I tried to make because of the faith I had in his statements and because of the examination I made at his request, I doubt whether he would have been able to do better in the face of such a letter as was read to us (which, I am sorry to say, reflected somewhat severely on the management of the schools up there and was very hard to answer). I am glad we got this much; I am sorry we did not get more; but I assure him we could not get another dollar.

Mr. CONGER. Is the Senator willing to give the name of the

Mr. BECK. I have not the letter with me; it was carried to the House, and I would not like to call names.

Mr. CONGER. I think I know.

Mr. ALLISON. I do not remember the name of the writer, but it

Mr. ALLISON. I do not remember the name of the writer, but it was written by a Treasury agent.

Mr. BECK. Yes, it was a Treasury agent; I know that.

Mr. CONGER. No doubt of it; it is such kind of men that we send to that region, who join with the Indians in making with their rum and molasses their kootchinoo. I know them; they are tracked all over that country; any one who goes there will see them. Whoever reads their statements will find out what kind of men they are. I characterized those men a short time ago-the Lord knows I did not believe this administration had sent there one of that class. I thought they had rooted them out, root and branch; but if there is anybody there left to write letters to a conference committee to give up education in Alaska, to turn over the children, the girls to degradation and the boys to infamy, I trust that the President of the United States, whether the person be a Treasury agent or governor or commissioner or judge or district attorney of that region, will do as he has done heretofore in regard to officials there, reach out, even far off across the British territory, his strong hand of power and drag the villain home.

That is the kind of men who destroy the prospects of the people in Alaska; that is the kind of men who are thwarting and have been for years the earnest endeavors of Christian people, of philanthropic peo-ple, of the Government itself, to do something good and useful to those wards of this nation. I had hoped that they were all gone; I had hoped that that class would never reappear there as the representatives of the dignity and majesty of this nation. Many of them have been

recalled.

Now, in contrast with this man, whoever he may be-I do not care for his name if he has written such a letter as that-take the conduct of the naval officers and the revenue marine officers, whose names are reverenced wherever their good deeds have been known for the last five or six years, without authority of law but yielding to the manly and noble and decorous influences which they had as they went up and down on the Government boats there, restraining vice, preventing drunkenness, preventing lechery, preventing degradation, until their names have become a watchword for virtue and honor and manliness among the officers of the United States.

Then compare that conduct with that of some of the men whose

names were sent here, and I am ashamed to say by an administration with which I was in accord, and who have been removed properly by an administration with which I am not politically in accord. Contrast those officers of the Navyand the revenue marine, whose names are held in remembrance by all the good people of that region and of the United States for their kindly influence and protection to schools, with these other officers of the United States, paid with the money of the United States, sent there to represent the honor and dignity and glory of the United States, who write back such letters as this man has written and as many other agents of the United States have written. I have them in my possession now, letters which I would be ashamed to read in the presence of a virtuous and enlightened audience.

Now, may we not have a further conference on this matter? I do not know whether this report is final or only partial; but if we could have a further conference we could express the opinion of the Senate upon that appropriation of \$25,000, for it is not the amount, it is the cutting down even of the little pittance given that is so shameful. I should hope that another committee would insist upon retaining at least what the Senate has voted in.

Sir, I speak with some feeling on this subject. I have read and studied as carefully as I was able the reports of Wilkes's expedition in 1836 and 1837, I think it was, and Gouverneur Morris's report when he was the agent of the Government in that country, and the reports of other offi-cers; I have read all that I could find and two or three lately published books in regard to the condition of Alaska, and I am interested in that people and I have become interested in the honor of the United States in maintaining its own dignity and its own interests there, and I have no reproaches, as I said, to east on the committee. I believe they have done all they thought they could, but if it be further opened, unless this report is final, I would ask the committee in the name of the Senate that put the appropriation there to stand by that appropriation, and I have no doubt, on proper representations, the House con-

ferees would see its importance and yield to the desire of the Senate in this respect

Mr. HAWLEY. Before we leave this point I beg leave to say just a few words.

I do not know who that anonymous man was who vilified the schools and the cause of education in Alaska, but I look to higher official sources. Here is an official report of the officer in charge of education in Alaska under the laws passed a year or two ago, which was transmitted to the Senate in response to a resolution and referred to the Committee on Territories March 4, 1886, and ordered to be printed-a considerable pamphlet, thoroughly reviewing the whole subject. Governor Swineford, of Alaska, in his annual report of last autumn, says:

of Alaska, in his annual report of last autumn, says:

The native Alaskans, as a rule, are industrious and provident, living in permanent and substantial homes, and all are self-sustaining. These people, it should be understood, are not Indians. Their appearance, habits, language, complexion, and even their anatomy, mark them as a race wholly different and distinct from the Indian tribes inhabiting other portions of the United States. They are far superior intellectually, if not in physical development, to the Indian of the plains; are industrious, more or less skillful workers in woods and metals; and that they are shrewd, sharp traders all who have had dealings with them will, I think, be willing to testify. They yield readily to civilizing influences, and can, with much less care than has been bestowed upon native tribes elsewhere, be educated up to the standard of good and intelligent citizenship.

F. A. Walker, Commissioner of Indian Affairs, as long ago as 1872, in an official communication, said:

For myself, I have never believed that the natives of Alaska were Indians within the meaning of the Constitution any more than are Esquimaux or Kanakas, and I am disposed to avoid entirely the use of the word "Indian" as applied to them.

He goes on to speak well of them, as Governor Swineford does. I put this report of Mr. Jackson and also the report of the governor of Alaska against this unknown agent of the Treasury Department. The governor in his official report as governor says—I read this language to correct an error into which I fell when I was up before:

The organic act, approved May 17, 1884-

The first time we ever attempted to organize anything like a government for these people-

provided an appropriation of \$25,000 "for the education of the children of school age in the Territory of Alaska, without reference to race," and by act of July 4, 1884, a further appropriation of \$15,000 is made.

Forty thousand dollars in the aggregate, and it was \$25,000 last year and \$15,000 this year, and next year where will it be? The Russians had very good schools in portions of Alaska, but the schools were abandoned and the teachers went home to Russia when we took pos-session of the Territory. The governor says:

The general agent reports that he has, during the past summer, established and placed competent teachers in charge of schools at Juneau, Sitka, Wrangell, Jackson, Boyd (Hoonah), Haines, and Unalaska. A corps of teachers has also been sent to establish schools on the Kuskokwim River, 150 miles above where it empties into the Bering Sea. The schooner on which these teachers sailed arrived at the mouth of the river on the 19th of June, and presumably by this time have their buildings up and their schools in operation.

I suppose they must come home. The governor proceeds to say:

In this connection I desire to say that in my opinion the sum appropriated for the establishment and maintenance of common schools in Alaska is not nearly sufficient. No argument is needed to establish this fact. A glance at a map showing the location of the schools enumerated as having already been and remaining yet to be established ought to be sufficiently convincing. Aside from the cost of their original establishment, the supervision and control involves many thousands of miles of expensive travel annually on the part of the general agent and the teachers. The appropriation should be increased to at least \$50,000.

From two or three little islands up in that sea we get a very good interest on all the money we paid for Alaska, and the manner in which

interest on all the money we paid for Alaska, and the manner in which we are discharging our duty to the people whom Russia educated is seen by the appropriation in this bill.

Mr. DOLPH. Mr. President, I do not feel like letting this opportunity pass without adding my protest to those which have already been made against the action of the committee, and my disapproval of the inadequate appropriation for schools in Alaska, which is less by the conference report than the amount placed in the bill by the Senate. By the act providing a civil government for the district of Alaska, section 13. it was provided: tion 13, it was provided:

That the Secretary of the Interior shall make needful and proper provision for the education of the children of school age in the Territory of Alaska, without reference to race, until such time as permanent provision shall be made for the same.

. By the same act there was appropriated \$25,000 for the support of schools in Alaska for children without reference to race. At the same session by the Indian appropriation bill there was appropriated \$15,000 for industrial schools, and at the second session of the Forty-eighth Congress there was appropriated \$20,000 for industrial schools. Those are all the appropriations for schools in Alaska, except the appropriation made at the present session of \$20,000 for industrial schools, and as my recollection now serves me a previous appropriation of \$50,000 which was never expended and which lapsed into the Treasury.

The appropriation of \$20,000 for industrial schools will not afford school privileges for over one hundred and seventy-five pupils. There are in Alaska to-day, besides the white and Russian inhabitants, from thirty-three to thirty-five thousand natives. There are at least ten thousand children in Alaska of school age, from six to twenty-one years There are in Southern Alaska, where schools have been established and are now in operation, at least twenty-five hundred children of school age. There were in the schools which were established last year, and carried on by the appropriation made at the first session of the Forty-eighth Congress, at least a thousand children, Indian, white,

Russian, and Aleutian.

It took the Interior Department a year to devise a plan for the expenditure of the money appropriated by the organic act of the Territory, so that the schools in 1885 and 1886 have been carried on by appropriations made for the year 1884-'85. There never has been but one appropriation of \$25,000 for day schools, schools in which all the children of school age in the Territory, without reference to race, are to be edu-The teachers who are engaged in these schools were brought from the East. They went to Alaska with the expectation that Congress would continue the policy of educating the children there. If there is an appropriation of only \$15,000 for the support of these schools a large portion of the thousand children who have been in school during the last year must be remanded back to ignorance, and the teachers will be left without employment and without the means of returning to their homes, three or four thousand miles away

Mr. President, I do not agree with what has been said in regard to the conduct of the schools in Alaska. It must be remembered that the day schools have been in operation but a single year; that Alaska is a last critory, containing over 500,000 square miles, without reads, withand eans of transportation, and that these native children are scattered over all this vast territory, living, some of them, in villages along the coast at great distances from each other. To expect that schools established and governed by rules established by an executive department of the flovernment should become models of excellence in a single year and that we should have efficient schools for ten thousand childred with the small appropriation of \$25,000 for an entire school year te proposterous.

in Alaska myself last year and made inquiry in regard to these a hools and saw some of them, and I disagree with the writer of the letter which has been mentioned as having been received from a Treasury regent. So far as I could learn, the schools were being conducted with soiling and with economy, and were doing a good work. In this economic I submit, and ask the Secretary to read, an extract from a coport of the first grand jury ever assembled in the Territory to show what this official body says in regard to these schools, and place their statement against the letter of the Treasury agent.

The PRESIDENT pro tempore. The paper will be read.

The Chief Clerk read as follows:

Extract of a report of the grand jury, in the district court of the United States for the district of Alaska, May term, 1886.

for the district of Alaska, May term, 1880.

We have visited the several schools in Sitka under Government patronger and have been much pleased with their showing. The Indian school is gradually winning its way to the favor of the natives. The white school is largely attended, and much interest is manifested by its pupils in their stadies. The training school under charge of the Presbyterian mission board seems to be well conducted, and all these schools are under zealous management and evidently accomplishing much good. A proper Government building, however, should be provided for the Indian school, as the present a rented) one is not at all suitable or comfortable. That used for the white children is not conveniently located or efficiently large. It is desirable that a new building should be creeted sufficiently large to accommodate the increase of attendance and in a locality affect ing convenient play-grounds, which do not exist inthe neighborhood of the halfful go now used. g now used.

Mr. DOLPH. Many of the children who are being elimited in these schools are not Indians. They are natives, but many of them are citizens under the treaty of cession of this Territory to the United States. The third article of the treaty provides:

The inimibitants of the ceded territory, according to the reduced receiving their initial allegiance, may return to Russia within their pairs; but if their receives to remain in the ceded territory, they, with the excelling of uncivilized matrix tribes, shall be admitted to the enjoyment of all their but and incomparities of citizens of the United States, and shall be according to the received in the free enjoyment of their liberty, property, and religious

Phono never has been any question but that the Aleuts are citizens, and there two thousand children of school age to-day in Alaska of American, Russian, and Aleut parentage. Then the district court of the Perritory has decided that the Thlinget tribes are also citizens, and there are two thousand children of school age belonging in the tribes, no that there are four thousand children of citizens of Territory of Alaska who must depend on appropriations by Congression schools. We give the people of Alaska no Legislature, we allow them to make no laws, we make no provision for taxing property, for organschool districts or educating their children, to give them no Jis.

The governor of the Territory recommends an approximation of 859,000 for these day schools, which are entirely distinct from the industrial relicols. The Secretary of the Interior recommends \$25,000. The House of Prepresentatives made no appropriation for the support of the 22 schools. The Senate placed a meager appropriation in the bill, and over the conprovision for their education. And all this notwithstanding we give tire a sent of both the Houses to do it; but when the House of Repre-

the people of Alaska no power, as I have said, to organize schools or levy taxes or to make any expenditure for school purposes.

is a disgrace to Congress and to the American people.

I hold in my haud the estimate of the amount required for schools which have been established and which it is proposed to establish in the southern part of Alaska alone, giving the estimate for each school, the salaries of teachers, and all the amounts necessary for the organization of these schools. It is as follows:

FREE DEAD OF EDUCATION.

An exhibit of the needs of the "fund for the education of children in Alaska" for 1886-'87.

500			Section with		100
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	THE RESERVE	\$100			1,600
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*Salary, tracelleg and incidental expenses,

It will be very well to improve the administration of these schools, hot you never will have a school system for Alaska, or, at least for want years, without adequate appropriations by Congress. These seduple are detached; they are many miles apart; there are no roads in the Territory, and there are no regular means of communication. Many of the female teachers to reach these schools have to travel for many sailes and for days and nights in Indian canoes, paddled by naties, in order to reach places to educate the native children. They have gene there from motives of duty, not for the compensation which they receive; they have gone there from the East to devote themselves to this work, and now it is proposed to cut down the appropriation and leave them without support, and, as I said before, to remand these children, who have been receiving the benefits of instruction in these schools, back to ignorance.

I desired to say this much, without reflecting on anybody, because I take an interest in this matter. I repeat it is a disgrace to Congress to appropriate only \$15,000 to educate ten thousand children.

Mr. EDMUNDS. Mr. President, it must be pretty clear that there

is an invincible repugnated on the part of the House of Representatives of whom I may now speak with propriety on this conference report) to relevation. The Senate has sent to the House a bill to aid the States tog ducation. The Senate has sent to the House a bill to aid the States in educating the children in our own States, chiefly with a view to help these states that did not seem to havefully the means of doing it, which his gone, apparently, to its last repose.

Now, when under a treaty which has put these people under our

therege, and a people to whom we have given, as the Senator from the gon [Mr. Dolph] has so well said, no authority to tax themselves or to set up any kind of a school government even among themselves, who are entirely in our hands and at our mercy and demanding our

who are entirely in our harms and at our mercy and demanding our judice, and entitled to it the House of Representatives is unwilling that anything more than the mere shadow and pretense of doing our duty shall go into this bill. That is the way it stands.

These people are entirely different in their situation from the people of any other Territory to whom we have given an automatic means of self-regulation and self-support and self-taxation. They have no such power, and therefore it depends entirely upon Congress, and the Executive in carrying out the laws of Congress, to make any provision at all for the civil and religious and educational welfare of that people, for whom every obligation of public faith toward Russia, of honor and patriotism toward our cryp citizens, should appeal to us, not only to be liberal but to be generous, to take a large view of the case, and to provide ample means for education last year and this year and every year, until they shall have grown into a condition where we shall allow them by a Territorial government, whenever that time may come, to take vare at themselves

scrence committee come and propose to reduce it to the potent sum of And yet at much be said, as the chairman of the committee has said, \$15,000 to educate ten thousand children of school age, and that in a much as the scenario from Kennucky has said, that where money is to be case where the obligation rests on the Government to make adequate appropriated from the Treasury for any object it requires the affirma-

sentatives sent us after the expiration of the fiscal year, for the first time, this sundry civil appropriation bill, and when as rapidly as we can, after a month of consideration, we have come to an end about it and sent it back to them and have put in what is really a pittance at the best for these purposes, the representatives of the House of Representatives say to us, "You can have no bill at all, or you must leave that item out."

That is what it comes to, and for one, although I am rather anxious to see the green hills of Vermont, I would rather stay here until December on a question of this kind—not to undertake to force the House of Representatives to do anything that they will not on consideration do, they are independent, but to undertake to persuade them that honor and justice and humanity and public policy require that a liberal

provision should be made for these objects.

You may, as the chairman of the committee has apparently convinced the Senator from Massachusetts, postpone the building of a light-house until next year, for the sea will be there and the islands will be there and, perhaps, the wrecks, and you can build it then; but what would be thought of any legislator in a State who postponed the school appropriation for his State for one year? There is the loss of a year that can never be repaired and that can never be brought back to you; and therefore it does not do for me to be told, "Oh, well, we will wait, now as it is late in the session, and let it go to next year or some other year when the House of Representatives shall have been sufficiently educated to understand the value of education and will be willing to appropriate some money for these far-off dependent people."

Mr. President, I am make the value of education and will be willing to appropriate some money for these far-off dependent people."

Mr. President, I am going to vote against this report on this ground alone, to say nothing of others that might be mentioned, as a means of expressing my sense of disapprobation of this way of treating appropriation bills at the very tail end of the session after eight months have gone by, and then being told, under the pressure of being in the last days of the session, that we can not now appeal to the reason and reflection and reconsideration of our friends at the other end of the Capitol to do what I think when they shall come to consider it they will

Mr. MITCHELL, of Oregon. I should like to ask the chairman of the committee if he can inform me as to the fate of the amendment put in this bill by the Senate for the construction and introduction of new boilers for the steamer Albatross and for expenses of the voyage from New York to San Francisco?

Mr. ALLISON. That was agreed to in the conference. The Alba-

tross is safe

Mr. MITCHELL, of Oregon. I should also like to know from the chairman of the committee what was done with the amendment of \$17,000, I think, on page 8 of the bill as reported from the Senate Committee on Appropriations, for approaches and heating apparatus for the custom-house and post-office at Port Townsend, Washington Terri-

Mr. ALLISON. That is also safe, I am glad to say.

Mr. MITCHELL, of Oregon. I am very glad to hear it. Then I would like to know what became of the amendment appropriating \$60,000 for the establishment of a light-house at Cape Meares, Oregon?

Mr. ALLISON. That appropriation shares the fate of the Gould Island light-house. On consultation with the proper officers of the Light-House Board I regret to say that we were obliged to leave that out.

Mr. MITCHELL, of Oregon. On what ground?
Mr. ALLISON. On the ground that it would be difficult to procure the site for this light-house within the present fiscal year. That is our recollection here, The Senator from Kentucky [Mr. Beck] and myself concur that the difficulty was about obtaining the site. That was the difficulty with the Cape Meares light.

Mr. MITCHELL, of Oregon. What about the appropriation put in for a fish-hatchery on the Columbia River, its tributaries, or their branches?

branches?

Mr. ALLISON. I am sorry to say that also was left out.
Mr. MITCHELL, of Oregon. On what ground?
Mr. ALLISON. On the ground that the House of Representatives did not seem to be quite ready to commence the work on the Columbia

Mr. VEST. I wish to inquire of the Chairman of the Committee on Appropriations in what condition is the provision as to the Yellowstone National Park?

Mr. ALLISON. I am sorry to say to my friend that so far as his view and my own are concerned it is left rather dubious. The House of Representatives refused to agree to the Senate amendment, and I believe the very last thing we did before finally separating was to surrender the amendment put on by the Senate in reference to the Yellowstone Park.

Mr. EDMUNDS. Does the House bill change the law?

Mr. ALLISON. No.

Mr. VEST. The House simply appropriated \$20,000 for the construction and improvement of roads in the Yellowstone National Park, and made no appropriation for the salaries of the superintendent or the ten assistant superintendents. I have taken considerable interest in the Yellowstone National Park, and I do not propose now to deliver any valedictory on the subject.

I am profoundly disgusted with the condition in which this park is now left, but I am not disheartened. I believe the sentiment of the people of this country is in favor of that park. I know the sentiment of this Senate is in favor of it, and I propose at the next meeting of Congress to urge the adoption of a bill now upon the Calendar providing for the permanent government and improvement of that great reservation.

I had been aware for some time that an organized attempt would be made in the interest of speculators and land-grabbers to break up that park. The geysers and the waterfalls and the Yellowstone Lake remained there unnoticed until the greed and avarice of these people have been aroused by the number of visitors who have lately gone there, and this whole thing is intended for the purpose of breaking up that reservation, in order that these speculators, that these children of avarice and greed may grab, each one of them, as they can, one of these great, wonderful products of nature, that he may make as much money out

of it as is possible at the expense of the people at large

The park was originated by my distinguished friend from Massachusetts on my right [Mr. DAWES], who was the author of the law, and I have simply supplemented his exertions and acted as his adjutant in the whole matter. It was said yesterday in a very public place in this Capitol where I can neither speak nor vote that my interest in this Yellowstone Park arose from the fact that a constituent of mine had been appointed superintendent and that a number of Missourians had been appointed to positions under him. It is false. It is false, Mr. President. Colonel Wear, the superintendent of that park, was appointed at the instance of my colleague and myself on account of his peculiar fitness for that position. The park had been going sadly to ruin and decay, and it was necessary to put some vitality in the enterprise, and we believed honestly that his appointment would do that thing.

He was a distinguished soldier, a colonel in the Federal Army, was an ardent sportsman, devoted to the chase, to outdoor life. were not mistaken in that appointment; and a great deal of this opposition has arisen from the fact that he has stood against the speculators and adventurers even at the peril of his life, and so stands there to-

day.

This present legislation breaks up the park as effectually as if the original act introduced by the Senator from Massachusetts had been repealed. It is proposed to put troops there. Soldiers are as utterly unfit for that duty as they would to become professors of astronomy

in any college in the land.

It was stated publicly yesterday in another place from this that the present superintendent had put in a lot of political appointees. It is not true. So far from that park being filled with my constituents, I have distinctly refused to give one single recommendation to Colonel Wear of a single citizen of my State, and I have invariably written to him to appoint men upon his personal acquaintance and upon their knowledge of the mountains and their fitness from their past lives for those positions

I allude to this because Colonel Wear can not speak for himself, and he now goes out of office under this legislation. For the motive that prompts this attack upon me I have only the most unmitigated contempt. It could only emanate from a small politician, whose political horizon is limited and bounded by the area of greed for office and pat-

It was said here the other day, and it was a cheap species of rhetoric which I shall not emulate, that this park was reserved for the rich and for the distinguished, and that the poor of the country were excluded from it. I assert here to-night that there is not one place of public tesort on this whole continent where travel and accommodation are so cheap as in the Yellowstone National Park. There is no place where the tourist or the visitor can travel and can be entertained for so small

a sum as to-day upon that reservation.

In the same line of attack upon the park it was said that the poor man's cart was excluded, and that only wagons with tires 4½ duches broad were permitted in the park. Colonel Wear was held up here before the public opinion of the country as an aristocrat, an autocrat, who was seeking to exclude the carryalls and the humble farm wagons that the poor man desired to take into that park, and that none but

broad tires could be admitted there.

Mr. President, the Senator from Nebraska [Mr. MANDERSON], when this charge was made, telegraphed to the Department of the Interior, and here is the reply.

The PRESIDENT pro tempore. The paper will be read.

DEPARTMENT OF THE INTERIOR, August 2, 1886.

HOH, CHAS. F. MANDERSON:

In compliance with recommendation of Lieutenant Kengman an order was issued to the superintendent May 25, 1889, requiring that all wagons engaged in heavy freighting over roads constructed or improved by Government in Yellowstone Park shall be equipped with tires not less than 4 inches wide.

H. L. MULDROW, Acting Secretary.

Mr. VEST. So it seems instead of this being a movement in favor of the aristocracy and titled and distinguished visitors, in lieu of this picture so graphically drawn on this floor a few days ago of a Senator before whom the officials of the park made oriental salaams and genuflections of humility, this order was issued at the instance of the engi-

neer officer in charge of the park, and not at the instance of Colonel Wear, and it was issued and properly issued to protect the roads in the park from being destroyed by the heavy ore wagons that haul from

Cinnabar to Cooke City.

It is said that this park to-day is under the control of a hotel mo-nopoly. If the men who make this charge had the fairness and honesty to go to the Interior Department and investigate the lease under which these hotels are built they would see that the Government has provided against a monopoly in every shape, form, or conception. It was intended in that lease, of which I myself was a critic at the instance of the Secretary of the Interior—it provided in that lease in the most complete terms that every citizen of the United States should have free access and there should be no especial privileges granted to any one. If I know myself, without pretending, without making the demagogic plea of being the especial friend of the poor man-if I know myself, I would be accessary to no act of legislation which would look to a monopoly on that subject in any shape or form. It is not true that any monopoly exists there to-day.

But, Mr. President, I come now to a matter somewhat personal to myself, which I desire to notice very briefly. It was said also in a

very public place in this Capitol yesterday:

I desire to state here that the last I heard of the superintendent of that park was that he had become partially interested in a coal mine which was situated on the margin of the park; and that thereupon, or immediately thereafter, no doubt without the knowledge of the Senator who introduced the bill, a bill was introduced in the Senate of the United States which would cut off that portion of the park, leaving it in his possession with a title. If that is so, it indicates jobbery. I do not mean to say that it was jobbery; but if an investigation is moved into this matter by anybody, I will undertake to introduce a gentleman of credible character to this House who claims to be able to give the information necessary to substantiate that fact.

Mr. TELLER. I should like to ask the Senator on which side of the park that is.

Mr. VEST. The northern portion of it.

Mr. TELLER. I can say that that was recommended by the Department a long time before the bill was introduced, that the northern line should be moved south.

Mr. VEST. Not only that, but the

Mr. TELLER. The Senator will allow me a moment. The line is now north, running into Montana. The Department propose to have it moved south far enough to get upon the Wyoming line. mendation, involving I think about 6 miles, was made at least three

years ago.

Mr. MANDERSON. Two miles in width.

Mr. TELLER. Whatever it was. There was an attempt to move it down on a recommendation made to Congress a long time ago.

Mr. VEST. Not only that, but the identical language, every word of it which is contained in the fourth section of the bill that I introduced, and I believe I introduced every bill in regard to the Yellowstone Park, its government, and its boundaries—every syllable of this section of the bill was written by Mr. Hague, a member of the Geological Bureau, who had been stationed in the park and who was familiar with all the lines, and he desired a change in the boundary that would bring it down 2 miles south, so as to conform with the boundary line between the Territories of Wyoming and Montana. And to show how absurd this whole intimation is that there could have been any job in this matter, I hold in my hand the bill I introduced on February 4, 1884, containing this change of boundary, during Mr. Arthur's administration, long before Colonel Wear was thought of in connection with the park in any capacity, and when the most sanguine hardly dared to hope that a Democratic President would be inaugurated at the coming election.

These are the simple facts, and there could have been no job unless there had been a prescience which the Deity Himself only could have

had.

Mr. MANDERSON. I ask the Senator from Missouri whether the motive that actuated the Interior Department and actuated him in introducing the bill changing this northern boundary of the park and that actuated the Committee on Territories, was not that the jurisdictional extent of the park should be within the limits of the Territory of Wyoming so as to reach more nearly the punishment of crimes?

Mr. VEST. It was.

Mr. TELLER. Not to have an additional criminal jurisdiction.

Mr. VEST. Exactly. That was the object of the amendment, and of the Committee on Territories, of which I was a member, when I introduced the bill, and of Mr. Hague, who wrote the section himself and brought it to me and I incorporated it in the bill a year and a half before Mr. Wear was ever thought of in connection with the superintendency of the park.

I apologize to the Senate for having noticed this matter at all. It is so absurd and ridiculous, that I should have a very poor opinion of myself if my character needed any defense in regard to such an allega-

Now, sir, as I said, I am not making any valedictory in regard to this enterprise. I propose at the next session of Congress to urge the bill now on the Calendar. I know that there are many Senators and Representatives who honestly think that this park should be destroyed. I know that there are other persons who are actuated by the meanest and the basest motives of avarice and of greed that can be found in any degraded human breast. For them and their motives I have only the feeling which I have for any other loathsome object, and I shall waste no more words upon them or upon their attacks on me or those who like me favor the Yellowstone National Park.

But, God willing, with health and strength, I will devote myself to reversing this conference report. It strikes down this park, it gives up this magnificent reserve to those people who are unworthy to press their feet upon its soil. I shall vote against the report for this reason,

if for no other.

Mr. BECK. I only desire to say a word about the Yellowstone National Park. There are \$20,000 given in the House bill as it now stands for the improvement of the roads and bridges in the park, and the law which authorizes the Secretary of the Interior to call on the Secretary of War for sufficient force to guard it remains. While I regret as much as the Senator from Missouri does that the Senate amendment was stricken out, and while I believe that everything he says in regard to the park is true, and while I will go as far as he will to maintain it, I believe that under the House provision, with the aid of the Secretary of War, the park can be preserved until some suitable provision for it can be made hereafter. Therefore I was unwilling, much as I differed with the House in this regard, to jeopardize a bill of this importance by re-fusing to agree to it. Notwithstanding this was stricken out, believ-ing and feeling assured that the Secretary of the Interior, with the aid of the Secretary of War, will take care of the park until something better can be done, I shall vote for the adoption of the report.

The PRESIDENT pro tempore. The question is on the adoption of the report of the committee of conference.

Mr. ALLISON. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. Now, Mr. President, before the vote is taken, I desire to say a word in reference to this report. There are many things in it which are not agreeable to me; there are many things in it which I opposed to the last moment; but if appropriation bills are to be passed, they must be passed by mutual concession between the two Houses, and not because every Senator or any Senator has a particular item in the bill which he approves or disapproves. This hill has occupied the attention of three members of this Senate for twenty-five hours between last Thursday and last night, and we have done the best we could with reference to every item in this bill.

The item of which the Senator from Missouri speaks was the last item that was given up by the Senate at the very last moment of the conference. The items which have been so severely criticised by Senators were saved to the extent and ability of your conferees upon the part of the Senate; unless, as intimated by the Senator from Vermont, we propose to remain here until December, when we shall be no better off than we are at this moment with reference to these controversies with the House of Representatives; in which they have an equal voice with us and in which we have an equal voice with them. Therefore I desire to say that if this conference report is voted down the effect of it will be in my judgment to prolong this session (I only mention that in order that Senators may know what they do with reference to this report) from a week to ten days.

Mr. VEST. I know very well the weight of the threat with which

the Senator from Iowa closed his energetic address. I know that the Senate and the other House of Congress are permeated now with an intense desire to leave this Capitol; but I want to say one other thing as a reason for the vote which I shall cast against the report. I have said what I desire to say in regard to one item of the bill. Now there is

another to which I wish to refer.

I had the most intense interest in forming the river and harbor bill in the appropriations for the Mississippi and Missouri Rivers. We re-versed the action of the House, which destroyed the Mississippi and Missouri River Commissions, and put those two great streams back into the hands of those commissions. Those of us who favored these streams particularly were informed then that the proper mode of appropriation for the evpenses of the commission was by an amendment to the sundry civil bill and not by a provision in the river and harbor bill, and that this had been the practice. Relying upon that, we did put an amendment in the sundry civil bill, now reported here from the conference committee, appropriating \$25,000 for the expenses of the Missouri River Commission and \$100,000 for the commission on the Mississippi River. How does this report leave those appropriations? Under the report as it now stands not one dollar will be expended upon either the Mississippi or the Missouri River Commissions.

Mr. ALLISON. The Senator is not aware that the Senate this evening passed a joint resolution for the purpose of paying the expenses

of those commissions.

Mr. EDMUNDS. But suppose the other House chooses not to pass it? Mr. VEST. I am aware that the Senate passed such a joint resolu-tion this evening, and it will not be heard of again at this session. The same autocratic will which struck the item out of the sundry civil bill will strike down that joint resolution like a sheep in the shambles. know it has been whispered around this Hall that it would be passed. One single objection will stop it, and out of three hundred and twentyfive men eager and hot to leave this Capitol for domestic life and to take care of their political fortunes, who does not know that that joint

resolution will be stricken down?

We are told then that we shall have an appropriation in December. For the three months intervening the works upon the Mississippi and Missouri Rivers are going to ruin, the boats are idle, there is no use for the hands of the engineers in charge of those rivers; and am I, a Western Senator living upon the banks of the Missouri River, to stand here and deliberately by my vote say that our conferees did right? I can not say it and I shall not say it.

Mr. HOAR. Mr. President, I wish to say only one word. In my judgment this Alaska business is as criminal as it would be if the Legislature of any State in the Union, North or South, was to legislate or so to neglect to legislate as to shut up their common schools and leave

a generation of children without education.

would not lightly vote to strike down this conference report, but I think it is a case and object in which the honor and decency of the United States are concerned. I think we ought at the cost of staying here several days longer to compel the House of Representatives to express its own purpose and opinion upon this question of dealing with those people who have to their infinite sorrow and hurt passed from the control of semi-barbarous Russia, where they were educated and decently cared for, into the control of free, enlightened America.

I want that thing to be submitted to the House of Representatives. I

know something by report of the methods by which a one-man power is made to control that House against its will, when measures which ninetenths of that body desire to have passed are stifled by its system of rules. I think the condition of things is such that the true will and the true sense of honor and the true sense of the public interest in the House of Representatives will make its way over that obstacle, and I

want at any rate to have the experiment tried.

Mr. SAULSBURY. Mr. President, I hope that the conference report will not be voted down. It may not be all that we desire. Perhaps if any one member of the Senate could have shaped this conference report according to his own will it would not have been such a report as has been presented; but you have had a committee of intelligent Senators, men selected by the Senate itself to meet the conferees of the House. They have labored assiduously, earnestly to reflect the will of the Senate in reference to all its amendments, and I think the criticisms the committee are patther generous per just. They have not been on the committee are neither generous nor just. They have not been able to accomplish all they desired, but they had to meet a co-ordinate branch of Congress represented by their conferees, and they had to confer with them, and now they have come here with the best they

I think that the criticisms on the House of Representatives are unjust. They have as much right to say what shall be the expenditures of the Government as the Senate of the United States. I have no doubt that they have been actuated by as honest motives and as honest purposes as the Senate of the United States is actuated by. It is a simple difference of opinion between the two Houses. It is not to be expected that there can be a concurrence of opinion between the House with three hundred and twenty-five members of that body and the seventysix members of the Senate. You can get an equal number of men to concur in opinion upon scarcely any subject. I have no question but that the House of Representatives and its conferees have been just as honest in the position which they have taken as have been fished and its conferees. I have no doubt that the conferees representing each of the Houses have been actuated by a desire to accommodate themselves as far as they could to the wishes of the whole Congress of the United States.

Therefore I do not join in this criticism on the House of Representatives and this attempt to throw all the blame for every miscarriage of legislation on the House of Representatives. They have equal rights with us and they have asserted their rights. They have yielded some things and the conferees on the part of the Senate have yielded some

As to this attempt to force the House I apprehend that whenever the House learns that there is a disposition on the part of the Senate to force them from the positions they have assumed, they will, as every brave man will do, teach by their acts that no attempt at compulsion will force them from the propriety of their acts.

I hope, therefore, that this conference report will be adopted and that we may be allowed to return to our homes, although we may be indi-vidually disappointed in our wishes as to what has been incorporated

 Mr. HALE. Mr. President, so far as the Yellowstone Park goes, I for one agree with the Senator from Missouri as to the importance of maintaining it and of not giving it up as a great national institution. The more that I hear about it from those who have visited it the more I believe in maintaining it, but the conferees representing the Senate upon this matter did not by any means believe that by agreeing to this report the park is abandoned.

We found the conferees of the House firm, fixed, immovable. The

whole subject had been discussed both here and there; and at last what I think controlled the conferees of the Senate in yielding more than anything else was the fact that the fundamental law, which up to to-day has been fixed by the two Houses and is established as the law

for that park, summons two Departments of the Government to protect and maintain it and not to give it up. The law as it stands to-day upon the statute-book, if it be enforced in a fair and consistent and sincere way, amply protects that park from any danger that has been mentioned here or been marshaled to-night as a danger. The Secretary of the Interior is given jurisdiction in the park to care for it, to direct his attention and that of his Department to it, and whatever is needed upon his request may be furnished by the War Department for every step of protection needed.

There are two Departments with their whole force. Whatever the Secretary of the Interior may in his discretion believe is necessary to

Secretary of the Interior may in his discretion believe is necessary to be done, he as the representative and head of the Interior Department calls upon this other Department, and there is the whole Army; and it has not very much to do, and its officers are intelligent and enlightened men, and most of their experience is in Western and frontier

While it does not suit me, while I would rather have kept what we have now as a system, I have no doubt in my mind that all of the benefits which shall be derived by American citizens in the years to come from that park will be maintained if the Secretary of the Interior and the Secretary of War sit down together and consulting about this mat-ter decide what is needed for the further protection of that park until Congress can establish its will in a permanent law. If the Secretary of the Interior says to the Secretary of War, "I need a force there as great as that which has been heretofore employed by the Interior Department," the Secretary of War has ample material to call upon.

Believing that, for one I consented rather than that this bill should fail, rather than that it should come back here with the delay of a report of a conference without any agreement, rather than to develop more antagonism in the House of Representatives, I agreed for one to this report. Fully concurring with those Senators who believe in the park, and who do not want it given up in every respect, I am here to maintain the belief and conviction that no harm is coming to that great

institution of the Government.

The Mississippi and Missouri River Commissions are disposed of practically by the joint resolution submitted by the Senator from Iowa, which will receive easy passage. The question that now confronts us is whether the report shall be defeated and the whole subject thrown open and new controversies entered into with the House of Represent-atives. While I do not claim that the conferees have not made mistakes, and they are the furthest in the world from an infallible body, I think they have done the best they could under the conditions.

Several Senators addressed the Chair.

Mr. BUTLER. I move that the Senate proceed to the consideration executive business. ["No! no!"]
The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from South Carolina moves that the Senate proceed to the consideration of executive busines

Mr. DAWES. Let us finish this matter. Mr. BUTLER. It is perfectly obvious—

Mr. BUTLER. It is perfectly obvious— The PRESIDING OFFICER. The motion is not debatable.

Mr. BUTLER. I do not want to debate it, but simply to explain my motion. It is perfectly obvious that we can do no business here to-night as long as the galleries are as full as they are. If the galleries

are cleared we shall get to business.

The PRESIDING OFFICER. The Senator from South Carolina moves that the Senate proceed to the consideration of executive busi-

The motion was rejected.

Mr. DAWES. Mr. President, I wish to say one word. There are many disappointments to me in this bill. There are many points in the many disappointments to me in this bill. that I regret exceedingly have been lost in the conference; but although I was not upon the conference, I know something about the work the conference committee have been compelled to perform. Ido not think there has been for many years so laborious and so difficult a conference

I wish to say in regard to the Alaska appropriation that I agree with my colleague that it is an utter shame that such a miserable pittance should be found in the bill from this Congress, but the summer is wellnigh gone, especially in Alaska. There is no time to expend much money there now. The bill which should have become a law as early as last March is now into August before it can become a law, and there is probably not more than a month or six weeks left for the expenditure of money there. We had better not, therefore, in my opinion, spend much time upon the question whether the appropriation should be \$15,000 or \$25,000.

All these other matters have received the attention of the committee in a manner which ought to receive the commendation of the Senate. Much as I am disappointed, I am for maintaining the report, and for attempting at the next session of Congress to undo much there is in this bill and to do much that the bill has omitted to do.

I hope, therefore, that the report will be concurred in.

Mr. CALL. Mr. President, I wish to say a single word. I do not understand this question to be a question of agreeing with the House of Representatives upon the amendments to the bill. I regard it as a question in the light which the Senator from Missouri has stated it to

be, of an agreement on the part of the Senate to sacrifice the plain and apparent public interest and public service of the country.

There are various items in the conference report and in the bill, with-

out criticising or condemning the members of the Senate who have been on the committee and who have doubtless striven to do their duty, which are a disgrace to the country, and we ought to sit here until the end of this year and until the people of this country should decide whether such a sacrifice of the public interest as is apparent here should

The idea of refusing to make a small appropriation in the interest of education, which we are bound by treaty to do, is a disgrace to the country, which ought not to be tolerated. The idea of submitting in the last hours of this session to a demand made upon this co-ordinate body to reverse a solemn law of this country passed by both Houses of Congress setting apart the Yellowstone National Park and organizing it with its proper staff upon the demand of a few individuals, however they may control a co-ordinate branch of this Government, without consideration, without an opportunity for argument, without time to give consideration to it, and upon the pressure of a necessity of the Senate to go to their homes and attend to their business, is a method of legislation which ought not to be submitted to. It is not a question whether the Army can protect the National Park; it is the question whether we shall be forced to abandon the law passed by both Houses of Congress organizing that park in a particular manner and asssigning a particular staff of officers for its preservation.

The question whether the great Mississippi and Missouri Rivers and their tributaries covering half the continent, the improvement of which has been provided for by acts of Congress time and again, and a commission appointed, whether good or bad, to carry it into effect, shall be set aside and destroyed and no provision made for it, without consideration on the part of Congress and without a repeal of that legislation—these are questions important to the very existence and preservation of the Government, questions which are utterly indefensible, and which demand, in my judgment, that the conference report should not be

agreed to.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference, on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CHACE (when Mr. Aldrich's name was called). My colleague

[Mr. Aldrich] is paired with the Senator from West Virginia [Mr.

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL], but I believe if he were here he would vote for this conference report, and I shall therefore vote. I vote "yea."

The roll-call was concluded.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. Blackburn]. If he were present, I should vote "nay." The result was announced—yeas 37, nays 14; as follows:

Transita.		
YEA	00 1	9~
1 11/11	_	34.

Allison, Beck, Berry, Brown, Butler, Coke, Colquitt, Cullom, Dawes, Evarts,	George, Gorman, Gray, Hale, Harris, Harrison, Ingalls, Jones of Arkansas, McMillan, Maxey,	Miller, Mitchell of Oreg., Payne, Pugh, Ransom, Saulsbury, Sawyer, Sewell, Sherman, Spooner,	Teller, Vance, Van Wyck, Voorhees, Walthall, Whitthorne, Wilson of Iowa.
	NAT	rs-14.	
Blair, Call, Chace, Cockrell,	Conger, Dolph, Edmunds, Gibson,	Hawley, Hoar, Palmer, Platt,	Vest, Wilson of Md.
	ABSI	ENT-25.	er a chi dan maran da
Aldrich, Blackburn, Bowen, Camden, Cameron, Eustis, Fair,	Frye, Hampton, Hearst, Jones of Florida, Jones of Nevada, Kenna, Logan,	McPherson, Mahone, Manderson, Mitchell of Pa., Morgan, Morrill, Pike,	Plumb, Riddleberger, Sabin, Stanford.

So the report was concurred in.

JOHN ELLIS.

Mr. SAWYER. I move that the Senate proceed to the consideration of the bill (H. R. 3908) for the relief of John Ellis. It is simply a bill for the relief of a messenger of the House of Representatives.

The motion was agreed to; and the Senate, as in Committee of the

Whole, proceeded to consider the bill. It proposes to pay John Ellis \$210, in full for services rendered as messenger to the Forty-fifth Congress from October 15, 1877, to February 1, 1878.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

CONGRESSIONAL LIBRARY.

Mr. ALLISON. I ask now to take from the table the joint resolution (S. R. 82) making additional appropriation for purchase of site for | for the district of Minnesota, in the State of Minnesota.

Congressional Library, which was up this morning for consideration and objected to and the objection afterward withdrawn. It will take but a

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

PUBLIC BUILDING AT SAVANNAH.

Mr. SPOONER. I ask that the joint resolution which I reported from the Committee on Public Buildings and Grounds this evening relative to the public building at Savannah, Ga., be taken up at this

By unanimous consent, the Senate as in Committee of the Whole, proceeded to consider the joint resolution (H. Res. 209) permitting the public building authorized by act of Congress approved June 13, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 50 feet, as provided in said act.

The joint resolution was reported to the Senate without amendment,

ordered to a third reading, read the third time, and passed.

CHARLES HAHNEMAN.

Mr. DAWES. I ask for the present consideration of the bill (H. R. 8180) to increase the pension of Charles Hahneman.

Mr. BUTLER. I object. Let us go into executive session.
Mr. DAWES. Let that poor fellow's bill pass. It is a House bill which has come over here

Mr. BUTLER. There have been so many poor fellows, and I am

not going to sit here all night. I object.

Mr. CULLOM. I should like to make a motion to take up the House pension bills, all of them.

Mr. COCKRELL. When we take them up we will take them all

up at once.

EXECUTIVE SESSION.

Mr. BUTLER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 43 minutes spent in executive session the doors were reopened, and (at 11 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, August 4, 1886, at 11 o'clock

NOMINATIONS.

Executive nominations received by the Senate the 3d day of August, 1886. CLERK OF SURVEYS

John A. Parsons, of Salisbury, Md., to be principal clerk of surveys in the General Land Office, vice Frank Gordon, resigned.

COLLECTOR OF INTERNAL REVENUE.

Thomas Cooper, of Illinois, to be collector of internal revenue for the eighth district of Illinois, vice Jacob Wheeler, resigned.

The nomination of Thomas Cooper to the above-named office, delivered to the Senate December 15, 1885, is this day withdrawn.]

REGISTER OF LAND OFFICE.

Frank J. Mott, of Denver, Colo., to be register of the land office at Denver, Colo., vice Louis Dugal, commission expired.

RECEIVERS OF PUBLIC MONEYS.

Allen Wood, of Susanville, Cal., to be receiver of public moneys at Susanville, Cal., vice Frank G. Ward, who has resigned.

William J. McClure, of Cour d'Alene, Idaho, to be receiver of public moneys at Cour d'Alene, Idaho, vice James F. Legate, who has resigned.

INDIAN AGENT.

Joseph Hollman, of Emerson, Nebr., to be agent for the Indians of the Omaha and Winnebago agency in Nebraska, vice George W. Wilkins, who has resigned.

REJECTIONS.

Executive nomination rejected by the Senate August 2, 1886.

UNITED STATES MARSHAL

James H. Freeman, of Tennessee, nominated to be marshal of the United States for the western district of Tennessee.

Executive nominations rejected by the Senate August 3, 1886.

POSTMASTERS.

George P. Sanford, nominated to be postmaster at Lansing, in the county of Ingham and State of Michigan.

Henry H. Porter, nominated to be postmaster at Dowagiac, in the county of Cass and State of Michigan.

COLLECTOR OF CUSTOMS.

Adelard Guernon, of Minnesota, nominated to be collector of customs

HOUSE OF REPRESENTATIVES.

TUESDAY, August 3, 1886.

The House met at 11 o'clock a. m. Prayer by Rev. Dr. Bullock, of Washington, D. C.

The Journal of yesterday's proceedings was read and approved.

FORT DOUGLAS MILITARY RESERVATION.

Mr. PAYSON, by unanimous consent, introduced a bill (H. R. 1014) making appropriations for lands, &c., at the Fort Douglas military reservation, Utah; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

ARREST OF A. K. CUTTING.

Mr. LANHAM, by unanimous consent, introduced a joint resolution (H. Res. 214) relating to the arrest and imprisonment of A. K. Cutting, an American citizen, by Mexico; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes.

VETO MESSAGE-RACHEL BARNES.

The SPEAKER. The Chair lays before the House a message from the President of the United States.

The Clerk read as follows:

To the House of Representatives:

I return without approval House bill No. 9106, entitled, "An act granting a pension to Rachel Barnes,"
William Barnes, the husband of the beneficiary named in this bill, enlisted in the United States Infantry in February, 1838, and was discharged February 24,

the United States Infantry in February, 1838, and was discharged February 24, 1841.

In 1880 he applied for a pension, alleging that while serving in Florida in 1840 and 1841 he contracted disease of the eyes. He procured considerable evidence in support of his claim, but in 1852, and while still endeavoring to furnish further proof, he committed suicide by hanging.

The inference that his death, thus occasioned, was the result of despondency and despair brought on by his failure to procure a pension, while it adds a sad feature to the case, does not aid in connecting his death with his military service.

That this was the view of the committee of the House to whom the bill was referred is evidenced by the conclusion of their report in these words:

"And while your committee do not feel justified under the law as at present existing in recommending that the name of the widow be placed upon the pension-roll for the purpose of a pension in her own right as widow of the deceased soldier and by reason of the soldier's death, they do think that she should be allowed such pension as, had her husband's claim been favorably determined on the day of his decease, he would have received."

And yet the bill under consideration directs the Secretary of the Interior to place this widow's name on the pension-roll, and to "pay her a pension as such widow from and after the passage of this act, subject to the provisions and limitations of the pension laws."

GROVER CLEVELAND.

EXECUTIVE MANSION, July 31, 1886.

EXECUTIVE MANSION, July 31, 1886.

GROVER CLEVELAND.

Mr. TAULBEE. I move to refer the President's message and the bill to the Committee on Invalid Pensions.

Mr. BROWNE, of Indiana. Why?

The SPEAKER. This bill originated with the Committee on Pen-

Mr. TAULBEE. I thought it was an Invalid Pensions case. I move to refer to the Committee on Pensions.

Mr. BROWNE, of Indiana. It appears to me we might as well determine the question now. Our past experience, I think, has demonstrated to us the tendency of the House in regard to these pension

The SPEAKER. If the House refuses to refer (and the motion to refer is not debatable), the message and bill are before the House for consideration.

Mr. BROWNE, of Indiana. Does not a motion to pass the bill, the objections of the Executive to the contrary notwithstanding, take precedence?

The SPEAKER. It does not. That is the course which must be pursued as the regular order if the message and bill are not referred. The bill comes up for consideration in the first instance, and the gentleman from Kentucky moves to refer it.

Mr. TAULBEE. I believe that motion is not debatable? The SPEAKER. The Chair has so stated.

Mr. TAULBEE. But I may be permitted to say it is in the interest of the claimant that I make that motion. The result of the former action of the House on these bills doubtless grew out of the indiscretion of those moving and pressing their immediate consideration.

Mr. BROWNE, of Indiana. I withdraw any objection to the reference.

The message, with the accompanying bill, was referred to the Committee on Pensions, and ordered to be printed.

VETO MESSAGE-DUNCAN FORBES.

The SPEAKER. The Chair also lays before the House the following message from the President of the United States.

The Clerk read as follows:

To the House of Representatives :

To the House of Representatives:

I return herewith without approval House bill No, 8336, entitled "An act granting an increase of pension to Duncan Forbes."

The beneficiary named in this bill enlisted under the name of Alexander Sheret, January 7, 1862, in the regular Army, and was discharged January 8, 1885. He applied for a pension in 1879, alleging that he was wounded. In his right breast December 31, 1862, and in his right ankle September 20, 1863. He was pensioned in 1883, dating from January 9, 1865, for the ankle wound, but that part of his claim based upon the wound in his breast was rejected upon the ground that there was no record of the same, and the testimony failed to show that such a wound had its origin in the service.

Though the lack of such a record is sufficiently accounted for, I am convinced that, conceding both the wounds alleged were received, this pensioner has been fairly and justly treated.

It appears from the allegations of his application to the Pension Bureau that after the wound in his breast, in December, 1862, he continued his service till September, 1863, when he was wounded again in the ankle, and that with both wounds he served until his discharge, in January, 1865. It also appears from the records that after his discharge, in January, 1865. It also appears from the Tevary, 1865, he enlisted as landsman in the United States Navy, and served in that branch of the service for three years.

A medical examination in May, 1885, disclosed the appearance of a gunshot wound in the right breast, which is thus described: "The missile struck the seventh rib of right side and glanced off, leaving a horizontal sear two and one-fourth inches long and one-half inch wide, deeply depressed and firmly adherent."

I credit this claimant with being a good soldier, and I am willing to believe

I credit this claimant with being a good soldier, and I am willing to believe that his insistence upon a greater pension than that already allowed by the Pension Bureau, under liberal general laws enacted for the benefit of himself and all his comrades, is the result of the demoralization produced by ill-advised special legislation on the subject.

GROVER CLEVELAND.

EXECUTIVE MANSION, July 31, 1886.

Mr. TAULBEE. I move to refer the message and bill to the Committee on Invalid Pensions.

Mr. ROWELL addressed the Chair.

The SPEAKER. The motion to refer is not debatable. The gentleman from Kentucky moves to refer the message and bill to the Committee on Invalid Pensions

mittee on Invalid Pensions.

Mr. ROWELL. I would like, with the permission of the House, to make a statement. I introduced this bill, and know the man personally. He is getting the "liberal" pension of \$2 a month, and yet, being supported by a Grand Army post, is a totally disabled man with two wounds. His application was rejected by the Pension Department as to one wound, although there was ample testimony as to the second wound. He receives a pension of \$2 a month, and yet it is said he gets a "liberal" pension.

Mr. TAULBEE. From the reading of the message—

Mr. BLAND. I demand the regular order.

The SPEAKER. The regular order is the motion of the gentleman.

The SPEAKER. The regular order is the motion of the gentleman from Kentucky.

The question being put, the Speaker stated that the "noes" seemed to have it.

Mr. TAULBEE. I call for a division.

The House divided; and there were—ayes 72, noes 57. So (further count not being called for) the motion was agreed to; and the message, with the accompanying bill, was referred to the Committee on Invalid Pensions, and ordered to be printed.

OLEOMARGARINE.

The SPEAKER. The Chair also lays before the House the following message from the President of the United States.

The Clerk read as follows:

To the House of Representatives :

The Clerk read as follows:

To the House of Representatives:

I have this day approved a bill originating in the House of Representatives entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine."

This legislation has awakened much interest among the people of the country, and earnest argument has been addressed to the Executive for the purpose of influencing his action thereupon. Many in opposition have urged its dangerous character, as tending to break down the boundaries between the proper exercise of legislative power by Federal and State authority; many in favor of the enactment have represented that it promised great advantages to a large portion of our population who sadly need relief; and those on both sides of the question whose advocacy or opposition is based upon no broader foundation than local or personal interest have outnumbered all the others.

This upon its face and in its main features is a revenue bill, and was first introduced in the House of Representatives, wherein the Constitution declares that all bills for raising revenue shall originate.

The Constitution has invested Congress with a very wide legislative discretion both as to the necessity of taxation and the selection of the objects of its burdens. And though if the question was presented to me as an original proposition I might doubt the present need of increased taxation, I deem it my duty in this instance to defer to the judgment of the legislative branch of the Government, which has been so emphatically announced in both Houses of Congress upon the passage of this bill.

Moreover, those who desire to see removed the weight of taxation now pressing upon the people from other directions may well be justified in the hope and expectation that the selection of an additional subject of internal taxation, so well able to bear it, will in consistency be followed by legislation for revenue, upon the proposition of the protection and benefit of another.

and legitimate manufacture and sale of the thing upon which it is levied. If this article has the merit which its friends claim for it, and if the people of the land, with full knowledge of its real character, desire to purchase and use it, the taxes exacted by this bill will permit a fair profit to both manufacturer and dealer. If the existence of the commodity taxed and the profits of its manufacture and sale depend upon disposing of it to the people for something else which it deceitfully imitates, the entire enterprise is a fraud and not an industry; and if it can not endure the exhibition of its real character which will be effected by the inspection, supervision, and stamping which this bill directs, the sooner it is destroyed the better, in the interest of fair dealing.

Such a result would not furnish the first instance in the history of legislation in which a revenue bill produced a benefit which was merely incidental to its main purpose.

main purpose.

There is certainly no industry better entitled to the incidental advantages which may follow this legislation than our farming and dairy interests; and to none of our people should they be less begrudged than our farmers and dairymen. The present depression of their occupations, the hard, steady, and often unremunerative toil which such occupations exact, and the burdens of taxation which our agriculturists necessarily bear, entitle them to every legitimate consideration.

men. The present depression of their occupations, the hard, steady, and often unremunerative toil which such occupations, the hard, steady, and often unremunerative toil which such occupations exact, and the burdens of taxation which our agriculturists necessarily bear, entitle them to every legitimate consideration.

Nor should there be opposition to the incidental effect of this legislation on the part of those who profess to be engaged honestly and fairly in the manufacture and sale of a wholesome and valuable article of food, which by its provisions may be subject to taxation. As long as their business is carried on under cover and by false pretenses, such men have bad companions in those whose manufactures, however vile and harmful, take their place without challenge with the better sort, in a common crusade of deceit against the public. But if this occupation and its methods are forced into the light and all these manufactures must thus either stand upon their merits or fall, the good and bad must soon part company, and the fittest only will survive.

Not the least important incident related to this legislation is the defense afforded to the consumer against the fraudulent substitution and sale of an imitation for a genuine article of food of very general household use. Notwithstanding the immense quantity of the article described in this bill which is sold to the people for their consumption as food, and notwithstanding the claim made that its manufacture supplies a cheap substitute for butter, I venture to say that hardly a pound ever entered a poor man's house under its real name and in its true character.

While in its relation to an article of this description there should be negovernmental regulation of what the citizen shall eat, it is certainly not a cause of regret if by legislation of this character he is afforded a means by which he may better protect himself against imposition in meeting the needs and wants of his daily life.

Having entered upon this legislation, it is manifestly a duty to re

EXECUTIVE MANSION, August 2, 1886.

The message was referred to the Committee on Ways and Means, and ordered to be printed.

A. K. CUTTING.

The SPEAKER. The Chair also lays before the House the following message from the President of the United States.
The Clerk read as follows:

To the House of Representatives:

In performance of the duty imposed upon me by the Constitution, I herewith transmit for your information (the same having heretofore been communicated to the Senate in response to a resolution of inquiry adopted by that body July 26, 1886), certain correspondence and accompanying documents in relation to the arrest and imprisonment at Paso del Norte by Mexican authority of A. K. Cutting, a citizen of the United States.

GROVER CLEVELAND.

EXECUTIVE MANSION, August 2, 1886.

The message was referred to the Committee on Foreign Affairs, and ordered to be printed.

Mr. LANHAM. I ask that the accompanying correspondence and

documents communicated by the Secretary of State be printed in the RECORD.

There was no objection, and it was so ordered.

The correspondence and documents are as follows:

To the President:

In response to the resolution of the Senate of July 26, 1886, asking for such information as has been received by you through this Department concerning the alleged illegal detention of A. K. Cutting, an American citizen, by the Mexican authorities at El Paso del Norte, and whether any additional United States troops have been recently ordered to Fort Bliss, Texas, the undersigned, Secretary of State, has the honor to submit to the President all the information and correspondence of the Department of State on the subject.

It is believed that the history of the case will be best understood if stated chronologically.

Under date of July 1, 1886, Mr. Brigham, United States consul at Paso del Norte, Mexico, forwarded to Mr. Nenry R. Jackson, United States minister at the city of Mexico, a full statement of the arrest and imprisonment by Mexican author-

ities of A. K. Cutting, a citizen of the United States. This statement was accompanied by sundry documents and affidavits disclosing the facts of the case and announcing the failure of the consul, Mr. Brigham, to procure any reply to his applications for a fair hearing or trial, or for the release on bail of Mr. Cutting, whose imprisonment began on June 18, 1886, and continues unrelieved to this day. A copy of this report of Consul Brigham and the accompanying documents is hereunto appended.

Immediately upon the receipt-of Mr. Brigham's statement, Mr. Jackson, by a note dated July 6, 1886, fully informed Mr. Mariscal, the Mexican secretary for foreign affairs, of the case, and besought proper relief for Mr. Cutting at the carliest moment and through the speediest practicable channel.

On July 7, 1886, Mr. Mariscal wrote, in reply to Mr. Jackson, that by advices of the president he had addressed the governor of the State of Chihuahua, recommending him to see that prompt and due justles should be administered. The Department of State, all of which the consultation of the propondent of the president had been defined to present the consultation of the propondent of t

pended.

This conflict of laws is even more profound than the literal difference of corresponding statutes, for it affects the underlying principles of security to personal liberty and freedom of speech or expression, which are among the main objects sought to be secured by our framework of government.

The present case may constitute a precedent fraught with the most serious results.

results.

The alleged offense may be—and undoubtedly in the present case is—within the United States held to be a misdemeanor not of high grade, but in Mexico may be associated with penal results of the gravest character. An act may be created by a Mexican statute an offense of high grade which in the United States would not be punishable in any degree. The safety of our citizens and all others lawfully within our jurisdiction would be greatly impaired, if not wholly destroyed, by admitting the power of a foreign state to define offenses and apply penalties to acts committed within the jurisdiction of the United States.

The United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States committed within the jurisdiction of the United States and the States are stated to the present th

States.

The United States and the States composing this Union contain the only forum for the trial of offenses against their laws, and to concede the jurisdiction of Mexico over Cutting's case, as it is stated in Consul Brigham's report, would be to substitute the jurisdiction and laws of Mexico for those of the United States over offenses committed solely within the United States by a citizen of the United States.

States over offenses committed solely within the United States by a citizen of the United States.

The offense alleged is the publication in Texas, by a citizen of the United States, of an article deemed libelous and criminal in Mexico. No allegation of its circulation in Mexico by Mr. Cutting is made, and indeed no such circulation was practicable or even possible, because the arrest was summarily made on the same day of the publication in the English language in Texas, on the coming of the alleged writer or publisher into Mexico. And the Mexican correspondence accompanying Mr. Mariscal's refusal te release Cutting, found in the accompaniments to Minister Jackson's dispatch, No. 272, of July 22, 1886, shows that the one hundred and eighty-sixth article of the Mexican code is the ground of the jurisdictional claim.

Under this pretension, it is obvious that any editor or publisher of any newspaper article within the limits and jurisdiction of the United States could be arrested and punished in Mexico if the same were deemed objectionable to the officials of that country, after the Mexican methods of administering justice, should he be found within those borders.

Aside from the claim of extraterritorial power, thus put forth for the laws of Mexico and extending their jurisdiction over alleged offenses admittedly charged to have been committed within the borders of the United States, are to be considered the arbitrary and oppressive proceedings which, as measured by the constitutional standard of the United States, deetroy the substance of judicial trial and procedure, to which Mr. Cutting has been subjected.

The correspondence, and the case as constituted by the Mexican proceedings, and the action of this Department, are respectfully submitted.

DEPARTMENT OF STATE,
Washington, August 2, 1886.

LIST OF PAPERS.

No. 1. Mr. Brigham to Mr. Porter, No. 45, July 1, 1886, with accompaniments.

No. 2. Same to same, No. 46, July 3, 1886, with accompaniment.

No. 3. Mr. Jackson to Mr. Bayard, No. 266, July 8, 1886, with accompaniments.

No. 4. Mr. Brigham to Mr. Porter, telegram, July 17, 1886.

No. 5. Mr. Bayard to Mr. Jackson, telegram, July 19, 1886.

No. 6. Same to same, No. 221, July 20, 1886.

No. 7. Mr. Jackson to Mr. Bayard, telegram, July 21, 1886.

No. 8. Mr. Adee to Mr. Jackson, telegram, July 22, 1886.

No. 9. Mr. Jackson to Mr. Adee, telegram, July 22, 1886.

No. 10. Mr. Brigham to Mr. Bayard, telegram, July 22, 1886.

No. 11. Mr. Adee to Mr. Brigham, No. 46, July 22, 1886.

No. 12. Mr. Brigham to Mr. Bayard, telegram, July 28, 1886.

No. 18. Mr. Bayard to Mr. Jackson, No. 228, July 27, 1886.

No. 14. Article 186 of the Mexican penal code.

No. 15. Mr. Jackson to Mr. Bayard, No. 272, July 22, 1896.

IIr. Brigham to Mr. Porter.

No. 45.]

UNITED STATES CONSULATE, Paso del Norte, Mexico, July 1, 1886.

UNITED STATES CONSULATE,
Paso det Norte, Mexico, July 1, 1886.

SIR: I have the honor to communicate the following facts in regard to the arrest and imprisonment of Mr. A. K. Cutting, an American citizen, by one of the courts in this city.
Mr. Cutting is a resident of Paso del Norte, and engaged as an editor of a newspaper called El Centinela, in a recent edition of which he published some strictures upon one Emigdio Medina, who proposed engaging in the newspaper business also.

For this offense Mr. Cutting was arrested and brought before the court to answer. Under the law here, when the parties agree to and sign a "reconciliation" the case was dismissed, which was done in this instance, Mr. Cutting being required by the court to publish it in his paper, which he did.

On the 18th day of June Mr. Cutting proceeded across the Rio Grande River to the United States, to El Paso, Tex., and published a card in the El Paso Herald, in which he reiterated his former charges, and makes some others, branding Medina's conduct as "contemptible and cowardly," &c., copy of which card I inclose, marked No. 1.

When Mr. Cutting returned to Paso del Norte he was again arrested, presumably at the instance of Medina, and taken before the judge of the second court. Before this court Mr. Cutting was refused counsel and an interpreter, both of which he requested, and with closed doors, no one being present but the judge, the court interpreter, and the accused, the so-called examination of the case was proceeded with, which resulted in the committing of Mr. Cutting to jail.

At this stage of the proceedings and before he was taken to jail Mr. Cutting to jail.

both of which he requested, and with closed doors, no one being present but the judge, the court interpreter, and the accused, the so-called examination of the case was proceeded with, which resulted in the committing of Mr. Cutting to jail.

At this stage of the proceedings, and before he was taken to jail, Mr. Cutting notified the court that he claimed the protection of his Government, and would refer the matter to the American consul, which he did by the following communication to me, dated June 23, 1886, marked No. 2.

On the receipt of this communication I proceeded to the office of the official interpreter of the court to ascertain the exact charges against Mr. Cutting, and was informed that he was arrested for the publication in the El Paso (Texas) Herald; that he was examined upon this charge alone, and committed to jail on the same. I suggested that the court acted without jurisdiction, and had done a wrong to Mr. Cutting, to which the interpreter replied that if the judge had made a mistake in the case it was in the power of the prosecuting attorney to dismiss prosecution when the case came up, which he thought he would do the next morning.

I then wrote a note to Mr. Daguerre, the partner of Mr. Cutting in the newspaper, and engaged his services to see the prosecuting attorney and have the case would be dismissed the next day, which was the 24th day of June. On the morning of that day (being confined to bed by sickness) I sent my clerk to the court-room to ascertain what was done in the case, and, in company with Mr. Daguerre, they called at the court-room, where they found the judge, the prosecuting attorney, and the official interpreter. The prosecuting attorney notified them he could do nothing on that day, as it was a legal holiday, and they returned and so reported to me.

Believing that the authorities would take no action in the case, and release Mr. Cutting, on the morning of the 25th of June I dictated from my sick bed a formal communication, copy of which I herewith inclose, marked No. 3.

demand an immediate release of the prisoner and a full indemnity for the outrage.

I would here suggest that the parties culpable in this matter are the judge who issued the order for the arrest and illegal detention of the accused, one Regino Castañeda, and the prosecuting attorney, one José Maria Sierra, who had it in his power to have dismissed the case, and who still has that power, but refuses to exercise it. Both of said officers should be deposed as unworthy the places they fill.

I will further state that I have demeaned myself throughout with every proper courtesy and respect to the authorities in this matter, and urged Mr. Cutting to do likewise, and to obey all the orders and decrees emanating from the court, which he has done. That the court has so treated me, personally or officially, does not so clearly appear, and the failure to reply or take any notice of my official communication is a matter of which the Department is fully capable of judging, and will be prepared intelligently to act.

From the very inception of the case I am satisfied there has been no desire or intention to do Mr. Cutting justice, and it has been boasted that they can keep him in jail for six months or a year if they see proper to do so.

The claim that the 2th day of June was a legal holiday was a mere subterfuge, and was, in point of fact, untrue, the mayor's court being in session, and the post-office and custom-house kept open the usual hours during the day.

I herewith inclose the affidavit of A. K. Cutting, marked No. 4; affidavit of Mr. Daguerre, marked No. 5; affidavit of Mr. Henry G. Turner, marked No. 6, substantiating the facts set forth in this dispatch. Also extracts from the El Paso Daily Times and Daily Tribune as an index of public sentiment on this subject.

Paso Daily Times and points and pointedly because I am fully persuaded that I have written thus plainly and pointedly because I am fully persuaded that the necessities of the case demand it.

I am, &c.,

J. HARVEY BRIGHAM, Consul.

Consul Brigham is a lawyer, has been a judge, and is a man of much ability and experience. I fully concur in what he says in this case as to the Mexican courts in general. A reading of my reports on previous cases will show that I have said substantially the same things over and over again. With this comment I submit the case to the Department.

WARNER P. SUTTON,
Consul-General,

MATAMOROS, July 7, 1880.

[Inclosure 1 in No. 45.]

ADVERTISEMENT.-A CARD.

EL PASO, TEX., June 18, 1886.

Et Paso, Tex., June 18, 1886.

In a late issue of El Centinela, published in Paso del Norte, Mexico, I made the assertion that Emigdio Medina was a "fraud," and that the Spanish newspaper he proposed to issue in Paso del Norte was a scheme to swindle advertisers, &c. This morning said Medina took the matter to a Mexican court, where I was forced to sign a "reconciliation."

Now, I do hereby reiterate my original assertion, that said Emigdio Medina is a "fraud," and add "dead-beat" to the same. Also, that his taking advantage of the Mexican law and forcing me to a "reconciliation" was contemptible and cowardly, and in keeping with the odorous reputation of said Emigdio Medina, And should said Emigdio Medina desire "American" satisfaction for this reiteration, I will be pleased to grant him all he may desire, at any time, in any manner.

A. K. CUTTING.

[Inclosure 2 in No. 45.]

PASO DEL NORTE, MEXICO, Wednesday, June 23, 1886.

SIR: For an alleged offense committed in Texas, United States of America, I have been arrested and jailed in Paso del Norte, Mexico, by a Mexican judge, Now, as an American citizen I place myself under the protection of yourself as United States consul.

I am, &c.,

A. K. CUTTING.

[Inclosure 3 in No. 45.]

Mr. Brigham to judge of the second court, Paso del Norte.

CONSULATE OF THE UNITED STATES OF AMERICA, Paso del Norte, Mexico, June 25, 1886.

Pass of Norte, Mexico, June 25, 1886.

Sir: I have the honor to officially communicate with you in regard to the arrest and imprisonment of A. K. Cutting, an American citizen, by your order. I have been informed by the official interpreter to your court that Mr. A. K. Cutting was arrested, examined, and incarcerated for an offense (if offense at all) committed in the State of Texas, United States of America, which was the publication of a card in the El Paso (Tex.) Herald.

It is scarcely necessary for me to call the attention of your honor to the fact that for an offense committed in the United States your court can not possibly have any jurisdiction. Therefore the arrest and detention of Mr. Cutting in jail is wholly unwarranted and oppressive, and in violation of one of the sacred principles of American liberty. This communication is for the purpose of making a formal demand upon your honor for the immediate release of Mr. Cutting, which I do in the name of the United States Government, which I have the honor to represent at this point.

Trusting that you will comply with my request and petition in his behalf, and order his immediate release,

I am, &c.,

J. HARVEY BRIGHAM, Consul.

J. HARVEY BRIGHAM. Consul.

[Inclosure 4 in No. 45.] Affidavit of A. K. Cutting.

Affidavit of A. K. Cutting.

Before me, J. Harvey Brigham, United States consul at Paso del Norte, Mexico, on this 1st day of July, 1886, personally came and appeared Augustus K. Cutting, who, being duly sworn, deposes and says as follows, to wit:

My name is Augustus K. Cutting; I am an American citizen, born in the State of New York, on the 30th day of August, 1841, and am forty-five years of age.

I am and have been a resident of the city of Paso del Norte, Mexico, for the past eighteen months, off and on, and am engaged as editor and proprietor of the weekly newspaper called El Centinela.

I had a disagreement with one Emigdio Medina, and on the 18th day of June, 1886, I published a card in the El Paso (Tex.) Herald, in which I made some strictures on the said Medina. The annexed copy of said card is correct. For this publication in the Texas paper I was arrested on the 23d day of June, 1886, and taken before one Regino Castafieda, judge of the second court of this city, When before the court I asked the privilege of counsel and an interpreter, both of which were denied me, and the said judge (including all other parties) except the official interpreter, one police officer, and one Mexican, and myself proceeded with closed doors to investigate the case, which he did solely by asking me questions which I refused to answer, claiming that the card having been published in the United States, he had no jurisdiction.

At the conclusion of the examination the judge notified me that I would be held to answer to the charge of having published the card in the Texas paper, and that I would have to go to jail. At this point I claimed the protection of the United States Government, and so informed the court, and wrote a letter to Hon. J. Harvey Brigham, United States consul, informing him of the fact. The court refused me bail, which I could at any time have given, and I went to jail, where I have been incarcerated since the 23d June, 1886, in a filthy, loathsome prison.

During the day I am allowed the freedom of the c

prison.

During the day I am allowed the freedom of the court-yard, or inclosure of the prison, but at night I am locked up with all the other prisoners, of every grade and stamp, in the same room, some I 8 by 40 feet, with only one door, which is locked at night, making it a closed room in every respect, there being no other means of ventilation. The room is filthy and loathsome, with only a ground floor. No bed clothing of any kind has been furnished me, and but for the kindness of friends outside I would have to sleep on the bare ground in all this filth, as other prisoners have to do.

I am allowed six telacos Mexican money per day (equal to 8) cents American money) upon which to subsist, and would have suffered for food but for assistance and food from the outside.

AUGUSTUS K. CUTTING.

worn to and subscribed before me this day,

J. HARVEY BRIGHAM,

United States Consul.

[Inclosure 5 in No. 45.] Affidavit of A. N. Daguerre.

[Inclosure 5 in No. 45.]

Affidavit of A. N. Daguerre.

Before me, J. Harvey Brigham, United States consul at Paso del Norte, Mexico, came and appeared, on the 1st day of July, 1886, Mr. A. N. Daguerre, who, being duly sworn, deposes and says as follows, to wit:

I am personally well acquainted with A. K. Cutting, and know him to be an American citizen. I am engaged with him as partner in the publication of a newspaper called El Centinela. I know that he was arrested and imprisoned for publishing a card in the El Paso (Tex.) Herald, June 18, 1886, reflecting upon Mr. E. Medina. I was present in the court-room and heard the judge announce these facts in reply to questions asked by Mr. D. J. Sarback, clerk to the United States consul. I am myself a Mexican, and speak the Spanish language, and knew exactly what he stated. The judge stated emphatically that Mr. Cutting was not in jail for contempt of court, but for the publication of the card in the El Paso (Tex.) Herald. I was present in the court-room, June 24, 1886, when we hoped to have Mr. Cutting released, as I had been informed that the prosecuting attorney would probably dismiss the case.

The prosecuting attorney informed everybody present that he could do nothing in the case that day, claiming that it was a legal holiday. I do not understand that it was a legal holiday, and all the other courts were in session and the custom-house and post-office were open on that day. I was present in court when bail was refused Mr. Cutting by the judge. I know that he is able to give ball in any reasonable amount and by some of the wealthlest men in the city. As long as I have known Mr. Cutting he has been a peaceable and law-abiding citizen and diligent and attentive to his business. Never knew him to be in any other difficulty. I have visited him in jail daily since his imprisonment and know it to be a loathsome and filthy place. I know that at high the is locked there are no other means of ventilation. It is an adobe house, almost airtipht, and has a dirt floor. He i

Sworn to and subscribed before me on the day and date above written,
[L, 8.]

J. HARVEY BRIGHAM,

United States Consul.

[Inclosure No. 6 in No. 45.] Affidavit of H. G. Turner.

Affidavit of H. G. Turner.

Personally came and appeared before me, J. Harvey Brigham, United States consul at Paso del Norte, Mexico, on this 1st day of July, 1886, Mr. H. G. Turner, who, being duly sworn, deposes and says as follows, to wit:

I am personally well acquainted with A. K. Cutting, and know him to be an American citizen, and that he is engaged in the newspaper business in this city. I was present in court when it was annothneed by the judge, through the official interpreter, that Mr. A. K. Cutting had been arrested for publishing a card in the El Paso (Pex.) Herald, June 18, 1886, reflecting upon Mr. E. Medina; that he had been examined and was being held on that charge. I frequently visited him in prison, and know that it is a loathsome, filthy place, with a dirty ground floor, and that it smells very badly, and that he is incarcerated with eight or ten other prisoners, all in one roomeat night. These prisoners are in jall for various offenses, and some of them dirty, filthy creatures. I know that he would have had no bedding (not even a blanket) unless they had been provided by friends outside, and that I personally provided these things for him. Mr. Cutting informed me that he was allowed only six Mexican telacos a day) equal to about \$\frac{3}{2}\$ cents in American money) upon which to subsist. I have been personally rattending to the matter of sending his meals to him daily, knowing the absolute necessity therefor. When the prisoners are locked in said room at night, it is entirely closed up, and there are no means of ventilation left. It is a close adobe house, nearly air-tight. It is an exceedingly unwholesome and filthy place.

I know that Mr. Cutting is able to give bond in almost any amount by the best

place.

I know that Mr. Cutting is able to give bond in almost any amount by the best men in this city. I am satisfied, from my knowledge of this case, that the arrest and imprisonment of Mr. Cutting is mainly for the purpose of oppressing and humiliating him. and I will state that this is the general impression. I have been residing in this city for the past three years, and am an employé of the

Mexican Central Railway

H. G. TURNER.

Sworn to and subscribed before me on the day and date above written.
[SEAL.]

J. HARVEY BRIGHAM,

United States Con

[Inclosure 7 in No. 45.-Newspaper articles.] Another Mexican outrage.

[Inclosure 7 in No. 45.—Newspaper articles.]

Another case of the bad faith of the Mexican officials toward American citizens is instanced by the treatment of A. K. Catting by the authorities of Paso del Norte.

A review of the circumstances by which Cutting was brought in contact with the Mexican law was given in the Times of Wednesday, but the offense for which he was arrested on Tuesday seems to have been misunderstood by him at the time, as he stated to a Times representative that it was the ridiculous manner in which he published the "reconciliation" which he had been compelled to sign by the suit of Emigdio Medina. Since then it has transpired that the arrest was made on account of the publication about Medina in last Sunday's Herald. When this fact was developed at his trial on Wednesday, he informed the court which had refused his request to be allowed to employ counsel that he would invoke his rights as an American citizen and throw himself on the protection of United States Consul Brigham. Accordingly he communicated with Judge Brigham, who at the time was unwell, and the judge, with his characteristic zeal, in spite of his ill health, called on the magistrate who had committed Cutting to jail, and insisted on his release from custody.

The magistrate informed the consul that if a mistake had been made in sending Cutting to jail to await his trial, the district attorney was empowered to order his release. To the district attorney he went accordingly, and that functionary told him that Cutting should be allowed to sleep at the house of Mr. Daguerre that night, instead of in jail, as had been ordered, and that his trial would come off in the morning. This, it seems now, was only a ruse to get rid of the consul, for late on Wednesday evening Cutting was carried off to jail in spite of the assurance to the contarry, and has been there ever since.

Consul Brigham, upon hearing of this breach of faith, insisted yesterday morning upon the prisoner's release, but was informed that it was a legal holiday, and

and to the State of Texas alone he is amenable for it; the idea of punishing a man for an offense committed in a foreign country being purely Mexican. It is on this ground that Consul Brigham will proceed, and it is to be hoped that he can compel the authorities with which he is contending to do justice to his countryman.

More Mexican atrocities,

More Mexican atrocities.

The antipathy of the Mexican Government and its people in general toward Americans is again illustrated in the case of Mr. Charles Merkley, the worthy station agent of the Mexican Central at Chihuahua, who was imprisoned last week at that place and denied bond for defending himself from an attack made by a pelado who became enraged because he did not see fit to turn over freight to him without a written order, in accordance with the instructions of the company in every instance. He struck Mr. Merkley first, and the offense of the latter consisted in resisting the blow. Mr. Scott, United States consul at that point, up to the present has seen fit to make no intercession in behalf of Mr. Merkley as a citizen of the United States. He enjoys the reputation among the Americans of Chihuahua of being a "veritable chump," who is wedded to a Mexican, and, of course, thoroughly in accord with Mexican ways.

In Paso del Norte we happen to have a most efficient consul, Judge Brigham, who has ever been alive to his duty as a representative of this Government, and if his report to Washington in regard to the audacious interference with the liberty of American citizens by the authorities of Paso del Norte meets with no attention on the part of the powers that be, we might as well dispense with such official appendages to our Department of State and throw ourselves upon the mercy of our persecutors, or else redress our wrongs as best we can as a community.

mercy of our persecutors, or else redress our wrongs as best we can as a community.

Mr. Cutting, the editor of El Centinela, for publishing an article on this side of the river, languishes in their bastile, a place of filth and dirt, where thieves and murderers would more than expiate their crimes in lingering a single night; and this is Mexican justice meted out to a loyal citizen of a land upon whose escutcheon there lingers no stain, and whose past history, replete with heroic deeds, has made her a star among nations, her only fault being her leniency toward this unappreciative neighbor, who has mistaken sympathy for her weakness for fear, and shows her gratitude by flaunting insult after insult in the very face of our Government. A few palliating words from the city of Mexico can not make reparation for such flagrant outrages. There are no extenuating circumstances in these cases. Unless our citizens are protected, of what value are our treaties?

[Inclosure 8 in No. 45-Newspaper articles.]

The Cutting case.

Inclosure 8 in No. 45—Newspaper articles.]

The Cutting case.

Regino Castefieda, the judge of the second court of Paso del Norte, a diminutive specimen of humanity, who is weighted down with the high functions of "el judicio," and wears the dignity of his petty office with more pomp and circumstance than the Czar of Russia, and before whom it was Mr. Cutting's "mala suerte" to be arraigned, became incensed at the American consul, Judge Brigham, who, in sending his official request that Mr. Cutting should be liberated, deemed it it to say that he was informed by the official interpreter, instead of saying he was informed by his honor, the high muck-a-muck, the all-potent jues, through said interpreter; and upon such quibbling he has procrastinated and sought the opportunity to exhibit his power. The interpreter, seeing that this only involved the changing of a few words, took the responsibility upon himself to change the document, and then his honor again was piqued, because he did not wish it known that he had imparted any information of an official character to a United States consul, and wished the document changed again.

At this juncture Mr. Daguerre intercepted and took the document back to Judge Brigham, who has been exceedingly ill and is now confined to his room. The latter reproved the interpreter severely for changing an iota of the document, and refused to have any further parlance with his majesty. Castefieda, but will write to Washington for immediate instructions on the matter and see if Uncle Sam will forever submit to such insults, this time from a petty little juez segunda in a frontier town, in a republic that would crawl in its hole at the first command "To arms!" given by this Government.

This is not the first occasion of the kind, and it is about time Mexco should be taught to respect this Government. The fault is with the Government in not exacting reparation for all such flagrant breaches of the comity that should exist between neighboring and friendly nations. The supineness of the Gov

No. 2.

Mr. Brigham to Mr. Porter.

United States Consulate,

Paso del Norte, Mexico, July 3, 1885.

Sir: I have the honor to inform you that after I had finished my dispatch No. 45, in relation to the Cutting case, I received on that day (the 1st of July) a communication from the judge of the court to whom I addressed my note, which purports to be an answer to the same, but, however, without any date. I inclose herewith a translation of said communication, for the information of the Department.

I am, &c.,

[Inclosure in No. 45-Translation.]

Judge Castañeda to Mr. Brigham.

In answer to your favor of this month I have the honor to state to you that all public officers for criminal cases are prohibited by a special law to give any

information in regard to the criminal cases that are up before the court to people that have no legal intervention in those cases, the more so when, according to the "International Rights" of Calvo, consuls have no jurisdiction, either civil or criminal, in cases concerning their countrymen. (Book 10, paragraph 490, page 614, volume 1.) All of the above refers to Mr. Cutting, in consequence of which I can not order his release in any but the forms prescribed by the laws of this country. country. I remain, &c.,

R. CASTAÑEDA

No. 3.

Mr. Jackson to Mr. Bayard.

No. 266.]

LEGATION OF THE UNITED STATES, Mexico, July 8, 1886.

SIR: The inclosed copies of note addressed by me to Mr. Mariscal, and of his reply thereto, with translation of the latter, will indicate the action I have felt myself called upon to take in the matter of the imprisonment at Paso del Norte of Mr. A. K. Cutting, an American citizen. Having learned from the United States consul, Mr. Brigham, that the Department had been fully advised by him of the affair, I shall take no further step in the matter unless I be instructed by yourself to do so.

I am, &c.,

HENRY R. JACKSON.

[Inclosure 1 in No. 266.] Mr. Jackson to Mr. Mariscal.

LEGATION OF THE UNITED STATES, Mexico, July 6, 1886.

Sir: I am in receipt of an official communication from J. Harvey Brigham, esq., consul of the United States at El Paso del Norte, accompanied by affidavits of several persons, from which it appears that, on the 23d of June last, Mr. A. K. Cutting, an American citizen of respectable character, was imprisoned in that city, by order of the judge of the second court. Hon. Requa Castafieda; that the place of his incarceration is "loathsome and filthy; " that he is locked up with eight or ten other * * * in jail for various offenses * * * in one room 18 by 40 feet, with only one door, which is locked at night, making it a close room in every respect, there being no other means of ventilation. The room is filthy and unwholesome, with only a ground floor."

The affidavits further establish the facts that Mr. Cutting is not only able to give ample security from the best and wealthiest men of the city for hisappearance to stand his trial, but that he actually offered such bail and it was refused; that he thereupon applied to the United States consul for protection, which Mr. Brigham undertook to extend in a respectful note addressed to the judge, but that his interposition met with contemptuous silence, and that Mr. Cutting has been retained in jail despite of it.

The affidavits further show that the only offense charged against him is the publication of a "card," addressed "to Emigdio Medina, of Paso del Norte," in a newspaper published in El Paso, which reflects upon the character of the latter.

It is not my nursesse in this paste to discuss the question whether a Mexican

a newspaper published in El Paso, which reflects upon the character of the latter.

It is not my purpose in this note to discuss the question whether a Mexican court can take jurisdiction of an offense committed upon the soil of Texas; not to enter into the merits of the controversy between Mr. A. K. Cutting on the one hand, and Mr. Emigdio Medina on the other. I learn that these matters have been submitted by Mr. Brigham, the consul, to the Department of State at Washington. My object is simply to direct the attention of your excellency to the fact that an American citizen, of respectable character, charged with no scrious crime, but with acts which, even if he be guilty, constitute the simplest of misdemeanors, is now undergoing a very severe punishment before conviction, and after offering the best of security for his appearance to stand his trial; and that his health, and even his life, are placed and held in jeopardy, despite of the efforts of an official representative of his country in his behalf. But for this serious aspect of the case I should have awaited instructions from my own government before approaching your excellency on the subject, and do so now only for the purpose of praying that proper relief may be extended to Mr. Cutting at the earliest moment and through the speediest practicable channel.

I seize, &c.,

HENRY R. JACKSON.

[Inclosure 2 in No. 266.—Translation.] Mr. Mariscal to Mr. Jackson.

DEPARTMENT OF FOREIGN AFFAIRS, Mexico, July 7, 1886.

Mr. Minister: I have the honor to acknowledge receipt of your excellency's communication, dated the 6th instant, relative to the imprisonment in Paso del Norte of Mr. A. K. Cutting, and to state that by advice of the President I to-day address the governor of the State of Chihuahua recommending him to see that prompt and due justice be administered, to the alleviation of the rude situation in which Mr. Cutting is found, as well as all else permitted by the laws.

Promising to communicate to your excellency as soon as received the reply of the said governor, it pleases me to renew, &c.,

IGNO. MARISCAL.

No. 4.

Mr. Brigham to Mr. Porter. [Telegram.]

UNITED STATES CONSULATE, Paso del Norte, July 17, 1886. Cutting still in prison; nothing done by local authorities. Can't immediate unconditional release be demanded?

BRIGHAM, Consul,

No. 5.

Mr. Bayard to Mr. Jackson.

[Telegram.]

DEPARTMENT OF STATE, Washington, July 19, 1886.

You are instructed to demand of the Mexican Government the instant release of A. K. Cutting, a citizen of the United States, now unlawfully imprisoned at Paso del Norte.

No. 6.

Mr. Bayard to Mr. Jackson.

DEPARTMENT OF STATE, Washington, July 20, 1886. No. 221.]

Sie: After reading the telegrams and dispatches (copies of which I inclose for your information) of Mr. J. Harvey Brigham, United States consul at El Paso, Mexico, and also your No. 266, dated the 8th instant, relating to the case of Mr. A. K. Cutting, I telegraphed you on the 19th instant as follows:

"You are instructed to demand of the Mexican Government the instant re-

lease of A.K. Cutting, a citizen of the United States, now unlawfully imprisoned at Paso del Norte."

lease of A. K. Cutting, a citizen of the United States, now unlawfully imprisoned at Paso del Norte."

By the document before me the following facts appear:

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Mexico, and as to whose character for respectability strong evidence has been adduced, published in a newspaper of El Paso, Tex., a card commenting on certain proceedings of Emigdio Medina, a citizen of Mexico, with whom Mr. Cutting has been in controversy. For this publication Mr. Cutting was imprisoned on the 2d of June last, at El Paso del Norte, in Mexico, with mom Mr. Cutting has been in controversy. For this publication for. Cutting on law there in force, nor of any adverse governmental action, unless, perhaps, for the single purpose of requiring security in some small sum to keep the peace. But the paper was not published in Mexico, and the proposition that Mexico can take jurisdiction or requiring security in some small sum to keep the peace. But the paper was not published in Mexico, and the proposition that Mexico can take jurisdiction over the authors of the various criticisms of Mexican business operations which appear in the newspapers of the United States.

If Mr. Cutting can be tried and imprisoned in Mexico for publishing in the Content of the content of the published of the United States.

If Mr. Cutting can be tried and imprisoned in Mexico for publishing in the Content of the Content of the United States who could not, were he found in Mexico, be subjected to like indignities and injuries on the same ground. To an assumption of such jurisdiction by Mexico notiber the Government of the United States who in publishing in the Content of the United States who in publishing the publishing in the paper in the present of

T. F. BAYARD.

No. 7.

Mr. Jackson to Mr. Bayard.

[Telegram.]

LEGATION OF THE UNITED STATES, Mexico, July 21, 1886. Instant release of Cutting refused; reasons given at length. Shall I telegraph th JACKSON, Minister.

No. 8.

Mr. Adee to Mr. Jackson.

[Telegram.]

DEPARTMENT OF STATE, Washington, July 22, 1886. Summarize reasons briefly by telegraph. ADEE, Acting Secretary.

No. 9.

Mr. Jackson to Mr. Adec.

Mr. Jackson to Mr. Adec.

Legation of the United States, Mexico, July 22, 1886.

The telegraphic summary of the Mexican Government's reply in the Cutting case shows that it is at present in the state courts, but that the federal government has not the power to direct the state officials or the executive of the state of Chihuahua or the judiciary to release the accused, especially where the order interferes with due legal process instituted by a complaining person. In this respect it is maintained that Mexico resembles the United States, It is contended that a pressure of private interests or a totally uninformed press in the United States must have induced so imperative a demand for the prisoner's release, and that it is morally impossible to comply therewith. It is asserted that as the moral influence of the Mexican President has been interposed to have the case conducted in accordance with principles of justice the confidence is expressed that the case will soon be terminated in a satisfactory manner.

No. 10,

Mr. Brigham to Mr. Bayard.

[Telegram.]

UNITED STATES CONSULATE, Paso del Norte, July 22, 1886.

Mexico massing troops at this point, one hundred and fifty men this morning and two thousand said to be on their way. Cutting still in prison. Great excitement. BRIGHAM, Consul,

No. 46.]

Mr. Adee to Mr. Brigham.

DEPARTMENT OF STATE, Washington, July 22, 1886.

Sir.: Referring to your dispatch numbered 45, relative to the imprisonment of Mr. A. K. Cutting, I have to inform you that the Department recognizes with much satisfaction the justice of your action and the ability you have shown in your report to us of the case.

I am, &c.,

ALVEY A. ADEE, Acting Secretary.

No. 12.

Mr. Brigham to Mr. Bayard.

[Telegram.]

UNITED STATES CONSULATE, Paso del Norte, July 26, 1836.

Governor of Chihuahua pushing trial of Cutting, who ignores proceedings. Result may be reached to-day. If acquitted, what do?

BRIGHAM, Consul.

No. 13.

Mr. Bayard to Mr. Jackson.

DEPARTMENT OF STATE, Washington, July 27, 1886. No. 228 1

No. 228.]

DEPARTMENT OF STATE, Washington, July 27,1886.

SIR: Since my No. 221, of the 20th instant, I have received no further communication from Mr. Brigham, consul at El Paso, nor from yourself, in connection with the imprisonment of Mr. A. K. Cutting by Mexican authority.

On Saturday last, the 24th instant, I was called upon by M. Romero, the minister from Mexico at this capital, in relation to the case referred to.

Mr. Romero produced to me the Mexican laws, article 186, whereby jurisdiction is assumed by Mexico over crimes committed against Mexicans within the United States or any other foreign country; and under this he maintained the publication of a libel in Texas was made cognizable and punishable in Mexico. And thus Mr. Cutting was assumed to be properly held.

This claim of jurisdiction and lawful control by Mexico was peremptorily and positively denied by me, and the statement enunciated that the United States would not assent to or permit the existence of such extraterritorial force to be given to Mexican law, nor their own jurisdiction to be so usurped, or their own local justice to be so vicarlously executed by a foreign government.

In the absence of any treaty of amity between the United States and Mexico providing for the trial of the citizens of the two countries respectively, the rules of international law would forbid the assumption of such power by Mexico asis contained in the Penal Code, article 186, above cited. The existence of such power was and is denied by the United States.

Mr. Romero informed me that the local or state jurisdiction over Cutting's case did not allow interference by the national Government of Mexico in the matter, and that it was this conflict that had induced delay in responding to the demand of this Government for Mr. Cutting's release.

Mr. Romero finally assured me that I might rely confidently upon Mr. Cutting's release in a very short time, and that there would be no doubt about the complance of his Government with the demand made through you.

I communic

of the case as it appears here, and the disposition of the Mexican government as here expressed.

There was a more extended conversation on my part with Mr Romero on the general subject of the treatment by the Mexican authorities of American citizens and cases affecting their property and interests.

I stated to him personally and at some length the single voice that had come to this Department from Mr. Foster, Mr. Morgam, and yourself, in which a declaration was made of the hopelessness of obtaining justice to our citizens in cases where they had been wronged by the officials and Government of Mexico. I also called his attention to the avowed policy and action of Mr. Mariscal of compelling all claims wherein the Government of Mexico was sought to be held liable for tortious proceedings to be tried and decided in tribunals of her own creation and under her sole control, whose judgments, he claimed, should be held final and conclusive against citizens of the United States.

As this pretension of exclusive control was now under consideration and the subject of correspondence, notably in the case of the Rebecca, I stated merely that the United States did not accept the judgments of Mexican tribunals in cases where Mexico was a party to the dispute to be binding upon the United States.

I passed, however, to the broader view of the necessity of administering in-

cases where Mexico was a party to the dispute to be binding upon the United States.

I passed, however, to the broader view of the necessity of administering international laws in a spirit of amity, comity, and justice; that these were the wise and true paths of peaceful government, and that the alternatives of reprisal and force were the last and most unsatisfactory resorts.

Mr. Romero is too well convinced to make my renewed avowal necessary that nothing inconsistent with the self-respect, honor, and prosperity of Mexico is desired or intended by the United States, and that it was in the interest of Mexico even more than of the United States that no friction or exasperation should be permitted in the intercourse of the two governments and of their inhabitants; that to avoid all such irritation or the straining of our friendly relations it is essential that a spirit and readiness to redress wrongs and enforce equitable settlements of matters of difference should be constantly and practically manifested.

I am persuaded of the good intent of Mr. Romero toward this Government, and believe him also to be patriotically faithful to his own. From him I have assurances that a desire to respond in a friendly and conciliatory spirit influences the present Mexican administration. And if this be the true state of affairs, it can be readily demonstrated, and all questions of conflicting interests and opinions now under consideration diplomatically between the two governments en without difficulty be equitably, honorably, and satisfactorily adjusted.

I am, &c.,

T F BAVARD

No. 14.

[Handed to Mr. Bayard by Mr. Romero July 29, 1886.] Article 186 of the Mexican Penal Code.

Article 186 of the Mexican Penal Code.

Any crimes that may be committed on the territory of a foreign state by a Mexican against Mexicans or against foreigners, or by a foreigner against Mexicans, may be punished in Mexico, in conformity with the laws of the country, under the following provisions:

1. That the accused party should be in Mexico, whether of his own free will or by having been extradited.

2. That a proper complaint should be made by the legitimate party in case the guilty person should be a foreigner.

3. That the accused party should not have been tried in the country where the crime was committed, or, in case he has been tried, that no acquittal, amnesty, or pardon should have been pronounced in the matter.

4. That the violation of which he may be accused should be considered a crime both in the country where it was committed and in Mexico.

5. That the crime should be liable, in accordance with the laws of Mexico, to a more severe punishment than that of arrest.

Mr. Jackson to Mr. Bayard.

LEGATION OF THE UNITED STATES, Mexico, July 22, 1886. No. 272.1

No. 272.]

LEGATION OF THE UNITED STATES, Mexico, July 22, 1886.

SIR: On the evening of the 19th instant, immediately after the receipt of your telegram of that date, I addressed a note to Mr. Mariscal, of which I now forward a copy. I thought it wise, for the purpose of avoiding possible delay in his action, to direct Mr. Mariscal's attention to the fact that his note of 7th instant, relating to Mr. Cutting's case, was probably before you when the instruction was sent by wire to me, and was therefore not satisfactory.

After making the demand I telegraphed to Mr. Brigham to give me prompt notice of Mr. Cutting's release. Having heard nothing from him nor from Mr. Mariscal during the 20th, on the 21st I addressed another note to Mr. Mariscal, a copy of which I also inclose, and late in the evening received his answer, of which a copy and translation are now sent. They go by the earliest mail after the receipt of the original note by me, but were anteceded by a telegram, in the following words:

"Instant release of Cutting refused. Reasons given at length. Shall I telegraph them?"

I also inclose a translation copy of Article 260, Code of Penal Procedure, referred to in the communication from the governor of Chihuahua to Mr. Mariscal, which accompanied the note of the latter to myself.

HENRY R. JACKSON.

HENRY R. JACKSON.

[Inclosure 1 in No. 272.]

Mr. Jackson to Mr. Mariscal.

LEGATION OF THE UNITED STATES, Mexico, July 19, 1886.

LEGATION OF THE UNITED STATES, Mexico, July 19, 1886.

SIR: I hasten to communicate to your excellency the following telegram, which I have just received from Mr. Bayard, Secretary of State, a Washington: "You are instructed to demand of the Mexican Government the instant release of A. K. Cutting, a citizen of the United States, now unlawfully imprisoned at Paso del Norte."

It is proper for me to state that, upon referring to my correspondence with my own Government, I ascertain that a copy of your excellency's esteemed note of 7th instant was forwarded to Mr. Bayard on the 8th, immediately upon its receipt, and must, consequently, have been received by him prior to the 19th instant, the date of his telegram.

In making this demand through your excellency, I beg to renew the assurance of my most distinguished consideration.

HENRY R. JACKSON,

HENRY R. JACKSON,

[Inclosure 2 in No. 272.]

Mr. Jackson to Mr. Mariscal

LEGATION OF THE UNITED STATES, Mexico, July 21, 1886.

Sir: On the 19th instant I had the honor of making a demand through your excellency upon the Mexican Government for the instant release of Mr. A. K. Cutting, a citizen of the United States, unlawfully imprisoned at Paso del Norte. This demand was made under directions by telegram from my own Government.

Although instructed by me to communicate by telegram the fact of the release of Mr. Cutting, up to this moment I have heard nothing from Mr. Brigham, United States consul at Paso del Norte.

For these reasons I apprehend that possibly my note of the 19th instant, though sent by the usual channel, may not have been placed in your excellency's hands.

In calling attention to this matter I renew the assurance of my most distinguished consideration.

[Inclosure 3 in No. 272.—Translation.]

Mr. Mariscal to Mr. Jackson.

DEPARTMENT OF FOREIGN AFFAIRS, Mexico, July 21, 1886.

Department of Foreign Affairs, Mexico, July 21, 1886.

Mr. Minister: Yesterday I had the honor of receiving your excellency's communication, dated the day before, and containing a telegram from Mr. Bayard, the Secretary of State, addressed to that legation, to demand from the Mexican Government the instant release of A. K. Cutting, imprisoned i-legally, as that message said, in Paso del Norte; and to-day there has reached my hands another communication of this morning, in which your excellency, not having received notice that the prisoner had left the jail, supposes that I have not received the first of the said notes.

As soon as I had noted the contents of that communication I telegraphed to the governor of Chihuahua, re-recommending the matter to him, asking him to advise me as to its status. As yet I have not received a reply to that telegram up to this hour (2 p. m.), and this I should not wonder at, in fact, as I know that the said functionary has had to address the supreme tribunal of the state and the tribunal, the judge, at Paso del Norte. Mr. Minister, these are delays that are inevitable in a country governed by institutions like ours, where the federal executive is unable to communicate directly with the local-authorities of the states. Much less could it give them orders. To do thus would imply a positive offense, especially in the case of judges independent even of the administrative power of the state to which they belong, and that offense would be even more aggravated if designed to trample out and peremptorily stop a legal process, instituted by an interested party, as I understand the case of Mr. Cutting to be.

These considerations can not but have been evident to the judgment of your

more aggravated if designed to trample out and peremptorily stop a legal process, instituted by an interested party, as I understand the case of Mr. Cutting to be.

These considerations can not but have been evident to the judgment of your excellency's Government, as they refer to the nature of institutions in that particular identical to those in force in the United States of America. I believe, therefore, that only the pressure brought to bear by private persons, or perhaps by an ill-informed press, can have been able to bring about the result that a Government friendly to Mexico, and which up to the present has no complaint against this nation for lack of compliance with its international obligations, should demand in an absolute manner what is, in every light, morally impossible.

In the matter under treatment all has been done up to the present by this government that comes in the sphere of its facilities; all that can be asked of it while amity and peace reign between the two nations.

Interposed, as has been the moral influence of the president of the republic, to the end that the case may be conducted with justice, it should be confidently hoped that very soon the matter will be terminated in a satisfactory manner.

I infer this, not only from these reflections, but also from the recommendation made by the supreme tribunal of justice of Chinabua, which your excellency will see in the accompaniment which I have the honor to inclose, and which document I received in original to-day, sent to me in consequence of the communication which I addressed to the governor of that state on the 7th instant, relative to the matter.

I am, &c.,

IGNO. MARISCAL

IGNO. MARISCAL

[Inclosure 4 in No. 272.]

Mr. Maceuro to Mr. Mariscal.

[Mexican Republic, government of the state of Chihuahua, second section, department of justice No. 1333.]

The president of the supreme tribunal of justice No. 1333.]

The president of the supreme tribunal of justice of the state, in a communication, No. 733, of the 14th of the current month, says to this government:

"The supreme tribunal of justice, over which I have the honor to preside, having noted the contents of your esteemed communication, No. 1279, of the 12th instant, in which you are pleased to forward a communication addressed to you by the secretary of state and of the department of foreign affairs recommending that justice be administered to Mr. A. K. Cutting, in the imprisonment of which he complains; under this date the supreme tribunal decreed what I copy, without preventing the second judge of Bravos from administering prompt and due justice in the matter referred to by the secretary of state and of the department of foreign affairs, in the communication forwarded by the executive of the state, let the said second judge report within the term of three days, and through the justice of peace of the district, regarding the acts which said communication mentions, said report in original to be sent to him, recommending the application of the two hundred and sixtieth article of the Code of Penal Procedure," and "I am honored in communicating the same to you for your information and in due reply to your note referred to."

I have the honor to inclose the above to you for your information, and as resultant on your communication of the 7th instant relating thereto.

Liberty and constitution.

Chiluahua, July 17, 1886.

FELIX FRANCISCO MACEYRA.

FELIX FRANCISCO MACEYRA.

To the Secretary of State and of the Department of Foreign Affairs, Mexico.

[Inclosure 5 in No. 272.—Translation.]

Article 260, Code of Penal Procedure.

Every person detained or imprisoned for an offense whose punishment may not exceed five years' imprisonment can obtain his liberty under ball, with the consent of the prosecuting attorney, provided, always, that he has a fixed and known domicile; that he possesses property, or exercises some profession, industry, art, or trade, and that in the judgment of the court there is no fear that he will escape.

TAXATION OF DISTILLED SPIRITS.

The SPEAKER laid before the House a bill (H. R. 4833) relating to the taxation of fractional parts of a gallon of distilled spirits and Senate amendments thereto; which were referred to the Committee on Ways and Means.

BRIDGE ACROSS SAINT LOUIS RIVER.

The SPEAKER also laid before the House the bill (S. 2611) to authorize the construction of a bridge across the Saint Louis River at the most accessible point between the States of Minnesota and Wisconsin.

Mr. NELSON. Mr. Speaker, I ask unanimous consent—

ATLANTIC AND PACIFIC SHIP RAILWAY COMPANY.

Mr. REAGAN. I ask the gentleman to yield to me while I offer a resolution to fix a day for the consideration of the bill to incorporate the Atlantic and Pacific Railway Ship Company, and for other purposes.

Mr. NELSON. I yield to the gentleman. Mr. REAGAN. I ask consent to offer for present consideration the resolution I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That Wednesday, the 8th day of December next, be set apart for the consideration of House bill 5855 to incorporate the Atlantic and Pacific Ship Railway Company, and for other purposes, and that its consideration be continued from day to day until disposed of, not to interfere with revenue or appropriation bills.

Mr. PAYSON. I object.

BRIDGE ACROSS SAINT LOUIS RIVER.

Mr. NELSON. I move that the House non-concur in the Senate bill (S. 2611), and ask a committee of conference.

The SPEAKER. This is an original Senate bill, and the gentle-man's motion is not in order. The gentleman can ask unanimous con-

sent to put the bill upon its passage.

Mr. BLAND. I demand the regular order.

The SPEAKER. The gentleman from Missouri [Mr. BLAND] demands the regular order.

The Senate bill (S. 2611) will be referred to the Committee on Commerce.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted, as follows:

To Mr. MORRILL, for one week, an account of important business.

To Mr. Hale, indefinitely, on account of important business. To Mr. LOUTTIT, indefinitely, on account of illness. To Mr. Sawyer, for the remainder of the session, on account of important business.

To Mr. Worthington, for the remainder of the session, on account of important business.

To Mr. Cox, for the remainder of the session.

To Mr. HARRIS, for the remainder of the session, on account of important business.

. To Mr. Holmes, for the remainder of the session, on account of important business.

TARIFF-LEAVE TO PRINT.

Mr. KELLEY, by unanimous consent, obtained leave to print in the CONGRESSIONAL RECORD remarks on House bill 7652.

ORDER OF BUSINESS.

Mr. WILLIS. I rise to make a privileged report, and send to the Clerk's desk a report from a committee of conference.

Mr. BURNES. Mr. Speaker— The SPEAKER. The gentleman from Kentucky [Mr. WILLIS]

The SPEAKER. The gentleman from Kentucky [Mr. WILLIS] makes a report from a committee of conference. For what purpose does the gentleman from Missouri [Mr. BURNES] rise?

Mr. BURNES. I hold in my hand a privileged report from a committee of conference in regard to the Senate amendments to the general deficiency bill, and I desire to raise the question of consideration against the report just submitted by the gentleman from Kentucky.

The SPEAKER. The gentleman from Missouri raises the question of consideration against the conference report presented by the gentleman from Kentucky.

man from Kentucky. The report will be read, after which the question will be put to the House.

Mr. JOHNSTON, of Indiana. Mr. Speaker, before the report is

read, I ask unanimous consent that members of committees having re-

Mr. BLAND. I call for the regular order.

Mr. BLAND. I can for the regular order.

Mr. GLOVER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GLOVER. The House did not hear the proposition of the gentleman from Indiana [Mr. Johnston].

The SPEAKER. Because the gentleman from Missouri [Mr. BLAND] demanded the regular order several minutes ago and now repeats his demand, and there is nothing in order except to proceed under the rules. demand, and there is nothing in order except to proceed under the rules of the House

Mr. GLOVER. Did the gentleman from Missouri-The SPEAKER. The Clerk will read the report. I rise to a parliamentary inquiry. Mr. HEPBURN. The SPEAKER.

The gentleman will state it.

I desire to ask if it is competent to demand that Mr. HEPBURN. the items of the report of the committee of conference shall be read in connection with the text of the original amendments, so that we can

understand what changes have been made.

The SPEAKER. The rules of the House require the managers upon the part of the House to submit with their report a statement in writing, showing the effect of each amendment, and that statement must of course be read; but it is not in order to demand the reading of the original amendments on the question of agreeing to the conference report. That could be done only by unanimous consent. The Clerk will read the report.

The Clerk proceeded to read the report.

Mr. DIBBLE (interrupting the reading).

Mr. Speaker, as the statement accompanying this report contains probably all the information the House can derive from the reading of the bill as agreed to by the conferees, I ask unanimous consent that the statement of the committee be read, instead of reading the whole bill.

Mr. HEPBURN. I object.
Mr. DIBBLE. Then I ask unanimous consent that the statement be read first, reserving the right on the part of any member to call for the

reading of the report afterward.

Mr. BURNES. I rise to a parliamentary inquiry. that if this report and bill be now read they may, unless by unanimous consent, have to be read again after the question of consideration is determined. Therefore, for the purpose of saving time, I ask unanimous consent to test at once the question of consideration between the two measures, unless it be the fact that the reading of this report and bill

will not be required a second time.

The SPEAKER. The Chair thinks a second reading will not be required; but the gentleman from Missouri [Mr. BURNES] asks unanimous consent that the question of consideration be voted upon at once

mous consent that the question of consideration be voted upon at once before the reading of the report.

Mr. WILLIS. I object.

Mr. DIBBLE. I believe there was no objection to my proposition.

The SPEAKER. The gentleman from South Carolina [Mr. DIBBLE] asks unanimous consent that the statement made by the managers on the part of the House be first read, the report to be read afterward if the reading be demanded by any member. Is there objection?

Mr. SPRINGER. I object.
The SPEAKER. The Clerk will proceed with the reading of the

The Clerk resumed and concluded the reading of the report, which is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7489) "making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes" having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate with an amendment as follows: Strike out all after the enacting clause and insert the following:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out all after the enacting clause and insert the following:

ment as follows: Strike out all after the enacting clause and insert the following:

That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the Secretary of War, for the construction, completion, repair, and preservation of the public works herein named:
Improving harbor at Rockland, Me.: Continuing improvement, \$22,500.
Improving breakwater at the mouth of Saco River, Maine: Continuing improvement and repairs, \$12,500.
Improving harbor at Portland, Me.: Continuing improvement, \$30,003.

Improving the channel in Back Cove, Portland, Me.: Continuing improvement, \$26,250.

ment, \$26,250.

Improving harbor at York, Me., \$15,000.

Improving harbor at Portsmouth, N. H.: Continuing improvement, \$15,000.

Improving the harbor of refuge at Little Harbor, New Hampshire: Continuing improvement, \$10,000.

Improving the harbor at Burlington, Vt.: Continuing improvement, \$18,750.

For a breakwater at Gordon's Landing, on Lake Champlain, to be built on the 12-foot curve mentioned in the papers accompanying the report of the Secretary of War to the Senate dated March 1, 1836 (Executive Document No. 81, Forty-mint Congress, first session), \$18,750.

Improving harbor at Boston, Mass.: Continuing improvement, \$56,250; of which \$18,750 are to be expended at Fort Point Channel, on Part A, below Congress street bridge.

which \$13,750 are to be expended at Fort Point Channel, on Part A, below Congress street bridge.

Improving harbor at Lynn, Mass.: Continuing improvement, \$6,000.

Improving harbor at Nantucket, Mass.: Continuing improvement, \$15,000.

Improving Hyannis Harbor, Massachusetts, \$10,000.

Improving harbor at Newburyport, Mass.: Continuing improvement, \$37,500.

Improving harbor at Wareham, Mass.: Continuing improvement, \$15,000.

Improving harbor at Hingham, Mass.: Continuing improvement, \$6,000.

Improving harbor at Hingham, Mass.: Continuing improvement, \$6,000.

Improving harbor at Flouester, Mass.: \$5,000; of which \$2,000, or so much as may be needed, for a survey, and remainder on Babson's Ledge.

For the national harbor of refuge of the first class at Sandy Bay: Continuing improvement, \$10,000.

Improving harbor at Scituate, Mass.: Continuing improvement, \$1,000.

Improving harbor at Westport, Mass.: Continuing improvement, \$1,000.

Improving harbor at Westport, Mass.: Continuing improvement, \$1,000.

Improving harbor at Wood's Holl, Mass.: Continuing improvement, \$1,000.

Improving harbor at Wood's Holl, Mass.: Continuing improvement, \$14,500. Improving harbor at Block Island, Rhode Island: Continuing improvement, \$20,000; of which \$8,000 shall be expended on the breakwater and \$12,000 on the

Inner narbor.

Improving harbor at Newport, R. I.: Continuing improvement, \$15,000.

Improving harbor at Bridgeport, Conn.: Continuing improvement, \$20,000.

Improving harbor at Black Rock, Conn.: Continuing improvement, \$5,000.

Improving breakwater at New Haven, Conn.: Continuing improvement, \$75,000.

\$75,000.

Improving harbor at New Haven, Conn.: Continuing improvement, \$20,000.

Improving harbor at New London, Conn.: Continuing improvement, \$2,000.

Improving harbor at Norwalk, Conn.: Continuing improvement, \$3,000.

Improving harbor at Stonington, Conn.: Continuing improvement, \$20,000.

Improving harbor at Stamford, Conn.: Continuing improvement, \$20,000.

Improving harbor at Buffalo, N. Y.: Continuing improvement, and repairs on the outer breakwater, \$112,500.

Improving Buttermilk Channel, N. Y.: Continuing improvement, \$56,250.

Improving breakwater at Rouse's Point, N. Y.: Continuing improvement, \$20,000.

Improving harbor at David N. Y.: Continuing improvement, \$20,000.

Improving harbor at Dunkirk, N. Y.: Continuing improvement, \$20,000.
Improving harbor at Canarsie Bay, N. Y.: Continuing improvement, \$10,000.
Improving harbor at Charlotte, N. Y.: Continuing improvement and repairs,

Improving harbor at Flushing Bay, New York: Continuing improvement, \$10,000.

Improving channel at Gowanus Bay, New York: Continuing improvement, \$7,500.

Improving harbor at Great Sodus Bay, New York: Continuing improvement, \$16,875.

Improving harbor at Greenport, New York: Continuing improvement, \$5,000. Improving harbor at Little Sodus Bay, New York: Continuing improvement, \$12,500.

Improving harbor at Oak Orchard, N. Y.: Continuing improvement by repairs, \$12,500.

Improving harbor at Olcott, N. Y.: Continuing improvement and repairs,

\$10,000.

\$10,000. Improving harbor at Wilson, N.Y.: Continuing improvement, \$10,000. Improving harbor at Ogdensburg, N.Y.: Continuing improvement, \$10,000; which, together with the amount on hand, is to be used in removing obstructions from the mouth of the Oswegatchee and continuing the excavation at the lower

harbor up stream.

Improving harbor at Oswego, N.Y.: Continuing improvement, \$71,250; of which \$56,250 to be used in repairs and \$15,000 in continuing work on the har-

Improving harbor at Rondout, N. Y.: Continuing improvement, \$2,500.
Improving harbor at Saugerties, N. Y.: Continuing improvement, \$15,000.
Improving harbor at Sheepshead Bay, New York: Continuing improvement, \$5,000.

\$5,006. Improving New York Harbor, New York: To secure a 30-foot channel at mean low water at the Sandy Hook entrance of the harbor, upon such plan as the Secretary of War may approve, \$750,000. Improving channel between Staten Island and the New Jersey shore, New York and New Jersey: Continuing improvement, \$15,000. Improving harbor at Raritan Bay, New Jersey: Continuing improvement, \$37,500.

improving harbor at Raritan Bay, New Jersey: Continuing improvement, \$5,000. Improving harbor at Plattsburg, N. Y.: Continuing improvement, \$5,000. For a more thorough and definite survey and examination of the harbor at Atlantic City, N. J., with a view to making a harbor of refuge at that point, \$5,000; said examination and survey to be made by a board consisting of three United States engineers.

Improving harbor at Erie, Pa.: Continuing improvement, and also for the improvement of said harbor as recommended by the Chief of Engineers January 13, 1885, \$37,500: Provided, That the Secretary of War be, and he is hereby, authorized and directed to receive and accept for the United States, from the marine hospital of Erie, Pa., the title to the peninsula of Presque Isle, at Erie Pa., as tendered by the said marine hospital, agreeably to the provisions of an act of the Legislature of the State of Pennsylvania approved May 11, 1871: And provided further, That \$22,500 of said sum shall not be expended until the aforesaid title shall be accepted by the Secretary of War.

Improving ice-harbor at Marcus Hook, Pennsylvania; Continuing improvement, \$15,000.

The Secretary of War is authorized to cede to the city of Chester, Pa., the upper and lower piers located in said city and extending into the Delaware River, and formerly used as an ice-harbor.

Improving Delaware breakwater, Delaware: Continuing improvement, \$56,-

250.

Improving ice-harbor at New Castle, Del.: Continuing improvement, \$5,000. Improving harbor at Wilmington, Del.: Continuing improvement, \$18,750. Improving harbor at Baltimore, Md.: Continuing improvement, \$150,000. Improving harbor at Breton Bay, Maryland: Continuing improvement, \$6,500. For continuing the improvement of the Potomac River in the vicinity of Washington, with reference to the improvement of navigation, the establishment of harbor-lines, and the raising of the flats, under the direction of the Secretary of War and in accordance with existing plans, \$375,000: Provided, That no part of the sum hereby appropriated shall be expended upon or with refer-

ence to any place in respect of which the title of the United States is in doubt, or in respect to which any claim adverse to the United States has been made. Improving harbor at Norfolk, Va., and improving approach to Norfolk Harbor and the United States navy-yard at Norfolk: Continuing improvement by widening the channel of Elizabeth River to the port-warden's line on the eastern side, between Lambert's Point Light and Fort Norfolk, \$187,500; of which \$50,000 shall be expended in improving the harbor, and \$137,500 in widening the channel of Elizabeth River to the port-warden's line on the eastern side, between Lambert's Point Light and Fort Norfolk, beginning at Lambert's Point Light, including the construction of the proposed dike.

Improving harbor at Beaufort, N. C.: Continuing improvement, \$15,000.

Improving harbor at Edenton Bay, North Carolina: Continuing improvement, \$2,000.

Improving the inland water way between New Berne and Beaufort, N. C., \$10,000.

\$10,000.

Improving harborat Charleston, including Sullivan's Island, South Carolina: Continuing improvement, \$187,500.

Improving Winyaw Bay, South Carolina: Continuing improvement, \$18,750.

Improving harbor at Georgetown, S. C.: Continuing improvement, \$5,000.

Improving Cumberland Sound, Georgia and Florida: Continuing improvement, \$22,500.

Improving Cumberland Sound, Georgia and Florida: Continuing improvement, \$112,500.

ment, \$112,500.
Improving harbor at Savannah, Ga.: Continuing improvement, \$150,000.
Improving harbor at Apalachicola Bay, Florida: Continuing improvement, \$12,000; of which \$2,000 may, in the discretion of the Secretary of War, be expended at the Carabello or Crooked River.

For examination and survey of the entrance to harbor at Key West, Fla.,

\$2,500.

\$2.500.

Improving harbor at Pensacola, Fla.: Continuing improvement, \$20,000.

Improving harbor at Tampa Bay, Fla.: Continuing improvement, \$10,000.

Improving harbor at Gedar Keys, Fla., \$7,000.

Improving harbor at Mobile, Ala.: Continuing improvement, \$90,000.

Improving harbor at Biloxi Bay, Mississippi: Continuing improvement, \$12,-500; which sum, together with the money on hand heretofore appropriated for the roadstead, is hereby directed to be used in deepening the channel from Mississippi Sound to the wharves at Biloxi.

Improving Arkansas Pass and Bay up to Rockport and Corpus Christi, Tex.: Continuing improvement, \$101,250.

Improving Brazos Santiago Harbor, Texas: Continuing improvement, \$37,-500.

Improvement of entrance to Galveston Harbor, Texas: Continuing improvement, \$300,000.

Improving Pass Cavallo, Texas: Continuing improvement, \$37,500.

Improving Sabine Pass and Blue Buck Bar, Texas: Continuing improvement, \$198,750.

Improving ship-channel in Galveston Bay, Texas, from Morgan's Cut to Bolivar Channel: Continuing improvement, for which purpose the balance now remaining of the money heretofore appropriated for this work is hereby directed to be expended by the Secretary of War in the completion of said channel, in accordance with the plans heretofore adopted, and in marking out said channel by piles or stakes, so as to enable navigators to find the same without difficulty. Improving harbor at Ashtabula, Ohio: Continuing improvement, \$30,000.

Improving harbor at mouth of Black River, Ohio: Continuing improvement,

Improving harbor at Ashtabula, Ohio: Continuing improvement, \$30,000. Improving harbor at mouth of Black River, Ohio: Continuing improvement, \$10,000.

Improving harbor at Cleveland, Ohio, on the last plan projected, \$93,750; of which \$30,000 are to be used in building a parapet on the existing breakwater, and the \$100,000 now on hand to be available for work on the last plan. Improving harbor at Fairport, Ohio: Continuing improvement, \$18,750. Improving harbor at Huron, Ohio: Continuing improvement, \$3,000. Improving ice-harbor at the mouth of the Muskingum River, Ohio: Continuing improvement, \$3,000. Improving ice-harbor at the mouth of the Muskingum River, Ohio: Continuing improvement, \$3,7500.

Improving harbor at Port Clinton, Ohio, by repairs of existing works, \$2,000. For the purpose of acquiring the title to the land adjoining the inner end of the west pier built by the United States for the improvement of the harbor at Port Clinton, Ohio, the Secretary of War shall negotiate with the owner or owners of the land for the purchase thereof at a reasonable price, to be approved by Congress; and if an agreement as to price can not be made with the owner, then the value of the same shall be ascertained in the mode provided by the laws of Ohio for the condemnation of lands for public uses in that State, the result of said proceedings of condemnation, if taken, to be reported to the next Congress for its approval.

Improving harbor at Sandusky City, Ohio, by dredging the channel through the outer bar and within the bay; and for this purpose the money appropriated by act of July 5, 1884, now on hand, is hereby made available, and the further sum of \$5,000 is hereby appropriated.

Improving harbor at Toledo, Ohio: Continuing improvement of the Maumee River by a straight channel along such line as may be approved by the Secretary of War, \$112,500; and the balance of the \$25,000 heretofore appropriated are hereby made available for clearing the old channel.

Improving harbor at Vermillion, Ohio: Continuing improvem

Improving harbor at Ludington, Mich.: Continuing improvement, \$56,250.

Improving harbor at Manistee, Mich.: Continuing improvement, \$56,250.

Improving harbor at Manistee, Mich.: Continuing improvement, \$10,000.

Improving harbor at Manistee, Mich.: Continuing improvement, \$10,000.

Improving harbor at Monroe, Mich.: By repairs, \$2,000.

Improving harbor at Monroe, Mich.: By repairs, \$2,000.

Improving harbor at Ontonagon, Mich.: Continuing improvement, \$12,500.

Improving harbor at Pentwater, Mich.: Continuing improvement, \$12,500.

Improving harbor at Pentwater, Mich.: Continuing improvement, \$10,000.

Improving harbor at Pertage Lake, Mich.: Continuing improvement, \$15,000.

Improving and repairing harbor of refuge at Sand Beach, Mich.: Continuing improvement, \$15,000.

Improving harbor at Saint Joseph, Mich.: Continuing improvement, \$1,000.

Improving harbor at Saugatack, Mich.: To complete improvement, \$8,000.

Improving harbor at South Haven, Mich.: Continuing improvement, \$5,000.

Improving harbor at Mhite River, Mich.: Continuing improvement, \$1,000.

Improving harbor at Ahnapee, Wis.: Continuing improvement, \$1,000.

Improving harbor at Ahnapee, Wis.: Continuing improvement, \$1,000.

Improving harbor at Kenosha, Wis.: Continuing improvement, \$7,000.

Improving harbor at Kenosha, Wis.: Continuing improvement, \$7,000.

Improving harbor at Kewaunee, Wis.: Continuing improvement, \$10,000.

Improving harbor at Kewaunee, Wis.: Continuing improvement, \$10,000.

Improving harbor at Manitowoe, Wis.: Continuing improvement, \$10,000.

Improving harbor at Manitowoe, Wis.: Continuing improvement, \$10,000.

Improving harbor at Menomonee, Wis.: Continuing improvement, \$3,000.

Improving harbor of refuge at Milwaukee, Wis.: Continuing improvement on bay and harbor, \$60,000.

Improving harbor at Oconto, Wis.: Continuing improvement, \$8,000.

Improving harbor at Port Washington, Wis.: Continuing improvement, \$5,000.

Improving harbor at Raeine, Wis.: Continuing improvement, \$10,000.

Improving harbor at Superior Bay and Saint Louis Bay, Wisconsin: Continuing improvement, \$22,500; and the engineer, in charge, in his next annual report, shall submit an estimate of the cost of a dredge-boat or other facilities that may be needed for dredging the harbors of Duluth and Superior. Thirteen thousand five hundred dollars of the money hereby appropriated are to be expended in dredging in said Superior Bay and Harbor, and in repairing piers at natural entry, and \$9,000 in dredging Saint Louis Bay, along the dock-line on the Wisconsin shore, from deep water at Connor's Point toward deep water at Grassy Point.

Improving harbor at Sheboygan, Wis.: Continuing improvement, \$15,000. Improving harbor at Sturgeon Bay, Wisconsin: Continuing improvement, \$5,000.

Improving harbor at Sturgeou Bay, Wisconsin: Continuing improvement, \$15,000.

Improving harbor at Ashland, Wis.: Continuing improvement, \$22,500.

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army whose duty it shall be to examine, in all their relations to commerce the Sturgeon Bay and Lake Michigan Ship-canal, connecting the waters of Green Bay with Lake Michigan, in the State of Wisconsin, with a view to making the same a free passage way and harbor of refuge, to consider their value, and all other matters connected with their usefulness to navigation, and which shall give information as to the expediency of the work and the desirability of their acquisition and improvement. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Engineers of the United States Army thereon; and \$5,000, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Improving harbor at Duluth, Minn.: Continuing improvement, and enlarging basin between Minnesota and Rice's Points, \$56,200; of which a sum not exceeding \$500 may be used in placing buoys in the channels and elsewhere where needed in the harbor; and the consent of the United States is hereby given to a change of existing dock-line on the east side of Rice's Point by the municipal authorities of Duluth: Provided, That such change meets the approval of the Secretary of War.

Improving harbor at Agate Bay, Minn.: Continuing improvement, \$10,000. Improving harbor at Agate Bay, Minn.: Continuing improvement, \$10,000. Improving harbor at Agate Bay, Minn.: Continuing improvement, \$10,000. Improving harbor at Jake City, Minn.: Continuing improvement, \$10,000. Improving harbor at Okaland, Cal.: Continuing improvement, \$10,000. The sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated for a survey of San Francisco Harbor, San Pablo Bay, Suisun Bay, Strait of

of Carquinez, mount of San Josquin River, and mount of Sacramento River, California.

Improving harbor at Red Wood, Cal.: Continuing improvement, \$5,000. The sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated for examination, survey, and estimated cost of obtaining a channel 250 feet wide and 24 feet deep at mean low water across the outer bar, and from thence to a point abreast of beacon No. 2, in San Diego Harbor, California; also, of obtaining a navigable channel at least 8 feet in depth at mean low water at Newport Harbor, California; also, of the establishment of a breakwater extending in a southeasterly direction ene-fourth of a mile, more or less, along the sunken reef commencing at or near Whaler's Point, so called, at San Luis Obispo Harbor, California.

Improving harbor at Wilmington, Cal.: Continuing improvement, \$75,000. Improving harbor at Yaquina Bay, Oregon: Continuing improvement, \$75,000. Improving Lubec Channel, Maine: Continuing improvement, \$10,000. Improving Moosebec Bar, Maine: Continuing improvement, \$10,000. Improving Penbescot River, Maine: Continuing improvement, by widening the channel opposite Bangor and removing obstructions near Crosby's Narrows, \$15,000. Improving Saco River, Maine, \$12,500.

the channel opposite Bangor and removing obstructions hear Crosby's Narrows, \$15,000.

Improving Saco River, Maine, \$12,500.

Improving Narragaugus River, Maine, \$10,000.

Improving Cocheco River, New Hampshire: Continuing improvement, \$10,000.

Improving Pawtick River, Massachusetts, \$2,500.

Improving Pawtucket River, Rhode Island, \$5,000.

Improving Pawtucket River, Rhode Island: Continuing improvement, \$30,000.

Improving Powtidence River and Narragansett Bay, Rhode Island: Continuing improvement, \$30,000.

For removing Green Jacket Shoal, Providence River, Rhode Island, \$25,250.

Improving Paweatuck River, Rhode Island, \$12,000.

Improving Connecticut River below Hartford, Conn.: Continuing improvement, \$26,250.

Improving Housatonic River, Connecticut, \$5,000.

Improving Thames River, Connecticut: Continuing improvement, \$22,500.

Improving Hudson River, New York: Continuing improvement, \$26,250; of which \$15,000 may be used for the removal of the rock in channel at Van Wie's Point.

Point.
Improving Newtown Creek and Bay, New York: Continuing improvement, \$37,500; of which \$9,375 to be expended on west branch between Maspeth avenue and Dual Bridge, at Grand street and Metropolitan avenue; \$9,375 to be expended on main branch between Easterly Grand street bridge to Metropolitan avenue; and balance on lower end, from Maspeth avenue to the mouth of the

avenue; and balance on lower end, from Maspeth avenue to the mouth of the creek.

Improving Hell Gate, New York: Continuing improvement, \$112,500.

Improving Narrows at Lake Champlain, New York, from Benson, Vt., to canal locks at Whitehall, N. Y., \$30,000.

Improving Ticonderoga River, New York: Continuing improvement, \$2,000.

Improving Maurice River, New Jersey: Continuing improvement, \$26,200.

Improving Passaic River, New Jersey: Continuing improvement, \$26,250; of which \$2,250 are to be used above Newark.

Improving Raritan River, New Jersey: Continuing improvement, \$26,250, Improving Saritan River, New Jersey: Continuing improvement, \$20,000.

Improving Saint Jones River, Delaware: Continuing improvement, \$10,000.

Improving Nanticoke River, Delaware: Continuing improvement up to and near the town of Laurel, Del., \$10,000.

Improving Monongahela River, Pennsylvania and West Virginia: Continuing improvement, \$90,900; but no charges or tolls shall be collected on any other part of the river on any commerce on said river which originates above the works herein appropriated for.

For beginning the construction of a dam at Herr's Island, in the Allegheny River, near Pittsburgh, Pa., \$37,500.

Improving Allegheny River, Pennsylvania: Continuing improvement, \$30,000.

Improving Schuylkill River, Pennsylvania: Continuing improvement, \$18,-

Improving Delaware River, Pennsylvania: Continuing improvement from Trenton to its mouth, \$210,000; of which \$30,000 shall be applied to improving the channel between Camden, N. J., and Philadelphia, Pa., and \$7,500, or so much thereof as may be needed, shall be expended on said river and its tidal tributaries above Bridesburg.

Improving Choptank River, Maryland: Continuing improvement, \$10,000. Improving Corsica Creek, Maryland: Continuing improvement, \$10,000. For rebuilding piers at Battery Island, head of the Chesapeake Bay, which were carried away by ice, strengthening and protecting the works at that point from future destruction, \$17,275.

Improving Susquehanna River, Maryland and Pennsylvania: Continuing improvement, \$5,000; to be expended above the Philadelphia, Wilmington and Baltimore Railroad bridge.

Improving Pocomoke River, Maryland: Continuing and completing improvement, \$8,000.

Improving, by dredging and otherwise, the inland water way from Chinco-

ment, \$8,000.

Improving, by dredging and otherwise, the inland water way from Chincoteague Bay, Virginia, to Delaware Bay at or near Lewes, Del., to be used from Chincoteague Bay to Indian River Bay, \$18,750.

Improving Appomattox River, Virginia: Continuing improvement, \$18,750.

Improving Chickahominy River, Virginia: Continuing improvement, \$4,000.

Improving James River, Virginia: Continuing improvement below Richmond, \$112,000.

S112,000. Improving Mattaponi River, Virginia: Continuing improvement, \$5,000. Improving New River, Virginia: Continuing improvement between the leadmines, in Wythe County, and the mouth of Wilson's Creek, in Grayson County, \$10,000, together with the \$3,000 now on hand. Improving Pamunky River, Virginia: Continuing improvement, \$5,000. Improving Rappahaunock River, Virginia: Continuing improvement, \$20,-

000.

Improving Staunton River, Virginia: Continuing improvement, \$10,000; one-half of which is to be expended between the mounth of Pig River and the Midland Railroad Crossing.

Improving York River, Virginia: Continuing improvement, \$18,750. Improving Dan River, Virginia: Continuing improvement, \$10,000. Improving Big Sandy River, West Virginia and Kentucky: Continuing improvement, \$30,000; of which sum \$3,750 are to be expended on Tug Fork, in West Virginia, and \$3,750 on Lavisa Fork, in Kentucky.

Improving Buckhannon River, West Virginia: Continuing improvement, \$1,500.

Improving Great Kanawha River, West Virginia: Continuing improvement, \$187,500.

Improving Great Kanawha River, West Virginia: Continuing improvement, \$18,500.

Improving Guyandotte River, West Virginia: Continuing improvement, \$1,500.

Improving Guyandotte River, West Virginia: Continuing improvement, the amount heretofore appropriated is made available for this purpose.

Improving Little Kanawha River, West Virginia: Continuing improvement, \$16,875; of which \$1,875 shall be used in continuing the improvement of navigation above the west fork. But no toll shall be collected by any person or corporation for this improved navigation; and such right, if any exist, shall be relinquished, in a manner satisfactory to the Secretary of War, before the expenditure of any of the money herein appropriated for this work.

Improving Cape Fear River, North Carolina: Continuing improvement, \$168,750; of which sum \$11,250 are to be expended above Wilmington, the remainder below and opposite the city of Wilmington, including as much of its northeast branch as lies in front of Wilmington, within the city limits.

Improving Contentnia Creek, North Carolina: Continuing improvement, \$15,000.

Improving Currituck Sound, Coanjok Bay, and North River Bar, North Carolina; Continuing improvement, \$22,500.

Improving New River, North Carolina: Continuing improvement, \$22,500.

Improving Pamlico and Tar Rivers, North Carolina: Completing improvements, \$5,000.

Improving Black River, North Carolina, \$3,000: Provided, That all claims of private parties to the navigation of the river shall be ceded to the United States.

ments, \$5,000.

Improving Black River, North Carolina, \$3,000: Provided, That all claims of private parties to the navigation of the river shall be ceded to the United States, free of charge, before the commencement of said improvement.

Improving Roanoke River, North Carolina: Continuing improvement, \$20,000. Two thousand five hundred dollars, or so much thereof as may be necessary, of the aforesaid \$20,000 shall be used for the purpose of removing obstructions in Thoroughfare and Coshoke Creek.

Improving Trent River, North Carolina: Continuing improvement, \$3,500. Improving Dan River, North Carolina: Continuing improvement between Madison, N. C., and Danville, Va., \$10,000.

Improving Yadkin River, North Carolina: Continuing improvement, \$10,000. Improving the inland water way between Beaufort Harbor and New River, North Carolina, through Bogue Sound, \$10,000.

Improving Ashley River, South Carolina: Continuing improvement, \$1,000. Improving Edisto River, South Carolina: Continuing improvement, \$3,000. Improving Great Pee Dee River, South Carolina: Continuing improvement, \$3,000.

\$20,000.

Improving Salkehatchie River, South Carolina: Continuing improvement, 2,000.

\$2,000.

Improving Santee River, South Carolina: Continuing improvement, \$18,750; no part of which sum to be used for the construction of any road-bridge across the Mosquito Creek Canal: Provided, That if salt water be found flowing into said Mosquito Creek, \$5,000 of said sum, or so much thereof as may be necessary, shall be used for the construction of a flood-gate at upper end of the canal, to prevent the same.

Improving Waccamaw River, South Carolina: Continuing improvement \$15, 000

Improving Wappoo Cut, South Carolina: Continuing improvement, \$5,000.
Improving Wateree River, South Carolina: Continuing improvement, \$7,500.
Improving Congaree River, South Carolina, \$7,500.
Improving Altahama River, Georgia: Continuing improvement, \$20,000; of which \$10,000 are to be used on Doboy Bar, or so much thereof as may be necessary.

Imrroving Chattahoochee River, Georgia and Alabama: Continuing improve-ment, \$20,000.

Improving Coosa River, Georgia and Alabama: Continuing improvement, \$45,000.

\$45,000.

Improving Flint River, Georgia: Continuing improvement, \$20,000; of which sum \$5,000 are to be expended between Albany and Montezuma, and \$15,000 below Albany.

Improving Ocmulgee River, Georgia: Continuing improvement, \$7,500.

Improving Ocmulgee River, Georgia: Continuing improvement, \$9,000; \$1,500 of said sum to be expended between Skull Shoals and the railroad bridge.

Improving Romely Marsh, Georgia: To complete improvement, \$17,475; and so much of said sum as may be necessary may be applied by the engineer in charge, with the approval of the Secretary of War, to pay for work done on said improvement, under the direction of the War Department, since the last appropriation was exhausted.

Improving Savannah River below Augusta, Ga.: Continuing improvement, \$15,000.

Improving Apalachicola River, Florida: Continuing improvement, \$1,000. Improving Caloosahatchee River, Florida: Continuing improvement, \$4,000. Improving Choctawhatchee River, Florida and Alabama: Continuing improvement, \$15,000; of which sum \$5,000 to be expended below Geneva, and \$10,000 to be expended beloween Geneva and Newton, Ala. Improving Conceuch-Escambia River, Florida and Alabama: Continuing improvement, \$12,000. Improving La Grange Bayou, Florida: Continuing improvement, \$2,000. Improving La Grange Bayou, Florida: Continuing improvement, \$13,000; of which \$5,000 may be expended on Pease River. Improving channel over the bar at the mouth of Saint John's River, Florida: Continuing improvement, \$15,000. Improving Suwance River, Florida: Continuing improvement, \$5,000. Improving Suwance River, Florida: Continuing improvement, \$5,000. Improving Withlacocchee River, Florida: Continuing improvement, \$5,000. Improving Mithlacocchee River, Florida: Continuing improvement, \$5,000. Improving Black Warrior River from Tuscaloosa to Daniels Creek, Alabama, \$56,250, together with the \$47,000 on land; to be expended in accordance with the plan adopted by the board of engineers.

Inproving Calawaba River, Alabama: Continuing improvement, \$7,500. Provided, That no part of said sum shall be expended until the officer in charge shall have reported that the railroad and other bridges across said river have been provided with good and sufficient draw-openings.

Improving Tombigbee River, Alabama: Continuing improvement, \$7,500. Improving Warrior River, Alabama: Continuing improvement, \$5,000; of which \$2,000 to be expended below Vienna, \$11,200; and between Vienna and Fulton, \$7,500.

Improving Tombigbee River, Mississippi: Continuing improvement, including bar at the mouth, and from there to the mills at Moss Point, \$20,000; and the balance of the money now on hand heretofore appropriated for improving Horn Island Pass is to be applied to the same purpose.

Improving Pascagoula River, Mississippi: Continuing improvement

of said stream.

Improving Amite River, Louisiana: Continuing improvement, \$2,000.

Improving Bœuf River, Louisiana: Continuing improvement, and for closing Outlet No. 1, \$5,000.

Improving Bayou Bartholomew, Louisiana and Arkansas: Continuing improvement, \$5,000.

Improving Bayou Courtableau, Louisiana: Continuing improvement, \$5,000.

Improving Bayou D'Arbonne, Louisiana: Continuing improvement, \$2,000.

Improving Bayou Terrebonne, Louisiana: Continuing improvement, \$2,000.

Improving Cypress Bayou and the lakes between Jefferson, Tex., and Shreveport, La., Texas and Louisiana: To complete improvement, \$18,000.

Improving Tensas River and Bayou Macon, Louisiana: Continuing improvement, \$4,000.

Improving Red River, Louisiana and Arkansas Continuing improvement, \$18,000.

ment, \$4,000.

Improving Red River, Louisiana and Arkansas: Continuing improvement from Fulton, Ark., to the Atchafalaya River, Louisiana, including completing the work at Alexandria, \$75,000; of which sum \$25,000, or so much thereof as may be necessary, shall be used in making a thorough survey of the river from Fulton, Ark., to the Atchafalaya River, and in completing the survey of Bayou Pierre, Louisiana.

Improving Tchefuncte River and Bogue Falia, Louisiana: Continuing improvement, \$2,500; to be expended in the improvement of Bogue Falia up to Covincton.

Pierre, Louisiana.

Improving Tehefuncte River and Bogue Falia, Louisiana: Continuing improvement, \$2,500; to be expended in the improvement of Bogue Falia up to Covington.

Improving Tickfaw River, Louisiana: Continuing improvement, \$2,000; to be expended on its navigable tributaries.

Improving Ouachita River, Louisiana and Arkansas, and Black River, Louisiana: Continuing improvement, \$17,500; of which \$7,500, or so much thereof as may be necessary, for repairing snag-boat Wagner.

Improving Calcasieu River and Pass, Louisiana: Continuing improvement to secure a navigable channel 8 feet deep over the bars affecting the entrance to said river and pass, and for this purpose the money on hand heretofore appropriated for improvement of Calcasieu River is to be used.

Improving Buffalo Bayou, Texas: Continuing improvement, \$18,750.

Improving Buffalo Bayou, Texas: Continuing improvement, \$18,750.

Improving Buffalo Bayou, Texas: Continuing improvement, \$18,750.

Improving Saint Francis River, Arkansas and Missouri, to the town of Saint Francis: Continuing improvement, \$8,000.

Improving Arkansas River, Arkansas: Continuing improvement, \$75,000, according to the plan and recommendations in Appendix V 13, Executive Document 1, Forty-ninth Congress; of which there are to be expended \$8,000 at Pine Bluff, \$13,000 at Fort Smith, and \$10,000 at Dardanelles, or so much thereof under those sums, respectively, as may be necessary at those points.

For the removal of snags, wrecks, and other obstructions in the Arkansa River, \$19,875; of which sum \$1,125, or so much thereof as may be necessary, shall be used to complete the survey of the Arkansas River between Little Rock, Ark., and Wichita, Kans.

Improving Black River, Arkansas, above Fulton, Ark., \$7,000.; Improving Black River, Arkansas, \$3,000.

Improving Herok shoals in Fourche River, Arkansas, situate 4 miles south of Perryville, in Perry County, Arkansas, according to the plans of the engineers for creating a 50-foot channel, \$5,000.

Improving Cumberland River, Ten

Improving French Broad River, Tennessee: Continuing improvement, \$6,-

Improving Hiawasse River, Tennessee: Continuing improvement, \$2,500.
Improving South Fork of Forked Deer River, Tennessee: Continuing improvement, \$5,000.
Improving Tennessee River above Chattanooga, Tenn.: Continuing improve-

Improving Tennessee River at Big Muscle Shoals, Little Muscle Shoals, and Elk River Shoals, Alabama: To complete improvements at these localities, \$262,500

Elk River Shoals, Alabama: To complete improvements at these localities, \$262,500 Improving South Fork of Cumberland River, Kentucky: Continuing improvement, \$5,000. Improving Kentucky River, Kentucky: Continuing improvement, \$2,000. Improving Tradewater River, Kentucky: Continuing improvement, \$2,000. Improving the Falls of the Ohio River at Louisville, Ky.: Continuing improvement, according to the last plan of the engineer in charge, and to be first applied to the completion of the work now in progress, \$150,000: Provided, That of that sum \$50,000 shall be expended in enlarging the canal-basin, as recommended in the last report of the engineer in charge.

The Secretary of War is hereby authorized and directed to ascertain the value and commercial importance of the works and property of the Green and Barren River Navigation Company, situated on the Green and Barren Rivers, in the State of Kentucky, and of the Monongahela Navigation Company, situated on the Monongahela River, in the State of Kentucky, and of the Monongahela Navigation Company, situated on the Monongahela River, in the State of Fennsylvania; and in order to acquire such information the Secretary of War shall appoint a board of three competent engineers from the Engineer Corps of the United States Army, which board shall in each case report to the Secretary of War, who shall report thereon to Congress at its next succeeding session; and the cost of such examination shall be paid out of the sum appropriated by this act for surveys: Provided, That nothing herein shall be construed as committing Congress to the purchase of the said works.

Improvement of the Muskingum River, Ohio, between Zanesville, and the mouth of the river and for execution; the same 200000. And the Husted States

nothing herein shall be construed as committing Congress to the purchase of the said works.

Improvement of the Muskingum River, Ohio, between Zanesville and the mouth of the river, and for operating the same, \$20,000. And the United States hereby accepts from the State of Ohio the said Muskingum River improvement, and all the locks, dams, and their appurtenances, and the canals belonging to said improvement, and all the franchises and property of every kind, and rights in said river, and its improvements, now owned, held, and enjoyed by the State of Ohio, including all water leases and rights to use water under and by virtue of any lease of water now running and in force between the State of Ohio and all persons using said water, hereby intending to transfer to the United States such rights in said leases and contracts as are now owned, held, or reserved by the State of Ohio; but not to affect any right to the use of the water of said river now owned and held by the lessees of any water right under any lease or contract with the State of Ohio. And the United States hereby assumes control of said river, subject to the paramount interest of navigation. The provisions of this act, so far as they relate to the Muskingum River, shall not take effect, nor shall the money hereby appropriated be available, until the State of Ohio, acting by its duly authorized agent, turns over to the United States all property ceded by the act of the General Assembly aforesaid, and all personal property belonging to the improvement aforesaid, and used in its care and improvement, and any balance of money appropriated by said State for the improvement, and any balance of money appropriated by said State for the improvement, and river, and which is not expended on the 18th day of July, 1886.

Improving Clinton River, Michigan: Continuing improvement, \$6,000.

Improving Saint Clair Ship-canal, Michigan: Continuing improvement, \$7,500.

Improving Saint Mary's River, Michigan: Continuing improvement by a new lock and annecedus \$250,000.

Improving Detroit River, Michigan: Continuing improvement, \$18,750.

Improving Saint Clair Ship-canal, Michigan: Continuing improvement, \$18,750.

Improving Saint Mary's River, Michigan: Continuing improvement by a new lock and approaches, \$250,000.

Improving Hay Lake Channel, Michigan: Continuing improvement, \$150,000.

Improving Saginaw River, Michigan: Continuing improvement, \$150,000.

Improving Saginaw River, Michigan: Continuing improvement, \$33,750; of which \$16,875 are to be used above Bay City, and \$5,000 in improving the west channel along West Bay City.

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army, whose duty it shall be to examine in all their relations to commerce the two improved water ways known as the Portage Lake and River Improvement Company Canal and the Lake Superior Ship-canal, Railway, and Iron Company Canal, being the improved harbors of refuge and the water communication across Keweenaw Point, from Keweenaw Bay to Lake Superior, by way of Portage River and lake, in the State of Michigan, with a view to making the same a free passage way and harbors of refuge, to consider their value and all other matters connected with their usefulness to navigation, and which shall give information as to the expediency of the work and the desirability of their acquisition and improvement. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Eugineers of the United States Army thereon; and \$10,000, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Improving Chippewa River, Wisconsin: Continuing improvement from the Dalles Dam to its mouth, \$18,750.

Improving Fox River, Wisconsin: Continuing improvement from the Dalles Dam to its mouth, \$18,250.

And the Secretary of War is hereby directed to have the examination and survey of the Wisconsin River from Portage to the mouth, now being made by

Improving White River, Indiana: Continuing improvement below Hazelton, \$7,500.

Improving Calumet River, Illinois: Continuing improvement, \$30,000; of which \$11,250 are to be used between the Forks and one-half mile east of Hammond, Ind., \$5,625 of which are to be used in dredging the river between the Forks and the State line of Illinois and Indiana, and \$5,625 on the river at Hammond Ind: Provided, however, That no part of said sum, nor any sum heretofore appropriated, except the said \$11,250 for the river above the Forks, shall be expended until the entire right of way, as set forth in Senate Executive Document No. 9, second session Forty-seventh Congress, shall have been conveyed to the United States free of expense, and the United States shall be fully released from all liability for damages to adjacent property-owners, to the satisfaction of the Secretary of War; and if any of the owners of real estate required to be taken or that is damaged for the purpose of straightening or widening that portion of the Calumet River for which the appropriation herein is now made, can not be induced to convey to the United States such real estate so required, and release their claim for damages caused by said improvement, or should the owner or owners be incapable of conveying and releasing, or should his or her name or residence be unknown, or he or she be a non-resident of the State of Illinois, it

shall then be the duty of the United States attorney for the northern district of Illinois to immediately file a petition in any court having jurisdiction thereof, in the manner and as authorized by the laws of the State of Illinois in such cases, ive owners of the land taken or damaged: Provided, however, That the other owners of property and parties interested in said improvement shall first execute a bond to the United States, to be approved by the Secretary of War, for the payment of the costs of such proceedings, and to pay any judgment that may be rendered therein; and on failure to do so the proceedings shall be dismissed. Improving Illinois River, Illinois: Continuing improvement, \$112,500; of which sum \$3,750 may be expended in dredging the river in front of Peorla.

The Secretary of War is authorized and directed to appoint a board of three engineers from the United States Army, whose duty it shall be to examine in all their relations to commerce the Illinois and Michigan Canal and the propriet of the Illinois and Michigan Canal and the propriet of the Illinois and Michigan Canal and the propriet of the Illinois and Michigan Canal and the propriet of the Illinois and Michigan Canal and the propriet of the Illinois and Michigan Canal and the propriet of the Illinois and Michigan Canal and the propriet of the Illinois and Michigan Canal and the construction of the Hennepin Canal. The said board shall report to the Secretary of War, who shall lay its report before Congress at its next session, together with the views of himself and the Chief of Engineers of the United States Army thereon; and \$15,000, or so much thereof as may be necessary, is hereby appropriated for this purpose: Provided, That nothing in this paragraph shall be construed as committing the Government to the said improvement.

Improving Gasconde River, Missouri: Continuing improvement, \$7,500.

Improving Osage River, Missouri: Continuing improvement, \$7,500.

Improving Osage River, Missouri: Continuing improvement, \$7,500.

Improving Mis

Improving Chehalis River, Washington Territory: Continuing improvement, \$2,000.

Improving Skagit, Steilaquamish, Nootsack, Snohomish, and Snoqualmic Rivers, Washington Territory: Continuing improvement, \$10,000.

Improving Missouri River from its mouth to Sioux City: Continuing improvement, including necessary work at Omaha, Atchison, Saint Joseph, Fort Leavenworth reservation, Arrow Rock, Kansas City, Plattsmouth, Brownsville, and Nebraska City, \$375,000; to be expended under the direction of the Secretary of War, in accordance with plans and estimates to be furnished by the Missouri River Commission.

Improving Missouri River from Sioux City to Fort Benton: Continuing improvement, \$60,000, under the direction of the Secretary of War.

For removing obstructions in the Missouri River, \$22,500.

Improving the Ohio River: Continuing improvement, \$375,000; out of which sum \$37,500 are to be expended at Grand Chain in removing rocks and other obstructions to navigation at that locality; also \$18,750 may be expended in constructing or aiding in the construction of such an embankment on the south side of the Great Miami River, near its junction with the Ohio, as may be necessary to confine the waters of the Great Miami in great floods to the general course of its channel at or near the Ohio, to the end that the formation of the bar in the Ohio River now forming and obstructing navigation may be arrested; also \$37,500, or so much thereof as may be necessary, of said appropriation shall be expended in constructing five ice-piers, pursuant to the present or prospective plans of the Chief of Engineers, at or near the following places, to wit: One at Pomeroy, Ohio; one at Middleport, Ohio; one at Gallipolis, Ohio; and one at Ironton, Ohio; and one at or near Ashland, Ky, on the south side of the Ohio River: Provided, That the Secretary of War is hereby authorized and directed to obtain, if he can do so without cost to the United States, perpetual leases or convoyances of the riparian rights of the property-owners at each

Adams; but if not so used the sum shall remain as a part of said appropriation, and be used for the purposes first in this paragraph specified.

Project, \$20, 20; of which sum \$15,000 are to be used for pier construction, in extending the outer wall of canal to the pivot-pier of the bridge.

For dry-doc's at Des Moines Rapids, \$45,50.

Largoving its barbor at Dubeque, lowa, the bridge.

For dry-doc's at Des Moines Rapids, \$45,50.

Largoving its barbor at Dubeque, lowa, the properties of the mouth of the Illimois River, including the river at Quincy Bay and the removal of the bars at said ice-harbor.

Improving Mississippi River from Des Moines Rapids to the mouth of the Illimois River, including the river at Quincy Bay and the removal of the bars at ing of Sny Island Laves where it crosses Suicarto Slough and other sloughs: Continuing the improvement, \$150,000.

Improving Mississippi River from the mouth of the Illinois River to the mouth of the Ohlo River, including the completion of the work at Alton, and, which \$37,500, or so much thereof as may be necessary, to be expended in extending the work for the protection of the eastwardly bank of the Mississippi River at Canton, and the prevention of its wash or exposence, commencing at the remain and \$22,500 for continuing improvement at Cape Girardeau, Mo., and Montona Point, Illinois: Provided, That the Secretary of War, in his discretion, may use not to exceed \$75,000 of said sum of \$375,000 to correct the current of the river and improve the channel at Sain Louis.

River: Continuing improvement, \$2,000,000; which sum shall be expended under the direction of the Secretary of War, in a scondance with the plans, specifications, and recommendations of the Mississippi River Commission: Provided, Than to portion of this excetary of War, in a condance with the plans, specifications, and recommendations of the Mississippi River Commission is authorized to repair and build levess! in the high plans and the plans and the property by overflows: Provided, Monton Provided,

said harbor most judicious and practicable and for the best interests of such improvement.

SEC. 4. The Secretary of Warshall prescribe such rules and regulations as may be necessary to secure a judicious and economical expenditure of the money herein appropriated, and shall cause to be made and submitted to Congress annual reports, together with maps and plans, including the report of the Mississippi River Commission, on or before December 1, giving detailed statements of the work done, contracts made, the expenditures thereunder or otherwise, and balances of money on hand up to November 1, and the effect of such work, together with such recommendations as he may deem proper. He shall, at the same time, report to Congress all cases in which piers, break waters, locks, and dams, or other structures or works built or made by the United States in aid of commerce or navigation are used, occupied, or injured by a corporation or an individual, and the extent and mode of such use, occupation, or injury. He shall report, at the same time, whether any bridges, causeways, or structures now erected or in process of erection do or will interefere with free and safe navigation.

SEC. 5. It shall be the duty of the Secretary of War to apply the money hereiz

navigation.

SEC. 5. It shall be the duty of the Secretary of War to apply the money hereix appropriated for improvements, other than surveys and estimates, in carryit on the various works, by contract or otherwise, as may be most economical and advantageous to the Government. Where said works are done by contract, such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders, accompanied by such securities as the Secretary of War shall require, conditioned for the faithful prosecution and completion of the work according to such contract, and for

the prompt payment of all liabilities incurred in the prosecution thereof for labor and materials.

SEC. 6. The Secretary of War is hereby directed, at his discretion, to cause examinations or surveys, or both, to be made, and the cost of improvements to be estimated, at the following localities, to wit:

In the States of—

Arkansas: Re-examination of Little River. The lakes connecting with Red River, between Shreveport, La., and Fulton,

Re-examination of Ouachita above Camden, Ark.

Saline River. Cache River.

California:

San Pedro Bay near the entrance to Wilmington Harbor, with a view to establishing an outer harbor for the protection of deep-draught vessels.

Mouth of Smith's River.

Orescent City Harbor, with a view to a sea-wall from Battery Point to Flat

Connecticut:
Five-Mile River Harbor.
Resurvey of Duck Island Harbor, on Long Island Sound, including plans, specifications, and estimate of cost for making the same a harbor of refuge.

Dakota Territory;

Delaware: Duck Creek.

Duck Creek.
Florida:
Punta Rassa Harbor.
Resurvey of Tampa Bay, including Hillsborough River up to the city of Tampa.
Resurvey of outer and inner bars at Pensacola.
Charlotte Harbor, including San Carlos Bay.
Clear Water Harbor, including Anclote and Saint Joseph's Bays and the Narrows into Boga Ciega Bay.
Wakulla River from its mouth to Wakulla Springs.
Survey of the channel from Haul-over, on Indian River, to Gilbert's Bar.
Saint Augustine, for a deep sea-channel on the outer bar.

Georgia:
Savannah River from cross-tides above Savannah to the bar, with a view to obtaining 25 feet of water in the channel.
Flint River from Montezuma to Old Agency.
From Doboy Island to Doboy Bar.
Jekyl Creek.

Illinois:

Farm Creek, with a view to changing its course.
Kaskaskia River from New Athens to mouth.
Bars in Hamburg Bay.
Calumet River from the forks of the river near its entrance into Lake Calumet to Riverdale; also Calumet River from Riverdale to Blue Island.
Mississippi River at Rush Island Bend and Ivy Landing, with a view to confining and deepening the channel.

Indiana:

For a survey of the Ohio River near the city of Evansville, Ind., with a view to determine what, if anything, will be necessary to prevent a change of the channel of the river in front of that city.

Kentucky: Pond River.

Pond River.

The Secretary of War is directed to report to the next session of Congress whether or not the Government dry-dock at Louisville and Portland Canal is adequate for the purposes of commerce, and what alterations, if any, are necessary, and the cost of making the same.

Licking River from Farmer's to West Liberty.

Salt River.
For ice-harbor at Paducah, Ky.
The bar at the mouth of Limestone Creek, in the harbor of Maysville.

· Louisiana: Little River.

Little River.
Bayou Rouge.
Dugdemona River.
Mouth of Bayou Plaquemine, with a view to its connection with the Mississippi River by locks; also Bayou Plaquemine and other connecting streams, to form the best route to Grand Lake.
Bogue Falia from present landing to Covington.
Calcasieu Pass, the two bars obstructing the navigation thereof.
Mouth of Calcasieu River, the bar obstructing its mouth.
Bayou Terrebonne from Houma to Thibodeaux.
Bayou Teche from Saint Martinsville to Fort Barre.
Mouth of Bayou La Fourche, with a view to the construction of a lock and dam; Clear Lake, Black Bayou, Red Bayou, Black Lake, and Kelly Bayou, to reopen navigable communication between those streams and Red River; Bayou La Fourche, to secure navigation at low water.
Cornay River.
Ouchita River from Camden to mouth, with a slack-water navigation.
Bayou Vermillion, to secure navigation from Abbeville to the railroad bridge of the Louisiana and Texas Railroad.
Bayou Rondeway.
Cypress Bayou.

Cypress Bayou, Bayou Vidal,

Bayou Vidal.

Maine:
Bayodue River between the towns of Penobscot and Brooksville.
Big Rapids of Saint John's River.
Camden Harbor,
Rockport Harbor.
Kennebee River at Bath, and from Augusta to lower end of Perkin's Island.
Saint George's River from Warren to Thomaston.
Matinicus Isle, with a view to a harbor of refuge.
Penobscot River from Bangor to Bucksport Narrows.
Saint Croix River from Ferry Point bridge, at Calais, to Breakwater Ledge.
Bar Harbor, Me., with the view to establishing a breakwater and deepening the waters of said harbor, and especially the channel between Rodick's Island and Mount Desert Island.

Maryland: Cambridge Harbor. Fairlee Creek. Patuxent River from Benedict to Hill's Landing. For widening the channel of Baltimore Harbor to 600 feet,

Massachusetts: Manchester Harbor, Duxbury Harbor,

Wellfleet Harbor,
Falmouth Harbor of Refuge,
Vineyard Haven Harbor.
Cottage City Harbor.
Menemsha Harbor of Refuge,
Taunton River,
Winthrop Harbor.
New Bedford Harbor.

Michigan:
Bar in Saint Clair River opposite Saint Clair City,
Grand River.
North River between Essex and North bridges.
Biddle's Point at Mackinac Harbor, with a view to a breakwater.
Harbor at Forestville, Lake Huron.

Harbor at Forestville, Lake Huron.
Pigeon River.
Mouth of Black River, Saint Clair County.
Carp River at Leland, with a view to affording an entrance to Carp Lake for harbor of refuge.
Lake Michigan at Empire, with a view to cutting a channel across the bar from Lake Michigan to Bar Lake.
Grand Traverse Bay, with a view to connecting it with Torch Lake, near Eastport.
Pinepog River.
Rouge River at its junction with Detroit River, and up the river to bridge of Saint Louis and Wabash Railroad.
Torch Lake Channel, Lake Superior.
Minnesota:

Minnesota:
Red River of the North from Moorhead to Fergus Falls.
Red River from Grand Forks to Red Lake.
Mississippi River between Saint Paul and Saint Anthony's Falls.
Minnesota River, with a view to its improvement by locks and dams.

Minnesota River, with a view to its improvement by locks and dams.

Mississippi:
Tombigbee River, to ascertain what improvement is necessary to make said river continuously navigable from Vienna, Ala., to Walker's Bridge, Mississippi.
Cassity Bayou.
Noxubee River, to ascertain whether it can be made continuously navigable by a system of locks and dams, or otherwise.

Bear Creek.

Missouri:
Resurvey of the Osage River from its mouth to Osceola, with a view to movable locks and dams, or other methods of improvement.
Little River from Hornersville to its junction with the Saint Francis River.
Saint Francis River from Greenville to the Arkansas State line.

New Hampshire: Bellamy River.

North Carolina:
Alligator River.
Lockwood's Folly River.
Lumber River.
Yadkin River from South Carolina line to the Narrows.
Catawba River.

New Jersey: Thoroughfare running back of the ocean from Cape May to the Great Bay north of Atlantic City.

-Channel back of Brigantine Beach, between Absecon and Brigantine Inlets.

Channel back of Brigantine Beach, between Absecon and Brigantine Inlets.

New York:
Channel between Jamaica Bay and Rockaway Inlet.
The East River, with a view to the removal of a ledge of rocks situated between five and six hundred feet from the foot of Tenth and Eleventh streets in the city of New York.

Spring Creek.
Waddington Harbor.
Mouth of Patchouge River.
Hudson River between New Baltimore and Coxsackie.
Peter's Neck Bay.
Tonawanda Harbor and Niagara River between Black Rock and Tonawanda, with a view to a 18-foot channel.
Glen Cove Harbor.

Overon.

Oregon:
Wood River,
Link River,
Suislaw River and Bar,
Coquille River between Coquille City and Myrtle Point,
Nahalem Bay and Bar,
Tillamook Bay and Bar,
Umpqua River.
Obia.

Ohio:

Onto:
Sandusky Harbor, with a view to a straight channel from the north end of ledar Point to the eastend of the existing channel in front of the city.

Big Hockhocking River from its mouth to Coolville.

Chagrin River at its mouth.

Pennsylvania: Darby Creek.

Rhode Island: Little Narragansett Bay, entrance to the wharves at Watch Hill.

South Carolina:

Mosquito Creek between the South Edisto and Ashepoo Rivers, with a view to connect the South Edisto with the Ashepoo at or near Fenwick's Island.

Mingo Creek.
Clark's Creek.
Little Pee Dee River.
Alligator River and other waters connecting Santee River and Bull's Bay.

North Fork of the Forked River below Dyersburg.

Obeils River from the point where improvements have heretofore been made to the mouth of the West Fork.

Texas: Cedar Bayou where it empties into Galveston Bay.

Virginia:
Mattox Creek.
Nansemond River.
Louisa Fork of Sandy River.
Roanoke River from Clarkesville, Va., to Eaton Falls, North Carolina.
Hunter's Creek.

West Virginia: Meadow River. Gauley River. Coal River.

Wisconsin:
Harbor at Hudson, Lake Saint Croix.
Examination and report on the causes of the extraordinary overflows of the Chippewa River, and what means, if any, can be adopted to prevent their recur-

Chippewa River, and what means, if any, can be adopted to prevent their recurrence.

SEC. 7. For examinations, surveys, and contingencies, and for accidental repairs, for which there is no special appropriation, for rivers and harbors, \$100,000: Provided, That no survey shall be made of any harbors or rivers until the Chief of Engineers shall have directed a preliminary examination of the same by the local engineer in charge of the district, or an engineer detailed for the purpose; and such local or detailed engineer shall report to said Chief of Engineers whether, in his opinion, said harbor or river is worthy of improvement, and shall state in such report fully and particularly the facts and reasons on which he bases such opinion, including the present and prospective demands of commerce; and it shall be the duty of the Chief of Engineers to direct the making of such survey if, in his opinion, the harbor or river proposed to be surveyed be worthy of improvement by the General Government; and he shall report to the Secretary of War the facts, and what public necessity or convenience may be subserved thereby, together with the full reports of the local engineer. Said reports of preliminary examinations and surveys shall be made to the House of Representatives, and are hereby ordered to be printed when so made,

SEC. 8. That the Secretary of War shall report to Congress, at its next and each succeeding session thereof, the name and place of residence of each civilian engineer employed in the work of improving rivers and harbors by means and as the result of appropriations made in this and succeeding river and harbor appropriation bills, the time so employed, the compensation paid, and the place at and work on which employed.

And the Senate agree to the same.

ALBERT S. WILLIS, JOHN M. GLOVER.

ALBERT S. WILLIS, JOHN M. GLOVER, H. H. MARKHAM, Managerson the part of the House. S. J. R. McMILLAN, O. D. CONGER, M. W. RANSOM, Managers on the part of the Senate.

The gentleman from Missouri [Mr. BURNES] The SPEAKER. raises the question of consideration against this report.

Mr. WILLIS. I ask whether the statement of the House conferees

which accompanies the report ought not to be read now.

The SPEAKER. Not necessarily, as it is rather in the nature of debate, and will come up appropriately when the matter is before the House for consideration.

Mr. WILLIS. I desire to have it read.

Mr. SPRINGER. I desire to reserve all points of order on this re-

The SPEAKER. If there be no objection, the Clerk will read the statement of the House conferees, as it is not long. The Chair understands that the gentleman from Illinois [Mr. Springer] reserves all questions of order.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7480) known as "the river and harbor bill," submit the following statement:

The Senate struck out all after the enacting clause in the House bill and inserted a bill of their own, taking the House bill as the basis therefor. Their ac-

The Senate struck out all after the enacting clause in the House bill and inserted a bill of their own, taking the House bill as the basis therefor. Their action was treated as one amendment.

The House receded from its disagreement to this amendment and concurred in the same with an amendment, to which the Senate agreed.

The Senate amendment contained all the items of the House bill except three, the Hiawassa River, the South Forked Deer, and the South Fork of the Cumberland, amounting in the aggregate to \$12,500, or, subjected to the 25 per cent. reduction, to \$9,375.

The Senate increased forty-five House items, amounting in the aggregate to \$1,961,800, or, subjected to the 25 per cent. reduction, to \$1,473,600. The eight principal items are New York Harbor, mouth of Columbia River, Cape Fear River, the Cascades, Baltimore Harbor, Norfolk Harbor, Savannah Harbor, and Great Kanawha River. These eight items comprise in amount four-fifths of the whole increase.

The Senate inserted twenty-six new items, amounting to \$1,707,275, or, when reduced 25 per cent., to \$1,280,456. The five principal new items were Sandy Bay, Potomac River and Flats, Sturgeon Bay Canal, Portage Lake Canal, and Hennepin Canal. These five items aggregate \$1,400,000, or five-sixths of the whole amount.

After increasing these forty-five items which were in the House bill and inserting the twenty-six new items the total of the bill was \$18,685,775. Thereupon a 25 per cent. reduction was made upon all the items, which brought the amount of the Senate bill to \$14,013,333.

The bill which the present conference committee herewith reports is based upon the Senate amendment.

All items which were contained in the bill reported to the Senate by the Senate committee, and which amounted to not more than \$20,000 each, and which by the Senate amendment were reduced 25 per cent., are restored by the present bill to their original amount. The aggregate amount of the items thus restored is \$456,750.

The Sandy Bay, New York Harbor, and Potomac River an

The Sandy Bay, New York Harbor, and Potomac River and Flats items are the same as in the Senate amendment, both as to amount and verbiage.

No appropriation is made for the purchase of Sturgeon Bay Canal, but a board of three engineers is required to report to the next Congress as to the facts connected with its construction, cost, and the relation it bears to the commerce of the Northwest.

No appropriation is made for the purchase of Portage Lake Canal, but a similar board with like duties as in the case of the Sturgeon Bay Canal is author-

No appropriation is made for the Illinois and Michigan or Hennepin Canals, No appropriation is made for the Illinois and Michigan or Hennepin Canals, but a board of three engineers is authorized to consider their value to commerce and their usefulness to navigation, with a proviso that nothing in said clause shall be construed as committing the Government to the improvement thereof. The House appropriations for Saint Mary's and Hog Lake channel and for Wilmington, Cal., were restored.

The compulsory levee clause in the Senate amendment is stricken out, and the amount of the House appropriation reduced two hundred and fifty thousand, leaving the present amount at \$2,000,000.

The total amount of the present bill is \$14.473,900.

ALBERT S. WILLIS, JOHN M. GLOVER, H. H. MARKHAM, Managers on the part of the House.

Mr. WILLIS. I demand the previous question.

The SPEAKER. There is no previous question at this stage of proceeding. The question of consideration is raised. If the House determines to consider the report, then the gentleman from Kentucky having charge of it can move the previous question if he desires to do so. The gentleman from Illinois [Mr. Springer] reserved some point of order, which he will state.

Mr. SPRINGER. I desire to reserve any points of order till after the question of consideration has been determined. The House may decide to take up first the report on the deficiency appropriation bill.

The SPEAKER. The Chair supposed the gentleman desired to make some point of order which would be appropriate now. A point of order on the report itself can not be made until the House has determined to consider it. The gentleman from Missouri raises the question of consideration against this report. The question is, Will the House now proceed to consider the report? proceed to consider the report?

Mr. BUTTERWORTH. I understand that practically the present question is whether the river and harbor bill or the deficiency bill

shall first be considered.

The SPEAKER. The gentleman from Missouri has raised the ques-

tion of consideration, and stated his purpose.

The question being taken, there were—ayes 97, noes 31.

Mr. SPRINGER. I make the point that no quorum has voted.

Tellers were ordered; and Mr. SPRINGER and Mr. WILLIS were ap-

The House again divided; and the tellers reported—ayes 143, noes 21.

Mr. SPRINGER called for the yeas and nays. The yeas and nays were not ordered.

So the House determined to consider the report of the committee of conference on the river and harbor bill.

Mr. WILLIS. I demand the previous question.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] has

a point of order pending, which he will state.

Mr. SPRINGER. This report on its face embraces an entirely new bill, being in the form of a proposition to strike out all after the enacting clause of the House bill and insert what has been read by the Clerk. Under the rule all matters relating to appropriations must have their first consideration in the Committee of the Whole House on the state of the Union. On the face of the paper all these propositions here presented are new, an entirely new bill having been inserted by the conference committee; but as an actual fact several of these propositions have not been considered at all by this House-one, particularly, appointing a commission of, I believe, five engineers

A MEMBER. Three. Mr. SPRINGER. Whose duty it shall be to investigate and report to the next Congress upon the feasibility of certain public works, among them the various canals mentioned in the former bill; and \$15,000 is appropriated to pay the expenses of that commission. These items have never been considered by this House. Even if it be contended that though upon the face of this proposition a new bill is presented the mass of matter embraced in it is not new, yet as a matter of fact there are, as I have just suggested, several entirely new propositions, which have never had consideration here in Committee of the Whole House.

Mr. HEPBURN. In that connection allow me to call the attention of the Chair to the third clause of the twenty-third rule, which is in

the following language:

All motions or propositions involving a tax or charge upon the people; all proceedings touching appropriations of money or bills making appropriations of money or property, or requiring such appropriations to be made, or authorizing payments out of appropriations diready made, &c., * * * shall be first considered in a Committee of the Whole.

Now, Mr. Speaker, there are three propositions embodied in this bill that are entirely destructive of three of the propositions to which they are claimed to be amendments. There were three propositions by which the Senate had determined to enter upon the prosecution of certain public works. They were actually determined upon. They were enumerated among the public improvements to be adopted by the Government under the appropriations made in this bill. The purpose, the scope, and the result of this amendment as now reported from the committee of conference is to entirely change that determination and purwar and to a commission who are at some future time to examine and report upon them, which report is to form the basis for future action on the part of Congress when it shall be submitted. It seems to me that ose in regard to these works, and to remand them to the Secretary of there is such a radical and entire change, such a marked and manifest difference between the two propositions, that it can not be claimed the one now proposed by the committee of conference is a germane amendment to the original proposition.

It is entirely new, in fact; new in all of its parts; new in its results, and in its first determination; and therefore it seems to me, as it has never been considered by the House, and as our rule is so broad and comprehensive, embracing as it does all propositions and including all proceedings looking to the appropriation of money, it certainly includes conference reports as well; and such being the case, if that report carries an appropriation it ought to be and must be considered in a Committee of the Whole House on the state of the Union when the point

of order is made.

Mr. SPRINGER. I wish to state more explicitly the point I make. The first is as to the new matter embodied in this report, that it is not germane to this bill; and if germane it must, under the rules of the House, have its first consideration in a Committee of the Whole House

on the state of the Union.

The SPEAKER. The House passed a bill to provide for the improvement of rivers and harbors and making an appropriation for that purpose. That bill was sent to the Senate where it was amended by striking out all after the enacting clause and inserting a different proposition in some respects, but a proposition having the same object in view. When that came back to the House it was treated, and properly so, as one single amendment, and not as a series of amendments as was contended for by some gentlemen on the floor at the time.

It was non-concurred in by the House and a conference was appointed upon the disagreeing votes of the two Houses. That conference committee having met, reports back the Senate amendment as a single amendment with various amendments, and recommends that it be concurred in with the other amendments which the committee has incorporated in its report. The question, therefore, is not whether the provisions to which the gentleman from Illinois alludes are germane to the original bill as it passed the House, but whether they are germane to the Senate amendment which the House had under consideration and which was referred to the committee of conference. If germane to that amendment the point of order can not be sustained on the ground claimed by the gentleman from Illinois. The Chair thinks they are germane to the Senate amendment, for though different from the provisions contained in the Senate amendment, they relate to the same subject; and, therefore, the Chair overrules the first point of order.

The second point of order is submitted by the gentleman from Iowa that these proposed modifications must have their first consideration in Committee of the Whole House on the state of the Union under the rule of the House. The Chair is not aware of any case in the history of the House where a conference report has been sent to the Committee of the Whole on the state of the Union, and it could not well be done for the obvious reason that measures sent to the Committee of the Whole on the state of the Union are sent there for the purpose of being amended and debated under the five-minute rule. A conference report can not be amended, for it is one entire proposition which must be agreed to in its entirety or rejected by the House upon a single vote. The Chair,

therefore, overrules the point of order.

The gentleman from Kentucky demands the previous question.

Mr. BROWNE, of Indiana. Let me make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWNE, of Indiana. I desire, if it may be done at some time during the consideration of the conference report, to move to concur, with an amendment striking out this provision in regard to the improvement of the Mississippi River from the head of the passes to the mouth of the Ohio under the plans of the Mississippi River Commis-This has already been voted upon and disagreed to by the House. The inquiry I wish to make is, whether after the previous question has been ordered such a motion would be in order?

The SPEAKER. As just stated by the Chair the report of the conference committee can not be amended at all, even if the previous question was not ordered; but if the House refuses to agree to the report of the conferees then the whole subject is open, and the gentleman can make a motion to concur with an amendment or to concur absolutely

as he may see proper.

Mr. BROWNE, of Indiana. Then the House can not reach this matter as a separate and distinct subject unless the report is rejected?

The SPEAKER. No; for the House must agree or refuse to agree. If it agrees to the report, that ends the matter.

The question is on ordering the previous question.

The House divided; and there were—ayes 106, noes 15.

Mr. SPRINGER. No quorum.

Mr. SPRINGER. No quorum.

The SPEAKER. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. SPRINGER and Mr. WILLIS were appointed tellers.

The House again divided; and the tellers reported-ayes 145, noes 21.

So the previous question was ordered.

Mr. SPRINGER. I move that the House do now adjourn. And pending that motion I move that when the House adjourns to-day it be till Thursday next.

The SPEAKER. The question is on the latter motion.

The question being taken, the Speaker stated that the "noes" seemed to have it.

Mr. SPRINGER. I call for a division.

The House divided; and there were—ayes 3, noes 128.

Mr. SPRINGER. No quorum.

The SPEAKER. The Chair appoints as tellers the gentleman from Illinois [Mr. SPRINGER] and the gentleman from Kentucky [Mr.

Mr. GLOVER. I desire to make a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. GLOVER. Does it require a quorum to vote on a question of adjournment?

The SPEAKER. It requires a quorum to fix the day to which the House shall adjourn. A quorum is not required on a motion to ad-

Mr. BURROWS. While we are waiting for a quorum would it be in order to ask unanimous consent to consider a little bill?

The SPEAKER. The Chair thinks not. The House can not act on two motions at the same time.

The House again divided; and the tellers reported—ayes 4, noes 160.

So the motion was not agreed to.

The SPEAKER. The question now is on the motion of the gentlemen from Illinois [Mr. SPRINGER] that the House do now adjourn.

Mr. HEPBURN. Pending that I move that when the House adjourns it be till 12 o'clock on Thursday.

The SPEAKER. That is a change of the rules of the House.

Mr. HEPBURN. I move then that when the House adjourns it be to meet on Friday.

The question being taken on Mr. Hepburn's motion, the Speaker stated that the "noes" seemed to have it.
Mr. SPRINGER. I call for a division.

The House divided; and there were—ayes 3, noes 90.

Mr. SPRINGER. No quorum.

The SPEAKER. The Chair appoints as tellers the gentleman from Illinois [Mr. SPRINGER] and the gentleman from Missouri [Mr. O'NEILL]

Mr. SPRINGER. The motion was made by the gentleman from

Iowa [Mr. HEPBURN].

The SPEAKER. But it was the gentleman from Illinois [Mr. SPRINGER] who made the point of no quorum.

The House again divided; and the tellers reported—ayes 4, noes 160. So the motion was not agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Sympson, one of its clerks, requested the return of the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof,

for the fiscal year ending June 30, 1887, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 160) to authorize the Commissioner of the General Land Office to cause 15,000 copies of the map of the United States and Territories to be printed.

FORTIFICATIONS APPROPRIATION BILL.

The SPEAKER. If there be no objection an order will be made for the return of the fortifications appropriation bill to the Senate, in compliance with the request of that body.

There was no objection.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPRINGER. I move that the House take a recess till 4 o'clock this afternoon.

The question being taken, the Speaker stated that the "noes" seemed to have it.

Mr. SPRINGER. I call for a division.

The House divided; and there were—ayes 4, noes 81.

Mr. SPRINGER. No quorum.

The SPEAKER. The Chair will appoint as tellers the gentleman from Arkansas [Mr. DUNN] and the gentleman from Illinois [Mr. SPRINGER].

The House again divided; and the tellers reported-ayes 4, noes 159.

So the motion was not agreed to.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. SPRINGER] that the House do now adjourn.

The question having been taken on a division by sound, The PEAKER said: The "noes" seem to have it. have it, and the House refuses to adjourn. The "noes"

Mr. SPRINGER. I call for a division.
The SPEAKER. The Chair thinks the gentleman's call for a divis-The SPEAKER. The Chair thinks the gentleman's call for a divisor comes to late. The Chair had not only announced the vote, but
the result of the vote. That is to say, that the House had refused to
adjourn. The question is upon agreeing to the report of the committee of conference, upon which the previous question has been ordered.
Under the rules thirty minutes are allowed for debate, fifteen minutes in support and fifteen minutes in opposition. The Chair will recognize the gentleman from Kentucky [Mr. WILLIS] to control the time in favor of the report and the gentleman from Illinois [Mr. SPRINGER] to control the time in opposition.

Mr. WILLIS. I
"Vote!" Vote!"]
Mr. SPRINGER. I will reserve my time for the present. [Cries of

I have endeavored to defeat the passage of this bill for the reason that I think one of the most important of all the improvements that have been suggested to this House has been omitted. The State of Illinois proposed to Congress to donate to the United States what is known as the Illinois and Michigan Canal, a canal connecting the waters of Lake Michigan with those of the Illinois River. That canal was built out of the proceeds of lands donated to the State of Illi-nois for canal purposes. The State received that donation, sold the nois for canal purposes.

lands, and applied the proceeds to the construction of this canal, and has maintained it charging only sufficient tolls, as nearly as could be

estimated, to pay for the expenses of keeping it in repair.

That canal has not been an expense to the State. The receipts for it have more than paid for repairs and keeping it in operation. In view of the fact, however, that this canal connects the waters of Lake Michigan with the waters of the Gulf of Mexico, it is regarded by that State as a great highway between the greatest city in the Northwest and the Gulf of Mexico, one that the Government of the United States ought to own, one that is essentially a channel for interstate com-

The State has, by a vote of the people, proposed to cede this great work to the United States. This Congress, if this bill should pass, will deliberately refuse to accept it. If the State of Illinois should convey that work to a private corporation it would sell for millions of dollars, but the State does not propose to do so. It proposes that the canal shall be taken by the Government of the United States and maintained forever as a free channel for commercial purposes between the great lakes of the North, the Illinois and Mississippi Rivers, and the Gulf of Mexico. No more important public work could be suggested. Gentlemen have called this a local improvement. Sir, it is as national as the Mississippi River itself. If our country should at any time be engaged in war with Great Britain there would be no more important channel of communication that which would connect the waters of Lake Michigan with the Mississippi River; and yet, utterly disregarding the national importance of this great work, gentlemen have here stigmatized it as a local improvement, merely for the benefit of the State of Illinois.

That proposition stands independent of and disconnected with the proposition to construct the Hennepin Canal, but if the two be united they will form a line of water communication between the Hennepin Canal, and the state of the

they will form a line of water communication between the Upper Mississippi and Lake Michigan practically extending the navigation of Lake Michigan from the city of Chicago to the city of Saint Paul. The whole Northwest, therefore, is interested in this improvement, and it is of more importance to the people of this country in the future than any other fifty propositions that are now embraced in the river and harbor bill. Gentlemen have insisted upon striking out this great work from the bill, and when the subject was before us a few days ago those who are now so anxious to pass this bill were willing to hazard the fate of the whole measure in order to defeat these two propositions.

Mr. DUNN. Not all of them.

Mr. SPRINGER. Not all of them; I beg the gentleman's pardon. Some gentlemen were not willing to take so great a risk.

Now, Mr. Speaker, it seems to be evident that the House is determined to pass the bill in its present shape. I had hoped that the proposition of which I have spoken would receive fair consideration, and that the House would treat these great national improvements in a manner worthy of the United States and markly and the contract of the United States and worthy of the representatives of the people; but they have seen fit to disregard the appeals of the farmers of the great Northwest and of the business men of that region, the great grain-pro-ducing region of this country. This bill contains many provisions that ought not to pass; but I do not claim that every item in a bill of this kind should meet the approbation of every member. I do claim, however, that if you are going to embrace the great public works of the country in one bill, you should not give us the play of Hamlet with Hamlet left out, retaining the characters which are comparatively unimportant and insignificant.

That is what you are doing in this case. You have stricken from this bill one of the greatest and most important of the public improvements of the country, and filled the bill up with creeks and canals, bayous and little lakes. But, Mr. Speaker, I recognize the necessity for some of the works that are proposed to be constructed; I recognize the necessity for some bill of this character to pass at this session in order to preserve existing works; and therefore, in order that those worthy objects may not be interfered with by any act of mine, I shall now withdraw further opposition to the bill and leave the gentlemen who favor it to pass it and take the responsibility of their action be-

fore the people.

I reserve the balance of my time, and yield to the gentleman from Indiana [Mr. Browne].

The SPEAKER. The gentleman has seven minutes remaining.

Mr. BROWNE, of Indiana. Mr. Speaker, I do not put my opposition to the property of the seven description of the seven description. tion to concurring in this report upon the grounds stated by the gentleman from Illinois. I think that if the committee had consented to incorporate his measure it would have made the bill infinitely worse than it is. As I presume gentlemen generally know, I am opposed to the river and harbor bill, first, because the whole principle pervading it has a tendency to promote on the part of the Government what is known as the paternal idea. Congressional legislation is tending very rapidly in that direction. The people, or rather a section of the people, when they desire anything to be done that is in their interest and the expense of which they ought to pay, appeal to Congress to do it at the expense of the people of the whole country, compelling the many to contribute for the benefit of the few. It may be true that some of these canals in the Northwest are of importance to that section of the country, but unless they are strictly national in their character and advantageous to the whole people we have no right to ask the people as

a whole to contribute to their construction. However, as I do not desire to protract this discussion or to delay action upon this bill, I will say that my special objection to the measure as it now stands is to the provision in regard to the improvement of the Mississippi River from the head of the passes to the mouth of the Ohio. When that question was pending in the House an important amendment was made by a very decisive vote, and I now desire that we non-concur in the report of the committee of conference in order that we may provide that the whole amount of the appropriation shall be given to the improvement of the river between the points named, and that the method of its expenditure shall be committed to the Secretary of War; that is, that he shall be permitted to expend so much as is here appropriated according

I desire also that there shall be preserved in the clause the first proviso that "no portion of this appropriation shall be expended to repair or build levees for the purpose of reclaiming lands, or preventing injury to lands or private property by overflow." I would also further provide that so much of the sum as might in the opinion of the Secretary of the War be necessary should be applied by him in procuring snag-boats and dredge-boats and expended in keeping the channel of the Mississippi River open. It is the opinion of the most experienced of those who have been engaged in the navigation of the Mississippi River that the only hope of improving it is by keeping in employment the means of removing the bars and snags and other obstructions which may be found in its channel. There is not an experienced riverman—I speak now of the masters and engineers and pilots of vessels-there is not one of these with whom I am acquainted-and I have received many communications from gentlemen of this class—who has any faith in the system which has been adopted by what is known as the Mississippi -who has any faith in the River Commission. The only hope of this class of men is that the navigation of this river will be improved by a constant and vigilant system of dredging, with the addition of snag-boats and the erection of lights and signals upon the shore.

I think our experience has demonstrated that the lower end of the Mississippi River is too large to be improved, the volume of water is too great to be kept within limits by mere embankments or revetments. It can not be done. If we should attempt the necessary expenditure for that purpose it would be beyond the limits of the Treasury of the United States. As I have had occasion to say before, these improvements are asked not because there is too little water in the lower end of the Mississippi River, but because there are times when there is too much—not for navigation, but for the interests and the property of those who happen to own lands upon either shore. What we need, speaking merely in regard to the improvement of navigation, is to keep constantly at work the dredge-boats and the snag-boats in removing the sand-bars and other obstructions. In this way we can make the

Mississippi River navigable at all times in the year.

As a matter of course, there is no interruption of navigation when the waters of the stream become so high as to inundate the country upon either shore; yet if it were not for these inundations there would be no demand for these extraordinary appropriations for the improvement of that river. I believe gentlemen know this to be the fact. These large appropriations are demanded for the purpose of getting clear of the sur-plus water in some way and protecting the adjacent country against an extraordinary rise of the river-not for the purpose of making the channel navigable for the steamers that may ply upon it, not for the purpose of opening the river for commerce, not to make it possible for boats to go up and down it, but for the purpose of rescuing the inundated lands, and for nothing else.

Here the hammer fell.]

Mr. WILLIS. I yield two minutes to the gentleman from Louisiana

[Mr. Blanchard]

Mr. BLANCHARD. Mr. Speaker, I take advantage of the opportunity afforded me to express my gratification at the success which has attended the further efforts of the managers on the part of the House in their conference with the Senate. I am all the more gratified because that success has been to me an agreeable surprise. I did not believe it possible. The bill presented here is one which I think will commend itself to the sober judgment of the great body of American commend itself to the soder judgment of the great body of American people. It is one which is needed to complete a number of valuable works of the Government and to prosecute a number of others already begun. If passed, it will save to the Government not less, in my opinion, than \$5,000,000, for that would be the loss which, if no river and harbor bill should pass, would result to the Government in the way of destruction of works in an incomplete state and the deterioration of the large and valuable plant now owned by the Government and used in pass the House. [Cries of "Vote!" "Vote!"]

Mr. WILLIS. Mr. Speaker, I desire to occupy just three minutes, and then I shall ask for a vote. I appreciate the kindly sentiments of

my former colleague on the conference committee [Mr. BLANCHARD], and desire to say that at no time did I or any one acting with me have any criticism to make upon what we believed to be the judgment he had at that time as to his duties. We have all been laboring with the best ability we could command to bring about a reconciliation as to the points of difference on this bill. It is a measure on which, as we all know, a reconciliation of differences is very difficult. Touching those matters which were put on this bill in the Senate, we came back and fairly presented them to the judgment of this House; and I hold it is republican doctrine, I hold it is democratic doctrine, that the will of the majority shall rule in all matters of legislation. I congratulate the gentleman from Illinois [Mr. SPRINGER] that at last he has seen fit to bow to that supreme will.

This bill (touching upon it but for a moment) appropriates \$14,473, 900. This is two and one-half million dollars less than the amount 900. This is two and one-half million dollars less than the amount embraced in the last bill which we passed, which was accepted by the country everywhere as a proper and just bill. Yet we know that the demands of commerce are greater to-day than they were two years ago. This bill covers appropriations for two years; hence, the appropriation in it is equivalent to an annual expenditure of only \$7,000,000.

In regard to the action of the House, I desire to say that the bill came from the Committee on Rivers and Harbors with its unanimous approval and with no vote which had been given upon sectional or local issues. It came into the Committee of the Whole of this House and was ratified without a single amendment: it came into the House

and was ratified without a single amendment; it came into the House and was voted upon without an amendment. It went to the Senate; and there every item of the House bill was retained except three; and those three were amended only to the extent of \$9,000. So far, therefore, as the action of the House is concerned, it has been thoroughly indorsed by four consecutive votes in four different stages of proceedings Now, Mr. Speaker, recognizing the fact that other important bills

are pressing and time is precious I respectfully ask for a vote.

Mr. HEWITT. Before my friend the chairman of the committee

takes his seat I should like to ask him a question.

Mr. WILLIS. Yes, sir. Mr. HEWITT. I under I understand in the statement submitted it is stated

the language of the amendment in regard to New York harbor remains unchanged. Is not that an oversight?

Mr. WILLIS. It is; the word "continuing" is stricken out. The objection of the gentleman from New York was to the existing plan of improvement. He desired to leave it to the engineers, and according to his request and carrying out his wishes the committee struck out the word "continuing" and left the appropriation to be determined by the will of the board of engineers.

Mr. HEWITT. That rooks appears most of the criticisms and mis-

Mr. HEWITT. That reply answers most of the criticisms and mis-representations made in regard to my position on this question. Mr. WEAVER, of Iowa. I demand the yeas and nays on the adop-

tion of the report.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative-yeas 121, nays 98, not voting 103; as follows:

Baker,	Findlay,	Lindsley,	Skinner,
Ballentine,	Fisher,	Lore,	Smalls,
Barnes,	Fleeger,	Markham,	Snyder,
Barry,	Foran,	Maybury,	Spooner.
Bayne.	Forney,	McKenna,	Stephenson,
Bennett,	Gay,	McMillin,	Stewart, Charles
Blanchard,	Geddes,	McRae,	St. Martin,
Bland,	Gibson, C. H.	Mitchell,	Stone, E. F.
Boyle,	Gilfillan,	Moffatt,	Strait,
Brady,	Glass,	Morgan,	Swinburne,
Breckinridge, C. R.	Glover,	Morrow,	Tarsney,
Breekinridge, WCF	Goff	Neal,	Taulbee,
Caldwell,	Green, W. J.	Negley.	Taylor, Zach.
Carleton.	Guenther,	Nelson.	Thompson,
Catchings,	Heard.	Norwood,	Trigg,
Clements,	Hemphill,	Oates,	Van Eaton,
Compton,	Henderson, J. S.	O'Hara,	Wakefield,
Crain,	Herbert,	O'Neill, Charles	Wallace,
Crisp,	Hermann,	O'Neill, J. J.	Warner, A. J.
Culberson,	Hill.	Payne,	Warner, William
Daniel,	Hopkins,	Perry,	Weber,
Dargan,	Hudd,	Pettibone,	Wheeler,
Davidson, A. C.	Hutton,	Pirce,	White, A. C.
Davidson, A. C. Davis,	Irion,	Reagan,	Wilkins,
Dibble.	Jackson,	Reid, J.W.	Willis,
Dougherty,	Jones, J. H.	Riggs,	Wilson,
Dunn,	Jones, J. T.	Romeis,	Wise,
Eldredge,	King,	Sayers,	Wolford.
Ellsberry,	Kleiner,	Sessions,	wonord.
Farquhar,	Lanham,	Seymour,	
Felton,	Libbey,		
Letton,	Labbey,	Shaw,	

NAVS-98

Adams, J. J. Allen, J. M. Atkinson, Belianont,	Cannon, Cobb, Collins, Conger,	Hall, Halsell, Harmer, Hatch,	Laffoon, La Follette, Lawler, Lehlbach,
Bliss, Bound,	Cooper, Cowles,	Henderson, D. B. Henderson, T. J.	Little, Lovering,
Browne, T. M.	Dockery,	Hepburn,	Lowry,
Brown, W. W. Buchanan,	Dowdney, Eden,	Hewitt, Hiestand,	Mahoney, McAdoo,
Buck,	Ely,	Hiscock,	McComas,
Bunnell, Burnes,	Evans, Everhart.	Hitt, Holman,	Merriman, Milliken.
Bynum,	Ford,	James,	Morrison,
Campbell, Felix Campbell, J. E.	Frederick, Fuller,	Johnston, J. T. Johnston, T. D.	Muller, Murphy,
Campbell, J. M.	Funston,	Kelley,	Neece,
Campbell T.J.	Grout.	Ketcham.	Osborne

ker, son, kins, coek, mb, ce, idall,	Richardson, Rockwell, Rowell, Ryan, Scranton, Seney, Sowden, Springer,	Struble, Swope, Symes, Thomas, O. B. Townshend, Tucker, Wait, Ward, J. H.	Ward, T. B. Weaver, A. J. Weaver, J. B. West, Whiting, Woodburn.
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NOT VOTING-103.

Adams, G. E. Aiken, Allen, C. H.	Cutcheon, Davenport, Davidson, R. H. M.	Le Fevre, Long,	Sawyer, Scott, Singleton,
Anderson, C. M.	Dawson,	Lyman,	Spriggs,
Anderson, J. A.	Dingley,	Martin.	Stahlnecker.
Arnot.	Dorsey,	Matson,	Steele.
Barbour.	Dunham,	McCreary,	Stewart, J. W.
Barksdale,	Ermentrout,	McKinley.	Stone, W. J., Ky.
Beach,	Gallinger,	Millard,	Stone, W. J., Mo.
Bingham,	Gibson, Eustace	Miller,	Storm,
Blount,	Green, R.S.	Mills,	Taylor, E. B.
Boutelle,	Grosvenor,	Morrill,	Taylor, I. H.
Bragg,	Hale,	O'Donnell,	Taylor, J. M.
Brown, C. E.	Hammond,	O'Ferrall,	Thomas, J. R.
Brumm,	Hanback,	Outhwaite,	Throckmorton,
Burleigh,	Harris,	Owen,	Tillman,
Burrows,	Hayden,	Peel,	Turner,
Butterworth,	Haynes,	Feters,	Van Schaick,
Cabell,	Henley,	Phelps,	Viele,
Candler,	Hires,	Pindar,	Wade,
Caswell,	Holmes,	Ranney,	Wadsworth,
Clardy,	Houk,	Reed, T. B.	Wellborn,
Comstock,	Howard,	Reese,	White, Milo
Cox,	Johnson, F. A.	Robertson,	Winans,
Croxton,	Laird,	Rogers,	Worthington,
Curtin,	Landes,	Sadler,	

So the report was adopted.

During the roll-call,

Mr. BROWNE, of Indiana. I move that the reading of the names be dispensed with.

Mr. WEST. I object.

The following pairs were announced:
Mr. Green, of New Jersey, with Mr. Burleigh; if present, Mr. Green, of New Jersey, would vote "no" and Mr. Burleigh would

Mr. CROXTON with Mr. HAYDEN; if present, Mr. CROXTON would vote "ay" and Mr. HAYDEN would vote "no."

Until further notice:

Mr. MILLER with Mr. Long.
Mr. Cox with Mr. Anderson, of Kansas.
Mr. Stone, of Missouri, with Mr. Sawyer.
Mr. Worthington with Mr. Millard.
Mr. Cabell with Mr. Campbell, of Pennsylvania.
Mr. Clardy with Mr. Oven.

Mr. Jones, of Alabama, with Mr. Brown, of Ohio. Mr. Outhwaite with Mr. Morrill.

Mr. Gibson, of West Virginia, with Mr. Morrow. Mr. Martin with Mr. Peters.

Mr. PEEL with Mr. ALLEN, of Massachusetts. Mr. BARKSDALE with Mr. DAVENPORT.

Mr. Dawson with Mr. RANNEY.

Mr. ARNOT with Mr. THOMAS, of Illinois.

Mr. DAVIDSON, of Florida, with Mr. GALLINGER. Mr. HALE with Mr. HOUK.

Mr. SADLER with Mr. VAN SCHAICK.

Mr. TUCKER with Mr. STEWART, of Vermont.

Mr. BARBOUR with Mr. LIBBEY.

Mr. Bragg with Mr. Caswell. Mr. Hammond with Mr. O'Donnell. Mr. Throckmorton with Mr. Wadsworth.

Mr. REESE with Mr. Adams, of Illinois. Mr. Storm with Mr. Dunham.

Mr. Rogers with Mr. EZRA B. TAYLOR.

Mr. ROBERTSON with Mr. STEELE.
Mr. WINANS with Mr. CUTCHEON.
Mr. WELLBORN with Mr. PHELPS.
Mr. JOHN M. TAYLOR with Mr. IKE H. TAYLOR.

Mr. CANDLER with Mr. HAYNES.

Mr. TURNER with Mr. DORSEY. Mr. HENLEY with Mr. HANBACK.

Mr. Comstock with Mr. Burrows.

Mr. MILLS with Mr. McKINLEY.

Mr. McCreary with Mr. Dingley.

Mr. HARRIS with Mr. HOLMES.

Mr. O'FERRALL with Mr. WHITE, of Minnesota.

Mr. MATSON with Mr. BOUTELLE.

For this day:

Mr. PINDAR with Mr. WADE. Mr. STAHLNECKER with Mr. JOHNSON, of New York.

Mr. Stone, of Kentucky, with Mr. Brumm.
Mr. Reed, of Maine, with Mr. Grosvenor on river and harbor bill, and until the close of the session.

Mr. Anderson, of Ohio, with Mr. Laird, on this vote. Mr. Bingham with Mr. Lyman, on river and harbor bill.

Mr. CAMPBELL, of Pennsylvania. I am paired with Mr. CABELL on political questions, but not regarding this as a political question, I

Mr. JONES, of Alabama. I am paired with Mr. Brown, of Ohio, on all political questions, but not regarding this as a political question, I have voted.

The vote was then announced as above recorded.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced the adoption of the conference report on the disagreeing votes of the two Houses on the bill (H. R. 9798) making appropriations for the fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes, and had appointed Mr. Dawes, Mr. Plumb, and Mr. Gorman as managers of said conference on its part.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

A bill (S. 201) to provide for the erection of a public building in the

city of Annapolis, Md.;
A bill (S. 2609) granting a pension to Emily J. Stannard;
A bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or a leg in the service;

A bill (H. R. 822) for the relief of William H. Wheeler; A bill (H. R. 6664) to increase the naval establishment;

A bill (H. R. 8585) to provide for the inspection of tobacco, eigars, and snuff, and to repeal section 3151 of the Revised Statutes;

Joint resolution (H. Res. 87) providing for the printing and distribu-tion of documents of the monetary conferences of 1878 and 1881; and Joint resolution (H. Res. 201) for printing report of Commissioner

of Agriculture. DEFICIENCY APPROPRIATION BILL.

Mr. BURNES. I present a privileged report. The Clerk read as follows:

Mr. BURNES. I present a privileged report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 0728) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 7, 17, 18, 22, 23, 24, 28, 26, 43, 44, 53, 58, 59, 63, 64, 66, 70, 71, 85, 100, 107, 112, 114, 115, 116, 119, and 120.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 10, 11, 12, 13, 14, 15, 16, 21, 25, 26, 27, 31, 33, 34, 35, 49, 50, 51, 52, 54, 55, 55, 57, 60, 61, 69, 29, 23, 39, 109, 111, and 113.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed in the amended paragraph insert "\$200,000;" and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: At the end of the matter proposed to be inserted for said purpose;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert the following: "The board of engineers for fortifications and for river and harbor improvements whether any changes are demanded for reasons of safety or economy in the method of lining said tunnel heretofore adopted and pursued, and whether any changes are required in the method of lining and perfecting the reservoir: Provided, That said board shall make full report thereon, and pending such examination the work

the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: Strike out, after the name "William M. Olin," the word "as," and insert in lieu thereof the following: "The difference between the amount of compensation received by him as an employé of the Government and the salary of;" and the Senate agree to the same.

Amendments numbered 102, 103, 104, 105, and 106: That the House recede from its disagreement to the amendments of the Senate numbered 102, 103, 104, 105, and 106, and agree to the same with an amendment as follows: Strike out the amendment numbered 108: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 108, and agree to the same.

and agree to the same.

Amendment of the House to the amendment of the Schatc humbered 10s, and agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Schatc numbered 110, and agree to the same with an amendment as follows: Restore the matter stricken out, and in lieu of the matter proposed to be inserted insert the following: "And the Secretary of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting the treasury is accounted to the treasury is accounted t

ury to re-examine said excepted claims and to cause the said accounting officers to re-examine the same and to certify anew the sums due and to whom due, respectively by name, as non-resident aliens entitled to refunding of taxes collected prior to July 1, 1833;" and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: Restore the matter stricken out, and in lieu of the matter proposed to be inserted insert the following: "And the Secretary of the Treasury is hereby directed to cause the proper accounting officers of the Treasury is hereby directed to cause the proper accounting officers to re-examine said excepted claims and to cause the said accounting officers to re-examine the same and to certify anew the sums due and to whom due, respectively by name, as non-resident aliens entitled to refunding of taxes collected prior to July 1, 1883;" and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter stricken out and proposed to be inserted insert the following: "Except the claims numbered 437,7545, and 1398 enumerated therein, \$48,655.81." And the Secretary of the Treasury is hereby directed to cause the proper accounting officers of the Treasury to re-examine said excepted claims and also claim numbered 1212, as certified in said executive document, page 22, and if said claims or either of them shall be again certified to Congress the reasons in full for said certification shall be submitted to Congress with a detailed statement of the facts upon which said claims originated;" and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment as follows: In line 1, page 4, of said amendment, before the word "compensation," insert "Section 8;" and the Senate

Mr. BURNES. I now ask for the reading of the statement accompanying the report.

The Clerk read as follows:

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill H. R. 9726, making appropriations to supply deficiencies for the fiscal year 1886, and prior years, submit the following written statement in explanation of the effect of the action agreed upon on each of the amendments as submitted in the accompanying report, namely:

On amendments 3, 4,5, and 7: Appropriates \$8,100 for salaries of charges d'affaires ad interim for 1886, strikes out \$30,000 for the same service for the years 1879 and 1880, provides that the accounts for contingent expenses of the foreign missions for 1885 may be settled without regard to the division of the amount therefor, and strikes out provision to pay Fulton Paul, late consul-general at Bucharest for protest fees.

On amendment 10: Appropriates \$73.62 for contingent expenses of the Civil Service Commission.

On amendment 11: Appropriates \$585.84 to pay W. R. Beatty, internal revenue gauger at Denver, Colo.

On amendment 11: Appropriates \$585.84 to pay W. R. Beatty, internal revenue gauger at Denver, Colo.

On amendments 12 to 16, inclusive: Appropriates \$2,442.53 to pay deficiencies on account of the Coast Survey.

On amendments 17 and 18: Strikes out provision for healing, hoisting, and ventilating apparatus for public building in New York, and to pay Mrs. Imagene R. Morrell for painting portraits of Howell Cobb and John C. Spencer, ex-Secretaries of the Treasury.

On amendments 20 and 21: Appropriates \$200,000 for repayment to importers the excess of deposits for unascertained duties, &c.

On amendment 22: Appropriates \$696.25 to pay George Wardman, late assistant agent in Alaska.

On amendment 22: Appropriates \$395.25 to pay George Wardman, late assistant agent in Alaska.

On amendment 23: Strikes out provision touching the settlement of certain accounts suspended or disallowed since January 1, 1885.

On amendment 24: Strikes out provision to pay extra compensation to certain employés in the Treasury for services rendered in 1882.

On amendments 25 and 26: Appropriates \$5,199.39 for paying around public buildings in Saint Louis, Mo., and \$8,223,13 for paying around arsenal in San Antonio.

On amendments 27 to 32, inclusive, touching the District of Columbia: Appropriates \$20,000 to complete boundary sewer, \$1,000 for counsel fees in defending claims of Samuel Strong, increases the sum for the new school buildings in the District bill from \$50,000 to \$75,000, refers to board of fortifications and for river and harbor improvements whether any changes should be made in the method of lining the tunnel and reservoir of the new water-works, and that the work shall proceed pending their report.

On amendment 33: Strikes out provision to pay claim of Meredith Kidd.
On amendments 34 and 35: Provides for payment of \$2,500 to widow of the late Surgeon J. J. Woodward, and gives \$8,952 for completion of hospital at Hot Springs.

Surgeon J. J. Woodward, and gives \$8,952 for completion of hospital at Hot Springs.

On amendment 36: Appropriates \$95,000 for Army transportation.

On amendment 43: Strikes out \$2,500 for contingent expenses of Navy Bureau of Ordnance.

On amendments 44 and 46: Strikes out \$2,800 for expenses of naval exploration in Alaska, and gives \$4,000 for completion of coaling shed and naval storehouse at Port Royal Harbor.

On amendments 49 to 52, inclusive: Provides for the settlement of the accounts of Richard Joseph, late disbursing clerk of the Interior Department.

On amendments 53 to 58, inclusive: Strikes out certain provisions touching Indian Affairs.

On amendment 59: Strikes out \$6,365,05 for lighting Capitol and grounds.

On amendment 59: Strikes out \$6,365.05 for lighting Capitol and grounds. On amendment 59: Strikes out \$6,365.05 for lighting Capitol and grounds. On amendments 60 and 61: Appropriates \$780.83 for the National Museum. On amendment 62: Provides that the Postmaster-General shall examine and report to Congress on the claim of the United States and Brazil Steamship Company for carrying the mail.

On amendments 63 and 64: Strikes out provision for preparing a digest of the opinions of the Attorney-General, and for settling certain accounts of Lieut. W. P. Duvall.

On amendment 65: Strikes out \$1,449.37 for the National Board of Health.

On amendments 66 and 67: Strikes out proposed increase of amount for the marshals' fees from \$20,000 to \$50,000, and \$2,195.09 for fees of district attorneys.

On amendment 69: Strikes out provision limiting fees of United States commissioners to \$800 per annum.

On amendments 70 and 71: Strikes out provisions for certain judicial expenses in Utah.

On amendment 85: Strikes out provision to pay commissioners to ascertain damages by reason of flowage of lands by the Fox and Wisconsin Rivers.

On amendments 92, 93, 98, and 99: Provides for certain expenses of the Senate.
On amendment 100: Strikes out provision to pay for draping the Capitol on the occasion of the death of ex-President Grant.

On amendments 102 to 106: Strikes out provision to pay to the sisters of Hon. Michael Hahn balance of his salary for unexpired term of his service.

On amendment 107: Strikes out provision to pay family of William Hunter

On amendment 107: Strikes out provision to pay family of William Hunter one year's salary.

On amendment 109: Appropriates \$5,850 to pay printers on the Congressional Record for time lost.
On amendments 110 and 117: Requires the Secretary of the Treasury to have re-examined certain claims for refund of taxes to non-resident aliens and to certify the same to the next session of Congress.
On amendment 111: Strikes out provision to pay certain fees of jurors and witnesses.
On amendment 112: Strikes out provision to pay the claim of A. G. Boone.

On amendment 111: Strikes out provision to pay certain fees of jurors and witnesses.

On amendment 112: Strikes out provision to pay the claim of A. G. Boone. On amendment 113: Appropriates \$25,954.06 to pay certain claims of the Atchison, Topela and Santa Fé and Northern Pacific railroad companies.

On amendments 114, 115, and 116: Strikes out provision to pay the claims of the Flint and Pierre Marquette and the Missouri, Kansas and Texas railroad companies for transporting the mail.

On amendments 118 and 119, requires the Secretary of the Treasury to cause to be re-examined the claims of the Hoboken Land Company, T. J. League, Baltimore and Ohio Railroad Company, and of L. A. Von Hoffman, and others, and to certify the finding to the next session of Congress.

On amendment 120, strikes out the provision to pay the claims of the non-subsidized railroads operated by the Central Pacific Railroad Company for transportation of the mails.

On amendment 122, provides for the payment of certain claims audited and certified to Congress in Senate Executive Document No. 218, and the claims of postmasters for difference in compensation adjusted under act of March 3, 1883.

The bill as finally agreed upon appropriates \$6,850,325.03, being \$955,833.06 less than it was passed by the Senate and \$935,333.71 more than it was passed by the House.

JAS. N. BURNES, BEN. LE FEVRE, LOUIS E. McCOMAS, Managers on the part of the House

Mr. BURNES. Mr. Speaker, it will no doubt be remembered that this bill, as it passed the House, aggregated a total appropriation of \$5,914,962.32. As it passed the Senate the aggregate total was \$7,807,-158.09. It will be seen that the increase by the Senate was \$1,892,195.77. The net reduction in conference was \$956,833.06. The amount of the bill as agreed to in conference is \$6,850,325.03.

It will take me some time to go over the full particulars of the transaction and give a full account of each item discussed in the conference. If it be desired I will do so; if it is not desired we will save valuable time. [Cries of "No!"] I will not undertake then to go through every single item but will move the adoption of the report. [Cries of "Vote!"] Mr. CRAIN. I rise to make a point of order against one of the items

of this report.

The SPEAKER. But the gentleman from Missouri has proceeded to discuss the report and the point of order now comes too late. It should have been made before the House entered upon the consideration of the

report.

Mr. CRAIN. I was upon my feet ready to proceed, but the gentle-

man from Missouri was recognized, and I supposed he was simply giving the reasons for not discussing the report.

The SPEAKER. The House had entered upon the consideration of the report, and the gentleman from Texas rose, as the Chair supposed, for the purpose of making a point of order of which the Chair had been informed. But the gentleman when he rose did not address the Chair, and the gentleman from Missouri proceeded to explain the report. Mr. CRAIN. I rose under the impression that the gentleman from Missouri had precedence, having charge of the conference report.

The SPEAKER. A point of order in the House must always be made before the House has entered upon the consideration of the sub-

Mr. CRAIN. I was prepared to make it. I ask the gentleman from

Missouri to permit me now to make the point of order.

Mr. BURNES. If the consequences were not so serious with regard to the delay, a point of order might be made. I would not hesitate to render any accommodation or favor to my friend from Texas. But I am quite sure the arrangement made in the bill with regard to the claim to which I understand he refers will give a full and complete opportunity to consider it at the next session of Congress. It will, therefore, be impossible for me to yield to the request of my friend at this time.

Mr. CRAIN. I thought the proper time to make the point of order

was after the gentleman presented the report.

The SPEAKER. Of course; but the proper time is when the bill or proposition, or whatever it may be, is read and presented for consideration. After the House has entered upon its consideration it is then too

late to make a point of order.

Mr. BRECKINRIDGE, of Arkansas. I wish to ask the gentleman from Missouri a question. I wish to know if the conference committee in this report which has been read to the House, and of course it is impossible to follow all of the details of such a report with reference to the various amendments as to what items are stricken out or which have been adopted or which have been amended by the conferees-I wish to ask is if the conferees have stricken out any item which has been already adopted by both the Senate and the House.

Mr. CRAIN. Yes, they have; and it was with reference to that very point that I rose.

Mr. BRECKINRIDGE, of Arkansas. I want to know from the gentleman from Missouri if the conference committee has adhered to its legitimate sphere?

Mr. BURNES. My impression is that it is not necessary to answer the question, since the point of order comes too late.

Mr. BRECKINRIDGE, of Arkansas. It is entirely necessary.

Mr. BURNES. But we have no desire to withhold anything occur-

ring in conference which the House ought to know or may desire to know. In one single paragraph of the bill as it passed the House there were certain items in Executive Document No. 210 excepted from appropriation. One of the items in that document which the Committee on Apprepriations has reported to the House as so excepted was sustained by the House and the exception was stricken out. The Senate amended the paragraph by striking out all of the other excepted items. The House non-concurred in the Senate amendment and the conference ensued.

The conference was, of course, upon the disagreeing votes of the two Houses. The paragraph was, if I may be allowed the expression, a single entity. The Senate never agreed to the paragraph in its entirety. By its amendment the Senate said to the House, the paragraph will not be agreed to by the Senate unless the House will agree to the Senate amendment. The House replied by non-concurrence and a request for a conference—a full and free conference, mark you; that perhaps in such conference the House might recede from its disagreement, or the Senate might recede, or either might recede with or without amendment, any sort of an amendment, or by agreement the entire paragraph might be stricken out.

Now, if the whole paragraph could have been stricken out, as the greater includes the less, any part of it could have been stricken out. The whole of the paragraph was in conference. The Senate had not agreed to the paragraph or any part of it. The Senate only proposed to agree to the paragraph in the event that the House would concur in the Senate amendment. The House refused to concur and the Senate was free to do as it pleased in a full and free conference. No one will claim for a moment that if a complete paragraph-complete in itselfis agreed to by both Houses it can be changed in conference; but that is not this case. Here the two Houses did not agree as to this particular paragraph, nor as to any part of it. The Senate merely tendered

an offer to agree to the paragraph on a specified condition.

The SPEAKER. The Chair thinks it is too late to raise the ques-

tion of order.

Mr. BRECKENRIDGE, of Arkansas. No, this is for information. It is a question which goes to the merit of this report.

Mr. HENDERSON, of Iowa. On a question of information can we go into the merits of the whole question and open up this debate?

The SPEAKER. But the gentleman from Arkansas may desire to give that as a reason for not sustaining the report of the conference. The Chair does not know the purpose for which the gentleman rose, but assumes that the gentleman objects to the report because the conference have stricken out a matter which had been previously agreed to ferees have stricken out a matter which had been previously agreed to by the two Houses

Mr. BRECKINRIDGE, of Arkansas. That is my purpose. The merits of the amendments which had been adopted in both the House and Senate was not in controversy; and I wish to say that I care nothing about the claim. I know nothing about it, or of the merits of the claim. I refer only to the legislative question which is presented here where a proposition that has been agreed to by both Houses of Congress is stricken out of the bill entirely by the conference committee, contrary, as I claim, to any power with which it was clothed. And it is just that naked, simple question of the power of the conferees

We send bills into conference, and if they are to reconstruct them from foundation up, and in this manner annul the action of both branches of Congress, what confidence can the House or Senate or the two together have in the integrity of conference reports that are brought back here and rushed through in the last hours of the session? I think the House, utterly regardless of the merits of the claim on which they have agreed to make payment, should insist on the integrity of its own authority; and that therefore this report should be voted down and the committee instructed to report the agreement in conformity with the conclusions of both branches of Congress.

I believe the question will recur on the adoption of the report?

The SPEAKER. That is the pending question.

Mr. BRECKINRIDGE, of Arkansas. I believe the gentleman states in explaining his report that they have taken single items that are com--each of course is but one among many in the bill, but each is complete in itself-and on the ground of adjusting a separate claim have thrown this one entirely out of the bill.

I can not see where they got the power; and I think it is a most dangerous encouragement of a most unauthorized and unlawful proceeding for the House to permit it when it perceives this has been done.

INCREASED PENSIONS FOR ONE-ARMED AND ONE-LEGGED SOLDIERS.

The SPEAKER. On yesterday the House acted on a motion to suspend the rules and pass the bill (S. 2056) to amend the pension laws by increasing the pension of soldiers and sailors who have lost an arm or leg in the service. The House agreed to the motion to suspend the rules and passed the bill with sundry amendments. By an oversight the bill has been sent to the Senate without the amendments.

Chair thinks the House should recall the bill that the amendments may be inserted.

Mr. HENDERSON, of Iowa. I make that motion if it be necessary. The SPEAKER. If there be no objection the order will be made, and the Clerk will be directed to request the return of the bill from the Senate.

There was no objection.

DEFICIENCY APPROPRIATION BILL.

Mr. BURNES. Not as speaking to a point of order, but in justification of the action of the conferees on the part of the House, I beg to submit to gentlemen better qualified to discuss parliamentary considerations and law than myself whether the facts in this case are of such a startling nature as to justify the House in manifesting any want of confidence in the gentlemen to whom they intrusted the duty of conducting that conference.

Here is a single paragraph in a bill. It has passed the House and been acted upon by the Senate. The Senate put upon the paragraph an amendment. If the paragraph had been agreed to by the Senate without amendment no one could even pretend to believe that the conferees could reconsider, amend, or change it in the slightest particular; but this single paragraph, as I have shown, was amended in the Senate, and thereby the whole of it was in conference. The Senate conferees proposed to recede from the Senate amendment on this paragraph

with an amendment striking out another part of it.

Every word and line of the bill as it passed the House had been agreed to by the House. One part of that which passed the House was as sacred in conference as any other part. But only those parts were open to a full and free conference which were in a paragraph involved by a Senate amendment and a House non-concurrence therein.

The Houses had disagreed. They had not agreed. The paragraph was in a formative condition. The conferees found that the House had agreed to some of the provisions of the paragraph. The Senate had agreed to some provisions of the paragraph on condition only. Under these circumstances the conferees treated the paragraph as an entirety, and held that it was before them for alteration or amendment

Mr. CRAIN. Will the gentleman permit me to interrupt him? Mr. BURNES. In a moment. The Senate conferees were determined to defeat this claim or refuse to recede from the Senate amendment to the paragraph. This was a claim, like the others, excepted from allowance, and they very properly thought they ought all to fail together or be alike appropriated for. They said: "Let the Senate recede from its amendment to this paragraph, with an amendment striking out the appropriation and referring all these claims to the accounting officers of the Treasury to be reported together to the next session of Congress for consideration."

Whether the conferees have exceeded their powers is a question not

now involved in the discussion. That is a question of law for the Speaker. If the House is at all alarmed that the gentlemen who represented the House failed to stand for its rights and prerogatives as thoroughly as they might have done, let the fact be signalized by disagree-

ing to the conference report.

Mr. CRAIN. May I now ask the gentleman from Missouri a ques-

Mr. BURNES.

Mr. CRAIN. Is it not a fact that there is a difference between the items in that paragraph to this extent that all but one were stricken out by the House and put back by the Senate and thereby became legitimate subjects for consideration by the conference committee, whereas the other item was passed in this House by a yea-and-nay vote, and was afterward passed by the Senate, and, therefore, was not a legitimate subject for consideration by the conference committee? If a conmate subject for consideration by the conference committee: If a conference committee is permitted to strike out items that have passed both Houses, and which, therefore, do not come within their purview, they could take any bill passed by the Senate and the House, strike out all after the enacting clause, and bring in an entirely new measure.

Mr. BURNES. I will answer my friend from Texas. I think I have already answered him. This one paragraph contained three items, two

of which the House excepted from appropriation, one of which the House sustained. The Senate struck out the two exceptions—the two items that the House had so excepted from appropriations-all of them in this one paragraph. We went into conference on the Senate amendment which put back the two items the House had excepted. The claim alluded to by my friend was not objected to by the Senate until we were in conference.

Mr. CRAIN. It had been passed by both Houses.

Mr. BURNES. The paragraph had been passed by the House, but was amended in the Senate. My claim is that the action of the Senate was, as to every word in the paragraph, a mere offer, on condition, to agree to it or any part of it.

True this claim met with the sanction of the House by a vote; and the other claims and every part of the bill as it was sent to the Senate was the solemn action of the House; but the non-concurrence in the Senate amendment was of equal solemnity. We secured two points for the House by surrendering one. Each was equally indorsed.

Mr. CRAIN. It voted on that item by a yea-and-nay vote.
Mr. BURNES. It voted on one item of this paragraph. The quescre simply is whether we have transcended our powers. The will of tion simply is whether we have transcended our powers. the House is expressed without a yea-and-nay vote just as solemnly as with such vote.

Mr. McCOMAS. This is not a question of order, but it is a question of the propriety of procedure. Upon that question it seems to me there can be no room for doubt. This is a paragraph of a bill which provides for the payment of the claims on account of transportation of the Army and its supplies contained in a certain schedule in a certain executive document appropriating a round sum of money to pay the claims of that class in that schedule not by name respectively but as a total.

Upon a single paragraph the House agreed to appropriate \$59,405.81.

It was the appropriation of a lump sum of money. Upon that the Senate differed, and determined to appropriate \$107,994. The controsenate differed, and determined to appropriate \$107,994. The controversy between the conferees representing the wishes of the House and those representing the Senate was the difference between those two sums of money. It was not an isolated claim which we were passing upon. It was an aggregation of claims in one paragraph, making up one total, and we were to determine whether the total adopted by the House or the total adopted by the Senate should be retained in the bill.

Mr. ADAMS, of New York. Will the gentleman yield for a ques-

Mr. McCOMAS. In a moment. Now, Mr. Speaker, in that confer-Mr. MCCOMAS. In a moment. Now, Mr. Speaker, in that conference every item that goes to make up the difference between the two amounts must be in controversy. They were all together. They were there, and we could not put them out. The question was, shall we take the one total sum or the other total sum? The items were all involved, and when it was insisted that the claims excepted by the House which made the total which had been agreed to by the House belonged in the same category with this other claim, upon the principles involved there was nothing to do but to take the sum fixed by the House or the sum fixed by the Senate or something between the two. For the first sum fixed by the Senate, or something between the two. For the first time it is stated here by gentlemen that there has been an attempt to strike out of this bill an item which had been passed upon by the House.

The strength of that is simply in the form of the statement, but a fair and candid examination of the bill as it is will show that in dealing with a single paragraph which involved a difference of totals we simply went between the totals of the two Houses and came to an agree-Was it not in the power of the conferees to do that? not in their power they certainly do not care to enlarge their power.

I yield now for the question of my friend from New York.

Mr. ADAMS, of New York. My question is, whether you, as one of the conferees, claim for the committee the power, after the House had by a yea-and-nay vote inserted an item in the bill which had not been inserted by the Committee of the Whole, to meet the conferees on the part of the Senate and consent to have that item struck out, with-

out first coming and obtaining the consent or approval of the House.

Mr. McCOMAS. So far as I am concerned, and I have no doubt so far as all the conferees are concerned, we do not desire any sort of extension of power, we do not seek to change the effect of anybody's vote or to change the action of the House; but what I claim is that we were obeying the final vote of the House when it determined that it would appropriate \$59,405 instead of the \$107,994 which the Senate had agreed

Mr. ADAMS, of New York. In other words, you as a conferee on the part of the House claim the right to agree with the Senate conferees to strike an item out of this bill, after the House had put it there ex-pressly by a yea-and-nay vote and the Senate had agreed that it should

Mr. McCOMAS. I used no such words and made no such statement. make my statement of my thought in my own language, and I say that when the House had instructed the conferees to have a conference, it was not upon the crossing of a "t" or the dotting of an "i;" it was upon the appropriation of large sums of the public money here and there, and the House instructed us as conferees to insist upon the sum which it had agreed to appropriate, and we came as near as we could to doing that.

Mr. ADAMS, of New York. The House took away your power as

to that item.

Mr. McCOMAS. The House instructed us to insist, and we did so as far as we could. This item was part of the paragraph, and you can not divide up a paragraph in the way gentlemen contend. [Here the hammer fell.]

Mr. CRAIN. Will the gentleman answer a question?
Mr. McCOMAS. I would be glad to answer it, if I had the time.
Mr. BURNES. I now yield five minutes to the gentleman from

Texas [Mr. CRAIN].

Mr. CRAIN. Mr. Speaker, I do not think this is a question a vote upon which if in the affirmative will decide that this House lacks confidence in this conference committee. Doubtless the conferees believed that they had the power under the rules to do what they have done, and I do not intimate that they were governed by any other motives than those of honor and justice.

Mr. WEAVER, of Iowa. State what the point is.

Mr. CRAIN. I propose to do that. As I have said, Mr. Speaker, I do not impugn the motives of the conferees, but they certainly have erred as to their powers under the rules of the House. There was an item contained in the original bill providing an appropriation of \$10,750 for the rent and occupation of certain property in the city of Galveston,

Tex. Other items were put in the same paragraph by the committee.

The committee recommended that these amounts should not be allowed, whereupon a yea-and-nay vote was taken in the House upon the motion of the gentleman from Indiana [Mr. HOLMAN], which vote resulted in favor of this appropriation, the House deciding by a majority of 20 that the item should be restored to the bill. Subsequently, upon motion of the other gentleman from Indiana [Mr. Browne] to recommit the bill with instructions to strike out this item, the House again decided that the item should remain. The bill went to the Senate with that paragraph in it, and the Senate passed the bill in that

Mr. GUENTHER. The Senate left your item in.

Mr. CRAIN. Yes; the Senate left my item in the bill. In other words, it reaffirmed the action taken by the House upon two votes by yeas and nays.

A MEMBER.

There was no disagreement as to that.

There was no disagreeing vote of the two Houses as Mr. CRAIN. There was no disagreeing vote of the two Houses as to that item. The bill went to the conference committee; and as the chairman of the managers on the part of the House says, the Senate, speaking through its conferees, decided that they would not agree to the bill unless this item should be stricken out. Now we maintain that this question was outside the jurisdiction of the conference committee. It had never been submitted to them; and they had no jurisdiction over any other question than those which arose by the disagreement of the two Houses

This question was raised when the honorable gentleman from Pennsylvania [Mr. RANDALL] was Speaker of the House—in the Forty-sixth Congress, I believe—and I desire to refer to his ruling on that occasion.

I read from the Journal:

Mr. Springer made the point of order that it was not in order to instruct said committee at the present time, and the further point of order that the portion of the bill which the resolution proposes shall be open to consideration by the conference committee had been settled by the two Houses and should not be made the subject of conference.

The Speaker held that it was not in the power of a conference committee to change a paragraph which had been agreed to by both Houses, for the reason that the conference was only on the disagreeing votes of the two Houses, which necessarily excluded from consideration any matter agreed to by the two Houses.

Now, the gentleman from Maryland [Mr. McCoMAS] maintains that

simply because this item-

Mr. McCOMAS. This paragraph, and the totals in the paragraph. Mr. CRAIN. The gentleman maintains that simply because this item was put in the same paragraph with other items which were not voted upon separately, therefore because those other items in the paragraph were made the subject of conference that necessarily took in the item which had been passed by both Houses. I say there is no reason and no authority for that position.

What would be the object of the gentleman from Indiana [Mr. Hol-MAN] in demanding a separate vote by yeas and nays upon this item? If it was but a part of a paragraph, which way did the House decide? If the paragraph is to be taken as an entirety, shall the majority of the items control in determining what the action of the House is? How are you going to separate them? What is the use, what is the sense, what is the reason in dividing the items and in calling for a separate vote by yeas and nays in the House? What was the motive which activated the other words are four Legione What was the motive which activated the other words are four Legione What was the motive which activated the other words are four Legione What was the motive which activated the other words are four Legione What was the motive which activated the other words. uated the other gentleman from Indiana [Mr. Browne] in demanding a separate vote upon his proposition to recommit this bill with instructions to the Committee on Appropriations to strike out this item, if it was carried along by the action of the House in deciding upon the other items in that paragraph?

There is no reason, there is no justice in the distinction which the gentleman from Missouri [Mr. BURNES] and the gentleman from Maryland [Mr. McComas] draw in regard to this item. It is not so intimately blended with the other items in the paragraph that it is necessarily involved in the action of the House on those items, because I repeat if it were there would be no sense and no utility in calling for

a separate vote upon the items. [Here the hammer fell.]

Mr. BURNES. Mr. Speaker, I have but one word to say in reply to my friend from Texas [Mr. CRAIN]; and that is in regard to the deto my friend from Texas Lair. CRAIN j; and that is in regard to the decision of the Speaker in a former Congress which the gentleman has read to the House. In that case the question was with regard to a paragraph to which both Houses had agreed. That is not this case. I now demand the previous question.

Mr. CANNON. I ask the gentleman to yield to me.

Mr. BURNES. I withdraw the demand for the previous question,

and yield to the gentleman.

Mr. CANNON addressed the House. [See Appendix.]

Mr. BURNES. I yield two minutes to the gentleman from Arkansas

[Mr. Breckinridge].

Mr. BRECKINRIDGE, of Arkansas. Mr. Speaker, there is presented here no question of a personal character between the House and

the gentlemen who compose the conference committee; everybody has the highest regard for them personally. The sole question is as to the jurisdiction of a conference committee, whether or not they can strike out items which are not in dispute between the two Houses. The grave question here presented is whether we should accept this report striking out items which were not in dispute between the two Houses. It is very important for this House and for Congress that there should be no impingement upon the integrity of the rule that matters on which there has been no disagreement between the two Houses should not be interfered with by a conference committee. Why, sir, if you will turn to page 321 of the Manual you will find it stated that—

It is not competent for a conference committee to consider matters or subjects not in dispute between the two Houses; nor can the committee change the text of a bill to which both Houses have agreed.

Again, it is said, on page 322:

While it is unusual to instruct a conference committee, there are instances of the kind, but only in cases of disagreement on some particular item or items.

Why, sir, if disagreement about an item in a paragraph unsettles every other part of the paragraph see what then would be the condition if you differed about the first item or any item in a paragraph in the river and harbor bill. It would unsettle three hundred and odd items in that bill and refer them to be settled to a conference committee, although you had agreed to every one but that particular one. The limitation is clearly to the exact text and particular items and substantive propositions in dispute.

[Here the hammer fell.]

Mr. BURNES. I now yield to the gentleman from Indiana. Mr. HOLMAN. Mr. Speaker, I submit this whole paragraph went to the conference—the entire paragraph. I do not claim any extraordinary experience in regard to the action of conference committees. I have had the general experience of gentlemen on this floor. I remember a number of instances where this has occurred. Here is a paragraph appropriating on certain claims \$59,405.81. The Senate never agreed to that paragraph at all; the Senate never agreed to any part of it independently, but it agreed to a paragraph with certain amendments striking out exceptions which were placed in the original paragraph and increasing the amount \$437,964.29. From the necessity of the case the whole paragraph went before the conferees.

If I had time I could run over report after report made during the

present Congress where the conferees have acted on the same principle. The Senate have only agreed to the text of the measure as it went to the House on the condition all the exceptions should be omitted. have stricken out the exceptions and increased the aggregate amount to be appropriated to \$107,994.29. The objection of the Senate, from the necessities of the case, carries the whole provision before the conferees. I should be astonished to hear a doubt raised as to the whole

provision being before the conferees.

Mr. BURNES. I demand the previous question on the adoption of the report.

The previous question was ordered.

The House divided; and there were—ayes 110, noes 24.

Mr. CRAIN. No quorum has voted.

The SPEAKER appointed as tellers Mr. Crain and Mr. Burnes.
Mr. RYAN. Let us have the yeas and nays; that is the shortest way.
Mr. JOHNSTON, of Indiana. I demand the yeas and nays. [Cries "No!"] Very well; I will withdraw it.
Mr. WILKINS. I renew the demand for the yeas and nays. of "No!"]

The yeas and nays were refused, 17 only voting in the affirmative.

Mr. CRAIN. I withdraw the point of no quorum.

So the report was adopted.

Mr. BURNES moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the

The latter motion was agreed to.

SUNDRY CIVIL BILL.

Mr. RANDALL. I submit the report of the committee of conference on the sundry civil bill. Before it is read I ask, by unanimous consent the session of the House be extended until this report is disposed of, if it shall be found necessary to do so.

Mr. BROWNE, of Indiana. On condition it shall not be extended

beyond 10 o'clock to-night.

Mr. RANDALL. I do not suppose it will go beyond 5 o'clock, and only make the proposition out of abundant caution.

The SPEAKER. It will take some time to read the report, as it is

Mr. RANDALL. Say not to extend beyond 6 o'clock, then. The SPEAKER. Is there objection?

Mr. BRECKINRIDGE, of Arkansas. Before assenting to it I will ask the gentleman from Pennsylvania a question about the report. I ask whether the salaries for the Mississippi River Commission and the continuation of surveys—

A MEMBER. And the Missouri.

Mr. BRECKINRIDGE, of Arkansas. And the Missouri River Commission-whether those provisions are included?

Mr. RANDALL. The Senate receded from both of those amend-

Mr. BRECKINRIDGE, of Arkansas. I wish to ask if the Senate did not proceed upon the understanding these amendments could be adopted in the river and harbor bill, which we found could not be done.

Mr. RANDALL. I do not recollect any condition about it.

I am talking about "under-

Mr. BRECKINRIDGE, of Arkansas. standing," not "condition."

Mr. RANDALL. In abundance of caution the conferees, if I remember aright, sent these amendments to the conferees on the river and harbor bill. I so understood. I did not do it myself.

The SPEAKER. Does the gentleman object?
Mr. BRECKINRIDGE, of Arkansas. I do object.

Mr. RANDALL. Then the gentleman takes the responsibility. Mr. BRECKINRIDGE, of Arkansas. I am perfectly willing to take

the responsibility. I am glad always to take that kind of responsibility.

Mr. JOHNSTON, of Indiana. Mr. Speaker, I ask unanimous consent that members who have reports to make from committees be permitted to file them with the Clerk for to-day.

Mr. DUNN. I suggest that had better be made to apply to the remainder of the session. [Cries of "Oh, no; for to-day only!"]

The SPEAKER. Is there objection to the request of the gentleman

Mr. HATCH. I object.

Mr. BURROWS. Mr. Speaker, I would like to suggest the propriety of taking a recess at 5 o'clock this evening until 8 o'clock, so as to complete this bill; and I ask unanimous consent, for the purpose of testing the sense of the House, that a recess be taken from 5 to 8 for that purpose.

that purpose.

Mr. RANDALL. I object.

Mr. HOLMAN. I ask unanimous consent, inasmuch as the reading of the report of the conference committee will convey but slight information to the House, that the reading be omitted and the statement of the conferes be taken up and read. Very few can follow the amendof the conferves be taken up and read. Very few can follow the amendments to a bill even with the utmost vigilance in connection with the reports of conference committees usually, while the statement of the House conferees covers the whole question.

Mr. RANDALL. I do not know that the statement in this case would cover absolutely every item, and I think it will save many inquiries and possibly considerable debate and time to have the report read.

The SPEAKER. The clerk will read the report.

Mr. RANDALL. The gentleman from Illinois has a conference re port on the measure known as the surplus resolution, and I shall yield to him for the purpose of reporting that, with a view to having an order made for its printing.

TREASURY SURPLUS.

Mr. MORRISON. Mr. Speaker, I am instructed by the committee of conference to submit a report on the disagreeing votes of the two Houses on the joint resolution (H. Res. 126) directing the payment of the surplus in the Treasury on the public debt, and to ask that the original resolution of the House, together with the amendment of the Senate and the report and statement of the conferees, be printed in the RECORD, to be called up hereafter.

Mr. HISCOCK. That includes the printing of the House resolution

with the Senate amendment?

The SPEAKER. It does, and the conference report also.

The report and resolution with Senate amendments are as follows:

[Forty-ninth Congress, first session.-H. Res. 126.]

IN THE HOUSE OF REPRESENTATIVES.

August 3, 1886.—Ordered to be printed as reported by the committee of conference on the amendments of the Senate.

Amendments of the Senate printed in *italies*; committee of conference recommend omitting parts inclosed in brackets and inserting parts printed in SMALL CAPITALS.

Joint resolution directing payment of the surplus in the Treasury on the public debt.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums notless than ten millions per month, during the existence of any such surplus or excess, to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government. The surplus or balance herein referred to shall be the available surplus, ascertained according to the form of statement of the United States Treasurer, of the assets and liabilities of the Treasury of the United States employed on June 30, 1886 (1): Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned: And provided further. That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20,000,000; and whenever, in the case of any extraordinary emergency not now existing, and when, because thereof, in the opinion of the [President] SECRETARY OF THE TREASURY, the public interest shall require it, he may, by written order [direct the Secretary of the Treasury to suspend] POSTPONE the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public oredit unimpaired; and that such [suspension] POSTPONEMENT, and the reasons therefor, shall be reported to Congress within ten days after its next meeting, or immediately if Congress shall be in session.

(2) [Sec. 2. That for a period of six months after the passage hereof, United States trade-dollars, if not defaced, mutilated, or stamped, shall be received at their face whice in paymen

[Sec. 3. That the holder of any United States trade-dollars, during the period aforesaid, on presentation of the same at the office of the Treasurer or any assistant treasurer of the United States, may receive in exchange therefor a like amount and value, dollar for dollar, in standard silver dollars or in subsidiary coins (at the option of the holder) of the United States.]

[Sec. 4. That the trade-dollars received by, paid to, or deposited with the Treasurer or any assistant treasurer or national depositary of the United States shall not be paid out or in any other manner issued, but, at the expense of the United States, shall be transmitted to the coinage mints and recoined into standard silver dollars.]

[Sec. 5. That all laws and parts of laws authorizing the coinage and issuance of United States trade-dollars are hereby repealed.]

Passed the Senato with amendments July 30, 1886.

ANSON G. McCOOK, Secretary.

ANSON G. McCOOK, Secretary.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment No. 1: That the House recede from its disagreement to the amendment of the Senate numbered one, and agree to the same with an amendment as follows: In line 8 of said amendment strike out the word "President" and insert in lieu thereof the words "Secretary of the Treasury;" in line 9 strike out the words "direct the Secretary of the Treasury; to suspend" and insert in lieu thereof the word "postpone;" in line 12 strike out the word "suspension" and insert the word "postponement" in lieu thereof; and the Senate agree to the same.

Amendment No. 2: That the Senate recede from its amendment No. 2.

ne same.

Amendment No. 2: That the Senate recede from its amendment No. 2.

W. R. MORRISON.

WM. C. P. BRECKINRIDGE,
FRANK HISCOCK.

Managers on the part of the House. W. B. ALLISON,
N. W. ALDRICH,
J. B. BECK,
Managers on the part of the Senate.

House of Representatives of the United States, Washington, D. C., August 3, 1886.

The undersigned, managers on the part of the House, make the following statement in respect to the conference report on H. Res. 125 directing payment of the surplus in the Treasury on the public debt:

The Senate added two amendments to the resolution. The House conferees have recommended that the House recede from its disagreement to the first amendment and agree to it in the following amended form:

Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned:
And provided further, That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working belance not exceeding \$20,000,000; and whenever, in the case of any extraordinary emergency not now existing, and when, because thereof, in the opinion of the Secretary of the Treasury, the public interests shall require it, he may, by written order, postpone the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired, and that such postponement and the reasons therefor shall be reported to Congress within ten days after its next meeting, or immediately if Congress shall be in session.

The Senate conferces have agreed to recommend that the Senate recede from its amendment numbered 2, which provided for the redemption of the tradedollars.

W. R. MORRISON.

W. R. MORRISON. WM. C. P. BRECKINRIDGE, FRANK HISCOCK.

Mr. LITTLE. I ask unanimous consent for leave to print some remarks in the RECORD on that report.

Mr. EVANS. I ask the same privilege.

There was no objection.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL, from the committee of conference, submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, 11, 14, 15, 16, 21, 22, 26, 29, 31, 32, 33, 34, 35, 37, 41, 45, 50, 59, 61, 78, 76, 77, 81, 82, 83, 84, 87, 89, 83, 103, 104, 105, 106, 107, 110, 113, 119, 122, 124, 125, 126, 134, 135, 136, 146, 149, 150, 154, 159, 161, 162, 163, 164, 174, 176, 178, 182, 183, 183, 183, 193, 199, 200, 201, 207, 219, 222, 232, 233, 234, 235, and 236.

106, 107, 110, 113, 119, 122, 124, 125, 126, 134, 125, 136, 146, 149, 150, 154, 159, 161, 162, 163, 164, 174, 176, 178, 182, 183, 183, 183, 189, 200, 201, 207, 219, 222, 232, 233, 234, 235, and 235.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 8, 9, 17, 18, 19, 20, 24, 27, 28, 20, 42, 46, 47, 49, 51, 52, 53, 54, 55, 56, 57, 58, 60, 62, 64, 65, 66, 67, 97, 98, 100, 101, 102, 111, 112, 114, 115, 116, 118, 120, 123, 127, 121, 133, 137, 140, 141, 142, 148, 151, 152, 155, 160, 155, 166, 167, 168, 169, 175, 177, 180, 181, 134, 189, 190, 191, 192, 194, 196, 197, 198, 202, 203, 205, 206, 208, 209, 210, 211, 214, 215, 216, 217, 226, 227, 228, 229, 230, 238, and 239, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sume proposed in said amendment insert "\$10,000;" and the Senate agree to the same.

Amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$50,000;" and the Senate agree to the same.

Amendments numbered 6 and 7: That the House recede from its disagreement to the amendments as follows: In lieu of the Senate numbered 6 and 7, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$50,000;" and the Senate numbered 12; and agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment as follows: In lieu of the sum proposed in said amendment insert "\$50,000;" and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$500;" and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senat

the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed in said amendment insert "\$15,000;" and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$12,000;" and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$35,000;" and the Senate agree to the same.

mentasfollows: In lieu of the sum proposed in said amendment insert "\$55,000;" and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$50,000;" and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$10,000;" and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$20,000;" and the Senate numbered 44, and agree to the same with an amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$1,200;" and the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$1,200;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Strike out the amended paragraph; and the Senate agree to the same.

amendment as follows: Strike out the amended paragraph; and the Senate agree to the same.

Amendmentnumbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "The Light-House Board is hereby authorized to place a light-ship off the south end of Ram Island Reef, Fisher's Island Sound, Long Island Sound, New York;" and the Senate agree to the same.

Amendment numbered 74: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 74, and agree to the same.

Amendment of the House to the amendment of the Senate numbered 74, and agree to the same.

Amendment numbered 78: That the House recede from its amendment to the Senate amendment numbered 78, with an amendment as follows: Strike out of said Senate amendment the words "Great Kanawha River, West Virginia;" and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$190,000;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "And including traveling expenses of officers and men of the Navy on duty; for commutation to officers of the field force while on field duty, at a rate to be fixed by the Secretary of the Treasury not exceeding \$2.50 per day each;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,000;" and the Senate agree

agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500;" and the Senate

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$101,550;" and the Senate agree to the same.

Amendment numbered 95, That the House recede from its disagreement to the same agree to the same.

agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert the following: "For furnishing points for State surveys, to be applied as far as practicable in States where points have not been furnished, \$8,000;" and the Senate agree to

in States where points have not been furnished, \$8,000;" and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: Strike out line 1 of the matter proposed to be inserted by said amendment, and in lieu of the sum proposed in the last two lines of the matter proposed to be inserted insert "\$125,178.82;" and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$25,000;" and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$15,000;" and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: At the end of the matter proposed to be inserted add the following: "Provided, That the city of Duluth shall furnish without charge a suitable site for said fish-hatchery;" and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same.

the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$8,000;" and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$6,000;" and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In lines 11 and 12 of said amendment strike out the words "the elahants or," and in lieu of the sum proposed in said amendment insert "\$5,000;" and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following, namely: "For extending the fourth floor around the whole building, to extend the wrought-iron gallery, and to provide light, heat, and ventilation for the new fourth-story rooms to be used for record rooms, \$61,000;" and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "In all, \$150,000; and the said Pension Office building shall be under the control of the Secretary of the Interior and subject to such rules and regulations as he may prescribe;" and the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 146. and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 146 and the Senate agree to the same.

Amendment n

"For introducing the electric light into the entire Senate extension wing of the Capitol, under the direction of the Architect of the Capitol, \$20,000;" and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by said amendment, and at the end thereof add the following: "Except only so much as may be necessary to pay the actual cost of clerical services employed exclusively in contested cases, and they shall make report quarterly, under oath, of all expenditures for such clerical services with vouchers therefor;" and the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$25,000;" and the Senate agree to the same.

Amendment numbered 172: That the House recede from its disagreement to the amendment of the Senate numbered 172, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$500;" and the Senate agree to the same.

Amendment numbered 173: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$5,00;" and the Senate agree to the same.

Amendment numbered 179: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment insert "to be expended by contract or otherwise, as the President may determine;" and the Senate numbered 179, and agree to the same with an amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$225,000;" and the S

amendment as follows: In lieu of the sum proposed insert "\$225,000;" and the Senate agree to the same.

Amendment numbered 187: That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following: "Wharf at Fort Monroe, Virginia: In full for the construction and completion of a new wharf, and improvements to the roadway leading thereto, on the Government reservation at Fortress Monroe, Va., upon plans to be approved by the Secretary of War, \$100,000, or so much thereof as may be necessary for the purpose;" and the Senate agree to the same.

the Secretary of War, \$100,000, or so much thereof as may be necessary for the purpose;" and the Senate agree to the same.

Amendment numbered 195: That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "And in reducing the force the enlisted men at Fort Myer, Virginia, denoted the 'permanent party,' shall first be mustered out: Provided, That this restriction shall not apply to the pay or commutation or expense of return from their stations to their homes of any enlisted men in excess of the four hundred and seventy men, accruing prior to the passage of this act; and the Senate agree to the same.

Amendment numbered 212: That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment as follows: In lieu of the matter proposed insert: "For necessary construction and repairs at Southern Branch, Hampton, Va., under estimate in Appendix Jj, pages 299 and 300, Book of Estimates for 1887, \$57, 500;" and the Senate agree to the same.

Amendment numbered 213: That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,631,000;" and the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$5,000;" and the Senate agree to the same.

Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$6,000;" and the Senate agree to the same.

Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbere

same.

Amendment numbered 243: That the House recede from its disagreement to the amendment of the Senate numbered 243, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"SECTION 2. That the appropriations herein provided for shall take effect from and after July 31, 1886."

And the Senate agree to the same.

SAM, J. RANDALL,
WM. H. FORNEY,
THOS. RYAN,
Managers on the part of the House,
W. B. ALLISON,
EUGENE HALE,
J. B. BECK,
Managers on the part of the Senate,

The statement is as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9476) making appropriations for sundry civil expenses of the Government for the fiscal year 1887, submit the following written statement in explanation of the effect of the action agreed upon and submitted in the accompanying report,

fiscal year 1837, submit the following written statement in expansion of ineffect of the action agreed upon and submitted in the accompanying report, namely:

On amendments numbered I to 45, inclusive, touching appropriations for public buildings the following appropriations proposed by the Senate are agreed to, namely: For public buildings at Cairo, Ill., \$4,279.63; El Paso, Tex., \$50,000; Fort Scott, Kans., \$12,000; Lexington, Ky., \$13,000; Leavenworth, Kans., \$4,500; Nebraska City, Nebr., \$5,000; New Bedford, Mass., \$39,000; New Haven, Conn., \$210; Detroit, Mich., \$530.62; Montpelier, Vt., \$50,000.

Appropriations for public buildings proposed by the Senate are stricken out as follows: Carson City, Nev., \$17,000; Jersey City, N. J., paving, \$244; Fort Smith, Ark., \$21,000; Hannibal, Mo., \$13,500; Keokuk, Iowa, \$3,000; Omaha, Nebr., paving, \$3,017.75; Indianapolis, Ind., paving, \$350.52; Saint Louis, Mo., paving, \$4,058.26; Hartford, Conn., paving, \$350.52; Saint Louis, Mo., paving, \$1,824.32; Portland, Oreg., paving, \$1,500; Atlanta, Ga., \$1,323; Des Moines, Iowa, \$514.42; Butler building, in Washington, \$275,000.

Appropriations for public buildings proposed by the Senate are reduced as follows: Buffalo, N. Y., \$6,000; Chicago, Ill., \$15,000; Fort Wayne, Ind., \$5,000; Lincoln, Nebr., \$4,500; New Orleans (La.) mint building, \$8,000; Port Townsend, Wash., \$5,000; Winona, Minn., \$13,000; Savannah, Ga., \$50,000; Springfield, Ohio, \$2,000; Winona, Minn., \$13,000; Treasury building, \$47,000; Engraving and Printing Bureau, sewer, \$600.

Printing Bureau, sewer, \$600.
 Appropriations contained in the bill as it passed the House for public buildings are stricken out as follows: Brooklyn, N. Y., \$165,000: Denver, Colo., \$97,-

000; New Orleans marine hospital, \$10,000.

On amendments numbered 46 to 66, inclusive, touching light-houses, beacons and fog-signals, the following action is agreed upon:

For the light-house at Mosquito Inlet, Florida, \$50,000 is given for the comple-

The entire provision of the Northwest Seal Rock light station, California, is stricken out

stricken out.

New provisions, touching light-houses, proposed by the Senate, are agreed to as follows: Dutch Gap Canal, Virginia, additional land, \$150; Point Sur, California, \$50,000; Castle Hill, Rhode Island, \$10,000; Whitehall Narrows, New York, \$200; Gull Rocks, Rhode Island, \$10,000; Crabtree Ledge, Maine, \$25,000; Deer Island, Massachusetts, \$35,000; Lubec Narrows, \$40,000; Two Harbors, Minnesota, \$10,000; North Point, Wisconsin, \$15,000; Steam-tender, fourth light-house district, \$68,300; Light-ship, Grosse Point, Michigan, \$3,000; Light-ship, Eel Grass Shoals, \$100; Harbor Island Bar, North Carolina, \$20,000.

New provisions touching light-houses proposed by the Senate are stricken out, as follows:

San Luis Obispo, Cal. \$50,000; Gould Island, Rhode Island, \$10,000; Care.

out, as follows:

San Luis Obispo, Cal., \$50,000; Gould Island, Rhode Island, \$10,000; Cape Meares, Oregon, \$60,000; authority is given to transfer a light-ship at the south end of Ram's Island reef in lieu of constructing a new one at a cost of \$40,000.

On amendment 67: Ten thousand dollars is given for a steam revenue-vessel

on the Mississippi.

On the amendment of the House to the amendment of the Senate No. 74, touching the issue of one, two, and five dollar silver certificates for silver certificates of larger denominations: Leaves the provision as it was proposed by

On amendment 143: Appropriates \$20,000 for introducing the electric light into the Senate wing of the Capitol building.

On amendment 145: Provides that all fees received by the registers and receivers in excess of \$3,000 per annum shall be covered into the Treasury, except so much as may be necessary to pay the actual cost of clerical services employed exclusively in contested cases.

On amendments 146, 148, 149, 150, and 151: Appropriates \$90,000 for protecting public lands, \$20,000 for settlement of claims for swamp lands and swamp-land indemnity, \$5,000 for reproducing plats of surveys, \$5,000 for furnishing transcripts of records and plats, and limits the per diem allowance for subsistence to special agents to \$2.50.

On amendments 152, 153, and 154, touching the appropriation of \$50,000 for surveying public lands: Limits the use thereof for examination of surveys in the field to \$25,000.

On amendment 156: Appropriates \$30,000 for surveying public lands:

On amendment 156: Appropriates \$30,000 for surveying public lands in Nevada.

On amendment 159, touching the Yellowstone Park: Leaves the provision just as it was passed by the House.
On amendment 160: Appropriates \$50,000 for the erection of a hospital building for convict and homicidal insane.

On amendments 161 and 162: Strikes out the provisions for expenses of Mis-

souri and Mississippi River Commissions.
On amendments 163, 164, and 165: Fixes appropriations for expenses of Deaf and Dumb Asylum at \$52,500 and gives \$8,000 for completion of building there-

On amendments 166 to 169 inclusive, relating to Freedmen's Hospital: Leaves provision therefor as passed by the Senate.

On amendments 172 and 173: Appropriates \$500 for books and periodicals for the Bureau of Labor and \$15,000 for education in Alaska.

On amendments 174 and 175: Strikes out provision to purchase additional land for the Carlisle Indian school and appropriates \$695.77 to pay the claim of an Indian woman of the band of Miamies of Indiana,

On amendments 176, 177, and 178: Leaves provision for the Rock Island and

Frankford arsenal just as passed by the House, and appropriates \$30,000 for a milling shop at the Springfield arsenal.

On amendment 179: Provides that the appropriation for care and repair and refurnishing the Executive Mansion shall be expended under direction of the President.

On amendments 180 to 184, inclusive: Appropriates \$57,000 for filling and grading around the Washington Monument, and for filling after December 1 so much of the pond north of the monument as may be necessary.

On amendments 186 and 187: Appropriates \$225,000 for military posts, and \$80,-

000 for a wharf at Fortress Monroe. On amendments 188 to 201, relating to the Signal Service: Leaves the same as on amendments 188 to 201, relating to the Signal Service: Leaves the same as was provided by the House, except that five commissioned officers may be detailed from the Army for service therein; that in reducing the enlisted men to four hundred and seventy the reduction shall first be made from the enlisted men of the "permanent party" at Fort Myer, and sales of subsistence stores are authorized to officers and enlisted men, and \$18,350 is appropriated for a submarine cable at Block Island, and \$20,000 for a cable between Cape Henry and Cape Charles, Virginia

and Cape Charles, Virginia.
On amendments 202, 203, and 205, relating to national cemeteries and head-

stones: Leaves the same as passed by the Senate.

On amendments 206 and 207: Appropriates \$2,000 for survey of northern and northwestern lakes, and strikes out provision for surveys in military divisions and Departments.
On amendments 208 and 209: Appropriates \$10,000 for Garfield Hospital and \$10,000 for examination of claims of certain States and Territories.
On amendments 210 and 211: Increases appropriation for Leavenworth military and \$20,000.

tary prison \$2,250.

On amendments 212 and 213: Appropriates \$57,500 for necessary construction and repairs at soldiers' home at Hampton, Va.
On amendments 214, 215, 216, and 217: Appropriates \$3,500 for repairing fifth story of Department of Justice building, \$25,000 for penitentiary in Wyoming, and \$4,500 for tank and tank-house for the Reform School of the District of Co-

and \$1,500 for tank and tank-house for the Reform School of the District of Columbia.

On amendments 219, 220, and 221: Appropriates \$30,000 for expenses of Territorial courts in Utah, \$5,000 to aid in the more effectual prosecution of crimes in Utah, and \$40,000 for an industrial home in that Territory.

On amendment 222: Appropriates \$30,000 for the prosecution of crimes.

On amendment 225: Provides that no part of the money appropriated by the act shall be used in payment of a per diem compensation to any clerk or marshal for attendance in court except for days when business is actually transacted in court, and when they attend under sections 533,534,671,672, and 2013 of the Revised Statutes, which fact shall be certified in the approval of their accounts.

On amendments 227 and 228: Provides for a stenographic clerk to each of the judges of the Supreme Court, at \$1,600 per annum.

On amendment 229: Appropriates \$1,200 for increased clerical services in the Court of Claims.

On amendments 230, 232, and 233: Appropriates \$10,000 for purchase of works of art by the Joint Library Committee, and omits provisions for purchase of paintings The First Fight of Ironclads and Farming in Dakota.

On amendments 234, 235, 236, 237, 238, and 239: Leaves the provisions touching the public printing just as passed by the House, except the provision touching printing for the scientific bureaus is agreed to and \$30,000 is appropriated for the fifteen days' leave of absence to employés, and \$8,000 to protect the Printing Office building from fire.

On amendment 243: Fifteen thousand five hundred dollars to construct another elevator in the Senate wing of the Capitol is stricken out and a separate section is inserted providing that the appropriations contained in the bill shall take effect from and after July 31, 1886.

The bill as agreed upon appropriates in all \$22,657,510.58, being \$1,345,985.34 more than as it passed the Henuse, \$1,760,864.74 less than as it passed the Senate, \$1,00,900.01 less than the estimates for 1887, a

SAM J. RANDALL, WM. H. FORNEY, THOS. RYAN, Managers on the part of the House.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the bill (S. 2056) to amend the pension laws by increasing the pension of soldiers and sailors who have lost an arm or leg in the service, the return of which is requested by the House, had before the receipt of the request been enrolled, signed by the presiding officers of the two Houses, and delivered to the committee to be presented to the President of the United States.

The message also requested the return of the bill (S. 757) granting a pension to Helen Plunkett.

INCREASED PENSIONS FOR ONE-ARMED AND ONE-LEGGED SOLDIERS.

The SPEAKER. A message from the Senate informs the House that the bill S. 2056, the return of which was requested by the House, had been sent to the President before the request was received. The Chair now desires to have an order made requesting the President to return

The Clerk read the following resolution:

Resolved by the House (the Senate concurring), That the President be requested to return to the House of Representatives the bill of the Senate (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service.

The resolution was adopted.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. It will be observed that this bill as now agreed to in conference is about three and a half millions of money less than the act of last year. I now ask the previous question on agreeing to the

The previous question was ordered.

Mr. RANDALL moved to reconsider the vote by which the previous question was ordered; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question is upon agreeing to the report.

Mr. HOLMAN. I greatly regret the unexampled increase of offices in this bill; but at this late hour I will not on that account retard the adoption of the report.

Mr. RANDALL. Most of them are in the land service.
Mr. HOLMAN. There is an increase of salaries in this bill to the amount of \$14,400. I think it is an unexampled increase.

Mr. RANDALL. Most of the officers increased are under the land clauses of the bill.

Mr. DUNN. My colleague from Arkansas [Mr. Breckinridge] made objection to the passage of this bill to-night. In his absence I must make the point of no quorum.

Mr. RANDALL. I communicated with the gentleman and had an

understanding with him on the subject.

Mr. DUNN. I do not know what his objection was.

Mr. RANDALL. It was that the Mississippi River Commission was not provided for. I call for the yeas and nays.

The yeas and mays were ordered.

The question was taken; and there were-yeas 156, nays 23, not voting 143; as follows: YEAS-156.

Adams, J. J.	Felton,	Landes,	Sayers,
Allen, J. M.	Fisher,	Lanham,	Scranton,
Atkinson,	Fleeger,	Lehlbach,	Seney,
Baker.	Ford,	Libbey,	Seymour,
Barnes,	Forney,	Lindsley,	Shaw,
Belmont,	Fuller.	Little,	Skinner,
	Funston,	Lore,	Sowden,
Bingham,		Lovering,	Spooner,
Bland, Bound,	Gay, Gibson, C. H.	Lyman,	Springer,
	Gilfillan,	Mahoney,	Stahlnecker,
Boyle, Breckinridge, WCP		Markham,	Stephenson,
Brown, W. W.	Goff,	Maybury,	St. Martin.
Buchanan,	Green, W.J.	McAdoo,	Stone, E. F.
Buck,	Grout,	McComas,	Stone, W. J., Ky.
Bunnell,	Guenther,	McKenna,	Strait.
Burnes,	Heard,	Milliken,	Struble.
Burrows,	Hemphill,	Mitchell,	Swinburne,
Butterworth,	Henderson, D. B.	Morgan,	Swope,
Caldwell,	Henderson, J.S.	Muller,	Symes,
Campbell, Felix	Henderson, T. J.	Neal,	Tarsney,
Campbell, T. J.	Hepburn,	Negley,	Taylor, Zach.
Cannon,	Herbert,	Nelson,	Thomas, O. B.
Carleton,	Hermann,	Norwood,	Thompson,
Clements,	Hewitt,	O'Hara,	Trigg,
Cobb.	Hiestand,	O'Neill, Charles	Tucker,
Conger,	Hill,	Osborne,	Van Eaton.
Crain,	Hires,	Parker,	Wade,
Crisp,	Hiscock,	Payne,	Warner, A. J.
Culberson,	Hitt.	Perry,	Warner, William
Curtin,	Hopkins,	Pidcock,	Weaver, A. J.
Dargan,	Hudd,	Pirce,	Weber,
Davis,	Jackson,	Price,	West,
Dibble,	James,	Randall,	Wheeler,
Dockery,	Johnston, T. D.	Reagan,	Whiting.
Dougherty,	Jones, J. H.	Reid, J. W.	Wilkins,
Eldredge,	King,	Riggs,	Willis,
Evans,	Rleiner,	Rockwell,	Wilson,
Everhart,	La Foliette,	Rowell,	Wise,
Farquhar,	Laird,	Ryan,	Wolford.
and the state of t	NA.	YS-23.	

Farquhar,	Laird,	Ryan,	Wolford.
		NAYS-23.	
Bennett, Blanchard, Cooper, Cowles, Daniel, Eden,	Frederick, Halsell, Hatch, Holman, Hutton, Laffoon,	Le Fevre, Lowry, McMillin, McRae, Neece, O'Neill, J. J.	Richardson, Taulbee, Townshend, Wallace, Weaver, J. B.

	NOT	YOTING-143.	
Adams, G. E., Aiken, Allen, C. H., Anderson, C. M., Anderson, J. A., Arnot, Ballentine,	Barbour,	Boutelle,	Burleigh,
	Barksdale,	Brady,	Bynum,
	Barry,	Bragg,	Cabell,
	Bayne,	Breekinridge, C. R.	Campbell, J. M.
	Beach,	Brown, T. M.	Campbell, J. E.
	Bliss,	Brown, C. E.	Candler,
	Blount,	Brumm,	Caswell,

Catchings,	Hall,	Morrill,	Smalls,
Clardy,	Hammond,	Morrison,	Snyder,
Collins,	Hanback,	Morrow,	Spriggs,
Compton,	Harmer,	Murphy,	Steele,
Comstock,	Harris,	Oates,	Stewart, Charles
Cox,	Hayden,	O'Donnell,	Stewart, J. W.
Croxton,	Haynes,	O'Ferrall,	Stone, W. J., Mo.
Cutcheon,	Henley,	Outhwaite,	Storm,
Davenport,	Holmes,	Owen,	Taylor, E.B.
Davidson, A. C.	Houk,	Payson,	Taylor, I. H.
Davidson, R. H. M. Dawson,		Peel,	Taylor, J. M.
	Irion,	Perkins,	Thomas, J. R.
Dingley,	Johnson, F. A.	Peters,	Throckmorton,
Dorsey,	Johnston, J. T.	Pettibone,	Tillman,
Dowdney,	Jones, J. T.	Phelps,	Turner,
Dunham,	Kelley,	Pindar,	Van Schaick,
Dunn,	Ketcham,	Plumb,	Viele,
Ellsberry,	Lawler,	Ranney,	Wadsworth,
Ely,	Long,	Reed, T. B.	Wait,
Ermentrout,	Louttit,	Reese.	Wakefield,
Findlay,	Martin,	Rice,	Ward, J. H.
Foran,	Matson.	Robertson,	Ward, T. B.
Gallinger,	McCreary,	Rogers,	Wellborn,
Geddes,	McKinley	Romeis,	White, A. C.
Gibson, Eustace	Merriman.	Sadler.	White, Milo
Glover,	Millard.	Sawyer,	Winans,
Green, R. S.	Miller,	Scott,	Woodburn.
Grosvenor,	Mills,	Sessions,	Worthington.
Hale.	Moffatt,	Singleton,	Trotting tour
maic,	monate,	omgreton,	

So the report was agreed to.

During the roll-call,

The SPEAKER said: The Chair will state to gentlemen who are paired that they are permitted by the terms of their pairs to vote to make a

Mr. DARGAN. The gentleman from Georgia, Mr. BLOUNT, requested me to state that he was compelled to leave the Hall on account of sick-

Mr. PERKINS. I was not in the Hall when my name was called. I request permission to vote. I came in before the call was completed.

The SPEAKER. The Chair thinks under the rule the gentleman's request can not be entertained.

Mr. DUNN. Has a quorum voted?

The SPEAKER. A quorum has voted.

Mr. RANDALL. I ask that the reading of the names be dispensed

There was no objection.

The following additional pairs were announced:

Mr. GEDDES with Mr. JOHNSTON, of Indiana, until further notice. Mr. DAVIDSON, of Alabama, with Mr. SWINBURNE, until further

Mr. BALLENTINE with Mr. WAKEFIELD, for the rest of this day

Mr. CAMPBELL, of Ohio, with Mr. KELLEY, for the rest of this day. Mr. SNYDER with Mr. WHITE, for the rest of this day.

The result of the vote was then announced as above stated.

Mr. RANDALL moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PUBLIC BUILDING AT NORFOLK, VA.

Mr. BROWN, of Pennsylvania, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (S. 482) to provide for the erection of a public building in the city of Norfolk, in the State of Virginia; which was referred to the Committee of the Whole House on the state of the Union, and, with the amendments and accompanying report, ordered to be printed.

SALES FOR TAXES IN THE DISTRICT.

Mr. CAMPBELL, of Ohio, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (S. 634) relating to sales for taxes in the District of Columbia; which was referred to the House committee, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, NORFOLK, VA.

Mr. BROWN, of Pennsylvania, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (S. 482) to provide for the erection of a public building in the city of Norfolk, Va.; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

FRANCIS DENMEAD.

Mr. CAMPBELL, of Ohio, from the Committee on the District of Co Iumbia, also reported back with a favorable recommendation the bill (S. 766) for the relief of Francis Denmead; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

YOUNG MEN'S CHRISTIAN ASSOCIATION.

Mr. CAMPBELL, of Ohio, from the Committee on the District of Columbia, also reported back with a favorable recommendation the bill (S. 1188) to exempt the property of the Young Men's Christian Association of Washington, D. C., from taxation; which was referred to the

Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

TAX ON REAL ESTATE AGENTS IN DISTRICT.

Mr. CAMPBELL, of Ohio, from the Committee on the District of Columbia, also reported back with a favorable recommendation the bill (S. 1882) to repeal parts of an act relating to tax on the business of real-estate agents in the District of Columbia, approved June 20, 1872; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

MARY ANNA EGAN.

Mr. CAMPBELL, of Ohio, from the Committee on the District of Columbia, also reported back with a favorable recommendation the bill (S. 2037) for the relief of Mary Anna Egan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HYDROPHOBIA.

Mr. CALDWELL, from the Committee on Commerce, to which was referred a resolution authorizing the Surgeon-General of the Army to obtain statistics as to symptoms, mode of treatment, rate of death or recovery from hydrophobia and tetanus, reported the same back with amendments; which was referred to the House Calendar, and, with the amendments, ordered to be printed.

And then (at 5 o'clock and 10 minutes p. m.) the House, in accord-

ance with its previous order, adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BENNETT: Petition of Marcellus J. Edwards; of Achabald Smith, son of John H. Smith, deceased; and of Mart L. Covington, of Richmond County, North Carolina, asking that their war claims be referred to Court of Claims—to the Committee on War Claims.

By Mr. KING: Concurrent resolution of the General Assembly of Louisiana, relative to the establishment of a navy-yard on the Mississippi River in the fifth municipal district of the city of New Orleans—to the Committee on Naval Affairs.

to the Committee on Naval Affairs.

By Mr. McCOMAS: Petition of Eliza S. Jones and others, for reimbursement under treaty of Ghent for property destroyed by the British in the war of 1812—to the Committee on Claims.

Also, papers in the case of Christian Shupp, of Washington County, Maryland, for payment of war claims—to the Committee on War Claims. By Mr. CHARLES O'NEILL: Papers relating to the case of John A.

Wagner for relief—to the Committee on Claims.

By Mr. RYAN: Petition of J. W. Scott and others, in favor of the Weaver bill for paying the soldiers the difference in pay between green-

The following petition, asking for the passage of House bill 7887, repealing timber-culture, pre-emption, and desert-land acts; of House bill 7021, for adjustment of railroad and other land grants; of bill forfeiting all railroad land grants the conditions of which have not been strictly complied with; of House bill organizing the Territory of Oklahoma; of Senate bill opening a portion of the great Sioux reservation to settlement; of bill prohibiting aliens from holding land in the United States; of bill making Presidential and Congressional election days holidays, and punishing bribery; and of bill directing disbursement of at least \$200,000,000 Treasury surplus, and substituting Treasury notes for bank notes retired, was referred to the Committee on the Public

By Mr. HIRES: Petition of citizens of Bridgeton, N. J.

SENATE.

WEDNESDAY, August 4, 1886.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HOAR, and by unanimous consent, the further reading was dispensed with.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following eurolled bills; and they were thereupon signed by the President

A bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for

A bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes; and

A bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

EXECUTIVE COMMUNICATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in reply to a resolution of July 21, 1886, certain information relative to land entries canceled for fraud after investigation by special agents, &c.; which was

The PRESIDENT pro tempore. The communication, with the accompanying papers, will be laid on the table and be printed, if there be no objection

Mr. PLUMB. I move that it be referred to the Committee on Public Lands. It will not be necessary now to print it, I think.

Mr. EDMUNDS. It had better be printed.

Mr. COCKRELL. I should like to have it printed.

The PRESIDENT protempore. The communication, with the accompanying papers, will be referred to the Committee on Public Lands, and printed as a matter of course. printed as a matter of course.

PETITIONS AND MEMORIALS.

Mr. PLUMB presented a petition of citizens of Salina, Kans., praying for the passage of certain bills relative to the public lauds, Presidential and Congressional elections, and the disbursement of a part of the Treasury surplus; which was referred to the Committee on Finance.

Mr. MILLER presented a petition of citizens of Ogdensburg, N. Y., praying for the passage of certain bills in relation to the public lands, Presidential and Congressional elections, and the disbursement of a part of the Treasury surplus; which was referred to the Committee on

REPORTS OF COMMITTEES.

Mr. INGALLS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2761) to incorporate the Windsor Hotel Company of the District of Columbia, reported it with an amendment.

Mr. SPOCNER, from the Committee on Claims, submitted the follow-

ing report:

The Committee on Claims, to whom was referred petition of Albert Grant, of Washington, D. C., have carefully considered the same, and, in accordance with the resolution of the Senate of February 7, 1884, report as follows:
That they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred Senate Executive Document No. 52, Forty-ninth Congress, first session, being a letter from the Secretary of War, transmitting in com-pliance with law an abstract of the militia forces of the United States, moved that it be printed; which was agreed to.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 1432) for the relief of Alfred Hedberg, reported

it with amendments, and submitted a report thereon.

Mr. COCKRELL. I desire to say that that is by no means a unanimous report, and I shall ask leave hereafter to submit a minority re-

Mr. CONGER, from the Committee on Commerce, to whom was referred the bill (H. R. 9895) to authorize the construction of a bridge across the Tradewater River by the Ohio Valley Railway Company, re-Mr. EDMUNDS. Let the bill be placed on the Calendar.
Mr. BECK. I should like to ask the Senator from Vermont just to

allow me to explain it.

The PRESIDENT pro tempore. Objection is made and the bill will

be placed on the Calendar.

Mr. EDMUNDS. I will look at it by and by.

Mr. ALLISON. I report back from the Committee on Appropriations the joint resolution (H. Res. 213) authorizing the Secretary of the Treasury to pay certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July, 1886, and I ask that

the Bureau of Labor during the month of July, 1886, and I ask that it may be immediately considered.

Mr. EDMUNDS. Is that just now reported?

Mr. ALLISON. Just this morient.

Mr. EDMUNDS. Let it be explained subject to objection.

Mr. ALLISON. The Bureau of Labor has had during the month of July persons engaged in gathering statistics, &c., under the law, and there is no appropriation whereby they can be paid.

Mr. EDMUNDS. How does that happen?

Mr. ALLISON. It happens from the fact that there was no appropriation last year for this service. These persons have been on duty under the legislative appropriation bill during the month of July, but the legislative appropriation bill did not pass until a few days ago. the legislative appropriation bill did not pass until a few days ago.

Mr. EDMUNDS. Then it is a mere illustration of the method of

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. PLUMB. I object.
The PRESIDENT protempore. Objection being made the joint resolution will be placed on the Calendar.

TESTIMONIALS TO ULYSSES S. GRANT.

Mr. SEWELL. I am instructed by the Committee on the Library,

to whom was referred the joint resolution (S. R. 46) accepting from William H. Vanderbilt and Julia Dent Grant objects of value and art presented by various foreign governments to the late General Ulysses S. Grant, to report it without amendment. I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The joint resolution will be read for

information

Mr. EDMUNDS. I do not object at all, but I am very confident (probably it did not pass the House) that at a former session the Senate passed a similar resolution.

Mr. SEWELL. It was passed by the Senate last year, but did not pass the House.

Mr. EDMUNDS: The Senate had gladly taken the collection. Is this the same sort of resolution?

Mr. SEWELL. It is changed a little so as to place the objects in the custody of the Director of the National Museum.

Mr. EDMUNDS. I have no objection to it.

The PRESIDENT pro tempore. The joint resolution will be read,

subject to objection.

The Chief Clerk read the preamble and joint resolution, as follows:

The Ciner Cierk read the preamble and Joint resolution, as follows:
Whereas William H. Vanderbilt and Julia Dent Grant, by deed of trust executed on the 10th day of January, 1885, presented to the United States certain swords, medals, paintings, bronzes, portraits, commissions and addresses, and objects of value and art presented by various governments in the world to General Ulysses S. Grant as tokens of their high appreciation of his illustrious character as a soldier and a statesman: Therefore,

Resolved, &c., That the United States accept, with grateful acknowledgments, the said property and articles, more fully described in the schedule attached to said deed of trust, to be held by the United States and preserved and protected in the city of Washington for the use and inspection of the people of the United States.

SEC. 2. That the said property and articles be placed under the custody of the Director of the National Museum; and he is hereby directed to receive the same for safe-keeping therein.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, and read the third time.

The PRESIDENT pro tempore. The question is, Shall the joint reso-

lution pass?

Mr. EDMUNDS. We ought to take notice of the fact in regard to the form of the resolution that William H. Vanderbilt, since that gift was made so generously, has died. Whether there would be any diffi-culty in that form of stating it I do not know.

Mr. SEWELL. I should think not, because the communication was from William H. Vanderbilt. There will be no difficulty about ac-

cepting the articles.

The joint resolution was passed.

The preamble was agreed to.

BILLS INTRODUCED.

Mr. INGALLS introduced a bill (S. 2889) granting a pension to George W. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 2890) donating certain lots to the city of Saint Augustine, Fla., for public schools, parks, and a public library; which was read twice by its title, and referred to the Committee on Public Lands.

REPORT ON IRRIGATION.

Mr. PLUMB submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Commissioner of Agriculture be directed to furnish to the Senate early at its next session such information on the subject of irrigation as he may have gathered and prepared for publication.

EXTENSION OF STREETS IN WASHINGTON.

Mr. MAHONE. I offer the following resolution, and ask that it may be considered at this time:

Resolved. That the commissioners of the District of Columbia are hereby directed to report to the Senate at its next meeting in December in detail the estimated cost of extending the streets and avenues on the northern boundary of the city of Washington as proposed by Senate bill 2201.

The PRESIDENT pro tempore. Is there objection to the present con-

sideration of the resolution?

Mr. EDMUNDS. I am in favor of that; but living out in that country neighborhood I am somewhat interested, with everybody else in that direction, in regard to the form of extension, whether it should be on the rectangular and diagonal plan of right and acute and obtuse angles, or whether, on account of the contour of the hills and bluffs there, the form of the extension should not accommodate itself in some degree at least to the shape of the surface of the earth, as I think it ought.

Therefore I should be glad, if the Senator from Virginia is willing, to add to the resolution a direction that the commissioners report upon the subject of the best form of the extension in respect of the arrangement of streets in regard to the contour of the land. Has the Senator

from Virginia any objection to that?

Mr. MAHONE. None whatever.

Mr. COCKRELL. Is the resolution just offered?

The PRESIDENT pro tempore. It is just offered.

Mr. COCKRELL. I should like to hear it read again. I am not

certain that I shall concur in its passage just now.

The PRESIDENT pro tempore. The resolution will be again read. The PRESIDENT pro tempore.

The Chief Clerk read the resolution.

Mr. EDMUNDS. I move to add to the resolution:

And that the said commissioners report what in their opinion is the best plan for such extension in regard to the angles and lines of the streets and the contour of the ground.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

SOLDIERS' HOME ACCOUNTS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution submitted August 2, 1886, by the Senator from New Jersey [Mr. SEWELL], which comes over under objection. The resolution will be read.
The Chief Clerk read the resolution, as follows:

Resolved. That the Secretary of the Treasury be directed to furnish the Senate at the next session of Congress an estimate of the amount due the Soldiers' Home, on the books of the Treasury Department, said estimate to be based on amounts already ascertained for certain years, allowing for increase of number of men and increase of pay and bounties during and subsequent to the war.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

R. A. FENNELL.

The PRESIDENT protempore. The Chair also lays before the Senate a resolution reported yesterday by the Senator from North Carolina [Mr. VANCE | from the Committee on Contingent Expenses, which comes over under objection. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That one month's pay, from 15th April to the 15th May, be paid by the Secretary of the Senate, out of the contingent fund of the Senate, to R. A. Fennell, a messenger removed from office.

Mr. PLUMB. I object to that resolution.
The PRESIDENT protempore. Objection being made, the resolution goes over.

PUBLIC BUILDING AT YONKERS, N. Y.

Mr. MILLER. I move to take up Order of Business 1874, being the bill (S. 1597) for the erection of a public building at Yonkers, N. Y.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and in lieu thereof to insert:

strike out all after the enacting clause and in lieu thereof to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a site and cause to be erected thereon a substantial and commodious building, with fire-proof vaults, for the use and accommodation of the post-office and for other Government uses, at Yonkers, N. Y. The site, and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of \$100,000; nor shall any site be furchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury; invloving an expenditure exceeding the said sum of \$100,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: Provided, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of New York shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The amendment was agreed to.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HELEN PLUNKETT.

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned to the Senate, in compliance with its request, the bill (S. 757) granting a pension to Helen Plunkett.

Mr. HOAR. The Senate passed a few days ago this bill to give a pension to the widow of Sergeant Plunkett, a soldier of great distinction, who had lost both arms. By a mistake he was described as serving in Company A instead of Company E, and the comrades of his company are very much concerned in not having this go into history erroneously; they want to claim him for their own company.

I ask unanimous consent that the bill which has been sent back from

the House may be taken up at this time and amended by striking out the letter "A" and inserting the letter "E" after the word "company."

The PRESIDENT pro tempore. If there be no objection, the Chair will lay the bill before the Senate. The Senator from Massachusetts moves to reconsider the vote by which the bill was ordered to a third reading and passed.

The motion to reconsider was agreed to.

Mr. HOAR. After the word "company," in line 6, I move to strike

out the letter "A" and insert the letter "E;" so as to read, "Company E, Twenty-first Massachusetts Volunteers."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. GEORGE. Mr. President, I ask to take up three bills passed by the House to remove political disabilities imposed by the fourteenth amendment. I do this at the suggestion of the chairman of the Committee on the Judiciary. It will not take five minutes to pass them. The first bill is Order of Business 1856, House bill 8192.

The PRESIDENT pro tempore. The Senator from Mississippi moves that the Senate proceed to the consideration of the bill (H. R. 8192) to

remove the political disabilities of J. R. Eggleston, of Mississippi.

Mr. INGALIS. I rise to inquire, sir, about the proposed order of business, and to know whether the action to-day is to be in the nature of a grab game or whether there is to be some just and equitable action upon matters now on the Calendar.

I presume that every Senator has some bills upon the Calendar upon which he would like to invite action; but if the time is to be farmed out by the Chair among the different Senators, I suggest that a much more reasonable course would be to call the list alphabetically, so that each Senator may have an opportunity.

Mr. ALLISON. I hope that will be done.

Mr. HOAR. Beginning with the letter A.
Mr. INGALLS. Beginning with the letter A, or beginning with the letter Z and going backward. But I respectfully submit that it is unjust and improper and unparliamentary to allow certain favored Senators by reason of extra diligence or importunity, like the widow in the Scripture, to obtain advantages that are denied to others.

Here are seventy House bills on the Calendar, seventy bills reported from the committees, which have been acted upon by the House and upon which alone any definite and final and formal action can be had at this session which will be of any benefit to anybody; and I protest against the method that is now being carried on of farming out the floor in violation of the orders of the body by arrangements with the President pro tempore to the exclusion of others who have exactly the same rights as those who are recognized.

In order to reach some practical result I suggest for the consideration of the Senate either that we proceed to consider cases reported on the Calendar which have been acted upon by the House of Representatives, or that the committees be called to enable the chairman of each committee to call up such bills as he may think it is desirable to invite action upon, or else that the list of the Senate be called alphabetically,

so that every man may have a chance.

Mr. COCKRELL. Will the Senator from Kansas yield for a sugges-

tion?

Mr. INGALLS. Yes, sir.
Mr. COCKRELL. I suggest that we take up the Calendar of bills passed by the House and reported favorably by Senate committees and act upon those which are unobjected to. I believe we can pass every unobjectionable House bill that is upon the Calendar sooner than we can dispose of one or two in this wrangle.

Mr. EDMUNDS. Mr. President, I believe—
The PRESIDENT pro tempore. The Chair ought to put the request of the Senator from Mississippi. He yields, the Chair understands. Mr. GEORGE. I suppose we might dispose of that bill without

further time.

Mr. COCKRELL. That bill will be disposed of under the rule proposed.

Mr. GEORGE. I have no objection to the course suggested by the

Mr. GEORGE. I have no objection to Senator from Missouri.

Mr. EDMUNDS. I believe that the greatest public service the Senate can do to-day is not to pass any bills at all. If we are to adjourn to-night, the necessary procedure of enrollment and the signature of the procedure of enrollment and the procedure of enrollment and the signature of the procedure of enrollment and the proced the presiding officers, even taking House bills, would get a great amount of bills to the Chief Magistrate some time late this afternoon or evening, which is always unjust treatment to him, and which would very likely result, as I should hope it would, in not a single one of them being signed; and then the people who want to pass these measures are in a worse condition than they would be to leave the bills on the Calendar, for the reason that being left on the Calendar they will be ready for immediate action on the first Monday in December next, and going to the President and failing because he does not sign them they are dead and gone and must be begun again de novo.

Mr. COCKRELL. I suggest that there are quite a large number of bills here which are very short ones, and where the enrollment will take but a short time, and the enrollment can be readily done, and the President can read them over in a few moments. There are a number of others which of course will take more time, but I think the cases which would not be objected to are such as could be enrolled in a very short time, and would receive the approval of the President at

once and become laws

I therefore move that the Senate proceed to the consideration of the bills passed by the House of Representatives and favorably reported by | has in charge is disposed of.

Senate committees, and which may be unobjected to, taking them in their order on the Calendar.

The PRESIDENT pro tempore. That can only be done by unanimous consent. The Senator from Missouri asks the unanimous consent of the Senate that the Senate now proceed to the Calendar of unobjected House case

Mr. EDMUNDS. I object.

The PRESIDENT pro tempore. Objection being made, the Senator

from Mississippi is recognized.

Mr. GEORGE. I ask unanimous consent to take up the bill (H. R. 8192) to remove the political disabilities of J. R. Eggleston, of Missis-

sippi. It can be passed in a minute.

The PRESIDENT pro tempore. Is there objection to this request?

Mr. INGALLS. What is the request?

The PRESIDENT pro tempore. That the Senate proceed to the consideration of the bill (H. R. 8192) to remove the political disabilities of

J. R. Eggleston, of Mississippi.
Mr. INGALLS. Pending that request, I wish to ask the chairman of the Committee on Appropriations as to the condition of the public business, what the indications are about the main appropriation bills, and when it will be possible to act upon the resolution for an adjournment sine die.

It is important, as has been suggested by the Senator from Vermont, that we should know something about this before proceeding further, because, as has been stated by him, under the parliamentary practice bills which are taken off the Calendar to-day, having been passed by the House, and which are acted upon favorably by the Senate, if they are not approved by the President perish, whereas if they were allowed to remain on the Calendar until the next session they would survive and might be acted upon favorably.

Therefore, unless we are to continue in session sufficiently long to enable the bills which are acted upon to-day to reach the President with the necessary time for deliberation, the last state of those bills is worse than the first. I trust we may have some explanation from the Senator from Iowa as to the probability of the time when we can adjourn.

Mr. ALLISON.—The deficiency bill and the sundry civil bill, two

important bills, have just been signed by the Presiding Officer, and I presume are now ready to go to the President, and the river and harbor bill also, which is an appropriation bill, but not under the care of the Committee on Appropriations.

The PRESIDENT pro tempore. All three bills are on the way to the

President of the United States.

Mr. ALLISON. I am glad to know that. The fortification bill has passed both Houses; the Senate has asked for a committee of conference, and I think the House has not yet granted that conference. I have heard floating through the air in some sort of chaotic way a rumor that it is not the intention of the House of Representatives to pass the fortification bill at this session.

Mr. DAWES. I will say that I have been informed, unofficially of course, that a committee of conference will be appointed in a few min-utes upon the bill by the House; but I must agree with the Senator, that I fear there is very little probability that the bill will get through.

Mr. ALLISON. I was about to state that I think it unnecessary for us at this moment to prolong this session with the hope that the fortification bill will be disposed of. I know of no other thing that will detain us here beyond the time necessary for the President to examine the three bills which I have named, and either sign them or withhold his

So I see no impediment in the way of providing now for an adjournment, say at 10 o'clock to-night, and if in order I will call up the adjournment resolution now, in order that that matter may be disposed of.

Mr. COCKRELL. I hope the adjournment resolution will not be acted on now.

I hope the Senator will bear with me. There are a Mr. CHACE. few little things which we ought to act upon at this session, and among others is a little bill I have charge of, from the Committee on Post-Offices and Post-Roads, which is a matter of a great deal of interest to-

Mr. ALLISON. If the Senator will allow me for a moment, I only desire to state what is necessary with reference to the appropriation

bills, those bills necessary to carry on the Government.

Mr. CHACE. Certainly; but here is this little bill, which has been on the Calendar for quite a length of time. I have been endeavoring on the Calendar for quite a length of thine. I have been day after day to get the floor for a few minutes to call it up. It relates to the extension of the special mail-delivery system. The people now are demanding that this service shall be extended. It now applies to about four hundred post-offices in the country. The Post-Office Department are very anxious. They are put to a great deal of trouble. The people are very anxious. It is one of the little things that are of a good deal of importance.

The bill has passed the House and is awaiting action by the Senate, and will undoubtedly be signed instantly when it arrives at the White House. I ask that the Senate will take that bill up and pass it now.

Mr. GEORGE. I have the right of way.
Mr. CHACE. Then after the matter the Senator from Mississippi

ADJOURNMENT SINE DIE.

The PRESIDENT pro tempore. Pending the request of the Senator from Mississippi, does he yield to the proposition of the Senator from Iowa to call up the adjournment resolution?

Mr. GEORGE. Yes, sir.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of the resolution of the House relating to final adjournment, which will be read.

The CHIEF CLERK. The resolution is:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned sine die—

As proposed to be amended: at 4 o'clock p. m., August 4.

Mr. ALLISON. I move in lieu of "4 o'clock p. m." to insert "10 o'clock p. m."

The PRESIDENT pro tempore. The question is on agreeing to the

amendment proposed by the Senator from Iowa.

Mr. COCKRELL. I hope the Senator will not insist upon passing We can not possibly fix any time at this moment; the resolution now. and by deferring it for a few hours we can probably tell exactly when we can adjourn. If the President signs promptly the bills which have gone to him we may adjourn this evening, and we may not be able to adjourn at 10 o'clock to-morrow or even at 4 o'clock to-morrow.

Several SENATORS. To-day.

Mr. COCKRELL. I think it is placing the Senate in an awkward position to be bound to adjourn at a particular hour. I see no occasion for action upon the resolution at this time.

Mr. EDMUNDS. It goes back to the House. They have the ap-

propriation bills, and they can change it after it goes back, if necessary.

Mr. McMILLAN. I hope the Senate will not fix the hour of final adjournment now. The resolution can lie on the table without prejudice, and we can have further information perhaps during the day which will enable us to determine positively the hour.

As was suggested by the Senator from Missouri, there are important bills in the hands of the Executive yet, and he should have some time to consider them. The river and harbor bill passed finally last night; it has just been enrolled this morning, and has received the signature of the President of the Senate. I hope the Senator from Iowa will not press the resolution at this time.

Mr. HARRIS. I suggest to the Senator from Iowa that he modify his amendment to the House resolution, and fix the hour at 11 or 12 o'clock to-morrow, which will give the President ample time to consider and act in a satisfactory manner upon the important bills which have gone to him within the last ten or twelve hours.

The PRESIDENT pro tempore. Does the Senator from Tennessee

make that motion?

Mr. HARRIS. I move to amend by fixing the hour at 12 o'clock to-

Mr. EDMUNDS. There is an amendment to an amendment pend-

The PRESIDENT pro tempore. The Chair is of opinion that this is an amendment in the second degree. The Senator from Iowa moved to amend by striking out 4 o'clock and inserting 10 o'clock. The Senator from Tennessee moves to amend that amendment by inserting 12 o'clock to-morrow.

Mr. EDMUNDS. I understood that the Committee on Appropriations reported the resolution with an amendment, and that the Senator from Iowa has moved to amend that amendment by striking out "4" and inserting "10." The Senator from Tennessee now moves to amend that by striking out "10" and inserting something else. I should think that was in the third degree.

The PRESIDENT pro tempore. The Chair understood the Senator

from Iowa as modifying the former amendment.

Mr. EDMUNDS. He can not modify a committee amendment.

Mr. HOAR. Is this resolution, being a resolution for adjournment to-day as distinguished from another day, debatable?

The PRESIDENT pro tempore. The Chair is of opinion that a concurrent resolution of the two Houses fixing the time for adjournment is debatable.

Mr. HARRIS. I wish to ask the Senator from Iowa if his proposition of this morning is by direction of the Committee on Appropriations or of his individual motion? The only reason why I ask the question is that the point of order suggested by the Senator from Vermont is doubtless well taken unless it is the action of the committee, which then would be a modification of its fomer recommendation.

Mr. EDMUNDS. But the committee can not modify their amend-

ment without consent.

Mr. ALLISON, I will say that I make this modification on my own motion, knowing as a matter of fact that it is impossible for us to adjourn at the hour fixed by the committee day before yesterday, when this matter was considered by the Committee on Appropriations.

Mr. INGALIS. Why? Mr. HARRIS. Then I will ask the Senator from Iowa to modify it so as to fix an hour to-morrow which we may be absolutely sure will | bill, if we may judge by the expression of the Senate, the opposition to

give the Executive ample time to consider and act upon the various

important bills now in his hands.

Mr. INGALLS. The Senator from Iowa intimates in a way that indicates he has some mysterious information, that it will be impossible to adjourn at the hour named in the original proposition—that is, at 4 o'clock p. m. I should like to know why.

Mr. COCKRELL. And then why he thought that hour would do yesterday and thinks it would not do to-day, and thinks that 10 o'clock to-morrow will do. May he not be mistaken to-morrow morning as

badly as he is now?

Mr. INGALLS. I ask the Senator from Iowa why it is that, be lieving we can not adjourn at 4, he is convinced we can adjourn at 10. I understand there is nothing necessary to provide for except an interval to enable the Executive to sign the pending appropriation bills, and if we are to give him the constitutional period that he is entitled to upon the bills the time of adjournment must be postponed for ten days, the bills having reached him to-day.

I suppose the sundry civil appropriation bill and the deficiency appropriation bill will undoubtedly receive the signature of the Execu-The only bill about which there is any doubt is the bill making appropriations for rivers and harbors, and we ought to be advised in some way, directly or indirectly, by some friend of the administration,

as to the probable fate of that bill.

Mr. GEORGE. Now, Mr. President-Mr. INGALLS. I was proceeding to Mr. INGALLS. I was proceeding to say, when interrupted by the Senator from Mississippi, that inasmuch as the only question of doubt is whether there is to be approval or disapproval of the bill making appropriations for the improvement of rivers and harbors, we ought not to be held here in a condition of uncertainty waiting for information as to whether that bill is to be signed or whether it is to be disapproved; and I trust that we shall have information that will enable us to act intelligently on that subject, because if that is done, then we can just as well adjourn at 4 o'clock this afternoon as at 10 o'clock to-night or 12 o'clock to-merrow.

Mr. ALLISON. Mr. President, I have no mysterious information respecting this matter. When the Committee on Appropriations reported 4 o'clock this afternoon as the hour of adjournment, we were informed by the enrolling officers of the House that the sundry civil bill and the deficiency bill would be enrolled by 10 o'clock last night and that they could be signed by the presiding officers of the two Houses if the two Houses remained in session, whereupon straightway the House of Representatives adjourned at 5 o'clock, making it impossible for those bills to reach the President last night, as they would have reached the President if the two Houses had remained in session until 10 or 11 o'clock. Thus the bills which were to go to the President last night or early this morning will reach him now about 1 o'clock to-day.

Mr. INGALLS. He has them now.

Mr. ALLISON. The Senator from Kansas has mysterious information that these bills have already reached the President.

Mr. INGALLS. The President of the Senate informed us ten minutes ago that they were then on their way to the White House

Mr. ALLISON. But the President has not informed us that they have arrived at the White House. I submit that the Senate has no information, other than mysterious information, that the President is now considering those bills. Speaking not for the committee, it seems manifest to me that courtesy to the President of the United States would justify us in allowing him an opportunity at least to turn over the leaves of those two bills and see whether or not he desires to sign them before we adjourn these two Houses without day.

For these reasons I suggested 10 o'clock to-night instead of 4 o'clock

this afternoon, to give a leeway of six hours; that is all.

Mr. INGALLS. The legislative, executive, and judicial appropriation bill was signed within a very brief space of time after it reached the President, because with his customary diligence and capacity for labor he had familiarized himself, we were informed, with the bill in its progress through the two Houses, and was therefore in a condition of information that enabled him to affix his signature promptly when the enrolled bill reached him, and I have no doubt that the same course will be taken with regard to the other two, and that we shall, if we make the necessary inquiry, be advised within an hour whether we can not as well adjourn at 4 o'clock this afternoon as at 10 o'clock this evening or at 12 o'clock to-morrow noon.

Mr. McMILLAN. Both the sundry civil bill and the river and harbor bill are still unsigned. They probably have not reached the ex-centive office yet, because they were only signed in our presence a few

minutes ago by the President of the Senate.

I feel a deep interest in the sundry civil bill; but it is of a character entirely different from the legislative and executive bill. The operatious of the Government are absolutely dependent upon the passage of the legislative bill. The President therefore, of course, had examined that bill fully before it arrived in its enrolled form at his office; but the sundry civil bill is not so essential to the operations of the Government, and I desire that that bill may be passed without any doubt before we agree to a time for adjournment.

Now, with reference to the sundry civil bill and the riverand harbor

the sundry civil bill here was more decided and the debate showed the sundry civil bill here was more decided and the debate showed more hostility upon the part of Senators to that bill than it did upon the final passage of the river and harbor bill. So the doubt existing as to the approval of the sundry civil bill I think is much greater than in regard to the river and harbor bill. Both are important to the operations of the Government, and I think we should give due time for them to receive the approval of the President.

Mr. EDMUNDS. We can get information a little later about this, and I move that the Senate proceed to the consideration of executive business. We shall know a little better how this matter stands in the course of an hour or two

course of an hour or two.

Mr. CHACE. I hope we shall not now go into executive session.
Mr. SAWYER. Let us pass this little bill first.
The PRESIDENT pro tempore. The Senator from Vermont moves that the Senate proceed to the consideration of executive business.
Mr. GEORGE. Will not the Senator from Vermont withdraw the

motion for a moment until we can get the political disabilities of a gentleman removed? It will not take a minute.

Mr. EDMUNDS. I must take the sense of the Senate on it. There

are some executive matters that require attention.

EXECUTIVE SESSION.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Vermont that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifty minutes spent in executive session the doors were reopened.

J. R. EGGLESTON.

Mr. GEORGE. I move that the Senate proceed to the consideration of House bill 8192.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8192) to remove the political disabilities of J. R. Eggleston, of Mississippi.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed—two-thirds of the Senators present voting in the affirmative.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service, with amendments in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes, agreed to the conference asked by the Senate on the said bill and amendments, and had appointed Mr. Forney, Mr. Randall, and Mr. Butterworth managers at the conference on the part of the House.

The message further announced that the House had passed the fol-

lowing bills:

A bill (S. 885) to relieve the State of Colorado from charges on account of ordnance stores furnished to the State and Territory; and

A bill (S. 2438) to authorize the Postmaster-General to allow compensation to railroad companies in certain cases for apartment service heretofore furnished pursuant to agreement.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were there-

the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (H. R. 3318) for the relief of Enols Loyd;

A bill (H. R. 3908) for the relief of John Ellis; and

Joint resolution (H. Res. 209) permitting the public building authorized by act of Congress approved June 13, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 50 feet, as provided in said act.

NEW ORLEANS, BATON ROUGE AND VICKSBURG RAILROAD GRANT. Mr. EUSTIS. I move that Order of Business 1857, House bill 3186,

Mr. EUSTIS. I move that Order of Business 1857, House bill 5186, be made a special order for the second Monday in December next.

The PRESIDENT pro tempore. The Senator from Louisiana moves that a bill the title of which will be read be made the special order for the second Monday in December next.

The CHIEF CLERK. "A bill (H. R. 3186) to declare a forfeiture of lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company, to confirm title to certain lands, and for other purposes."

Mr. EDMUNDS. It must first be taken up, and then we will consider whether we shall make it a special order.

Mr. EDMUNDS. It must first be taken up, and then we will consider whether we shall make it a special order.

The PRESIDENT pro tempore. The Senator from Louisiana moves that the Senate proceed to the consideration of the bill.

Mr. INGALLS. By what committee was that bill reported?

Mr. EUSTIS. The Committee on Public Lands.

Mr. INGALLS. By what member of that committee?

Mr. HOAR. Your collection [Mr. PLYNE]

Mr. HOAR. Your colleague [Mr. PLUMB].

Mr. INGALLS. In the absence of my colleague I object to a disposition of measures coming from the committee of which he is chairman until we are advised of his wishes in the matter. Is the Senator from Louisiana a member of that committee?

Mr. EUSTIS. I am not. I have consulted the chairman of that committee and every other member of the committee that I know, and they have said that they have no objection whatever to my motion.

Mr. TELLER. I think there is no objection to the motion.

The PRESIDENT pro tempore. The Chair is of opinion that the motion is in order.

Mr. EDMUNDS. The first motion is to take up the bill.

The PRESIDENT pro tempore. The question is on the motion to proceed to the consideration of the bill referred to.

The motion was agreed to.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole.

Mr. EDMUNDS. Now I should like to know what the bill is. Let

it be read.

The PRESIDENT pro tempore. The Senator from Vermont asks for the reading of the bill.

Mr. TELLER. The title of the bill will give all the information.

Mr. HOAR. It is a land-grant forfeiture bill.

The CHIEF CLERK. "A bill (H. R. 3186) to declare a forfeiture of

lands granted to the New Orleans, Baton Rouge and Vicksburg Rail-road Company, to confirm title to certain lands, and for other purposes." Mr. EDMUNDS. I want to pass it now if it is all right.

The PRESIDENT pro tempore. Does the Senator insist on the read-

ing of the bill?

Mr. INGALLS. I understand that important amendments have been made in the bill as it came from the House, and I should like to

hear what they are.

Mr. TELLER. There are no amendments made to the bill at all.

It is a House bill, and the bill is reported to the Senate as it came to the Senate.

Mr. EUSTIS. It is a House bill reported without amendment.
Mr. INGALLS. Has not the Senate passed a bill on the same subject?
Mr. EUSTIS. Yes, sir.
Mr. INGALLS. I should like to hear the bill read.
The PRESIDENT pro tempore. The bill will be read.
Mr. HOAR. Before the bill is read I ask the Senator from Louisi-

Mr. EUSTIS. I hope there will be no objection whatever to the motion I make.

Mr. EDMUNDS. We will pass the bill, if it is right, when it is read. Mr. EUSTIS. I want it made a special order for an early day in the next session.

The PRESIDENT pro tempore. Nothing is in order until the bill is

Mr. INGALLS. One moment. The Senator from Colorado assures me that there has been no amendment. I am confident that there is some difficulty in the committee about that bill.

Mr. HOAR. There is a minority.

Mr. INGALLS. I think that there is either a disagreement on the

bill as it came from the House or two reports.

Mr. TELLER. If the Senator will just allow me—
The PRESIDENT pro tempore. The reading of the bill being demanded nothing is in order until it is read.

Mr. TELLER. I want to say a word before the bill is read. The

Senator from Louisiana does not desire to have the bill now considered.

Mr. PLATT. Why not?

Mr. PELLER. Because it will bring a long discussion before the Senate. The Senator from Nebraska [Mr. VAN WYCK] who joined with the Senator from Arkansas [Mr. BERRY] in his views on the bill also desires to have it deferred. I believe all of the committee have agreed that this is not a proper time to take up the bill for consider-

ation at this session. There are no amendments reported to the bill. It is a bill that will probably take two or three days when it comes up, and the suggestion of the Senator from Louisiana is to make it the order of business for a certain day at the next session, and no member of the

committee, I understand, objects to that.

Mr. EDMUNDS. Let the bill be read.

Mr. BERRY. I ask permission to say one word.

The PRESIDENT pro tempore. Debate is totally out of order pending a call for the reading of the bill.

Mr. BERRY. I heard the Chair so announce; but two Senators have addressed the Chair since.

Mr. COCKRELL. Let the bill be read, and then the Senator can debate it.

The PRESIDENT pro tempore. As soon as the bill is read the Chair will recognize the Senator from Arkansas with pleasure. The reading is insisted on.

The Chief Clerk read the bill.

Mr. BERRY. The bill was reported back by a majority of the Committee on Public Lands as it came from the House. The Senator from Nebraska [Mr. VAN WYCK] and myself, as members of the Committee on Public Lands, did not agree to the majority report from the fact

that it confirms the title of the railroad company to a large amount of these lands while it forfeits some others. We were unwilling to make that confirmation, and therefore, as a minority of the committee, we declined to agree to it. It is impossible, however, that it should be considered at this session, as it was only reported a few days ago. The Senator from Louisiana, as I understand, agrees to the view that the Senator from Nebraska and myself take of this question. Therefore I, together with all the rest of the committee, was willing that the bill

should be postponed until such time as it could be fairly considered.

Mr. EDMUNDS. Mr. President, this is a House bill. It is one of those House bills that through the newspapers have excited great public attention; and many or some of the leading newspapers have reproached the Senate of the United States for its delay in not passing this bill which came to the Senate on the 24th of July—not long ago to be sure—as being one of those land-grant forfeiture bills where there was to be restored to the people from the grasping avarice of corporations for public land. was to be restrict to the people from the grasping avaites of corpora-tions, &c., public land—a very good thing to do indeed. But on hear-ing this bill read and reading it myself, the error in the bill, to begin with, is the untruth of its title. It is a bill to cover up and secure in favor of a railroad company lands to which it is not entitled, while it calls itself a forfeiture bill and does forfeit some land that the company do not care anything about apparently. It confirms all the rest, and then provides that they shall have the benefit of this, and that the settlers are to be disposed of in one way and another.

All that I care about it now is to make the statement I have made for the benefit of whomever it may concern, as it appears on the face of this bill that its title is an entirely deceptive one and it is a bill to confirm a long since expired grant instead of a bill to forfeit it.

Mr. EUSTIS. I move that this bill be made the special order for

Mr. EUSTIS. I move that this bill be made the special order for the second Monday in December next.

The PRESIDENT pro tempore. Be postponed until that day?

Mr. EDMUNDS. Postponed and made a special order.

The PRESIDENT pro tempore. The Senator from Louisiana moves that this bill be postponed until the second Monday of December next and made a special order for that time.

Mr. EUSTIS. Law approach to the bill and I want it discussed.

Mr. EUSTIS. I am opposed to the bill and I want it discussed.
Mr. HOAR. I desire to inquire if this is a debatable motion?
The PRESIDENT pro tempore. The Chair is of opinion that it is a debatable motion.

Mr. HOAR. A motion to make a bill a special order-is that de-

The PRESIDENT pro tempore. A motion to postpone is debatable.

Mr. COCKRELL. I desire simply to say that I was not present at
the time this bill was considered by the Committee on Public Lands,
and I have not been able to read either the views of the majority or those of the minority, and while the question is now up I desire to state that I do not wish to be considered as indorsing the views of the majority, for I have not had time to consider them. I was compelled to be in conference at the time the bill was considered in committee,

nor have I seen the views of the minority.

Mr. BLAIR. I desire to make a similar explanation so far as my presence or knowledge of the action of the Committee on Public Lands on this bill is concerned. I do not desire at this time to express an opinion on the merits of the bill, for I am not acquainted with them.

Mr. TELLER. This is a matter that has probably had more exammar, TEHLER. This is a matter that has probably had more examination, more care, and more attention than any other public measure that has been presented to Congress for years. The Senator from Vermont rises and with great positiveness declares that this is a wrong grant which ought not to be made. I do not propose at this time to discuss that. It was the understanding that this bill was to go over. The principle of this bill had the careful attention of the Department for several years while I was Severally to the Interior and I issued the for several years while I was Secretary of the Interior, and I issued the patent myself, or at least had it done. The present Secretary of the Interior, after listening to argument for weeks, decided that the company were entitled to the patent for the remainder of the land, and this bill is for the purpose of giving them that land and protecting certain control of the land, and this bill is on the purpose of giving them that land and protecting certain

settlers in an agreement made with the railroad company.

But while I do not desire to take up the bill now, and the understanding with the Senators opposed to it was that it should not be taken up now, I do not intend to allow a statement of that kind from the Senator from Vermont to go into the RECORD without at least saying that I think I know as much about the bill as he does, and to say in fact that I do not think he knows anything about it at all.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Louisiana [Mr. Eustis].

The motion was agreed to, two-thirds of the Senators present voting in the affirmative.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House of Representatives had announced the appointment of Mr. HEMPHILL as a manager on the part of the House on the bill (S. 335) to provide for protecting the interests of the United States in the Potomac River Flats in the District of Columbia, in place of Mr. REAGAN excused.

BEAUFORT LEE AND OTHERS.

Mr. HOAR. I move that the Senate proceed to the consideration of Order of Business 1720, being the bill (H. R. 8596) for the relief of Beaufort Lee and others, which was reported from the Committee on

Claims by the Senator from Arkansas [Mr. JONES].

Mr. PLATT. Let the bill be read for information.

The PRESIDENT pro tempore. The bill will be read for information. The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the following specified sums to the persons herein named, for services rendered as laborers in the employ of the House of Representatives of the Forty-fifth Congress, namely:

To Beaufort Lee, the sum of \$180.

To Alexander Thomas, the sum of \$260.

To Charles Carter, the sum of \$260.

The PRESIDENT pro tempore. The question is on the motion to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the

Whole, proceeded to consider the bill.

Mr. INGALLS. Is there a report?

Mr. HOAR. There is a report, but I will state in two minutes what the case is. Some five or six years ago there was some trouble about the rolls kept by the Sergeant-at-Arms or Doorkeeper of the House of Representatives, and there were sixty days when none of those employés had their accounts allowed. Bills have been passed allowing every one of them at this session of Congress except these very small sums of poor colored laborers. They were on the roll and did the work, and are entitled to their money.

Mr. INGALLS. I should like to inquire why it was that if provision has been made for the other employés, by special or general bill,

these were omitted?

Mr. HOAR. It was a mere accident on the part of the Senator from

rkansas, who reported the others and did not report these. The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POTOMAC RIVER FLATS.

Mr. INGALLS. I ask leave to make a report from the committee of conference on Senate bill 335.

The PRESIDENT pro tempore. The Chair will receive the report, and it will be read.

The Chief Clerk read as follows:

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (\$\overline{8}\), 335) to provide for protecting for interests of the United States in the Potomac River flats in the District of Columbia having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 3, and agree to the same.

That the House recede from its amendment numbered 4.

JNO. J. INGALLS,
JAMES F. WILSON,
G. G. VEST,
Managers on the part of the Senate.

J.E. CAMPBELL,
JOHN J. HEMPHILL,
BENJ. BUTTERWORTH,
Managers on the part of the House.

The report was concurred in.

The report was concurred in.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had directed him to deliver to the Senate the message of the President of the United States returning Senate bill 2056 in response to the request of the two Houses of yester-

day.

Mr. ALLISON. Let that be reported.

The PRESIDENT pro tempore. The message of the President will

The Chief Clerk read as follows:

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 3d instant (the Senate concurring), I return herewith Senate bill No. 2056, entitled "An act to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service."

GROVER CLEVELAND. GROVER CLEVELAND.

EXECUTIVE MANSION, August 4, 1886.

The PRESIDENT pro tempore. The Chair lays before the Senate the message of the House of Representatives with respect to the same matter, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, August 3, 1886.

Resolved, That the Clerk be directed to request the Senate to return to the House the bill of the Senate (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service, with the following amendments: In line 5, page 1, strike out the words "or permanently;" and in line 10, page 1, strike out the words "or permanently."

Mr. SEWELL. I move that the Senate concur in the amendments made by the House of Representatives.

Mr. INGALLS. What is the effect of the amendments?

Mr. SEWELL. Practically nothing; simply to strike out words which are duplicated.

The amendments of the House of Representatives were concurred in.

EXTENSION OF IMMEDIATE-DELIVERY SYSTEM.

Mr. CHACE. I move to take up House bill 4865, Order of Business 1849, which is a bill to provide for the extension of the system of immediate delivery of letters.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4865) to extend the system for the immediate delivery of letters, and amendatory of sections 3, 4, and 5 of the act approved March 3, 1885, entitled "An act making appropriations for the service of the Post-Office Department for the

fiscal year ending June 30, 1886, and for other purposes.

Mr. PLATT. I should like to have an explanation of the bill.

There has been so much confusion in the Chamber during the reading

of the bill that I have been unable to follow it.

of the bill that I have been unable to follow it.

Mr. CHACE. I will endeavor to explain to the Senator, and I shall be glad to answer any questions which he may desire to put.

I wish to say that this bill is the unanimous report of the Committee on Post-Offices and Post-Roads, and that it has the entire approval of, and in fact it comes from, the Post-Office Department.

The provisions of the present law confine the operation of the immediate-delivery system to letters, and this bill extends it to any article that may now on through the mails.

that may now go through the mails.

There are a number of serious defects in the present law, one of which is the requirement that every post-office shall be kept open until midnight and that all letters bearing the 10-cent delivery-stamp must be delivered immediately. Oftentimes people are very much disturbed by the delivery at that hour of the night. There are many offices that are kept open at great expense. The provision of this bill allows the Postmaster-General to change those provisions at his discretion. The present law prohibits the employment of clerks in the post-office for the purpose of special delivery. This bill also removes that.

the purpose of special delivery. This bill also removes that.

Mr. PLATT. As to letters also?

Mr. CHACE. Yes. At present messengers are allowed 8 cents on each package delivered. This bill makes the postmasters responsible for the delivery of packages bearing the special stamp and allows them 80 per cent. of the gross receipts. It further authorizes the Postmaster-General to make contracts with individuals or messenger companies

in certain cities for the delivery of these packages.

But the most important amendment, the one which is especially called for by the public, is the provision that this system may be extended more widely. At present it applies to only about four hundred offices in the country. The people do not avail themselves of this special service so much as they would, in fact very little, for the reason that very few people know what offices are special-delivery offices; they are unable to tell, and if a man wishes to send a letter or a package or parcel he must look up the list and see whether the post-office district has 4,000 inhabitants or not, and it is almost impossible for him to tell.

Mr. MAXEY. Will the Senator from Rhode Island yield to me for

a moment?

a moment?

Mr. CHACE. Certainly.

Mr. MAXEY. One of the defects of the present law proposed to be amended by this bill is that where a party puts a 10-cent stamp on a letter for the purpose of securing immediate delivery, it may go to an office to which the delivery law now does not apply, and therefore he loses the benefit of what he has paid. If this bill passes, whenever a man puts a 10-cent stamp on he gets the benefit of it wherever the letter may go. It is the most beneficial feature of the whole bill.

Mr. CHACE. That was the point I was endeavoring to illustrate.

ter may go. It is the most beneficial feature of the whole bill.

Mr. CHACE. That was the point I was endeavoring to illustrate.

The other provisions of the bill in regard to the keeping of the accounts and the records and the penalties are not material. They are simply administrative. The Department find that it is absolutely necessary either to extend this system as is proposed by this bill or to abolish it altogether. It is believed that if it be extended as provided for in this bill it will be a source of very considerable profit to the Department

bill it will be a source of very considerable profit to the Department as well as a very great accommodation to the people.

Mr. PLATT. I should like to ask some practical questions with regard to the effect of this bill if it shall be passed. I understand that it provides for the delivery of every article of mailable matter upon which the sender may choose to have affixed the immediate-delivery stamp. Under that provision, I suppose that all packages of the weight of 4 pounds would fall within this bill. Now, suppose that two packages containing sad-irons, for instance, each weighing 4 pounds, should be sent to New York city with one of these stamps upon it to be delivered in the upper part of the city, is it supposed that the carrier is to take those two packages weighing 8 pounds, along with his letters, and deliver them in the upper part of the city as he delivers his letters on his regular rounds? regular rounds?

Mr. CHACE.

Undoubtedly.
It strikes me then that a carrier is pretty likely to be Mr. PLATT. loaded down, if this is to have any effect at all, with something like 100-pound packages, for it is not at all unreasonable to suppose that within a carrier's delivery in New York city there may at times be a hundred

pounds of mailable matter which he would have to lug about with his

letters to deliver.

I do not know but that it is all right, but it strikes me that if it is to have any effect at all it is going to necessitate a very large increase of the men who deliver matter from the post-offices in the large cities. I do not know but that in those cities you might contract for messenger service as is suggested here.

Mr. COCKRELL. That is what will be done, doubtless. Mr. CHACE. There is a provision in the bill for that now. Senator from Connecticut aware that the post-office is now liable to have to deliver 4 pounds of matter to a person in New York city without any extra pay whatever? Certainly I think if they can afford to deliver it for nothing they can afford to carry it for 10 cents extra.

Mr. PLATT. This contemplates a little different kind of delivery, as I understand it.

as I understand it.

Mr. CHACE. Not at all. In these great carrier offices the delivery service is constantly in operation.

Mr. PLATT. Certainly, if the committee contemplate nothing except what they are now obliged to do, there is no reason for the bill.

Mr. CHACE. Yes, but the Senator forgets that there are other provisions in this bill which make it apply to a great number of offices.

Mr. PLATT. I recollect to have heard in some cases of the increase

of pay for delivering mails in Western States; that where there had been a contract for a very small sum originally upon the supposition that the mail might have been carried on a pony, in a year or two the mail aggregated tons by reason of the innumerable packages which are transported in that way. Now, if I understand this bill—take one of these offices in the West to which very large amounts of merchandise are being sent; if they happen to have this delivery-stamp upon them and the offices are third or fourth class offices, then the clerks and assistants in the office have immediately got to start out, leaving the office to deliver these packages

I only suggest these things because it seems to me it is rather late in the session to consider a bill of this importance.

I think, and I do not hesitate to say it, that if we are going to adjourn at 10 o'clock to-night or 12 o'clock to-morrow, it is time to stop passing bills. There is no opportunity for the consideration of bills, and a bill of this importance it seems to me ought to receive careful consideration. I have made these suggestions quite as much because I believe we can not at this hour of the session pass upon bills intelligently and with the consideration that they ought to receive before passage, as because I have any particular objection to this bill.

Mr. CHACE. If the Senator from Connecticut objects to the passage

of this bill because he thinks there may be something in it that he does not understand, I can see that that is a reasonable position; but the point which he makes that a very large amount of this mail matter is going to be a burden is exactly in favor of the bill, for the larger the

amount the more profit for the post-office.

amount the more profit for the post-office.

This is a thing that the people are really demanding. They want it, and the Post-Office Department want it. The Postmaster-General, the First Assistant Postmaster-General, and the chief clerk are all urging it; and one of them has been at the Capitol this morning. They feel that this system either ought to be curtailed or enlarged.

Mr. MAXEY. I would suggest to the Senator from Rhode Island that this bill has been carefully considered by the House; it has been constilly considered by the Committee on Post-Offices and Post-Roads

carefully considered by the Committee on Post-Offices and Post-Roads of the Senate; and I know personally that the Postmaster-General believes it to be a bill of great interest to the service as well as to the

Mr. CHACE. And great profit to the Department.
Mr. COCKRELL. This bill has had, as I have been advised and have seen from the discussions in the newspapers and in the RECORD, full consideration in another branch of Congress, and has also received full consideration by the executive branch of the Government, and it is deemed by them an absolute necessity to perfect the system of special delivery already inaugurated, and without this added on to that the other may be a failure. It has been considered in the Senate by the Committee on Post-Offices and Post-Roads and reported favorably by them, and I hope it will be passed.

Mr. INGALLS. I understood the Senator from Rhode Island to

urge this bill in obedience to what he conceives to be a great popular demand. I am not a member of the Post-Office Committee, and of course my attention has not been specifically called to this measure; but in a general way I have understood, so far from there being a pophad called for this measure, that under the existing law the people had called for this service so sparsely, with so little regard for it that practically it had been a financial failure, that the receipts had been nothing like what had been anticipated. I know of one or two offices in which the service had been established where it became necessary to abandon it because the receipts were not enough to pay the messenger boys for their services in carrying the letters that were stamped for

special delivery.
I wish if the Senator from Rhode Island has any statistics on this subject as to the practical operations of this law during the past year he would advise us as to them.

Mr. CHACE. I can answer the Senator from Kansas in one minute. Mr. CHACE. I can answer the senator from Kansas in the infract. He is entirely mistaken. I am advised that this system paid its expenses and \$22,000 profit the first four months of its operation; and the Senator from Kansas should remember that it is scarcely in operathe Senator from Kansas should remember that it is scarcely in operation yet. I know from my own personal knowledge that there is a demand, that the people realize and appreciate that it is a valuable class
of service and they want it extended, and in fact unless it is extended
it never can fully answer the purposes intended.

Mr. INGALLS. If during the first four months of the establishment
of this service it not only paid all expenses but \$22,000 surplus, why
does the Secutor way that appless was monthly the index of the service.

does the Senator say that unless we amend the law it is in danger of

Mr. CHACE. Because the people have begun to use it, and as it is more used they find that it does not answer the purpose they want. The use of it in certain cities is liable to be abandoned, because people say, "We buy these special stamps, and they are no use for certain places," and they do not want them unless they can use them wherever they please. The Senator can see that if 2-cent postage was only good for certain places, and at certain other places you could not use it; you might use it in the first place, but when you found it did not apply to the whole country you would abandon the use of it.

Then, also, the operation of the law in the first place was under the impression that it extended very widely. The people found out after a while that it did not, and that only showed very plainly what would be the practical financial result if it were extended, as it is proposed to

be by this bill.

Mr. INGALLS. Then I understand that the first answer of the Senator from Rhode Island to my interrogatory was a little illusory, that whereas he stated to me that during the first four months this system had paid expenses and \$22,000 besides, he now intimates that since the first four months the people have not patronized it and it has not paid at least so large an excess as it did during the first four months. He states that in consequence of the fact that the system was not extended over the entire country, that every office was not made a special-

delivery office, the people have begun to relinquish it. Am I correct?

Mr. CHACE. Not at all. The Senator is about as correct as he usually is when he attempts to quote me. What I said and what I say is that the first four months paid that profit.

Mr. INGALLS. What has it paid since that time?
Mr. CHACE. The Senator will please to remember that this thing has not been in operation a year yet.

Mr. INGALLS. How much has it paid since the first four months?

Mr. CHACE. The returns are not in.

Mr. INGALLS. Is there anything in since the first four months? It only went into operation on the 1st of last October. Mr. CHACE.

Mr. INGALLS. The Senator certainly has some information.

Mr. CHACE. I have no figures.

Mr. INGALLS. They do not make reports by four months in the Post-Office Department; they report by quarters; and the statement of the Senator from Rhode Island that the first four months showed a surplus of \$22,000 above the expenses, and the fact that he declines to state what the condition of the service is since the first four months, excite a little suspicion, to say the least, that there is something that is not disclosed; and while the Senator from Rhode Island is a little brusque in intimating that I am never successful in quoting him correctly, I always endeavor to do it, and I wish he would be good enough now to depart from his reserve, from that diplomatic caution which characterizes his utterances, and inform us what the result of this service has been since the first four months.

Mr. CHACE. Well, I will endeavor to enlighten the Senator from

Kansas if it is possible.

Mr. INGALIS. That is hardly possible, but still you might make

Mr. CHACE. It is not possible when the Senator closes his eyes and his ears and his intellect. Let me instruct him if he will listen with

child-like simplicity for a little while.

This bill originated in the Post-Office Department. It was introduced into the other House at the desire of the Department. At the time it was introduced these figures were specially made up for the purpose of enlightening the legislative department in regard to it. Since that time there have been no figures made up, and there has been no reason why they should be made up, diplomatic or otherwise; and I desire to inform the Senator from Kansas that I am in no sense diplomatic, that I have nothing to withhold or disguise, that he is welcome to all the in-formation I have or that anybody else has that I am aware of, and he

There is no reason why the other figures have not been forthcoming except those reasons which it seems to me are very patent and plain on the face. The fact is that this system has been but partially tried, and the indications are that if it be extended it will be an eminent success; and the people want it extended, and the Post-Office Department want it extended and believe that it will not only be a very great accommodation to the public, but a source of profit and revenue to the

Mr. McMILLAN. I desire to ask the Senator from Rhode Island a question in regard to this bill. I would like to ask the Senator from

Rhode Island whether there is a provision in this bill which makes postmasters insurers of merchandise passing through the mails?

Mr. CHACE. I am not aware that there is anything of the kind.

Mr. McMILLAN. I understood, in the statement of the substance of the bill, the Senator from Rhode Island to say that postmasters were responsible for the goods with the special stamp on them.

Mr. CHACE. I do not remember saying anything of that kind. Mr. McMILLAN. I should like to know whether that is so or not. I understood the Senator to say that they were entitled to eight-tenths of the mail charge.

Mr. CHACE. Eight-tenths of the receipts from special delivery. Mr. PLATT. The bill says:

The postmaster shall be responsible for such immediate delivery of every such article.

Mr. CHACE. That applies to the delivery, not to the matter itself. Mr. INGALLS. How can it apply to the delivery and not to the article? How can there be a delivery that is independent of the article to be delivered? The Senator from Minnesota inquires whether or not there is any special guarantee or insurance by the postmaster of merchandise sent through the mail, and the Senator from Rhode Island advises us that the postmaster or his assistants receive eight-tenths of the special-delivery money for the safe delivery of the articles that are sent through the mails thus stamped, and he states that the postmaster is only responsible for the delivery and not for the article, because if there is not any article there can not be any delivery, and if the article is delivered that is the end of it. It seems to be rather a metaphysical distinction about making him responsible for the delivery of the article, but not for the article itself.

Mr. CHACE. Is that all?
Mr. INGALLS. That is not all. It is all just now.
Mr. CHACE. That is decidedly metaphysical. The postmaster is responsible in this case exactly as he is responsible now, no more and no less. That responsibility applies to the act of delivery and not to liability for the value of the article. It has no such intention and no such operation.

Mr. SEWELL. I wish to ask the Senator a question, as I have not had time to read the bill. It extends the special-delivery system, as I

understand?

Mr. CHACE. That is the principal object of the bill.
Mr. SEWELL. Was not the original law confined to letters?
Mr. CHACE. Certainly; it was confined to letters and confined to a few offices

Mr. SEWELL. Has the committee made any estimate of what the delivery of fourth-class packages may amount to in a city like New York, Boston, Philadelphia, or Chicago, where deliveries are made under this system immediately? It seems to me that you will not only deliver the mail, but you will deliver express matter, and that you will require one hundred wagons in the city of New York alone to carry out this bill if it becomes law.

Mr. CHACE. My friend from New Jersey will understand very well, because he is a transportation man, that he would not hesitate a min-

net to get 10 cents for delivering 4 pounds if he has to deliver them now for nothing. That is the way it is.

Mr. SEWELL. But now those bulky matters are kept for the next day's delivery; but here you make it obligatory on the postmaster at New York to send out messenger mail-service with 4-pound packages. You must have one hundred wagons in the city of New York within a year.

a year.

Mr. McMILLAN. It seems to me from the language of this bill that the postmaster is liable for the goods until they are delivered, after they come into his possession. This bill imposes upon him all the liability of a common carrier and insurer of the goods and that of a public officer. These are public officers and not private carriers, and it makes no difference what compensation you give them. I have not had an opportunity of reading the bill, but it seems to me from the statement of the contents of the bill by the Senator from Rhode Island that that would be the effect of it.

Mr. CHACE. Before I reply to that I wish to respond a little further to the Senator from New Jersey, and it seems to me that his objections will be pretty fully answered when I say to him that I am advised by the Department that in these large delivery cities there are now parties who are offering to deliver all these packages for 5 cents,

one-half of the price of the stamp.

Mr. EDMUNDS. May I ask the Senator from Rhode Island a ques-

Mr. CHACE. Certainly, with great pleasure.
Mr. EDMUNDS. I ask the Senator from Rhode Island what he thinks this clause in section 1, beginning with the words "the postmaster" in line 13, and so on, means, as it respects the liability of the

The postmaster shall be responsible for such immediate delivery of every such article, and shall cause delivery to be made of all such articles received at his office bearing such stamp and entitled to delivery thereat.

That would seem to imply without any refinement that it is the duty of the postmaster to send out these articles, any mail matter, 4-pound packages, packages of money or anything else that may be sent to the people to whom they are addressed. Now, my question is whether in passing this law we shall not relieve every bendsman of every postmaster in the United States from any further liability on the bond until a new one is made under this law, as it regards any defalcation under that?

Mr. CHACE. That is a question which I can not answer. The Senator from Vermont is quite as competent to answer it as I am. But I should like to address myself to the Senator from Minnesota. If he will read that provision again in lines 13 and 14 and a part of line 15, he will see that that responsibility is for the immediate delivery, for the action, for the performance of the service. It is not intended in any sense to apply to responsibility for the value of the article. It may not be carefully drawn in that respect, however.

Mr. EDMUNDS. Suppose a boy loses it on the way?

Mr. McMILLAN. Suppose it be necessary, as in large cities, to intrust the delivery of these articles to messengers, and upon the road the articles are lost and not delivered, is not the postmaster responsible for the non-delivery, and is he not responsible for the value of the goods? That would be the measure of damages; and that is a responsibility imposed upon a public officer. You are making them private insurers of the goods. I do not think that should be done in the case of a public

If a man wants to go into the transportation business and become a common carrier he can make his charges and assume his responsibilities, but these officers in all the large cities in the country will be compelled to take their offices with this responsibility. In that view, of course the suggestion of the Senator from Vermont would follow, that it is a new obligation imposed upon these officers, and that it would be a release of the bondsmen in the case until a new bond was given.

Mr. CHACE. I ask the Senator if that is not the case in reference

to any new obligation you put upon them?

Mr. McMILLAN. This is a disbursement obligation imposed upon

them. It is not merely a new duty.

Mr. SAULSBURY. Mr. President, as a member of the Post-Office Mr. SAULSBURY. Mr. President, as a member of the Post-Office Committee, I was not in the committee when this bill was considered Committee, I was not in the committee when this bill was considered and finally acted upon. In looking over the provisions of it I think it a very simple, plain bill. The object is very apparent. It is to extend the delivery system, so far as articles bearing the stamp required by this actare concerned, to cities and towns which are not now favored with a free-delivery system. That is one of the objects of the bill. The provisions of the bill are that where there is a free delivery articles specially stamped, as required by law, may be delivered by the postmaster of the place within the limits of the delivery, and in towns and cities where there is no free delivery they may be delivered within the limit of 1 mile from the place by having a 10-cent stamp attached.

the limit of 1 mile from the place by having a 10-cent stamp attached. There are a great many persons who desire to secure the speedy delivery of matter which they send through the mail, and they are willing to stamp it in order to secure the immediate delivery not only in the cities which have a free delivery but in the towns which have not a free

One of the objects of this bill is to secure to the patrons of an office not now favored by a free delivery the certainty of an immediate delivery of the articles which are sent to the particular office which is not now favored by a free delivery, so that the beneficial effects of the bill will be to secure to smaller towns than are now favored with a free delivery the certainty of having certain specified articles delivered which the sender may desire to have immediately delivered, and it proposes that the postmaster of the place shall deliver such an article immediately, and the proper compensation is provided for it in the bill. That is one of the objects.

The suggestion of the Senator from Vermont that that would not be included in the bond of the postmaster, and consequently that there would be no obligation upon his securities on the present bond for the performance of the additional duty added, may depend entirely upon the condition of the bond itself. If the bond provides that he shall be responsible for the acts and for the duties of his office under existing

law or under law which may hereafter be enacted imposing these duties, then his sureties would be liable.

Mr. EDMUNDS. There is not any such law as that.

Mr. SAULSBURY. If there is not, then before the Postmaster-General establishes such a service as that he can require an additional bond, as is done in many other offices. The laws in reference to internal taxation have been altered since they were first adopted. I remember on one occasion where I was connected with a suit I raised the point that the sureties—for I was defending the sureties—were not responsi-ble except for the duties imposed by law at the time they entered into the obligation; and upon a full examination of that question I am satisfied that where the obligations of sureties are assumed under an existing state of the law they can not be extended by implication. But how easy a mattter it is for the Postmaster-General when he establishes these special-delivery offices to require the postmaster at such a place to give an additional bond for the performance of that duty. There is no difficulty in that, and I am sure the Postmaster-General would act upon that idea and compel the postmaster to enter into a special obligation for the performance of the additional duty which is imposed upon him.

The question is a simple one, whether you will extend to towns which are not now favored by a free delivery the provisions of this bill so that articles bearing the stamps shall be immediately delivered, where the senders of the articles desire an immediate delivery; and without such a law they will lie in the post-offices in those towns until they are called for.

Some of them, perhaps not where there is a special delivery, are de-livered now by the letter-carriers, but the objection has been raised by the Senator from New Jersey that it would so burden the carriers of letters that there would have to be one hundred wagons, for instance, in the city of New York. That would make no difference if the service paid the postmaster, and he gets a part of the compensation; it would in-

But there is another provision in the bill providing that in the city of New York, for instance, the Postmaster-General is not bound to require of the postmaster at New York to enter into this obligation to There is a special provision in the bill which provide

Mr. PLATT. If the Senator will permit me to interrupt him, just what I wanted to call attention to is that provision in lines 27, 28, 29, and 30 of section 1. Does he understand that that provision means that the Postmaster-General may in his discretion except a free-delivery office from the service entirely, or simply from the provision which requires the delivery to be made by the carriers?

Mr. CHACE. The language is very plain, and it applies specially to delivery. It shows that the foregoing part of the section is intended to apply to delivery.

Mr. PLATT. Let me make myself clear, because I ask for information. The proviso is:

That the Postmaster-General may, in his discretion, direct any free-delivery office to be excepted from the foregoing provision, and require the delivery to be made entirely by special messengers, according to the provisions of the act to which this is amendatory.

If I understand it, he could not except the post-office in New Yorks for instance, from the delivery of these articles, but could simply except that office from having them delivered by the carriers; and unless he does make that exception the immediate delivery is to be by carriers, and they are to drop their letter business and deliver these packages immediately.
Mr. CHACE.

That proviso refers back to the other provision that the Postmaster-General may make a contract with any individual or with any company for the delivery of these packages; and in that case,

if he should make a contract—
Mr. PLATT. That does not go before. That is subsequent to the proviso.

Mr. CHACE. But the proviso above here is that the postmaster shall be responsible for the delivery, but shall not be responsible if a contract is made with a company or with private individuals; and to make him responsible in that case would be unreasonable.

The bill was reported to the Senate without amendment, ordered to

a third reading, read the third time, and passed.

WILLIAM HUNTINGTON.

Mr. DOLPH. I move that the Senate proceed to the consideration of the bill (H. R. 2918) for the relief of William Huntington.

Mr. EDMUNDS. Let the bill be read for information first.

The PRESIDING OFFICER. The bill will be read for information.

The Chief Clerk read the bill, as follows:

Beit enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay William Huntington, formerly marshal of the United States for the Territory of Washington, out of any money in the Treasury not otherwise appropriated, the sum of \$1,064.11, the same being a balance found due him from the United States on the judicial determination of two suits instituted against said Huntington and his bondsmen, in the district court of the second judicial district of Washington Territory, by the United States.

The PRESIDING OFFICER. The question is on the motion to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. Is there a report accompanying the bill?

Mr. EDMUNDS. I should like to hear the report read.

The PRESIDING OFFICER. The report will be read.

The Chief Clerk read the following report, submitted by Mr. Dolph June 30, 1886.

June 30, 1886:

The Committee on Claims, to whom was referred the bill (H.R. 2918) for the relief of William Huntington, having examined the same, make the following

relief of William Huntington, having examined the same, make the following report:

This claim was considered by the House Committee on Claims, and was favorably reported (Report No. 734) at the present session.

Your committee adopt that report, which is as follows:

The Committee on Claims, to whom was referred the bill (H. R. 2918) for the relief of William Huntington, have had the same under consideration, and submit the following report:

That they find that William Huntington was marshal of Washington Territory from 1862 to 1870; that a dispute arose as to the items charged against the United States Government by him, and a large amount of these were disallowed as not payable from the judiciary funds; that he and his bondsmen were sued by the Government for balance due after the deduction of these disallowed items; that there were two bonds, and that one of said bonds was dated April 25, 1862, the other October 16, 1865; that suit was brought upon each in the district court of the second judicial district of Washington Territory, holding terms at Vancouver; that said suits were referred to a referce for an accounting between the parties, who found and reported that said Huntington was entitled to

an allowance under the bond of 1862 of \$8,386,22, and to an allowance under bond of 1866 of \$4,667.10.

Total amount of allowances.
The balances for which suits were instituted were as follows:
Amount under bond of 1882. \$4,615-56
Amount under bond of 1886. 7,373-67

11,989 23

Excess of allowances over said balances.....

Mr. EDMUNDS. This is not a large amount, but I think it is following a dangerous precedent, if the case referred to is a precedent, and will make a dangerous precedent of itself. If the United States is to have its liabilities determined by a referee in the Territory of Washington or any other Territory, appointed by a Territorial judge, who might declare that it was found that the United States owed the marshal or anybody else who had been sued on his bond \$100,000 just as well as \$1,000, I think there is very great danger to the public interest

and the safety of the Treasury.

This man, according to the decision of the accounting officers of the Treasury, was in default. He was sued, and the matter was sent to a referee instead of being tried by a jury. The referee found that on his construction of the law the marshal had a balance due to him of \$1,064.11. The ground upon which this report goes is that the accounting officers of the Treasury recognized the propriety of that finding by closing his accounts. I think there is an error. They did not recognize it, but they were bound by it, and the United States was, so far as it regarded the United States, being defeated in that suit; and the United States had no further claim upon this man, and his accounts in the Treasury must be closed. It was precisely as if a jury had found that he did not owe anything to the United States, and then of course the books would be balanced, unless the United States brought a writ of error, and then the final judgment would end it.

But the law has never given, and nobody claims that it has given, a jury or referee or anybody else the right in a suit on an official bond to hear a plea in offset and allow a balance to be recovered against the United States. That is a matter on all cases of this kind for the Court of Claims, where redress can be had, not before one referee but before a court of five judges, whose findings and opinions are subject to review by the Supreme Court of the United States if adverse to the interests of the United States.

To say that because this Territory of Washington referee has found a balance, as he states the accounts, of a thousand dollars in favor of this man, and that therefore he must be paid without any reinquiry by

any committee of Congress into the subject of those accounts, and without any information from the Treasury Department as to how it happened that this referee found that sum, and if he did find it in 1870 or 1871, when it appears this suit was brought fifteen years ago, why this gentleman did not then bring his suit in the Court of Claims for the balance of the claim found due him, or why some appropriation bill did not contain an item to reimburse him for this excess of expenditure, if he was entitled to reimbursement, needs explanation.

I should hope, therefore, that we shall not make any more precedents of this kind, taking it as absolutely conclusive, as this House report does, without any other evidence as it is stated than the finding of this referee against the United States. It does not appear to me that it is

a wise or a safe thing to do.

Mr. DOLPH. The examination and the allowance of the payment of claims by Congress upon ex parte affidavits is a very unsatisfactory method of doing it. We have heard a great deal about the propriety and the necessity of some general law which would send all these claims to the courts. For one, when I get a case upon the Committee on Claims in which the matter has been investigated by a competent court who have had all the facts before them with an opportunity to take testimony for and against the claimant and to pass deliberately upon the question of fact and of law, and then come to a conclusion, I feel some sort of assurance that there is merit in the claim.

At the first session of the Forty-eighth Congress it will be recollected that I opposed a report from the Committee on Claims to pay something like \$7,000 to a Mr. Call, of Florida, who had been surveyor-general of the State of Florida, or register or receiver of the land office there. In that case the question went to the jury, and the jury had found in favor of this gentleman, who had been sued by the Government, for an amount sufficient to cover his alleged indebtedness to the Government and leave a large balance due him. something like \$7,000. I was not satisfied a large balance due him, something like \$7,000. I was not satisfied that the jury was right or that there were merits in the claim. largely for services performed by that officer, and I did not believe the services had been authorized by law; but the Senate by a large majority—I think by a three-fourths vote—passed the bill, as large as the sum was, against my protest.

In this matter this claimant was marshal of the Territory from 1862 to 1870, a period of eight years. Evidently his accounts were not in very good shape. The country was new, there were probably few precedents for the statement of his accounts, and there were large disallowances, and suit was brought upon his bond. The suit was brought before a referee, and re-examined by a judge of the court. I do not consider that there is any difference in such a case whether it be the judge of a Territory or the district judge of a district in a State. The fact is that the accounts were available that the accounts were available that the accounts were available to the reference made his that the accounts were examined, the referee made his report, the judge of the court re-examined the case, and judgment was rendered, and the amount claimed here, \$1,064.11, was found due the claimant. That was many years ago.

He came to Congress afterward. This matter has been pending be-fore Congress for years. At the first session of the Forty-eighth Con-gress I offered an amendment to the deficiency bill, and advocated it upon this floor, and according to my present recollection it came very near passing the Senate, to pay this man this sum by an appropriation in the deficiency bill. It has been examined by the Judiciary Committee of the House, who have reported in favor of it. The claim has been examined again at the present session by the House Committee on Claims and they have reported in favor of it; and it has passed the scrutiny of the Senate Committee on Claims.

Mr. EDMUNDS. There were no papers. They only took this statement. They did not call upon the Treasury Department, so far as

Mr. DOLPH. We all know the condition of the accounts of a public officer like the marshal of a State or a Territory. We know that a claim like this is made up of a large number of small accounts, and it would be utterly impossible now for a committee of Congress to go through the papers and make such a review of the action of the referee or of the court. As I said before, I think a committee of Congress is especially qualified when they have a case before them where the claim has passed such a judicial scrutiny.

This is an old man. He will not live many years. If he is to be paid this claim against the Government and it is to do him any good, he must receive it soo n. I hope the bill will pass, and that the claim will be paid.

The bill was reported to the Senate without amendment.

The PRESIDING OFFICER. Shall the bill be ordered to a third reading? [Putting the question.] The noes seem to have it.

Mr. DOLPH. I call for the yeas and nays.

Mr. EDMUNDS. Yes, let us have the yeas and nays.

Mr. TELLER. Let us take the vote by yeas and nays on the pas-

sage of the bill.

Mr. EDMUNDS. We might just as well take them on the third reading.

The yeas and nays were ordered.

Mr. HOAR. Let the title of the bill be read again. I was not present when it was taken up.

The CHIEF CLERK. "A bill (H. R. 2918) for the relief of William

Huntington."

The PRESIDING OFFICER. The Secretary will call the roll on ordering the bill to a third reading.

The Secretary proceeded to call the roll.

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. WALTHALL (when his name was called). I am paired with
the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. PLATT. I am paired with the Senator from South Carolina [Mr. HAMPTON].

The PRESIDING OFFICER (Mr. MANDERSON). The occupant of the chair will state that he is paired with the Senator from Kentucky

[Mr. BLACKBURN].

Mr. KENNA. I am paired with the Senator from Minnesota [Mr. Sabin]. Mycolleague [Mr. Camden] is paired with the Senator from Rhode Island [Mr. Aldrich].

Mr. BECK. I desire to appropries my pair with the Senator from

Mr. BECK. I desire to announce my pair with the Senator from Maine [Mr. HALE] on nearly all matters when he is absent. Mr. HOAR. I hope the Senator will vote. There are a few want-

ing of a quorum.
Mr. BECK. I vote "yea,"

The result was announced-yeas 27, nays 11; as follows:

	YE.	AS-27.	Y
Beck, Blair, Call, Conger, Cullom, Dawes, Dolph,	Gibson, Gray, Harrison, Hawley, Hearst, Hoar, Ingalls,	Jones of Arkansas, McMillan, Mahone, Miller, Mitchell of Oreg., Palmer, Plumb,	Sewell, Sherman, Stanford, Teller, Voorhees, Wilson of Iowa.
	NA.	YS-11.	
Allison, Berry, Chace,	Cockrell, Colquitt, Edmunds,	Harris, Maxey, Vest.	Whitthorne, Wilson of Md.
	ABSI	ENT-38.	
Aldrich, Blackburg. Bowen, Brown, Bruler, Camden, Cameron, Coke, Eustis, Evarts	Fair, Frye, George, Gorman, Hale, Hampton, Jones of Florida, Jones of Nevada, Kenna, Logan,	McPherson, Manderson, Mitchell of Pa., Morgan, Morrill, Payne, Pike, Platt, Pugh, Ransom,	Riddleberger, Sabin, Saulsbury, Sawyer, Spooner, Vance, Van Wyck, Walthall.

The PRESIDING OFFICER. No quorum has voted.

Mr. KENNA. I shall vote to make a quorum. Mr. EDMUNDS. The roll will have to be called again.

The PRESIDING OFFICER. There will have to be another call of the roll.

Mr. EDMUNDS. Call the roll of the Senate. The rule requires that the roll shall be called.

The PRESIDING OFFICER. The Secretary will call the roll of the

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Dolph,	Kenna,	Sawyer,
Beck,	Edmunds,	McMillan,	Sewell,
Berry,	George,	Mahone,	Sherman,
Blair,	Gibson,	Manderson,	Stanford,
Butler,	Gray,	Maxey,	Teller,
Call,	Harris,	Mitchell of Oreg.,	Vest,
Chace,	Harrison,	Palmer,	Voorhees,
Cockrell,	Hawley,	Platt,	Walthall,
Colquitt,	Hearst,	Plumb,	Whitthorne,
Conger,	Hoar,	Pugh,	Wilson of Iowa,
Cullom,	Ingalls,	Riddleberger,	Wilson of Md.
Dawes,	Jones of Arkansas,	Saulsbury,	

The PRESIDENT pro tempore. Forty-seven Senators have answered to their names. If there be no objection, the question recurs on ordering the bill to a third reading.

The Secretary called the roll.

Mr. MANDERSON. I am paired with the junior Senator from Ken-

tucky [Mr. BLACKBURN].
Mr. PLATT. I am paired with the Senator from South Carolina [Mr. HAMPTON].

The result was announced—yeas 34, nays 9; as follows:

YEAS-34. Beck, Blair, Brown, Butler, Call, Conger, Cullom, Dawes Spooner, Teller, Voorhees, Walthall, Whitehorne Evarts, Gibson, Gray, Harrison, Kenna, McMillan, Mahone, Mitchell of Oreg., Hawley, Palmer, Hearst, Plumb, Hoar, Sawyer, Ingalis, Sewell, Jones of Arkansas, Sherman, Wilson of Iowa, Wilson of Md. Dawes, Dolph, NAYS-9. Allison, Cockrell, Coke, Edmunds, George, Harris. Maxey. ABSENT-33. Mitchell of Pa., Morgan, Morrill, Payne, Pike, Platt, Pugh, Ransom, Riddleberger, Sabin, Saulsbury, Stanford, Van Wyck, Gorman, Hale, Hampton, Jones of Florida, Jones of Nevada, Blackburn. Blackburr Bowen, Camden, Cameron, Colquitt, Eustis, Logan, McPherson, Manderson, Miller, Fair.

So the bill was ordered to a third reading. The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the fol-lowing enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service;

A bill (S. 2438) to authorize the Postmaster-General to allow comensation to railroad companies in certain cases for apartment service heretofore furnished pursuant to agreement;

Abill (H. R. 8192) to remove the political disabilities of J. R. Eggleston, of Mississippi; and

Joint resolution (H. Res. 160) to authorize the Commissioner of the General Land Office to cause 15,000 copies of the map of the United States and Territories to be printed.

ADJOURNMENT SINE DIE.

Mr. PLUMB obtained the floor.

Mr. ALLISON. The Senator from Kansas yields to me that I may now call up the adjournment resolution.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of the adjournment resolution which will be read.

The Chief Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned sine die—

As proposed to be amendedat 10 o'clock p. m. August 4.

The PRESIDENT pro tempore. The question is on agreeing to the amendment. [Putting the question.] The ayes have it, and the amendment is agreed to.

Mr. KENNA. We should not have the resolution disposed of hastily. There are a number of very important matters which require consideration. I trust the Senate will not at present agree to fix the hour at which we shall adjourn finally. We have sent to-day to the President of the United States bills which he could not read in three days to save his life, among them the river and harbor bill, which would require him a day of hard labor, if he examined it minutely, to go through it. I do not know that he wants an hour; I do not know but that he may want three days or five days; but I trust the resolution will not be hastily disposed of. will not be hastily disposed of.

Mr. McMILLAN. I hope the Senate will not now fix the hour of

final adjournment,

Mr. COCKRELL. I did not know that the resolution was to be acted upon. I supposed that it was an entirely different resolution which was before the Senate. Let it be read again, and let us now see when the Senator from Iowa has placed the hour of adjournment. It has been already changed twice by the Appropriations Committee.

The PRESIDENT protempore. The resolution will be again read.

The resolution was read.

The PRESIDENT pro tempore. The amendment has been agreed to.

The Chair submitted the question.

Mr. CONGER. Is that subject to a point of order as being offered to-day?

Mr. GIBSON. I move to insert 12 o'clock, meridian, August 5.
Mr. CONGER. I ask if the resolution is not subject to a point of order if introduced now.

The PRESIDENT pro tempore. It is not. The resolution was reported some days ago. It is not open to the point of order.

Mr. CONGER. It is not a new resolution?

The PRESIDENT pro tempore. It is the same resolution which has been pending for several days. The question is on agreeing to the resolution as amended.

Mr. CONGER. I ask that the consideration of the resolution be

Mr. McMILLAN. I hope the Senator from Iowa will withdraw the

resolution for the present, and leave it without any action upon it.

Mr. COCKRELL. I rise to a question of order. I ask the Chair
whether he has announced that the amendment was agreed to?

The PRESIDENT pro tempore. The Chair did announce that the
amendment was agreed to. If there is doubt about it, the Chair will

again submit the question on the amendment.

Mr. COCKRELL. I hope it will not be considered as agreed to, because I do not think half the Senate knew that the resolution was being

acted upon at the time. The PRESIDENT pro tempore. The Chair will consider the amend-

ment as pending.

Mr. HOAR. I should like to know if the Executive is at the Capitol, as has been the usual courtesy of the Presidents of the United States since the foundation of the Government I suppose, where he can be communicated with on this subject.

Mr. COCKRELL. I have not been in the President's room. Mr. SEWELL. I understood from the Secretary of War, who was

here this morning, that the President would be here this evening. Mr. HOAR. He is not here now?

Mr. SEWELL. He is not, because he has no knowledge that the proposed adjournment will take place.

Mr. HOAR. We had b fore we finish this matter. We had better wait until he comes to the Capitol be-

Mr. CULLOM. If we are going to adjourn this session at all, it seems to me that we ought to fix a time. If we are not going to fix a time let us take up the Calendar and go to work in regular business as though we meant to legislate deliberately. It seems to me that this mode of procedure is entirely out of character. We are picking up

things here and considering them for a little while and then taking up

a resolution for adjournment.

Everybody understands that we are going to adjourn to-night or tomorrow at the outside, and yet we can not get a resolution passed on the subject. If we can not adjourn to-night, let us agree to adjourn to-morrow, and fix some time, so that we shall know whether we ought to deliberately go to work and legislate or whether we ought simply to wait and understand whether the President wants us to stay here longer or not. It seems to me from what I have heard intimated that the President is ready to let us go home, and if he is I should certainly

like to go pretty soon.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Iowa fixing the hour of adjournment at 10 o'clock

this evening. [Putting the question.] The ayes appear to have it.
Mr. McMILLAN. I ask for the yeas and nays.
Mr. CONGER. Mr. President, will you state the proposition again?
The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Iowa fixing the hour of adjournment

at 10 o'clock this evening.

Mr. CONGER. If that vote is to be forced upon the Senate, I say for one as a member of the Senate that with a bill just sent to the President which has three or four hundred items in it to be exam-

Mr. McMILLAN. Two bills.
Mr. CONGER. The river and harbor bill and the sundry civil bill, on which there were three hundred and seventy-one or three hundred and seventy-two propositions numbered to be agreed to and receded from, so that no man in the Senate who listened to the report of the conference committee could tell when it left, except upon particular items, how it stood. To ask the President of the United States to take those bills which have been sent to him within the last hour, and review the changes made within the last ten hours, which he could not possibly have known, is not right, and I for one will vote against this proposition. I for one will decline to vote, with my friends who are in favor of a fair chance, and leave the Senate without a quorum for a few hours, if that is the way we are to be treated here.

I understand why there is great urgency to press this resolution so that the l'resident shall not have time to examine these bills, and especially the river and harbor bill. I understand why the same feeling that is dissatisfied with some concessions in that bill would desire to press this matter so that the President shall not have time to examine the bill as he ought to have time to do it; and I believe the friends of the bill understand it, too. I believe they are prepared to give time to the Executive to make a decent, reasonable examination of a very important bill. He ought to have it, and as far as my help will go he shall

Mr. CULLOM. How long do you want to stay—ten days?

Mr. CONGER. If Senators who are drawing their pay, whether they
stay here or go home, who are hired by the year to do the work of the Government and the country, can not in the interest of public business give two or three days more time when the constituents of most of them demand it, if I know of any means which can compel them to stay I shall exercise that means; and I call for aid upon the friends of a measure which has had more consideration in this Congress than it ever has had in any other Congress, the river and harbor bill, and which I believe, with the exception of some disappointed men, has the approval of the judgment of the Senate and of the House and of the country, and I believe will, if a reasonable time is given to the President, meet with his approval, if he is given time for that examination, which is

only decent and only fair to any Executive. I do not propose to be driven from my position on this proposition, and having the floor, if my strength would permit, I could talk on and on and interest the Senate beyond all account for eight or ten or twelve

Mr. COCKRELL. Just give us two hours now.
Mr. CONGER. I do not make that as a threat, because I know how quick the Senator from Iowa would withdraw his resolution if I were even to threaten to talk two or three hours here right by his side.

If the Senator will yield to me for a moment I will Mr. ALLISON. state that the resolution must go back to the House of Representatives. I think it is due to the House of Representatives as well as to the President, in the present condition of the public business, that we should fix some hour of adjournment.

Mr. CONGER. I only yield for an apology, not for a speech. Mr. ALLISON. I do not wish to occupy the valuable time of the

Senator from Michigan. I know he has an interesting statement to make, and I am perfectly willing to yield to him.

Mr. CONGER. I yield for an apology, or for an explanation even;

will go as far as that

Mr. ALLISON. All I desire is that the Senate shall send back this resolution to the House of Representatives. On my own motion I fixed the hour at 10 o'clock to-night. If any Senator thinks, or if a majority of the Senate think, that that is not the proper hour, let them suggest some other hour and test the sense of the Senate.

Mr. GIBSON. I suggest the hour of 12 o'clock to-morrow.

Mr. HOAR. Why can not that be done just as well at 6 o'clock or journment of this body.

8 o'clock as now? The resolution will go to the other House in five minutes after it is passed by the Senate, and will there be agreed to. What earthly advantage is there to any human being or human interest, except the interest which the Senator from Michigan refers to, in fixing the hour at this time?

Mr. GIBSON. I offer an amendment to strike out "10 o'clock p. m., August 4," and insert "4 o'clock p. m., August 5."

Mr. ALLISON. Let me say one word to the two Senators respecting the river and harbor bill. I have no wish about the river and harbor Certainly I am not making this motion in antagonism to that

Mr. CONGER. I am very glad to hear the Senator say so, for other

gentlemen have had very strong suspicions on that subject.

Mr. ALLISON. I accept the apology of the Senator from Michigan on that point. I believe what we ought to do is to fix an hour and a day. If we are to wait here until the proper time expires with reference to the river and harbor bill we are bound to wait for ten days, as the bill only went to the President this morning.

Mr. CONGER. A reasonable time is all that I have asked.

Mr. ALLISON. What does the Senator from Michigan regard as a

reasonable time?

Mr. GIBSON. I will state to the Senator from Iowa that the President should have eight or nine hours to read the bill and consider it, and by 4 o'clock to-morrow I have no doubt he will come to a determination.

Mr. ALLISON. It is more than nine hours from now until 4 o'clock to-morrow.

Mr. GIBSON. Well, say 12 o'clock to-morrow. Mr. KENNA and others. Say 12 o'clock to-morrow.

Mr. ALLISON. In deference to Senators who represent important matters I will not myself press the resolution at this moment.

Mr. CONGER. Having the floor, and having reserved it for the purpose of my remarks, I yield it now in deference to the proposition made by the Senator from Iowa that for the present the resolution is laid upon the table

The PRESIDENT pro tempore. If there be no objection the resolu-tion will lie on the table.

Mr. CONGER. And I reserve a future opportunity to continue the interesting remarks I was making.

ALIEN LAND-HOLDINGS.

Mr. PLUMB. I move that the Senate proceed to the consideration of the bill (H. R. 3280) to restrict the ownership of real estate in the

Territories to American citizens, and so forth.

Mr. CALL. I object to the bill. Is the bill subject to objection?

The PRESIDENT protempore. It is not. The question is on agreeing to the motion of the Senator from Kansas.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and insert:

after the enacting clause and insert:

That it shall be unlawful for any person or persons not citizens of the United States, or who have not lawfully declared their intention to become such citizens, or for any corporation not created by or under the laws of the United States or of some State or Territory of the United States, to hereafter acquire, hold, or own real estate so hereafter acquired, or any interest therein, in any of the Territories of the United States or in the District of Columbia, except such as may be acquired by devise or inheritance or in good faith in the ordinary course of justice in the collection of debts hereafter created: Provided, That the prohibition of this section shall not apply in such cases as the right to hold lands in the United States is secured by existing treaties to the citizens or subjects of foreign countries, which rights shall continue to exist so long as such treaties are in force.

SEC. 2. That no corporation or association more than 20 per cent. of the stock of which is or may be owned by any person or persons, corporation or corporations, association or associations, not citizens of the United States, shall hereafter acquire or shall hold or own any real estate hereafter acquired in any of the Territories of the United States or of the District of Columbia.

SEC. 3. That no corporation other than those organized for the construction or operation of railways, canals, or turnpike shall acquire, hold, or own over 5,000 acres of land so hereafter acquired in any of the Territories of the United States; and no railroad, canal, or turnpike corporation shall hereafter acquired, hold, or own lands so hereafter acquired in any Territory, other than as may be necessary for the proper operation of its railroad, canal, or turnpike, except such lands as may have been granted to it by act of Congress.

SEC. 4. That all property acquired, held, or owned in violation of the provisions of this act shall be foreited to the United States, and it shall be the duty of the Attorney-Gen

Mr. CALL. Mr. President, I hope that the Senate will not proceed now to the consideration of so grave a subject as that presented in the bill. The question as to what extent aliens shall be allowed to own real estate in the Territories and in the District of Columbia, and of establishing so far as we may a policy for the States, is certainly one of very grave importance in connection with the amount of capital and property invested by American citizens in real estate in foreign coun-

tries and by the citizens and subjects of foreign countries in this.

I for one am in accord heartily with the idea of limiting the ownership of real estate, so far as it is practicable, to those people who cultivate the soil and make it useful, but certainly it is a subject of very great importance, and which can not be considered and properly treated at this time in the condition in which every one is in regard to the adI hope, therefore, there will be no objection to the motion I shall make, that the consideration of the bill be postponed until the next meeting of Congress. I will make that motion.

Mr. PLUMB. What is the motion?

The PRESIDENT protempore. The Senator from Florida moves that the consideration of the bill be postponed until December.

Mr. PLUMB. Is that motion debatable?

Mr. HAWLEY. It is.

Mr. HAWLEY. It is.
The PRESIDENT pro tempore. Certainly.
Mr. PLUMB. Mr. President, I wish to say that the amendment of the Senate Committee on Public Lands passed the Senate unanimously about two months ago as a separate bill. The House of Representatives, instead of taking up that bill, took up and passed a bill of their own on the same subject. The committee now recommend to strike out the House bill and insert the Senate bill, which is undoubtedly, according to the judgment of all I think who have examined it, and even members of the House themselves, very much preferable to the House bill.

Mr. INGALLS. Will my colleague be good enough to state the dif-

ference between the two propositions?

Mr. PLUMB. The difference between the two propositions is substantially this: The House bill contains no reservation in favor of such rights as may have been recognized by treaties between our Government and foreign governments. It does not recognize the rights of any one to hold property which may have come to him by devise or inher-The Senate bill besides provides that domestic corporations shall not hold more than 5,000 acres of land in any Territory except as may be necessary for railroads, canals, or some other public purpose. Those are the differences between the two bills.

This same bill, that is, the substance of it, was introduced by myself It was considered then by the Committee on Public Lands, and received considerable attention at the hands of other members of the Senate, and was reported favorably but not passed. It was introduced by me early in this session and considered by the committee in a very thorough way, was passed by the Senate some two months since, and I think now meets the judgment of every member of the commit-tee as fully as it did at the time it was reported.

I do not think that the Senator from Florida need have any apprehension about the exercise of this jurisdiction on the part of the United States. It is only with reference to the Territories; it does not affect the States at all.

I can say for myself in this connection that while it ought to pass for the purpose of preventing any further acquisition of land by foreigners in the Territories, I think the amount of the holdings of land by foreigners in the Territories has been largely exaggerated. While I am on this subject I will say that the table which was published in the RECORD in connection with the passage of the bill in the House of Representatives is erroneous in two particulars-in how many more I do not know. It is stated in that report that some British company owns 230,000 acres of land in the State of Kansas. That is entirely a mistake. I do not believe that any company, foreign or domestic, owns half that much land in the State of Kansas.

It is also stated that Albert Grant, of London, owns 35,000 acres of and in Kansas. That is incorrect. I doubt if Mr. Grant owns an acre land in Kansas.

in Kansas.

Mr. INGALLS. Albert Grant has been dead for a long time.

Mr. PLUMB. As my colleague suggests, Grant has been long since ead. Mr. Grant bought a tract of land from the Kansas Pacific Railroad in Russell County, Kansas, along the line of that road. He brought over a colony of Englishmen and located them on the land and laid out a town which he named Victoria. For a long time he owned all or a part of this land. Finally his holdings becoming unprofitable, and for other reasons, they were abandoned; that is to say, he sold out mainly, I believe, to the colonists whom he had brought over, and that land is owned now in comparatively small tracts. But still I believe it to be in accord with a very proper sentiment, and a sentiment which it is proper to meet at this time, that we should restrict, as far as is within our jurisdiction, the holding of land by persons who are not willing to assume the burdens and the duties of American citizenship.

The bill applies to a limited portion of the area of the United States, but its passage will be followed by the passage of similar bills by the several States acting within their own jurisdiction. I believe such a law was passed during the last winter by the Legislature of the State I know that interest in this subject has largely increased in my own State within recent months. There is such a law now in the State of New York. Many years ago there was such a law in the State of Massachusetts, but it was repealed. However, there is an agitation I understand going on in that State to some extent for a re-enactment

of the law.

Mr. HOAR. To what law does the Senator refer?

Mr. PLUMB. A law prohibiting holding land by aliens in Massachusetts. I think the law was repealed.

Mr. HOAR. The law was repealed in 1852. There is no such law now in the State.

Mr. PLUMB. I understand that there is not now, but I have had some letters from there and I understand there is some consideration of the question of its re-enactment, or the substance of it.

Mr. PLATT. Will the Senator allow me to interrupt him?

Mr. PLUMB. I will.

Mr. PLATT. There has been published in speeches which have been delivered in Congress, and I think in reports, a table showing that foreigners own about 20,000,000 acres of land in large holdings in this country, and the Senator has said that so far as that table relates to Kansas it is inaccurate. I think the impression goes abroad that those holdings have been derived directly from the United States Government. I wish to ask the Senator, as chairman of the Committee on Public Lands, whether he knows of any large holdings of lands by aliens where they have derived their lands from the United States

Mr. PLUMB. No one can purchase land from the United States Government except a citizen of the United States, or one who has declared his intention to become such; but there are certain facts which have given rise to the opinion that such purchases can be made. I have no doubt that foreign cattle companies have bought from persons who have entered the same considerable bodies of land in the Territories,

but that I have no doubt is also overstated.

I remember that two or three years ago, when this question first came up for consideration, a letter written by a Scotchman, a gentleman whom I happened to know slightly, was published, in which he stated that a company in which he was interested owned more than 30 miles square in one of the Territories. I felt sure at the time that was a mistake, because I knew something about the gentleman making the assertion, and I was satisfied it could not be true. I learned subsequently, from perfectly reliable authority, that the company he spoke of did not own more than half a dozen quarter-sections of land in the Territory of Wyoming and none elsewhere, but that they had included within the range, which they had put into their circular for the purpose of inviting subscriptions to the stock of the company, the adjacent public lands to the extent of 20 or 30 miles on each side of the stream on which these parties were located, and they kept it for grazing purposes. So I have no doubt that a large portion of what has been said in public, and which has gone into the official literature of this question, has been erroneous. If But that does not qualify my feelings in

If no acre of American soil was owned by a foreigner I should still be in favor of enacting a positive prohibition against such ownership for the future. I think myself that we offer inducements enough to people to come to this country, and that we endow them with citizenship at an early enough period. In my own State the person who has declared his intention to become a citizen and who has resided within the limits of the State six months is entitled to vote, and in the Western States generally a similarly liberal rule prevails. As American citizenship is open without limit to everybody, practically speaking, who is willing to come here and properly renounce his foreign allegiance, I am in favor of saying that those who do not so come and who do not submit themselves to the jurisdiction of our laws and to the burdens of American citizenship shall not be entitled to any of the benefits of it. I do not believe there can be any sounder proposition than that. I believe that this is a very good time, whatever may be the extent of foreign holdings to-day, to inaugurate this movement, which I have no doubt will go on until it will be the law of every State in the Union and cover

every inch of American soil.

Mr. PLATT. I wish to ask a question as to the status of this bill. I understand that the amendment now proposed has once been passed by the Senate.

Mr. PLUMB. It was passed by the Senate about two months ago. Mr. PLATT. It went to the other House, and the House, when it might have concurred with the Senate in the passage of the bill as it passed the Senate, chose to pass the House bill and not to act upon the Senate bill. Is that it?

Mr. PLUMB. That is the fact.

Mr. HOAR. I should like to ask the Senator from Kansas why it is

that the committee authorize the holding of this land when it is acquired in the ordinary course of judgment in the collection of debts hereafter incurred. It would seem to me if the distinction is to be made in debts, debts heretofore created should be preferred.

Mr. PLUMB. That is a misprint, and I was about to correct it.
Mr. HOAR. Now, I should like to ask the Senator further if it is his purpose, suppose this bill passes and goes into conference, to have a conference report made and acted upon at the present session? I am perfectly willing to proceed with the consideration of the bill, and it commends itself to my judgment so far as I have examined it, but I should dislike very much in regard to a matter of this immense importance to have a conference report brought in here which might present some very serious questions, and have to act upon that to-day or to-morrow before adjournment. I hope, if this bill goes into conference, that the Senator will be able to assure the Senate that the report of the committee will be delayed until the next session, to give him the entire control of the whole subject, because otherwise, of course, there will be the doubt of its reaching the President in time for his consideration and signature

Mr. PLUMB. There has been no purpose, except in the event that something might delay the session of Congress for four or five days, that any final action should be taken upon the bill. It was suggested by a member of the Public Lands Committee of the House after this report had been made that, inasmuch as the Senate would take up its own bill, it should go into conference

Mr. HOAR. I have no objection to that.
Mr. PLUMB. And that the subject then be considered in reference
to some details which had received consideration heretofore, but about which there was some difference of opinion, and that at the beginning of the next session of Congress the whole subject should be considered with the light that might be thrown upon it by the intermediate investigation.

Mr. HOAR. With the assurance from the Senator that, if he is to be one of the conferees, the matter will not be brought up on a conference report at this session unless circumstances should give time for full con-

sideration of it, I have no objection.

Mr. CALL. I hope very much that the Senate will adopt the motion I have submitted, to postpone the consideration of this whole subject until the next session of Congress. It certainly is one of the gravest questions as to the policy which this Government should adopt which

can be presented.

I am in favor, as I now understand the subject, of the amendments of the Senate Committee on Public Lands and of the bill thus amended. But what is it that we propose to consider in this hasty manner? From the very beginning of history the question of the rights of foreign subjects and citizens in another country has been a subject of internarecognized. He had no rights; he lived by the grace of the govern-

It then became a subject of international law as to the rights of denizens, and a code of laws grew up regulating the rights of persons in the dominion of foreign countries. Now we propose to deal with that question. I am in accord with the idea that the ownership of the soil shall be restricted to those who cultivate the soil; but shall we adopt that principle here in these closing hours when nobody can hear what is said? Shall we reverse a principle of international law by our legislation here and put our country upon a different foundation than that of all other civilized countries without further consideration, and in the presence of the fact that American citizens to-day under the laws of all civilized countries are permitted to invest in and own real estate to any extent, and without the existence of a great practical evil, when there is a large amount of foreign capital here invested?

I am in favor of limiting the ownership of the soil to the people who use it as far as practicable. But the point is, shall we now determine that question in all its extent as to the limitations which we shall impose upon it? Certainly the amendment of the Committee on Public Lands is correct. People who inherit property should not have it taken away from them arbitrarily; and certainly those who hold under treaty obligations should be allowed to own; but shall we determine the pre-

cise limits of these rights without further consideration?

The point I make is that this is a great subject involving the international relations of this country with foreign countries, the status of American citizens in foreign countries, the status of foreign citizens and subjects in this country in all property rights; and therefore we ought not now in the closing hours of this session, without deliberation or discussion, when our minds are not in a condition to regard this subject with deliberation and fairness, to proceed to take any action upon it. For this reason I move that we postpone the consideration of the bill until the next session of Congress.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Florida that the Senate postpone the further considera-

tion of the bill until the next session.

Mr. HAWLEY. I only wish to say that I supported this amendment when it was originally passed in the Senate as a separate Senate bill.

I think I supported it on its passage. I supported the idea in a general I see no objection to our affirming it now; but I see there is force in the suggestion of the Senator from Massachusetts that if there should be serious changes made in conference we might not care to discuss them at the very last moment.

With regard to the objection made by the Senator from Florida, it scems to me to be provided for in the first section, which says:

That the prohibition of this section shall not apply in such cases as the right to hold lands in the United States is secured by existing treaties to the citizens or subjects of foreign countries, which rights shall continue to exist so long as such treaties are in force.

If there be leading nations of Europe with which we have no treaties concerning this matter they have no fault to find with such regulations as we choose to make at home. There is no obligation, direct or implied, that is violated.

I agree with the general policy of the bill most emphatically.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Florida [Mr. Call] to postpone the further consideration of the bill until next session.

The motion was rejected.

Mr. PLUMB. I now move to amend the amendment on line 12

by inserting the word "heretofore" in place of the word "hereafter."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In line 12, after the word "debts," it is proposed to strike out "hereafter" and insert "heretofore;" so as to read:

In the collection of debts heretofore created.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. PLUMB. I move to amend the title so as to read:

A bill to prevent the acquisition of real property by aliens, and for other pur-

The motion was agreed to.

Mr. PLUMB. I move that the Senate insist on its amendment and ask for a conference thereon with the House of Representatives. The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. Plume, Mr. TELLER, and Mr. WALTHALL were appointed.

CHITTENDEN- BROTHERS.

Mr. PALMER. I move that the Senate now take up Senate bill No. 938, Order of Business 1616.

The motion was agreed to; and the bill (S. 938) for the relief of Chittenden Brothers was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columhis with an amendment, in line 7, after the words "District of Columbia," to strike out "such sum as may be found to be equitably due, per the report of the Engineer Department," and insert "\$15,-000;" so as to make the bill read:

Be it enacted, &c., That the Secretary of War is hereby authorized to pay to Chittenden Brothers, contractors, out of any unexpended balance of money appropriated for the construction of a dam at Great-Falls, Maryland, for increasing the water-supply of the District of Columbia, \$15,000, for money expended in the construction of coffer-dams, pumping, and other auxiliary work over and above that contemplated in the amendment to the contract with said Chittenden Brothers, dated March 4, 1884, and which additional work was rendered necessary by the peculiar formation of the bed of the river, which could not be anticipated by the Government engineers or the contractors at the time of entering into the contract.

The amendment was acceed to

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM B. ISAACS & CO.

Mr. MAHONE. I move to take up Calendar No. 1665, being House joint resolution 67.

The PRESIDENT protempore. The Senator from Virginia moves to take up a joint resolution, the title of which will be read.

The CHIEF CLERK. "A joint resolution (H. Res. 67) for the relief of William B. Isaacs & Co."

The Committee on Claims reported the joint resolution with an amendment, to strike out all after the resolving clause and insert:

That the Court of Claims is hereby empowered to hear the claim of William B. Isaacs & Co., and to proceed with the same in accordance with the provisions of the act approved March 3, 1883, entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," and report to Congress the facts in the case and the amount of the claim, including any facts bearing upon the question whether there has been delay or laches in presenting such claim, and any facts tending to excuse such delay or laches.

Mr. EDMUNDS. I move that the Senate take a recess for one hour.

The PRESIDENT pro tempore. The Senator from Vermont moves that the Senate take a recess for one hour.

Mr. CALL. I ask the Senator from Vermont if he will not withdraw the motion until I can call up a resolution reported by the Committee on Contingent Expenses of the Senate?

Mr. EDMUNDS. No. I think all we do now is injurious. I think

we had better take a recess for an hour and then the Senator can call up his resolution.

Mr. CALL. I will say to the Senator that there was a messenger who was discharged from the Senate who belonged to the Committee on Revolutionary Claims, a committee of which my colleague [Mr. Jones, of Florida] is chairman.

The PRESIDENT pro tempore. The Chair must advise the Senator

that the question is not debatable.

Mr. CALL. I am not going to debate it. I was appealing to the Senator.

Mr. EDMUNDS. We can take it up after a recess.

Mr. CALL. The resolution is reported by the Committee on Contingent Expenses for his relief. It is a very small matter and will take but a moment. At the request of the committee I make the motion.

Mr. EDMUNDS. Wait until 4 o'clock.

The PRESIDENT pro tempore. The question is on the motion for a

The question being put, the ayes were 14.
Mr. COCKRELL. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. CONGER. While that is pending I ask consent to introduce a

Mr. BUTLER. Before the vote is taken I ask unanimous consent to take up a joint resolution.

The PRESIDENT protempore. The first reading of the bill introduced by the Senator from Michigan.

BILL INTRODUCED.

Mr. CONGER introduced a bill (S. 2891) granting an increase of pension to the widow of Orange F. Linsday; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. The motion for a recess is not debatable

Mr. BUTLER. I ask unanimous consent to take up the joint resolution (S. R. 80) providing for one month's extra pay for certain employés of the Senate and House of Representatives.

Mr. EDMUNDS. No, Mr. President.
The PRESIDENT pro tempore. The Chair is of the opinion that the question is on the motion for a recess. The Secretary will call the roll.

Mr. HARRISON. I ask unanimous consent to be allowed to suggest that this proposition be withdrawn, and that the Senate proceed to the

consideration of the Presidential vetoes of pension bills, in their order.

The PRESIDENT pro tempore. The Chair is of opinion that the yeas and nays having been ordered on the motion for a recess, that question

Mr. EDMUNDS. The Senator can ask unanimous consent, I think. The PRESIDENT pro tempore. The Senator from South Carolina [Mr. BUTLER] first asked unanimous consent.

Mr. HOAR. I move to reconsider the vote by which the yeas and

nays were ordered.

Mr. BUTLER. I ask unanimous consent to proceed to the consideration of Senate joint resolution 80.

Mr. HOAR. Let the call for the yeas and nays be reconsidered.

Mr. EDMUNDS. We can not reconsider that vote when one-fifth

of the members present have a perfect right to have the yeas and nays

The PRESIDENT pro tempore. The yeas and nays having been ordered, the Chair is of opinion that a majority can not reconsider the vote ordering them. One-fifth have a right to the yeas and nays.

Mr. EDMUNDS. For the moment, in order to have the request of the Senator from Indiana heard, I ask leave to withdraw my motion

The PRESIDENT pro tempore. The motion for a recess is withdrawn, if there be no objection.

Mr. BUTLER. I had the floor before the Senator from Indiana

The PRESIDENT pro tempore. The Senator from South Carolina asked unanimous consent of the Senate first to proceed to the consideration of Senate joint resolution 80.

Mr. BUTLER. That is my request.

The PRESIDENT pro tempore. The title of the resolution will be

stated.

The CHIEF CLERK. "A joint resolution (S. R. 80) providing for one month's extra pay for certain employés of the Senate and House of Representatives."

Mr. EDMUNDS. I object.

The PRESIDENT pro tempore. Objection being made—
Mr. HARRISON. I renew my request for unanimous consent.
Mr. BUTLER. Then I object to that.

Mr. HOAR. I move to proceed to take up the first vetoed pension bill on the list. The Secretary will find the title.

The PRESIDENT pro tempore. The Senator from Virginia [Mr. MAHONE] has a motion precisely similar pending to proceed to the consideration of a bill, and that will have to be proceeded with first. The Senator from Virginia moves that the Senate proceed to the consideration of the joint resolution (H. Res. 67) for the relief of William B. Isaacs & Co.

Mr. MAHONE. I withdraw the motion in favor of the Senator from Indiana.

Mr. HOAR. My motion is that the Senate now proceed to the con-

Mr. HOAR. My motion is that the Senate how proceed to the consideration of the first vetoed pension bill on the Calendar.

Mr. HARRISON. I suggest to the Senator from Massachusetts that instead of making it the first on the Calendar, he move to proceed to the consideration of all those bills in their order.

Mr. HOAR. That would not be in order. We must take one at a time. Order of Business 1751 is the first one.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate proceed to the consideration of the following

Mr. BUTLER. Upon that I ask for the yeas and nays.

Mr. EDMUNDS. Let us have the title read.

The PRESIDENT pro tempore. The title will be stated.

The CHIEF CLERK. "A bill (S. 789) granting a pension to John S.

Williams."

Mr. SEWELL. I move to substitute Order of Business 1685, being the bill (S. 226) granting a pension to Margaret D. Marchand.

Mr. HOAR. I withdraw my motion and yield to the Senator from

New Jersey, that he may move to take up Order of Business 1685.

MARGARET D. MARCHAND-VETO MESSAGE.

Mr. SEWELL. Then I move to take up the bill (S. 226) granting a

pension to Margaret D. Marchand.

Mr. BUTLER. On the question of taking it up I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CHACE (when Mr. Aldrich's name was called). My colleague [Mr. ALDRICH] is paired with the Senator from West Virginia [Mr. CAMDEN]

Mr. GORMAN (when his name was called). I am paired with the

Mr. GORMAN (when his name was called). I am paired with the Senator from Maine [Mr. Frye].

Mr. MANDERSON (when his name was called). I am paired usually upon questions of this character with the Senator from Kentucky [Mr. BLACKBURN]. I transfer that pair to my colleague [Mr. VAN WYCK] who is temporarily absent. I vote "yea."

Mr. RANSOM (when his name was called). I am paired with the Senator from Illinois [Mr. Logan].

The roll-call was concluded.

Mr. McMILLAN. My colleague [Mr. Sabin] is absent from the Senate and is paired with the Senator from West Virginia [Mr. Kenna].

Mr. HAWLEY. My colleague [Mr. Platt] has been obliged to

Mr. HAWLEY. My colleague [Mr. PLATT] has been obliged to leave. He is paired with the Senator from South Carolina [Mr. HAMP-

TON

Mr. SPOONER. I inquire whether the Senator from Mississippi [Mr. WALTHALL] voted.

Mr. SEWELL (after having voted in the affirmative). As there seems to be a political division on this question, I withdraw my vote. I am paired with my colleague [Mr. McPherson].

Mr. BUTLER (after having voted in the negative). Inasmuch as this has assumed a political phase, I withdraw my vote. I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. COCKRELL (after having voted in the negative). I withdraw

my vote for the present, reserving the right always to vote to make a quorum. I am paired with the Senator from New York [Mr. MILLER].

Mr. PALMER (after having voted in the affirmative). I am paired with the Senator from North Carolina [Mr. VANCE]. He is not here, and I withdraw my vote.

The PRESIDENT pro tempore. Senators are reminded that by not voting they risk breaking a quorum.

Mr. PALMER. I vote "nay," the same as my pair would vote if

he were present.

The result was announced—yeas 22, nays 17; as follows:

	YE	AS-22.	
Allison, Blair, Chace, Conger, Cullom, Dolph,	Edmunds, Evarts, Harrison, Hawley, Hoar, Ingalls,	MeMillan, Manderson, Mitchell of Oreg., Plumb, Riddleberger, Sawyer,	Sherman, Spooner, Teller, Wilson of Iowa
	NA	YS-17.	
Beck, Berry, Call, Cockrell, Coke,	Eustis, Gibson, Gray, Harris, Maxey,	Palmer, Payne, Saulsbury, Vest, Voorhees,	Walthall. Wilson of Md.
	ABSI	ENT-37.	
Aldrich, Blackburn, Bowen, Brown, Butler, Camden, Cameron, Colquitt, Dawes,	Frye, George, Gorman, Hale, Hampton, Hearst, Jones of Arkansas Jones of Florida, Jones of Nevada,	Logan, McPherson, Mahone, Miller, Mitchell of Pa., Morgan, Morrill, Pike, Platt,	Ransom, Sabin, Sewell, Stanford, Vance, Van Wyck, Whitthorne.

So the motion was agreed to; and the Senate proceeded to consider

the bill (S. 226) granting a pension to Margaret D. Marchand.

The PRESIDENT pro tempore. The question is, Shall the bill pass, the objections of the President of the United States to the contrary not-

withstanding? Mr. SEWELL. Mr. SEWELL. I ask now that that particular bill lie on the table, and that the bill passed by the House of Representatives, Order of Business 1847, be taken up.

Mr. HOAR. Is it in order for a vetoed bill to be laid on the table?

The Constitution says we shall proceed to consider it by yeas and nays. I ask for information.

Mr. SEWELL. The proceeding is at the discretion of the Senate.
Mr. HOAR. Yes, but laying on the table is different.
The PRESIDENT protempore. The Chair is of opinion that the Con-

stitution requires the Senate to vote on the identical bill that has been vetoed by the President.

Mr. SEWELL. That does not prevent the bill lying on the table to

be taken up hereafter.

The PRESIDENT pro tempore. It is in order to lay it aside or lay it on the table.

Mr. SEWELL. I move that it lie on the table, as I wish to take up the other bill.

Mr. EDMUNDS. What is the other bill?

Mr. SEWELL. A bill passed by the House of Representatives.
Mr. COCKRELL. I hope that will not be done.
The PRESIDENT pro tempore. The question is on the motion to lay the bill on the table.

The motion was rejected.

The PRESIDENT pro tempore. The question is, Will the Senate pass the bill, the objections of the President of the United States to the

ontrary notwithstanding.

Mr. COCKRELL. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report, submitted by Mr. SEWELL from the Committee on Pensions July 9, 1886.

Mr. SEWELL. In order to save time I ask that the Secretary only read the conclusions of the committee on the subject, without reading all the details.

The PRESIDENT pro tempore. Without objection the concluding part of the report only will be read.

Mr. COCKRELL. No; I want it all read.

The PRESIDENT pro tempore. The reading will proceed.

The Secretary resumed and concluded the reading of the report, which

is as follows:

The Committee on Pensions, to whom was referred the message of the President of the United States returning the bill (S. 226) granting a pension to Margaret D. Marchand, widow of John B. Marchand, of the United States Navy, submit the following report:

The committee have carefully considered said message in connection with the previous report made by them in this case, recommending the passage of said bill, and find that the President has taken the course pursued by the Pension Burcau, which Burcau refused to grant the desired pension to Mrs. Marchand upon the ground that the disease of which her late husband, Commodore Marchand, died could not be traced to disabilities incurred in the service while in the line of duty.

The committee beg leave to submit (1) said veto message as a part of their report. Also (2) their previous report, accompanying the bill and recommending its passage to the Senate. And further (3) a letter from the chief clerk of the Navy Department giving the service of this officer. They are as follows:

[Senate Ex. Doc. No. 186 Fortwoninth Concress, first session.]

[Senate Ex. Doc. No. 186, Forty-ninth Congress, first session.]

ssage from the President of the United States, returning Senate bill 226, with his objections thereto.

I return herewith Senate bill No. 226, entitled "An act granting a pension to Margaret D. Marchand," without approval.

The beneficiary named in this bill is the widow of John B. Marchand, who entered the United States Navy in 1828, who was promoted to the rank of commodore in 1866, and who was placed upon the retired-list in 1870. He died in August, 1875, of heart disease.

His widow filed an application for pension in 1883, claiming that his fatal disease was caused by exposure and exertion in the service during the war of the rebellion. The application was rejected because of the inability to furnish evidence to prove that the death had any relation to the naval service of the deceased.

I am unable to see how any other conclusion could have been reached. The information furnished by the report of the committee to whom this bill was referred, and derived from other data before me, absolutely fails to connect the death of Commodore Marchand with any incidents of his naval service.

This officer was undoubtedly brave and efficient, rendering his country valuable service. But it does not appear to have been of so distinguished a character, nor are the circumstances of his widow alleged to be such, as to render a gratuity justifiable.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 19, 1886.

[Forty-ninth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the 7th day of December, 1885.]

An act granting a pension to Margaret B. Marchand

An act granting a pension to margaret B. Marchand.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Margaret D. Marchand, widow of Commodore J. B. Marchand, late of the United States Navy, and pay her a pension at the rate of \$50 per month from the date of the passage of this

JOHN G. CARLISLE, Speaker of the House of Representatives. JOHN SHERMAN, President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. McCOOK, Secretary. By CHAS, W. JOHNSON, Chief Clerk.

[Senate Report No. 171, Forty-ninth Congress, first session.]

[Senate Report No. 171, Forty-ninth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 226) granting apension to Margaret D. Marchand, beg leave to state that a bill for this same purpose was referred to the Committee on Pensions of the Senate during the second session of the Forty-eighth Congress and passed by the Senate, failing in the House only for want of time to bring the measure before that body.

This committee beg to state further that they have examined the facts in the case recited in the affidavits of Mrs. Marchand and of the witness, Alice P. Thornton, which are hereto appended and made part of this report:

"On this 15th day of May, 1884, before me, Sprigg Harwood, elerk circuit court

for Anne Arundel County, personally appeared Margaret D. Marchand, who, be-

for Anne Arundel County, personally appeared Margaret D. Marchand, who, being duly sworn according to law, deposes and says as follows, to wit:

"In the year 1861 my husband, the late Commodore John B. Marchand, then commander, was in command of the steamer James Adger, off Charleston, S. C., engaged in the naval service of the United States Government in the late civil war. At that date he was in robust health and perfect physical condition. He had always been a man of unusually robust constitution, weighing over 200 pounds, and of perfectly regular habits, and from the date of our marriage, to wit, the 11th day of November, 1856, until the date of his taking command of the steamer James Adger, in 1861, have never known him to have any sickness with the exception of some trivial derangement of perhaps a day's duration, and never requiring any medical attendance. His habits throughout his entire life were uniformly regular and temperate.

"To the best of my knowledge he went upon blockade duty in the year 1861, in his usual health, and came to our home in Baltimore in 1894, broken down in health and much reduced in flesh, after protracted blockade duty, and after the severe engagements while in command of the U.S. S. Lackawanna in Mobile Bay. At the date of his promotion to the rank of commodore, in the year 1866, for distinguished services, the usual physical examination was waived. Soon after this date symptoms of defective circulation commenced, manifesting itself in the ends of his fingers, they becoming bloodless and livid in color. In 1871 he was a frequent sufferer from violent pains in his chest. In the winter of 1873 and 1874 Commodore Marchand was confined to the house, suffering extremely from the swelling of his feet. In the winter of 1874 and 1875 he had hemorrhages of the lungs; the last of these hemorrhages was the immediate cause of his death. Dr. Mahan, of Pennsylvania, our family physician, who attended Commodore Marchand during the early periods of his sickness, is now deceased. Drs. Dale and

Sworn to and subscribed the day and year first above written, before me.
"SPRIGG HARWOOD,
"Clerk Circuit Court for Anne Arundel County. [SEAL.]

"On this 15th day of May, before me, Sprigg Harwood, clerk of circuit court for Anne Arundel County, personally appeared Alice P. Thornton, who, being duly sworn according to law, deposes and says:
"That she is a sister of the within-named Margaret D. Marchand, and that she has read and carefully examined the affidavit of her said sister hereto appended; that she has personal knowledge of the condition of health and different stages of disease that finally resulted in the death of Commodore Marchand; and also personal knowledge of the statements-contained in the annexed affidavit, and that she verily believes the same to be true.

"ALICE P. THORNTON.

"Sworn and subscribed this 15th day of May, 1884, before me.
[SEAL.] " Clerk Circuit Court for Anne Arundel County."

"Clerk Circuit Court for Anne Arundel County."

The committee also desire to attach and make a part of their report the following account of the service of Commodore Marchand in Mobile Bay:

"The morning of the 5th of August, 1864, he found Admiral Farragut, with his fleet, consisting of the Richmond, Port Royal, Lackawanna, Seminole, Monongahela, Kennebeck, Ossipee, Itasca, Oneida, Galena, Brooklyn, Octorara, Metacomet, and lastly the Hartford, the admiral's flag-ship, at the mouth of Mobile Bay. Among the efficient officers who contributed to this important victory was Capt. John B. Marchand, of the Lackawanna, At fifteen minutes of 6 o'clock the whole fleet was under way, and just one hour afterward the first gun was fired. The ships above mentioned entered the bay, lasted to each other in pairs side by side, in order to prevent any confusion in passing the formidable fortifications of the confederates guarding the entrance to the bay. The Brooklyn and Octorara were in the lead. The Lackawanna, with the Seminole, was in the center of the line of battle. Fort Morgan first opened fire upon the fleet, and the rebel boats Tennessee, Morgan, Gaines, and Selma, inside of the bay, raked the vessels with shot and shell.

"Just around the point of land behind Fort Morgan could be seen three saucy-looking gunbeats and most powerful ironelad ever put affoat—looking like a great turtle, with sloping sides, covered with iron plates 6 inches in thickness, thoroughly riveted together, and having a formidable iron beak projecting into the water. Her armament consisted of six heavy guns of English make, sending a solid shot weighing 110 pounds irresistibly against everything but the turrets of the monitors.

"In addition to these means of resistance, the narrow channel in front of the fort had been lined with torpedoes. These were in the water, anchored to the bottom, and were chiefly in the shape of beer kees filled with powder, from the

rets of the monitors.

"In addition to these means of resistance, the narrow channel in front of the fort had been lined with torpedoes. These were in the water, anchored to the bottom, and were chiefly in the shape of beer kegs filled with powder, from the sides of which projected numerous little tubes containing fulminate, which it was expected would be exploded by contact with passing ressels.

"Although shot and shell were flying around, none struck the Lackawanna's hull, doing serious injury, until she was within 400 or 500 yards of Fort Morgan, when a heavy elongated shot from the fort passed through the ship's side, killing and wounding sixteen men at the 150-pound rifle, when it carried away two stanchions of the taffrail, passed through the foremast, and carried away two stanchions of the taffrail, passed through the foremast, and carried away two stanchions of the taffrail, passed through the foremast, and carried away two stanchions of the 150-pounder. The firing of shells from the Union fleet was so continuous that the confederates were driven away from their guns.

"At \$\frac{3}{2}\text{ o'clock in the morning the Union fleet had passed beyond the range of the guns of Fort Morgan, when the ram Tennessee was seen approaching. The admiral made signal to the Monongahela, commanded by Captain Strong, as being nearest, to run her down. The vessel was armed with a heavy artificial iron prow, and was, among the wooden vessels, the best adapted to the purpose of executing the admiral was sent up to the Lackawanna to also attack the Tennessee. The Monogahela first struck the rebet craft angularly, glancing off and doing her no perceptible injury. The Lackawanna was more fortunate, and struck her at right angles to her keel. The concussion was tremendous, both vessels rebounding, but soon after drifted against each other, broadside to broadside, bead and stern. At this juncture Captain Marchand ordered the guns to be fired into the enemy, the vessels then being so close as to almost enable the men to touch e

* Since promoted to commodore.

my's iron deeks were covered. Many of his men slipped off and fell into the water. In the attempt to run down the Tennessee the stem of the Lackawanna was cut and crushed far back of the planks' ends, doing her great injury, and leaving her in places but a few inches above the water.

"From the disabled condition of the Lackawanna in coping with this much superior antagonist the two vessels became separated, the ram going ahead, and the Lackawanna having nothing to hold on by, her captain ordered the helm hard over to bring the ship around, in order to make another attempt at running down the ram; but the great length of his vessel and the shoalness of the water, which was not more than a foot under the keel, prevented his turning rapidly, and in going round he collided with the Hartford, the Admiral's flagship, although every effort was made on his part to prevent the collision by backing the engine. Of this it has been aptly said by a personal friend of Admiral Farragut, the historian of this engagement, and who expressed the sentiment of the admiral, long after the occurrence, that 'the fault was as much with the Hartford as with the Lackawanna, each being too eager to reach the enemy.'

(J. C. Kinney, in Scribner's Monthly Magazine, June, 1881.)

"After the Lackawanna had cleared the Hartford she again started to run down the Tennessee, but before reaching her the rebel flag had been hauled down, a white one hoisted, and the ram had surrendered to the Union fleet, which by that time encompassed her on all sides, rendering her escape impossible."

The committee her leave, therefore, to report the bill favorably.

ble."
The committee beg leave, therefore, to report the bill favorably.

It appears that Commodore Marchand entered the Navy in 1828, and was placed upon the retired-list in 1870, thus serving his country forty-two years. His widow, the claimant, makes affidavit, as set forth in the foregoing report, as also does Alice P. Thornton, which satisfies the committee (in connection with such service of forty-two years) that the disease was incurred, or the causes which led to it, during the long period of service of this officer.

It has been the custom of Congress for some time to grant \$50 per month to the widows of brigadier-generals in the Army, and of commodores in the Navy, and also to the widows of officers of higher rank. This is, therefore, not an exceptional case.

These pensions to widows of naval officers are paid from what is known as the naval fund, which accrues from contributions of the officers and men of the Navy; and naval officers have always looked forward to having their families receive a portion of this fund to which they have contributed, and which they look upon as sacred to that purpose.

The committee believe this veto is the first of the kind ever transmitted to Congress by a President of the United States, and they take issue with his reasons for so doing, believing that, if they did not have the positive evidence of Mrs. Marchand and Alice Thornton, it would be fair to infer that the disease of which this officer died must have been the result of, or must have originated in, the hardships of the service, covered by this lengthened period of forty-two years.

The President does the memory of this officer credit by saving he "was un-

in, the hardships of the service, covered by this lengthened period of forty-two years.

The President does the memory of this officer credit by saying he "was undoubtedly brave and efficient, rendering his country valuable service," but adds, in the next sentence, words which cloud the just praise written the moment before. He says: "But it (his valuable service) does not appear to have been of so distinguished a character, nor are the circumstances of his widow alleged to be such, as to render a gratuity justifiable."

An officer who has gone through all the grades of the service from a cadet to a commodore; who was in that service during two wars; who commanded ship after ship, and of whose gallantry and ability no question has ever been raised—the committee say that the widow of such an officer should not now be told that the services of her husband were not of a distinguished character; nor should the natural shrinking of a woman to parade before the world the daily necessities of her life and home, to meet which the pension asked for would be, and is, most desirable, and especially so when it is to come from a fund in the participation of which she has an undoubted claim—such criticisms the committee assert can not be given as reasons by the Executive of the United States for depriving the widow of a brave and efficient officer of that which is her just right.

The committee, therefore, believing the claim to be a just and meritorious one, and the reasons presented for its refusal as of no avail and adverse to a fit and proper recognition of manly, loyal, and efficient service running through a period of nearly half a century, do recommend the passage of the bill S. 225, the objections of the President to the contrary notwithstanding.

Mr. COCK RELL L. Lidid not notice how accurately the Secretary

Mr. COCKRELL. I did not notice how accurately the Secretary read on page 3, but hearing the testimony of Mrs. Margaret D. Marchand and Alice P. Thornton I did not catch the reading of the account that follows:

The committee also desire to attach and make a part of their report the following account of the service of Commodore Marchand in Mobile Bay.

The PRESIDING OFFICER (Mr. BLAIR in the chair). The Chair understands that the Secretary read the report.

Mr. COCKRELL. Also on page 4 I did not hear it, and I have a

pretty acute hearing.

The PRESIDING OFFICER. The Chair understands that about half a page on page 4, the letter from the Navy Department, was not

Mr. COCKRELL. I should like to have that complete. I do not want the RECORD incomplete

Mr. PLUMB. It will be in the RECORD. The Senator might read it for his own edification.

Mr. COCKRELL. I should like to hear it.

The PRESIDING OFFICER. The reading of the report will be completed by reading the omitted part.

The Secretary read the letter of the Secretary of the Navy on page 4 of the report, as follows:

NAVY DEPARTMENT, Washington, August 10, 1883.

NAVY DEPARTMENT, Washington, August 10, 1883.

SIB: In reply to your letter of the 21st ultimo, you are informed that John P. Marchand was appointed a midshipman in the Navy May 1, 1828; October 27, 1828, ordered to the navy-yard, Philadelphia; August 22, 1829, detached and ordered to the Peacock; November 26, 1830, detached and ordered to the Shark; August 8, 1831, detached and ordered to the Porpoise; August 28, 1832, detached and placed on waiting orders; October 4, 1832, ordered to the Experiment; December 18, 1832, detached and placed on waiting orders; April 29, 1833, ordered to the navy-yard, Norfolk; November 11, 1833, detached and placed on waiting orders; June 14, 1831, promoted to passed midshipman; August 6, 1834, ordered to the Potomac; December 16, 1834, detached and ordered to the Shark; May 7, 1835, detached to the John Adams; May 26, 1837, detached and placed on waiting orders; June 12, 1837, ordered to the Porpoise; May 22, 1838, detached and

placed on waiting orders; October 25, 1838, ordered to the Woodbury; January 4, 1839, detached and wait orders; April 18, 1839, ordered to the Levant; September 6, 1839, detached and ordered to the Ontario; January 29, 1840, promoted to lieutenant; April 26, 1840, detached and ordered to the Warren; July 10, 1840, detached and to the Erie; October 1, 1840, detached and wait orders; August 11, 1841, ordered to the Van Buren; February 11, 1843, detached and to the Brundywine; September 19, 1845, detached and granted leave; November 13, 1845, ordered to the navy-yard, Philladelphia; November 13, 1846, detached and ordered to the Ohio; June 17, 1850, detached from the Saint Mary's and granted leave of absence; August 17, 1850, ordered to the naval rendezvous at Philadelphia; March 15, 1852, detached and ordered to the Cumberland; July 2, 1855, detached and granted three months' leave; September 14, 1855, promoted to commander; October 25, 1855, ordered to the Bureau of Construction, &c.; September 23, 1858, detached and ordered to command the Memphis; May 23, 1859, detached and granted leave; January 10, 1861, ordered as light-house inspector of the eleventh district; August 31, 1861, detached and ordered to command the James Adgar; July 16, 1862, promoted to captain; August 14, 1862, detached and wait orders; October 24, 1862, ordered to command the Lackswanna; November 25, 1894, detached and wait orders; December 30, 1884, ordered to special duty with Rear-Admiral Gregory; July 11, 1885, detached, and ordered to the navy-yard, Philadelphia; July 25, 1896, promoted to commodore; August 31, 1866, detached and wait orders; November 27, 1866, ordered as a member of the board of examiners; May 9, 1868, detached and ordered to ordered to examiners; May 9, 1868, detached and ordered to command the navy-yard, Philadelphia; August 27, 1870, placed on the retired-list; September 13, 1870, detached and wait orders.

He died at Carlisle, Pa., on the 18th April, 1875.

(Claim No. 3555. Navy widow.—L. C. W.)

By direction of t

JNO. W. HOGG, Chief Clerk.

Hon. WM. M. DUDLEY.
Commissioner of Pensions, Washington, D. C.

Mr. WHITTHORNE. I ask if it is in order, and if it is in order I make the motion, to postpone the consideration of this message until, say, the first Wednesday after the meeting of the next session of Con-

ress. I will state my reason for making this motion.

I trust I do not violate any rule of the Senate or any confidence of the committee when I state that when this message was considered in the committee I declined to vote upon the proposition for the reason that I desired to inform myself more fully than I was then informed, and I desired to inform hyself more fully than I was then informed, and I confess than I am now, as to the claim which is said to exist on the part of the navy people, as they are termed, that they had a special fund to which they could look for the payment of their pensions.

It was alleged in their behalf and has been within my knowledge

that the prize-money which accumulated prior to and during the civil war amounted to a very large sum of money; that the Government of the United States without any consultation with the parties in interest, to wit, the officers and seamen of the Navy, arbitrarily settled some years since the rate of interest it would pay upon this sum, whatever amount it was, of naval prize-money that was due to these people. I say due to them because under the policy of the Government from its foundation and up to this hour one-half of the value of all prizes captured by the Navy is set apart as a pension fund, as a special fund for their benefit, the other half of the value of the prizes going into the general treasury. The naval people complain of this action of the Government. They say it was arbitrary; it was without consultation with them. It is to-day nothing less than a navy fund; it is simply borne on the books of the Department and appears in your public-debt statement as the naval pension fund bearing 3 per cent. interest.

I submit to honest men that you must remove this mpression, and in removing the impression, if this is to be regarded as a common fund of the people of the United States, then do justice to the sailor, do the same justice that you would do and are doing to the soldiers of the country. Do not make Jack pay for his clothing, do not make Jack pay for everything, and then turn his attention to the pension fund as

his special estate and when he comes here discriminate against him. It is for these reasons, which I have not the physical ability now to elaborate, that I in committee declined to vote on this proposition. I hope it will be postponed and that either I or somebody else will go to the bottom of this naval pension fund and remove, if we can do so legiti-mately, this expectation and belief on the part of the officers and sea-men of the Navy that they have a right to look to this special fund as their property.

It is for this reason, and in justice to the President and in justice to

the sailors of the country, that this whole matter should be known.

I see the distinguished Senator from the State of Ohio [Mr. Sher-MAN], and I know amongst Navy people that he is accredited with the fact of having arbitrarily and without consultation with Jack and his representatives fixed the interest upon the naval pension fund at 3 per cent. when the Government was paying 6, when no 3 per cent. bonds existed, and Jack to-day claims that if you would treat him as any other creditor he has a larger sum due to him than is represented on the books by three or four million dollars.

Mr. SEWELL. I will not press this matter at the present time. In

fact I did not intend to do so.

Mr. WHITTHORNE. Allow me. I make this motion in justice to the bill. I want to do what I regard as my duty. If forced to vote on the matter of the veto, I shall be constrained to vote for the President's veto. The proposition which I know my friend from New Jersey has in mind to submit is a pension of \$30 to this widow. The present bill is to increase from \$30 to \$50. Looking simply to the mere merits of the increase and of the veto, I should be compelled to vote to sustain the President. Therefore it is without prejudice to any one that I have made the motion to postpone. I shall vote for the House bill that my

friend from New Jersey will bring forward.

Mr. SEWELL. I am willing to consent on the part of the committee

to the postponement of the bill.

The PRESIDING OFFICER (Mr. BLAIR in the chair). Will the

Senator from Tennessee state the day? Mr. WHITTHORNE. Wednesday after the first Monday of Decem-

ber next

The PRESIDING OFFICER. The Senator from Tennessee moves to postpone the further consideration of the bill until the Wednesday after the first Monday of December next.

The motion was agreed to.

Mr. SEWELL. I now move to take up Order of Business 1817, be-

ing House bill 2060.

The motion was agreed to; and the bill (H. R. 2060) granting a pension to Margaret D. Marchand was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret D. Marchand, widow of Commodore J. B. Marchand, late of the United

States Navy.

Mr. SEWELL. The bill simply places this lady on the pension-list

The bill was reported to the Senate, ordered to a third reading, read the third time, and passed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRU-DEN, one of his secretaries, announced that the President had on the 3d instant approved and signed the following acts:

An act (S. 13) for the relief of William J. Smith, late surveyor of customs for the port of Memphis, State of Tennessee;
An act (S. 71) for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory;

An act (S. 304) to compensate physicians for services rendered under An act (8. 304) to compensate physicians for services rendered many an order of the United States court of the northern district of Alabama; An act (8. 936) for the relief of John M. McClintock; An act (8. 718) for the relief of Francis Gilbeau; An act (8. 1008) to empower the board of foreign missions of the

Methodist Protestant Church to hold property in the District of Co-

An act (S. 1227) granting an increase of pension to William P. Squires;

An act (S. 2796) to establish a land office at Lamar, Colo.

An act (S. 1492) for the relief of Ellen Sadler, sister of John Sadler; An act (S. 1899) for the relief of Mrs. Lizzie Maynadier Phelps, widow of Capt. Seth Ledyard Phelps, late minister of the United States

An act (S. 2415) for the relief of the trustees of the Christian Brothers' College, of Saint Louis, Mo.; and An act (S. 2349) granting a pension to Catharine Lanigan.

WASHINGTON CITY GAS.

Mr. SPOONER. I desire to call attention to Calendar number 1675, being the bill (S. 2819) relating to the manufacture and sale of gas in the city of Washington, in the District of Columbia, and amendatory of an act entitled "An act regulating gas-works," approved June 23, 1874, I reported that bill by direction of the Committee on the District of Columbia, after a very careful and laborious examination by that committee, and I have watched since the evidence was printed an opportunity to call it to the attention of the Senate, but have been unable to do so. I simply desire to give notice now that in the early days of the session of December next I shall press that bill on the consideration of the Senate.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 4865) to extend the system for the immediate delivery of letters, and amendatory of sections 3, 4, and 5 of the act approved March 3, 1885, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes."

JOHN S. WILLIAMS-VETO MESSAGE.

Mr. PLUMB. I move that the Senate proceed to the consideration

of Order of Business 1751.

The PRESIDENT pro tempore. There is a bill already pending, moved by the Senator from Virginia [Mr. MAHONE], who gave way in-It is now the pending business.

formally. It is now the pending business.

Mr. COCKRELL. How is that? Have we been going on consider-

ing bills while another measure was pending?

Mr. PLUMB. The bill just disposed of was taken up by a vote of

Mr. COCKRELL. I raise the point of order that the bill of the Senator from Virginia is not the pending question.

The PRESIDENT pro tempore. Does the Senator from Virginia

The PRESIDENT pro tempore. Does to claim that his bill is pending?

Mr. MAHONE. No, sir; I withdrew it.

Mr. PLUMB. I move to proceed to the consideration of Senate bill No. 789, granting a pension to John S. Williams.

The motion was agreed to.

The PRESIDENT protempore. The bill is before the Senate, and the question is, Shall the bill pass, the objections of the President of the

United States to the contrary notwithstanding?

Mr. PLUMB. Mr. President, I do not care at this late hour to detain the Senate a great while on this case. I feel some interest in it, for that I believe the bill ought to have been signed by the President and ought to pass over his veto on its merits, and because I happen to have a slight acquaintance with the beneficiary of the bill and know The last report of the Committee on Pensions is as follows:

This soldier served from July 1, 1861, until he was discharged, July 26, 1865, and the question raised in this case is as to the origin or of the incurrence of the disability in the service. He produces the evidence of two comrades, who are shown by confidential inquiries, made on the part of the Pension Office, to be truthful, establishing the origin of the disability in such service; also the evidence of Lieutenant-Colonel, now Judge, Hines, that although he did not witness the accident, yet he heard of it at the time from members of the regiment, of which he was an officer. There seems to be no good reason to doubt that it was so received. The claimant was in a regiment commanded by ex-President Hayes.

Mr. HARRISON. It was a good regiment.

Mr. PLUMB. It was a good regiment, as the Senator from Indiana [Mr. HARRISON] says, and that is worth something as throwing light on the merit of Private Williams's service. The report of the committee, which accompanied the bill on its original passage, is as follows:

tee, which accompanied the bill on its original passage, is as follows:

The claimant, John S. Williams, was a private in Company K, Twelfth Ohio Volunteers, and of Company C, Twenty-third Ohio Volunteers. He applied to the Pension Office for a pension, but his claim was rejected by the Department on the ground "that there is no record of alleged in jury of left shoulder, and that the claimant is unable to furnish the testimony of his surgeon or officers, or other satisfactory evidence of incurrence in the service and line of duty."

The existence of the injury and disability at the present time is admitted. Treatment for two months by the regimental surgeon for injury is slown as a matter of record. The claimant himself and several comrades testify to his receiving the injury, as alleged, in line of duty, and the continuance of the disability from then until the present time is also shown by comrades and other apparently reliable festimony. The claimant shows that the doctors, surgeons, and officers who knew him are dead, and that would seem to be a satisfactory reason for his failure to procure their testimony. We are unable to see any reason for the rejection of this claim. The examining surgeon finds the existence of the disability, and certifies that in his belief from his examination it was received in the service and in line of duty. There is no suggestion of fraud, nor anything to justify the suggestion if it were made.

The Presidential veto is in these words:

To the Senate:

Senate bill No. 789, entitled "An act granting a pension to John S. Williams, is herewith returned without approval.

This claimant enlisted in 1861. He alleges that his shoulder was dislocated in 1862 while ferrying troops across a river. The records of the War Department fail to furnish any information as to the alleged injury. He served afterward until 1863 and was discharged. His claim for pension was rejected by the Pension Burcau in 1882, twenty years after the time he fixes as the date of his injury; and after such long delay he states as an excuse for the unsatisfactory nature of his proof that the doctors, surgeons, and officers who knew him are dead.

Considering that the injury complained of is merely a dislocation of the shoulder, and in view of the other facts developed in the case, I think the Pension Burcau arrived at a correct conclusion when this claim was rejected.

EXECUTIVE MANSION, June 2, 1885.

EXECUTIVE MANSION, June 2, 1886.

I will state, having examined the papers, that all the allegations contained in the two reports f the Pension Committee are correct except one, and the error in that case resulted from the same judgment in regard to a paper found in the files, which I myself first formed, and that was that treatment for two months by the regimental surgeon was shown as matter of record. That was not shown and the committee were misled, as I was misled, on the first examination of the papers by a paper which is found in the files from the Pension Office, which states on the face something like this: "Treatment in hospital for two months;" but that was in the nature of an inquiry, as I afterward ascertained, rather than an assertion.

Coming now to the objections of the President, it must be borne in mind that the reason of the exercise by Congress of its power in regard to pensions is found in the fact that there are a large number of cases in which the technical proof required by the law which the Pension Office administers and which it can not waive is found to be impossible to make. If it were not for that we should not need to pass any bills granting special pensions, and if it were not for similar defects existing in regard to other claims against the Government we should not need to pass any bills for the allowance of private claims, because if we were to hold everybody to the strict letter of the law there would be, of course, no claim whatever upon the equitable authority or power of Congress; and yet we have passed this year, as every year, bills, which the President has signed, paying all sorts of claims against the Government, which the accounting officers of the Treasury under the general law were not permitted to allow.

The passage of a special pension bill is simply the exercise of an ordinary and always conceded power of Congress in regard to the public moneys, and especially in reference to claims that are made with a show of rightfulness on the part of the claimant. It does not, therefore, signify, for the purpose of passing this bill over the veto, that the claimant was not able to obtain his pension through the medium of the Pension Office, and the President himself has recognized this by his signatura

of a large number of private bills conferring pensions in cases where the Pension Office had rejected the applications. In fact, it is a rule of the Pension Committees, which has become a rule of Congress, that claims will not be considered where they have not been presented at the Pension Office and been there rejected, or where the action of the office is at least equivalent to a rejection.

Mr. EDMUNDS. If they are only for the sum the parties would be entitled to by law. Those for a sum known to be outside of the law

may come to Congress directly.

Mr. PLUMB. Or, as the Senator from Vermont states, there are cases which the Pension Office has not jurisdiction of practically, because the amount claimed is greater than the Pension Office is authorized to award, or, as the Senator from Indiana [Mr. HARRISON] suggests, cases where a person is not entitled to a pension under the general law for the reason that he was not mustered, and consequently the Pension

Office would not have jurisdiction to entertain his claim.

John S. Williams served four years as a private soldier, and the fact of this length of service, and especially that portion of it after the incurrence of the disability for which he claims pension, is urged by the President against him. I do not need to appeal alone to those who have had the experience of army service when I say that the fact that a soldier was not treated in a hospital is not conclusive or even very strong evidence that he was not disabled in the service. sorts of disability, both in the military service and among persons in civil life, which are not made the subject of medical or surgical treatment. There is often lack of confidence in the virtues of treatment by medication, and more often still lack of confidence in the skill of physicians. There is often also a feeling of delicacy about submitting to treatment, and many men also refrain from employing a physician from a feeling of indifference; and soldiers from these and other reasons often refrained from going to hospital and from consulting the regimental surgeon. There was often a feeling that the surgeons were not suffi-ciently considerate of the health of the private soldiers—reserving their best skill for the officers. But it is not necessary to dwell upon this reason, for each one of us can doubtless recall more than one person who to our knowledge went through life ailing and finally dying of disordered stomach or lungs or frame, who could not be induced

to take treatment from or consult a physician. Some people delight to parade their ailments; others as sedulously conceal them.

There was, at the outset, and always, more or less ground for distrust of the medical staff of the Army. While comprising very many of the ablest physicians and surgeons of the country it also embraced many new and inexperienced men, some without ability or character. This was the inevitable result of getting together suddenly the medical officers for two thousand regiments and independent organizations and the organization of scores of hospitals. Some Army surgeons delighted to scoff at and make light of the ailments of the men committed to their charge. This was partly from ignorance, partly from laziness, and

partly also from indifference and inhumanity.

Many a private soldier has been repelled from the door of a hospital by the unfriendly aspect and language of the surgeon, and this affected others as well. It is well known that thousands of soldiers preferred to remain sick in quarters under the care of comrades rather than go to hospital for treatment. The Pension Office recognizes this by allowing pensions every day to men who have proven disability occurring in

the line of duty but who have no hospital record.

There was also more or less carelessness about keeping the records of hospitals. At times it was impossible to keep them. It was rare indeed that record was ever made of those who did not remain in hospital under treatment for a considerable period of time. So that Private Williams's claim for pension can not be properly opposed because the record fails to disclose that he was treated in hospital. Two comrades, who are certified to as credible persons, testify that they witnessed the accident or occurrence which resulted in the dislocation of Private Williams's shoulder, and the colonel of his regiment testifies that he knew of the accident and its result by hearing it spoken of among the men at the time. Is anything more needed to satisfy a reasonable person that the claimant's shoulder was dislocated as alleged by him, and that it was while he was in the line of his duty? That the injury still exists

is shown by the examination made by the proper medical officers after application was filed in the Pension Office.

Who that is at all familiar with the proofs furnished in support of private claims, allowed by special act of Congress, but that will say the proof made by Private Williams is equal, if not superior, to that exist-

ing in many cases?

But the President alleges against Williams that he served for nearly three years after the accident, and that he waited until several years after his discharge before applying for pension. Neither of these objections are, in my judgment, tenable.

There were men retained in the service in all regiments who were

measurably disabled-men who could not at all times carry a musketmeasurably disabled—men who could not at all times carry a musket—who acted as orderlies, as hospital attendants, as cooks, and so forth and so on between times, many if not most of whom were always ready and willing to go into battle, and did so go whenever occasion offered. They could not always keep up on the march and endure all the fatigue of those who carried a musket constantly. All who are at all familiar with army affairs will realize the correctness of this statement; and

such men as Williams, who declined to avail themselves of the opportunity presented by the existence of a partial disability to be discharged and to go home out of danger, deserve credit rather than adverse criticism. Nor is the objection that he waited until many years after the expira-

tion of his service before applying for pension tenable. Such cases are being adjudicated favorably in the Pension Office daily. When the war closed the soldiers availed themselves gladly of the op-portunity to go back to their homes. They were intent on getting back as quickly as possible to the pursuits of peace and the enjoyments of home. Very few thought for an instant in that glad hour of applying for pension. The Government was struggling with the fearful financial responsibilities of the great contest, and no good soldier desired to add to its embarrassment in this regard. In the exultation over the victory won, the rejoicing at the opportunity to once more share the delights of home, full of plans for the future, the soldier took little or no account of the aches and pains, the weakened frame, the premature age which years of danger, hardship, and exposure had indelibly impressed upon his physical being. It was enough that the war was over, that he had done his share to bring it to a right conclusion, and that through all its perils he had been spared to witness a united country and to go home to wife and children and father and mother. What cared he then for money? Was he not rich in self-respect, in the respect of all his fellows and in the admiration of all mankind? But when he finally came to settle down to the affairs of peace he found that important changes had occurred, which made it next to impossible that he should assume

precisely his old place in the community.

His place in office, shop, school, church, on the farm, had been filled, and it was not always possible to get it back again or even a similar one. Business had adjusted itself to new men and methods, and he was to a certain extent superfluous. He himself was changed. His horizon had widened. He had been a vital and intelligent part of the greatest war of modern times-had become accustomed to excitement, to danger, to new ideas, new experiences, to great affairs, and the quiet uneventful life on the farm, in the village—the "day of small things" fretted him, and so he changed his location and went West to new and wider fields where his restless energy could find full and free scope. The new States and Territories, the plains and the mountains knew him. He has subdued nature, reclaimed the desert, populated the waste places, quickened all the currents of our national commercial life, and contributed to the enduring prosperity of the whole people. The interest and excitement of his campaigns in these new fields made him in a measure oblivious of the general impairment of health and the specific disabilities resulting from the exposure of his army service. So long, at all events, as he was presperous he would not apply for a pension; but finally the physical break-down comes. It is preceded or accompanied by financial misfortune, and poverty and want even stare the soldier of the Republic in the face. His misfortunes are aggravated by the dependence upon him of wife and children. The Government he helped to save at the risk of health and life is rich. His own labor in the opening up of new areas to settlement and civilization have added vastly to the national wealth, but have impoverished him. Now he recalls the Government promise to compensate him for disabilities incurred in its service, and he applies for a pension. Is he to be told that he waited too long and hence must be denied?

Ought we not rather to commend him for his waiting? The Government has had the use of the money due him meanwhile, and his motives have been like his services-patriotic. Owing to lapse of time he will not be able to make quite so strong a showing on paper as though he had applied before witnesses became scattered and died and the recollection of details faded out of the minds of survivors. But if he can make a fair showing he should not be denied relief. If as is the present case the proof does not satisfy the necessary requirements of the Pension Office then Congress should afford relief by special act. It has the power to waive the production of all proof. Was it improper that it should vote waive the production of all proof. Was it improper that it should vote a pension to Private Williams on the case as made out? The Senate has already passed a bill to pension all ex-Union soldiers who are now disabled and dependent upon their labor for support without requiring proof connecting the disability with the Army service. The case of Private Williams is much stronger.

We have passed many bills for the This man was a private soldier. We have passed many bills for the relief of widows of admirals and commodores and generals and colonels, and so on, where the pensions have been given solely because of the rank of the husband and not upon any pretense whatever that his death was occasioned by reason of service in the Army or the Navy. Ther has been no attempt to make connection between them; and the Pres

ident has promptly signed all such presented to him except one—that of the widow of Major-General Hunter.

After all this will it be out of place if I say a word in favor of the private soldier? I know that when the record of history is made up those persons who get special personal mention are the officers—the major-generals, the brigadier-generals, the colonels, and so on; but the men to whom presses is most due are the men who served in the the men to whom praise is most due are the men who served in the ranks; they did the fighting, and it was fighting which alone saved the Republic.

Their's the poor pay and wretched food. Not a regiment of volunteers but had as intelligent men in the ranks as the one who com-

manded the division they belonged to.

It is not the least of the merits of the private soldier that he con-sented to be commanded by and to obey implicitly officers whom he knew to be incompetent—in many cases all the more hard because often officer and private had been boys together; in most cases they came from the same locality, from the same ranks in life. private soldier obeyed those appointed over him, no matter how hard it went against the grain, because of his patriotic sense of duty. was willing to die and to be forgotten if thereby the Republic might live.

This class of men have had the least recognition. I could look with some patience upon the vetoing of a bill to pension at \$600 a year the widow of a man who had served as an officer and had an officer's pay and emoluments and opportunities in the Army, and who had died from a cause which had no relation whatever to Army service. I could well see how the President might veto a bill of that kind. And yet the President has signed many such bills, bills which give money as a gratuity pure and simple, and a rate of pension five to six times larger

than those given to private soldiers by special act.

Coming back now to the case of private John S. Williams and accepting as correct the President's theory about the testimony, the very worst that can be said is that it is proposed to give a gratuity of not more than \$8 per month to this old soldier who served his country in the ranks for four years. Is that offensive to anybody? Suppose Congress proposes to pick out John S. Williams, who served a whole term in the Twelfth Ohio and a part of a term also in the Twenty-third Ohio, amounting to four years altogether, and say to him that, in the decline of life, by reason of his poverty, it will do a little something to make the last years of his life comfortable. Is that an unwise and improper exercise of the power of Congress, or an extravagant use of the public money? Let any one who thinks it is look over the statutes of the United States and see the gratuities that have been given from time to time based upon less merit than that of a soldier who served faithfully in the ranks during the entire war.

Mr. President, the confederacy went down under the blows dealt by Private Williams and others of the same class, but I venture to say that if the confederacy had triumphed the Southern people would have cheerfully mortgaged their utmost resources in order that their heroes might have comfort and ample recognition out of the public funds for the serv ice they had rendered in bringing about that triumph. That chivalrous people would have stopped at nothing that was consistent with their ability to pay to recognize the merits of that great service. the Union be any less regardful of its obligations? I do not believe that the men who sit on the other side of the Chamber and who served the confederacy under arms will say so, whatever the President may do.

The maximum sum which this man could get is \$8 a month-\$96 a year. Will that make a great hole in the Treasury? Is that the side on which we can afford to err, if we are going to err at all?

Mr. President, I say there is no merit worthy of recognition by the Government that is equal to the merit of the man who staked life and limb and health upon an issue in which he had no personal interest other than that which affected him as a member of society, of the great

body of the people.

Since this bill was passed the Senate has passed a bill providing for pensioning all who served in the Union Army and who now being in straitened circumstances are also disabled in any perceptible degree physically, and so to that extent disqualified from earning a livelihood by the labor of their hands. I do not think any one questions the propriety of that. I do not believe that any one, however constituted he may be, however lacking in human sympathy, would say that it was a right or a proper thing that there should ever be found in actual want and distress, under the shadow of the Stars and Stripes, a single one of all the men who helped to make up the Army that saved the coun-

Ninety-six dollars a year is not a very great barrier between a man Ninety-six dollars a year is not a very great parrier between a man and want, and yet John S. Williams, a private soldier of four years' service, poor and broken down and almost helpless, and soon to join the great majority, may and probably will be exposed to want if not relieved by local charity on account of the lack of this pitiful sum which the President by his veto forbids to be given.

Is this a fair and proper exercise of the veto power? Is this work suitable to the sense of justice which ought to characterize the President by Nith Main and President States.

dent of the United States? Is this the full measure of his opportunity? Are there no greater things of concern to the well-being of the people, which being within the proper purview of his high duties, he could turn his attention to? Is he sure that in saving \$96 a year at the expense of Private Williams he is not overlooking greater extravagance somewhere else?

The total amount saved to the Treasury, I have been told by a member of the Pension Committee, if all the vetoes of private pension bills by the President should stand will not amount to the salary of the

President for a year.

Mr. BLAIR. About half that.

Mr. PLUMB. About half that, the Senator from New Hampshire says. I do not speak of that because there is any relation between the two things, but I speak of it in order that I may have some basis of comparison between that which is called extravagant and that which is recognized as being proper and economical.

Mr. President, the Senator from Tennessee [Mr. WHITTHORNE] yesterday in justifying the veto of the President in the Nottage case said, I think, that the great peril this country was under was from the propensity to special legislation, and he said also, in substance, that the only barrier between the country and that peril was the veto of the President. If that is the case, I do not see what is the use for Congress. If the only barrier between the country and destruction from an unwise and extravagant appropriation of public money and from the evils of special legislation is to be found in the President, why not deposit all the power in the President at once and be done with it? Why not take away from Congress that which, according to the statement of the Senator from Tennessee, it so misuses and so abuses, and say to the President of the United States, "You shall spend the public money; you shall perform, according as your superior judgment shall dictate, all the functions which are now performed by Congress?"

I know how difficult it is at this period, removed so far from the great struggle between the Union and the confederacy, to realize what sacrifice was required and what sacrifice was freely made in order that the cause of the Union might triumph. I know how liable, how apt we are to forget it, to overlook it. But it is wise for us to often recur to it. It is by recurring to that time, to the patriotism that was then evinced, that we find encouragement and hope for the future. If it were not for that, if we had not in our history the spectacle of two millions of men voluntarily enlisting for the defense of the country against an armed foe, without question as to compensation, and when the war was over quietly returning to the duties of peace without asking anything for themselves on account of their service, we might well in the clash of interests now occurring despair of the Republic; but the patriotism that was then manifested still exists, and it will be equal to all future emergencies, not necessarily of battle and bloodshed, because those will not likely occur, but in the more trying time which will come from the contention of interest and rights, which will call for self-sacrifice and a wisdom born of a love of country and of liberty.

And as part of the evidence that we do recall those services, that we are not forgetful of them, and that they to-day constitute the hope, the belief that the country is not to succumb to foes internal or external, but is to go on and on "a government of the people and by the people and for the people," growing stronger each succeeding generation, we can afford to give liberally to relieve the necessities of those

who rendered this service.

Mr. President, I do not believe that the Senate of the United States will fail in the recognition that it has the chance to give of the service of one of that great army to whom the country owes its power, its prosperity, and its existence; will not deny the application of Private Williams for such pension, as coupled with the little labor he is able to do, will keep the wolf from the door and serve to show him that the Republic which he served has not forgotten him in his hour of need.

Mr. WHITTHORNE. Mr. President, I would not seek the floor just at this moment, because I have a distaste to make any opposition to appeals, I will not say to the kindly and better feelings of one's nature but of any character, yet I do not wish to submit to a misconstruction of the remarks which I had the honor to submit to the Senate

yesterday.

I did not say or mean to say that the President of the United States was the sole obstacle to the encroachments of corruption in special legislation in this country. I am aware, for one, that there is an honest, patriotic sentiment always existing and always abiding with the great body of the people of this country, and which in any emergency being appealed to, in my judgment, will sustain the institutions and form of our Government. But I did mean to say that among the methods and agencies provided by the wisdom of the men who founded this Government was the conservative power lodged with the Executive of the nation, that conservative power being the veto power. And I turn to my friend from Kansas, who made this reflection, and ask him if in his own knowledge and within the knowledge of every man in this coun-

try there is not an insidious encroachment being made upon our popular institutions through the various representative forms of our Government in the special legislation that is sought.

Sir, in proof of this may I appeal to the record of New York, may I appeal to the record of Chicago, may I appeal to the record of State Legislatures, may I appeal to the history of Congress itself, to attest the fact that in the sulfailed applications which was being used to the record. fact that in the multiplied applications which are being made to these representative forms of our Government for jobs, for individual profit, for special legislation, great harm and great injury is coming into our form of government. And it is only in periodic revolutions made by the people themselves that safety hitherto has been found—I mean in recent years-and to-day when we find an Executive with nerve and courage and wisdom and discretion, who is ready and willing in the thankless job that the President is now engaged in in vetoing or putting his foot upon special legislation, he is doing a service to the great body of the people equal in magnitude to that rendered by its soldiery upon the field of battle. And the intimation made that the President of the United States is not in sympathy with those who in time past have preserved our Government, have preserved its honor and its integrity, does him injustice, because if you compare the number of bills (andwill undertake to say that I am correct in that estimate) that have been vetoed by the President with the number of bills that have

been rejected by the Pension Committees of the two Houses, you would see that the Pension Committees have rejected more applications than see that the Pension Committees have rejected more applications than the President has vetoed. Shall the Pension Committees of the two Houses be called derelict in duty or wanting in sympathy with the soldiers of this country because they do not favorably pass every claim that is submitted to them? That kind of logic will not do, Mr. President of the president dent. It does injustice to the members of the committees; it does injustice to the Senate; it does injustice to the President of the United

But the argument is made, and was made yesterday, that up to the commencement of this administration the history of the country showed one hundred and nine vetoes, and that the history of this administration shows about an equal number. Sir, will the gentleman who made that comparison in order to make it just go back in the history of the Government and make the comparison as to the number of bills introduced into the first Congresses of the United States and the number of bills introduced in this Congress? Will gentlemen who want to do justice to the President take the number of pension bills that have been introduced in former Congresses and bills that have been introduced in this—will they take the number of bills that have been approved by the Presidents heretofore and the number of bills that have been approved by President Cleveland, then make the comparison and let it run all through? And I venture in doing so it will be seen that I was justified yesterday when I said that this will demonstrate, first, the sympathy of the President with the soldiers of this country, and next, his fidelity to the trust the people have committed to his hands.

I repeat, sir, and it is well to do it, that when you come to look to the pension-roll of this country it is a roll of honor, intended so to be, recognized by the soldiers of the country as a roll of honor. Then compare for one moment the record that is in this case presented to us. In 1862 it appears that in loading a wagon this soldier's arm is dislocated. He continues in the service for three years after. No complaint, no hospital treatment, no surgeon's certificate. Twenty years, or at least ten years, after close of war he applies for a pension.

Sir, take that record and compare it (and I speak of instances before the Pension Committee) with the brilliant one of Stannard, of Vermont. Take it and compare it with Eagan's magnificent record. Take it and compare it with the heroic one of Sergeant Plunkett, of Massachusetts. Those men are entitled to have their names enrolled high upon that record of honor, and no man has been found who will dispute their right to that position. But take this case, not as Sergeant Plunkett with his arms taken off by the shot of the enemies of his country, as he seeks upon each occasion at the loss of an arm to plant the flag of his country in advance of his marching comrades, and ask me, ask any man who is willing to render tribute to the fidelity of a soldier, if this be the record that you ought to make in making up the roll of honor. I

Mr. PLUMB. I wish to quote from the speech of the Senator from Tennessee yesterday to show that he gave a wider application to this subject than he is willing to-day to claim for it.

Special and individual legislation-

He said-

Special and individual legislation is largely the result of the last few years; and, sir, may I not appeal to United States Senators here to-day if they will not agree with me that the great danger to popular institutions is the increase of special legislation, or job legislation, or individual profit secured by legislation that has permeated the municipal bodies of the country, running from the town corporation up to the Congress of the United States? These special individual matters, in their corrupting influences, are destroying the confidence of the people in a popular form of government. To-day, if I had no other credit to give to President Cleveland, I have this, that he knows and realizes this great danger to our popular form of government, and that he has the nerve, the courage, and the wisdom to grapple with it, although it come in this insidious, appealing form.

That I thought was very fairly stating that nobody else had such courage and especially that Congress lacked it. In the next place, that language was used upon a pension bill. It had, I think, reference to the case of Nottage which was before the Senate then. It has reference to the case of John S. Williams, which I am bound to conclude the Senator believes to be special legislation, job legislation, and legislation for individual profit.

I doubt if the Senator from Tennessee would find a very ardent admirer in the President for his defense of him when he says he thinks in vetoing these bills he is rendering greater service to the country than the soldiers themselves rendered on the field of battle. I am at least willing to have the comparison made as the Senator has made it, and leave the country to say whether the vetoing of bills pensioning the private soldiers of the Union Army by giving them practically infinitesimal sums as compared with their necessities is a service equal to the service which they rendered when they interposed their bodies in front of the enemies of the country and in defense of the institutions of the

Mr. President, there is a degree of merit, of course, among all these men, and yet it is not claimed that the man who lost an arm is a more meritorious soldier than the man who escaped that particular form of disfigurement. Many a man served through the Army without being wounded. General Grant was not wounded; and yet can any one measure his service because of wounds upon that basis? Has the country ever made any distinction of that kind? It never has. It !

simply has asked the question, did this person serve as a soldier; was he faithful in that he did not desert, and has he been disabled?

In this case while of course the name of John S. Williams will not be as attractive to the ordinary mind as that of Sergeant Plunkett who lost two arms, while he does not carry with him perhaps that same visible connection between his disability and his service, at the same time he served four years where he was ordered to serve, where he was placed by direction of his superior officers; the Government received his service, was willing to get it, was glad to get it; and to-day he is disabled and poor, broken in health, in the decline of life, ready to fall upon the charity of his neighbors; and yet the vice of special legislation needs to be emphasized by denying to John S. Williams that which is due to

Mr. COCKRELL. Mr. President, John S. Williams enlisted as a private soldier in Company K, Twelfth Ohio Volunteer Infantry, in July, 1861, and so far as this meager record shows, served continuously until the 26th of July, 1865. He was, however, first a private in Company K Twelfth Ohio Volunteers, and afterward in Company C, Twenty-third Ohio Volunteers. Here is the record. We have not the details of it.

In 1861, when the soldiers were called out for the maintenance of the integrity of the Union, by law we promised to those who should be disabled by reason of disease contracted or wounds received in the line of duty that they should be granted a pension, and that the widows and orphans of those who should die from disease contracted or wounds received in the service in the line of duty should likewise be pensioned. Since that time we have enacted sundry laws granting pensions to those who had become disabled for manual labor by reason of disease contracted while in the service in the line of duty, or from wounds re-

ceived in the service in the line of duty.

Mr. Williams applied for a pension and his application was rejected in 1882. I am not sure that the record gives the date of the rejection, but it was rejected in 1882 when the Pension Office was under the control of General Dudley, a gallant soldier and one disabled for manual labor. Why was it rejected? It was rejected because General Dudley said the proof did not show that Mr. Williams received this injury while in the service in the line of duty.

Let us examine that question. Where was this injury received? It was not a wound; it was not a disease in the line of sickness. It was an injury to or a dislocation of the shoulder. When was this dislocation of the shoulder received? In 1862 while ferrying troops across a

Now, mark the time. In 1862 Mr. Williams received this dislocation of the shoulder while ferrying troops across a river. located shoulder in 1862 he continues in the service until July, 1865. After a lapse of many years he applies for a pension on the ground of physical disability existing for manual labor by reason of this dislocation of the shoulder in 1862. He was unable, as the report shows, to furnish the testimony of the doctors, surgeons, and officers who knew him, alleging that they were dead. He presents the testimony of comrades. It is presented to General Dudley, himself a soldier, and General Dudley says that this man is not entitled to a pension under the That was in 1882.

Mr. PLUMB. If the Senator will allow me, let me state to him that he ought to tell us in advance that that is the case with every such bill that comes here; that is to say, the Pension Office has decided that under the law as they construe it and the rules of evidence laid down for them, and by them perhaps, but for them at all events, all the eases which they reject are in the same condition. The Senator ought not to put himself in the attitude of saying that this is conclusive evidence to Congress for rejecting it.

Mr. COCKRELL. No.

Mr. PLUMB. Or he ought not to dwell upon that, because here we consider it as an original case.

Mr. COCKRELL. I have understood it to be the rule in the Committee on Pensions of the Senate not to entertain pension claims until they have been first presented to the Pension Office and disallowed there, but I have always understood, until this session at least, that the Pension Committee reported cases where by reason of some technicality the pension claim could not be allowed by the Pension Office, and not because absolutely there was a want of proof.

The point I am making is this: Here is a soldier receiving a dislocation of the shoulder, mark you, in 1862. He continues in the service until July, 1865. He then fails to apply for a pension until many years afterward and until his officers and the surgeons and others are dead. Then he comes in with the testimony of two or three comrades, and General Dudley, himself a soldier, rejects the pension claim because there is not evidence to show that this disability, which it is now claimed exists, originated in the service in the line of duty.

That was done in 1882, and for over three years this claimant failed to make any application to the Pension Office for a reconsideration or reopening of his case. Any one familiar with pension business knows that the Pension Office is ready at any and all times to reopen and reconsider claims when additional evidence is presented; it is a constant thing; and here this case remains now from 1882 to the present time without any application made, so far as the evidence goes to show that any effort was made, to have the case reopened or reconsidered; and

then an appeal is made to Congress and Congress passes a bill placing

him upon the pension-list, and the President vetoes it.

Now, why? Was there any reasonable ground to suppose that this injury was not received in the service in the line of duty? Was General Dudley wrong when he decided that this disability did not originate in the service in the line of duty?

Mr. HARRISON. That was not the decision at all, if the Senator will allow me. It was simply that the proof offered was not sufficient to show that it did so originate, not that it did not.

Mr. COCKRELL. I am stating what the record shows, and the Senator can interpret it as he chooses.

The case was rejected then, and it comes without any additional testimony to Congress and Congress passes the bill and the President ve-toes it. Let us now see his ground for vetoing it. The President says:

This claimant enlisted in 1861. He alleges that his shoulder was dislocated in 1862 while ferrying troops across a river. The records of the War Department fail to furnish any information as to the alleged injury. He served afterward until 1865 and was discharged. His claim for pension was rejected by the Pension Bureau in 1882, twenty years after the time he fixes as the date of his injury; and after such long delay he states as an excuse for the unsatisfactory nature of his proof that the doctors, surgeons, and officers who knew him are dead.

dead.

Considering that the injury complained of is merely a dislocation of the shoulder, and in view of the other facts developed in the case, I think the Pension Bureau arrived at a correct conclusion when this claim was rejected.

Mr. PLUMB. I notice the Senator emphasized the fact that it was "merely a dislocation of the shoulder." I ask him if he does not hold

that to be a pensionable disability?

Mr. COCKRELL. There is no question of it, but how did it occur?

In 1862 in service in the line of duty, and the soldier remained in the

Army, performing duty, until 1865.

Mr. PLUMB. Does not the Senator think that an injury of that kind might have been apparently latent during a period of time? But the point I make is that the President says, and the Senator emphasizes it in such a way that I presume he thinks there is great merit in that declaration, that it was "merely a dislocation of the shoulder," as though that was one of the things which would not be pensionable.

Mr. COCKRELL. As a matter of course it would be pensionable. It does seem to me that the position taken by the President is correct. We have promised pensions to the soldiers, and they will receive them. There is no disposition on the part of any one to deny to soldiers disabled by reason of disease contracted or wounds received in the service in the line of duty pensions as we have promised them in the law; but is it right, is it proper, is it just that we shall make a general rule and a general law and apply that to all except a few who may have Congressional influence? That is the question. If this applicant is entitled to a pension there are hundreds, there are thousands of others of a like class entitled to a pension, and relief should be provided by general legislation, not by special legislation.

Mr. PLUMB. The Senator speaks by innuendo of those who have Congressional influence. I ask him if he would apply that remark to

those for whom he has himself introduced private pension bills?

Mr. COCKRELL. I do not apply it to those introduced by the Senator from Kansas any more than to those introduced by myself. have introduced a bill for all those who ask it, but I know nothing about the facts of the case. I do not recall that I have introduced a pension bill for more than probably one or two persons whom I personally knew; but if a soldier writes to me that his claim has been rejected in the Pension Office and asks me to introduce a special bill for his relief, if I have time I apply to the Pension Office to know the grounds upon which the case was rejected, and if I ascertain then that he can make no additional proof, that his case is complete as far as it can be made, I introduce a bill for his relief and leave it to the Committee on Pensions to say whether he is entitled to a pension or not. If it is a case where I think he ought to furnish additional evidence, I advise him to apply to the Pension Office and have the case reopened and reconsidered. and reconsidered.

I think that it is our duty, instead of passing these individual pen-sion bills, to pass a general law which will place all who are in a cer-

tain condition upon a perfect equality.

Mr. CULLOM. We can not do that.

Mr. COCKRELL. We may not still be able to reach all, I admit that; there will be exceptions; but I think we are making entirely too many exceptions. We ought to pass general laws so as to place all the soldiers in like condition upon a perfect equality. This is just, this is right, this is fair, and it is what we promised them in 1862 when they were asked to volunteer in defense of the integrity of the Union.

Mr. CULLOM. The Senator is aware that the Senate has passed one bill twice putting all the soldiers substantially upon an equality, but

the other branch of Congress declines to pass it.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

The message also announced that the House had agreed to the amend-

ments of the Senate to the bill (H. R. 5196) to detach certain counties from the United States judicial district of California, and create the United States judicial district of Southern California.

The message further announced that the House had receded from its amendment to the bill (S. 1599) for the relief of the Phoenix National

Bank, of the city of New York.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 885) to relieve the State of Colorado from charges on ac-

count of ordnance stores furnished to the State and Territory;

A bill (H. R. 2918) for the relief of William Huntington; and A bill (H. R. 8596) for the relief of Beaufort Lee and others.

MILITARY SITE ON LAKE MICHIGAN.

Mr. CULLOM. I ask to take up the joint resolution (S. R. 78) au-Mr. CULLOM. I ask to take up the joint resolution (S. R. 78) authorizing the Secretary of War to accept certain lands, &c., near Chicago, Ill., for the purpose of fixing a time for its consideration in the first part of the coming session of Congress. The Senator from Kentucky [Mr. Beck] has been opposing the joint resolution, and I have concluded that it is not worth while to try to get it through the Senate at this session. I understand that the Senator from Kentucky is willing that a time shall be fixed for its consideration the first part of next sion.

Mr. BECK. The Senator from Illinois [Mr. LOGAN] who is now absent desired to have this measure acted upon. There were objections made from Cincinnati, Newport, and other places where there are now military reservations and posts. I told him that I would not oppose its coming up but that I should oppose its passage. I think under the circumstances it had better go over until the first Tuesday after the first Monday of December when everybody can be here and there may be a fair judgment upon it. I am not sure that I shall be opposed to it after further consideration.

Mr. CULLOM. In view of the probability that the joint resolution can not be passed at this session, I am willing that it shall be postponed until the first Tuesday after the first Monday in December.

The PRESIDENT pro tempore. If there be no objection the joint resolution is before the Senate, and it will be postponed until the first Tuesday in December.

day after the first Monday in December.

Mr. HARRIS. And make it a special order at that time.

The PRESIDENT pro tempore. Does the Senator from Illinois ask that it be made a special order?

Mr. CULLOM. Yes, I ask that it be made a special order for that

The PRESIDENT pro tempore. The question is on the motion of the Senator from Illinois to make the joint resolution a special order for the time named.

The motion was agreed to (two-thirds of the Senators present voting in the affirmative).

TREASURY SURPLUS.

Mr. ALLISON submitted the following report:

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment No. 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In line 8 of said amendment strike out the word "President" and insert in lieu thereof the words "Secretary of the Treasury;" in line 9 strike out the words "direct the Secretary of the Treasury to suspend" and insert in lieu thereof the word "postpone:" in line 12 strike out the word "suspension" and insert the word "postponement" in lieu thereof; and the Senate agree to the same.

Amendment No. 2: That the Senate recede from its amendment No. 2.

Amendment No. 2: That the Senate recede from its amendment No. 2.

W. B. ALLISON,
N. W. ALDRICH,
J. B. BECK,
Managers on the part of the Senate. W. R. MORRISON, WM. C. P. BRECKINRIDGE, FRANK HISCOCK, Managers on the part of the House.

Mr. ALLISON. I move that the Senate agree to the report of the conference committee, and I ask that the joint resolution may be read as it will stand if the report be agreed to, and I hope it will be placed in the RECORD.

Mr. EDMUNDS. It will be when it is read, of course.

The PRESIDENT pro tempore. The joint resolution will be read as it is recommended to be amended by the committee of conference. The Chief Clerk read as follows:

A joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

on the public debt.

Resolved by the Senate and House of Representatives, &c., That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums not less than ten millions per month, during the existence of any such surplus or excess, to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government. The surplus or balance herein referred to shall be the available surplus, ascertained according to the form of statement of the United States Treasurer, of the assets and liabilities of the Treasury of

the United States employed on June 30, 1886: Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned: And provided further, That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20,000,000; and whenever, in the case of any extraordinary emergency not now existing, and when, because thereof, in the opinion of the Secretary of the Treasury, the public interests shall require it, he may, by written order, postpone the further call for the payment of such indebtedness for such period of time as shall

be necessary to maintain the public credit unimpaired; and that such postponement, and the reasons therefor, shall be reported to Congress within ten days after its next meeting, or immediately if Congress shall be in session.

Mr. ALLISON. I also ask that the statement of assets and liabilities of June 30, 1886, may be placed in the RECORD immediately following. I will not ask that it be read.

The statement referred to is as follows:

Statement showing the assets and liabilities of the Treasury from the latest returns received from the several assistant treasurers, mints, and assay offices of the United States, and national-bank depositories.

		Assets.	Liabilities.	Balances.
Gold: Coin Bullion	\$189, 529, 603 75 43, 308, 520 16	5000 000 100 01		
Certificates	131,174,245 00 55,129,870 00	\$232, 838, 123 91	\$76,044,375 00	
Net gold				\$156, 793, 748 91
Silver: Standard dollars Bullion	181, 253, 566 00 3, 092, 108 45	184, 345, 764 45		*
Certificates	115, 977, 675 00 27, 861, 450 00	101,010,101 10	88, 116, 225 00	
Net silver			80, 110, 220 00	96, 229, 539 45
United States notes	70 500 000 00	41, 118, 316 79		
Certificates	18,500,000 00 250,000 00		18, 250, 000 00	4
Net United States notes		194,014 00		22, 868, 316 79 194, 014 00
National-bank notes		14, 435, 199 25		14, 435, 199 25
		472, 931, 418 40	182, 410, 600 00	290, 520, 818 40
Totals. Public debt and interest: Interest due and unpaid	1,655,291 56 9,247,408 00 9,704,445 26 224,020 42 2,667 17 19,109 96	472, 931, 418 40	182,410,600 00	230, 520, 818 40
Accrued interest on Pacific Railroad bonds. Fractional currency redeemed. United States bonds and interest redeemed. Interest checks and coupons paid.	1,938,705 36 2,667 17 3,789,163 51 47,372 47	3, 839, 203 15	22,791,647 73	
Totals		476, 770, 621 55	205, 202, 247 73	
Reserve for redemption of United States notes, acts of 1875 and 1882. Fund held for redemption of notes of national banks "failed," "in liquidation," and "reducing circulation". Fund held for redemption of national gold-bank notes. Five per cent. fund for redemption of national-bank notes.	60, 146, 726 85 101, 979 00 10, 445, 114 96		100,000,000 00	
National-bank notes in process of redemption	5, 372, 285 84 19, 099, 669 54 755, 256 97 6, 260 00	3,840,402 05	70, 693, 820 81	
Fractional silver coin redemption account	43,580 00 355,630 04 3,393,066 70 498,686 43		29, 524, 435 52	
Interest on District of Columbia bonds paid		590 41		
Totals		480, 611, (.4 01	405, 420, 504 06	75, 191, 109 95
Assets not available: Minor coin. Fractional silver coin.	377, 814 00 28, 904, 681 66			29, 282, 495 66
				104, 473, 605 61
Aggregate		509, 894, 109 67	405, 420, 504 06	104, 410, 000 01

C. N. JORDAN, Treasurer United States.

TREASURY OF THE UNITED STATES, Washington, D. C., June 30, 1886.

I would also be glad to have the consent of the Senate to place in the | is the next statement immediately following the joint resolution and RECORD the statement of assets and liabilities of July 31, 1886, which | the statement of June 30, 1886. The statement follows:

Statement showing the assets and liabilities of the Treasury from the latest returns received from the several assistant treasurers, mints, and assay offices of the United States, and national-bank depositories.

		Assets.	Liabilities.	Balances,
Gold: Coin Bullion	\$190,001,215 45 43,650,307 00			
Certificates	126, 976, 877 00 52, 258, 360 00	\$233, 651, 522 45	674 FIS EIT 00	
Netgold			\$74,718,517 00	\$158, 933, 005 4

Statement showing the assets and liabilities of the Treasury from the latest returns received, &c.-Continued.

		Assets.	Liabilities.	Balances.
Silver: Standard dollar	\$181,523,924 00			
Bullion	3,786,069 56	\$185, 209, 933 56		
Certificates	115, 292, 902 00 27, 728, 858 00		\$87,534,044 00	
Net silver			901,033,011 00	\$97,745,949 56
United States notes	19, 575, 000 00	41,044,142 44		
Less amount on hand	470,000 00		19,105,000 00	
Net United States notes National-bank notes				21, 939, 142 4 267, 499 0
Deposits in national-bank depositories				15, 694, 214 7
Totals		475, 967, 372 21	181, 387, 561 00	294, 579, 811 2
Public debt and interest: 'Interest due and unpaid	2, 478, 831 03 5, 419, 984 28 5, 374, 185 26 203, 128 98 2, 644 99 75, 989 96 323, 117 56			
Fractional currency redeemed	2,644 99 207,130 45	209, 775 44	\$13,877,882 06	(Approximately
Totals		476, 177, 147 65	195, 265, 443 06 100, 000, 000 00	
Fund held for redemption of notes of national banks "failed," "in liquidation," and "reducing circulation"	00, 281, 061 85 99, 959 00 10, 449, 932 43		70, 830, 953 28	
National-bank notes in process of redemption. Post-Office Department account Disbursing officers' balances Undistributed assets of failed national banks Currency and minor coin redemption account Practional silver coin redemption account	5,092,118 16 22,765,259 22 757,844 41 5,291 00 89,245 00	3,524,909 88		
Redemption and exchange account. Treasurer's transfer checks and drafts outstanding	909, 500 55	100 100 00	33, 527, 522 01	
		128, 186 80	A SAN THE SAN	
Totals		479, 830, 244 33	399, 623, 918 35	80, 206, 325 9
ssets not available: Minor coin	- 343, 291 94 28, 584, 624 69	00 007 010 00		
				28, 927, 916 6
Aggregate		508, 758, 160 96	399, 623, 918 35	109, 134, 242 6

TREASURY OF THE UNITED STATES, Washington, D. C., July 31, 1896.

C. N. JORDAN, Treasurer United States.

Mr. EDMUNDS. May I ask the Senator from Iowa to have put in the RECORD in the same connection the Treasury statement of the pub-lic debt which was issued on those same two dates? It will bring all together, not only the assets and liabilities in the Treasurer's Office but the statement of the public debt for those two periods.

Mr. ALLISON. I have no objection to those two statements also

being inserted.

Mr. EDMUNDS. Is it understood that they may go in the REC-ORD?

The PRESIDENT pro tempore. The Chair understands that that order is made. The tables are not furnished. It is presumed the Reporter will obtain them.

Mr. ALLISON. I will furnish the two statements to the Reporter. The statements referred to are as follows:

Statement of the public debt of the United States for the month of June, 1886.

INTEREST-BEARING DEBT.

Title of loan.	Authori	zing act.	Rate.	When redeemable.	Interest payable
Loan of July 12, 1882. Funded loan of 1891. Funded loan of 1907. Refunding certificates. Navy pension fund	July 12, 1882 July 14, '70, ar July 14, '70, ar February 26, 1 July 23, 1868	nd Jan. 20, '71 nd Jan. 20, '71 879	3 per cent	Option, U. S Sept. 1, 1891	A., N., F., and M M., J., S., and D. J., A., J., and O. Do. Jan. and July.
	Amount.		Date of maturity.		Average date of maturity.
Bonds issued to Pacific railroads	1,600,000 00 1,440,000 00 4,320,000 00 9,712,000 00 1,1897 1,1898 1,1897 1,1898		95	}	March 19, 1895. Jahuary 18, 1896. January 1, 1897. January 1, 1898. January 1, 1899.
	64, 623, 512 00	0= =700			

Statement of the public debt of the United States-Continued.

	An	nount outstandi	Interest due	Accrued in-		
Title of loan,	Registered.	Coupon.	Total.	and unpaid.	terest.	
Loan of July 12, 1882. Funded loan of 1891. Funded loan of 1907. Refunding certificates.	200, 391, 700 00 609, 628, 100 00	\$49,608,300 00 128,131,600 00	\$144,046,600 00 250,000,000 00 737,759,700 00 297,800 00 14,000,000 00	\$14,006 71 533,924 52 1,049,176 33 58,184 00	\$720, 233 00 939, 500 00 7, 377, 597 00 2, 078 00 210, 000 00	
Navy pension fund. Bonds issued to Pacific railroads.	64, 623, 512 00		64, 623, 512 00	19,109 96	1, 938, 705 36	
Aggregate of interest-bearing debt.	1,018,689,912 00	177,739,900 00	1,210,637,612 00	1,674,401 00	11, 186, 113 36	

DEBT ON WHICH INTEREST HAS CEASED SINCE MATURITY.

				Total.	Interest due and unpaid,
Old debt	Various, prior to 1837	4 to 6 per cent	Matured at various dates prior to January 1, 1837	\$57,665 00	\$64, 174 81
Mexican indemnity stock	August 10, 1846	5 per cent	Matured at various dates in 1851 and 1852	1,104 91	85 74
Loan of 1847	January 28, 1847	6 per cent	Matured December 31, 1867	1,250 00	22 00
Bounty-land scrip	February 11, 1847	6 per cent	Matured July 1, 1849	3,175 00	210 06
Texan indemnity stock	September 9, 1850,	5 per cent	Matured December 31, 1864	20,000 00	2,945 00
Loan of 1858	June 14, 1858	5 per cent	Matured after January 1, 1874	2,000 00	125 00
Loan of 1860	June 22, 1860	5 per cent	Matured January 1, 1871	10,000 00	600 CC
Five-twenties of 1862 (called)	February 25, 1862	6 per cent	Matured December 1, 1871, and at subsequent dates	268, 350 00	273 18
Five-twenties of June, 1864, (called).	June 39, 1864	6 per cent	Matured November 13, 1875, and at subsequent dates	44, 250 00	239 61
Five-twenties of 1865 (called)	March 3, 1865	6 per cent	Matured February 15, 1876, and at subsequent dates	36,850 00	2,650 71 5,042 88
Ten-forties of 1864 (called)	March 3, 1864	5 per cent	Matured July 9, 1879, and at subsequent dates	85,100 00	
Consols of 1865 (called)	March 3, 1865	6 per cent	Matured August 21, 1877, and at subsequent dates	212,350 00	145 48
Consols of 1867 (called)	March 3, 1865	6 per cent	Matured April 1, 1879, and at subsequent dates	447, 150 00	25, 468 61
Consols of 1868 (called)	March 3, 1865	6 per cent	Matured July 4, 1879.	74,550 00	9, 307 49
Loan of February, 1861	February 8, 1861	6 per cent	Matured December 31, 1880.	8,000 00	2,640 00
Funded loan, 1881 (called)	July 14, '70; January 20, '71	5 per cent	Matured May 21, 1881, and at subsequent dates	148,700 00	544 8
Funded loan, 1881 (called)	July 14, '70; January 20, '71	5 percent, con- tinued at 3‡ per cent.	Matured December 23, 1882, and at subsequent dates	111,950 00	4,633 87
Oregon war debt	March 2, 1861	6 per cent	Matured July 1, 1881	3,950 00	730 50
Loan of July and August, 1861 Loan of July and August, 1861	July 17 and August 5, 1861	6 per cent	Matured June 30, 1881	153,750 00	722 00
(called)	July 17 and August 5, 1861	6 per cent., con- tinued at 31 per cent.	Matured December 24,188J, and at subsequent dates	105, 850 00	1,033 49
Loan of 1863 ('81's)	March 3, 1863	6 per cent	Matured June 30, 1881	31,650 00	509 90
Loan of 1863 ('81's), called	March 3, 1863	6 per cent., con- tinued at 31 per cent.	Matured August 1, 1882, and at subsequent dates	15,650 00	144 48
Loan of July 12, 1882 (called)	July 12, 1882	3 per cent	Matured December 1, 1883, and at subsequent dates	7,345,400 00	34,096 36
Treasury notes prior to 1846	Various, prior to 1846	to 6 per cent	Matured at various dates from 1838 to 1844	82, 425 35	2, 662 00
Treasury notes of 1846	July 22, 1846	to 6 per cent	Matured at various dates in 1847 and 1848	5, 900 00	200 66
Freasury notes of 1847	January 28, 1847	6 per cent	Matured at various dates in 1848 and 1849	950 00	57 00
Treasury notes of 1857	December 23, 1857	3 to 6 per cent	Matured at various dates in 1858 and 1859	1.700 00	99 0
Treasury notes of 1861	March 2, 1861	6 per cent	Matured March 1, 1863	3,000 00	364 56
Seven-thirties of 1861	July 17, 1861	7.3 per cent	Matured August 19 and October 1, 1864	15,800 00	1,011 8
One-year notes of 1863	March 3, 1863	5 per cent	Matured at various dates in 1865	36,795 00	1,851 8
I'wo-year notes of 1863	March 3, 1863	5 per cent	Matured at various dates in 1866	29,750 00	1,343 9
Compound-interest notes	March 3, '63; June 30, '64	6 per cent	Matured June 10, 1867, and May 15, 1868	197,170 00	40,518 58
Seven-thirties of 1864-'65	June 30, '64; March 3, '65	7.3 per cent	Matured August 15, 1867, and June 15 and July 15, 1868.	130,300 00	18, 673 0
Certificates of indebtedness	March 1, 17, '62; March 3, '63.	6 per cent	Matured at various dates in 1866	4,000 00	253 48
Temporary loan3 per cent. certificates (called)	June 30, 1864 March 2, '67; July 25, '68	4 to 6 per cent 3 per cent	Matured October 15, 1866	2,960 00 5,000 00	244 19 394 31
Aggregate of debt on wh	ich interest has ceased since m	aturity	•	9, 704, 445 26	224, 020 42

DEBT BEARING NO INTEREST.

		Total.
Old demand notes	July 17, 1861; February 12, 1862. February 25, 1862; July 11, 1862; March 3, 1863. June 8, 1872. \$18,500,000 00 Less amount held in Treasurer's cash. 250,000 00	\$57,445 00 346,681,016 00
	March 3, 1863, and July 12, 1882 131,174,245 00 Less amount held in Treasurer's cash 55, 129, 870 00	18, 250, 000 00
Silver certificates	February 28, 1878 115, 977, 675 00 Less amount held in Treasurer's cash 27, 861, 450 00	76, 044, 375 00
Fractional currency	July 17, 1862; March 3, 1863; June 30, 1864 15, 330, 021 52 Less amount estimated as lost or destroyed, act of June 21, 1879 8, 375, 934 00	6, 954, 087 52
Aggregate of debt bearing	g no interest	536, 103, 148 52

RECAPITULATION.

		Principal.	Interest.	Total.
Interest-bearing debt	Bonds at 4½ per cent \$250,000,000 00 Bonds at 4 per cent 757,759,700 00 Bonds at 3 per cent 144,046,600 00 Refunding certificates, at 4 per cent 207,800 00 Navy pension fund, at 3 per cent 14,000,000 00 Pacific railroad bonds, at 6 per cent 64,623,512 00	1, 210, 637, 612 00	\$12,800,514 88	\$1 993 ANR 196

Statement of the public debt of the United States-Continued.

	Principal.	Interest.	Total.
Interest-bearing debt Debt on which interest has ceased since maturity. Debt bearing no interest	9,704,445 26	\$12, 860, 514 88 224, 020 42	\$1,223,408,126 88 9,928,465 68 536,103,148 52
Total. Less cash items available for reduction of the debt	1,756,445,205 78	13, 084, 535 30 205, 202, 247 73 100, 000, 000 00	1,769,529,741 08 305,202,247 73
Total debt, less available cash items			1, 464, 327, 493 35 75, 191, 109 95
Debt, less cash in the Treasury, July 1, 1886. Debt, less cash in the Treasury, June 1, 1886.			1, 389, 136, 383 40 1, 398, 198, 281 74
Decrease of debt during the month.			9,061,898 34
Decrease of debt during year ending June 30, 1886			96, 097, 766 25

CASH IN THE TREASURY.

	Total.
Available for reduction of the public debt: Gold held for gold certificates actually outstanding. Silver held for silver certificates actually outstanding. United States notes held for certificates of deposit actually outstanding. Cash held for matured debt and interest unpaid. United States bonds and interest. Fractional currency.	\$76, 044, 375 00 88, 116, 225 00 18, 250, 000 00 18, 999, 817 05 3, 789, 163 51 2, 667 17
Total available for reduction of the debt. Reserve fund: Held for redemption of United States notes, acts January 14, 1875, and July 12, 1882 Unavailable for reduction of the debt: Fractional silver coin. \$28, 904, 681 66 Minor coin.	205, 202, 247 73 100, 000, 000 00 29, 282, 495 66
Certificates held as cash: 250,000 00 Legal tender. 55,129,870 00 Gold. 55,129,870 00 Silver. 27,861,450 00	
Net cash balance on hand	83, 241, 320 00 75, 191, 109 95
Total cash in the Treasury as shown by Treasurer's general account	492, 917, 173 34

COMPARISON.

Cash in the Treasury.	Jul	y 1.	Jun	ie 1.	Increase.	Decrease.	
Available for reduction of the public debt: Gold held for gold certificates actually outstanding	- 24	and the same		89, 184, 129 00	•••••		
ing Cash held for matured debt and interest unpaid United States bonds and interest.		18, 250, 000 00 18, 999, 817 05 3, 789, 163 51		18,903,127 83			
Fractional currency		2,667 17		1,992 45			
Total available for reduction of the debt		205, 202, 247 73 100, 000, 000 00			\$3,037,973 45		
Unavailable for reduction of the debt: Fractional silver coin		29, 282, 495 66		29, 367, 730 17		\$85, 234 51	
Certificates held as cash: Legal-tender	55, 129, 870 00		51,735,670 00				
Net cash balance on hand		83,241,320 00 75,191,109 95		82,731,686 00 76,142,611 33	509, 634	951,501 38	
Total cash in the Treasury as shown by Treasurer's general a Net increase in cash	ecount	492, 917, 173, 34		490, 406, 301 78	3,547,607 45 2,510,871 56	1,036,735 89	

The foregoing is a correct statement of the public debt, as appears from the books and treasurer's returns in the Treasury Department at the close of business June 30, 1886.

C. S. FAIRCHILD, Acting Secretary of the Treasury.

Statement of the public debt of the United States for the month of July, 1886.

INTEREST-BEARING DEBT.

INTEREST-BEARING DEBT.								
Title of loan.	Authorizing act.	Rate.	When redeema- ble.	Interest payable.				
Loan of July 12, 1882 Funded loan of 1891 Funded loan of 1907 Refunding certificates Navy pension fund	July 14, '70, and Jan. 20, '71 February 26, 1876	4 per cent	July 1, 1907	J., A., J., and O. Do.				

INTEREST-BEARING DEBT-Continued.

	Title of loan.	Amount.	Date of maturity.	Average date of maturity.
Bonds issued to	Pacific railroads	\$2,362,000 00 640,000 00 1,600,000 00 1,440,000 00 640,000 00 9,712,000 00 22,904,952 00 14,004,560 00	January 16, 1895	March 19, 1895. January 19, 1896. January 1, 1897. January 1, 1898. January 1, 1899.
		64, 623, 512 00		

	Δ	mount outstandin	g.	Interest due	Accrued in-
Title of loan,	Registered.	Coupon.	Total.	and unpaid.	terest.
Loan of July 12, 1882 Funded loan of 1891 Funded loan of 1907 Refunding certificates	200, 910, 250 00 610, 367, 450 00	\$49,089,750 00 127,399,000 00	\$140,011,750 00 250,000,000 00 737,766,450 00 202,400 00	353, 854 07 1, 844, 307 83 58, 696 00	\$1,050,088 12 1,875,000 00 2,459,221 50 674 66
Navy pension fund			14,000,000 00 64,623,512 00	210,000 00 75,989 96	35, 600 00 323, 117 56
Aggregate of interest-bearing debt	1,015,912,962 00	176, 488, 750 00	1, 296, 604, 112 00	2,554,820 99	5,743,101 84

DEBT ON WHICH INTEREST HAS CEASED SINCE MATURITY

				Total.	Interest due and unpaid.
Old debt	Various, prior to 1837	4 to 6 per cent	Matured at various dates prior to January 1, 1837	\$57,665 00	\$64,174 81
Mexican indemnity stock	August 10, 1846	5 per cent	Matured at various dates in 1851 and 1852	1.104 91	85 74
Loan of 1847	January 28, 1847	6 per cent	Matured December 31, 1867	1, 250 00	22 00
Bounty-land scrip	February 11, 1847	6 per cent	Matured July I. 1849	3, 175 00	210 00
Texan indemnity stock	September 9, 1850	5 per cent	Matured December 31. 1864	20,000 00	2,945 00
Loan of 1858	June 14, 1858	5 per cent	Matured after January 1, 1874	2,000 00	125 00
Loan of 1860	June 22, 1860	5 per cent	Matured January 1, 1871	10,000 00	600 00
Five-twenties of 1862 (called)	February 25, 1862	6 per cent	Matured December 1, 1871, and at subsequent dates	268, 300 00	204 10
Five-twenties of June, 1864 (called).	June 30, 1864	William Street	Matured November 13, 1875, and at subsequent dates	44, 250 80	236 61
Five-twenties of 1865 (called)	March 3, 1865	6 per cent	Matured February 15, 1876, and at subsequent dates	36, 850 00	2,620 71
Ten-forties of 1864 (called)	March 3, 1864	5 per cent	Matured July 9, 1879, and at subsequent dates	83, 900 00	4, 925 28
Consols of 1865 (called)	March 3, 1865	6 per cent	Matured August 21, 1877, and at subsequent dates	212, 350 00	145 48
Consols of 1867 (called)	March 3, 1865	6 per cent	Matured April 1, 1879, and at subsequent dates	439, 900 00	25, 234 64
Consols of 1868 (called)	March 3, 1865	6 per cent	Matured July 4, 1879	74,550 00	9,307 49
Loan of February, 1861	February 8, 1861	6 per cent	Matured December 31, 1880	8,000 00	2,640 00
Funded loan, 1881 (called)	July 14, 1870; Jan. 20, 1871	5 per cent	Matured May 22, 1881, and at subsequent dates	147, 200 00	498 96
Funded loan, 1881 (called)	July 14, 1870; Jan. 20, 1871	5 per cent., con- tinued at 31			
	and the second	per cent	Matured December 23, 1882, and at subsequent dates	99,950 00	4, 461 50
Oregon war debt	March 2, 1861	6 per cent	Matured July 4, 1881	3,950 00	730 50
Loan of July and Aug., 1861	July 17 and Aug. 5, 1861	6 per cent,	Matured June 30, 1881	153,700 00	720 50
Loan of July and Aug., 1861, (called).	July 17 and Aug. 5, 1861	6 per ct., contin- ued at 3½ per cent.	Matured December 24, 1881, and at subsequent dates	105, 350 00	1,025 09
Loan of 1863 ('81s,)	March 3, 1863	6 per cent	Matured June 30, 1881	31, 250 00	497 90
Loan of 1863 ('81s,)	March 8, 1863	6per ct., contin- ued at 31 per cent.	Matured August 1, 1882, and at subsequent dates	15, 650 00	144 48
Loan of July 12, 1882 (called)	July 12,1882	3 per cent	Matured December 1, 1883, and at subsequent dates	3, 038, 600 00	13, 965 35
Treasury notes prior to 1846	Various, prior to 1846	to 6 per cent.	Matured at various dates from 1838 to 1844	82, 425 35	2,662 06
Treasury notes of 1846	July 22, 1846	to 6 per cent.	Matured at various dates in 1847 and 1848	5,900 00	200 60
Treasury notes of 1847	January 28, 1847	6 per cent	Matured at various dates in 1848 and 1849	950 00	57 00
Treasury notes of 1857	December 23, 1857	3 to 6 per cent	Matured at various dates in 1858 and 1859	1,700 00	99 00
Treasury notes of 1861	March 2, 1861	6 per cent	Matured March 1, 1863	3,000 00	364 50
Seven-thirties of 1861	July 17, 1861	7.3 per cent	Matured August 19 and October 1, 1864	15, 800 00	1.011 89
One-year notes of 1863	March 3, 1863	5 per cent	Matured at various dates in 1865	36,745 00	1,849 35
Two-year notes of 1863	March 3, 1863	5 per cent	Matured at various dates in 1866,	29,650 00	1,333 90
Compound-interest notes	March 3, 1863; June 30, 1864	6 per cent	Matured June 10, 1867, and May 15, 1868	196, 910 00	40,468 14
Seven-thirties of 1864-'65	June 30, 1864; March 3, 1865	7.3 per cent	Matured August 15, 1867, and June 15 and July 15, 1868.	130, 200 00	18,669 36
Certificates of indebtedness	March 1, 17, 1862; March 3, '63	6 per cent	Matured at various dates in 1866	4,000 00	253 48
Temporary loan	June 30, 1864	4 to 6 per cent	Matured October 15, 1866	2,960 00	0 244 19
3 per cent. certificates (called)	March 2, 1867; July 25, 1868	3 per cent	Matured February 28, 1873	2,960 00 5,000 00	394 31
Aggregate of debt on wh	ich interest has ceased since m	aturity		5, 374, 185 26	203, 128 98

DEBT BEARING NO INTEREST.

		Total.
Old demand notes	July 17, 1861; February 12, 1862. February 25, 1862; July 11, 1862; March 3, 1863 June 8, 1872 \$19,575,000 00 Less amount held in Treasurer's cash 470,000 00	\$57, 420 00 346, 681, 016 00
Gold certificates	March 3, 1863, and July 12, 1882	19, 105, 000 00
Silver certificates	February 28, 1878	74,718,517 00 87,564,044 00
Fractional currency	July 17, 1862; March 3, 1863; June 30, 1864 15, 329, 636 52 Less amount estimated as lost or destroyed, act of June 21, 1879 8, 375, 934 00	6,953,702 52
Aggregate of debt bearin	g no interest	535, 079, 699 52

RECAPITULATION.

RECAPITULATION.			
	Principal.	Interest.	Totals.
Section Sect	\$1,206,604,112 00	\$8, 297, 922 83	\$1, 214, 902, 034-8
Debt on which interest has ceased since maturity 346,738,436 00 Debt bearing no interest Old demand and legal-tender notes 346,738,436 00 Certificates of deposit 19,105,000 00 Gold certificates 74,718,517 00 Silver certificates 87,564,044 00 Fractional currency, less \$8,375,934, estimated as lost or destroyed 6,933,702 52	5, 374, 185 26	203,128 98	5,577,814
	Consideration (Notes and		
Total debt Less cash items available for reduction of the debt Less reserve held for redemption of United States notes	1,747,057,996 78	8,501,051 81 195,265,443 06 100,000,000 00	1,755,559,048 5 295,265,443 0
Total debt, less available cash items			1, 460, 293, 605 5 80, 206, 325 9
Debt, less cash in the Treasury, August 1, 1886			1,380,087,279 t 1,389,136,383
Decrease of debt during the month			9, 049, 103 8
CASH IN THE TREASURY.			
Available for reduction of the public debt: Gold held for gold certificates actually outstanding. Silver held for silver certificates actually outstanding. United States notes held for certificates of deposit actually outstanding. Cash held for matured debt and interest unpaid. Fractional currency.	••••••••••••		87, 564, 644 6 19, 105, 600 6 13, 875, 237 6
Total available for reduction of the debt			Land Company of the C
Unavailable for reduction of the debt: Fractional silver coin Minor coin		\$28, 584, 624 69	
Certificates held as cash: Legal-tender		52, 258, 360 00	28,987,916
			80, 457, 218
Net cash balance on hand			80, 206, 325
Total cash in the Treasury as shown by Treasurer's general account			484, 856, 903
COMPARISON.			
Cash in the Treasury. August 1.	July 1,	Increase.	Decrease.
Available for reduction of the public debt: Gold held for gold certificates actually outstanding \$74,718,517 00	\$76,044,87	5 00	

Cash in the Treasury.	Aug	ust 1.	Jul	y 1.	Increase.	Decrease.
Available for reduction of the public debt: Gold held for gold certificates actually outstanding		\$74, 718, 517 00 87, 564, 044 00		\$76, 044, 375 00 88, 116, 225 00		p lassem
United States notes held for certificates of deposit actually outstanding		19,105,000 00 13,875,237 07		18, 250, 000 00 18, 999, 817 05		
Fractional currency		2,644 99		2,667 17		
Total available for reduction of the debt		195, 265, 443 06		205, 202, 247 73		\$9, 936, 804 67
Reserve fund: Held for redemption of United States notes, acts January 14, 1875, and July 12, 1882 Unavailable for reduction of the debt:		100,000,000 00		The second secon		
Unavailable for reduction of the debt: Fractional silver coin. Mingr coin	\$28,584,624 69 343,291 94	28, 927, 916 63	\$28,904,681 66 377,814 00	29, 282, 495 66		354, 579 0
Certificates held as cash: Legal tender Gold.						
Silver		80, 457, 218 00 80, 206, 325 98	27,861,450 00	83, 241, 320 00 75, 191, 109 95	\$5,015,216 03	2, 784, 102 0
Total cash in the Treasury as shown by Treasurer's general account		484, 856, 903 67				13, 075, 485 70 8, 060, 260 67

The foregoing is a correct statement of the public debt as appears from the books and Treasurer's returns in the Treasury Department at the close of business July 31, 1886. C. S. FAIRCHILD, Acting Secretary of the Treasury.

tary of the Treasury is substituted for the President of the United States who was by the Senate amendment authorized to order a postponement or suspension of the payment of bonds. This was agreed to on the part of the Senate conferees because it was insisted upon by the House conferees, the Senate conferees, or at least a portion of them, believing that the joint resolution would be somewhat weakened with respect to the time when the emergency should arise by leaving the discretion

resentatives.

I desire, as this is the last opportunity, perhaps, that we shall have, to present a summary of the effect of this joint resolution if it shall finally become a law.

The statement of assets and liabilities, as shown by the Treasurer on the 31st day of July, discloses a balance in round numbers of \$80,000,000 as against a balance of \$75,000,000 shown by the same state-

Mr. ALLISON. Mr. President, it will be seen that in the joint resolution as it is now amended by the conference committee the Secretary of the Treasury rather than the President. But we yielded that point on the request of the House of Representatives.

ment on the 30th day of June; so that at this moment there is a surplus of \$60,000,000 in the Treasury beyond the working balance mentioned and agreed to by both Houses in this joint resolution. That is to say, if this resolution shall pass there is now in the Treasury a sum equal to \$60,000,000 which may be applied to the payment of the public debt.

This Treasury balance of July 31, 1886, as compared with the Treasury balance on the 30th of June, 1886, discloses an increase to the extent of nearly \$5,000,000. It is known by Senators that the receipts from customs and internal revenue during the month of July this year are in excess of similar receipts for the month of July last year in about the sum of \$3,000,000. So I think it may be safely stated that the receipts of this current fiscal year will be equal to the receipts of the

last fiscal year, and I believe it is estimated now by those having charge of this matter in the Treasury Department that the receipts this year are likely to be some \$10,000,000 in excess of the receipts of last year.

In order to ascertain how much may be applied to the payment of the public debt during the current fiscal year, it is necessary for us to ascertain what will be the probable expenditures of the current fiscal year. I have in my hand a statement of the amounts of all the appropriation bills as they have passed, save only the appropriations for fortifications. The table has been prepared by Mr. Cleaves, the clerk of the Senate Committee on Appropriations, in conjunction with the clerk of the House committee. I ask that the table may be inserted in the RECORD.

The table referred to follows.

History of the fourteen regular appropriation bills, 1886-'87.

a grant angual			77-41-	ton 1998 Vetimates 1997		Reported	Reported to the House.		Passed the House.	
Title			Estimat	ies, 1886.	Estimates, 1887.	Date.	Amount.	Date.	Amount,	
Agricultural Army Diplomatic and consular Diplomatic and consular District of Columbia a Fortifications Indian Legislative, &c. Military Academy Navy Pension Post-Office b. River and harbor. Sundry civil			26,1 1,6 	399, 110 00 110, 489 95 369, 544 24 303, 000 00 328, 049 64 366, 500 05 393, 344 78 300, 000 00 399, 169 50 1077, 400 00 326, 402 22	\$651, 875 00 25, 356, 998 00 1, 604, 961 66 3, 839, 888 99 3, 396, 000 00 6, 051, 259 8- 21, 523, 565 63 411, 075 00 30, 836, 357 7- 75, 830, 200 00 54, 986, 166 89 cl0, 176, 920 00 33, 554, 600 56	March 3 March 2 March 4 July 10 Feb. 11 May 20 Feb. 25 May 21 Feb. 5 Feb. 5 May 31	\$523, 215 00 23, 892, 588 41, 279, 665 00 3, 611, 662 99 620, 000 00 5, 502, 312 84 20, 560, 119 77, 805 00 11, 849, 858 77 75, 754, 200 00 54, 326, 589 07 15, 120, 700 00 21, 053, 822 04	May 12 May 13 April 12 July 19 March 24 June 16 May 8 June 21 March 4 April 6 May 6	\$523, 715 00 23, 968, 928 46 1, 299, 665 00 3, 611, 661 99 202, 000 00 5, 493, 062 84 20, 584, 229 17 297, 805 00 11, 778, 656 46 75, 754, 200 00 54, 326, 589 07 15, 142, 100 00 21, 311, 525 24	
Total Deficiency Urgent deficiency Pension, &c., deficiency			} 8,5	750, 197 63 582, 454 05	268, 220, 849 96 d14, 686, 264 16	(June 29	234, 392, 538 52 6, 062, 845 39 634, 452 65 6, 229, 000 00	March 5	234,712,139 23 5,914,962 32 634,452 65 6,229,000 00	
Total			3,0	000,000 00	282, 907, 114 00 5, 769, 015 20 (e) f5, 000, 000 00		247, 318, 836 56		247, 490, 554 20	
Grand total			268,	332, 651 68	293, 676, 129 3	6		1	SILLY CONTRA	
	Reported	to the Senate.	Passed	the Senate	. Law	, 1886–'87.		Amount.		
Title.	Date.	Amount.	Date.	Amou	nt. Date.	Amount.	Law, 1885-'86.	Law, 1884-'85.	Law, 1883-'84.	
Agricultural Army	June 3 May 21 July 26 April 8 June 28 June 16 June 16 April 26 June 28	\$663, 215 00 23, 830, 874 80 1, 349, 365 00 3, 821, 527 99 6, 630, 000 00 5, 544, 692 84 20, 715, 734 77 297, 805 00 12, 833, 594 46 76, 075, 200 00 55, 165, 863 25 18, 087, 475 00 23, 173, 887 49	1886. June 10 June 12. June 7. May 24. July 28. April 12. July 2. June 16. July 16. June 16. July 16. July 24.	3, 823, 22 6, 830 00 5, 571, 08 20, 741, 13 297, 80 13, 073, 56 76, 075, 20 55, 245, 80 14, 013, 33	4 80 June 20 5 00 July 1 7 99 July 9 0 00 1 22 84 May 15 2 37 July 31 5 00 June 29 4 46 July 26 0 00 July 2 3 25 June 30	\$654,715 00 23,753,057 21 1,354,065 09 3,721,050 99 5,546,262 84 20,654,346 37 297,805 00 12,989,907 20 76,075,200 00 54,365,863 25 14,473,900 00 22,657,510 58	\$585, 790 00 24, 014, 052 50 1, 242, 925 00 3, 622, 683 20 725, 000 00 5, 762, 512 70 21, 376, 708 70 310, 021 64 15, 070, 837 95 60, 000, 000 00 53, 700, 990 00 (j) 26, 073, 237 49	\$480, 190 00 24, 454, 450 00 1, 219, 390 00 3, 559, 835 54 700, 000 00 5, 859, 402 91 21, 333, 141 85 314, 563 75 9 20, 810, 000 00 49, 040, 400 00 49, 040, 400 00 13, 949, 200 00 22, 299, 434 30	\$405, 640 00 24, 681, 250 00 1, 296, 755 00 3, 507, 247 96 670, 000 00 5, 358, 655 91 20, 454, 246 22 318, 657 50 15, 894, 434 23 h 86, 575, 000 00 44, 489, 520 00 23, 679, 575 44	
Total. Deficiency Urgent deficiency Pension, &c., deficiency	July 20 March 9	6,565,813 26 685,802 65	July 26 March 10 May 21		8 09 2 65 March 26	236, 553, 683 44 6, 860, 325 03) 669, 055 84 6, 431, 500 00	4, 926, 855 80	179,060,480 69 7,057,509 00	227, 330, 982 26 2, 749, 941 49	
Total Alabama claims Increase of naval establishment Miscellaneous						250, 514, 564 31 5, 769, 015 28) 3, 500, 000 00 £5, 000, 000 00	217, 417, 634 98 2, 177, 648 20	186, 117, 989 69 9, 592, 598 40	230, 080, 923 75 1, 912, 723 88	
Grand total						264, 783, 579 59	219, 595, 283 18	195, 710, 588 09	231, 993, 647 63	

a. Fifty per cent. of the amounts appropriated for the District of Columbia are paid by the United States. The amount for the water department (estimated for 1887 at \$153,453,02) is paid out of the revenues of that department.

b. The appropriations for the postal service are paid out of the postal revenues (estimated for 1887 at \$47,542,252.64), and any deficiency in the revenue is provided for out of the Treasury of the United States.

c. This is the estimate submitted for 1887. "The amount that can be profitably expended," as reported by the Chief of Engineers, is \$42,332,100 (Book of Estimates, page 178).

d. This amount covers deficiency estimates submitted in House Executive Documents Nos. 62, 70, 176, 210, 225, 233, 270, 275, 280, and 294, and Senate Executive Documents Nos. 213 and 218, first session, Forty-ninth Congress.

e. The estimates for increase of the naval establishment are included in the general estimates for the Navy for 1887.

f. This amount is estimated.

g. In addition to this amount for pensions for 1884-'85, an unexpended balance of appropriation, estimated at \$66,000,000, was reappropriated and made available for that fiscal year.

h. In addition to this amount for pensions for 1883-'84, an unexpended balance of appropriation, amounting to \$39,000,000, was reappropriated and made available for that fiscal year.

j. No appropriations were made for rivers and harbors for the fiscal years 1883-'84 and 1885-'86.

k. This amount is based upon laws approved and printed up to July 31, and bills which have passed both Houses.

Mr. ALLISON. I include in this table all the general appropriation bills and also the river and harbor bill. The amount of the river and harbor bill stated separately is \$14,473,900. The total appropriations, including the river and harbor bill, including the deficiency bill,

are \$264,783,579.59. The appropriations for the same purposes for the year 1885-'86 were \$219,595,283.18, or an increase of appropriations this year of \$45,188,296.41; that is to say the appropriations for the current fiscal year are in excess of the appropriations of the last fiscal year in round numbers \$45,000,000.

This increase is made up by an increase in the pension appropriations of \$16,075,200; the river and harbor bill includes \$14,473,900; so that deducting the river and harbor bill, for which there was no appropriation last year, and deducting the increase of pensions, the appropriations of this year for the current operations of the Government are \$14,639,196.41 in excess of the appropriations for last year. This table shows in detail these increases. I shall not occupy time to state them, but I will add that the deficiencies of last year were \$4,000,000, while the deficiencies of this year are in round numbers \$13,000,000.

Mr. COCKRELL. I ask the Senator if that does not include a great

many deficiencies of years previous to the last fiscal year?

Mr. ALLISON. That the deficiency bills always do. Undoubtedly the deficiency bills of this session are in this respect like all other deficiency bills. It is the usual custom to gather up deficiencies of vari-

In addition to that, the Senator from Kentucky [Mr. Beck] calls my attention to the fact that we have made a special appropriation this year for the residuum of the Alabama claims, amounting to \$5,769,-015.28. This table, when analyzed, will show the increases over the appropriations of last year.

In the regular appropriation bills there have been some deductions and some increases. The agricultural bill this year is in excess of the bill of last year \$68,925. I will send this table to the Reporter that he

The appropriation bills for 1887, as compared with those for 1886, show the following changes in amounts:

Title of bill.	Increase over 1886.	Reduction from 1886.
Agricultural Army Diplomatic and consular District of Columbia Portifications. Indian Legislative Military Academy. Navy Pension Post-Office River and harbor. Sundry civil	121, 140 00 98, 367 79 16, 075, 200 00 664, 873 25 14, 473, 900 00	722, 362 33
Deficiencies	9, 034, 025 07 a 40, 536, 431 11 2, 822, 351 80 5, 769, 015 28 3, 500, 000 00 52, 627, 798 19	a7, 439, 501 78

a Net increase above, \$33,096,929.33.

Net increase made by appropriations for 1887 over 1886, \$45,188,296.41.

Net increase made by appropriations for 1887 over 1886, \$45,188,296.41.

Mr. ALLISON. It will be seen that the reduction in the Army bill as compared with last year is \$260,995.29. The increase in the diplomatic and consular bill is \$121,000 in round numbers. The increase in the District of Columbia appropriation bill, one-half of which only is paid by the Government, is \$98,000. The Indian bill this year is \$216,000 less than last year. The legislative bill is \$722,000 less this year than last. I will say respecting the legislative bill, which apparently shows a decrease, that the entire amount of the decrease is disclosed by the fact that there are one hundred and fifty less employés in the Pension Office than last year, the appropriation bill of last year requiring a reduction of one hundred and fifty persons before any new appointments should be made. The Navy bill proper is \$2,000,000 less this year than last. The pension bill is increased \$16,000,000 as I have already stated. Last year we had a fortification bill appropriating already stated. Last year we had a fortification bill appropriating \$725,000.

Mr. EDMUNDS. Do you state what the present fortication bill is? Mr. ALLISON. I do not. I exclude the present fortification bill, because it has not passed, and I think it is not likely to pass.

Mr. EDMUNDS. If it should pass it would increase the amount by

some millions more.

Mr. ALLISON. If it should pass as the Senate committee reported it there would be an apparent increase of nearly \$6,000,000; but the increases with reference to fortifications as indicated by the votes in the Senate arise from the fact that we propose to start anew the rearming of our fortifications, and have made an appropriation to that end of \$6,000,000, which is intended and proposed by the bill itself to extend

over a period of six years.

Mr. HAWLEY. And the Senator may just add a line more, that there is no contemplation whatever that one dollar of that amount will

be called for under about a year or a year and a half.

Mr. ALLISON. Yes; so that although if the fortification bill shall

become a law as it has passed the Senate, it is not probable that within the current fiscal year there will be any greater expenditure than was made during the last year for fortifications.

Mr. HAWLEY. Not so much.

Mr. EDMUNDS. How much was last year's fortification bill?

Mr. ALLISON. Last year's fortification bill was \$725,000, so that if no fortification bill shall pass this year that reduction will be made in the body of the expenditures.

Mr. EDMUNDS. How much was the fortification bill this year,

not yet passed, as it came from the House?

Mr. ALLISON. In the fortification bill this year as it came from the House the House appropriated \$620,000. The appropriation last year was \$725,000.

I think I have stated all the items except only the increase of the naval establishment by a separate bill which passed both Houses and which contains an appropriation of three and one-half million dollars, which contains an appropriation of three and one-half million dollars, which of course in the nature of things will extend not only over this year but probably over two years to come, because it would not be possible for the Secretary of the Navy to expend more than \$1,000,000 of the three and a half million during the current fiscal year.

If all these appropriations are expended during the present fiscal year, and the revenues shall be what they were last year and no more, there will still be a surplus of about \$47,000,000 over and above the expenditures. Of course, in stating that surplus I do not include expenditures for the sinking fund.

I have here a statement of the permanent appropriations of the Gov-

I have here a statement of the permanent appropriations of the Government, including the sinking fund, and I will ask the Reporter to include this in what I am saying.

The statement referred to is as follows:

Permanent and indefinite appropriations for the fiscal year ending June

1	30, 1887.		
1	Smithsonian Institution	\$42,180 0	00
1	Collecting customs revenue. Collecting customs revenue (additional). Equipping the militia. Return of captured and abandoned property.	5, 500, 000 0	00
1	Collecting customs revenue (additional)	750,000 0	00
1	Equipping the militia	200,000 0	00
1	Return of captured and abandoned property	20,000 (00
1	Sinking fund	46 659 BBC (00
1	Interest on public debt	44 622 589 (00
ı	Interest on Pacific Railroad bonds	3, 877, 410	72
1	Salaries and expenses steamboat inspectors	255, 000 (00
1	Salaries and expenses inspectors foreign steam-vessels	35,000 (00
Я	Refunding national banking associations excess of duty	200 (00
1	Promote education of the blind	10,000 (00
1	Internal-revenue drawback	40,000 (00
S	Internal revenue (refunding illegally collected taxes)	35,000 (
1	Internal revenue (refunding moneys erroneously received)	200 (00
1	Internal revenue redemption of stamps	50,000 (00
1	Marine Hospital establishment	450,000 (00
1	Detention and prevention of frauds on customs	50,000 (00
8	Regulating immigration (Customs)	200,000 (00
3	Expenses shipping service	60,000 (00
3	Unclaimed merchandise (Customs)	1,000 (
ı	Repayment to importers excess of deposits	4,000,000 (
3	Debentures or drawbacks, bounties or allowances	8,500,000 (00
3	Debentures and other charges	300 (00
9	Refunding duties on goods destroyed (Customs)	500 (00
g	Refunding moneys erroneously received and covered (Customs)	200 (
i	Debentures and other charges	300,000 (
3	Transportation of the Army and its supplies Pacific railroads (War)	900,000 (00
ı	Ordnance material proceeds of sale (War)	75 000 (
ı	Constructing Mississippi jetties (War). Operating and care of canals and other works of navigation. Removing sunken vessels. Ordnance material, proceeds of sales (War).	150,000 (
9	Operating and care of canals and other works of navigation	200,000 (
ä	Removing sunken vessels	30,000 (
d	Ordnance material, proceeds of sales (War)	2,500 (
1	Sales of small-arms Prize-money to captors. Indemnity to seamen and marines for lost clothing	5,000	
1	Prize-money to captors	7,000	
1	Indemnity to seamen and marines for lost clothing	3,000 (
4	Deposits by individuals for surveying public lands	400,000 (
1	Indemnity for swamp lands to States	50,000 (
1	Refunding money for lands erroneously sold	75,000 (
1	Maryland Institution for Blind	5,000 (
1	Five, 3, and 2 per cent. funds to States (Lands)	200,000 0	
1	Miscellaneous	275 (
1	Mail transportation, Pacific railroads (Post-Office Department)	1,000,000 (
1	Supervisors of elections	100,000 (
1	Salaries of retired judges	42,000 (
1	Salary and expenses, reporter Supreme Court	7,500 (00
1	Total permanent and indefinite	110 010 055	~
I	Deduct sinking fund	46, 659, 000	00
1	Deduct sinking runu	40, 000, 000	v

Mr. ALLISON. The total of these permanent appropriations, if they are all called for during the year, would be \$118,910,955. Deducting the sinking fund, the total of these permanent appropriations will be \$72,251,955. The total of the appropriations is \$264,783,579.59, including the entire appropriations for the maintenance of the Post-Office Department, making a total expenditure exclusive of the sinking fund and including the expenditures of the Post-Office Department of \$336,-

Permanent appropriations exclusive of sinking fund........... 72, 251, 955 00

and including the expenditures of the Post-Office Department of \$350,-934,534.59. So we have practically the postal revenues, which were over \$46,000,000 last year, and which are estimated at \$47,000,000 this year, to set off as against the sinking fund of \$46,000,000.

Assuming that our revenues will be this year what they were last, namely, ordinary revenues \$339,000,000, and postal revenues \$46,000,-000, a total of \$485,000,000, and knowing that we have a balance of \$80,000,000 in the Treasury over and above our liabilities, and that \$60,000,000 of the \$80,000,000 by this joint resolution can be applied to

the public debt, when the resolution shall come into full play, if it does at any time, there will be paid under it \$107,500,000 during the current fiscal year. We assume that the revenues of the current fiscal year will be equal to the revenues of last year, and if that be true, there will be under this resolution if it shall pass a requirement on the part of the Treasury Department to pay \$107,500,000 of the public debt, or within \$29,000,000 of the entire public debt that can be paid between now and 1891

Mr. BECK. A question was asked me in regard to the probabilities of the revenues in view of the statements made by the chairman of the committee. The gain from customs and internal revenue for the month of July as compared with the corresponding month of last year was \$3,000,000.

Mr. ALLISON. Yes, sir.
Mr. BECK. And all the financial statements made are based upon the present condition, and we know that there will be a swell of from 15 to 20 per cent. It is perfectly certain, unless something unforeseen shall happen, that there will be an increase of revenue of from 15 to 20 per cent. upon customs and internal revenue this year over last. For the month of July as compared with the month of July a year ago there was an increase of over \$3,000,000, and the chances are that it will be about \$3,000,000 a month, making \$36,000,000 for the year more than is now stated.

Mr. ALLISON. That is the estimate of the Senator from Kentucky. The present estimate of the Treasury Department is that the revenues

Mr. ALLISON. So they did. I desire to emphasize the statement.

Mr. BECK. And even last year the actual revenues ran \$25,000,-000 or \$30,000,000 more than the estimate.

Mr. ALLISON. So they did. I desire to emphasize the statement. that, assuming that the revenues are the same, that the expenditures are kept within the appropriations, which are \$45,188,296.41 more than they were last year, there will be paid, if this resolution shall be adopted, during the current fiscal year \$107,000,000 upon the public debt, which is within \$29,000,000 of all the debt that can be paid until 1891.

I wish to say one word further respecting this resolution, and that is, that, judging from the past, no detriment is likely to occur if the resolution shall become a law. The Senator from Maryland [Mr. Gorman] the other day, in reply to some criticisms of mine respecting the surplus in the Treasury, stated that the surplus was enhanced because of the danger of a depletion of Treasury gold. I have looked carefully at the statements made by the Treasury showing its monthly assets and liabilities, which statements disclose that the first call by the presand natificially which statements disclose that the first call by the present Secretary of the Treasury was made for bonds on the 29th day of December, 1885, payable thirty days thereafter, and on the 1st day of February, 1886, there was in the Treasury \$136,000,000 of gold, speaking in round numbers, on the 1st day of March \$144,000,000 of gold, on the 1st of April \$151,000,000 of surplus gold, on the 1st day of May \$150,000,000, on the 1st day of July \$156,793,000, and on the 1st day of August \$158,933,005. The entire statement is as follows:

Net gold in the Treasury on the 1st day of the undermentioned months.

1885.	
April	\$125, 793, 256
1886.	
February	136, 086, 610
March	144, 164, 037
April	151, 379, 524
May	155, 865, 307
June	156, 304, 709
July	156, 793, 748
August	158, 933, 005

Receipts for fiscal year ending June 30, 1886, \$336,144,290.87.

Mr. EDMUNDS. Not "surplus gold." You have used the word

Mr. EDMUNDS. Not "surplus gold."

"surplus."

Mr. ALLISON. I do not mean to say surplus in the sense of an actual surplus according to the Treasury statement.

Mr. EDMUNDS. Above the one hundred million.

Mr. ALLISON. I mean including the reserve of a hundred millions of gold held for the payment of United States notes, which has been so held and set apart by the Secretary of the Treasury, and which by this joint resolution for the first time in the history of our legislation is absolutely dedicated and devoted by law to the payment of United States notes and to no other purpose whatever.

notes and to no other purpose whatever.

So keeping in mind now that we are about to pass a resolution which will place it out of the power of the Secretary of the Treasury to touch one dollar of this one hundred millions, except and only for the purpose of redeeming United States notes, he had on the 1st day of August a surplus over and above that in gold coin and bullion of \$58,933,000, or in round numbers about \$59,000,000.

I make this statement for the purpose of showing that in the nature of things in the operations of the Treasury, taking into account the appropriations which we have made at this session of Congress, applying to the current fiscal year, and taking into account the reasonable and probable revenues of our Government, this resolution can go into full play without in any way, in my judgment, embarrassing the Treasury

with reference to its credit or with reference to paying the appropriations and the current obligations of the Government.

I ask that the tables to which I have made allusion may be inserted in the RECORD consecutively as I have called attention to them.

The PRESIDENT pro tempore. That order will be made, if there be

Mr. BECK. Mr. President, I desire only to say a word. stated by the Senator from Iowa in regard to the payment of \$50,000,000 of debt since the 1st of January, payable in coin, and the increase of coin in the Treasury from the time we began paying that \$50,000,000 coin in the Treasury from the time we began paying that \$50,000,000 until the time the money was all paid, shows that there is no need for any alarm about gold fleeing away. It has increased largely, while \$50,000,000 have been paid out and four million more of bonds called. But, as I have stated, I dissent altogether from the idea of there being any dedication to a special use of any hundred million, or that there is here any change of law in that regard. Whatever the law was in regard to the hundred millions before this resolution came in, it stands so to-day. While I do not care to argue that now, I desire to enter my denial of the assumption that the House has in any way changed that hundred millions from what it was before this resolution came in.

Mr. ALLISON. Then the Senator must believe that that sum was

dedicated before.

Mr. BECK. I mean to say that if it was dedicated before it is dedicated now, and if it was not it is not by this resolution changed; and not believing that there was any dedication before, or that the language in the banking act of 1882 was a constructive dedication by the Treasury Department, or that Congress ever so intended, I mean to say that it stands just as it did, and we will argue that hereafter when

any question comes in regard to dedication.

If it was dedicated before, four or five times during past administrations, it was reduced down to \$90,000,000, \$95,000,000, or \$97,000,000, it is true only for a short period, but it was so reduced, as the table furnished by the Senator from Iowa himself shows.

I mean to say that in my judgment that was right; that while generally \$100,000,000 by common understanding was to be kept there, erally \$100,000,000 by common understanding was to be kept there, yet on the first day of any quarter, the 1st of January, the 1st of April, the 1st of July, or the 1st of October, quarterly payments had to be made which might temporarily reduce it. We paid \$10,000,000 of pensions in one week in July. That brought it down under a hundred millions temporarily while we were making those payments, but we knew that the next day or the day after that the revenues would come in at the rate of a million a day and the deficiency would be restored. There was no violation of duty on the part of the Secretary of the Treas ury, but it shows that there was not such a dedication that the fund could not be touched even temporarily nor that we must keep up taxes to keep it there all the time and every day in the year. But I say that when that question comes to be argued, we will argue it, and I think successfully.

I only rose now to say that this resolution does not change whatever was the existing law in regard to it, and I think I can show there never was any such dedication any more than there was a contract in regard to the sinking fund, which was simply a general agreement that we would pay off our debts at least at the rate of 1 per cent. a year, so as to allow our creditors to see that it was not to become like that of England, a permanent debt, which was not to be extinguished. We have paid over \$500,000,000 more than anybody pretends that the sinking fund requires, and this sinking fund of \$50,000,000 now spoken of has to be applied to the purchase of the very bonds to which the resolution

refers

The 3 percents will be all paid off in thirteen months from the surplus revenue coming in; \$36,000,000 a year the increased revenue will be, at \$3,000,000 a month, while we got last month more than we collected the same month last year, with no reduction of taxation, with \$80,000,000 now lying idle in the Treasury; and this surplus coming in under this resolution, even before the minimum stated is reached, n under this resolution, even before the minimum stated is reached, every one will be paid off, and then not one dollar of United States indebtedness can be paid until 1891, and then Congress will have to meet the question, Will you reduce the taxes, which you have refused to do, or will you lock up your money in the Treasury, or will you pay a premium on the bonds, or will you make extravagant appropriations to get rid of it? The country will demand a reduction of taxation, and you can not make any excuse for longer refusing that reduction. That is the reason I want the debt paid, and paid promptly, so that that issue may be met. sue may be met.

Mr. EDMUNDS. I entirely agree with the Senator from Kentucky Mr. BECK] that we ought to use all safe available balances in the Treasury to reduce the public debt if it can be done with safety to the public interest, and that is all that he wants; but I beg to differ with him most decidedly in regard to what this House resolution means and It has been open to doubt and dispute heretofore whether the \$100,000,000 of gold coin that has been spoken of—not silver coin, but gold coin—that has been held in the Treasury as a fact for the redemption of United States notes, by this resolution is devoted firmly and absolutely to that purpose. There I differ with him. I say it is; and for the first time, as the Senator from Iowa [Mr. Allison] has said, in the legislation of the country the House of Representatives, rising to the importance of the occasion, for the preservation of the public credit, and building perhaps—no, that would not be respectful—building as well as it knew, undertook, in providing for paying out this balance, to have everybody understand that there must be hereafter, by force of positive law, held in the Treasury the reserve of \$100-000,000 in gold for the redemption of these notes, and that that reserve must be kept up all the time. It describes it in the very first two lines of the resolution as a recognized amount held for the redemption of these notes and when it comes toward the end of the resolution it dethese notes, and when it comes toward the end of the resolution it describes by what test that definition is to be solved, and that is the test of the report of the assets and liabilities made by the Treasurer of the United States of date of the 30th of June, 1886, in which is stated in terms as among the liabilities of the Government, the coin, taking the place and representing the notes, reserved "for redemption of United States notes, acts January 14, 1875, and July 12, 1882, \$100,000,000" in gold coin, as is shown in the upper part of the statement.

So, then, however doubtful it may have been before, it is now solidified and crystallized into a statute of the United States, as it ought to be, that the safety and security of the creditor not only of the Government, but of every institution in it and of every business man and every laborer in it (for all their interests are the same as regards panies and dangers), has at last been made certain to the extent of this \$100,000,000, which is the bottom to which even the national-bank notes and all other debts run at last, as the bank notes are payable in United States notes and United States notes in coin. Thus the Treasury is able to stand a run, holding this all the time by force of positive law, and being kept up by force of this positive law as a means of keeping up the credit of the United States notes, upon the credit of which the national-bank notes and every other credit enterprise of the

country rest, as everybody knows. Mr. President, that is the only good thing of necessity that there is in the resolution at all, for with the amendments agreed upon by the conference committee, it simply authorizes and requires the Secretary of the Treasury to do exactly what he is authorized and required to do by his public duty and the law now as an administrative affair. It is true the law does not affirmatively require him to reduce this balance by redeeming the public debt that is redeemable as far as it is safe, but it authorizes him to do that, as it has all his predecessors from the beginning of the Government until this day; but somehow or other it has been felt that the present Secretary of the Treasury, under whatever influence, has not come up to the conduct of his predecessors, and that the Congress of the United States has not sufficient confidence in him and in his chief to believe that they can be permitted to exercise their discretion in redeeming this public debt as fast as they safely can, but they must be coerced into it by an act of Congress. Well, I am willing to coerce them to this extent, and still leave it safe.

But it is a little extraordinary, I confess, that this balance has been accumulating and accumulating since this administration came in, and is very much larger now than it was when they began, and that we are now called upon by an act of Congress to exert a pressure upon the administration of the finances of this country to pay it out. I am sorry, I regret that there seems to be ground apparently in the minds of the two Houses and of these conferees to suppose that the administration of the finances under existing law is not precisely what it ought to be. I am very sorry that anybody thinks so.

So, Mr. President, with this statement of assets and liabilities which is embodied by reference in this joint resolution as to what this balance of a hundred millions is, that it is in gold coin, and that it is held according to law and must be held according to law for this purpose, I am willing to vote to agree to the report of this conference committee, for all that it means is that we have solidified and made final the question of the greenback redemption fund of one hundred millions in gold as a thing that must permanently remain in the Treasury, and all else we have done is to stimulate the Secretary of the Treasury to do the duty that his predecessors had done in running down the public debt as fast as could be done with safety.

Senators have said on a former occasion that this might be reduced a great deal lower, and that there is no danger in running out of the money in the Treasury. That is perfectly true so long as there is no panic or disturbance. A ship may sail without any ballast at all when the seas are smooth and the winds do not blow; but you test the strength of the credit of the business of this country and of its Treasury. strength of the credit of the business of this country and of its Treasury, upon which it all rests in our system of national-bank notes and greenbacks as legal tenders—you test the strength of that system only when the time of pressure and disaster comes. Then is the time that you require this balance in the Treasury to preserve the interest of every business man and every laboring man in the country, because we can not forget when we are talking about the interest of the tax-payers and the laboring man and the small business men that whenever. and the laboring men and the small business men that whenever a disaster has come in the history of this country or any other it always has fallen and it always will fall, not upon the rich men, not upon the great banking institutions and corporations in its heaviest degree, but the heaviest of the burdens and the greatest of the disaster runs down to those men of small means, or of no means at all, who are thrown out of employment by a public panic.

Therefore it is for the highest interest of the humblest people in the Brown].

community, of the great body of the people of the community who are without great capital, that the credit of the Government by this ef-

Mr. CALL. I wish to say that if I had supposed the true construction of the resolution as amended by the Senate was to dedicate \$100,-000,000 to any purpose so as to put it beyond the reach of the Secretary of the Treasury in any exigency that might arise, I should have voted against it, and I shall always, as far as I am concerned, vote against the retention of any large portion of money in the Treasury of the United States from the control of the Secretary in any exigency that may arise.

The PRESIDENT pro tempore. The question is on agreeing to the

conference report.

The report was concurred in.

ORDER OF BUSINESS.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business

Mr. ALLISON. Before that is done I think now I can appeal to my friends on this side of the Chamber and on the other to take up the resolution about final adjournment and fix an hour for adjourning to-

Mr. HARRIS. If I can have a few minutes for executive session after disposing of the resolution I shall be satisfied.

Mr. EDMUNDS. We can have it to-morrow.

Mr. HARRIS. I suggest that we have one for a few moments tonight. Mr. EDMUNDS.

We can have it to-morrow just as well.

Mr. HARRIS. We can have it better to-night, because to have some references made is the only object I have in view.

Mr. PLUMB. I ask the Senator from Tennessee to withdraw his motion until we can have a vote on the pension bill, which was discussed this afternoon and which I think can be taken without further debate.

Mr. HARRIS. If we can have a vote at once I shall withdraw the motion for the purpose suggested by the Senator from Kansas.

Mr. PLUMB. There is a quorum present now and there may not be

Mr. COCKRELL. A vote on the John S. Williams bill?

JOHN S. WILLIAMS-VETO MESSAGE.

The PRESIDENT pro tempore. The motion to go into executive session being withdrawn, the question is, Shall the bill (S. 789) granting a pension to John S. Williams pass, the objections of the President of the United States to the contrary notwithstanding? The yeas and nays will be taken.

The Secretary proceeded to call the roll.

Mr. GORMAN (when his name was called). On this question I am paired with the Senators from Maine [Messrs. Hale and FRYE].

Mr. KENNA (when his name was called). I am paired with the Senator from Minnesota [Mr. Sabin]. If not paired, I should vote "nay." My colleague [Mr. CAMDEN] is paired with the Senator from

Rhode Island [Mr. ALDRICH].

Mr. RANSOM (when his name was called). I am paired with the Senator from Illinois [Mr. Logan]. He, no doubt, would vote "yea" if present, and I should vote "nay."

Mr. McMILLAN (when Mr. Sabin's name was called). My colleague [Mr. Sabin] is paired with the Senator from West Virginia

[Mr. Kenna].
Mr. SAULSBURY (when his name was called). I am paired with

the Senator from Vermont [Mr. MORRILL].

Mr. SEWELL (when his name was called). I am paired with my colleague [Mr. McPherson].

Mr. SPOONER (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL].

The roll-call was concluded.

Mr. GEORGE. I am paired with the Senator from New Hampshire [Mr. Pike]. If he were present, I should vote "nay." My colleague [Mr. WALTHALL] is absent, attending a sick friend. If present, he would vote "nay." He is paired with the Senator from Wisconsin

Mr. HARRIS (after having voted in the negative). I desire to ask if the Senator from Massachusetts [Mr. DAWES] is recorded as having

The PRESIDENT pro tempore. He has not voted.

Mr. HARRIS. No pair has been announced for the Senator from

Massachusetts. I agreed to pair with the Senator from Massachusetts [Mr. HOAR] upon all questions except where my negative vote would kill two votes in the affirmative, and upon those questions to be at liberty to vote as I pleased. I now withdraw my vote and announce my pair with the two Senators from Massachusetts.

Mr. CULLOM. The Senator from New York [Mr. MILLER] left the Senate Chamber this afternoon and told me he was paired with

some gentleman whose name I have forgotten.
Mr. COCKRELL. I announced that pair.

Mr. BERRY (after having voted in the negative). I am paired with the Senator from Nevada [Mr. Jones]. I ask to withdraw my vote.
Mr. SAWYER. I am paired with the Senator from Georgia [Mr. Mr. SAULSBURY. On this question I announced that I was paired with the Senator from Vermont [Mr. Morrill]. The question requiring a two-thirds vote, an equal pair on a question of this kind is not proper. I therefore transfer my pair with the Senator from Vermont to the Senator from Arkansas [Mr. Berry], so as to have two pairs in that case; and I vote "nay."

Mr. SAWYER. I vote "yea."

I vote "yea."
I vote "nay." Mr. RANSOM.

Mr. HAWLEY. My colleague [Mr. PLATT] is absent. He is paired with the Senator from South Carolina [Mr. HAMPTON].

Mr. HEARST. I am paired with my colleague [Mr. STANFORD],

and therefore do not vote.

Mr. CULLOM. The Senator from Nebraska [Mr. VAN WYCK] informed me that he was going away, and was paired, I think, with the Senator from Nevada [Mr. FAIR].

Mr. GIBSON (after having voted in the negative). I desire to re-call my vote. I am paired.

call my vote. I am paired.

The PRESIDENT protempore. Senators are reminded that, although a quorum is present, a quorum has not voted.

Mr. EDMUNDS. Let the Chair announce the result.

Mr. COCKRELL. I desire to state that I paired with the Senator from New York [Mr. MILLER], and I left it with the Senator state that I paired with the Senator from New York [Mr. MILLER], and I left it with the Senator state that I paired with the Senator from New York [Mr. MILLER], and I left it with the Senator state that I paired with the but I reserved the right to vote at all times to make a quorum.

The result was announced—yeas 19, nays 15; as follows:

	LS-	

Allison, Blair, Chace, Conger, Cullom,	Dolph, Edmunds, Evarts, Harrison, Hawley,	Ingalls, McMillan, Manderson, Mitchell of Oreg., Palmer.	Plumb, Sawyer, Sherman, Wilson of Iowa.
Cunom,	250000000000000000000000000000000000000	NAVS-15	

Beck; Blackburn, Call, Cockrell,	Coke, Colquitt, Eustis, Gray,	Jones of Arkansas, Pugh, Ransom, Saulsbury,	Vest, Whitthorne, Wilson of Md
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Sabin, Sewell, Spooner, Stanford,

Teller, Vance, Van Wyck,

Voorhees, Walthall.

ABSENT-42. Aldrich, Berry, Gibson, Gorman McPherson, Mahone,

Bowen,	Hale,	Maxey,
Brown,	Hampton.	Miller,
Butler.	Harris,	Mitchell of Pa.,
Camden,	Hearst,	Morgan,
Cameron,	Hoar,	Morrill,
Dawes,	Jones of Florida,	Payne,
Fair.	Jones of Nevada,	Pike,
Frye,	Kenna,	Platt.
Chamma	Loman	Diddlehousen

The PRESIDENT pro tempore. No quorum has voted. Mr. EDMUNDS. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Thursday, August 5, 1886, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate, August 2, 1886. UNITED STATES CONSULS-GENERAL.

Wendell A. Anderson, of La Crosse, Wis., to be consul-general of the United States at Montreal, for the British North American Provinces.

James M. Morgan, of South Carolina, to be consul-general of the United States for the British colonies in Australasia, at Melbourne.

CONSULS OF THE UNITED STATES

David W. Burke, of New York, to be consul of the United States at Puerto Cabello.

Wallace S. Jones, of Florida, to be consul of the United States at

Jacob Schoenhof, of New York city, N. Y., to be consul of the United States at Tunstall.

RECEIVERS OF PUBLIC MONEYS.

Luke A. Burke, of Ipswich, Dak., to be receiver of public moneys at

William G. Hobbs, of Cassville, Mo., to be receiver of public moneys at Springfield, Mo.

James N. Welch, of Detroit, Mich., to be receiver of public moneys

at Detroit, Mich.

REGISTERS OF LAND OFFICES.

Edwin D. Steele, of Greensborough, N. C., to be register of the land office at Evanston, Wyo.

David Webb, of Covington, Ind., who was designated during the recess of the Senate, to be register of the land office at Salt Lake City, Utah.

UNITED STATES MARSHALS.

Charles M. Newlin, of Delaware, to be marshal of the United States for the district of Delaware.

George W. Miller, of Pennsylvania, to be marshal of the United States for the western district of Pennsylvania.

Herman G. Weber, of Illinois, to be marshal of the United States for the southern district of Illinois.

William W. Allen, of Alabama, to be marshal of the United States for the middle and southern districts of Alabama.

Elias M. Boykin, of South Carolina, to be marshal of the United States for the district of South Carolina.

Henry C. Urner, of Ohio, to be marshal of the United States for the southern district of Ohio.

Elijah Gates, of Missouri, to be marshal of the United States for the western district of Missouri.

William K. Meade, of Arizona, to be marshal of the United States for the Territory of Arizona.

Thomas Fletcher, of Arkansas, to be marshal of the United States for the eastern district of Arkansa

Ezra Baird, of Lewiston, Idaho, to be marshal of the United States

First Dark, of School, Tanks, which is the Territory of Idaho.

Nathan D. Bates, of Preston, Conn., to be marshal of the United States for the district of Connecticut.

Van V. Richardson, of North Carolina, to be marshal of the United States for the eastern district of North Carolina.

UNITED STATES ATTORNEYS.

David Turpie, of Indianapolis, Ind., to be attorney of the United States for the district of Indiana.

G. Chase Godwin, of Grand Rapids, Mich., to be attorney of the United States for the western district of Michigan.

Dupont Guerry, of Americus, Ga., to be attorney of the United States

for the southern district of Georgia.

William G. Ewing, of Chicago, Ill., to be attorney of the United States for the northern district of Illinois.

Arthur K. Delany, of Wisconsin, to be attorney of the United States for the eastern district of Wisconsin.

William H. White, of Washington Territory, to be attorney of the United States for the Territory of Washington.

John Catlett Gibson, of Virginia, to be attorney of the United States for the eastern district of Virginia.

Joseph W. House, of Arkansas, to be attorney of the United States for the eastern district of Arkansas.

COLLECTORS OF CUSTOMS.

Horace B. Moore, of Minnesota, to be collector of customs for the district of Duluth, in the State of Minnesota.

Frank M. Porch, of New Jersey, to be collector of customs for the district of Bridgeton, in the State of New Jersey.

Bradley B. Smalley, of Vermont, to be collector of customs for the district of Vermont, in the State of Vermont.

TERRITORIAL CHIEF-JUSTICE.

James B. Hays, of Wisconsin, to be chief-justice of the supreme court of the Territory of Idaho.

TERRITORIAL JUSTICES.

Henry P. Henderson, of Mason, Mich., to be associate justice of the supreme court of the Territory of Utah.

Charles M. Thomas, of Bowling Green, Ky., to be associate justice of the supreme court of the Territory of Dakota.

Lafayette Dawson, of Missouri, to be United States judge for the district of Alaska.

INDIAN AGENTS.

Charles E. Sausser, of Lebanon, Ohio, to be agent for the Indians of the Yakima agency, in Washington Territory.
Wilson H. Talbott, of Grand Junction, Colo., to be agent for the In-

dians of the Tulalip agency, in Washington Territory.

Mark W. Stevens, of Flint, Mich., to be agent for the Indians of the Mackinac agency in Michigan.

Benjamin P. Moore, of New York city, to be agent for the Indians of the Colville agency, in Washington Territory.

SURVEYORS OF CUSTOMS.

Jeremiah W. Coveney, of Boston, Mass., to be surveyor of customs for the district of Boston and Charlestown, in the State of Massachusetts

August M. Kuhn, of Indiana, to be surveyor of customs for the port of Indianapolis, in the State of Indiana.

SUPERVISING INSPECTOR OF STEAM-VESSELS.

George Hays, of Minnesota, to be supervising inspector of steam-vessels for the fifth district.

SECRETARY OF LEGATION.

Christian M. Siebert, of New York city, N. Y., to be secretary of the legation of the United States to Chili.

APPOINTMENTS IN THE ARMY.

Colonel.

Fitz-John Porter, late colonel of the Fifteenth Infantry, to be colonel in the Army of the United States, to rank as such from May 14,

1861 (that being the grade and rank held by him at the time of his dismissal from the Army), in accordance with the provisions of an act of Congress approved July 1, 1886.

Assistant Adjutant-General.

Capt. Theodore Schwan, of the Eleventh Infantry, to be assistant adjutant-general with the rank of major, July 6, 1886.

PROMOTIONS IN THE ARMY.

Third Regiment of Infantry.

Maj. Horace Jewett, of the Sixteenth Infantry, to be lieutenant-colonel, August 1, 1886, vice Gibson, promoted to the Fifth Infantry.

Fourth Regiment of Infantry.

First Lieut. Walter T. Duggan, to be captain, August 1, 1886, vice Parke, promoted to the Sixteenth Infantry.

Second Lieut. Charles J. T. Clarke, to be first lieutenant, August 1, 1886, vice Duggan, promoted.

Fifth Regiment of Infantry.

Lieut. Col. George Gibson, of the Third Infantry, to be colonel, August 1, 1886, vice Wilkins, retired from active service.

Sixteenth Regiment of Infantry.

Capt. John B. Parke, of the Tenth Infantry, to be major, August 1, 1886, vice Jewett, promoted to the Third Infantry.

Second Regiment of Cavalry.

Second Lieut. Lloyd M. Brett, to be first lieutenant, May 4, 1886. Fourth Regiment of Cavalry.

First Lieut. Stanton A. Mason, to be captain, April 24, 1886. Second Lieut. James B. Erwin, to be first lieutenant, April 24, 1886. Second Lieut. Hugh J. McGrath, to be first lieutenant, May 26, 1886. Sixth Regiment of Cavalry.

First Lieut. William Stanton, to be captain, May 21, 1886. Second Lieut. Elon F. Willcox, to be first lieutentant, May 21, 1886.

Seventh Regiment of Cavalry.

Capt. Daniel Madden, of the Sixth Cavalry, to be major, May 21,

Twelfth Regiment of Infantry.

First Lieut. George S. Wilson, to be captain, February 12, 1886. Second Lieut. Wallis O. Clark, to be first lieutenant, February 12, 1886.

Second Lieut. Francis J. A. Darr, to be first lieutenant, May 26, 1886.

Eighth Regiment of Infantry.

Second Lieut. Colville P. Terrett, to be first lieutenant, July 2, 1886.

Eighth Regiment of Cavalry.

First Lieut. Edward A. Godwin, regimental quartermaster, to be captain, July 5, 1886. Second Lieut. Enoch H. Crowder, to be first lieutenant, July 5, 1886.

Additional Second Lieut. Stephen H. Elliott, of the Fourth Cavalry, to be second lieutenant, July 5, 1886.

Ninth Regiment of Cavalry.

Capt. James F. Randlett, of the Eighth Cavalry, to be major, July 5, 1886.

Tenth Regiment of Cavalry.

Second Lieut. Charles H. Grierson, to be first lieutenant, July 6, 1886.

Additional Second Lieut. Seward Mott, of the Sixth Cavalry, to be second lieutenant, July 6, 1886.

First Regiment of Artillery.

Second Lieut. Frank S. Harlow, to be first lieutenant, July 7, 1886. Additional Second Lieut. Thomas B. Mott, to be second lieutenant, July 7, 1886.

Second Regiment of Cavalry.

First Lieut. Colon Augur, to be captain, January 9, 1886. Second Lieut. Alonzo L. O'Brien, to be first lieutenant, January 9, 1886.

Fourth Regiment of Cavalry.

Capt. Edward J. Spaulding, of the Second Cavalry, to be major, Jannary 9, 1886.

Eighth Regiment of Cavalry.

Maj. John K. Mizner, of the Fourth Cavalry, to be lieutenant-colonel, January 9, 1886.

POSTMASTERS,

Patrick Murphy, to be postmaster at Lawrence, Essex County, Massachusetts.

Augustus R. Griffin, to be postmaster at Hempstead, Queens County, New York.

Charles G. McCreedy, to be postmaster at Ballston, in the county of Saratoga and State of New York.

John W. Wright, to be postmaster at Temple, Bell County, Texas.

Andrew H. Shoemaker, to be postmaster at Decatur, Wise County,

Robert K. Vandiver, to be postmaster at Raton, Colfax County, Territory of New Mexico.

F. M. Sexton, to be postmaster at Hazlehurst, Copiah County, Mississippi. Isaac D. Toll, to be postmaster at Petoskey, Emmet County, Mich-

igan. Frank B. Clopton, to be postmaster at Pendleton, Umatilla County,

Oregon. J. J. Mueller, to be postmaster at Ellensburg, Kittitass County, Ter-

ritory of Washington.

John A. Harris, to be postmaster at Cheney, Spokane County, Territory of Washington.

Jeremiah J. Hennessy, to be postmaster at White Sulphur Springs, Meagher County, Territory of Montana.

Thomas McKone, to be postmaster at Chelsea, Washtenaw County,

Michigan. Jonas M. Shallenberger, to be postmaster at Lancaster, Fairfield

County, Ohio.

Albert A. Upton, to be postmaster at West Gardner, Worcester County, Massachusetts.

Arthur Watson, to be postmaster at Northampton, Hampshire County, Massachusetts.

George S. Prescott, to be postmaster at Merrimac, Essex County, Massachusetts

Edward P. Kimball, to be postmaster at Ipswich, Essex County, Massachusetts

Charles Keith, to be postmaster at Greenfield, Franklin County, Massachusetts.

Augustus C. Golding, to be postmaster at Norwalk, Fairfield County, Connecticut

Jeremiah Murphy, to be postmaster at Beverly, Essex County, Massachusetts. Edward P. Kelley, to be postmaster at Bradford, Essex County, Mas-

sachusetts. George R. Guernsey, to be postmaster at Windsor, Windsor County,

ermont. Edmund McKinney, to be postmaster at Keyport, Monmouth County,

New Jersey. James Curran, to be postmaster at Hoboken, Hudson County, New

John C. Anderson, to be postmaster at Eagle Rock, Bingham County,

Territory of Idaho. S. Mortimer Ward, to be postmaster at Georgetown, Georgetown County, South Carolina.

George O. Guild, to be postmaster at Bellows Falls, Windham County, Vermont.

Henry A. Baker, to be postmaster at Rockland, Plymouth County, Massachusetts.

Everett K. Brewer, to be postmaster at Bar Harbor, Hancock County, Maine

William W. Hart, to be postmaster at Murray, Shoshone County, Idaho.

John R. Young, to be postmaster at Hempstead, Waller County, Texas. W. T. Anderson, to be postmaster at Washington, Wilkes County, Georgia

William T. Martin, to be postmaster at Madison, Morgan County,

Clinton Babbitt, to be postmaster at Beloit, Rock County, Wisconsin. James Cannon, to be postmaster at Mankato, Blue Earth County, Minnesota

Julia D. Young, to be postmaster at Wright's Grove, Cook County, Illinois

William Kaough, to be postmaster at Fort Wayne, Allen County, Indiana. William H. Loomis, to be postmaster at Shawneetown, Gallatin

County, Illinois.

Frederick H. Bates, to be postmaster at Elmhurst, Du Page County,

William H. Bowser, to be postmaster at Warsaw, Kosciusko County, Indiana

William H. Wilcox, to be postmaster at Elgin, Kane County, Illinois. Charles S. Avery, to be postmaster at Norwich, New London County, Connecticut.

E. B. Crawford, to be postmaster at Sioux City, in the county of Woodbury and State of Iowa

The above confirmation was accompanied by the following report from the Committee on Post-Offices and Post-Roads; which was ordered by the Senate to be printed in the RECORD:

The Committee on Post-Offices and Post-Roads, to whom was referred the omination of E. B. Crawford to be postmaster at Sioux City, Iowa, submits the

nomination of E. B. Crawford to be postmaster at Sioux City, Iowa, submits the following report:

During the recess of the Senate the President suspended Edwin R. Kirk from the office of postmaster at Sioux City, Iowa, and designated E. B. Crawford to take charge and perform the duties of the said office. Mr. Kirk was a most faithful and competent officer. There was no good reason for his suspension. He is a good man and a faithful citizen. The great majority of the citizens within the

delivery of the office were opposed to the suspension, and did not desire to have him interfered with during the remainder of his term. There is nothing in the case in the slighest degree affecting his integrity as a man or his faithfulness and efficiency as an officer. His term expired on March 15, 1886. The present nomination is made to fill the vacany thus occasioned. The committee therefore reports the nomination of E. B. Crawford with a recommendation that it be confirmed.

William A. McAlister, to be postmaster at Vinton, Benton County, Iowa.

The above confirmation was accompanied by the following report from the Committee on Post-Office and Post-Roads; which was ordered by the Senate to be printed in the RECORD:

by the Senate to be printed in the RECORD:

The Committee on Post-Offices and Post-Roads, to whom was referred the nomination of William H. McAlister to-be postmaster at Vinton, Iowa, vice Stephen A. Marine, suspended, submits the following report:

The suspended officer is a disabled soldier, having lost one of his legs in the military service of the Government during the war of the rebellion. He was a faithful and gallant soldier. He was an efficient postmaster, and no charges were preferred against him other than that he was an "offensive partisan." On account of these he was suspended; and nothing appears in the case reflecting on his character as a man, or his faithfulness or efficiency as an officer.

The present nominee is the third person designated by the President to take charge of the office from which this faithful officer and disabled soldier has been suspended. The first designation turned out to be of so unsavory a record that he was requested to resign and complied with the request. The second designation was a person so objectionable that he was rejected by the Senate. The third and present designation presents a person who seems, from information furnished to the committee, to be of good character and competent to discharge the duties of the office.

The anxiety of the suspended officer was to be informed of the cause of his suspension, and to know whether or not it in any way injuriously reflected on him, either as a man or an officer. He had faithfully served his country as a soldier in the Union Army, and felt that he deserved as honorable discharge from the service of the Government as he had received from the membership of its Army. Until it could be said that alone for partisan reasons he was suspended from his civil office he objected to the confirmation of a successor to his position. This can now be said, and he does not object to the confirmation of a competent successor.

The committee therefore report the nomination of William H. McAlister to the Senate with a recommendation that i

Archibald P. Pounds, to be postmaster at Danville, Hendricks County, Indiana

The above confirmation was accompanied by the following report from the Committee on Post-Offices and Post-Roads; which was ordered by the Senate to be printed in the RECORD:

from the Committee on Post-Offices and Post-Roads; which was ordered by the Senate to be printed in the RECORD:

The Committee on Post-Offices and Post-Roads, to whom the above nomination was referred, having considered the same, respectfully report:

The committee find that certain affidavits were filed against Mr. Kennedy, alleging a few cases of the miscarriage or non-delivery of letters, a refusal to register a letter, neglect to stamp the date of receipt upon letters, certain acts of rudeness to persons calling at the office, &c. One E. D. King, who prints a newspaper called the Gazette at Danville, Ind., files an affidavit alleging that he was allowed by the postmaster to pay the postage on his weekly paper monthly, and that the postmaster had allowed him to take mail-sacks to his printing office for the purpose of mailing his newspaper.

A favor thus extended, which resulted in no loss to the Government, though it may have been a technical violation of orders, is made use of by the man who we must suppose asked, and who certainly accepted, the favor, to prejudice Mr. Kennedy. Most men, we think, would have hesitated to offer a voluntary affidavit under such circumstances. The inspector's report shows that Mr. Kennedy made complete answer to all of these charges, though his statements were not taken in writing, but only reported by the inspector. Mr. Kennedy has since put into the hands of the committee a specific answer to these charges, signed and sworn to by himself and deputy, an abstract of the charges having been furnished him. He has also filed with the committee affidavits from those persons at Danville who do the largest amount of business with the post-office, certifying to the courtesy and faithfulness with which he has discharged the duties of his office.

Among these letters is one from Mr. A. N. Towles, who, the committee are informed, was or is secretary of the Democratic county central committee. Mr. Kennedy has also furnished the committee with a statement signed by one hundred and eighty

DANVILLE, IND., July 12, 1886

Dear Sir: My resignation of the office of postmaster at Danville, Ind., would have been tendered at any time since the 4th of March, 1885, if I had been informed that the same was desired by the administration on account of my being a Republican; but when it was announced that changes would not be made for political reasons, and when charges were presented against me to the effect that I had not properly managed the office, I decided to withhold my resignation until fairly tried upon the charges.

If the investigation before the Senate committee vindicates me, I do not desire to hold the office longer, and hope that the nomination of my successor may be confirmed.

Having discharged the duties of the office to the best of my ability and, as I believe, to the satisfaction of the patrons generally, I am now ready to resign the same to any man in political sympathy with the administration.

Yours, very respectfully,

A. H. KENNEDY.

A. H. KENNEDY.

Hon, Benj. Harrison, United States Senate.

The committee are informed that Mr. Pounds, the nominee, was selected for the place by an election held among the Democrats at Danville, Ind., and, under all the circumstances of the case, the committee have concluded to recommend that the nomination be confirmed.

John M. Higgs to be postmaster at Connersville, in the county of Fayette and State of Indiana.

The above confirmation was accompanied by the following report

from the Committee on Post-Offices and Post Roads; which was ordered by the Senate to be printed in the RECORD:

The Committee on Post-Offices and Post-Roads, to whom the above nomination was referred, having considered the same, respectfully report:

In this case while the charges against Major Ross, if any, have not been furnished to the committee, it appears from the papers which have been sent by the Post-Office Department that the charges are purely of a political character, and did not in any way affect the personal or official character of Major Ross.

A letter from Charles A. Murray, a Democrat and mayor of the city of Connersville, addressed to the President, states: "Mr. Ross is a clever gentleman and is my neighbor and personal friend, but he certainly has no claims upon your administration for official favors. He is a man of considerable means, and probably gave as liberally to the Republican campaign fund last fall, and in previous years, as any man in the county. He has never failed to take an active part personally in political campaigns, city, county, State, and national," &c.

* * "I believe Mr. Ross himself, if asked the question by you, would frankly admit that the defeat of James G. Blaine was through no fault or neglect of his. I believe he is just manly enough to make the admission."

Other Democrats writing in behalf of Mr. Higgs emphasize the point that he is editor and proprietor of the Connersville Examiner, a Democratic paper; that as the county is strongly Republican he never received any of the county printing, and hence the Democrats would like to see him installed as postmaster.

In a letter from Mr. Murray to Senator Yoon Hers the political services ren-

ter.

In a letter from Mr. Murray to Senator Voorhees the political services rendered by Mr. Higgs to his party are detailed and complimented.

The removal was evidently made for political reasons, and Mr. Higgs was designated for appointment on account of political services rendered.

Some objection has been made to Mr. Higgs, growing out of some family matters which occurred many years ago; but taking the whole case together, the committee have concluded to recommend that the nomination be confirmed.

John A. Booe, to be postmaster at Crawfordsville, in the county of Montgomery and State of Indiana.

The above confirmation was accompanied by the following report from the Committee on Post-Offices and Post-Roads; which was ordered by the Senate to be printed in the RECORD:

The Committee on Post-Offices and Post-Roads, to whom the above nomination was referred, having considered the same, respectfully report:

That in response to their call upon the Postmaster-General to be furnished with any papers on file touching the conduct of the postmaster, Samuel M. Robinson, the report of Inspector Torrance to the chief post-office inspector was submitted. This report is not accompanied by the evidence taken, and it seems from the letter of the Postmaster-General that the evidence was not filed in the Department.

inson, the report of Inspector Torrance to the chief post-office inspector was submitted. This report is not accompanied by the evidence taken, and it seems from the letter of the Postmaster-General that the evidence was not filed in the Department.

The charges against Mr. Robinson seem to be twofold: First, that he has purposely or by neglect detained a Democratic newspaper, called The Review, published at Crawfordsville, Ind., in the office, and thus prevented its reaching country subscribers promptly. The committee do not deem it necessary to set forth in detail the report of the inspector. Evidence seems to have been taken at several places. There were complaints from subscribers that the paper, which should have arrived on Saturday, failed to do so a number of times. It was in evidence from the publishers of the newspaper that on one occasion the failure resulted from the breaking of the press, and on another occasion from the lack of ability to get up steam in the engine.

It appears also in the testimony that the failure resulted in some cases from the neglect of the person whose duty it was to make the transfer of the mail at a point upon one of the railroads. No specific occasion is proved when the paper was delivered at the office in time for the mail, when it was not sent out promptly. The postmaster and his deputy both swear positively that the paper never was detained in the office when it was delivered in time for mailing. The evidence upon the subject was in such shape that the inspector himself deduced this conclusion. He says: "The detention of these papers through neglect or otherwise rests either upon the publishing office or the post-office in Crawfordsville where they were mailed.

It does not seem possible that the editor of a weekly paper, noticing the many complaints from different localities and the loss of many subscribers which would naturally follow, would allow, through neglect or otherwise, any failure on his part to have the paper edited and mailed promptly on Friday as advertise

COLLECTOR OF INTERNAL REVENUE.

John T. McGraw, of West Virginia, to be collector of internal revenue for the district of West Virginia.

The above confirmation was accompanied by the following report from the Committee on Finance; which was ordered by the Senate to be printed in the RECORD:

The Committee on Finance have had under consideration the nomination (No. 1312) of John T. McGraw, of West Virginia, to be collector of internal revenue for the district of West Virginia, in place of Samuel P. McCormick, suspended, and, so far as they have been able to obtain the information, they find that Mr. McGraw is a fit and proper person to discharge the duties of the office, and that there are no charges or papers on file reflecting upon the character of Mr. McCormick, suspended, as will appear from the following letter of the Secretary of the Treasury:

the Treasury:

TREASURY DEPARTMENT, March 17, 1886.

SIR: Your communication on behalf of the Finance Committee of the Senate, dated March 16, 1886, asking whether or not "there are any charges on file against the official or moral character of Samuel P. McCormick, late collector of internal revenue for the district of West Virginia, suspended," is received. In reply thereto I have the honor to state that, so far as this inquiry relates to a suspension from office, I feel bound by the rules laid down in the President's recent message to the Senate upon the general subject of such suspensions.

But in order that I may surely act within the requirements of the statute re-

lating to the furnishing by this Department of information to the Senate, I beg leave to remind the committee that the office referred to has no fixed term attached to it, and to further state that the President is satisfied that a change in the incumbency of said office will result in an improvement of the public service, and that the policy of the present administration will be better carried out by such changes.

Except as the same may be involved in these considerations, no papers containing charges reflecting upon the official or moral character of the suspended officer mentioded in your communication are in the custody of this Department. Respectfully, your

D. MANNING, Secretary.

Hon. JUSTIN S. MORRILL, Chairman of the Senate Committee on Finance.

A resolution, as follows, was unanimously adopted by the Committee on Finance, April 6, 1886, in relation to this and all similar letters to the foregoing:
"Resolved, That the letters of the Secretary of the Treasury to the Committee on Finance, dated March 16, 1886, or subsequently, in relation to the suspension of collectors of internal revenue, should be received and held as honest declarations made in good faith that there are no charges or papers on file in the Department reflecting in any manner against their moral or official conduct or character."

Under this statement of facts, and the fact that there is no fixed term attached to the office of collector of internal revenue, the committee recommend the confirmation of Mr. McGraw.

DISTRICT ATTORNEY FOR SOUTHERN ILLINOIS.

August 4, 1886, the injunction of secrecy was removed from the following report and it was ordered to be printed in the RECORD:

The Committee on the Judiciary, to which was referred the nomination of Gustavus Van Hoorebeke to be district attorney of the United States for the southern district of Illinois, vice James A. Connolly, suspended, submits the following

report:
James A. Connolly was first appointed United States attorney for the southern district of Illinois in 1876, and continued to act as such until the date of his suspension by President Cleveland. It appears that he was a faithful and efficient officer.

suspension of President Ceverand. It appears that he was a kinduc and checient officer.

Immediately after the result of the Presidential election of 1884 became known Mr. Connolly announced his determination to resign his office on the 4th of March, 1885. He was induced to withhold his resignation at that time by reason of political interests and conditions existing in the State of Illinois. An election of a United States Senator was depending in the Legislature of that State. The result was in doubt. The contending political forces in the Legislature were about equally divided. The belief was entertained by the Democratic candidate that the resignation of Mr. Connolly would tend to complicate his chances for holding the united vote of his party continuously to himself. He feared that a change from himself to some other member of his party might occur if political conditions in the southern part of the State should be disturbed by an intrusion of the question which would be presented by the resignation of Mr. Connolly.

for holding the united vote of his party continuously to himself. He feared that a change from himself to some other member of his party might occur if political conditions in the southern part of the State should be disturbed by an intrusion of the question which would be presented by the resignation of Mr. Connolly.

If Mr. Connolly should resign pending the Senatorial contest, a successor would have to be selected. Several persons had made known their determination to be applicants for Mr. Connolly's position on the change of the national administration. It seemed important to the Democratic candidate for the office of United States Senator not to be forced to declare his choice in respect of who should succeed Mr. Connolly. He caused a friend to interview Mr. Connolly and endeavor to get him to withhold his resignation until a determination of the Senatorial contest could be reached. At first Mr. Connolly declined, but finally consented with the distinct understanding that whenever his resignation should be desired he would be notified in order that he might forward it and not be subjected to suspension or removal. There seems to be no doubt of this distribution of the suspension or removal. There seems to be no doubt of this distribution of the suspension or removal. There seems to be no doubt of this distribution of the suspension or removal. There seems to be no doubt of this distribution of the suspension or removal. The suspension of the suspension of the suspension or removal. The suspension of the suspension of the suspension or removal. The suspension of the

HOUSE OF REPRESENTATIVES.

Wednesday, August 4, 1886.

The House met at 11 o'clock a. m. Prayer by Rev. Dr. BULLOCK, of Washington, D. C.

The Journal of the proceedings of yesterday was read and approved. CORRECTION.

Mr. DOUGHERTY. Mr. Speaker, I rise to a question of personal

The SPEAKER. The gentleman will state it.
Mr. DOUGHERTY. On page 7654 of the RECORD, on the vote on
the motion of the gentleman from Indiana [Mr. HOLMAN] that the House recede from its disagreement to the amendment to the legislative appropriation bill providing for the pay of clerks for Senators, I am recorded as having voted in the affirmative. At the time the subject-matter was under discussion I could see no reason why the Senators should receive greater compensation than that accorded to members of this House, and therefore I would not have voted to recede; but in fact I was not in the Hall when the vote was taken. I ask therefore that my name be stricken from the list of yeas.

The SPEAKER. The correction will be made.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7840) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the Senate had agreed to the report

of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the

fiscal year ending June 30, 1887, and for other purposes.

The message further announced that the Senate had passed joint resolutions of the following titles; in which the concurrence of the House was requested:

Joint resolution (S. R. 82) making an additional appropriation for the purchase of a site for the Congressional Library; and Joint resolution (S. R. 83) for the payment of the salaries of the Mis-

sissippi and Missouri River Commissions, and for other purposes.

The message also informed the House that the Senate had passed without amendment bills of the House of the following titles:

Joint resolution (H. Res. 209) permitting the public building authorized by act of Congress, approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building instead of 50 feet, as provided in said act;

A bill (H. R. 3318) for the relief of Enols Lloyd; and A bill (H. R. 3908) for the relief of John Ellis.

The message further announced that the Senate had passed the bill (H. R. 5196) to detach certain counties from the United States judicial district of California, and create the United States judicial district of Southern California, with amendments, in which the concurrence of the House was requested.

The message further informed the House that the Senate had agreed to the resolution of the House requesting the return to the House of the bill of the Senate (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service.

The message further announced that the Senate having proceeded, in pursuance of the Constitution, to reconsider the bill entitled an act to grant a pension to Joseph Romiser, returned to the House of Representatives by the President of the United States with his objections and sent by the House of Representatives to the Senate with the message of the President returning the bill, had passed the same, two-thirds of the Senate voting in favor thereof.

FORTIFICATIONS BILL.

The SPEAKER. The Chair lays before the House the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes, with the Senate amendments thereto. The Chair will state that this bill was originally sent to the House from the Senate some days since, was referred to the Committee on Appropriations and reported back from that committee, and was under consideration in the House, with the previous question ordered upon the Senate amendments, at the time when the Senate requested its return to that body. If there be no objection, the bill will now lie on the table for the present. The Chair supposes it is unnecessary to refer it again to the Committee on Appropriations, as no changes have been made in the amendments, the Senate having simply recalled the bill for the purpose of making an order requesting a conference with the House.

Mr. FORNEY. I am perfectly willing that the House should non-

concur in the Senate amendments and agree to a conference.

Mr. RANDALL. Make that motion.

Mr. FORNEY. My only reason for not making it is that the gentleman from Ohio [Mr. BUTTERWORTH] is not present at this moment. The SPEAKER. The Chair suggests that the bill lie on the table

for a while until the gentleman from Ohio [Mr. BUTTERWORTH] comes in, when it can be called up.

SITE FOR FEDERAL BUILDING, BROOKLYN, N. Y.

The SPEAKER laid before the House a bill of the Senate (S. 1847) for the purchase of land as a site for a Federal building in Brooklyn, N. Y.; which was referred to the Committee on Public Buildings and Grounds.

BILL RETURNED TO THE SENATE.

The SPEAKER also laid before the House the following:

IN THE SENATE OF THE UNITED STATES, August 3, 1886. Ordered, That the Secretary be directed to request the House of Representa-tives to return to the Senate the bill of the Senate (S. 757) granting a pension to Helen Plunkett.

The SPEAKER. If there be no objection the order will be made in accordance with the request of the Senate.

There was no objection, and it was so ordered.

INTEREST OF THE UNLIED STATES IN THE POTOMAC FLATS.

The SPEAKER. The Chair will appoint as one of the conferees on the part of the House on the disagreeing votes of the two Houses on the bill (S. 335) to provide for protecting the interests of the United States in the Potomac River flats, in the District of Columbia, the gentleman from South Carolina, Mr. HEMPHILL, in place of the gentleman from Texas, Mr. REAGAN, who has left the city.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. Wolford, for the remainder of the session, on account of sickness in his family.

To Mr. DAVIDSON, of Alabama, for the remainder of the session, on account of important business.

To Mr. Pettibone, indefinitely, on account of sickness in his family.

LEAVE TO PRINT.

Mr. ATKINSON, by unanimous consent, obtained leave to print in the RECORD remarks upon House bill 7652.

WITHDRAWAL OF PAPERS.

Mr. SAWYER, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, papers connected with House bill 1972, in the Forty-sixth and Forty-seventh Congresses.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles;

when the Speaker signed the same:

A bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for

other purposes; and

A bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors,

and for other purposes.

Mr. McRAE, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes; when the Speaker signed the same.

ORDER OF BUSINESS.

Mr. OATES. I ask unanimous consent to make a report from the Judiciary Committee for present consideration. I think it will not take five minutes.

The SPEAKER. Is the report long?

Mr. OATES. No, sir; it can be disposed of in a very short time.

The SPEAKER. It will be read, after which the Chair will ask for objection.

Mr. OATES. When the report has been read I will ask to occupy

one or two minutes with a statement, after which I am sure there will be no objection to the proposition of the committee.

Mr. MORRISON. I object for the present. I desire to offer a resolution to which I know the gentleman from Alabama will have no objection.

DEATH OF SAMUEL J. TILDEN.

The SPEAKER. The gentleman from Illinois [Mr. MORRISON] asks unanimous consent to offer for adoption the resolution which will be read.

The Clerk read as follows:

Resolved, That the House of Representatives of the United States has heard with profound sorrow of the death of that eminent and distinguished citizen Samuel J. Tilden.

The resolution was by unanimous consent considered and adopted. UNION PACIFIC RAILROAD.

Mr. OATES. I now ask that the report which I have sent to the desk be read.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, June 21, 1886.

IN THE HOUSE OF REPRESENTATIVES, June 21, 1886.

Mr. HENLEY submitted the following; which was referred to the Committee on Pacific Railroads:

Whereas it appears from the published reports of the Union Pacific Railroad Company that the said corporation, without consent of Congress, did issue in 1883 about five millions of collateral trust bonds, also six millions of 6 per cent, collateral trust bonds; did pay dividends in 1883 and 1884, notwithstanding the existence of a gross floating debt of \$13,000,000, and in 1883 and 1885 did guarantee interest on \$14,931,000 Oregon Short Line bonds in defiance of the provisions of the law of 1873, section 4, of volume 17 of the Statutes at Large: Therefore,

fore,

Be it resolved by the House of Representatives, That the Attorney-General be, and he is hereby, directed to prosecute all officers of said corporations civilly and criminally against whom there is sufficient evidence to warrant judgment

JNO. B. CLARK, JR., Clerk.

The Committee on the Judiciary, having had under consideration the resolution introduced by Mr. Henley in relation to certain alleged violations of law by the Union Pacific Railroad, report back a substitute therefor and recommend its adoption.

Amend the resolution by substituting the following therefor, namely:

"Whereas it is alleged that the president and directors of the Union Pacific Railroad Company did, without the consent of Congress and in violation of law, in the year 1883, issue about five million of collateral trust bonds, and six million of 6 per cent. collateral trust bonds, and did pay dividends in the years 1883 and 1884 notwithstanding the said company did at the time owe a gross floating debt of \$13,000,000, and did in the years 1883 and 1885 guarantee interest on \$14,31,000 of the bonds of the Oregon Short Line Railroad Company in violation of law:

\$31,000 of the bonds of the Oregon Short Line Railroad Company in violation of law:

"Bei resolved by the House of Representatives of the United States of America, That the Committee on the Judiciary be, and are hereby, empowered and directed to investigate the aforesaid allegations and all matters connected therewith or pertaining thereto, and report to the House by bill or otherwise; and that said committee may appoint a subcommittee, to consist of not more than five of its members, to make said investigation and report to the full committee. That such subcommittee, a majority of whom shall constitute a quorum, shall have power to send for persons and papers, administer oaths to witnesses, employ a stenographer, to sit in vacation at such time and place as may be deemed advisable, and to do all things necessary to a full and impartial investigation of the allegations hereinbefore set forth. All of the expenses of said investigation to be paid out of the contingent fund of the House."

Mr. O'NEILL, of Pennsylvania.

Mr. OATES. I hope the gentleman will withhold his objection until he hears me for two minutes.

Mr. O'NEILL, of Pennsylvania. It is too late in the session to bring

up so important a matter as this.

Mr. OATES. I presume the gentleman is objecting because he is a friend of the railroad company. Here is a letter from Mr. Adams, president of the company, to the gentleman from Virginia [Mr. Tucker], the chairman of our committee, asking that the resolution may be adopted.

Mr. O'NEILL, of Pennsylvania. I will withdraw my objection to

hear the letter read.

Mr. OATES. I merely wanted to state—
The SPEAKER. The gentleman from Pennsylvania does not object to the reading of the letter, if the gentleman from Alabama will send

Mr. OATES. I wanted to state in two minutes-I only ask that much time—the reasons for the adoption of this substitute agreed upon

by the committee.

The SPEAKER. Does the gentleman from Pennsylvania withdraw

his objection for the purpose—
Mr. O'NEILL, of Pennsylvania. Only for the purpose of hearing the letter read.

The Clerk read as follows:

Union Pacific Railway Company, Boston, July 28, 1886.

Hon. J. R. Tucker,

House of Representatives, Washington.

My DEAR SIR :-

Mr. OATES (interrupting the reading). Mr. Speaker—
The SPEAKER. The gentleman from Pennsylvania has only withdrawn his objection to have the letter read.

Mr. OATES. If the gentleman will not allow me to make a statement I will not put in the letter to be read.

Mr. O'NEILL, of Pennsylvania. The gentleman can do just as he pleases. I have objected, because this may be a matter of very great importance with reference to this railroad and is brought up in the

Mr. OATES. I ask two minutes.

The SPEAKER. The gentleman from Pennsylvania objects, and the matter is not before the House.

Mr. BUTTERWORTH. The railroad company, I understand, asks this investigation.

Mr. O'NEILL, of Pennsylvania. The gentleman from Alabama will not permit the letter to be read.

COMPENSATION TO RAILROAD COMPANIES FOR APARTMENT SERVICE.

Mr. MILLIKEN. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of Senate bill No. 2438, and that it be now considered and passed.

The bill was read, as follows:

A bill (S. 2438) to authorize the Postmaster-General to allow compensation to railroad companies in certain cases for apartment service heretofore furnished pursuant to agreement.

pursuant to agreement.

Be itenacted, &c., That the Postmaster-General be, and he is hereby, authorized to allow compensation to such railroad companies as had furnished apartments in cars for use as railway post-offices of less than 40 feet in length, in cases where such apartments had been furnished in pursuance of an agreement or understanding with the Postmaster-General, the Second Assistant Postmaster-General, or the Superintendent of the Railway Mail Service that special compensation should be allowed therefor; such allowances to be proportioned to the length of the apartments furnished, and not exceeding a pro rate of the price allowed for a 40-foot car, and for the time unpaid for up to the date when the company was notified by the Department that such payment could not be made because not warranted by the present law.

Mr. MILLIKEN. I desire to say that this bill has passed the Sen-

ate

Mr. HOLMAN. I reserve the right to object.
Mr. MILLIKEN. It has been unanimously reported to the House by the Committee on the Post-Office and Post-Roads, and has the approval of the Postmaster-General. Indeed, the bill was drawn under his direction.

The SPEAKER. Is there objection to the present consideration of

the bill?

Mr. HOLMAN. I think there should be some further explanation, especially as to the effect of this measure. I am inclined to believe it is a proper subject of legislation, and should probably be passed; but I have had no opportunity to examine it, and I would like a little more satisfactory explanation as to the necessity for its adoption:

Mr. DOCKERY. If the gentleman will yield to me for a moment I

think I can explain it fully.

This bill was unanimously reported from the Committee on the Post-Office and Post-Roads, and, as fully expressed in the bill itself, provides for the payment to certain railroad companies for the performance of mail service under a construction of law that had prevailed in the Post-Office Department for a number of years.

Mr. MILLIKEN. Under contracts.
Mr. DOCKERY. Yes, sir.
Mr. BUTTERWORTH. Is this recommended by the Department?
Mr. DOCKERY. Yes, sir; this bill has the commendation of the Postmaster-General.

Mr. McMILLIN. What is the amount involved?

Mr. DOCKERY. About \$40,000, I think.
Mr. McMILLIN. Let the report be read, and that will show the

necessity for this.
Mr. MILLIKEN. Mr. MILLIKEN. Let me state to the gentleman that to my personal knowledge this bill was drawn in the Postmaster-General's office. I went myself to see him in reference to it, and he called in his law clerk, whose name I have now forgotten, who drew up the bill, which was presented to me, and in the shape I received it it was introduced

in the House and adopted by the committee.

Mr. McMILLIN. I would like to have the report read, because I want to see exactly how it comes that this service has been ordered at That is the important fact, as to how this service came to be ren-

Mr. BLOUNT rose

Mr. MILLIKEN. Let me state—but I will yield to the gentleman from Georgia [Mr. BLOUNT], the chairman of the Committee on the Post-Office and Post-Roads.

Mr. BLOUNT. In relation to the amount due for this car service the facts are, as well-known to gentlemen, that it is not lawful-and it the facts are, as well-known to generalent, that it is not havint—and it has been so held by the present Postmaster-General and the Attorney-General—that provision may be made allowing the use of postal-cars of a less length than 40 feet. Under the law, which is very explicit in that respect, they can not be less than that length. That, however, is a new construction of the statute. For several years the Second Assistant Postmaster-General and the Superintendent of Railway Mail Transportation have been making occasional contracts with certain railroads which permitted the use of cars for this purpose of less than 40 feet in length, and a part of the contract was the prescribing of the construction of the cars by the Department, and their construction on this suggestion or invitation of the Department.

Now, sir, when this administration came into power an application was made to it which opened up the subject of these contracts, and upon an investigation of the question the conclusion was reached that such contracts could not be validly made under the law.

But, as I have said, they had been previously made. The service had been rendered on the invitation of the Department itself and certainly added to the contracts of the department of the service had been rendered on the invitation of the Department itself and certainly added to the contract of the department of the service had been rendered on the invitation of the Department.

tainly should be paid for. The Committee on the Post-Office and Post-Roads, after a conference with the Postmaster-General, reported a bill providing for the payment of that work, invited, as I have shown, by the Government, up to the time when the present administration reached a conclusion adverse to such contracts and issued notification

to the parties.

I think it is an eminently proper thing that the Government should pay for the service, having asked for it, having invited proposals and contracted for it under a construction of the law which the present De-

partment holds to be improper.

The amount involved is inconsiderable—somewhere about \$40,000.

Mr. McMILLIN. Some gentleman has stated \$80,000, I understand.

Mr. BLOUNT. It affects but few roads, since very few of the roads applied. If they had all applied it would have run the sum up into the millions. It is but right and proper under the circumstances that

it should be paid.

Mr. BRECKINRIDGE, of Arkansas. I would like to ask the gentleman from Georgia a question. I understand the only point in question is the form or size of the car in which the service was conducted; not the amount of service rendered. Is that correct? There is no exorbitant amount asked under these former contracts, as I understand, but the simple question is as to the style of cars or length of car which is fixed by the statute. Is that all?

Mr. BLOUNT. Well, it is possibly somewhat more than that. I can say this much in response to the gentleman, that it is not a question of favoritism to any line of road, but in compliance with the contracts made years ago by the Department under a construction of the

law different from that given to it by the present officials.

Mr. BRECKINRIDGE, of Arkansas. It does not involve any excess

of postal service? My reason for asking is that we do not want to get

into any star-route business here.

Mr. BLOUNT. Well, I will answer the gentleman satisfactorily on Mr. BLOUNT. Well, I will answer the gentiemal satisfactory on that point. This bill operates only for the payment of compensation to railroad companies up to the time of the notification by the present Postmaster-General that he did not regard it as a proper construction of the law to permit the use of postal cars of less than 40 feet. It does not operate beyond the period of that notification. It has no operation in futuro whatever.

Mr. BRECKINRIDGE, of Arkansas. Is this the only claim present-

able under the contracts to which the gentleman refers?

Mr. BLOUNT. Yes, sir; and if the gentleman will take the trouble to refer to a document prepared by myself in connection with the Post-Office bill he will find there designated the only claims which can come up under this provision.

Mr. BRECKINRIDGE, of Arkansas. The gentleman from Georgia

does not seem to catch exactly the point of my inquiry.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BRECKINRIDGE, of Arkansas. There will be objection unless this inquiry is answered. I want to know whether the service is necessary for the public interest and whether the amount claimed is reasonable compensation therefor.

Mr. BLOUNT. The Post-Office Department thought the service was

reasonable and made a contract.

Mr. BRECKINRIDGE, of Arkansas. We have not got the Post-Office Department here to interrogate them. What does the gentleman from Georgia think of it? He has investigated the matter. Mr. BLOUNT. I think I can make this matter very clear to my

friend from Arkansas. There are two modes of paying for railway mail

Mr. BRECKINRIDGE, of Arkansas. I would like to escape the Mr. BLOUNT. I wish to give the substance of this case, and in order to do so have to state the law.

Mr. BRECKINRIDGE, of Arkansas. Very well, let the gentleman

proceed in his own way.

Mr. BLOUNT. One way of paying for railway mail service is by weight, and making a provision for heating and lighting for the postal clerks sufficient to permit the distribution of the mail. Then there is a provision for larger lines for 40, 50, and 60 foot cars. On certain lines it was found that the 40-foot car was rather larger than the demands of the service required. They might have put on the 40-foot car, but they made a contract for a car less than 40 feet, with a proportional reduction in the cost to the Government; and in that point of view there was really a reduction of the expenditure.

But the situation now is this: The Postmaster-General held, while

this might have been done with the view of economy, yet there was no authority of law for it, as he understood it, and so he refused to make other contracts. But these smaller cars were constructed at the request of the Department. The railway companies were not seeking them. The Post-Office Department entered into an agreement with them for these smaller cars, and they were built by request of the Government, and are there to-day, but are not paid for by this administration, because it was held they could not make a contract for those cars.

Mr. BRECKINRIDGE, of Arkansas. The gentleman has not answered my question. I asked his opinion on this point: Was the service

rendered a necessary service?

Mr. BLOUNT. Oh, unquestionably it was.

Mr. BRECKINRIDGE, of Arkansas. And is the amount asked for a reasonable amount? I am not asking about the lawfulness of it. We know there is a difficulty about the law or we would not be called to pass this bill. I want to know if the amount claimed, in the opinion of the gentleman from Georgia, is a just and reasonable amount?

Mr. BLOUNT. I think certainly it is.

Mr. BRECKINRIDGE. That is all I want to know.

Mr. TAULBEE. Will the gentleman from Georgia allow me a ques-

Mr. BLOUNT. Certainly.

Mr. TAULBEE. Is this amount appropriated for the service of carry-

Mr. TAULBEE. Is this amount appropriated for the service of carrying the mails or for the construction of the cars?

Mr. MILLIKEN. For the service of carrying the mails.

Mr. BLOUNT. Of course it is for the carrying of the mail. A smaller and cheaper car was constructed for carrying the mails because the more costly car was not needed for the amount of service.

Mr. TAULBEE. Are those cars to be used for the Government here-

Mr. BLOUNT. No, sir; for the reason that the Postmaster-General under his construction of the law held that the Department could not make such a contract, but was bound to have the mails carried in the 40, 50, and 60 foot cars.

Mr. TAULBEE. And what becomes of these smaller cars?

Mr. BLOUNT. I do not know. I reckon the railroad companies think the Government should take them. We do not recommend that.

The SPEAKER. Is there objection to the present consideration of the bill? The Chair hears none. The question is on ordering the bill to be read a third time.

Mr. DIBBLE. I desire to offer the amendment which I send to the

desk.

The Clerk read as follows:

Add at the end of the bill the following:

"And additional pay may hereafter be allowed for any lines comprising a daily trip each way of railway post-office cars less than 40 feet in length or of apartments in cars used as railway post-offices whenever the Postmaster-General in his discretion shall agree to make such allowance. But every such allowance so made by the Postmaster-General in his discretion shall be proportioned to the length of the cars or apartments furnished and shall not exceed a pro rata of the price allowed for a 40-foot car."

Mr. BLOUNT. I do not understand the gentleman from South Carolina has the floor to offer that amendment.

Mr. DIBBLE. I submit that I have the floor.

The SPEAKER. The Chair was putting the question on ordering the bill to a third reading when the gentleman from South Carolina rose to offer his amendment. The previous question had not been ordered. The amendment is in order.

Mr. BLOUNT. I submit the point of order that the amendment is not germane to the bill.

The SPEAKER. The Chair has not examined that.

Mr. BLOUNT. It is not germane and involves a large amount of

The SPEAKER. The Chair thinks the amendment is germane to the original bill, which is a bill allowing compensation to certain railroad companies for postal service. The amendment is also general in its provisions, and proposes to confer authority on the Postmaster-General hereafter to allow pay for the use of cars for similar service.

Mr. MILLIKEN. I demand the previous question on the bill and

amendment

Mr. DIBBLE. I have the floor and do not yield for that motion. I think in a very few words I can show this amendment ought to prevail. We have heard on this floor that the Department, under their construction of the law at the time, agreed with railroad companies that they should build cars less than 40 feet long, and thereby effected a saving to the Government. Where, in order to have carried the mails under the contract and to be in the strict letter of the law as construed by the Department, a railroad company would have built a car 40 feet long and would have been entitled to the compensation for a car 40 feet long, the Department, for the purpose of saving money to the Government, said to that company, "A car 35 feet in length will do, and we will pay you pro rata for 35 feet instead of 40."

Now, Mr. Speaker, that was in the interest of economy. The exercise of that discretion by the Postmaster-General has caused to the Government an actual saving of money; and this amendment simply proposes that the Postmaster-General in the future, where the service does not require a 40-foot car, but where a 30-foot or a 35-foot car will do, may in his discretion permit such a car to be used. It is put strictly in the hands of the Postmaster-General in his discretion rnay allow compensation in the future for such service.

Now, Mr. Speaker, look at the justice and equity of the proposition. Mr. DIBBLE. I have the floor and do not yield for that motion. I

Now, Mr. Speaker, look at the justice and equity of the proposition. Here are railroad companies which have built 30-foot cars at the request of the Government, as has just been stated, and they are carrying the mail to-day in those 30-foot cars; and shall the Postmaster-General, after inviting them to make the car 30 feet long instead of 40 feet, refuse to pay them the three-fourths, while a 40-foot car running on another line gets pay at the full rate? There is no equity and justice in such a proposition

other line gets pay at the full rate? There is no equity and justice in such a proposition.

It may be said this is going to cost a large sum of money to the Government. Why, Mr. Speaker, it was the construction which was placed on the law for twelve years, and it did not cost millions to the Government then. For the past year we are told that the amount involved in this class of service is only about \$40,000 for the whole year. If the law had not been construed in the manner it was, instead of being \$40,000 it would have cost the Government \$60,000. If discretion is not allowed to the Postmaster-General in the future, the cars hereafter will be built 40 feet long and will cost the Government more money.

I will read the law for the information of the House. It is section 4004 of the Revised Statutes, passed in March, 1873, and it provides

Additional pay may be allowed for every line comprising a daily trip each way of railway post-office cars, at a rate not exceeding \$25 per mile per annum for cars 40 feet in length, and \$30 per mile per annum for 45-foot cars, and \$40 per mile per annum for 50-foot cars, and \$50 per mile per annum for 55 to 60 foot cars.

The Postmaster-General construed the law to mean that when they The Postmaster-General construed the law to mean that when they did not require a 40-foot car, which would have cost \$25 per mile per annum, they had a right to ask the company to build a 30-foot car, which would cost less by one-quarter. Now, I say, Mr. Speaker, that it is in the interest of economy, that it has effected a saving in the past and will effect a saving in the future. One other point: It is left absolutely in the discretion of the Postmaster-General to make these agreements or not. Under the law, when the car is 40 feet long he makes the argreement as a matter of course, but as to these other cars it is left to his discretion and the interest of the Government is seit is left to his discretion and the interest of the Government is securely guarded, because the Postmaster-General is not compelled to make the agreement in any case where he does not think it is demanded by the public interest. I therefore hope, Mr. Speaker, that the amendment will prevail. I send to the desk and ask to have read as a part of my remarks an extract from the Senate report which I have marked.

The Clerk read as follows:

The Clerk read as follows:

In the course of the business of the Post-Office Department, it was found that in many parts of the country the needs of the service did not require cars so long as 40 feet, and, at the request of the Department, various railroad companies built and fitted up for the use of the Post-Office Department postal cars of such varying lengths as were adapted to the necessities of the service, the Department paying them therefor a rate proportionate to the length of the cars. This has been going on for many years. During the past year the Department, under the advice of the Assistant Attorney-General for the Post-Office Department, eeased to pay the railroad companies for furnishing and hauling all cars less than 40 feet in length, upon the ground taken by the Solicitor that there was no authority in law for paying it. At the desire of the Department the railroad companies have continued to perform the service up to the present time without pay. The object of the present bill is to remedy the difficulty, and so declare the law that the Department may feel authorized to pay for the service performed.

Mr. DIBBLE. Now, Mr. Speaker, in conclusion, here are certain railroad companies running cars that are under 40 feet in length, and here are other railroad companies who built their cars 40 feet in length and get this pay. It is just as much a measure of justice that the cars under 40 feet in length, when they are run at the request of the Department, should be paid pro rata, as it is that the other contracts should be carried out. The construction of the law for twelve years was to the effect that the Postmaster-General had the discretion which this amendment seeks now to give him.

Mr. BUTTERWORTH. As I understand it, the object is to prevent the Government paying for that which it does not need. That is, when it does not need a 40-foot car it ought not to be required to pay

Mr. DIBBLE. That is the point. Under the construction of the law which has prevailed for the past twelve months the cars would have to be all 40 feet in length, and the Government would have to pay for that size.

This amendment gives the Postmaster-General the discretion to have the cars built shorter and to pay in proportion. I reserve the balance

the cars built shorter and to pay in proportion. I reserve the balance of my time.

Mr. BURROWS. Mr. Speaker, whatever may be the merit of the amendment proposed by the gentleman from South Carolina, the effect of it if adopted now by the House will be to kill this bill, for it can not possibly be returned to the Senate and pass there and receive the approval of the Executive at this session. The effect, therefore, will be to postpone the whole subject until next December. The merits of this proposition can not be questioned, but I submit that it is wise to vote down the amendment, however meritorious it may be, and pass this bill, and then if the proposition of the gentleman has real merit it can be passed at the next session of the House. [Cries of "Vote!" "Vote!"]

The SPEAKER. The question is on the amendment offered by the

The SPEAKER. The question is on the amendment offered by the gentleman from South Carolina [Mr. DIBBLE].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House was requested:

A bill (S. 757) granting a pension to Helen Plunkett.

The message also announced that the Senate had passed without amendment the bill (H. R. 8192) to remove the political disabilities of J. R. Eggleston, of Mississippi.

MESSAGE FROM THE PRESIDENT.

The following message from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries:

To the House of Representatives

In compliance with a resolution of the House of Representatives of the 3d instant (the Senate concurring), I return herewith Senate bill No. 2056, entitled "An act to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service."

EXECUTIVE MANSION, August 4, 1886.

GROVER CLEVELAND.

The message also announced that the President had approved and signed joint resolution and bills of the following titles:

Joint resolution (H. Res. 142) authorizing and directing the Com-

missioner of Labor to make an investigation as to convict labor, and

An act (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama;

An act (H. R. 1249) for the relief of Margaret F. Ryan; An act (H. R. 1511) for the relief of Sidney R. Smith;

An act (H. R. 1511) for the relief of Sidney K. Smith;
An act (H. R. 4503) to authorize the Secretary of War to permit the
Carrollton and Lock No. 1 Turnpike Road Company to locate and construct its road on land belonging to the United States at Lock No. 1,
on the Kentucky River, in the State of Kentucky;
An act (H. R. 5552) for the relief of James Cain;
An act (H. R. 7087) authorizing the Secretary of the Interior to ex-

tend the time of payment to purchasers of lands of the Otoe and Missouria and of the Omaha Indians;

An act (H. R. 3014) to provide for terms of court in Colorado;

An act (H. R. 8352) for the relief of Levi A. Cronkhite; An act (H. R. 7169) to grant a pension to James Robinson;

An act (H. R. 5041) granting a pension to Sally A. Stone; An act (H. R. 7244) granting a pension to Robert B. Kirkpatrick; An act (H. R. 3948) granting a pension to James F. Salyers;

An act (H. R. 5950) granting a pension to Catherine Reisinger An act (H. R. 8374) granting a pension to Mrs. Mary M. Gillham;

An act (H. R. 7749) granting a pension to Aretus N. Butler;

An act (H. R. 6425) granting a pension to Jonathan S. Lents; An act (H. R. 5038) for the relief of Stephen Sauer;

An act (H. R. 887) granting a pension to Thomas S. Duvall;

An act (H. R. 3851) granting a pension to William P. Shelton; An act (H. R. 4032) granting a pension to John McGowan;

An act (H. R. 6606) granting a pension to Sallie B. Bent;

An act (H. R. 6824) granting a pension to James Savercool; An act (H. R. 7712) granting a pension to Virginia Taylor Randall;

An act (H. R. 7721) granting a pension to Ellen J. Welch;

An act (H. R. 7728) granting a pension to Mrs. Elizabeth Collins;

An act (H. R. 8046) granting a pension to Erastus W. Kennedy;

An act (H. R. 8333) granting a pension to Lucinda Sawyer;

An act (H. R. 8481) granting a pension to Thomas Walsh; An act (H. R. 8635) granting a pension to Irene Googins;

An act (H. R. 8963) granting a pension to Michael Fitzpatrick;

An act (H. R. 9457) granting a pension to Martin V. Curry; An act (H. R. 260) for the relief of Margaret S. Fair;

An act (H. R. 578) for the relief of Emma J. Halloway

An act (H. R. 1617) for the relief of George H. Laurence; An act (H. R. 1681) for the relief of William Hicks;

An act (H. R. 7517) for the relief of Warren L. Rice; An act (H. R. 8057) for the relief of Theodore Dunmire;

An act (H. R. 8334) for the relief of Jacob Nix; An act (H. R. 3118) granting an increase of pension to William H.

An act (H. R. 9052) granting an increase of pension to Capt. John F. Morris

An act (H. R. 7736) to increase the pension of George W. Parks; An act (H. R. 8663) to increase the pension of Jonas Schoonover; An act (H. R. 8979) to restore to the pension-roll the name of Samuel

Bulman; and

An act (H. R. 6664) to increase the naval establishment.

RAILWAY MAIL COMPENSATION.

Mr. BLOUNT. Mr. Speaker, I wish to say a word or two in concluding this debate. In view of the circumstances under which this bill came up this morning, I did not take time to bring out clearly the points which I am now going to present. The gentleman from South Carolina which I am now going to present. The gentleman from South Carolina says that this is a question of economy, and that its object is to enable the Government to hire cheaper cars, and then in another part of his speech he says that it will cost very little more—about \$40,000 a year more. Now, on the first proposition let us see what the law is in reference to the compensation of railroads for carrying the mails. Section 4002 of the Revised Statutes reads as follows:

4002 of the Revised Statutes reads as follows:

SEC. 4002. The Postmaster-General is authorized and directed to readjust the compensation hereafter to be paid for the transportation of mails on railroad routes upon the conditions and at the rates hereinafter mentioned:

First. That the mails shall be conveyed with due frequency and speed; and that sufficient and suitable room, fixtures, and furniture, in a car or apartment properly lighted and warmed, shall be provided for route agents to accompany and distribute the mails.

Second. That the pay per mile per annum shall not exceed the following rates, namely: On routes carrying their whôle length an average weight of mails per day of 200 pounds, \$50; 500 pounds, \$75; 1,000 pounds, \$100; 1,500 pounds, \$12,200 pounds, \$200, and \$25 additional for every additional 2,000 pounds, the average weight to be ascertained, in every case, by the actual weighing of the mails for such a number of successive working days, not less than thirty, at such times, after June \$0, 1873, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct.

For this they are to be paid so much per mile per annum according to specified rates, regulated by the number of pounds carried, &c.

Now, this does not relate at all to the postal-car service. If there were no legislation in relation to postal cars, the Government, under

this statute, would have the right to require every railroad company in this country to furnish in one of its cars a suitable and sufficient room, with fixtures and furniture, and properly lighted and warmed, for the use of route agents accompanying and distributing the mails.

When this law was enacted there was also another provision for com-

pensation adopted. It is to be found in section 4004:

Additional pay may be allowed for every line comprising a daily trip each way of railway post-office cars, at a rate not exceeding \$25 per mile per annum for cars 40 feet in length; and \$30 per mile per annum for 45-foot cars; and \$40 per mile per annum for 50-foot cars; and \$50 per mile per annum for 55 to 60 foot cars.

These are the modes of compensation provided: One a general proposition prescribing accommodations, rates of payment, &c., the other an ad-

ditional provision for 40, 50, and 60 foot cars.

The House, when this matter was pending, put on an amendment in relation to postal cars, providing that there should be allowed additional pay for cars less than 40 feet in length, but the Senate refused to agree to it, and that proposition went out of the bill after a struggle between the two Houses.

It seems to me that this statement must make it clear to the mind of any gentleman that it was contemplated no contract should be made for a car less than 40 feet in length. I have yet to find any gentleman on this floor who has had anything to say on this subject except my friend from South Carolina [Mr. DIBBLE], who has gainsaid the correctness of this position. I have heard it affirmed by leading gentlemen on either side of the House and have not known it to be questioned.

The gentleman says that the Post-Office Department has uniformly, prior to this administration, held to a different opinion. Now, in justice to former administrations, I wish to say that the present officials of the Post-Office Department inform the Committee on the Post-Office and Post-Roads that they have searched to see whether anywhere on the records there appears to have been any consideration of this question by any head of a Department, and, so far as can be discovered, no Postmaster-General has ever made or approved any order in relation to it.

Mr. DIBBLE. Will the gentleman permit me to ask him a ques-

Mr. BLOUNT. Oh, yes.

Mr. DIBBLE. I merely wish to ask the gentleman whether this was not the practice of the Department up to within a year?

Mr. BLOUNT. I will answer my friend with a great deal of pleasure. For twelve years there were under this construction small allowances, scarcely sufficient to attract attention, in a few localities; for instance, one year there was allowed \$113,000, in another year \$94,000, another year \$176,000, another \$84,000, another \$114,000, another \$25,000, another \$84,000, another \$43,000. But there was no general allowance throughout the country. Possibly there may have been an allowance to one line in South Carolina, to one in Georgia, to one or two lines in Maine and Massachusetts. But the applications were of so small a character that it does not appear the matter ever came before any Postmaster-General as a serious question.

Mr. MILLIKEN. There was an allowance in Pennsylvania

Mr. BLOUNT. Possibly there may have been.
Mr. MILLIKEN. Yes; and in the West, too.
Mr. BLOUNT. But the amount was very small.

Mr. BLOUNT. But the amount was very small. Now, if the construction which my friend seeks to put upon this law be correct, I should like to know why it would not entirely abrogate the first provision in regard to railway pay for mail carriage, and give to every railroad company in this country, however inferior the lines, just as much compensation as to those roads furnishing postal cars.

Mr. DIBBLE. The gentleman will permit me to ask him whether there is anything in this amendment taking it out of the discretion of the Postmaster-General to admit this in a few cases and compelling him to apply it to every case?

the Postmaster-General to admit this in a few cases and compelling him to apply it to every case?

Mr. BLOUNT. I will say to my friend that this matter is already outside of the discretion of the Postmaster-General, and I wish to see it remain so. I desire that the regulation of the expenditures of this Government shall, so far as possible, be fixed by law. When this can not be done, it is time enough then to leave matters to the discretion of executive officers. of executive officers

Mr. Chairman, the Postmaster-General declares that, in his opinion, if the measure now proposed be enacted, the effect of it will be to nullify so far as the apartment service is concerned the existing law, and involve the Government in the unnecessary expenditure of millions of dollars by extending these allowances to every railroad line in the country. This provision has always heretofore been rejected by legislative construction; and I trust that this House will not, on the motion of my friend from Maine [Mr. MILLIKEN], who does not belong to the Post-Office Committee, inaugurate a scheme of this sort. I trust the measure will be voted down.

Mr. MILLIKEN. Mr. Speaker, I desire to say that so far as this amendment is concerned I see nothing objectionable in it; but there was some understanding between the committee and myself which would not leave me at liberty to favor it; and at this late date in the session, when there is perhaps no opportunity for this bill to get to the Senate and then to the President in time for his signature, I shall be

forced to oppose the amendment.

I move the previous question on the amendment and ordering the bill to be read the third time.

The previous question was ordered; and under the operation thereof the amendment of Mr. DIBBLE was rejected.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed

Mr. MILLIKEN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FORTIFICATIONS APPROPRIATION BILL.

Mr. FORNEY. I demand the regular order.

I call up the fortifications appropriation bill.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes.

Mr. FORNEY. I move non-concurrence in the Senate amendments

and that the House agree to the conference asked for.

Mr. BUTTERWORTH. I want to move to concur for the purpose of yielding to the gentleman from California [Mr. McKenna] to offer an amendment simply. There was pending, as the Chair will remember, a motion to concur in the second amendment of the Senate, and my friend desires to offer an amendment, after which the motion to nonconcur can be submitted.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced the return to the House of Representatives of the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service, asked for by the House of Representatives.

The SPEAKER pro tempore. This bill is returned from the Senate at the request of the House for the purpose of correcting an error in the engrossed copy of the bill.

If there be no objection the bill will be correctly engrossed by in-

serting the amendments of the House, which were to strike out the words "or permanently" where they occur in the bill.

There was no objection, and it was so ordered.

FORTIFICATIONS APPROPRIATION BILL.

Mr. BUTTERWORTH. I yield to the gentleman from California to offer the amendment, as I have stated.

Mr. McKENNA. I submit the amendment I send to the desk.

The Clerk read as follows:

After the word "expended" insert:

"That the Secretary of War and Secretary of the Navy are hereby authorized to erect a gun factory in accordance with the report of the gun-foundry board of December 20, 1884, for the fabrication of the heaviest guns adapted to modern warfare, the manufacture of gun-carriages and ordinance equipment for the Army and Navy, in the State of California, at Mare Island navy-yard or at Benicia arsenal, as said Secretaries may deem most suitable or expedient, at a cost not to exceed \$1,000,000, and said sum, or so much thereof as may be necessary, is hereby appropriated for said purpose."

Mr. FORNEY. I hope that will be voted down.
Mr. McKENNA. I hope it will not be voted down.

I hope it will not be voted down.

Mr. FORNEY. I demand the previous question upon the motion

The previous question was ordered, under the operation of which the amendment was rejected.

The motion to non-concur in the Senate amendments and agree to

the conference asked for was agreed to.

The SPEAKER announced the appointment of Mr. Forney, Mr. RANDALL, and Mr. BUTTERWORTH as managers at the conference on the part of the House.

ORDNANCE STORES, COLORADO.

The SPEAKER. The bill (H. R. 5215) entitled "A bill to relieve the State of Colorado from charges on account of ordnance stores furnished said State," passed the House at an evening session fixed for the consideration of bills on the Private Calendar, although this bill was not on that Calendar. Some correction of the action of the House in that direction should be made. Either the bill should be passed by the

House, if deemed proper, or be otherwise disposed of.

Mr. SPRINGER. The House passed the bill under a misapprehension that night. There is no objection to it, and it might as well be

considered and passed now.

The SPEAKER. If there be no objection, the bill will be ordered to

be read a third time, and passed.

Mr. TAULBEE. What is the bill?

The SPEAKER. To relieve the State of Colorado from certain charges for ordnance stores furnished.

The bill was ordered to be read a third time; and being read the third time, was passed.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that

they had examined and found duly enrolled bills and a joint resolution

of the following titles; when the Speaker signed the same:
A bill (H. R. 3908) for the relief of John Ellis;
A bill (H. R. 3318) for the relief of Enols Loyd; and

Joint resolution (H. Res. 209) permitting the public building authorized by act of Congress, approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 50 feet as provided in said act.

LAND-GRANT FORFEITURES.

The SPEAKER. The gentleman from Illinois desires to submit some

tables in reference to land-grant forfeitures.

Mr. PAYSON. Mr. Speaker, at the request of many members of the House I have made a compilation of the action of Congress in the matter of land-grant forfeitures in Congress, in this and preceding sessions. And it has been suggested to me to ask leave to print it in the RECORD,

so it may be readily accessible to those who desire the information.

Its preparation, I may say, has involved considerable labor, which I have been glad to give to oblige members, and I feel assured it will be of interest to all

of interest to all.

I ask unanimous consent to have the tables printed in the RECORD. There was no objection.

The tables are as follows:

Congressional action on land-grant forfeiture bills.

Name of railroad.	Congress.	Acres.	Senate.	House.
Oregon Central Texas Pacific	Forty-eighth	810, 880 18, 500, 000	Passed	Passed—law.
Iron Mountain of Mis- souri.	do	300,000	Passed	Passed-law.
Atlantic and Pacific Tuscaloosa and Mobile Mobile and New Orleans Elyton and Beard's Bluff.	Forty-ninth	23, 871, 360	Passed	Passed-law.
Memphis and Charleston Savannah and Albany New Orleans and State	do	\$7,000,000	Passed	Passed.
Line. Iron Mountain of Arkan- sas.				
Gulf and Ship Island		652, 800		Passed.
Northern Pacific		36, 907, 741	***************************************	Passed.
New Orleans Pacific	do	870, 400		Passed.
River.	do	288,000		On Calendar.
Houghton, Marquette and Ontonagon.		138, 641		On Calendar,
Sioux City and Saint Paul.	do	85, 457		On Calendar,
Wisconsin Central	do	406, 880		On Calendar.
California and Oregon		1,740,800		On Calendar,
Oregon and California	do	1,510,400		On Calendar.
Southern Pacific of Cali- fornia.	do,	7,000,000		On Calendar,
Selma, Rome and Dalton.	do	89,932		On Calendar.
Mobile and Girard	do	536,064		On Calendar.
Railroads in Florida		1, 271, 040		On Calendar.

Acres 50, 482, 240 Forfeiture bills on House Calendar favorably reported......

TREASURY SURPLUS.

Mr. MORRISON. I call up the consideration of the conference report on the joint resolution (H. Res. 126).

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In line 8 of said amendment strike out the word "President" and insert in lieu thereof the words "Secretary of the Treasury;" in line 9 strike out the words "direct the Secretary of the Treasury to suspend" and insert in lieu thereof the word "postpone;" in line 12 strike out the word "suspension" and insert the word "postponement" in lieu thereof; and the Senate agree to the same.

Amendment numbered 2: That the Senate recede from its amendment numbered 2.

W. R. MORRISON, WM. C. P. BRECKINRIDGE, FRANK HISCOCK, Managers on the part of the House. W. B. ALLISON,
N. W. ALDRICH,
J. B. BECK,
Managers on the part of the Senate.

The SPEAKER. The Clerk will now read the statement of the House conferees accompanying the report.

The Clerk read as follows:

House of Representatives of the United States,
Washington, D. C., August 3, 1886.
The undersigned, managers on the part of the House, make the following

statement in respect to the conference report on H. Res. 126 directing payment of the surplus in the Treasury on the public debt:

The Senate added two amendments to the resolution. The House conferees have recommended that the House recede from its disagreement to the first amendment and agree to it in the following amended form:

"Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned: And provided further. That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20,000,000; and whenever, in the ease of any extraordinary emergency not now existing, and when, because thereof, in the opinion of the Secretary of the Treasury, the public interests shall require it, he may, by written order, postpone the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired, and that such postponement and the reasons therefor shall be reported to Congress within ten days after its next meeting, or immediately if Congress shall be in session."

The Senate conferees have agreed to recommend that the Senate recede from its amendment numbered 2, which p ovided for the redemption of the tradedollar.

W. R. MORRISON. WM. C. P. BRECKINRIDGE, FRANK HISCOCK.

Mr. LANHAM. I desire to make a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. LANHAM. I wish to know if it would be in order to ask a sepcrate vote on the Senate amendment relating to the trade-dollar, my object being, if in order, to move to concur in that amendment.

The SPEAKER. That would not be in order. The conference report is one single proposition which must be agreed to or rejected by a vote of the House. If the conference report is not agreed to then it would be in order to move to concur on any particular amendment.

Mr. WEAVER, of Iowa. I reserve all points of order on the report.
Mr. FINDLAY. Will the gentleman from Illinois [Mr. MORRISON]

allow me to ask him a question?
Mr. MORRISON. Yes, sir.
Mr. FINDLAY. What was the reason for disagreeing to the amendment of the Senate providing for the redemption of the trade-dollars?

Mr. MORRISON. It was because the subject of the trade-dollar does

not belong to the subject of this resolution. There are other reasons, which, if the gentleman will wait a few moments, I will try to explain to him when I reach the trade-dollar in the remarks I am about to submit

Mr. WEAVER, of Iowa. I make the point of order that this report should have its first consideration in the Committee of the Whole House

on the state of the Union.

The SPEAKER. The Chair decided yesterday, as has been frequently decided before, that a report of a conference committee can not go to the Committee of the Whole House on the state of the Union. It can not There are no separate clauses or sections in it to be disbe amended. cussed under the five-minute rule. It is a privileged report in the House itself, not in Committee of the Whole House on the state of the Union.

Mr. FINDLAY. But we can vote the report down.

Mr. MORRISON. Yes; if you have votes enough.
Mr. FINDLAY. That is yet to be determined.
Mr. WEAVER, of Iowa. Will the gentleman from Illinois permit Mr. WEAVER, of Iowa.

Mr. WEAVER, of lowa. Will the gentleman from Hillions permit me to ask him a question?

Mr. MORRISON. Yes, sir.

Mr. WEAVER, of lowa. Is it decided to give any time for debate?

Mr. MORRISON. Yes; certainly. I am ready to hear what the gentleman has to say if the House is willing.

The SPEAKER. The gentleman from Illinois [Mr. MORRISON] has

the floor and will proceed.

Mr. MORRISON. The joint resolution called the surplus resolution passed by the House was reported from the Committee on Ways and Means in lieu of six several resolutions introduced by as many members on the same subject, all proposing larger payments from the Treasury than the resolution reported. As it passed the House the resolution was in my opinion a wise and conservative measure, all in the public interest. The resolution or measure as amended by the Senate, and again amended and agreed upon by the committee of conference, is, it seems to me, not so good a measure. Yet in the condition of the Treasury and the bonded debt it will do or cause to be done all that would have been done under the resolution as it left the House. It will cause the surplus in and coming into the Treasury to be applied in monthly \$10,000,000 pay-ments to that part of the debt which is payable, and it will pay all we are now permitted to call and pay before we get down to any of the limitation added since the resolution passed the House. It is still a practical measure of relief applicable to the present overcrammed condition of the Treasury. It would be more objectionable as a measure of permanent policy, but it is the present situation for which this is a present remedy

The Senate added to the House resolution two amendments, one relating to the Treasury surplus, the other to an entirely different and irrelevant subject—the trade-dollar. The first amendment assumes to make more specific what was already plain in the House resolution, by which no call was required to be made until the amount in the Treasury, including the reserve for the redemption of United States notes, should equal one hundred and ten millions. The resolution as it left the House provided that only the excess over one hundred millions

should be paid out and that no call should be made less than ten millions. Hence it was impossible to make a call under this resolution unless there was one hundred and ten millions in the Treasury, because to call ten millions with less than one hundred and ten millions in the Treasury would go below the amount of excess which was all that was and is directed to be paid out. As to the reserve or redemption fund, estimated and treated in practice by the Treasury Department as one hundred millions, that is left now as before with the Treasury and in its discretion. This reserve or redemption fund was under former administrations often reduced below one hundred millions. It has never been below that sum under the present administration, it may be, but the measure under consideration does not require that it shall be; that is left as we found it.

The change or amendment next made or proposed by the Senate in order of arrangement is that by which the Secretary of the Treasury may or not, in his discretion, keep in the Treasury \$20,000,000 as a working balance for the current or every-day use of the Department in the payment of its current obligations and to make no part of the \$100,-000,000 already exempt from the provisions of the resolution. this subject was before considered I explained or tried to explain why no such working balance was necessary. The Treasury accounts are so kept and statements so made that accruing interest and other such obligations find their way into the liabilities in advance of payment so as not to lessen the monthly surplus statement; there is a large working balance in the control or to the credit of the disbursing officers which, as the last Treasury report shows, has rarely been less than \$20,000,000, and has often exceeded \$40,000,000, and which the Treasurer says is in excess of current requirements; and then again the daily or current receipts largely exceed the daily or current expenditures, and beside these sources of supply none other is required. Yet this "working balance" provision can have no practical effect in the present condition of the Treasury, and with but \$132,000,000 of the debt uncalled which is subject to call and payable whenever we are ready to pay it, no more will be due or payable until 1891, and this proviso might as well be in as out of the resolution, for it will not affect its execution.

The 3 per cent bonds, amounting to \$132,000,000, are all that are now payable; they would substantially all be called in or taken up by thirteen calls in thirteen months. In that time \$50,000,000 of those bonds will be required for the sinking fund and will be called in and paid for as part of the ordinary expenditure which last year was \$290,000,000, but this year with increased pensions and some increased expenditure for a new navy may amount to \$305,000,000, the amount

of expenditure the year before last.

The current income or receipts from taxes, none of which we have reduced, are on the increase, and in thirteen months by any fair estimate the receipts of the Government over the ordinary expenditures, including the sinking fund, will not be less while it may be much more than \$32,000,000. And at the end of the thirteen months when by ten million monthly calls all this debt which is payable will have by ten million monthly calls all this debt which is payable will have been called in and \$82,000,000 of it paid without paying anything from the surplus now in the Treasury, then but \$50,000,000 of the surplus now there will be taken out of the Treasury in these thirteen months to pay off all the debt we can pay. The last statement shows that the Treasury surplus has now grown to \$80,000,000, which would leave a balance of \$30,000,000 when the debt is paid. Hence I have said that whether this discretionary twenty-million working balance shall be conceded is not now a practical question because the payable shall be conceded is not now a practical question, because the payable debt will be fully paid before the available balance in the Treasury, including the reserve, is reduced to \$120,000,000.

In the next amendment of the Senate the Secretary of the Treasury is by the conference agreement substituted for the President to exer-

cise the discretion which is to be exercised when justified by sufficient emergency. This substitution is made, because the Treasury is the one Department which, under the law of its organization, is required to do in regard to the finances what the Congress directs it to do. When the other Departments were organized it was provided that their heads should do and perform such duties as were imposed upon and intrusted to them by the President. The Treasury Department is the one Department that does not report to the President, but to Congress. Our fathers so provided, because they did not intend to put the purse and the sword in the same two hands. They probably saw, what we sometimes think we see now, that the purse and not the pen is mightier than the sword, and intended to keep it within the control of the people through their representatives. As to the discretion itself, if I had entire control of the question I would not, as the House very well knows, give the largest discretion to the Treasury, and not because of any want of confidence in the ability or integrity of its able Secretary or any of its officers, but because I believe it is the chief business of the Convergence and the largest the convergence of the Convergence and the secretary of the secretary of the convergence and the secretary of the sec of the Department to keep the accounts of the Government, collect its revenues, and pay its debts in pursuance of law.

But I am not, nor is the House, permitted to control or fix the limits of this discretion, and the conference of the House and Senate agrees to leave with the Secretary the discretionary power to postpone the monthly calls in case of extraordinary emergencies. It must not only be extraordinary, but it must be something not now existing.

I readily admit that I do not know, and have not been able to find

anybody who could tell me, just what would amount to an emergency that would justify the exercise of the discretion. It must be something that does not now exist, and presumably something that has not here tofore existed since it can not be foretold or described. It can not come from unforeseen expenditure, such as might result from the calamity of war, because if we had a Cutting or a cut-throat war with Mexico, or a fish-bait war with Canada or with England, and paid out this money as the cost of war, it would not then be "surplus in the Treasury. Still, since we can not have prescience or all wisdom in advance, the Sen-

ate assumed there may be a contingency in which it would be necessary to postpone a call, and that provision added by the Senate is retained.

But is it reasonably probable that the Treasury Department, having been advised by a vote of three-fourths of the representatives of the people that this money must be applied to the debt, and having been likewise advised by a Republican Senate, in whose caucus measures the Democratic administration and the public credit had to find security from the unwisdom of a Democratic House, if we may credit those who assume to speak by authority without authority, as I suppose—is it possible after such expression by the Democratic House and the Republican Senate that the Treasury Department will disregard the purpose of Congress so expressed—this, too, when advised in advance that any postponement will only be excused by some extraordinary national emergency which does not now exist and presumably has not heretofore existed?

Then it is further provided that if any such postponement should be made the causes thereof shall be reported to Congress at once, or as soon thereafter as Congress may be in session. Can it be, Mr. Speaker, that under such circumstances any such qualified discretion would be abused? I think not.

With the consent of the House I desire to make some response to the alleged purpose to break the national faith and discredit its obligations which lurks in this effort to keep its obligations by paying its debts. which lurks in this effort to keep its obligations by paying its debts. Every effort to relieve the people of any burden is attempted to be met in the assumption of superior financial skill and higher financial integrity. Our Chicago declaration, "We believe in honest money, the gold and silver coinage of the Constitution," was I thought a declaration for "honest money," and if it meant any other coin than such as is piled in the Treasury the fact was deceitfully hidden and kept from the people, but not by me. But I have no expectation that this measure will affect the question of coin or coinage, and no desire that it should. And affect the question of coin or coinage, and no desire that it should. And when we have paid, and saved the annual interest charge on, the \$132,-000,000 of bonds payable, I doubt not it will still be true that "we believe in honest money, the gold and silver coinage of the Constitu-

Coupled with our belief in honest money we said at Chicago we believed in "an existing surplus of more than \$100,000,000," and then the Treasury surplus was less than now.

It is or has been said that the surplus referred to was surplus taxes, not surplus in the Treasury.

The declaration reads:

That change is necessary is proved by an existing surplus of more than 100,000,000 which has been yearly collected from a suffering people.

And refers to an existing surplus which had then been collected. Suppose it be admitted that it was intended to declare taxes excessive, not surplus, will it be insisted that this \$100,000,000, whatever it may be, is to be locked up and remain idle in our hands, lest if we pay it to those we owe it may lie idle and be unprofitable to them?

It is claimed that Congress should leave with the head of the Treasury uncontrolled discretion in the matter of keeping money in and paying it out of the Treasury, because it is alleged that only those learned and experienced in finance are competent to deal with the subject, and that only the masters of finance, and men accustomed to deal with great sums of money, have any such learning or experience.

I readily concede there may be many wiser than most of us here, and especially wiser than I, in the Treasury intricacies and mysteries which are claimed to be the foundation on which our national credit rests. Yet I trust I may be pardoned if I advise that we do not take counsel from those skilled in the art of giving advice to others to benefit themselves, and whose collected wisdom, summed up in a leading New York journal, assumes to discover in this measure as first reported "a blow aimed at the administration and at the national banks, both of them bulwarks of our national credit."

In the earlier history of our large funding operations there was a question between the alleged learned and those unlearned in financial tangles as to the right to pay the bonds first issued in other money than The question was settled in a new funding scheme in 1870. bulwarks of our national credit got coin bonds, and the unskilled in finance who pay them got a lower rate of interest. The scheme was \$200,000,000 at 5 per cent. payable after ten years, \$300,000,000 at 4½ per cent. after fifteen years, and \$1,000,000,000 at 4 per cent. after thirty In a short six months the guardians of the public credit assumed to find it so weak that \$200,000,000 could not but \$500,000,000 could be borrowed or funded at 5 per cent., and it was done. Next the $4\frac{1}{2}$ percents were to be funded, and those who then and now lay claim to superior knowledge of all that concerns money declared our credit un-

equal to borrowing or funding \$300,000,000 of 4½ per cent. fifteen-year bonds, but all-sufficient for \$500,000,000 of thirty-year bonds at the same rate of interest, and a bill was passed at the other end of the Capitol to increase the amount of 42 per cent. bonds to \$500,000,000 and extend the time of payment to thirty years. Could that bill have passed the unskilled ordeal of the Ways and Means Committee the \$250,000,000 which we may pay in 1891 would be payable in 1906, and on a like sum now at the rate of 4 we would be paying 42 per cent., which would

have added \$100,000,000 to the interest we must pay.

All this was done in the name of the public credit and under the advice of those claiming superior knowledge of finance.

When, later on, the 5 per cent. bonds were to be soon payable and yet higher interest bonds were unfunded and unpaid, we tried here by a bill of your own, Mr. Speaker, to fund at 3½ per cent. Those claiming to be wiser than we objected in the name of public faith and public credit, neither of which, it was urged, could be sustained by a funding scheme at less than 4 per cent. Again, in the closing hours of the Hayes administration, when the rate of interest had fallen, the now Speaker renewed his effort for a lower rate of interest, and this time at 3 per cent. The masters of finance insisted then on $3\frac{1}{2}$, and said of that measure, as they do of this, that it would unsettle values, destroy confidence, and menace the country's presperity; that it was a blow aimed at the administration and the national banks, and the President would not sign it.

The bill at 3 per cent. interest rate was passed, and the President, as previously predicted, returned it with his objections that it would injuriously affect the national banks, one of the alleged bulwarks of our national credit. And before another Congress assembled to renew the contest the then Secretary of the Treasury was shamed into funding the debt without authority of law at the same 3 per cent. rate as provided by the vetoed bill. It is true that in all this funding policy the distinguished Senator from Ohio [Mr. SHERMAN], learned and trained in all that affects the national purse, was in accord with those who assume to have gathered all financial wisdom. But, sir, I still insist that it is not prudent to take counsel on this subject from those, whatever their experience and wisdom may be, whose interests are not identical and in accord with the interests of the great mass of their fellow-men.

It has been urged that the adoption of this measure as first reported was to declare a want of confidence in the Treasury management of this administration. There is neither an attempt at censure nor fault finding in providing that the money should go out as it goes into the Treasury, in pursuance of law. The surplus and idle money in the Treasury has not before been so large, and interest-bearing debts wait Treasury has not before been so large, and interest-bearing debts wait to be paid to which that idle money may, and, in the opinion of the House, should be applied. To say that we may not so legislate as to make such application without reflection on any one is to forget the duties imposed on this and other branches or Departments of the Government.

The President has vetoed in terms of innocent levity a hundred of our smaller bills; many of them passed the House and Senate without a dissenting vote; and when he signed a larger one he was gracious enough to send us a message of apology or explanation with the reasons why he did not veto that. [Laughter and applause.] Have any of us ever felt that the President was thereby expressing any want of confidence in Congress? We have felt, every one of us, at least I have, that he was discharging faithfully, as an honest executive, his duty under the law and his oath as he understands it—that much he must accord to us.

The next and last subject of the report as agreed upon relates to the trade-dollar, which was not in the resolution when it passed the House. The Senate added that in its last or second amendment and provided for the receipt and redemption of trade-dollars at par with other dollars. We have insisted upon its going out; the Senate has agreed, and this amendment of the Senate is left out. To me one of the unexplained things in connection with this question is how this amendment found its way into the resolution with the consent of those who have opposed this measure upon the assumption that it would in connection with silver coinage lead us to the use of silver as the basis or standard of money. Yet those who professedly most dread the effect of the use of silver as "honest money" would in the next six months add not less than ten millions, and may be as much as thirty millions, to the silver coinage by taking in and recoining the trade-dollar, which neither has nor should have any place in this measure relating solely to the surplus revenues.

Ten millions of trade-dollars can be bought for \$2,400,000 less, and thirty millions, if there are so many to be had, can be bought for \$7,200,-000 less than would be paid for them under the Senate amendment. Nor is it true that the Government issued the trade-dollars, and is bound, therefore, in good faith and good morals to redeem them. amounting to the number of about thirty-six million have been, at the request and for the use of the owners of silver, coined by the Government free of cost. In some unexplainable way, in 1873, the year of silver mysteries, the trade-dollar was made a legal tender for \$5. legal-tender quality was repealed in 1876, when about 15,500,000 of trade-dollars had been coined, and since then their coinage has been in creased to \$36,000,000. Whatever may be said of the policy of calling in the trade-dollar, the subject has no place in this resolution. If they are to be redeemed it ought to be at their real and not par value, unless we are under a legal or moral obligation to so redeem them, and it would seem the circumstances of their issue impose upon us no such obligation.

Mr. LANHAM. Will the gentleman allow me a word?
Mr. MORRISON. Certainly.
Mr. LANHAM. In reference to the trade-dollar the report of the Director of the Mint shows that there is, according to his estimate, not exceeding \$7,000,000 which would be returned for recoinage or redemp-

tion under that provision.

Mr. MORRISON. Why?

Mr. LANHAM. That is the opinion of the Director of the Mint, because there is no more than that which would be affected by the

Mr. MORRISON. Why not, if the holders can get 25 or 15 cents more for the trade-dollar than it is worth?

Mr. HEWITT. Twenty-six cents.

Yes; about 26 cents. Why will not they bring it in Mr. MORRISON. and exchange it? Part would be receivable for taxes and all redeem-

able in or exchangable for standard silver dollars.

Mr. LANHAM. Because a great deal of it has been exported and has gone into foreign markets and been melted or recoined and otherwise used, so that it is estimated that only about seven millions remain in this country for redemption, and that very little, if any, would be imported within the period of six months.

Mr. MORRISON. The money dealers and changers, with the help of the wise in finance, would not fail to get the other twenty-nine millions back from China, or wherever else it may be, in less than six months. [Laughter and applause.]

Gentlemen have, I think, overlooked the inducement offered and opportunity given for seeking those discredited trade-dollars.

Mr. FINDLAY. If the gentleman from Illinois will permit me to suggest to him: The trade-dollars in China are no longer in the form of coined dollars, but they have been recoined into the Chinese sycees, I believe they call them; and it would not consequently come back in the shape of the trade-dollar.

Mr. LANHAM. And the amendment provides that it shall not be

received.

Mr. MORRISON. The gentleman from Texas is mistaken and the gentleman from Maryland as well, as I think I can show them.

The first division of amendment numbered 2 provides that the trade-The first division of amendment numbered 2 provides that the trade-dollar shall be received during the period of six months for internal-revenue and custom-house taxes; that is to say, they are received as dollars for taxes if they are not defaced, mutilated, or stamped.

Mr. FINDLAY. You give standard dollars in exchange for them.

Mr. MORRISON. Not by this first provision.

Mr. FINDLAY. There is a provision in the Senate amendment to that effect.

that effect

Mr. MORRISON. Yes; first they are receivable for taxes, when not defaced, stamped, or mutilated; second they are to be redeemed and received in exchange for other dollars whether so stamped and marked or not. China could stamp its cue on the trade-dollar, to the delight of its people, and it would still be redeemable, to the greater delight of some of our people who would own the trade-dollar to be redeemed by the Senate amendment.

Mr. LANHAM. I suggest the entire context of the amendment shows that the trade-dollars spoken of in the third section are those defined by the character of trade-dollars mentioned in the second.

Mr. MORRISON. Not at all. Let the gentleman read the provision numbered section 2.

Mr. LANHAM. It is as follows:

SEC. 2. That for a period of six months after the passage hereof, United States trade-dollars, if not defaced, mutilated, or stamped, shall be received at their face value in payment of all dues to the United States, and shall not be again paid out or in any other manner issued.

Section 3 is as follows:

SEC. 3. That the holder of any United States trade-dollars, during the period aforesaid, on presentation of the same at the office of the Treasurer or any assistant treasurer of the United States, may receive in exchange therefor a like amount and value, dollar for dollar, in standard silver dollars or in subsidiary coins (at the option of the holder) of the United States.

Mr. MORRISON. Exactly; but there is nothing here in section 3

Mr. LANHAM. When you construe all together— Mr. MORRISON. It is not all together, or intended to be. If it were not in independent separate sections the provision about marks or stamps might apply to all. It is cleverly drawn and will no doubt be

so understood by those who expect to profit by it.

Mr. LANHAM. Will the gentleman allow me to explain that the Committee on Coinage, Weights, and Measures, after a full examination of all the bills on the subject referred to them, drafted this bill, which is the Senate amendment, and it was unquestionably the design of the framers of the bill and of that committee that this third section

should apply to trade-dollars not defaced, mutilated, or stamped.

Mr. MORRISON. Then it does not, as I understand it, conform to the design of your committee?

Mr. LANHAM. That is the undoubted meaning of it. And I think proper construction would sustain that view.

Mr. MORRISON. I have said substantially all I desire to say and reserve the balance of my time.

Mr. WEAVER, of Iowa. I ask the gentleman from Illinois to yield

Mr. MORRISON. I reserve my time. The gentleman from Iowa can take the floor if he desires.

Mr. WEAVER, of Iowa. I have tried very hard to reach a conclusion that would warrant me in supporting this conference report; but I have failed, and I must oppose it. The gentleman from Illinois [Mr. MORRISON] says, and says correctly, that when this resolution passed the House it was a wise and conservative measure; that as reported back to the House it is not so much so. It was wise and conservative when introduced, and I suppose that the conference report makes up in conservatism what it lacks in wisdom. To my mind, sir, the measure is

Now, what is left of the original resolution? Nothing on earth; but a new accretion of power to the Treasury Department is substituted. In what condition does the law now leave us and leave the Treasury Department? By inference the Secretary claims that the law requires the beautiful property of the law read williams of coin as a redemption fund for them to keep one hundred millions of coin as a redemption fund for the greenbacks; but it is conceded there is no law compelling it. It

is a mere departmental interpretation.

But certainly there is no law authorizing or compelling the Department to keep more than one hundred millions. Whereas if this conference report be adopted it establishes one hundred millions as a lawful reserve which they are compelled and will be compelled to keep, and they can not commence paying the public debt until there are one hundred and ten millions, and then, in the discretion of the Secretary, he may keep one hundred and thirty millions before he is required to pay any portion of the public debt. What earthly excuse can there be for such a law? What is there in the business situation to warrant it?

Mr. BROWN, of Pennsylvania. You mean one hundred and twenty

millions.

Mr. WEAVER, of Iowa. No, sir; one hundred and thirty millions. Mr. BROWN, of Pennsylvania. Twenty millions in addition to the one hundred and ten millions?

Mr. WEAVER, of Iowa. Twenty millions in addition to the one hundred and ten millions, making it one hundred and thirty millions. If the resolution stopped here there might be some excuse for this Senate amendment. But it does not. If it were mandatory on the Secretary of the Treasury beyond the one hundred and thirty millions, and he would be compelled to pay out all in excess of that, there might be some apology for it. But while pretending to compel him to pay out all beyond one hundred and thirty millions it clothes him with a power he has not now to suspend the payment of the public debt entirely whenever any emergency not now existing may arise,
Mr. BROWN, of Pennsylvania. He has to furnish excuse to the

Mr. WEAVER, of Iowa. That would not trouble him in the least. The gentleman from Illinois says "when a certain emergency arises." I say no; when an uncertain emergency arises. This resolution does not prescribe or indicate in any manner what the emergency shall be, but makes him the sole judge of what the emergency shall be and when it exists. It is a leap in the dark. It places the whole country in the hands of those whose inclinations and policies are known to be at variance with public sentiment.

There may be a speck of war on the Mexican border that may affect the amount of gold coin in the country; there may be an unprecedented demand for gold coin in Europe. Anything that affects the movement of gold may be regarded by the Secretary as a sufficient "emergency" to warrant him in suspending the operation of this resolution. The Secretary claims this discretion now. He certainly now has the power to pay out this money. He claims now the right to exercise his own judgment as to whether he shall pay it out or not. What good is accomplished by this resolution? He can pay out the surplus now, in his discretion. He can do no more if this resolution passes.

There will be no result flow from it, as I have already said, except

a new accretion of power in the hands of the Secretary of the Treasury. Congress is called upon to abdicate and give over its discretion to the Secretary of the Treasury, to be exercised by him instead of by Congress. I undertake to say that if we pass no resolution at all the Secretary of the Treasury, in obedience to the wish of this country as expressed by the House of Representatives in the passage of the original resolution, will feel called upon to pay out at least \$10,000,000 a month upon the public debt. It would be a strange administration that would set at defiance such an unmistakable expression of public sentiment. Again, Mr. Speaker, would this House have passed this resolution if it had been submitted to them originally in this shape? Never! The only inducement to-day to confirm this conference report is the haste incident to the closing hours of this session of Congress.

For one, I feel called upon to do my utmost to prevent its passage. The people gain nothing by it. The Treasury Department gains all, and if this matter is to be left to the discretion of the Secretary of the Treasury at all let it be left as it now is, and we are just as apt to have

a payment of \$10,000,000 a month without as with the passage of this The resolution is a complete backdown on the part of the The original resolution passed by a three-fourths vote, and

now it is proposed to cowardly surrender.

And, sir, after that resolution passed here what took place? Wall street issued its decree. A caucus was called of gentlemen belonging in the other House of Congress, at the home of a former Secretary of the Treasury, and in that caucus the House resolution as amended by the Senate and substantially as finally reported by the committee of con-House and the Republican Senate, a square issue between this House and the Republican Senate, a square issue that I for one am willing to go to the country upon; but this conference report is a complete surrender on the part of the House to the Senate and an abandonment of that issue before the country. And not only that, but let me say to my Democratic friends that this is a transfer of the quarrel which we now have with the Senate to the administration, and your enemies will not be slow to take advantage of it if you are so unwise as to give them the opportunity. Mark my words.

In case of any exercise of this discretion here given which in the

opinion of the people is unwarranted, you will have the matter to meet and defend. They should be held responsible, and will be if you do not pass this resolution. But once you pass it, the load is upon the administration and the Senate is relieved. What in the name of common sense are you getting in return for such a sacrifice? Nothing on the face of the earth. In the name of an outraged and suffering peo-ple I protest against this hollow mockery. The people have asked for bread, but you propose to dash a stone into their teeth.

This conference report is unwarranted, unnecessary, and impolitic. I protest against it.

I reserve the balance of my time.

Mr. FINDLAY. Mr. Speaker, I desire to say a word upon this resolution, and propose to confine what I have to say to the provision in the Senate amendment for the redemption of the trade-dollar.

Mr. WEAVER, of Iowa. I have reserved my time, Mr. Speaker, and I desire to apportion it among gentlemen who have asked me to give them time. I will yield ten minutes to the gentleman from New York [Mr. Hewitt] and ten minutes to the gentleman from Missouri [Mr.

Mr. FINDLAY. Will the gentleman give me ten minutes? Mr. WEAVER, of Iowa. I have given all my time away.

The SPEAKER pro tempore. The gentleman from Iowa reserved the remainder of his time without yielding to any one, and the Chair recognized the gentleman from Maryland [Mr. FINDLAY]. The gentle-

man from Maryland will proceed.

Mr. FINDLAY. Mr. Speaker, I was about saying at the moment when I was interrupted that I had voted against the surplus resolution as it appeared in the House originally, and, with the single exception of the distinguished gentleman from South Carolina [Mr. DIBBLE], I believe that I was the only Representative from a Southern State counting Maryland as a Southern State, although in my geography, which I learned as a boy, it was classed as a Middle State—I was, I say, with a single exception, the only Representative from a Southern State who cast a vote of that kind. I took the trouble to explain somewhat at length in the RECORD my reasons for that vote, and I do not propose to go over them now. I am in favor of the resolution and would most cheerfully vote for it if it could be voted upon as it originally came from the Senate before the changes were made by the committee of conference. In other words, if the resolution contained the provision for the redemption of the trade-dollar, as it left the Senate, I would vote for it.

Now, the objection made by the distinguished gentleman from Illinois [Mr. MORRISON] to the provision for the redemption of the trade dollar rested, as I understood, upon this consideration: That while the privilege of paying taxes in trade-dollars was accompanied with the limitation or modification that no trade-dollar which was stamped, defaced, or mutilated should be received in payment of taxes, yet in the clause of the Senate amendment providing that any holder of tradedollars might pay them into the Treasury within six months after the passage of the resolution and receive in exchange therefor standard passage of the resolution and receive in exchange therefor standard silver dollars the limitation or modification with regard to stamped, defaced, or mutilated trade-dollars was omitted. So that the contention, as I understand it, is that if the resolution as originally shaped by the Senate should be passed by this House any holder of a tradedollar, however defaced, mutilated, or stamped, could take it to any subtreasury or depository of the United States and demand for it a standard silver dollar in exchange. If that be the true construction to be put upon the resolution, then it is apparant that a very simple amendment would correct the evil. We would merely have to insert in the third proviso, after the words "trade-dollars," the words "provided that the same are not defaced, mutilated, or stamped." Then the holder of a trade-dollar, who wishes to exchange it for a standard silver dollar, would be placed in exactly the same condition as the man who may desire to pay taxes with a trade-dollar.

Is not that the effect of the proposition at any rate? Mr. FINDLAY. I am coming to that in a moment. I say that if the contention of gentlemen on the other side be correct, then a very

small amendment will obviate the difficulty. But I deny that the contention is well founded. It is not necessary upon a question of this kind to state principles in regard to the construction of statutes. Surely ordinary common sense, without going into any technical rules, is sufficient to determine the plain meaning of a resolution of this kind upon its face. What is the first proviso?

That for a period of six months after the passage hereof United States tradedollars, not defaced, mutilated, or stamped, shall be received at their face value in payment of all dues to the United States, and shall not be again paid out or in any other manner issued.

Then comes this proviso:

That the holder of any United States trade-dollar, during the period aforesaid, on presentation of the same at the office of the Treasurer or any assistant treasurer of the United States, may receive in exchange therefor a like amount in value, dollar for dollar, in standard silver dollars or in subsidiary coins, at the option of the holder.

Taking these two provisions together, what is their plain meaning and sense? That when the holder of a trade-dollar brings it to a subtreasury and asks in exchange for it a standard silver dollar, he must bring a trade-dollar which is not defaced, stamped, or otherwise muti-

Let me put the question in this way: Suppose the resolution in the language I have just cited should become a law, and any man with a clipped trade-dollar, with a trade-dollar which instead of containing 420 grains contained only 400 or 350 grains, should present it to any assistant treasurer of the United States for redemption, would that officer feel justified in redeeming it with a standard silver dollar?

Mr. LANHAM. Certainly not.
Mr. FINDLAY. Of course not. It does not require any genius for construction to arrive at such a conclusion as that. But, as I have said, if the contention were correct it would be the easiest thing in the world to correct the evil by simply inserting in the third proviso the words contained in the second proviso; that is to say, by providing that no trade-dollar shall be redeemed with a standard silver dollar unless the trade-dollar is not defaced, mutilated, or stamped.

Mr. LANHAM. The gentleman will allow me to suggest that it would be sufficient to insert "such" after the word "any;" so as to read "the holder of any such United States trade-dollar." But I con-

tend that that construction is already implied.

Mr. FINDLAY. Most unquestionably; it is perfectly plain upon the face of the resolution. The privilege of redemption is accorded to trade-dollars. The man who brings for redemption something which is not a trade-dollar, something which is less than a trade-dollar, something which is defaced, stamped, or mutilated, does not bring himself within the terms of the provision, and therefore can not claim the privi-

lege which it allows

Mr. Speaker, I wish now to say a single word upon the obligation which, in my judgment, rests upon this Congress to redeem these tradedollars. In the first place, it is a most extraordinary state of affairs that the coin in which the redemption is proposed to be made is of less intrinsic value than the coin to be redeemed. We simply propose that a man may be allowed to receive standard silver dollars in exchange for trade-dollars, the latter being in bullion value worth more than the standard dollars. In other words, we simply propose that the United States shall impart to the trade-dollar a legal-tender function which it originally had to a limited amount. I have never heard any good reason assigned, and in my opinion none can be assigned, why upon every principle of sound policy and morals, if not upon the stricter obligations of the law, the United States Government is not bound to redeem these trade-dollars. It is true they were issued originally for use in a special trade. But they got into circulation in the United States; they passed freely among the people; and they are now held by large numbers of citizens upon the faith that the Congress of the United States will provide for their redemption. I know the argument is sometimes made they are in the hands of speculators, and they are buying them up or will buy them up. All I have to say about that is it is a poor argument, but it is not sustained by the facts, poor as it is.

Mr. KELLEY. Will the gentleman from Maryland permit me, for

an instant only?

Mr. FINDLAY. Certainly.

Mr. KELLEY. These trade-dollars were legal-tenders by our law. Mr. FINDLAY. I understand that.

Mr. KELLEY. And we had no moral right, having inflicted them upon the people, to repeal that clause of our law which gave them that circulating value. And had we not perpetrated that fraud upon the holders they would have all been redeemed by the Government long ago in sums of \$5 and less in a single payment.

Mr. FINDLAY. I agree with my distinguished friend from Penn-

sylvania fully as to the point and force of that suggestion.

Mr. MORRISON. More than half of the trade-dollars were issued since this legal-tender clause was repealed.

Mr. BUCHANAN. Permit me to make a statement.

Mr. FINDLAY. Certainly.

Mr. BUCHANAN. In some sections of the country these trade-dollars have not passed into the hands of the speculators, but still remain in the hands of the merchants who sold goods for them. Mr. FINDLAY. That is perfectly true.

Mr. BUCHANAN. It is true in my section of the country.

Mr. FINDLAY. I was coming to that in a moment. I do not care whether trade-dollars are held by speculators or not; that is not the question. The faith of the United States is pledged to the redemption question. The faith of the United States is pledged to the redemption of the trade-dollar; I do not care who the holder is. That is a very poor argument, but I say poor as it is it is not sustained by the facts.

Mr. DANIEL. Will the gentleman allow me to ask him a question?

Mr. FINDLAY. Certainly.

Mr. DANIEL. Why do you propose to redeem the trade-dollars which were issued after the repeal of the legal-tender clause and which were very intended to be redeemed?

were never intended to be redeemed?

Mr. FINDLAY. Simply because the United States put them out; simply because it stood by and saw them put into circulation; simply because they passed from hand to hand among the people of the United States as the coin of the United States, stamped as a dollar, stamped with the legend of the United States; simply because it is not honest,

in my opinion, not to do it. [Applause.]

And I will say more, Mr. Speaker, and that is, that just as the people of this country are asking now that the trade-dollar should be redeemed, the time is not far distant when the poor holders of the standard silver dollar, now worth 71 cents, will come into this Congress and

ask full value for it.

Let me state some facts within my own knowledge. Mr. Speaker, I have been appealed to in the city of Baltimore time and again by cigar-makers, by laboring men in different avocations, who have told me of their poor wages laid away upon the faith the United States would one day redeem its pledges. They have hundreds of these trade-dollars. I know of my own knowledge the banks have thousands of them; not bought on speculation but received on deposit over their counters. So I helieve what is true of my own site of Baltimore their counters. So I believe what is true of my own city of Baltimore is true of other parts of the country from one end to the other. Upon what possible pretext or pretense this Congress can refuse the poor boon of giving a man a silver dollar worth in bullion value only a fraction over 71 cents in exchange for a trade-dollar which contains 7½ grains more of silver is a thing I can not get through my head, try it as I will. I say I have listened again and again for some just reason why the trade-dollar should not be redeemed, but I have heard none; and the only ground I can ascribe for the failure of Congress to do it is simply the inability to move a great mass or body like this into doing anything. A bill for the redemption of the trade-dollar passed the House in the Forty-eighth Congress and failed in the Senate. I have not the RECORD here to see what the vote was. I do not remember whether there was a yea-and-nay vote on it or not. I know, however, it passed with a considerable majority and went to the Senate and there folded. Now every enough to constitute on the Senate and there failed. Now, curiously enough, it comes from the Senate and the House kills it. What folly is this!

Mr. LANHAM. If the gentleman will yield to me; I have the vote

before me

Mr. FINDLAY. Certainly. Mr. LANHAM. The vote was 198 to 46.

A MEMBER. What is the date?
Mr. LANHAM. First of April, 1884.
Mr. FINDLAY. I have said all I wish to say on that subject. I do beseech my friend from Illinois [Mr. MORRISON]—and I am proud to recognize him as such; although we have differed on a great many questions, it is always with regret I do it; it really hurts me to vote against him, and I hope the time may come when I can vote with him—I wish to vote for this resolution, and if my friend from Illinois will only agree to provide for the redemption of the trade-dollar I will be glad to do so. Why not, therefore, let it come in? What good reason can be given why it should not come in? Why should not this resolution provide for the redemption of the trade-dollar?

Mr. MORRISON. I have given you a good reason.
Mr. FINDLAY. No; I think not. The reason you gave was that
it was not germane, so far as I can discover. Then you gave a very cu-That a Chinaman might stamp a cue on silverrious reason. That a Chinaman might stamp a cue on silver—I do not see how—but stamp a sycee with his own cue or that of his imperial majesty, and send it back to this country for redemption would be impossible. I do not believe anything of that kind, and I do not believe you do. I have said all I wish to say on this subject. I hope this House will exercise its conscience on this matter. I know there is great feeling on the subject among the people. You talk about discontent and unrest in the country. I tell you a large portion of it is owing to the fact that the people's representatives will not do their duty. Why, hundreds and thousands of men in the country who receive these dollars in trade see Congress pass bills month after month and year after year without giving them relief. There is a deep-seated and year after year without giving them relief. There is a deep-seated and just feeling of indignation against such conduct. I sympathize with it. I hope this House, Mr. Speaker, will take this matter into due consideration and refuse to accept the report and instruct our conferees to go back and meet their fellow-conferees of the Senate and to accept the Senate amendment to the resolution.

I reserve the balance of my time.

Mr. BRECKINRIDGE, of Kentucky. I will take the floor, and as the gentleman from Iowa has yielded ten minutes to the gentleman from New York [Mr. HEWITT] I will yield fifteen minutes of my time.

Mr. HEWITT. Certainly.

Mr. HEWITT. Certainly.

Mr. HISCOCK. I simply wish to get at the criticism which my colleague is making. You claim, as I understand, that whenever the excess is \$1,000,000 over a hundred millions a call must be made.

to the gentleman from New York, which will give him twenty-five minutes altogether. The balance of my time I will reserve.

Mr. HEWITT. Mr. Sperker, I am sorry to say there is but little

probability that I can use much of the time these gentlemen have so

generously granted to me.

The test which I should apply to this conference report is a very simple one. If it were an original proposition coming into this House I could not give it my sanction or support. The principle which underlies both the original resolution and the amendments adopted by the Senate is vicious. It seeks to impose a limitation upon the discretion senate is victous. It seeks to impose a limitation upon the discretion which now exists in the Treasury and which must reside there if the finances of this country are to be kept upon a sound basis; and by a sound basis I mean the convertibility of all its forms of currency into the unit of value which the statutes of the United States have declared to be 25.8 grains of gold.

This discretion is rendered necessary because the Treasury has in effect become a bank of issue and the place of final redemption for the currency of the country. Until the legal-tender notes are paid and the Government shall divorce itself from the national banks it is not

safe to limit this discretion.

The gentleman from Illinois [Mr. Morrison], in defending and explaining this conference report, has excused himself for abandoning his original proposition submitted to the House upon the ground that under the action of the resolution as originally introduced the balance in the Treasury would never have got below \$120,000,000. I do not think the gentleman from Illinois would deceive this House, and I do not believe that he would have come in here with a proposition that was not in its essence what it professed to be upon its face. And yet, Mr. Speaker, this day he has told the House that when he brought in a resolution which professed to limit the balance in the Treasury to \$100,000,000 that under that resolution it never could have been reduced below \$120,000,000.

Mr. MORRISON (from his seat). That applies to this debt.
Mr. HEWITT. Yes; your original resolution only applied to this debt. But why did the gentleman, who is so well versed in all the intricacies of finance that he is able to take a lofty position and look down upon those whom he stigmatizes as "the masters of finance," come in here with a proposition which, according to his own acknowledgment,

did mislead the House?

When I called his attention to the fact that his resolution in words compelled a call whenever there was \$101,000,000 in the Treasury, he shook his head. He denied that to be the proper construction of the resolution; and yet, Mr. Speaker, to-day he comes in and assents to a conference report the basis of which is that this criticism was just and

proper.

Mr. MORRISON. Oh, no.

Mr. HEWITT. I maintain that the criticism is correct, and think I understand what I am talking about. I modestly called the gentleman's attention to the fact that this would involve a call whenever there was a single million over one hundred millions in the Treasury. It went through the House with his refusal to take advantage of the suggestion I made; it went to the Senate and in that body to a committee of able lawyers, and it comes back here with an amendment to mittee of able lawyers, and it comes back here with an amendment to correct either the ignorance—no, I beg the gentleman's pardon—the failure to perceive the effect of the resolution itself; it comes back with an amendment to which he assents, protesting all the time that the original resolution meant just what the amended proposition means.

Mr. MORRISON. And I do yet.

Mr. HEWITT. Of course you do; I say you do. And yet you assent to this criticism upon your work. I am calling attention to what took place when the resolution was before the House.

Now I call the centleman's attention and the attention of the House.

Now I call the gentleman's attention and the attention of the House to another criticism, at which he will also shake his head. This criticism escaped his notice; it has escaped the notice of the conference committee and escaped the attention of the Senate.

This is the language of the resolution as reported:

That whenever the surplus or balance in the Treasury, including the amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and it is hereby, made the duty of the Secretary of the Treasury to apply such excess—

Remember there is no limitation upon the excess; whether it be ten millions or twenty millions or a thousand millions the excess has got to be applied-

To apply such excess in sums of not less than \$10,000,000.

He can not call less than \$10,000,000, but this resolution imposes upon him the imperative legal obligation to call every dollar of the surplus over the one hundred millions and the ten millions which is guarded by the new proviso and the twenty millions allowed for the working balance in the Treasury.

Mr. Speaker, I do not claim to be a lawyer; it is not my trade to construe statutes, but—

Mr. HISCOCK. Will my colleague yield to me for a moment?

Mr. HEWITT. No, sir; not now. I did claim it, and it was denied. The resolution went to the Senate and was corrected by that body, or rather by the report which the gentleman has signed as a

member of the conference committee.

Mr. HISCOCK. What I want to get at is the criticism my colleague is now making. If he has not sufficient time I will yield him a part

of my own time.

Mr. HEWITT. I say that under this resolution to which the gentleman's name, my colleague on the Committee on Ways and Means, is Mr. HEWITT. attached as a conferee, if I can understand the English language, the Secretary of the Treasury is compelled to apply to the cancellation of the debt every dollar in the Treasury in excess of \$130,000,000; and the very first month he must call bonds to the whole amount of the surplus, with the limitation that the call shall not be less than ten millions, but there is no limitation at all as to the excess over ten millions; and the obligation is as imperative as it is possible to clothe it in the English tongue.

Of course the chairman of my committee will shake his head and of course the chairman of my committee will shake his head and say there is nothing in this criticism. He did it before. But if I am no lawyer I have at least been accustomed to weigh the meaning of English words; and if there be any doubt about this thing my colleague from New York, who is a master of legal technicalities, will be able to point out where the difficulty is and explain why my construction of this provision is not the true and only construction.

The speech of my colleague on the committee [Mr. MORRISON] was a most ingenious and perfectly conclusive argument to prove that his hindsight was better than the foresight of the able financiers that funded the debt of the United States. And he proved it; and he has proved by his speech to-day that he is a master of hindsight. Why, sir, the Why, sir, the refunding of the debt of the United States is regarded by the men whom he stigmatized as "masters of finance" as the greatest triumph of financial ability that the world has ever seen or known; so great indeed that no man can take the credit of it. It was the progress of events that enabled the United States to fund its debt at successively lower rates of interest. The Speaker of this House, when he was on the floor, brought in a bill here to refund the debt of the United States at 3½ per He is a wise and able man.

I take as good account of his judgment as of any man I have ever known, and yet he was mistaken, and within twelve months after that known, and yet he was mistaken, and within twelve months after that time the debt of the United States was refunded at 3 per cent., for which my colleague from New York will tell us, as I agree, there was no warrant of law. If the law had been strictly complied with within a year after the debt was refunded at 3 per cent. it might have been refunded, certainly at $2\frac{1}{2}$ per cent. and probably at 2 per cent. interest. But so unexpected was the success of this magnificent funding operation there was no man to call in question the authority under which Secretary Windom achieved this signal feat of finance.

And yet in the presence of this magnificent march of human progress in the creation of capital, which is improving the condition of labor and industry all over the world, and is rapidly making capital to be the servant and no longer the master of labor, in the presence of this unexpected benefaction gentlemen get up here and carp at the men who did not foresee that the rate of interest would successively fall by rapid stages from 5 to 2 per cent. per annum. The gentleman from Illinois is not only a phrase-maker himself, but he seems to be captivated by phrases. He is the inventor of the phrase "fiscal distemper." Having made one invention which is likely to live, he seizes upon a chance expression of mine, not carefully thought out in the waking borres of the right and part in a sufficient way. hours of the night and put in a written report on which he had ex-pended all his unquestionable ability, but a chance shot, made not in connection at all with the question of the knowledge required to run the Treasury and the finances of the country successfully.

A MEMBER. It was an apt phrase.

Mr. HEWITT. Oh, yes; the language was apt. I do not take it ick. But I want to show how the gentleman is misled in his criticism by the mere accident of a taking phrase. I spoke of the time when the Treasury balance was being reduced in amount and said that when it got down to \$120,000,000 the hoarding of gold began. And then I added that it was not hoarded in stockings and laid away in secret hiding-places, but it was hoarded by the masters of finance; that is to say, the men whose business it is to study the condition of the money market and when they see the storm signals to furl their sails and prepare for the tempest which is impending. I do not love these masters of finance any more than I do the doctor who gives me medicine when I am sick, but my dislike to disagreeable doses does not make the doctor any less necessary in the hour of danger.

The trouble with the gentleman from Illinois is that he does not believe there ever will be a financial tempest again and in his assument.

lieve there ever will be a financial tempest again, and in his argument he ingeniously avoids the real issue involved in this resolution. Let us speak it out like men. This resolution means a silver basis for the obligations of this country. I know there is a large majority of this House in favor of that basis and that I speak to a hostile audience. Therefore, those who desire to bring about the change to the silver basis will vote intelligently for this measure, for it will as surely bring the country to a silver basis as the sun will rise to-morrow. You can not pour \$3,000,000 a month into a treasury already full and overflow-

ing-yes, I will agree with the gentleman from Illinois to that extentyou can not pour \$3,000,000 a month into a treasury already full without causing \$3,000,000 to flow out, and they will be the gold that is there,

the basis of our present financial system.

The adoption of this resolution with the twenty millions added for a working balance can only postpone this result about six months longer than would have been otherwise reached, provided we take advantage of that most wise enactment of Congress at this session, the issue of the or that most wise enactment of Congress at this session, the issue of the small silver certificates to take the place of what would otherwise be paid out in gold-bearing obligations. Thus you might possibly go on for another year or two but for the passage of this resolution. This resolution, however, serves notice—I will not say upon the masters of finance, for they want no notice—but it serves notice upon the men who own the property of this country that there is to be a transfer from the gold to the silver basis, by which 25 per cent. of the property of this country will change hands without the consent of the owner. That is what it

The gentleman from Illinois says, "Do not take the advice of the masters of finance; they are interested in United States bonds." Who owns the United States bonds?

Mr. MORRISON. I never mentioned the United States bonds.
Mr. HEWITT. Securities of any kind, then; but the bonds are the instruments which have to be paid off and which he says the banks do not wish to be called.

Mr. Speaker, who are the owners of those bonds? The bonds which are not held to secure circulation are almost all owned by widows, orphans, laborers, servants, people who have deposits in savings-banks, people who have bought them for investment and to secure life insur-

Mr. BLAND. How many of those bonds are held by the national

Mr. HEWITT. One hundred and two million dollars.
Mr. BLAND. Nearly all of them.
Mr. HEWITT. One hundred and two million dollars out of \$136,-000,000. But the gentleman from Missouri has failed utterly to get my point. I care nothing about those \$102,000,000. And let me say here—inasmuch as the gentleman from Pennsylvania [Mr. RANDALL] when he was speaking the other day shook his hand at me in a menacing manner and said there would be no trouble about this matter if was in some manner the organ of the national banks—let me say again what I have said once before on this floor in a previous Congress that I have never owned a share in a national bank, that I do not own a share in a national bank, that I never had any connection with the national banks except to deposit my money with them, nor do I borrow any money from them.

I stand here simply as a representative of that portion of the country in which, I grant, the largest amount of capital is gathered, and where there is the greatest possible interest to conserve the capital of the country. Is that selfish? Is capital an evil? Is capital a destructive agency? Why, if you could destroy the capital of this country you would reduce it to a state of poverty, of want, of barbarism. The capital that is required to carry the community through a single year is equal to the earnings of that year. The accumulated personal property equal to the earnings of that year. The accumulated personal property of the world would not carry on society for more than two years if production should cease. There is no duty so strong, there is no obligation so urgent as that which teaches us to conserve the capital of the country. The question of its ownership is altogether secondary. It is the best and truest friend of labor. And yet the capital which this resolution would destroy would be the capital of the most deserving portion. tion of the community, those who gain their daily bread by their daily

Mr. Speaker, I am opposed from first to last to every proposition which will tend to change the standard of value in this country, because a change in the standard of value means that the property of those who have labored hard to get it shall be taken away and given to the speculators and "the masters of finance." I do not want the masters of finance to lay their hands upon the hard earnings of the poor, the accumulations of the deserving. I want to check if I can the growth of these great fortunes by a better distribution of wealth. The transition from gold to greenbacks (and from greenbacks to gold, as my friend from Iowa [Mr. WEAVER] will very properly insist) was, in effect, the agency which created most of the overgrown fortunes which now exist in this country and which are a reproach to its civilization and its laws

But this kind of action, these propositions coming from men who do not know—and that is the excuse I make for them—who can not measure the result of what they will propose, will increase these overgrown fortunes, will create more of them, and will bring the labor and industry of this country into a hopeless condition of bondage. Every step toward this unhappy result I resist, and shall continue to resist so long as I have a seat as a Representative or a vote as a citizen who desires

to preserve the liberties and prosperity of the country.

Mr. WEAVER, of Iowa. I yield ten minutes to the gentleman from Mr. WEAVER, of Iowa. I yield ten minutes to the gentleman from Missouri [Mr. BLAND].

Mr. BRECKINRIDGE, of Kentucky. I resume the floor, but give

way to the gentleman from Missouri [Mr. BLAND] if he desires to speak

Mr. BLAND. I am always glad, Mr. Speaker, to follow the lead of the gentleman from Illinois [Mr. Morrison], and I did so with pleasure when this resolution passed the House, notwithstanding the fact that I did not believe then, and do not believe now, that it was neces sary to crystallize into law a provision by which the Secretary of the Treasury should be authorized to hold \$100,000,000 for the redemption of the legal-tender notes. The Senate has since amended the joint resolution, not only recognizing that reserve but also providing that twenty millions more shall be held as a working balance, and as this resolution, if adopted, will be taken as the voice of Congress and as the law of Congress upon this question, I can not give my vote in its favor. In the very able speech of the gentleman from Illinois [Mr. Morrison], in which in the main I concur, he stated that the Treasury Department was the only one that had been placed, at its organization, under the direct supervision and control of the representatives of the people.

If that be true, and it ought to be true, why is this resolution pro-

posed which takes away from the representatives of the people the control of the financial policy of the Government and confers upon the Secretary of the Treasury a power by which he is enabled, at his discretion, to suspend the operation of the law whenever in his judgment the public interest or the public credit may require? Gentlemen have undertaken to explain this resolution, but I have heard no explanation of it that is satisfactory to my mind. I believe it means simply this and I want gentlemen here to understand it—it means that whenever they have paid out the gold for the redemption of these bonds, then the operation of this resolution is to cease and not a dollar of silver is to go out. And if gentlemen who are in favor of paying out silver, either on bonds or other securities, vote for this resolution, they will simply sanction that construction of the law and say that the Secretary of the Treasury may hold the silver coin in the Treasury until doomsday, if he so desires.

Mr. WEAVER, of Iowa. If the gentleman will permit a suggestion, in proof that his view of the resolution is correct, I will remind the House that an amendment was offered in the Senate providing that the payment should be either gold or silver, and that that amendment

Mr. BLAND. Now, Mr. Speaker, what is the law to-day? There is plenty of authority upon the statute-book for the Secretary of the Treasury to redeem these bonds, and, in his discretion, to purchase or re-deem other bonds, if he desires. Therefore this resolution confers no further authority in that direction upon the Secretary than he has now, while it gives him discretion to suspend the operation of the law at any time. We are invited as members of this House to vote for a resolution which, if it means anything, means that the moment the silver dollar is reached the Secretary of the Treasury is authorized to suspend the law and retain the silver in the Treasury. That is the purpose for which this amendment was incorporated in the resolution. There is no other reason for it.

With no prospect of war, no prospect of danger from any quarter, with our revenues coming in from day to day in abundance to meet all with our revenues coming in from day to day in abundance to meet all the current expenditures of the Government, there is no apparent reason for this provision in regard to the reserve, and it was evidently inserted simply for the purpose of retaining the silver in the Treasury. I hope this House will not sanction any such policy. The gentleman from New York [Mr. Hewitt] claims that the resolution means silver payments. What do we coin silver for if it is not to be paid out?

Mr. HEWITT. Not silver payments, but a silver basis. I am in favor of paying out silver.

Mr. BLAND. Oh, yes; "a silver basis."
Mr. HEWITT. Well, quote me correctly.
Mr. BLAND. What do you mean by silver payment?
Mr. HEWITT. I mean that gold will disappear and silver will be

Mr. HEWITI. I mean that goth the datappear and the only money in the Treasury.

Mr. WEAVER, of Iowa. Does the gentleman from New York [Mr. HEWITT] favor paying out silver on the Government bonds?

Mr. HEWITT. I would never pay a dollar of silver on the bonds as long as I had a gold dollar to pay; but when I had not a gold dollar, then I would pay silver.

Mr. WEAVER, of Iowa. And this resolution means that only gold

dollars shall be paid out.

Mr. BLAND. Now, Mr. Speaker, the issue is presented directly to this House, whether the House is going to indorse a policy that looks to giving the Secretary of the Treasury authority to suspend the operation of this law and stop the payment of silver whenever he desires. The gentleman from New York [Mr. HEWITT] claims that this resolution will bring us to a silver basis. Probably it would (taking his definition of a silver basis, which is silver payment) if it were to be executed. If this discretionary provision were not contained in the resolution there would be something in the gentleman's criticism; but when the resolution contains a provision authorizing the Secretary of the Treasury to stop or suspend its execution at his discretion I do not understand what basis there is for the argument of the gentleman from We may as well meet this issue now as at any other time. New York. This House a few months ago voted down overwhelmingly a resolu-

tion for the suspension of silver coinage. Did that mean that we were to go on coining silver and hoarding it in the Treasury? It meant that it was to be coined and paid out upon the public debt and other securities, and if this Congress refuses to do that it will nevertheless be done, because the people of this country are not going to rest satisfied with existing legislation upon this subject. We must either stop the coinage of silver or else cease to talk about "silver basis" and "silver payment." I hope the House will vote down this conference reserves payment." I hope the House will vote down this conference report and will let the law remain as it is and not commit itself to the policy of giving the Secretary of the Treasury authority to suspend the opera-tion of this resolution whenever he thinks the silver basis is about to be reached. Gentlemen will remember that last September a little ring of bankers in New York, for the purpose of making capital to be brought to bear upon Congress, and in order to affect public sentiment and the legislation of Congress, in conjunction with the Secretary of the Treasury claimed that we were about to reach a silver basis. There was then were in no worse condition then than we are to-day. no more danger of a silver basis than there is now. The banks exchanged some five or six million dollars of gold for-what? For subsidiary coinage, knowing full well that under the law they could the next day deposit that subsidiary coinage and withdraw the whole of their gold. The whole proceeding was nothing but a farce to terrorize the country in order that Congress might be induced to suspend the coinage of silver. And before we reassemble next December we shall, no doubt, if this resolution be adopted, have the same scene re-enacted as an excuse for not executing the law.

I am in favor of the payment of the public debt. We never had such prosperity in this country as when we were paying large sums of money upon the public debt. In 1879, 1880, 1881, and 1882, when the largest payments on the public debt were made, we built more railroads, there was more enterprise and prosperity in the country, than at any time since

Here the hammer fell.

Mr. BLAND. I should have been glad to occupy a few minutes more. I thank the gentleman, who kindly yielded to me, for his court-

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (S. 335) to provide for protecting the interests of the United States in the Potomac River Flats in the District of Columbia.

The message also announced that the Senate had agreed to the amendments of the House to the bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service.

The message further announced that the Senate had passed without

amendment bills of the following titles:
A bill (H. R. 8596) for the relief of Beaufort Lee and others; and A bill (H. R. 4865) to extend the system for the immediate delivery of letters, and amendatory of sections 3, 4, and 5 of the act approved March 3, 1885, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes."

The message also announced that the Senate had passed the bill (S.

1597) for the erection of a public building at Yonkers, N. Y.; in which the concurrence of the House was requested.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the fol-

lowing titles; when the Speaker signed the same:

A bill (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service; and A bill (H. R. 2438) to authorize the Postmaster-General to allow com-

pensation to railroad companies in certain cases for apartment service heretofore furnished pursuant to agreement.

PAYMENT OF SURPLUS ON PUBLIC DEBT.

The House resumed the consideration of the report of the committee of conference on the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. Weaver, of Iowa, and Mr. Breckinridge, of Kentucky, ad-

dressed the Chair.

The SPEAKER. The Chair must recognize the gentleman from

Kentucky [Mr. Breckinridge].
Mr. WEAVER, of Iowa. With the understanding that I do not lose

own right.

Mr. WEAVER, of Iowa. I am controlling my own time.
Mr. BRECKINRIDGE, of Kentucky. I took the floor in my own right and gave the gentleman from New York [Mr. HEWITT] fifteen minutes of my time, in addition to the time granted by the gentleman from Iowa

Mr. HEWITT. So much of my twenty-five minutes as I did not use

I returned to the gentleman from Iowa. Just at this point, before my colleague on the committee [Mr. Breckinridge, of Kentucky]-begins his speech, I wish to say that when I remarked a few moments ago, in reply to a question, that I would pay out the gold as long as there continued to be a gold dollar in the Treasury, I, of course, wished it understood that if any man wanted silver I would give it to him

Mr. WEAVER, of Iowa. You would not make him take gold against

his will.

Mr. HEWITT. I would not make him take it.

Mr. WEAVER, of Iowa. I knew that.
Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, a conference be tween the House and the Senate on disagreeing votes means necessarily that there must be concession in order to reach practical legislation. The very fact that there is a conference committee presupposes the possibility of the two Houses reaching a compromise. I do not hesitate to say that where there is not involved any question of honor or of principle statesmanship consists in wise concessions in reaching mutual agreement by compromise. And the essential idea in the appointment of a conference committee is, that the Houses, having agreed as to the direction that legislation shall pursue, have disagreed as to the distance that it shall go and the mode of its pursuit; and by conference an agreement may be reached and practical legislation accomplished. Concession is not suprember compromise is not abundance at any the charge. cession is not surrender; compromise is not abandonment; and the object to be attained is more important than the mode of obtaining it or the details of the mode.

Now, does this conference report agree in its line of direction with what the House contemplated in the resolution which it passed? I say most emphatically that it does. We do not get all that we asked, say most emphatically that it does. that we wanted, all that we thought wise; but we do get something in the line which we thought ought to be pursued. What is the policy underlying this resolution which received 207 votes in this House and the vote of the entire Senate in one form or another? What is the underlying principle involved? It is that the surplus in the public Treasury shall be paid on the public debt? Whether in the mode pointed out by our resolution or in the mode pointed out in the resolution adopted by the Senate or in the mode suggested by the modification as proposed by the conference committee, the governing principle of the proposition is that the surplus in the Treasury shall be paid

upon the public debt.

Let me state the points of agreement. Two hundred and seven members of this House and the Senate unanimously agree that there is now in the Treasury millions of money too much; that the accumulations ought to cease; that payments of not less than \$10,000,000 monthly ought to be made in the cancellation of the public debt subject to call. So far the Houses are agreed. They agree in the policy—the payment of the public debt; they agree in the amount of monthly payments— \$10,000,000 monthly; they agree that the surplus is too large; they agree that the accumulation must cease; they agree that under present circumstances these payments are safe. They disagree (1) as to the necessity for a working balance and (2) as to what discretion ought to be reposed in the Secretary of the Treasury. What is essential in this statement?

Upon such a proposition, in such a condition, what concession is permissible, what compromise honorable? To accomplish practical legislation, what can we properly concede? We who make and will vote for this report subordinate mode to object, concede detail to accomplish important results. Will those gentlemen, like my friend from Iowa [Mr. Wealter] and my friend from Missouri [Mr. Bland], who are not portant results. Will those gentlemen, like my friend from Iowa [Mr. Weavers] and my friend from Missouri [Mr. Bland], who are not willing to have any paid out unless it can all be paid; who are not willing to save any interest unless the interest is saved in their way; who are not willing to allow the surplus to be disposed of under conditions which shall leave some discretion with the Secretary of the Treasury, simply say that the present burdens upon industry shall not be lightened, the public debt shall not be diminished, the interest shall not be paid, unless it is done according to the precise method which they ap-

Mr. Speaker, I heartily indorsed this resolution as it went to the Senate. I am not in favor of any of the provisions put upon it by the But in this Government under our Constitution the House and the Senate are the two constituent elements that must enact a statute; and it seems to me the very height of political folly to say that we will not enact any statute if the Senate will not agree with the measure as it is written by us when it leaves our Hall. *Per contra*, I do not hesitate to say that if the Senate will not go as far as I want to go I will go with them as far as they are willing to go, hoping that the future

will enable us to go farther.

Mr. WEAVER, of Iowa. Has not the Secretary of the Treasury a right to pay out the surplus now?

Mr. BRECKINRIDGE, of Kentucky. Undoubtedly.

Mr. WEAVER, of Iowa. Then you gain nothing.
Mr. BRECKINRIDGE, of Kentucky. What is the law? As it now stands the Secretary of the Treasury has the discretion to pay of the interest-bearing debt of the Government subject to call such sums as he may think fit. The \$100,000,000 which by the act of 1882 are mentioned with the phrase, "reserved for the redemption of the Treasury notes," may or may not by that act have been so set apart. I am not now discussing that question, and it is not necessary for this resolution; we leave that precisely as we find it. My friend from Missouri [Mr. BLAND] is wholly mistaken when he says this sets apart that \$100,000,000,000 and the says this sets apart that \$100,000,000. It does not do it, and he is entirely mistaken.

This resolution does not change the existing law as to that \$100,-000,000; it leaves that under the law as it now is. Nor does it ratify the present mode of book-keeping or of stating the public assets and liabilities. For the purposes of this resolution this \$100,000,000 is left out of its scope, and this mode of statement recognized. what, and with what alone, does this resolution deal? The surplus or balance in the Treasury. What "surplus or balance?" That described therein, i. e., that "excess" of public money found according to the form of statement of the United States Treasurer employed on June 30, 1886; to this "excess," and this alone, does it apply.

It leaves every other sum, fund, or amount untouched; it repeals, and if the Treasurer employed on the sum of the Treasurer

modifies, or amends no law, changes no regulation of the Treasury save as to this "surplus or balance," as to this "excess." Whatever discretion as to that \$100,000,000 the Secretary ever had he still will have. We do not encroach upon, enlarge, or diminish that. We do not change the law as to fractional or minor coin, nor as to "lawful money" deposited by the national banks. These questions are left under the present laws, whatever they may be. It enters into no question concerning gold, silver, or paper. The "lawful money" constituting that "surplus balance"—forming that "excess"—whatever it may be, coming into the Treasury in payment of public dues, shall be so used as is at present done, as has been always done, as the Secretary or Treasurer may deem best to preserve their parity and preserve the public credit.

So, also, this resolution is confined in the scope of the payments to be made; they are payments of the interest-bearing indebtedness of the United States payable at the option of the Government. So that this resolution can apply ex vi termini only to one hundred and thirty-two bonds and to "the surplus or balance" found according to the form of statement used on June 30; and all other questions are not affected

by its provisions.

Mr. BLAND. The point I should like the gentleman to address himself to is that under the sinking-fund act we would redeem about \$45,-000,000.

Mr. BRECKINRIDGE, of Kentucky. Yes, sir.
Mr. BLAND. This makes no provision that these bonds which are redeemed shall not be counted as part of that amount. I say the Department will be authorized to count this redemption as part of the sinking fund and your resolution would amount to little more than the

Mr. BRECKINRIDGE, of Kentucky. I only yielded to the gentle-man to allow him to ask me a question; I did not yield for another speech.

Mr. BLAND. I wish my friend to answer that point, whether under this resolution the Secretary of the Treasury would not be allowed

to count this redemption as a part of the sinking fund.

Mr. BRECKINRIDGE, of Kentucky. This resolution does not allude to or change any law now in existence, except to make obligatory on the Secretary that he shall pay that surplus unless upon his official and personal conscience he sees that an extraordinary emergency has arisen which renders it dangerous to the public interests to pay it out. we take the law as we find it, and the sinking fund as we find it, and without changing the law we say to the Secretary of the Treasury—

Mr. BLAND. My point is this—

Mr. BRECKINRIDGE, of Kentucky. Wait a moment; I will an-

Now, Mr. Speaker, we must assume the Secretary of the Treasury is a gentleman and wants to be honorable. We must assume, as he is a public servant, that he wants to discharge his duty. We must assume he is a law-abiding citizen who wants to execute the law, and we say by this resolution to him, who is our fiscal agent, whose discretion has been used in a manner which may or may not be wise, "You have accumulated enough on hand, and now pay it out until these one hundred and thirty-two bonds are paid."

Mr. WEAVER, of Iowa. If you think it is safe.

Mr. BRECKINRIDGE, of Kentucky. But to pay it out.

Now, Mr. Speaker, I will not doubt that the Secretary of the Treasury, wheever he may be has a honest a desire to discharge his duty as a mem-

whoever he may be, has as honest a desire to discharge his duty as a member of Congress or any other public servant, and this law says to him, you must pay that money out unless hereafter a new and extraordinary emergency arises, a new conjuncture of events, and then, on your official conscience, if you think it is not safe to do so, that to preserve the public credit it can not be done, then you may postpone these payments and submit to Congress your reasons therefor. Is that no change for the better?

Mr. BLAND. But the point is this—
Mr. BRECKINRIDGE, of Kentucky. The gentleman says we will have it counted as a part of the sinking fund. The statute provides for the redemption of bonds.

Mr. BLAND. It says he shall redeem so much under the sinking fund.

Mr. BRECKINRIDGE, of Kentucky. I do not wish to be discourt-

eous to the gentleman—
Mr. BLAND. I will not interrupt the gentleman if he does not wish me to do so.

Mr. BRECKINRIDGE, of Kentucky. It does not interrupt me, but

it takes my time.

This resolution does not change the present law relating to the sinking fund. The Secretary must obey the law as it now is, and call enough bonds to answer the requirements of that statute. He, in addition, has the discretion to call or purchase other bonds; and it is as to this discretion that this resolution becomes operative. If he call only the bonds sufficient to fulfill the requirements of the sinking fund, he will not have obeyed this act; and this disobedience will be clear if

there arise no extraordinary emergency.

And why shall we hesitate to give this order, and thereby have the chance of its execution and the consequent payment of more bonds, because there may be a possibility of its violation? We do not enlarge but limit the discretion now given. Our agent declines to pay out this money. We order its payment, its immediate, continued, stated payment, with the single proviso that if any new, unforeseen, and extraordinary emergency arises the payments may be postponed, but immediately thereupon if we be in session, or ten days after we reassemble, this agent shall report his reasons for this postponement and then his discretion is terminated and we assume the entire responsibility. Surely this limits his present discretion, and reduces it to narrow limits. But shall we surrender our object because we differ with the Senate as to the extent of this discretion? I prefer to take some risk to accomplish it rather than lose it by a futile discussion over the mode to be adopted.

I desire, Mr. Speaker, to answer briefly my distinguished friend from New York [Mr. Hewitt], to whom I always listen with delight, and when I dissent from him, with deference and reluctance. I am a lawyer, but do not pretend to be anything more than a plain, rough-and-tumble, country circuit-court lawyer, not a city lawyer with a specialty. But my construction of the language of this resolution to which my friend

from New York has referred-

That whenever the surplus or balance in the Treasury, including the amount held for the redemption of United States notes, shall exceed the sum of \$100,-000,000 it shall be, and is hereby, made the duty of the Secretary of the Treasury to supply such exces

That is all over the sum of \$100,000,000-

in sums not less than \$10,000,000 per month, to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government.

That is the gist of the whole resolution, all the balance being merely detail. My friend from New York says it is obligatory upon the Secretary to pay such excess at once. What, then, upon the principle that all parts of an instrument must be construed to be material—that you must construe in pari materia every part of an instrument-what is the meaning of the words:

In sums not less than ten millions per month?

Certainly he may pay the whole excess as soon as the resolution is passed, but he may pay but \$10,000,000 a month so long as the excess exists. He need not pay \$10,000,000 in every call, only every month; he may make more frequent calls and for smaller sums; and this may be wise. This is undoubtedly the plain meaning of this provision.

As to whether the first proviso of the Senate amending this resolution was or was not necessary according to the contention between the chairman of the Committee on Ways and Means and my friend from New York, I have but to say that it was perfectly clear to my mind that it York, I have but to say that it was perfectly clear to my mind that it was not necessary, for all the Secretary could pay out was "such excess" in sums of not less than ten millions per month. And if there was no "excess" there could be no call. It was only "such excess" that was within the scope or language of the original resolution; for "such excess" is the phrase used as the equivalent of "the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, "&c.; so that before this resolution becomes operative, or continues operative, there must be "such excess," that is, a "surplus or balance" over \$100,000,000, and on this "excess" alone does it operate.

But perhaps it is made more clear by the Senate, and for that reason

But perhaps it is made more clear by the Senate, and for that reason

I do not object to this Senate amendment.

As to the twenty millions of "working balance," I wish to say that I do not believe there is any necessity for a working balance of twenty

I repeat, Mr. Speaker, I do not believe that twenty millions is necesar repeat, Mr. Speaker, I do not believe that twenty millions is necessary for a working balance. I will go further than that. I do not believe that one hundred millions of gold is necessary for the redemption of the Treasury notes. I do not believe they need such a reserve. I am not a banker, and may not understand the dogmas which have been promulgated in reference to redemption; but my judgment is that the policy of maintaining the Treasury notes by retaining in the Treasury large a reserve is unnecessary. to large a reserve is unnecessary.

The stability of that currency does not rest on such basis as that. The scaolity of that currency does not rest on such basis as that. The confidence of the entire financial world in the securities of this country is not based on that reserve. It is not at the bottom of that confidence. It is based on the sixty million people of the country; upon the millions of acres of rich lands, upon the rushing rivers, upon the mountains filled with inexhaustible supplies of minerals, and in the belief which exists that the Anglo-Saxon race, which has always been an honest, industrious, and sweat-bearing people, would make money enough by their industries to pay their debts.

Wherever you find a community of this race you find a community

by whom loans of money can be had and little security asked for the loan. This it is that makes our money good. But shall we refuse to pay out between twenty and eighty millions of excess, say sixty millions, because the Senate thinks it necessary that we should hold a hundred millions and a working balance; and shall we sulk in our camp and refuse to order the payment of the sixty millions because the Senate will not unite with us in the order that eighty millions shall be

I approach, Mr. Speaker, one phase of this subject with no diffidence, and that is the allegation that this legislation is an attack on the Democratic administration. I believe that one essential element of Democratic success is the free interchange of opinion and a frank and resolute discharge of each man's duty as he sees it.

I have no attack to make on the President, or the Secretary, or anybody se. The President vetoes according to his conscience. I vote in the sight of God according to my conscience and my convictions. not desire to have this discretion imposed on the President as the Senate put it. The Secretary of the Treasury is the fiscal agent of the Government.

By the terms of the Constitution the power of raising revenue is primarily conferred on this House; "the power of the purse" is given to the legislative department; for the "purse" in a free government means the power of taxation, the result of taxes; this is the only "purse" we have. This belongs to us. I am not willing to abdicate that power, or to imprivite Newscare can be rejected. nor to impair it. No money can be raised except by our order; none appropriated save by us; none expended but in obedience to laws enacted by us.

This is the result of many years of struggle for parliamentary government; this is ours by inheritance; this is of the essence of free institutions; this is vital to representative government. The Secretary of the Treasury is our fiscal agent, and bears a different relation to Congress than that borne by the heads of the other Executive Departments. The Congress of 1789 would not permit him to perform such duties as the President might impose, but enumerated his powers and duties and prescribed that he should report to Congress.

Let us carefully preserve this distinction. I care not now to give reasons for it; they are conclusive. But we find it. Let us be careful not to obliterate it. It is more important and far-reaching than may

at first blush appear.

I insist that this preference is not only not an attack on the President, but precisely the contrary. It is unjust to predict a possible

attack and a contingent controversy

But we must leave something to the discretion of the Secretary. are not always in session. In one year from March to December we are in vacation. It may be that it is prudent to repose some discretion in the Secretary for emergencies which we can not foresee, so that sudden revolutions which come upon us may not find us unprepared. Any-how we must accept this, or surrender all hope of any legislation on this subject for this session. If it turn out to be unwise, we have lost nothing; for as it is he has large powers, and we have nothing to lose but may gain by this action.

And now, upon reducing it to its ultimate essence, the question for this Congress is this: We have said that this money shall be paid out. "All right," say the Senate, "but it shall only be with limitations; there shall be a working balance of twenty millions; and secondly, there shall shall be a working balance of twenty millions; and secondly, there shall be that discretion in the Secretary who shall make report to Congress immediately, that Congress may have an opportunity to pass upon it." I do not hesitate to say it is not what I wanted. It is not what I contended for as one of the managers of the conference on the part of the House. But it is no surrender to the Senate. It is no abandonment of any principle. It is merely to say, "I belong to a House which can not act in and by itself; I am a member of a body whose simple resolution has no effect, but in order to have an effect must also pass the Senate. I am powerless to have this thing except in this way; it is this or nothing. Shall I do nothing?"

There was one reason why I could not agree to do nothing. I am a

There was one reason why I could not agree to do nothing. There was one reason why I could not agree to do nothing. I am a Democrat. But I am more than a Democrat. I am a partisan, no doubt; I am no half-way man. I do notstraddle the fence. We might go to the people and say, "Here is the Democratic House which wants to pay out the surplus and the Republican Senate will not permit it." But I am not only a Democrat. I hope I am something else. I felt that on the committee I was representing not merely the House as one of its managers but behind that House I was representing the three hundred and twenty-five constituencies who sent us here. I was representing the hundred and twenty-five constituencies who sent us here. I was representing the hundred and twenty-five constituencies who sent us here. hundred and twenty-five constituencies who sent us here. I was representing the humble man, part of the fruits of whose sweat is daily taken

by this indirect taxation which you will not reduce. I was represent-ing there the widow and her orphan children whose great struggle in life is made more onerous because she has to pay part of her little earnings in consequence of that protective system which you will not revise. I was representing every section of the country and said, if we could not get all we wanted, if we could not send the fructifying stream from the Treasury without limit, we would at least turn as much of it as could be over the country.

We can devote our efforts to the settlement of the great policy that the public debt shall be paid without postponement, without prolongment, without excuse, and if we can not get it exactly as we want it we ought to take the best we can, and next year we will take another step and the year after another. And when I recollect the sum of money now in the Treasury, with so much more coming in before we can reach another option call, I ask why should we lose this measure

by quarreling over the details?

This provides for the calling of one hundred and thirty-two millions

This provides for the calling of one hundred and thirty-two millions of bonds. In my judgment no emergency will arise that will be a reason for postponing the payment of those bonds. And I say to my friend from New York [Mr. Hewitt], with great respect, another month has passed in safety since he predicted these disasters.

Mr. HEWITT. I did not predict they would happen at this time. But I predict now they are going to happen.

Mr. BLAND. You predicted that in 1877.

Mr. BRECKINRIDGE, of Kentucky. My friend is always predicting what will happen to-morrow, and that morrow never comes. We have had another month nearly since we had this discussion; and there is piled up in that Treasury \$80,206,325.98 of a balance, with nine millions of revenue over all expenditures during the month, and there has ions of revenue over all expenditures during the month, and there has been no disaster.

Ten million dollars of these bonds could have been called and the surplus would not have been diminished quite a million of dollars. So the experience of July is the same since January 30. Against the sad predictions of my friend [Mr. HEWITT] I again place this prac-

Mr. Speaker, we have outstanding \$132,000,000 of bonds; we have a balance of \$80,000,000; our revenues exceed our expenditures by from \$8,000,000 to \$9,000,000 a month; and to pay \$10,000,000 a month on this debt under such circumstances will bring ruin, produce disaster, precipitate a panie, stain our financial escutcheon, and cause bankruptcy! I beg pardon that I am incredulous. It is simply impos-

My colleague and others have asked this question: "What are we going to do with the banks, and what currency will we have when we pay off those bonds?' I do not know how the problem is to be solved; but I do not doubt the men who have that problem in hand—call them if you choose "masters of finance"—will be able to solve it. And this I know: It does not help us to postpone its solution by piling the money

The difference between my friend from Iowa [Mr. Weaver], my friend from Missouri [Mr. Bland], and myself is simply this: I am willing to take the half-loaf of compromise legislation.

Mr. WEAVER, of Iowa. Oh, no; you are willing to take it if the Secretary of the Treasury will let you have it.

Mr. BRECKINRIDGE, of Kentucky. I am willing to take it on the idea that a public officer of the Government means to discharge his

Mr. WEAVER, of Iowa. I ask the gentleman if he has not the power of paying it out now, and why does he not do it?

Mr. BRECKINRIDGE, of Kentucky. Because he disagrees with us. But when the law is passed which says that he shall pay it out unless some emergency arises requiring him to postpone the payment, then to say he will not pay it out even though no such emergency comes, is to say he is a violator of the law and an official perjurer, and I am not willing to say that. Mr. WEAVER, of Iowa.

He is the judge of the emergency himself. Mr. BRECKINRIDGE, of Kentucky. Is not a judge of the Supreme Court the judge of the cases coming before him? Is not the President called upon to judge in a case of executive duty which he has to decide? Are not we the judges of what we shall do in a given emergency? That is the whole point between those gentlemen and my-

I am surprised—no, not surprised, because it always occurs on measures of expediency, which are dignified into measures of principle, that the two extremes meet together—I will not say "flap together"—but who would have expected the day would come when my friend from Iowa [Mr. WEAVER] and my venerable friend from New York [Mr. HEWITT] would be pulling together as wheel-horses in the same team, for the purpose of keeping the surplus in the public Treasury? If a picture were drawn of the scenes in this Congress, what would be more incredible to the good people of Iowa than to see my friend from Iowa a wheel-horse in the same team with the honorable gentleman from New York [Mr. HEWITT] against paying the public debt out of the surplus in the Treasury? [Laughter and applause.]

Mr. WEAVER, of Iowa. I am always willing to have any man do

right; and I always regret to see a man who has been right "fall from

right; and I always regret to see a man who has been right and have grace," as in the case of the gentleman from Kentucky.

Mr. BRECKINRIDGE, of Kentucky. I have no doubt my friend from Iowa is a Methodist and believes in "falling from grace," and that he lives up to his principles. [Laughter.] As my friend from Texas [Mr. MILLS] suggests, I am an old-fashioned Presbyterian and believe in the "final perseverance of the saints" [laughter]; and if I can not be saved like Enoch was I am willing to accept salvation in a

This is a pure business proposition. We meet as directors around the table of a business corporation; for this great imperial Republic of ours is a great corporation. In its mere business aspect it is a magnificent corporation; and when we gather round this legislative table as a sort of board of directors, in the management of the business of this mighty corporation, shall any of us stand on his particular opinion as to matters of detail and say that nothing shall be done unless

his standard is accepted?

In my short public service here I have had in my heart two purposes. One was that, so far as I was concerned, the legislation of the country should be a matter of mutual compromise on true principles but impartial and just as to every section and interest; the other, that as far as my party was concerned we should come closer together. During this session no word of bitterness toward either party has escaped my

lips, and it is my determination that none shall.

This proposition in one aspect of it is a mere proposition as to dollars and cents, but in another aspect it is more than that; for when I take a column of figures like those given in the statistics of our country they are to me no longer figures, but become instinct with life, animate with They turn themselves into houses and homes, into lies. I see in them the result of toil and sacrifice, of labor and hope. parents and families. labor and love, and I come to the discharge of these duties and the contemplation of these subjects with a profound thanksgiving that these people are my brethren and that I have some opportunity to do or say something for them. In this spirit I have united in this report. gave up to some extent my own views, and I only ask that in this spirit it be received by the House which I have attempted to represent. [Applause]

Applause J.

Mr. HISCOCK obtained the floor.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, if I did not occupy the whole of my time, I desire to yield five minutes to the gentleman from Texas [Mr. Mills].

The SPEAKER. The gentleman has fifteen minutes remaining.

Mr. BRECKINRIDGE, of Kentucky. Then I will reserve ten minutes, and yield five to the gentleman from Texas.

Mr. HISCOCK. I desire to proceed now.

Mr. WEAVER, of Iowa. I rise to a point of order. I was entitled to an hour, and yielded part of it. I want it to be understood that I am not to be deprived of my right to control my time.

The SPEAKER. That can only be understood with the House.

The Chair has not control of that matter. If any gentleman who may hold the floor in his own right should demand the previous question,

and the House should order it, all debate would be closed.

Mr. WEAVER, of Iowa. Then I must claim the floor now.

The SPEAKER. The gentleman from New York [Mr. HISCOCK], a member of the Committee on Ways and Means, has been recognized.

Mr. WEAVER, of Iowa. But how can the Chair recognize any gentleman as against me, when I was entitled to the floor for one hour?

The SPEAKER. The gentleman from Iowa yielded the floor and reserved his time. Four gentlemen are in the same situation, having reserved such portion of their time as they did not occupy.

Mr. WEAVER, of Iowa. The reason I desired not to be deprived of the residue of my time was because I had promised it to other gen-

tlemen.

Do I understand that the gentleman from New York [Mr. HISCOCK] proposes to occupy the floor for one hour?

Mr. HISCOCK. I take the floor in my own right and propose that

an hour be occupied on this side of the House. Thus far the time has been occupied on the other side. I do not think there has been an equal

Mr. BRECKINRIDGE, of Kentucky. I was willing that the gentleman from New York should go on now, but I thought the other arrangement would be more satisfactory to him.

Mr. HISCOCK. I prefer that the gentleman reserve the residue of

Mr. HISCOCK. I prefer that the general reserve the residue of his time till I get through.

The SPEAKER. The gentleman from New York will proceed.

Mr. HISCOCK. Mr. Speaker, the burden of the remarks on the other side by those who oppose this report, as well as those who favor it, is an anxiety to pay the public debt.

The distinguished gentleman from Kentucky grew exceedingly elocated with thems. I may be permitted in this connection to call quent on this theme. I may be permitted in this connection to call the gentleman's attention to the rapidity with which the public debt has been paid—\$1,300,000,000 in twenty years! Thirteen hundred million dollars in twenty years—I speak from recollection—and in that period of time we resumed specie payment, and since we resumed specie payment we have maintained the parity between gold and silver. We resumed specie payment and paid this vast volume of the public debt. The Republican party did it, I say, and we paid it without debasing one coin—no, I will not say without debasing one coin, but without driving out one coin and substituting for it another of an inferior value.

I am entirely willing gentlemen on the other side should plume themselves on this question now that they wish to pay the public debt. It has been one of the issues upon which they have gone to the country, that we have been keeping in the Treasury vast sums of money which could be applied to its payment, \$400,000,000 of surplus we have been told. I think the Democratic resolutions in their last national convention announced that we were accumulating a surplus in the Treasury at the rate of \$100,000,000 a year, or to that effect. Now they come here and ask to disburse upon the public debt the sums of money we have collected, the sums of money collected under laws due to Republican administrations. And the administration that came into power upon that resolution resists this branch of Congress, the House, that originated the measure, upon the ground there is no surplus in the Treasury and they must continue to exercise the discretion wisely reposed in their predecessors. What a commentary on Democratic pretenses!

So much, Mr. Speaker, in response to the gush on the other side of the Chamber that we should rush onward and disburse the balances in the Treasury, no matter if it drives us to a silver basis; no matter what effect it may have we must rush onward in the direction of the payment of the public debt. Is there not a desire to break public faith—embarrass even the administration they elected—at the bottom of it? No nation on the face of the earth has accomplished so much in the direction of debt-paying as this. I admit frankly I am not animated either by a desire to pay it, or not to pay it, in my support of the report brought in by the conference committee.

But I must to some extent reply to the partisan, political arguments

made on the other side of the House.

I say I am not influenced by the question of the payment of the public debt and for the reason that it is absolutely certain that all of it will be paid—that is, payable at the option of the Government—before the time bonds will mature in 1891, and at the present low rate of interest, and taking into account the uses to which the 3 percents are put as security for circulation, it is questionable whether it is desirable they all be paid in the next fourteen months rather than have their payment extend annually through to 1891

have their payment extend annually through to 1891.

My colleague from New York [Mr. Hewitt] has called attention to the Senate amendment to the resolution, and says, if I understand him, it is defective in that it imposes no restriction on the power of the Secretary to pay out this surplus. He may pay out the surplus upon the public debt, no matter what effect it may have? Is not that the law to-day? He has the power to pay all the surplus now on the public debt. The only effect of the amendment is that it commands him within certain limits to pay out more than he may choose to in the discretion which he has under the present law.

Mr. Speaker, I admit, if I could have my way about it, I would not interfere with this question—the discretion of the Secretary of the Treasury; I would not limit it at all. The resolution reported by the gentleman from Illinois [Mr. Morrison] did not have my approval and did not have my support. I accept the report of the committee of conference for this reason; I recognize the fact there is a determination on the part of Congress to have a direct, positive policy and limit the discretion of the Secretary of the Treasury, and therefore I propose as far as I am able to shape that policy in the direction of honest, capable, and just management of the finances of our country, and looking to the credit of the Government itself, and retain as much discretion as I can to the Secretary.

This resolution differs from the one reported to the House by the Committee on Ways and Means which passed here, in that it increases the amount to the extent of \$20,000,000 below which the Secretary of the Treasury is not compelled to go in the payment of the balances in the Treasury upon the interesting-bearing debt, and that is an improvement of the resolution as it left the House, in my judgment.

I do not know, sir, that I quite agree with the distinguished gen-

I do not know, sir, that I quite agree with the distinguished gentleman from Illinois that the effect of that provision in this report, or in the Senate amendment, may be that which he claims for it. I can conceive of a state of finances, during the present fiscal year, that might render it very improbable that our surplus of revenues will be so large, and make it possible to pay the whole of the \$10,000,000 each month from them, or any part of it; and I believe quite probable a condition of the finances in this country in the present year which would render it necessary to encroach upon the whole surplus now in the Treasury even to the extent of the \$20,000,000, which is reserved by the Senate amendment as a working balance in the Treasury to execute the resolution as it passed the House. And that is one of the potential reasons why I favor this report of the conference committees of the two Houses.

I have before me a statement of the appropriation bills as they have passed Congress, or their minimum amount in conference, and I shall publish it with my remarks, and now invite attention to it.

Status of the regular appropriation bills, amounts appropriated by each, together with the miscellaneous appropriations.

Title of bill.	Amounts.
Agricultural. Army Consular and diplomatic District of Columbia. Indian Military Academy. Navy. Pension. Post-Office Fortification Legislative. Sundry civil River and harbor Deficiency Urgent deficiencies. Miscellaneous Naval increase act.	\$654, 715 00 23, 753, 057 21 1, 364, 065 07 3, 721, 050 99 3, 721, 050 99 5, 561, 262 84 297, 805 00 12, 989, 907 22 76, 075, 200 00 62, 900, 000 00 22, 741, 133 20 22, 657, 570 88 14, 473, 900 00 6, 850, 325 03 7, 100, 555 84 9, 600, 000 00 3, 500, 000 00 3, 500, 000 00
Grand total	264, 326, 410 31

*Including \$5,739,495.41 to pay awards of the Alabama Claims Commission, and which is incident to the act approved June 5, 1882. (Volume 23, page 98, Statutes at Large.)

The Treasury Department makes up its account in respect to the postal revenues and expenditures for that service by charging the other revenues with the deficiency in the postal revenues to pay for the service. It of course makes no difference in the final result whether the account is made that way or the postal revenues are added to the other revenues of the Government and the expenses of the service added to the other side; but to avoid confusion I will make up my account in the method adopted by the Government.

The appropriations less those for the postal service are as follows:

1000	All appropriations by this Congress.	\$264, 326, 410 31 54, 365, 863 25
		209, 960, 547 06
	The amount of the permanent annual indefinite appropriations is	118, 910, 955 00
		328, 871, 502 06
ı	To this must be added the deficiency in the postal revenues to pay for that service (estimated by the Government)	7, 000, 000 00
	Aggregate	335, 877, 502 06
	for excess of duties collected (estimated by the Treasury Department)	\$5,000,000 00
	Aggregate	340, 877, 502, 06 336, 144, 290 00
	Deficiency	A 722 919 06

When we shall adjourn, the amounts can not vary \$250,000 from those I have given. The revenues for the last year were \$13,500,000 more than for 1885, and are, judged by former years, quite likely to fall off in the present year that amount from what they were in 1885; but grant they remain the same, the appropriations made by this session of Congress are more than made at the last session for this the same administration in its first year of trial, and we have been compelled at this session to provide \$14,000,000 for deficiencies, and no one will claim less than half that amount, \$7,000,000, will be voted at the next session, when the Congressional elections are over; and it is absolutely certain 4 hat upon the basis of last year's receipts our appropriations, including annual, permanent, miscellaneous, and the requirements of the sinking fund, will exhaust our revenues; and if this should transpire it is a wise provision that permits the Secretary of the Treasury to reserve the \$20,000,000 for a working balance. Nothing less might force a silver basis or the encroachment upon funds held in trust, or place the Government at the mercy of speculative combinations.

Against this it is a mere question of the use of the \$20,000,000 in the discretion of the Secretary, for the discretion as to paying it out on the debt or keeping it in the Treasury is reposed in the Secretary of the Treasury. It is altogether too inconsequential for this House to hesitate over as a point of disagreement between it and the Senate from the standpoint of those who favored the resolution as it passed the House.

Now, I come to the next great difference between the Senate and the House, and desire to call the attention of the House to the language contained in the Senate amendment to which exception has been taken upon the other side:

And whenever in the case of any extraordinary emergency not now existing, and when because thereof in the opinion of the Secretary of the Treasury the public interest shall require it, he may by a written order postpone the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired.

I wish to call the attention of the House closely to that proposition. We give to the Secretary of the Treasury the power to suspend the action of this statute. When? When the public credit is in danger,

when national honor is involved, when a great financial calamity is to be averted by such action, or when the banks are in trouble, when our business men are in distress, or when, I repeat it, it is necessary to maintain the public credit unimpaired. I appeal to gentlemen on the other side of the House and upon this side who voted for this resolution as it passed the House to give attention to this matter. Congress is not always in session. Would you not vest some power or discretion in this high official to rest there so as to protect the public credit in cases of danger?

Will our friends upon the other side say that, though the Secretary of the Treasury, a member of a Democratic administration, a man of their own choice, he is unworthy to be charged with that discretion? Why, Mr. Speaker, for twenty years or more that discretion has rested with a Republican Secretary. For twenty years or more a Republican Secretary has had that wise discretion. For twenty years he has had the power to pay out all of this surplus upon the interest-bearing public debt or withhold payment, and this discretion has been exercised with that wisdom, as I have said, that we were able not only to protect the public credit but to resume specie payments.

The resumption act went into effect, and since that time we have been enabled to maintain on an equality our gold and silver coinage. We can point to what we have done as illustrating the wisdom of giving this discretion to the executive branch of the Government. As was said by the gentleman from Illinois, the Secretary of the Treasury is more especially under the control of Congress. Why, then, I ask, should not we leave that discretion with him?

The wisdom of that policy has already been demonstrated. true in strong language we have placed the discretion in the bill; and perhaps he might feel that there was imposed upon him a greater responsibility in exercising it than under the present law. And yet I assume that any Secretary of the Treasury will always pay out the money upon the interest-bearing debt as he thinks it safe for the interests of the Government and for the interest of the people. And, sir, I am quite willing to leave with the present Secretary of the Treasury, or the acting Secretary, Mr. Fairchild, or any Secretary President Cleveland may nominate and the Senate confirm, the exercise of all the dis-

Then, what is the effect of this report of the conference? As the gentleman from Illinois reads it, there is no difference between it and the resolution as it passed the House. As I read it, there may possibly be none until we come to the question of discretion; and then the question is presented whether we shall reserve to a high officer, under the control however of Congress a discretion; in the interest of the the control, however, of Congress, a discretion in the interest of the public credit, integrity, and honor, and the business interests of the country to suspend these payments at a time when they may demand them.

I would elevate this question above partisanship. Any officer, to whatever party he may belong, whatever its policy; sentiment, or prejudices may be, will rise to the occasion. I think it better that we leave the whole matter where it is now, without any limitations, but it seems to me that there is a power in the Democratic majority to force some action from Congress on this question, and therefore I accept the conference report as the best thing attainable and to avert something worse. And trusting to the wisdom of the Secretary of the Treasury, I would be willing to leave it all and precisely where it is now; but I recognize the fact that this has been made a great political question. I recognize the fact that some action will be forced from Congress on this question; and in view of that fact when propositions are presented which are conservative in character, and from which I can see no danger if the administration is brave and wise, I deem it the part of wisdom on the part of those who agree with me on this question, that they accept the proposition as it comes to us, and therefore, sir, it is that I, for one, concluded to unite in this report agreeing to the amendments adopted by the Senate to the House resolution.

I can not, sir, be as much of an alarmist as my colleague from New York [Mr. HEWITT] on this subject. I might agree with him; I do agree with him; there is no necessity for this or any action; but so long as this discretion is reserved to one branch of the Government, so long as there is retained the power to suspend the operation of this law, I certainly can see none of the disasters which he is disposed to paint, and which he predicts will come from this action on the part of Con-

I yield ten minutes to the gentleman from Illinois [Mr. CANNON]. Mr. CANNON. I am gratified to have a little time in which to say I voted for the resolution as it passed the House, and I was heartily in favor of it for the reason that it directed the Secretary of the Treasury to follow substantially the example that was set him by Republican Secretaries of the Treasury, although it was not quite so radical in its direction as the action of the Republican Secretaries of the Treasury had frequently been. I shall vote for the conference report because it directs in effect the Secretary of the Treasury to pay in sums of not less than ten millions a month \$60,000,000 now in the Treasury and the surplus revenues as they come into the Treasury on the public debt. I think that can safely be done and ought to be done.

I will say in addition that I have little sympathy with some reasons

that are urged against the adoption of the report, and perhaps I have not much sympathy with some reasons that are given for its adoption. But I will not quarrel with members of the House while voting with them as to what their reasons may be for voting as I do.

I want to say further to the gentleman from New York [Mr. HEWand the say affect to the general from New 10th [Mr. Hew-1TT], for whose ability I will say, as I have frequently said before, touch-ing all financial questions as well as other questions, I have great re-spect, that I do not sympathize with his views on this resolution for the reason that his party can not settle and no other party can settle the silver question or the gold question by hoarding silver or other money in the Treasury. That policy would be like trying to kill a tree by lopping off the twigs instead of going to the root; and when I say that I also want to say that I have no sympathy with the other extreme in his party represented by the gentleman from Iowa [Mr. Weaver] and the gentleman from Missouri [Mr. Bland]. I am in favor of maintaining both metals. The unit ought to rest on both not only in theory but in fact. I sometimes think from the course of discussion in this House that the gentleman from Iowa and the gentleman from Missouri and others who agree with them are in favor of silver because it is the cheaper metal of the two and would be content if the unit was to rest upon silver practically to the exclusion of gold for the reason, and that reason only, that it is the cheaper. I have no sympathy with that view. I would as soon the unit would rest upon gold as upon silver alone, or vice versa.

I want to say further to the gentleman from New York that the bur-

den rests upon him and his party to give proper legislation. It makes but little difference what my party or myself may think about it under existing circumstances, we are in the minority. The gentleman from New York sees danger in the immediate future and would hoard the New York sees danger in the immediate future and would hoard the money in the Treasury. I say again, in my opinion that is not the true remedy. If a remedy is provided it must be by apt and proper legislation at the hands of the party now in power that will keep both of these metals permanently circulating side by side. But I do not think your party will do it. You can tear down, but have no ability to construct. I have one consolation. I do not think any party is perfect, but I have one consolation. fect; but I have one consolation. I have always been an humble mem-ber of the Republican party, and although it may have had shortcomings, failed here or went too far there, never through the long years that it has had power was a responsibility thrown upon it, financial or otherwise, but it met it and met it by its own strength, wisdom, and

Now the people have seen proper to put us in the minority and the responsibility is upon you. And you occupy the attitude not of solving this question with or without the aid of the minority, but you occupy the attitude before the country to-day of failing to solve the question, quarreling among yourselves, and, when some temporary measure (it is merely temporary) is brought up to utilize the surplus in the Treasury for the payment of the public debt and compel your Secretary of the Treasury to do what he should do on his own motion, or when any other financial or revenue question come up you fall afoul of each other, and in the mean time the country goes without revenue legislation and without financial legislation that will either settle the question at issue or show a plain road in which we can march in our onward course in the future.

And yet the gentleman from Pennsylvania [Mr. RANDALL], my colleague on the Committee of Ways and Means [Mr. MORRISON], the gentleman from New York [Mr. HEWITT] with his extreme notions at one end and the gentleman from Iowa [Mr. WEAVER] at the other extreme, after all these dissensions and failures, come here in the expiring hour of this session and again advertise themselves and exclaim, "Great is Democracy," and appeal to sixty millions of people to give them a new lease of power. I do not believe the people will do it. I know they ought not to do it, and I shall not believe they will until I see it done.

Mr. EVANS. Mr. Socales who the vicinity will until I see it done.

Mr. EVANS. Mr. Speaker, when the joint resolution was before the House, I voted against its passage for the reason that I regarded it as too compulsory in its character; but since it has been amended by the Senate, so as to guard more carefully the surplus of \$100,000,000 in the Treasury for the redemption of the United States notes, and placed a cash working balance of \$20,000,000 at the discretion of the Secretary of the Treasury, together with the power given to the President in an extraordinary emergency to suspend the further call for the payment of our indebtedness for such a period of time as shall be necessary to maintain the public credit unimpaired, I have no hesitation now in voting for the resolution, especially as it contains another amendment of great interest to my people and one involving the honor and integrity of the Government. My object in arising at this time is almost entirely for the purpose of urging the House to instruct its conferees on this resolution to accept and adopt the Senate amendment which relates to the redemption and recoinage of trade-dollars, as follows:

redemption and recoinage of trade-dollars, as ioliows:

SEC. —. That for a period of six months after the passage hereof, United States trade-dollars, if not defaced, mutilated, or stamped, shall be received at their face value in payment of all dues to the United States, and shall not be again paid out or in any other manner issued.

SEC. —. That the holder of any United States trade-dollars, during the period aforesaid, on presentation of the same at the office of the Treasurer or any assistant treasurer of the United States, may receive in exchange therefor a like amount and value, dollar for dollar, in standard silver dollars or in subsidiary coins (at the option of the holder) of the United States.

SEC. —. That the trade-dollars received by, or paid to, or deposited with the Treasurer or any assistant treasurer or national depositary of the United States shall not be paid out or in any other mainner issued, but, at the expense of the United States, shall be transmitted to the coinage mints and recoined into standard silver dollars.

SEC. —. That all laws and parts of laws authorizing the coinage and issuance of United States trade-dollars are hereby repealed.

This amendment, as I understand it, is in the exact words of the bill reported to the House by the Committee on Coinage, Weights, and Measures on the 29th of April last. And this is the first opportunity for an expression of opinion on this question in this Congress. It will be remembered that in the last Congress the House passed by a large majority a bill similar to this amendment.

In the brief time allotted for discussion it is not necessary for me to go into the history of the coinage of trade-dollars in the United States and the causes leading thereto. You are aware that the authority to coin them was given under the act of February 12, 1873, in the follow-

ing words:

The silver coins of the United States shall be a trade-dollar, a half-dollar or 50-cent piece, a quarter dollar or 25-cent piece, a dime or a 10-cent piece.

The act defines the relative proportion of pure silver and alloy in the trade-dollar, and directs that the devices and legends upon itshall be the same as upon other coins of the United States. The act also makes it a legal tender with other designated coins of the same act to the extent of \$5. It also bore on its back the certificate of the United States that it was of certain weight and fineness. Relying on this certificate and pledge of the nation it became a current coin at home as well as abroad, and debts to the amount of millions were paid by it. It has been asserted that it was never intended for home circulation and that the legislative purpose of its creation was to promote trade with China and other Asiatic countries by making a coin that would be acceptable to them. While this may be true, the specific object of the law was not made known by the law itself. There was no prohibitory clause; on the other hand it led the people to believe that it was just as much a coin of the United States as any of the other legalized issues; for the act expressly says the silver coins of the United States shall be a tradedollar, a half-dollar, &c. The same act further recognized it by declaring it to be a crime to counterfeit it.

As a reason for not redeeming trade-dollars it has been claimed that they did not go into circulation until after the passage of the joint resolution of 1876 which took away their legal-tender quality. This is not true, for it is shown by the statistics of coinage and exports that at that date three millions more had been coined than had been exported. Before the passage, however, of the joint resolution the Government had coined some fifteen million trade dollars, and after its passage the Government continued to coin them until \$20,000,000 more had been issued. The act of 1873, section 16, provides that no other silver coins shall be issued from the mints except those mentioned in the act. From 1873 to 1878 the only silver dollars coined by the United States were trade-dollars. When Congress took away their legal-tender quality it made no provision for their redemption, and very unwisely continued to coin them for several months after the passage of the act of 1878. It has been claimed by some persons, particularly Dr. James C. Hallock, of Brooklyn, N. Y., who has for years maintained that every man has a right to pay the Treasury in its own coin, including trade-dollars, that the act of February 12, 1878, provides for their unlimited legal-tender quality the same as for standard silver dollars, and repeals so much of

the joint resolution of July 22, 1876, as refers to trade-dollars.

The act of February 28, 1878, provides as follows: "That there shall be coined at the several mints of the United States silver dollars of the weight of 412½ grains troy of standard silver [900 fine], which coins, together with all silver dollars heretofore coined by the United States of like weight and fineness, shall be a legal tender," &c. In section 3 it is provided that "any holder of the coin authorized by this act may deposit the same with the Treasurer or any assistant treasurer of the United States in sums not less than \$10, and receive therefor certificates of not less than \$10 each, corresponding with the denominations of the United States notes." If, as has been claimed by some, the trade-dollar was intended for circulation in China only, it may well be asked, Why was it necessary to make it a legal tender and at the same time provide that no other silver coins be issued by the mints, and why did the Government continue to coin them in excess of the foreign demand for two years after the repeal of their legal-tender quality and until nearly \$36,000,000 had been coined? How were the common people to know that they were intended for China alone? There was no such provision in the law. There was nothing about them to indicate that they were not intended for trade at home as well as abroad. It bore on its face the American goddess of liberty and the thirteen stars repon its face the American goddess of interty and the thirteen stars representing the thirteen original States, also the motto, "In God we trust," and on the reverse it said, "Trade dollar." If it can be said they were not intended for trade at home, it can also be said that there was no intention to authorize their refusal whenever they happened to come into circulation in this country.

In the collection of duties by the Secretary of the Treasury during the years 1875, 1876, 1877, and 1878 duties on merchandise imported from countries using a silver standard of payment were estimated "at the trade-dollar rate" of 420 grains of standard silver as the equivalent of \$1 in gold.

The remonetization of silver under the act of February 28, 1878, made the standard silver dollar and "all silver dollars heretofore coined by the United States of like weight and fineness" a legal tender and exchangeable for silver certificates. Now the question arises, what coin should be regarded as of like weight and fineness? According to precedents established in the early history of our Government, it was conceded that an excess of silver worked no injury even in pieces illegally coined by the mint. Secretary Folger, in his report of 1883, said, "The reading of the law taught the people that the trade-dollar was a coin of their sovereignty, and for the redemption of which at an unabated value their Government is bound." He, however, held the opinion that its distinctive name, trade-dollar, was sufficient to destroy its legal-tender quality. But in accordance with his views that they were a coin of the sovereignty he recommended in his annual report of 1883 that they be redeemed by the Government at their face value.

The dollar of the fathers, about which there has been so much eloquent talk, was coined before 1837, and weighed 416 grains. Under the usual construction of the law that excess worked no injury, Secretary Folger decided that these 416 grain dollars were constructively of like weight and fineness with the standard silver dollar, and the United States Treasurer has always received them the same as standard silver dollars. The same reasoning which led the Secretary to take the 416-grain dollar should have required him to accept the 420-grain dollar, for an excess of 7½ grains could work no greater injury than an excess of 3½ grains. The fourth section of the act of 1878 repeals all acts and parts of acts inconsistent with its provisions. It is claimed by Dr. Hallock that it is evidently inconsistent to make the dollar of 4122 grains a legal tender and leave the other dollar of 420 grains without that quality. Consequently that part of the resolution of 1876 which declares "that the trade-dollar shall not hereafter be a legal tender," being inconsistent, must have been repealed by the act of 1878. It must follow, therefore, that the trade-dollar stands as a legal tender precisely on the same footing as the standard silver dollar. am informed that this view of the question was submitted early in May last by the President to the Attorney-General for his opinion.

I am also informed that Attorney-General Garland has rendered an opinion, not published, that neither the dollar of the fathers nor the trade-dollar is a legal tender. He would have them both repudiated. Under the early precedents and the later rulings of Secretary Folger an excess can work no injury in the dollar of the fathers. Mr. Garland is alone in proposing to repudiate it. Common sense, it seems to me, ought to teach us that the more we have of a thing of value the better off we ought to be; therefore the Government could not possibly be a loser by accepting 420 grains of silver in exchange for 412½ grains or, if

in subsidiary coin, 385.8 grains.

While arguing in the Attorney-General's office the question of the Government receiving its own coin-the trade-dollar-Dr. Hallock discovered two precedents of inestimable value. The first is set forth in a Treasury circular issued by Oliver Wolcott, jr., Secretary of the Treasury, who succeeded Alexander Hamilton in Washington's cabinet and held over for years in John Adams's. This circular was issued while Congress was in session and after the House of Representatives had appointed (November 24, 1797), a select committee to report upon the subject (American State Papers, 1 Finance, 503). This important circular reads as follows:

TREASURY DEPARTMENT, November 23, 1797.

TREASURY DEPARTMENT, November 23, 1797.

To the collectors of customs and supervisors of the revenue:

SIR: In consequence of the proclamation of the President of the United States, of the 22d of July, 1797, founded on the act of Congress passed on the 9th day of February, 1793, entitled "An act regulating foreign coins, and for other purposes," all foreign silver coins, except Spanish milled dollars, and parts of such oblars, ceased to be a legal tender for the payment of any debts or demands, after the 15th day of October last.

The president and directors of the Bank of the United States having, however, manifested their consent to receive French crowns and other foreign silver coins, at the rates at which the same were current, and a legal tender, prior to the time mentioned in the President's proclamation, thas been deemed advisable to permit the said foreign coins to be received in payment of the revenues of the United States on the terms and conditions prescribed in the act of Congress of February 9, 1793, before mentioned.

To obviate inconveniences which may attend the negotiation of Treasury drafts, the supervisors and collectors are, however, requested to specify, in their weekly returns to this Department, the sums which may, from time to time, remain in their possession, of foreign silver coins, which are not, by law, a tender in payment of debts; they are also requested to give information whether the said coins are, or are not current, by common consent, to the end that such measures may be adopted, for the collection of the revenues, as circumstances shall be found to require. found to require

The second precedent is found in a communication from William H. Crawford, Secretary of the Treasury, to W. B. Rochester, chairman of the House Committee on the Mint (American State Papers, 4 Finance, 232). By the act of March 3, 1819, foreign gold coins had ceased, after November 1, 1819, to be a tender within the United States for the payment of debts or demands. How little Secretary Crawford was deterred by that law from doing what was right will be seen in the following communication:

TREASURY DEPARTMENT, February 3, 1823.

Sir: In reply to your letter of the 31st ultime, inquiring whether it would not be expedient to make the gold coins of Great Britain, Portugal, France, and Spain receivable in payments to the United States at their intrinsic value, and especially in payments on account of public lands, I have the honor to state that it is deemed proper that they should be made a lawful tender in all payments to the United States on account of public lands.

Upon the expiration of the act of Congress which made them a legal tender in the payment of debts in the United States, the receivers of public money were authorized to continue to receive them in all payments on account of public lands, and they are, in fact, now received by them. This authority was given, first, because no doubt was entertained that the creditors of the Government in the States and Territories where the land offices were established would receive such coin in preference to the notes of the State banks established in those States and Territories, and, second, because the refusal of those coins and of the notes of the local banks would have placed it out of the power of the purchasers of the public lands to make payment, as the notes of the Bank of the United States and of its offices did not circulate among them, and the current coin of the Union did not circulate in sufficient quantity to meet even a small proportion of the payments due to them.

Congress, both in 1798 and 1823, passed laws continuing in force the

action of the Treasury Department.

The Treasury Department has never refused the "dollar of the fathers," which dollar of 416 grains the Attorney-General, I am informed, holds to be no more of a legal tender than the trade-dollar. Even if it is held that this "daddy dollar" is not a legal tender, still, following these precedents above cited, the Treasury Department is justified in continuing to receive this piece of 416 grains. In like manner, if it is held that the trade-dollar is not a legal tender under the law of 1878, and that that law has not repealed the joint resolution of 1876, which says that "the trade-dollar shall not hereafter be a legal tender," still the Treasury Department would, in view of these illustrious examples, be justified in receiving the trade-dollar of 420 grains the same as standard silver dollars of 412½ grains. But the Treasury Department refuses to follow the examples set by the administrations of John Adams and Monroe; and holders of trade-dollars must look to Congress for relief.

Ah! but we are very wisely informed that these trade-dollars have

been sold at a discount, and are now in the hands of speculators. If this be true, who is responsible? Who made speculation possible? Why, the Congress of the United States when it took away their legal-

tender quality without making any provision for their redemption.

Even if the assertion were true that they are in the hands of speculators, it would be no good and sufficient reason why the Government should not redeem them. During the rebellion, when the Government was compelled to issue many million dollars of bonds, they were sometimes purchased at a great discount, but the Government did not claim because the bonds were sold below par that it would not redeem them at their face value. So far they have been paid dollar for dollar in gold or its equivalent.

But we are not ready to admit that the trade-dollars have all passed into the hands of speculators. A little more than a year ago I made a very careful investigation as to the number of trade-dollars and the manner in which they were held in my State, Pennsylvania. I addressed a circular letter to the banks, bankers, and trust companies, and to many private individuals, requesting them to give me the amount of their holdings, and the manner in which they were held. The result of that investigation was, as stated in my speech of March 27, 1885, as

Less than 5 per cent. of the whole amount were taken at a discount. The correctness of my investigation is borne out by the reports of the Comptroller of the Currency and the Director of the Mint, made at the opening of the session to this Congress. By these reports it is shown that there are, independent of the banks, which hold \$1,600,000, about \$5,000,000 still in the hands of the people, nine-tenths of which are held at their face value.

Within the last month I have had reported to me by private individ-uals living in the city of Philadelphia nearly \$300,000 of these coins taken at their face value in the ordinary transactions of business and still held by them. I have made no effort this session to accertain the amount still in the hands of the original holders; what have been reported has been done voluntarily and without solicitation on my part. Believing that the people of my State were still holding them and that they continued to have faith that this great Government of ours would not repudiate its own coin, but would in time redeem them, I did not regard it as necessary to repeat the inquiry. If there are any that have been sold at a discount they are those belonging to the banks, not to private individuals. For nearly three years these innocent people have been holding them in the hope of their redemption. The interest already lost is not less than 15 per cent. to them. How much longer do you intend to compel these people to hold them? If you do not intend to redeem them let this Congress have manhood enough to say so, that these people may sell, even at 25 per cent. discount, together with the 15 per cent. loss in interest.

Mr. Speaker, it is our duty to act at once on this question so that the holders may know what do with them. Scarcely a day passes that I do not receive a letter making the inquiry: What is Congress going to do with the trade-dollars? Do you think they will be redeemed? Had

I best sell?

My answer has been in every instance that I believed the House would not adjourn without providing for their redemption in some form, but

126, it is our duty to adopt it. I know that some will object to its sage on the ground that the redemption of the trade-dollar will add to our already overabundant silver currency. From the report of the present Director of the Mint, Dr. Kimball, we are informed that the estimate made by his predecessor was that there were from five to six millions in the country. He says, "I am of the opinion that the estimate of seven millions is in excess of the actual amount rather than below."

I am one of the number who believe that the present coinage of silver is in excess of the demand, and therefore should be suspended; but in view of the fact that Congress made the trade-dollar a legal tender, and subsequently demonetized it without making any provision for its redemption, leaving several millions of them in the hands of in-nocent people who took them at their full face value, and who, unless some provision is made, will lose not less than 25 per cent., not counting loss of interest, I should feel derelict in my duty if I did not urge upon this Congress with all the ability, power, and influence I possess the passage of this amendment.

This Government can not afford to take the advantage of its people by refusing to take its own coin any more than a private individual can refuse to pay his obligations in full or a national bank refuse to pay its notes in full. The passage of any law by the Congress of the United States which demonetizes any of its money without providing for its redemption is nothing more nor less than repudiation, a disgrace to the nation, and unworthy a great government like ours, professing to be founded on the broad principles of equal rights and equal justice to

Mr. Speaker, I hope the joint resolution will pass as amended by the Senate. But should the conferees report the resolutions with the amendments stricken out, then I hope the House will not concur, but instruct the conferees on the part of the House to insist on the Senate

amendments

Mr. BROWNE, of Indiana. Mr. Speaker, I accept the action of the conference committee, although I should have preferred the resolution as it was originally passed by the House. I accept it because we as a people are doing quite well enough. Twenty years ago our national debt equaled two thousand seven hundred millions; to-day it is less than thirteen hundred millions. Twenty years ago the people contributed from their hard earnings for the payment of interest alone \$151,000,000 a year; now, all our annual interest account is reduced to a sum considerably below \$50,000,000 a year, showing an annual saving by virtue of the economies that have characterized our national legislation of quite a hundred million dollars a year. Twenty years ago our credit was such that we were compelled to pay upon our national securities a rate of interest from 6 to 7.3 per cent. Notwithstanding the ravages of a desolating war, and notwithstanding the burden of our indebtedness resulting from that war, the nation has been able so to appreciate the national credit that we can now command all the money we desire at the low rate of 3 per cent., and while the British securities bearing interest at 3 per cent. have touched par but four times in nearly a hundred by the securities of the sec dred years, and have been at times as low as 50 cents on the dollar—long bonds as they are, not to be redeemed at all, but regarded as a permanent investment—while they have stood in that way, our short-term bonds, at the low rate of 3 per cent. interest, command a small premium in gold.

Twenty years ago the aggregate of the currency in circulation among our people was but six hundred millions; to-day it is sixteen hundred millions. In view of these facts and circumstances, I am willing, at least at the close of this session, to allow this resolution to pass as it is, believing that in the future, if our condition should demonstrate the impropriety of this legislation, Congress has at all times a remedy which it can apply. A word or two more, Mr. Speaker. The distinguished author of this resolution protests against the government of the "masters of finance." Why, does my friend not know that his party has been at all times under the control of the gentlemen who manage the finances of the country in Wall street? All over the Northwest the Democracy has protested against the continued existence of the national banking system, and not a Democratic Representative has come to this Congress within my knowledge, who has not come here upon a pledge that he would abolish that system; yet, although the Democratic party have been in control of five out of the last six Congresses, they have not abolished a single national bank, and the masters of finance do not intend that they shall. Wall street has issued its edict, and the Democratic party bows to it, and the gentleman from Iowa [Mr. WEAVER] knows it better than anybody else, because he has been in more political parties than anybody else upon this floor and knows more about what they do. Why, sir, I remember that during the last campaign the present distinguished Secretary of State was sent into New York to proclaim from the stump that it was the purpose of the Democratic party to do-what? To pay off the greenbacks, retire them absolutely from circulation, and give the national-bank system an eternity in the finances of the nation. That is Democratic policy.

More than that, they complain that these "masters of finance" have adopted the idea of the single gold standard. Why, sir, there has not I had grave fears of the action of the Senate. Now that the Senate has anticipated us by placing this amendment on joint resolution H. R. not nominated as its candidate for the Presidency one of these "masters of finance." There has not been a Democratic national platform that has not put upon its forefront the Wall-street idea of finance.

Complaints have been made through the platforms of opposing parties against Republican legislation; but these complaints have measurably been because that legislation has not gone to the extent of your idea. I remember the Saint Louis platform, in which the Republican party was rebuked, not for having declared its purpose to resume specie payments, but because, as was charged, Republican policy had postponed

While you are proclaiming your adherence to the idea of continuing the issue of the greenback currency you gentlemen know that it is the policy of the Democratic administration to withdraw the greenback While you oppose the national banking system you know it is the policy of your party to continue the system in existence. And while you protest against the gold standard you know it is the policy of your administration to recognize the single gold standard. And your protests are simply in the form of speeches. You talk against the policy—that is all. When you have had the power to change it you have not done so; you do not attempt to do so; you do not want to do so. You recognize the fact that the policy which has been pursued by the Government in the past has brought us to this era of unparalleled prosperity, for I assert that it is an era of unparalleled prosperity. I know it is a favorite idea of some gentlemen in this country that prosperity depends upon the volume of money furnished by the Government or the banks for the use of the people; but there never was a greater mistake. Prosperity depends upon certain economical conditions which put money into active circulation. It is an economical truth which gentlemen have forgotten that the volume of money multiplies itself in the ratio of its circulation; that a dollar used one hundred times rapidly is more than equal in its volume to one hundred dollars used but once. We do not want more money, but we want better financial conditions, so that the money which we have in abundance may be put in active circulation among the people.

Here the hammer fell.

Mr. HISCOCK. I yield five minutes to the gentleman from Ohio

[Mr. BUTTERWORTH].
Mr. Speaker, the time accorded me is too short to enter upon the discussion of a question of such great importance as this. Like my political associate on the right [Mr. HISCOCK] I shall vote for the resolution as amended in conference by the committee of the two Houses. I shall vote for it not because it provides for \$20,000,000 working balance beyond that which was allowed by the terms of the House working balance beyond that which was allowed by the terms of the Trouse resolution but because it now leaves to the Secretary of the Treasury that discretion which, in my judgment, is indispensable to the maintenance of the national credit. The discretion left with the Secretary of the Treasury by this amended resolution is, in my judgment, of more value to the maintenance of the financial credit of the United States than \$50,000,000 of working balance with all discretion taken from the Secretary, as provided in the original resolution adopted by this House. With the power to exercise a wise and sound discretion in the matter of making timely preparation to dissipate or safely meet approaching financial disaster which may threaten to unsettle monetary conditions in this country a very small working balance would in fact be required. The ability to provide for an emergency in effect may prevent its occur-The experience of the preceding administration conclusively proves this. proves this. Unhampered by the restrictions imposed by the House resolution, former Secretaries of the Treasury have been enabled to meet all obligations and rapidly pay off bonds subject to call, retaining in the Treasury a very small working balance

We have three or four times been confronted by portending financial disturbances, which would have brought disaster upon the country if the then Secretary of the Treasury had been compelled by an arbitrary law to pay out every dollar in excess of \$100,000,000. It was the authority vested in the Secretary of the Treasury to provide against emergencies that enabled the Government to turn aside or tide over these

financial perils.

Touching the House resolution, I submit that it had its origin in the fact that to obtain control of the Government the party now in power deceived the people of the country by asserting that there were \$400,000,000 in the Treasury idle, that the stagnation in business, the inability to procure employment at remunerative wages, was all due to the fact that these vast sums had been withdrawn from circulation and piled up in the vaults of the national Treasury and were permitted to remain there idle. The confiding voters were assured by the Democratic orators that these hundreds of millions would be scattered among the people as soon as the Democracy should come into power, and that thereupon all signs of distress throughout the land would disappear. They came into power on the 4th of March, 1885, whether through

their strength or our weakness it is needless now to consider.

But they came into power and have held the reins of Government a year and a half. One-third of the Presidential term or more has passed, and yet the millions of dollars have not been scattered among the people. The alleged surplus which it was said lay piled up in the vaults of the national Treasury is all there still, and beyond that the amount has been greatly increased, and necessarily so. The practical working of a Democratic administration seems to have considered.

shock to public credit that it became necessary to increase the surplus, so called, in the Treasury against threatened financial disturbances.

The allegation that the Republicans had withdrawn from circulation

hundreds of millions of dollars and kept the money idle in the Treasury was a deliberate misstatement of facts by those who thought that in political warfare "the end justifies the means."

But it has become necessary to give some answer to the natural complaint of those who were deceived by the stump oratory about the four hundred millions. The confiding souls who were duped into the belief that as soon as the Democracy was installed in power every man in the country would have a job at high wages, that money would be dumped indiscriminately among the people, that in fact idleness and industry would have practically the same benefits, and that it would appear that under Democratic administration in point of practical results the good that comes to the citizen is not necessarily nor yet properly the result of the practice by him of the virtues but flows inevitably from governmental action; in other words, from legislative

enactment supplemented governmental administration.

Well, the believers in the power and promises of Democracy have waited and watched with mouths open and pockets agape, and what is the net result? Both mouth and pocket are still empty. The Treasury vaults have not given up one poor scruple. On the contrary, the millions in those vaults have been increased owing to the shock that the advent to power of the Democratic party has given the national

It was one thing to rant on the stump about the alleged disordered national finances and quite another thing to deal practically with those finances when charged with that grave and responsible duty.

President Cleveland, Secretary Manning, and the latter's successor,

Mr. Fairchild, had and have to deal with the highest and most sacred interests of the nation. Their duties are of the most delicate character, and the thinking people of this country will be glad to observe that those officers are more concerned to maintain the dignity and honor of their country than they are to continue the deception by which some of their party friends succeeded in carrying a few Congressional districts.

But the Democratic masses are, figuratively, sitting on the fences and store boxes clamoring, and with much reason, for the \$400,000,000 output that was to follow the inauguration of Cleveland. They have not seen, much less handled, a cent, and instead of a reduction they have witnessed an increase of the surplus. Something must be done to prepare for the coming campaign. Something must be done to conceal the old fraudulent clamor by which the unsophisticated were caught, and to catch them again with a similar bait the original House resolution, known as the Morrison resolution, was prepared to meet the emergency, and was launched upon the legislative waters; and at once it is wired all over the country, "That four hundred millions is coming. Mor-RISON, leading a Democratic House, has got behind it with a resolution and is pushing it out in amounts to suit the needs of the people." Now, this is just in time for the fall elections. Each Democrat on reading the resolution will shift his position on the store box, hitch along on his rail, and exclaim in hopefulness, "Thank God, it's coming!" And on these husks these poor mortals will be fed until after they have cast their Democratic votes in November.

And so the farce is played once each year, and on a larger scale every The people were promised millions; they have not seen a penny. They were all to have remunerative employment in the midst of industries that were at once to start into life. Not an industry has awakened; not a man has found employment. Paralysis is creeping along every avenue of trade and commerce.

For the wealth of blossoms which promised employment and money the people have gathered as fruit the Morrison resolution, which, as presented, tended on one hand to mislead the people and on the other hand to throw the good faith of the nation under suspicion. I speak now of the House resolution before it was amended. It comes back to us in better shape.

But, I repeat, the resolution was a necessity to the Democratic party. It served to cover its retreat from the position it had taken in regard to the alleged \$400,000,000 surplus. It serves as an apology for having delayed the distribution and renews the promise for election purposes the coming fall.

The officers of the administration have sounded the alarm, and fortunately for our country the blow at the national credit is in a measure parried.

The honorable Secretary of the Treasury knew what a false pretense had been put forth in 1884. He now realizes the embarrassment growing out of that false pretense. He knew it was not true that there were even fifty millions idle in the Treasury; that it was grossly misleading to assert that the \$100,000,000 of coin retained in the Treasury for purposes of resumption was or is in any sense idle. No sum of money in the country has performed service so important to our people. It is the ballast which keeps our monetary ship steady as she moves through the sea of financial troubles which constantly threaten. [Applause.]

Mr. Speaker, the first, the highest obligation that rests upon the administration in power is to maintain the national credit. It can not be maintained if the basis upon which it rests is removed. That basis working of a Democratic administration seems to have caused such a | is the ability, the means, to meet and discharge each and every obligation as it matures. The reserve in the Treasury is in large part the sure foundation upon which that credit rests. It is obvious that the reserve or working balance must have reference in matter of amount to

financial conditions in the monetary world.

I have said it is of the highest importance that the public credit be maintained. And I submit, Mr. Speaker, that while the unsettling or disturbance in any degree of the public credit would inure to the injury of all, yet those who would be most injured would not be the men who have colossal fortunes; not those who have amassed wealth. In the midst of ruin and disaster these men will take care of themselves; the speculators in Wall street will take care of themselves. It would possibly be to them a harvest. But when in the wake of financial disturbance depressed trade and crippled industries follow, the wage worker is the first to suffer, and he suffers for the longest period. He is the man who is least able to provide against such disaster.

The influence of stagnation in business first manifests itself by cutting The compensation to wage-workers is the point of attack when hard times come. The wage-worker's salary is the last of eel the healthful influence of reviving business. The administration of the national finances is so intimately connected with all the business of the country that the prosperity of the latter depends in large measure upon the wisdom and fidelity which characterize the former.

The SPEAKER. The gentleman's time has expired.

Mr. BUTTERWORTH. I hope the gentleman will yield me more

Mr. HISCOCK. I will yield the gentleman whatever time he wants.

Mr. BUTTERWORTH. I thank the gentleman for his courtesy.

was just remarking that the administration of the financial affairs of the nation had much to do with the business prosperity of the country, owing to the influence governmental action may and does exert upon the moneyed interests involved. Capital is timid, and promptly seeks to protect itself in times of danger; conversion into specie if possible is the first move for safety and then hiding itself away until the storm has passed. If it seeks investment at all, it is in that character of securities the purchase and sale of which do not even tend to promote industry or quicken trade. Whenever and however the panic threatens or comes, the first thing the man who holds paper money does, as a measure of protection against loss, is to convert the pretty rags into specie. And this is a sound philosophy, because since the bank note or greenback is valuable only because it is convertible into something valuable, it is the part of wisdom to hold the value promised instead of the mere printed evidence of the promise. In other words, it is safer to have the specie in hand than the mere printed evidence that you are entitled to demand and receive the specie. If the confidence is absolute that the specie can be had on demand, its paper substitute performs every office that the specie does and is more con-

But the bare suggestion that the paper substitute can not and will not be redeemed when and as demanded throws the whole army of holders into panic and a stampede ensues, and the rush is made to test the value of the promise. In the presence of such a stampede the one hundred millions provided to redeem the \$350,000,000 would soon disappear unless re-enforced by additional coin gathered to meet the emergency, and that such an emergency may come upon us like a thief in the night experience abundantly proves, and to leave the financial manager of the nation without the discretion to prepare for such condition as I have described is to court disaster and trifle with the highest interests of the The first to resent an innovation which seeks on any pretense to disturb well-tried conditions should be the wage-workers, and yet it is in their name the Morrison resolution was ostensibly conceived. It is on their account the Secretary of the Treasury was to have been so shackled and hampered that he could not avert nor yet successfully contend against the adverse conditions which his abject helplessness would invite or create.

It is asked if it can disturb our finances to compel the Treasurer to That depends upon the manner and order of payment. pay our debts. That depends upon the manner and order of payment. In the case under consideration the proposition is to pay the creditor whose debt is not due and who could not compel immediate payment, while we leave unpaid a heavy indebtedness which is past due and which is represented by \$346,000,000 in demand notes, and which would on the first sign of a panic be presented at the Treasury for payment. No sane business man would pay off his notes that were not due while he left demand judgment notes outstanding. He would know that immediate payment of the latter might, while payment of the former could not, be demanded. So that it is not a question alone of paying the public debt, but the order of payment, involving not only the right to pay the debt not due, but prudently providing for payment of the \$346,000,000 of obligations long since due, and payment of which may be demanded any moment.

It was said by the gentleman from Kentucky [Mr. Breckingidge] that "it is not the coin in the Treasury that gives the holders of the greenbacks or notes confidence, but the broad acres of land we own, the herds of cattle and horses, the corn and wheat," &c. How utterly fallacious the suggestion! It is the rankest possible greenback heresy, and coming from the source it does it astonishes me greatly. Theoretically the lands and the "cattle on a thousand hills" are pledged to

redeem the notes; practically the security is found to be worthless as an available asset to redeem bank notes on which the specie is due. There never was a day during the war when the lands and personal property of any one of the Eastern States was not worth ten times the amount of the debt of the United States; and then, as now, all the property of the fifty millions of people was pledged to secure the debt, and yet the Government notes were worth at one time less than 40 cents on the dollar. The French assignats had pledged for their redemption real estate of an amount many times greater than that represented by those promises to pay; and beyond that all the property in France was as thoroughly pledged to redeem the assignats as the property of the United States is pledged to redeem the United States notes, and yet the assignats became worthless. Just how my friend from Kentucky would convert the lands and cattle into specie to redeem broken promises it would be interesting to know

The history of the financial world has clearly demonstrated that the confidence of the people in the value of paper money rests upon no founda-tion except its immediate convertibility into specie at the option of the holder. And it follows as a corollary that, whether it be the Govern-ment or a banking firm, confidence in the ability to redeem on demand will be destroyed the moment there is a departure by the Government or bank officers in the management of the finances from those well settled and universally recognized business principles which are of such general acceptation as to be the recognized law in the conduct of financial matters. And one law touching the redemption of Treasury and banknotes is that a certain reserve must be kept in hand, and it is clear that coupled with that there must be lodged with the managers of the finances of the Government and bank the power to increase that reserve at any moment when the money markets of the country become unsettled and panicky, or from any cause the confidence of the people in the ability to redeem notes on demand is shaken. This is only one phase of the danger which would follow in the wake of the Morrison resolution had it become a law as it passed the House.

The statement made upon this floor by a number of gentlemen that these panies would be made to order for speculative ventures is not well conceived. We might as well assume that men at sea would scuttle the ship upon which they sailed in order to test a life-preserver. But in answer I cite the experience of the last twenty years of Republican administration, during all of which time the very calamities which gentlemen affect to fear were averted by the exercise of the discretion which the Morrison resolution would wrest from the present Secretary of the Treasury—that is, the power that every business man, every banker in the nation finds indispensable to the safe conduct of his bus-

But it is said the Government is not in the banking business. fact is just the reverse; the Government has been kept in the banking business for more than twenty years. It ought not to be, but it is, and while it is, the management must conform to established business

I am aware that the point with a large number of the gentlemen on this floor is to force us to a silver basis; to compel the payment of the 3 per cent, bonds in silver dollars. And to this end all discretion as to the amount of reserve it might be necessary, in view of existing conditions or in view of threatened financial disturbances to retain in the Treasury, was to be taken away from the administration. Not only was all discretion in these matters taken away but the President and his Secretary of the Treasury were by this Democratic House treated to a vote of want of confidence—a vote which in England would have compelled the administration to lay down the reins of power.

However, the administration is not greatly disturbed. The vote had reference to use on the stump this fall rather than to express a want of confidence in any office or any system of finance. It will do for campaign purposes, though not for an administrative hint.

Speaking of the effort to compel the payment of the 3 per cent. bonds in silver-and here again the demagogue on the stump gets in his work by suggesting to earnest and anxious citizens who are now feeling the hardships incident to the general business stagnation which obtains in a degree throughout the country, that they are being wronged by reason of the disposition of the Government to pay its bonds in gold or greenbacks instead of silver—it is insisted by gentlemen upon this floor that it is not only the right of the Government but its duty to pay off the 3 per cent. bonds in standard silver dollars. Let us see whether in point of cent. bonds in standard silver dollars. Let us see whether in point of fact, as a practical business proposition, having due regard to the interests of all concerned, the payment of the 3 percents in standard silver dollars would be to the advantage of any class of persons in America except those who are mining silver ore. First, I repeat, that the highest obligation of the Government in its administration is to maintain the national credit.

In this connection let me call your attention to the fact that the Government differs from all other debtors in this, that it has the power, which does not belong to other debtors, to determine and fix the value of the money with which it discharges its obligations. It will hardly be claimed by any honest man who is possessed of an ordinary degree of intelligence, that the Government would have the right in fixing the value of the currency with which its obligations are discharged to decrease that value. Nor would it be defensible by the manner of payment to reduce the value of the money paid to the creditor 15, 20, 25, 30, or any other substantial per cent. It was in recognition of this 30, or any other substantial per cent. It was in recognition of this great principle that the law limited the issue of the greenbacks to a certain amount—three hundred and forty-six millions, I believe.

Now, it has been decided that in an emergency the Government has the right to issue painted rags as money and determine and fix what their debt-paying power shall be. Yet the Government has pledged itself not to issue above a certain amount in that kind of currency, and manifestly for the reason that the larger the volume of such currency the less the probability that it could be redeemed in specie or maintained in circulation at par. Now suppose that the Secretary of the Treasury had the power and should be pleased to-morrow to pay one hundred millions of bonds in standard silver dollars, what would be the effect upon the value of the silver dollar in the market of the world. First, it will be remembered that it is now worth but about 80 cents on the dollar, measured by the gold standard. The obvious result of putting that silver on the market would be that the value of the dollar would be reduced probably to 70 cents; and now I ask the question, and it is thoroughly pertinent, who would be the greater sufferers in case the value of the silver dollar should be reduced 10 per cent.? And I ask this question in the interest of the men who work during the week to get the money to feed and clothe the members of their families and provide them homes.

Now who would suffer in case of such reduction in the value of the currency with which every laborer would be paid his wages? When we say a given coin or piece of paper is only worth 70 cents on the dollar we mean that its purchasing power is 30 per cent. less than the gold dollar or the paper dollar which is convertible into gold. The bond-holders on being paid would utilize their silver so far as they could in discharging their debts; the rest would necessarily go to swell the volume of silver now upon the market. The bondholder would suffer a loss undoubtedly, but the loss would fall chiefly upon the wage-worker who has to buy with that depreciated dollar the necessaries of life. But the worst feature about it is that this robbery, for in my judgment it is nothing else, is committed upon the wage-worker without his being conscious of the fact. It is true he goes to the store and throws his silver dollar upon the counter, being unconscious of the fact that he is charged a little more for every article he purchases than if he put down a dollar which is recognized throughout the business world as being

worth 100 cents.

Beyond this, I might stop to say that such perfidy on the part of the Government would result in such a disturbance of the financial world, such an unsettling of public credit, as would affect every business enter-prise throughout the length and breadth of the country, for it is well known to all men who have carefully studied the intimate relation between the large financial operations of the Government and the business world that any uncertainty or doubt as to the policy of the Government is immediately felt in every channel of trade and commerce and by every industry. And, as I have stated, the first danger signal that is put up prompts the employer to reduce the wages of those who work for him. And this is natural. But unfortunately the wageworker is practically helpless.

You ask me why. I answer, because he must eat; his wife and his children must be clothed and fed. With him it is a problem of bread and meat and clothing for his children. If he strikes, he is but burning the candle at both ends, for possibly his employer may not be able to pay the current or increased rate demanded, and the time which is lost by the striker, even though he be successful, eventually results in loss and injury to him. The merchant whose goods are upon his shelf can let them remain there; the farmer may leave the wheat in his garner, the butcher his ox in the stall. They might all live off of what

they have accumulated.

The speculator would not suffer. The rise and fall in prices make his harvest. The man who has a fortune can bide his time. with even moderate means may struggle through the financial storm. The man who suffers most, who is most helpless, is he who is dependent upon his daily wages for the bread that he eats and the coat that he wears. Hence, in my judgment, not only would it be a violation of the plighted faith of this nation but it would carry disaster to the home of every wage-worker in this Republic to so manage the financial affairs of this country as to place us upon a silver basis. That many who sup-ported the Morrison resolution in this House intended to do that I have no doubt, and that such result might and probably would have followed in the wake of its adoption seems to me equally clear.

I wish to add this further thought, in connection with the obligation of the Government to maintain the national faith and credit: Its obligation to do so is written in every bond, upon the face of every green-back, and is traced on every national-bank note that is handled by our people; and when the Government pays a debt it is bound in honor and justice to see to it that in the discharge of that obligation it does not depreciate by its act the value of the money with which that debt is paid. And this is as true of the payment made with gold as with silver. The obligation is that it shall, as near as may be, at all times secure to the people a measure of value which is as little variable as possible. For in all the variations and fluctuations of money, which is the measure of value, it is ultimately the wage-workers that are wronged and robbed.

But it is urged that trade and commerce and all our industries will be revived if this vast volume of silver is paid out in redemption of the bonds. The proposition is absurd on its face. First, instead of an expansion of the currency the ultimate result would be a contraction, since these bonds are mostly held by the banks as security for their bank circulation, and it is that security which makes the national-bank note good everywhere. On the payment of these 3 per cent. bonds so held a large amount of national-bank circulation would be withdrawn and the volume reduced to that extent.

But there is another reason why the payment of this vast amount of silver would not have the influence claimed for it; that is, that it would revive trade and industry. It will be remembered that there is now idle immense stores of capital in the moneyed centers of the country seeking investment, and I do not forget that there are gentlemen who have theories for driving that money from the centers into the arteries and veins of trade. But it must be remembered there is a law which is inexorable and is above the laws enacted by Congress and refuses to be controlled by them—it is the law of supply and demand. I have been at some pains to investigate this question with a view to ascertain how the supply in this country of the various things needed by and necessary to our people compares with the demand. It is palpable to every one that when the supply is equal to or exceeds the demand there is no disposition to increase the former. The output will certainly not is no disposition to increase the former. The output will certainly not be enlarged since no profit would result from the venture. Our only chance is to increase and vary the number and character of our industries. tries. Invent new implements for the shop and the field, new and useful articles for ornament, comfort, and convenience. Create cultivated and ennobling tastes and desires by supplying that which is necessary togratify them. Each new and improved article of manufacture widens the field of industrial effort. You would be astonished if I should lay before you a statement in detail showing the number of new industries created in this country during the last quarter of a century and the vast number of men and women who have been given employment by reason of these new industries.

By a law which is eternal and unvarying, whenever the demand exceeds the supply industry is quickened, and trade and commerce awakens and is roused into activity and the capital that is idle goes at once to work. It searches out every avenue of trade, industry, and

Not only has our country by its varied and ever-varying and multiplying industries given employment to all our people, but during the last quarter of a century we have, as I once before stated to this House, admitted to the ranks of labor in the United States about eight millions of people from the Old World. All now agree that a little wise discrimination in sifting the immigrants would have been useful to those who were here. But with the improved facilities and the vast addition to the army of producers, the supply has gone beyond the demand. farmers have found their European market, if not cut off, wonderfully curtailed by competition with the Russian provinces and India. Nor is the competition confined to wheat alone. It is so in other branches. So it is not the want of capital, it is not the want of ability among our people to produce everything that is required, but a temporary over-

roduction that oppresses us

The present stagnation of business is due in a large measure, as I have stated, to the marvelous growth of our industries, the vast number of immigrants who have swelled the ranks of labor, the facility with which we have been able, thanks to the genius of our workmen, to produce articles of every kind and character. The supply has outrun the demand. This can not last long, but it will in the mean time compel us to practice those virtues which after all are indispensable to the happiness which waits upon merited success at all times; that is, the practice of industry, sobriety, and economy. Our extravagance and wastefulness in the matter of living are proverbial throughout the world. None of us are exempt. Nor are we likely to be, since all politicians None of us are exempt. Nor are we likely to be, since all politicians teach that freedom consists in practicing the vices and yet being exempt from the misery such practice entails. The Government is damned for the results which flow from the acts of the individual citizen. We are passing through a period now, however, when the importance of abstaining from reckless extravagance and needless expenditure of earnings is being forced upon our attention. In my judgment no greater calamity could befall our people than to have them firmly fixed in the belief that it is within the range of possibility for the Government, by virtue of any enactment or by reason of any administration of proper governmental functions, to provide work for the vast army of men who are seeking remunerative employment or to in any manner supersede the necessity for the utilization of our best faculties and efforts to obtain a livelihood, or to attain to competency in any respect. we learn that prosperity only waits upon individual effort and is not the result of governmental action, the better for all of us.

The less we are governed the better for us. The less the Government

has to do with the affairs of men the better for the individual citizen; the fuller and broader will his personal freedom be. All the Government can or ought to do, all it will do, so long as it is entitled to either the confidence, respect, or support of our people, is by just and impartial laws to secure to every man the right to utilize his faculties, his muscles, and his brain for the purpose of securing things needful in life. When it performs any other office it ceases to perform the proper functions of a free government—the functions prescribed by the Constitution of our fathers.

It would protract these remarks beyond a proper limit if I should attempt to compare the various industries of the country to-day with the industries of half a century ago, to compare the opportunities of the wageworker of 1886 with the opportunities of the workman of even a quarter of a century ago. I have gathered statistics to do that, and to show the healthful results from encouraging the artisans, mechanics, and workmen in the various fields of effort in inventing and construct ing machinery and implements to lighten the labors of all who toil and to increase the comforts and conveniences of every home, as well as to gratify the innocent whims and fancies of those who are able to pay for that luxury, but this I must delay to another time.

It is pertinent, however, to add, at this point, that it seemed to me, and I have so said to the House, that this is a most auspicious time to employ our idle capital and our idle workmen in providing suitable and indispensable coast and harbor defenses; and I submit that it is utterly incongruous to affect grief because the furnaces, shops, and forges are idle and the artisans, mechanics, and workmen are unemployed, when every consideration of prudence, public safety, and economy calls upon Congress to see to it that the country is with all possible speed put in a condition for offensive and defensive warfare.

Thus this administration, while performing a most important and pressing public duty could at the same time do something for the great industries of the country and give employment to thousands of workmen who must otherwise, for a season at least, remain idle. But this House refuses to vote a dollar for that purpose. Unfortunately, greater effort is made to cajole ignorance and vice than to win the approval of the wise and the good.

It seemed an outrage to keep \$400,000,000 lying idle in the Treasury. The allegation that such a sum was lying idle was necessary in order to authorize the pleasing and encouraging statement that the interest is a sum was lying idle was necessary in order to authorize the pleasing and encouraging statement that the sum of the pleasing and encouraging statement that the sum of the pleasing and encouraging statement that the sum of the pleasing and encouraging statement that the sum of the pleasing and encouraging statement that the sum of the pleasing and encouraging statement that the sum of the pleasing and encouraging statement that the pleasing and encouraging statement the pleasing statement that the pleasing statement the pleasing statement the pleasing statement the pleasing statement the pleasing the Democratic party was installed in power a general distribution among the people of that vast sum would take place. The first falsehood authorized the second. The two have rendered the Morrison resolution a necessity for campaign purposes. The two first propositions were less dangerous than the third, since the last seeks arbitrarily to control the management of the finances of the Government and is plainly subversive of well recognized business principles, and has a direct tend-ency by arbitrary law to force conditions which in the nature of things can not be controlled by law. But since the majority side of the House vote their administration unworthy of confidence, we may on this side

in a degree affirm their judgment by voting for the resolution as amended.

There is too much reason to believe, however, that the resolution was framed for use upon the stump next fall rather than for practical opera-

framed for use upon the stump next fail rather than for practical opera-tion in the management of the national Treasury.

Thus it is sought to have the crowd applaud those who wrong them.

We shall wait to see what the next act in the political play will be, and
whether intelligent citizens will applaud or hiss.

Mr. MORRISON. I will yield to the gentleman from Ohio [Mr.

WARNER] ten minutes.

Mr. WARNER, of Ohio. Mr. Speaker, I propose to confine myself strictly to the examination of the resolution before the House. This resolution as it left the House required the Secretary of the Treasury to pay out on the interest-bearing debt all the surplus in the Treasury (according to the present form of the Treasury statement) in excess of \$100,000,000.

It comes back to us from the Senate amended in that respect so as to add \$10,000,000 to the \$100,000,000 before a call shall be made on the interest-bearing debt and then \$20,000,000 more in the discretion of the Secretary of the Treasury, to be held as a "working balance." So that the amount allowed to be held in the Treasury before payment on the public debt is required is increased from \$100,000,000 to \$120,-

Taking the last statement, and there is a clear balance of \$80,000,000 over and above all demand liabilities and in excess of the \$100,000,000 reserves and the subsidiary silver. If we add to this the probable excess of revenues for the current fiscal year, say \$40,000,000 after supplying the sinking fund, it gives \$120,000,000 as the sum applicable under this resolution to the 3 per cent. bonds, and the resolution relates to no other bonds. So that, as the gentleman from Illinois [Mr. MORRISON] has said, we will not get down to the \$120,000,000 before all the 3 per cent, bonds will be paid. all the 3 per cent. bonds will be paid.

So that, barring the discretion given in the amended resolution, it will accomplish as much practically as it would in the form it was in when it first passed the House. Now, I do not believe it is necessary to hold even a hundred millions, and I introduced a resolution requiring the payment of all in excess of fifty millions, believing that to be an ample reserve, and more than any other two nations in the world maintain as a surplus. I do not believe, therefore, that it is either necessary or wise to hold a surplus of one hundred and thirty millions. I would not like to have it go out that by my vote I gave assent to the proposition that it was necessary or even wise to hold \$130,000,000 or \$120,-

to us in this form, and the conferees tell the House that unless it is accepted in this form it will not pass the other House and nothing can be had. By accepting this, then, does this House commit itself to the proposition that \$130,000,000 shall be held as a reserve before bonds shall be called?

Mr. MORRISON. A hundred and twenty millions.
Mr. WARNER, of Ohio. Or \$120,000,000? I say not at all. In legislation we have to do the best we can, and in this case the resolution comes back with the sum allowed to be held in the Treasury increased by \$20,000,000. There is no difference in the principle between \$100,000,000 and \$120,000,000 or \$130,000,000, and one is no more committed and the Hones is no more committed and the Hones is no more committed to the preparation that mitted and the House is no more committed to the proposition that such a reserve shall always be maintained by voting for the amended resolution than by a vote for the resolution as it passed the House in the first instance. I would not have voted for the original resolution if it committed me or the House or the Government to always keep even \$100,000,000 as a reserve or surplus. I voted for the best measure I could get then, and while this is not so good yet in respect to this feature of the bill certainly there would be no compromise of principle. In voting to require all in excess of \$100,000,000 to be paid out I went as far as I could then, and if the resolution now allows \$20,000,000 more, it is still going in the same direction, and, therefore, while it is a concession it is not an abandonment of any principle nor a compromise of any principle.

While the Secretary of the Treasury now may pay any part of the money in the Treasury on bonds and may buy bonds not subject to call he is not required to do so. This resolution requires him to pay out all in excess of \$120,000,000, and so far it is certainly a gain to the

country.

I wish the interpretation which the gentleman from New York [Mr. HEWITT] gives to the resolution was the true one, namely, that the Secretary of the Treasury would be obliged to-morrow, if it should become a law to-day, to pay out all the surplus at once, or to call, say, fifty millions of bonds, as the surplus, according to the statement made on the 31st of July, was \$80,000,000 in excess of subsidiary silver and other reserves. But if the gentleman will read the resolution carefully he will see, I think, that the Secretary of the Treasury, while required to pay the surplus out, is permitted to pay it out—how? In sums of not less than \$10,000,000 monthly. I grant that he may pay it all out at once

Mr. HEWITT. Is it not only a limitation as to the ten millions? Is it not, in other words, a limitation upon the minimum and not the maximum? He may not pay out less than ten millions, but there is

maximum: He may not pay out less than ten millions, but there is no limit as to the excess beyond that.

Mr. WARNER, of Ohio. It is in his discretion to pay it all.

Mr. HEWITT. No; it provides that it shall be his duty to pay it out in such sums.

Mr. WARNER, of Ohio. Yes; to pay out the excess in sums of not less than \$10,000,000 a month.

But I say I wish your interpretation was the only interpretation the resolution was susceptible of. I should not be alarmed at the payment of \$50,000,000 of the debt to-morrow. My colleague [Mr. BUTTER-WORTH] talks of wreck and disaster to follow. What, wreck and What, wreck and disaster because the Government pays an interest-bearing debt with money it has in its vaults! I can hardly think of anything more absurd than that. Is the credit of the Government to be destroyed by paying its interest-bearing debt in an honest way? That, Mr. Speaker, is a new-fangled notion that I can not understand. ple to be wrecked because they could not pay their debts, but I never knew "wreck and disaster" to come to one because he could and did pay his debts, even if he paid them rapidly.

The second part of the resolution comes back to us further amended

The second part of the resolution comes back to us further amended in this, that it gives the Secretary of the Treasury the discretion to postpone calls for these bonds if in his judgment any future contingencies arise which make it desirable to do so. Now, this discretion I do not like to lodge with the Secretary of the Treasury, or with any other official, even though he is required to give his reasons therefor immediately to Congress.

Mr. WEAVER, of Iowa. The resolution gives him power to suspend

the sinking fund.

Mr. WARNER, of Ohio. This does not touch the sinking-fund law. That is an independent act, and is not touched by this resolution. He must pay each year into the sinking fund the percentage required by the sinking-fund law. If this resolution by any possible construction touched the sinking fund it could, I apprehend, scarcely get a vote in the House.

Mr. WEAVER, of Iowa. It is to be paid out of the surplus over \$100,000,000, and the resolution gives the Secretary power to suspend payment of that surplus.

Mr. WARNER, of Ohio. It gives the Secretary power to suspend calls under this act; nothing else. The Secretary now has the discretion to pay out the surplus on the debt or not to pay it out. He is resition that it was necessary or even wise to hold \$130,000,000 or \$120,-000,000 in the Treasury, with interest-bearing debt, which might be paid at the option of the Government. But the resolution comes back stands he is not required to pay anything. Therefore, at the worst, this amendment is a limitation upon the discretion which the Secretary

now has, and in no degree an extension of his powers.

Mr. DOUGHERTY. Will the gentleman yield to me for a question? Mr. WARNER, of Ohio. In a moment. Therefore, under the resolution, exigencies remaining as they are, the Secretary will be bound by this resolution to pay out all the surplus in excess of \$120,000,000. Congress by this resolution, even as amended to the extent stated, assumes the control of the matter and directs the payment of the surplus, and to that extent the Secretary is relieved of the discretion. I only wish the resolution went further, but I say in this regard, too, there is no surrender of the right of control by Congress.

Mr. DOUGHERTY. My question is this: Did any gentleman upon this floor ever know a case in which the expressed desire of a debtor to

pay his debt injured his credit?

Mr. WARNER, of Ohio. I think not. The gentleman is right. The fear that the credit of the Government will suffer in that way or that the country will suffer is a bugaboo.

Mr. BUTTERWORTH. Nor does the contingency spoken of rest on

that at all.

Mr. WARNER, of Ohio. I can not yield any further. I say this resolution even as amended is a restriction upon the Secretary's discretion; and if it will lead to paying out eighty millions there is so much gained; and in this, I repeat, I agree with the gentleman from Illinois that beginning with the surplus now in the Treasury, and adding to that the excess of the revenues we are almost certain to have during the next twelve months, we will not get down to the one hundred and twenty millions before the entire amount of 3 per cent. bonds is paid out, and this resolution relates to no other part of the debt. Therefore, practically, so far as the surplus is concerned, we will get as much out of this resolution as we probably would get out of the resolution

as it left the House.

But the discretion expressly lodged with the Treasury Department to postpone calls is what I do not like. I do not think the Secretary of the Treasury or the Treasurer should have any discretion in the matter. I think Congress should hold entire control over both revenues and expenditures, taxes and debts. The idea of my colleague that the credit of this Government rests on the discretion of one man is, to say the least, a novel one. How long would the credit of a government last with no surer foundations? No, sir; the credit of this country rests upon no such foundation as that. It is the duty of the Treasurer to receive all the money which Congress authorizes to be collected as taxes, and it is his duty to pay it out as Congress directs, and he should be allowed no further discretion than to receive the kinds of money he is authorized to receive and to pay out the same on appropriations by Congress. The United States Treasury is not a bank, and ought not to be used or run as a bank nor for banks. The establishment of the independent treasury meant no such thing.

I object to setting the Treasury of the United States up against Wall

street to aid speculation or to prevent speculations. It should have nothing to do with the speculations of capital. You might as well give the Treasury officials discretion to increase or diminish taxes as exigencies might arise as discretion as to the amount that shall be paid out. Would my colleague from Ohio propose to give Treasury officials dis-

cretion in its collections of revenues?

Mr. BUTTERWORTH. Not at all; that is a different proposition. Mr. WARNER, of Ohio. Nor would I give discretion in paying money out.

[Here the hammer fell.]

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the fol-

lowing title; when the Speaker signed the same:

A bill (H. R. 4865) to extend the system for the immediate delivery of letters, and amendatory of sections 3, 4, and 5 of the act approved March 3, 1885, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes."

Mr. PERKINS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the fol-

lowing title; when the Speaker signed the same:

A bill (H. R. 8596) for the relief of Beaufort Lee and others.

TREASURY SURPLUS.

Mr. MORRISON. I yield to the gentleman from Pennsylvania [Mr. RANDALL].

Mr. RANDALL. I yield five minutes to the gentleman from Penn-

sylvania [Mr. Sowden].

Mr. SOWDEN. When this proposition was first presented to the House it met my hearty approval and I most cheerfully voted for it. It received my vote because I believed it good policy and honest, economic management to apply the surplus in the Treasury in excess of \$100,000,000 to the payment of the interest-bearing obligations of the Government, and thus save the people several millions of dollars annually in interest. I shall also vote for the adoption of the conference report, but would rather have seen it contain the provision for the redemp-

tion of the outstanding trade-dollars. The conferees on the part of the House, I think, made a mistake in not accepting the amendment of the

Senate providing for the redemption of the trade-dollars

In the Forty-eighth Congress this House passed a bill providing for their redemption, and there is a similar bill pending before this body now. It is impossible at this late day of the session to secure its consideration, but its object could have been readily obtained had the House conferees accepted the Senate amendment. It is to be regretted that the conference report can not be amended but must be adopted or rejected as a whole. Under the act of February 12, 1873, the coinage of the trade-dollars was authorized, and they made a legal tender for an amount not exceeding \$5. Under a joint resolution of Congress approved July 22, 1876, their legal-tender character was destroyed.

This piece of legislation was a fraud upon the rights of those who held these coins. It was nothing less than a species of repudiation. It is said that the coinage of the trade-dollar was for the purpose of export Very many of these coins have gone abroad. to the Asiatic countries. The total coinage of trade-dollars has been 35,965,924. This includes 6,564 coined during the fiscal years 1879–1884 as pattern pieces. Of the number coined 29,000,000 have been exported, of which about 2,000,000 were reimported. The excess of trade-dollars coined and imported over the number exported through the custom-houses was about 9,000,000. Of the 15,631,000 trade-dollars coined prior to the adoption of the joint resolution of July 22, 1876, 12,580,000 were exported, leaving only 3,051,000 in the country at the time of the passage of said resolution.

The coinage of trade-dollars since the passage of the joint resolution of July 22, 1876, depriving them of their legal-tender quality and limiting their coinage to the demand for export, amounted to 20,328,360, not including the 6,564 proof pieces since coined. Of this amount, only 16, 424,004 are shown to have been eventually exported. Customhouse returns fail to show the exportation of 3,904,356. On February 22, 1878, the coinage of trade-dollars was finally discontinued.

Adding to the coinage the amount imported since July, 1876, the excess of the coinage and imports of trade-dollars over the exports of the same since the adoption of the joint resolution of July 22, 1876, was 5,986,732. This added to the amount in the country on July 22, 1876, 3,051,000, makes a total stock to be accounted for of 9,036,732. It is probable, however, that this sum is largely in excess of the amount of trade-dollars at present in the United States, says the Director of the Mint in an official letter on the subject.

It is also shown by the report of the Committee on Coinage, Weights, and Measures made to this Congress, that there are in circulation today in this country about \$7,000,000 and they estimate the amount that would probably be presented for redemption as not likely to exceed \$10,000,000 out of a total coinage of \$35,965,924. When the Government issued this coin it received 100 cents for every dollar put in cir-

culation and common honesty on her part demands that she should honestly redeem every dollar of this coin.

What the gentleman from Maryland [Mr. FINDLAY] has stated with reference to the holders of the trade-dollars in his district applies with equal force to mine. Nearly every merchant and country storekeeper has some of them; some have thousands while others hold hundreds. Our banks hold thousands of them and paid a hundred cents for every dollar. They, like our merchants and storekeepers, received them for their face value in the belief that the Government was honest and would promptly and honestly redeem all its outstanding obligations, including

these debased and now repudiated silver trade-dollars. The Government coined these dollars and received the people's money in exchange therefor, and what honest man will contend that she shall not keep faith with her creditors? Is not this indebtedness equally as sacred as that of the interest-bearing obligations of the Government? Under the act of February 28, 1878, authorizing the coinage of standard silver dollars, known as the Bland act, the Secretary of the Treasury is authorized and directed to purchase from time to time silver bullion, at the market price thereof, not less than \$2,000,000 worth per month nor more than \$4,000,000 worth, and cause the same to be coined

monthly, as fast as purchased, into such dollars.

The weight of these dollars is fixed at 412} grains troy, standard silver, while the weight of the trade-dollar is 420 grains troy. If the Government is forced under this legislation to go into the market and purchase at least \$2,000,000 worth of silver bullion per month, why, in the interest of honesty and good morals, should she not redeem her outstanding trade-dollars for recoinage into standard silver dollars, and thus protect her honest creditors from loss, rather than purchase all the silver bullion required for the purposes of the act of February 28, 1878, from the silver bullionists of the country.

The following extract from an editorial recently published in the Philadelphia Times contains such sound sense upon this subject that I take the liberty of adopting the same as a part of my remarks:

The trade-dollars were issued by the Government and accredited to the people as money. They were accepted in good faith by the people; they were scattered throughout the whole country among rich and poor, and after they had been issued by the Government as dollars, their legal-tender quality was taken from them, and the people have suffered a loss of nearly one-fifth their face value. They are intrinsically more valuable than the swindling legal-tender dollar

that is now stored away by scores of tons in Government vaults, but, although a full 100 cents were received by the Government for every trade-dollar issued, and although they are worth more, in point of fact, than the legal-tender dollar that shames the nation, the Government has thus far refused to redeem the trade-dollar even for the less costly dollar that it has given an arbitrary value by its legal-tender quality. This is simply naked dishonesty, and it is the more disgraceful that a great government is responsible for it.

It is doubtless true that some speculators will profit by the redemption of the trade-dollar; but who is answerable for it? Why may speculators be able to profit by the honest redemption of Government money? Speculation in trade-dollars has been possible only because of the dishonesty of the Government in its deliberate depreciation of its own coin that it had issued and for which it had received full value. It can not now plead the logical result of its own wrong as an excuse for not correcting the wrong. The fact that millions of the trade-dollars are yet held outside of speculative circles by people who can ill afford

to lose one-fifth their face value should be conclusive with Congress and hasten the passage of the bill lately recommended to the House by the Coinage Committee, whereby trade-dollars would be received for all Government dues at par, or in exchange for legal-tender dollars, and be treated as bullion by the Government. The measure is not only obviously just, but common honesty on the part of the Government imperatively demands its prompt passage.

[Here the hammer fell.]

Mr. RANDALL. Mr. Speaker, I think this not an inappropriate time to present for the consideration of the House certain figures, showing the results of the appropriation bills of this session as compared with those of last year. These tables I will have printed in the REC-ORD. I do not wish to weary the House by reading them.

History of the fourteen regular appropriation bills-1886-'87.

	Estimates,	Estimates	Estimates, Estimates,		to the House.	Passed	the House.	Reported t	o the Senate.
Title.	1886.	1887.	Date.	Amount.	Date.	Amount.	Date.	Amount.	
Agricultural Army Consular and diplomatic District of Columbia a Fortifications Indian Legislative, &c Military Academy Navy Pension Post-Office d River and harbor Sundry civil	26, 110, 489 95 1, 623, 176 75 3, 659, 544 24 7, 303, 000 00 7, 328, 049 64 22, 366, 500 05 393, 344 78 30, 654, 010 50 60, 000, 000 00 56, 099, 169 50	\$651, 875 00 25, 356, 998 01 1, 604, 961 63 3, 839, 868 99 3, 396, 000 00 6, 051, 259 84 21, 523, 565 62 412 075 70 30, 836, 357 74 75, 830, 200 00 54, 986, 166 89 710, 176, 920 00 33, 554, 600 59	April 2 March 3 March 2 March 4 July 10 Feb. 11 May 20 Feb. 25 May 21 Feb. 5 Feb. 25 April 7 June 17	\$523, 215 00 23, 892, 588 46 1, 279, 665 00 620, 000 00 5, 502, 312 84 20, 560, 119 42 297, 805 00 11, 849, 858 70 75, 754, 200 00 54, 226, 589 07 15, 120, 700 00 21, 653, 822 04	April 15 May 12 May 13 April 12 July 19 March 24. June 16 May 9 June 21 March 4 April 6 May 6 July 1	\$523, 715 00 23, 968, 928 45 1, 299, 665 00 3, 611, 662 99 620, 000 00 5, 493, 062 84 20, 584, 229 17 297, 805 00 11, 778, 656 46 75, 754, 200 00 54, 326, 589 07 15, 142, 100 00 21, 311, 525 24	June 5 June 11 June 3 May 21 July 26 April 8 June 28 June 16 June 16 April 26 June 28 June 28 June 28 June 28 June 28 June 28	\$663, 215 00 23, 830, 874 80 1, 349, 365 00 8, 822, 527 99 6, 630, 000 00 5, 544, 682 80 20, 715, 734 77 297, 805 00 12, 833, 594 67 6, 675, 200 00 55, 165, 863 25 18, 037, 475 00 23, 173, 887 49	
Total	8,582,454 05		May 14	634, 452 65 6, 229, 000 00	July 10 March 5 May 17	5, 914, 962 32 634, 452 65 6, 229, 000 00	July 20 March 9	248, 138, 625 60 6, 565, 813 26 685, 802 65 6, 433, 000 00	
Total Alabama awar-is Increase of the Navy Miscellaneous	3,000,000 00	j5,000,000 00	h. wie	247, 318, 836 56		247, 490, 554 20		261, 823, 241 51	
Grand total	268, 332, 651 68	293, 676, 129 36	100.180				of the state of the		

	Passed the Senate.		Law, 1886-'87.		Amount—		
Title.	Date.	Amount.	Date.	Amount.	Law, 1885-'86.	Law, 1884-'85.	Law, 1883-'84.
Agricultural Army Consular and diplomatic. District of Columbia a Portifications Indian Legislative, &c. Military Academy. Navy. Pension Post-Office d River and harbor. Sundry elvil.	June 12 June 7 May 24 July 28 April 12 July 2 June 16 June 16 May 4 July 16	6,830,000 00 5,571,082 84 20,741,132 37 297,805 00 13,073,594 46 76,075,200 00 55,245,863 25	June 30 June 30 July 1 July 9 May 15 July 31 June 29 July 26 July 2 June 30	1,384,065 00 3,721,050 99 5,546,262 84 20,654,846 37 297,805 00 12,989,907 20	\$585,790 00 24,014,052 50 1,242,925 00 725,693 20 725,000 00 5,762,512 70 21,376,708 70 310,021 64 15,070,837 95 60,000,000 00 53,700,990 00 (26,079,257 49	\$480, 190 00 21, 454, 450 00 1, 219, 390 00 5, 859, 885 54 700, 000 00 5, 859, 402 91 21, 393, 141 85 314, 563 50 14, 980, 472 59 520, 810, 000 00 49, 040, 400 00 13, 949, 200 00 22, 299, 434 30	\$405, 640 00 24, 681, 250 00 1, 296, 755 00 3, 507, 247 96 670, 000 00 5, 358, 655 91 20, 454, 246 22 318, 657 55 15, 894, 434 23 686, 575, 000 00 44, 499, 520 00 (23, 679, 575 44
Total	July 26 March 10	687, 062 65	March 26 May 28	236, 553, 683 44 6, 860, 325 03 669, 055 84 6, 431, 500 00	212, 490, 779 18 4, 926, 855 80	179,060,480 69 7,057,509 00	227, 330, 982 26 2, 749, 941 49
Total				3,500,000 00	NEW TOTAL STREET, STRE	9, 592, 598 40	
Grand total				264, 783, 579 59	219, 595, 283 18	195, 710, 588 09	231, 993, 647 63

a Fifty per cent. of the amounts appropriated for the District of Columbia are paid by the United States. The amount for the water department (estimated for 1887 at \$183,483.02) is paid out of the revenues of that department. b In addition to this amount for pensions for 1884-'85 an unexpended balance of appropriation, estimated at \$65,000,000, was reappropriated and made available for that fiscal year. c In addition to this amount for pensions for 1883-'84 an unexpended balance of appropriation, amounting to \$39,000,000, was reappropriated and made available for that fiscal year. d The appropriations for the postal service are paid out of the postal revenues (estimated for 1887 at \$47,542,252.64), and any deficiency in the revenue is provided for out of the Treasury of the United States. eNo appropriations were made for rivers and harbors for the fiscal years 1883-'86. fThis is the estimate submitted for 1887: "The amount that can be profitably expended," as reported by the Chief of Engineers, is \$42,332,100 (Book of Estimates, page 178). gIncludes amounts contained in House Executive Documents 62, 70, 176, 210, 225, 233, 270, 275, 280, and 294, and Senate Executive Documents 213 and 218. h This sum (\$5,760,015.28), to pay awards of the Alabama Claims Commission, is incident to the act approved June 5, 1882 (volume 23, page 88, Statutes at Large). 4 The estimates for "increase of the Navy" are included above under estimates for the Navy. fThis sum is estimated. k This sum is based on laws approved and printed up to July 31 and on bills which have passed both Houses.

An examination of the foregoing statement shows that the aggregate | Comparative statement, showing differences between the regular appropriaamount of the thirteen regular appropriation bills providing for the ordinary expenses of the Government during the fiscal year 1887 is \$236,553,683.44, being \$31,667,166.54 less than the estimates which were submitted to Congress, and \$24,062,904.26 in excess of the regular appropriations made by the last session of the Forty-eighth Congress for the fiscal year 1886.

Deducting the increased amount given for pensions over what was appropriated for 1886, namely, \$16,075,200, and the amount of the river and harbor bill, \$14,473,900, making in all \$30,549,100, from the aggregate regular appropriations for 1887, and the remaining sum is \$206,004,583.44, or, \$6,486,195.74 less than was appropriated for the regular expenses of the Government for the fiscal year 1886.

The following is a comparative statement exhibiting by titles the reg-

ular appropriation bills and the decrease or increase made as compared with the fiscal year 1886.

tion laws for 1887 and those for 1886.

Title of law.	Decrease.	Increase.
Ågricultural Army. Consular and diplomatic. District of Columbia. Fortification. Indian Legislative Military Academy Navy. Pension Post Office.	725,000 00 216,249 86 722,362 33 12,216 64 2,080,930 75	\$68, 925 00 121, 140 00 98, 367 79 16, 075, 200 00 664, 873 25

20, 837, 978

Comparative statement showing difference between the regular appropria-tion laws for 1887 and those of 1886—Continued.

Title of law.	Decrease,	Increase,
River and harborSundry civil	3, 421, 746 91	14, 473, 900 00
Totals (regular appropriations)	7, 439, 501 78	31,502,406 04 - 7,439,501 78
Net increase 1887 over 1886		24, 062, 904 20 9, 034, 025 07 5, 769, 015 28 3, 500, 000 00 2, 822, 351 80
Total net increase appropriations 1887 over 188	G	45, 188, 296 41

Of the remaining sums appropriated by this session of Congress and which are not incident to the current and necessary operations of the Government, but which swell the total sum of appropriations to \$264,-783,579.59 as against \$219,595,283.18 appropriated by the last session of the Forty-eighth Congress, showing an apparent increase of \$45,188,296.41 of appropriations for 1887 over those for 1886, it is due to make the following explanation:

For deficiencies there is appropriated \$13,960,880.87, which aggregate sum includes items as follows:

For payment of pensions and fees of surgeons for examining pen- sioners For the payment of claims audited and certified by the Treasury, and	\$3,500,000
which in the main are for pay, bounty, and other allowances to 'soldiers, all of which accrued during the war period, and also for allowances to postmasters on readjustment of salaries	2,580,219 555,000 683,744 200,000
For payment of judgments of the Alabama Claims Commission out of funds paid into the Treasury under the Geneva award	10, 518, 963 5, 769, 015 3, 500, 000 1, 050, 000

Adding to the foregoing sum the excess of pensions for 1887 over 1886 and the amount of the river and harbor bill, making \$51,387,-078, and deducting the same from the whole amount of appropriations, there remains \$213,396,501, or less than \$1,000,000 in excess of the whole amount of regular appropriations made by the last session of the Forty-eighth Congress

The expenditures of the Government for the fiscal year ending June 30, 1886, the first complete year of the Democratic administration, and for the fiscal year ending June 30, 1885, the last year of the Republican control of the Government, were as follows:

Expenditures 1886.

Total expenditures, as reported by Treasury	\$242, 483, 138 50 44, 551, 043 36 44, 000, 000 00
Total	331, 034, 181 86
Expenditures 1885.	001,002,101 00
Total expenditures, as reported by the Treasury	45, 604, 035, 43
Total	348, 391, 814 37

This exhibit shows an excess of expenditures for 1885 over those for 1886 of \$17,357,632.51.

The expenditures for pensions in 1886 were \$63,404,864.03 as against only \$56,102,267.49 in 1885, being an increase of \$7,302,596.54 for 1886 over 1885, which difference, if deducted from the general expenditures as stated above for 1886, would make the reduction of expenditures for 1886 \$24,660,229.05 under the expenditures shown for 1885.

The total revenues of the Government for the fiscal year 1887 are estimated as follows:

45, 000, 000 00
47,500,000 00
92,500,000 00
64, 783, 579 59 18, 910, 955 00
83, 694, 534 59
1

As a rule the annual expenditures are from seven or eight to ten millions of dollars less than the annual appropriations. In 1885 the expenditures were more than \$7,000,000 less than the appropriations.

Now, Mr. Speaker, as to the immediate subject under consideration, I voted for the original proposition as it passed the House. I did not see then that there need be any apprehension from the execution of

the joint resolution if it should become a law in the form in which it passed the House, and I have heard nothing since from any source that has aroused in my mind any fear that if it had become a law in that has aroused in my mind any lear that if it had become a law in that form it would have worked injury to the Government or to the people. On the contrary, I believe that instead of harming the public credit it would have strengthened it. The Senate, however, thought otherwise, and we are unable to secure the passage of the resolution in the form in which the House thought it should be passed. The Senate made certain amendments. So far as the use of the surplus money in the Treasury for the payment of the public debt is involved, the practical result of the amendments of the Senate will be to make a difference of about twenty millions—the difference between seventy-five millions and fifty-five millions. In other words, the joint resolution as it comes from the committee of conference, will secure the payment, in about five and a half or six months, of \$55,000,000 of the public debt, separate and distinct from the amount which is necessary to meet the requirements of the sinking-fund law, so that during the coming year, if this joint resolution becomes a law, there will be more than

one hundred millions of the public debt liquidated.

Mr. BRECKINRIDGE, of Kentucky. If the gentleman will permit a suggestion, the balance shows that the surplus is eighty millions now

instead of seventy-five.

Mr. RANDALL. I know; but you have got the twenty millions counted there

Mr. BRECKINRIDGE, of Kentucky. So that it will make a differ-

Mr. BLAND. Provided they have the gold to pay it with.
Mr. RANDALL. As to that point, Mr. Speaker, there is nothing in the joint resolution which changes the authority now vested in the Department to pay the bonds in any kind of money that the people are willing to take.

Mr. BLAND. But this resolution makes it discretionary with the Secretary of the Treasury to suspend the payment whenever he has not

Secretary of the Treasury to suspend the payment whenever he has not the gold.

Mr. RANDALL. I will come to that question of discretion in a moment. I find myself, Mr. Speaker, in this situation: I can not get all I want, but I do not, therefore, propose to say that I will not accept a part of what I want. I do not believe in giving undue discretion, or in fact I might say any discretion, to the Treasury Department. I am fully aware that when the Treasury Department was organized there were few, if any, who advocated giving it any discretion. The general current of thought at that time was that the Treasury Department, above all other Departments of the Government, should have the least discretion, and it is easy to see why that view controlled. The

least discretion, and it is easy to see why that view controlled. power has not been abused, perhaps, by this administration or by past administrations; but, nevertheless, the power of manipulating the public funds is too dangerous a power to be intrusted to any official unless under the guidance and control of law, and we must sooner or later-I say it with the greatest respect to those who now administer the Government-we must sooner or later take from the Treasury Department the enormous discretion which it has at this time. That discretion grew up as a result of the war. It came because we found it necessary to make alliances with the banking interests of the country, in order that our bonds should be placed, and thus our Treasury was enabled to meet the requirements of the war; but I think that so soon as it is possible we should traverse all legislation giving undue discretion to any public officer in connection with the management of the public funds. The truth is the Treasury has come to be a mother bank, as it were, to control the condition of the finances of the country. The intent and purpose of the Treasury Department should be to receive and keep in safe custody the revenues, and to disburse them in such manner as the laws may direct.

While I believe that this resolution in its present form is not all that

is desirable, I am willing to support it as going part of the way in the direction toward which we should look; and I am comforted in doing so when I remember that while officials of the Treasury Department resisted the proposition as passed originally by the House, that since the conferees have put the resolution in its present form it is more acceptable to those Treasury officers. I am therefore at a loss to understand why all who voted for this proposition originally should not vote for it in its present form. It is in the direction of the views of those who originally voted for it; and I submit that we should not, by voting down the entire proposition, allow ourselves to be diverted from a partial accomplishment of what we then intended

I hope therefore that this conference report will be accepted. A vast majority of the people of the United States, so far as I have been able to hear from them, expect us to adopt some measure of this kind. We can not accomplish everything we desire; but we can accomplish this much in accord with their sentiments. It is a step forward upon the

much in accord with their sentiments. It is a seep retrieved to be policy on which we originally started out.

Mr. HEWITT. Do I understand my friend to say that this measure is now acceptable to the officials of the Treasury Department?

Mr. RANDALL. I say it is now acceptable to Senators who at first spoke against it; and the amendments which have been put upon the resolution were, as I understand, placed there upon the suggestion of certain Treasury officials.

Mr. HEWITT. But I do not understand the gentleman to say that the Treasury officials have communicated to him that it is acceptable.

Mr. RANDALL. They have not.

Mr. MORRISON. I move the previous question on the adoption of

Mr. LORE. If the gentleman from Illinois will withhold that motion for a moment, I would like to ask him whether it is probable that if this report be rejected the conferees will agree to the proposition for

Mr. MORRISON. Never with my consent.

Mr. RANDALL. Let me say to the gentleman from Delaware [Mr. Lore] that I am as much concerned in regard to the trade-dollar as he is; but why embarrass this proposition by making an issue now on that question? The provision in regard to the trade-dollar was put on the resolution in the Senate by a bare majority of 1. We will try some other method of providing for the redemption of the trade-dollar. The adoption of this report is too important to be embarrassed by making

Mr. FINDLAY. Does the gentleman from Pennsylvania expect to accomplish anything in regard to the redemption of the trade-dollar be-

fore we adjourn?

Mr. RANDALL. I shall press such a proposition to-day, if I have

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the opportunity.

Mr. MORRISON. I move the previous question.

Mr. EVANS. Mr. Speaker, I rise for the purpose of making a parliamentary inquiry. Would it be in order to move to instruct the managers on the part of the House to concur in the Senate amendment which provides for the redemption of the trade-dollars? If such a motion is in order, I desire to make it.

The SPEAKER. Of course such a motion is not in order at this stage.

The SPEAKER. Of course such a motion is not in order at this stage of proceeding. The only question now before the House is upon agreeing to the report of the committee of conference, which is a single question. If the report be not adopted then the whole subject is open, and the gentleman may move to concur with or without amendments.

The previous question was ordered.

The question being taken on agreeing to the report of the committee

of conference, there were—ayes 96, noes 37.
Mr. O'NEILL, of Pennsylvania. I call I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 120, nays 63, not voting 139; as follows:

47	123	•	C	- 14	no
x	E.	л		-1	20.

Baker,	Ford,	Jones, J. II.	Reid, J. W.
Ballentine,	Forney,	King,	Richardson,
Barnes,	Funston,	Kleiner,	Riggs,
Barry,	Gay,	Laird,	Rockwell,
Blanchard,	Gibson, C. H.	Landes,	· Romeis,
Blount,	Gibson, Eustace	Le Fevre,	Rowell,
Boyle,	Gilfillan,	Libbey,	Ryan,
Breckinridge, C. R.		Lindsley,	Seymour,
Breckinridge, WCP	Glover.	Little,	Skinner,
Browne, T. M.	Goff,	Lovering,	Sowden,
Butterworth,	Green, W.J.	Lyman,	Springer,
Caldwell,	Grout,	Maybury,	St. Martin,
Cannon,	Guenther,	McAdoo,	Stone, W. J., Ky
Carleton,	Hall,	McComas,	Strait,
Clements,	Halsell,	McKenna,	Struble,
Conger,	Heard,	McMillin,	Swope,
Cooper,	Hemphill,	McRae.	Taylor, Zach.
Cowles, ·	Henderson, D. B.	Morgan,	Thomas, J. R.
Crain,	Henderson, J. S.	Morrison,	Thomas, O. B.
Crisp,	Henderson, T. J.	Neal.	Trigg,
Dargan,	Hepburn,	Negley,	Tucker,
Dorsey,	Herbert,	Nelson,	Van Eaton,
Dougherty,	Hermann,	Norwood,	Wallace,
Dunn,	Hiscock,	Oates,	Ward, J. H.
Eden,	Hitt.	O'Neill, J. J.	Weber,
Eldredge,	Hopkins,	Parker,	West,
Ely,	Hudd,	Perkins,	Wheeler,
Farquhar,	Hutton,	Perry,	Wilkins,
Felton,	Jackson,	Pidcock,	Willis,
Fleeger,	Johnston, T. D.	Randall,	Wise.

NAYS-63.

llen, J. M.	Culberson,	Holman,	Scranton,
tkinson,	Daniel,	Kelley,	Seney,
Bennett.	Dibble.	Lanham.	Spooner,
Bingham,	Dockery,	Lehlbach,	Stephenson,
Bland,	Dowdney,	Lore.	Symes,
Bound.	Evans,	Lowry,	Tarsney,
Brady,	Everbart,	Mahoney,	Taulbee,
Brown, W. W.	Findlay,	Markham,	Townshend,
Buchanan,	Frederick,	Merriman,	Viele,
Bunnell,	Fuller,	Muller,	Wade.
Burnes,	Harmer,	Neece.	Ward, T. B.
Bynum,	Hatch.	O'Neill, Charles	Warner, Willia
lampbell, Felix	Hewitt.	Osborne,	Weaver, A. J.
ampbell, T. J.	Hiestand,	Payson.	Weaver, J. B.
lobb.	Hill.	Price,	White, A. C.
Collins,	Hires,	Sayers,	

	NOT	VOTING-139.	
dams, G. E. dams, J. J. liken, dlen, C. H. anderson, C. M. anderson, J. A.	Barbour, Barksdale, Bayne, Beach, Belmont, Bliss,	Bragg, Brown, C. E. Brumm, Buek, Burleigh, Burrows,	Campbell, J. M. Campbell, J. E. Candler, Caswell, Catchings, Clardy,
rnot.	Boutelle.	Cabell.	Compton.

Comstock,	Houk,	Stahlnecker,	Outhwaite.
Cox,	Howard,	Steele, *	Stewart, Charles
Croxton,	Irion,	James,	Stewart, J. W.
Curtin,	Owen,	Johnson, F. A.	Stone, E. F.
Cutcheon,	Payne,	Johnston, J. T.	Stone, W. J., Mo.
Davenport,	Peel,	Jones, J. T.	Storm,
Davidson, A. C.	Peters,	Ketcham,	Swinburne,
Davidson, R. H. M.	Pettibone,	Laffoon,	Taylor, E. B.
Davis.	Phelps,	La Follette,	Taylor, I. H.
Dawson,	Pindar,	Lawler,	Taylor, J. M.
Dingley,	Pirce,	Long.	Thompson,
Dunham,	Plumb,	Louttit,	Throckmorton,
Ellsberry,		Martin,	Tillman,
	Ranney,		Turner,
Ermentrout,	Reagan,	Matson,	
Fisher,	Reed, T.B.	McCreary,	Van Schaick,
Foran,	Reese,	McKinley,	Wadsworth,
Gallinger,	Rice,	Millard,	Wait,
Geddes,	Robertson,	Miller,	Wakefield,
Green, R.S.	Rogers,	Milliken,	Warner, A. J.
Grosvenor,	Sadler,	Mills,	Wellborn,
Hale,	Sawyer,	Mitchell,	White, Milo
Hammond,	Scott,	Moffatt,	Whiting,
Hanback,	Sessions,	Morrill,	Wilson,
Harris,	Shaw,	Morrow,	Winans,
Hayden,	Singleton,	Murphy,	Wolford,
Haynes,	Smalls,	O'Donnell,	Woodburn,
Henley,	Snyder,	O'Ferrall,	Worthington.
Holmes,	Spriggs.	O'Hara,	

So the report was adopted.

During the roll-call,
Mr. WHEELER moved to dispense with the reading of the names. Objection was made.

The following pairs were announced: Until further notice:

Mr. SNYDER with Mr. JOHNSON, of New York.

Mr. PINDAR with Mr. KETCHAM

Mr. DAVIDSON, of Alabama, with Mr. SWINBURNE. Mr. GEDDES with Mr. JOHNSTON, of Indiana.

Mr. McCreary with Mr. DINGLEY. Mr. MATSON with Mr. BOUTELLE.

Mr. O'FERRALL with Mr. WHITE, of Minnesota. Mr. HARRIS with Mr. HOLMES.

Mr. HARRIS WITH Mr. HOLMES.
Mr. GREEN, of New Jersey, with Mr. Burleigh.
Mr. Croxton with Mr. Hayden.
Mr. Miller with Mr. Long.
Mr. Cox with Mr. Anderson, of Kansas.
Mr. Stone, of Missouri, with Mr. Sawyer.
Mr. Worthington with Mr. Millard.

Mr. CABELL with Mr. CAMPBELLS of Pennsylvania.

Mr. CLARDY with Mr. OWEN.

Mr. JONES, of Alabama, with Mr. Brown, of Ohio. Mr. Outhwaite with Mr. Morrill.

Mr. MARTIN with Mr. PETERS.
Mr. PEEL with Mr. ALLEN, of Massachusetts.
Mr. Anderson, of Ohio, with Mr. Grosvenor.
Mr. Barksdale with Mr. Davenport.

Mr. Dawson with Mr. RANNEY

Mr. DAVIDSON, of Florida, with Mr. GALLINGER. Mr. HALE with Mr. HOUK.

Mr. SADLER with Mr. VAN SCHAICK. Mr. TUCKER with Mr. STEWART, of Vermont.

Mr. Barbour with Mr. Libbey.
Mr. Bargo with Mr. Cibbey.
Mr. Hammond with Mr. O'Donnell.
Mr. Throckmorton with Mr. Wadsworth.

Mr. REESE with Mr. ADAMS, of Illinois.

Mr. STORM with Mr. DUNHAM.

Mr. Rogers with Mr. Ezra B. Taylor.

Mr. Robertson with Mr. Steele.

Mr. WINANS with Mr. CUTCHEON.

Mr. Wellborn with Mr. Phelps.

Mr. John M. Taylor with Mr. IKE H. Taylor.

Mr. CANDLER with Mr. HAYNES.
Mr. TURNER with Mr. DORSEY.
Mr. HENLEY with Mr. HANBACK,
Mr. COMSTOCK with Mr. BURROWS.

Mr. MILLS with Mr. McKinley. Mr. Reagan with Mr. Rice.

Mr. FISHER with Mr. DAVIS. Mr. IRION with Mr. WHITING.

For to-day:

Mr. ELLSBERRY with Mr. PETTIBONE.
Mr. WARNER, of Ohio, with Mr. JAMES.
Mr. SHAW with Mr. BUCK.
Mr. LAFFOON with Mr. MOFFATT.
Mr. STEWART, of Texas, with Mr. BRUMM.
Mr. WILSON with Mr. PAYNE.

Mr. WILSON. I am paired with Mr. PAYNE, of New York, on this vote. Ido not know how he would vote, but if I were not paired I would vote in the affirmative.

The vote was then announced as above recorded.

Mr. MORRISON moved to reconsider the vote by which the report

was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGES FROM THE PRESIDENT.

Several messages in writing were received from the President, by Mr. PRUDEN, one of his secretaries.

It was further announced that he had approved and signed, August 4, 1886, bills and joint resolutions of the following titles, namely:

An act (H. R. 2027) granting a pension to Joshua Armstrong; An act (H. R. 2964) to restore to the pension-roll the name of Abel Mishler, of Pennsylvania;

An act (H. R. 7163) granting a pension to Peter Adams;
An act (H. R. 190) for the relief of certain employés and others, of
the twelfth United States light-house district;
An act (H. R. 8585) to provide for the inspection of tobacco, cigars,
and snuff, and to repeal section 3151 of the Revised Statutes;
Joint resolution (H. Res. 81) providing for the printing and distribution of documents of the monetary conferences of 1878 and 1881, and
the report of the monetary commission created under the joint resolution of August 15, 1876. tion of August 15, 1876;

Joint resolution (H. Res. 201) for printing report of Commissioner

of Agriculture; and

Joint resolution (H. Res. 138) to print 10,000 copies of the report of the Commissioner of Agriculture on the International Sheep and Wool Show held in Philadelphia in 1880.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced the passage without amendment of a bill (H. R. 2918) for the relief of William Huntington.

It further announced the passage of a bill (S. 938) for the relief of Chittenden Brothers, in which concurrence was requested.

FILING OF REPORTS.

Mr. WHEELER. I ask by unanimous consent that gentlemen having reports to submit may be allowed to do so by handing them to the Clerk during this day for reference to the proper Calendar.

Mr. O'NEILL, of Missouri. I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed without amendment a bill of the House, No. 4865, to extend the system for the immediate delivery of letters, &c.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:
A bill (H. R. 2918) for the relief of William Huntington; and

A bill (S. 885) to relieve the State of Colorado from charges on account of ordnance stores furnished to the State and Territory.

L. D. SUGG.

Mr. RICHARDSON, by unanimous consent, from the Committee on War Claims, reported a bill (H. R. 10015) for the relief of L. D. Sugg; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN. H. STUCKER.

Mr. MORRILL (by Mr. DOUGHERTY), by unanimous consent, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 7748) granting a pension to John H. Stucker; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SAMUEL D. HARPER.

Mr. WHEELER, by unanimous consent, from the Committee on Military Affairs, reported back favorably the bill (H. R. 3368) granting relief to Samuel D. Harper; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM R. WHEATON AND OTHERS.

Mr. TRIGG, by unanimous consent, from the Committee on Claims, reported back favorably the bill (S. 988) for the relief of William R. Wheaton and Charles H. Chamberlain, of California; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

A. M. ANDERSON AND OTHERS.

Mr. TRIGG, by unanimous consent, from the Committee on Claims, also reported back favorably the bill (H. R. 9261) for the relief of A. M. Anderson and others; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS THE SAINT LOUIS RIVER.

Mr. WEAVER, of Nebraska, by unanimous consent, from the Com- | adopted.

mittee on Commerce, reported back favorably the bill (H. R. 9987) to authorize the construction of a bridge across the Saint Louis River at the most accessible point between the States of Minnesota and Wisconsin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. McMILLIN, by unanimous consent, from the Select Committee on American Ship-building and Ship-owning Interests, reported back with adverse recommendation the bill (H. R. 2076) for the relief of the merchant marine of the United States engaged in the foreign carrying trade; which was ordered to be laid on the table and the accompanying report printed.

Mr. McMILLIN. I ask unanimous consent that the minority have leave to file their views at any time hereafter on this bill.

There was no objection, and it was so ordered.

A. CUSIMANO & CO.

Mr. McMILLIN, by unanimous consent, from the Committee on Ways and Means, also reported back favorably the bill (H. R. 6743) for the relief of A. Cusimano & Co.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM H. HEISTER.

Mr. STRUBLE, by unanimous consent, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 731) granting a pension to William H. Heister; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

REPORT FROM COMMITTEE ON INDIAN AFFAIRS.

Mr. PERKINS. I ask unanimous consent to file a report from the Committee on Indian Affairs. There was no objection.

STEPHEN H. BATES.

Mr. WEAVER, of Nebraska, by unanimous consent, introduced a bill (H. R. 10016) granting a pension to Stephen II. Bates, late a private in Company K, Forty-second Illinois Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MRS. E. M. FISHER.

Mr. WEAVER, of Nebraska, by unanimous consent, also introduced a bill (H. R. 10017) granting a pension to Mrs. E. M. Fisher, a nurse in the late war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PICTURE OF THE MARQUIS DE LAFAYETTE.

Mr. TUCKER, by unanimous consent, from the Committee on the Library, submitted a resolution of instructions to that committee to propose a plan for a tablet to be placed on the picture of the Marquis de Lafayette which hangs in the Hall of the House of Representatives; which was referred to the Committee on the Library.

ORDER OF BUSINESS.

Mr. BELMONT. Mr. Speaker, I ask unanimous consent to make a statement to the House.

Mr. SPRINGER. There are several reports, I understand, of conference committees waiting action.

The SPEAKER. There are a large number of conference reports to

be disposed of.
Mr. BELMONT. I know-

The SPEAKER. The Chair was responding to the gentleman from Illinois

Mr. BELMONT. There is a report from the Committee on Foreign Affairs which, it seems to me, ought to be considered before the close of the session. I know that conference reports are in order, but still, if the gentleman from Illinois [Mr. Springer], who has, I believe, a report to submit, will allow me a moment I think this can be disposed of.

Mr. SPRINGER. This report will take but a very short time.
Mr. BELMONT. I would like to know, if possible, whether these

conference reports will probably take up the remainder of the session until 5 o'clock? The SPEAKER.

The Chair is unable to answer the question.

Then I ask unanimous consent that the resolution Mr. BELMONT. of which I now speak, relating to the imprisonment of an American citizen in Mexico, be taken up for consideration.
Mr. HITT. I object.
Mr. BLAND. I demand the regular order.

LEAVE TO PRINT.

Mr. HOLMAN. The gentleman from Illinois yields to me for a moment to ask unanimous consent that gentlemen who desire to do so may print remarks in the RECORD touching the conference report just

The SPEAKER. The gentleman from Ohio [Mr. BUTTERWORTH] has also made a similar request. Is there objection?

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. MARKHAM. I wish to be recognized to ask unanimous consent

The SPEAKER. But the gentleman from Missouri [Mr. Bland] has demanded the regular order.

Mr. BELMONT addressed the Chair.

Mr. HITT. I withdraw my objection.

The SPEAKER. But the gentleman from Missouri insists on the

Mr. BELMONT. Probably the gentleman from Missouri is not aware of my object.

The SPEAKER. The gentleman can see him and ascertain whether he is or not.

PHŒNIX NATIONAL BANK, NEW YORK.

Mr. SPRINGER. I submit a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the bill of the Senate No. 1599 for the relief of the Phœnix National Bank of the State of New York, having met, after full and free cenference have agreed to recommend and do recommend that the House of Representatives do recede from its amendment to said bill.

WILLIAM M. SPRINGER,
SAMUEL W. T. LANHAM,
JAMES BUCHANAN,
Managers on the part of the House.
WILLIAM M. EVARTS,
JOHN J. INGALLS,
GEORGE G. VEST,
Managers on the part of the Senate.

Mr. SPRINGER. I submit the statement which I send to the desk. The Clerk read as follows:

The conferees on the part of the House of Representatives on the disagreeing votes of the two Houses on the bill (8.1599) for the relief of the Phœnix National Bank, of the city of New York, submit the following explanation of the effect of receding from the House amendment to said bill, as recommended by the con-

receding from the House amendment to sau out, as recommended by the ference report:

The House amendment reduced the amount to be paid to the claimant from \$29,524.35 to \$12,117.38. The conferees recommend that the House recede from its amendment for the reason that the first-named sum represents the exact amount which the Phenix Bank was compelled to pay and did pay to satisfy the judgment and court costs in the litigation to which the bank was subjected by the authorized acts of the United States, as set forth in the report of the Committee on Claims of the respective Houses.

WM. M. SPRINGER,

WM. M. SPRINGER,
S. W. T. LANHAM,
JAMES BUCHANAN,
Managers on the part of the House.

Mr. SPRINGER. I ask unanimous consent to print in the RECORD are report of the Senate committee on this bill. It will fully explain the report of the Senate committee on this bill. It will fully explain the reason why the conferees have recommended that the House recede from its amendment to the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. GLOVER. I would like to have it read.
Mr. SPRINGER addressed the House. [See Appendix.]
Mr. SPRINGER. I now move the previous question on the adoption of the report.

The previous question was ordered; and under the operation thereof the report of the conference committee was adopted.

Mr. SPRINGER moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The Chair, if there be no objection, will lay before the House, not in their order under the rule, an executive communication and some other matters.

There was no objection.

RIVERS AND HARBORS.

The SPEAKER laid before the House a letter from the Secretary of War recommending that provision be made for the wants of the service for the river and harbor works now in progress in the event of the failure of the river and harbor appropriation bill; also transmitting a statement from the Chief of Engineers and a recommendation of an appropriation of \$500,000 for said purpose; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

CALIFORNIA JUDICIAL DISTRICTS.

The SPEAKER also laid before the House a bill of the following title, with Senate amendments:
A bill (H. R. 5196) to detach certain counties from the United States

judicial district of California, and create the United States judicial district of Southern California.

Mr. HISCOCK. I ask unanimous consent that the Senate amendments be concurred in.

There was no objection, and the amendments were concurred in.

Mr. HISCOCK moved to reconsider the vote by which the amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SITE FOR CONGRESSIONAL LIBRARY.

The SPEAKER also laid before the House a joint resolution (S. R. 82) making an additional appropriation for the purchase of a site for the Congressional Library.

Mr. O'NEILL, of Pennsylvania. I ask unanimous consent that that

joint resolution be taken up and put upon its passage. Mr. HOLMAN. I call for the regular order, Mr. Speaker.

The joint resolution was referred to the Committee on the Library.

MISSISSIPPI AND MISSOURI RIVER COMMISSIONS.

The SPEAKER also laid before the House a joint resolution (S. R. 83) for the payment of the salaries of the Mississippi and Missouri River Commissions, and for other purposes.

Mr. HOLMAN. I move that that be referred to the Committee on

Rivers and Harbors.

The SPEAKER. It is for the payment of salaries, and would be referred under the rule to the Committee on Appropriations.

Mr. WILLIS. I object to its being referred to Rivers and Harbors. The Committee on Rivers and Harbors has adjourned. The resolution provides for an appropriation, and should go to the Committee on Ap-

The SPEAKER. The joint resolution will be referred to the Com-

mittee on Appropriations.

Mr. RANDALL. It is not likely that the Committee on Appropriations will have another meeting this session, and therefore I ask that the resolution rest on the table for the present.

Mr. GLOVER. I object.

PUBLIC BUILDING, YONKERS, N. Y.

The SPEAKER also laid before the House a bill (S. 1597) for the erection of a public building at Yonkers, N. Y.; which was referred to the Committee on Public Buildings and Grounds.

CHITTENDEN BROTHERS.

The SPEAKER also laid before the House a bill (S. 938) for the relief of Chittenden Brothers.

Mr. HEMPHILL. I move that the bill be referred to the Committee on the District of Columbia, inasmuch as the original bill has been before that committee.

The SPEAKER. In the absence of objection, that reference will be made.

IMPRISONMENT OF A. K. CUTTING.

Mr. BELMONT. Mr. Speaker, the gentleman who objected to the consideration of the resolution which I presented from the Committee

on Foreign Affairs withdraws his objection.

The SPEAKER. Is there further objection? The Chair hears none.

The resolution will be reported.

The Clerk read as follows:

Whereas A. K. Cutting, an American citizen, is wrongfully deprived of his liberty by Mexican officials at Paso del Norte, in the Republic of Mexico; and Whereas the Mexican Government refuses to release said Cutting upon the demand of the President of the United States; and Whereas the Government of Mexico alleges as a reason for its refusal to comply with such demand that said Cutting is guilty of violating a Mexican law upon American soil; and Whereas the House of Representatives, while appreciating the disposition shown by the Government of Mexico to carry out international obligations, can never assent to the doctrine that citizens of the United States may be prosecuted in a foreign country for acts done wholly upon American soil: Therefore, Be it resolved, First, that the House of Representatives approves of the action of the President of the United States in demanding the release of said A. K. Cutting.

Resolved, Second, that the President of the United States be, and he is hereby, requested to renew the demand for the release of the said A. K. Cutting.

The SPEAKER. Is there objection to the consideration of this res-

Mr. BRECKINRIDGE, of Arkansas. Mr. Speaker, I will wait to hear any explanation which the gentleman from New York [Mr. Bel-

MONT] may desire to make.

The SPEAKER. But the matter is not before the House for consideration if there is objection.

Mr. BRECKINRIDGE, of Arkansas. Well, Mr. Speaker, I think this is a delicate matter, which we ought not to pass upon without some further evidence.

Mr. TIMOTHY J. CAMPBELL. I hope there will be no objection to the resolution.

Mr. BRECKINRIDGE, of Arkansas. I will listen to an explanation from the gentleman from New York [Mr. BELMONT], reserving the right to object.

The SPEAKER. But other gentlemen object to having debate upon the resolution until it is before the House for consideration.

Mr. LANHAM. I hope the gentleman from Arkansas will allow the resolution to be considered.

Mr. BELMONT. I have not heard the gentleman object.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. BRECKINRIDGE, of Arkansas. Mr. Speaker, an explanation has been made to me which causes me to withdraw the objection.

The SPEAKER. Is there futher objection? The Chair hears none. The question is on the adoption of the resolution.

Mr. CANNON and Mr. WEST. Let us hear what the resolution is.

The SPEAKER. It has been read, but in the absence of objection it will be read again.

The resolution was again read.

Mr. CURTIN. Can not the correspondence to which these resolu-

tions refer be read?

The SPEAKER. Only in the time of some gentleman who has the floor. The correspondence was communicated by the President in a message which was laid before the House a day or two ago and referred to the Committee on Foreign Affairs.

Mr. LANHAM. It was printed in the RECORD.

The SPEAKER. The Chair is informed it is printed in the REC-

Mr. BELMONT. . The correspondence was transmitted to the House yesterday and is printed in full in the RECORD of this morning.

Mr. CURTIN. I think we should know, before we act on these res-

olutions, whether all the matters stated are true. Suppose I take the floor and ask for the reading of the correspondence?

The SPEAKER. The gentleman from New York [Mr. Belmont] is now entitled to the floor if he desires to occupy it. If not, the Chair

will recognize some other gentleman.

Mr. BELMONT. I yield ten minutes to the gentleman from Illinois [Mr. HITT]

Mr. HISCOCK. Are these resolutions before the House for consid-

eration?

The SPEAKER. They are. The Chair asked for objection and none was made

Mr. HITT. Mr. Speaker, the resolutions now under consideration appear to have been reported by a unanimous vote of the Committee on Foreign Affairs. When they were considered by that committee the correspondence in the case referred to was in manuscript, and its substance and tenor were, especially the communications from the Mexican Government, unknown, at least to myself. I was called from my seat in the House to pass upon this question in committee. So far as I am aware, only the letter of the Secretary of State, a brief summary of the correspondence, was known to the gentlemen of the committee who passed upon the question. Upon the statement in that summary that the Mexican Government had refused a demand from our minister for the release of an American citizen, and that custody of this citizen was claimed by the Mexican Government under a law which is substantially set forth in these resolutions, I assented to reporting them favorably to the House.

This morning I find that whole correspondence printed in the RECORD, and I have read it carefully and with surprise. I find that the Mexican Government, instead of having refused the demand of our Government. ernment, instead of answering Mr. Bayard's demand for this man's instant liberation with a rebuff, has promptly and earnestly endeavored to do all that we asked, and has fully explained why it could not order or compel a state or state court. Every word of the answer and all the acts of the secretary of state of Mexico and the president of the republic himself show a disposition of compliance. There is no evasion, no defiance; there is very nearly humiliation in the tone of that government, so feeble in material resources compared to our country, before the sudden, imperious demand of the Secretary of State in the name of the President to instantly set at liberty a man who was being tried before a

state court.

On the 6th of July our minister in Mexico, Mr. Jackson, learned for the first time of this proceeding at El Paso, and laid the matter before

the first time of this proceeding at El Paso, and laid the matter before the Mexican Government. On that very day it was considered.

A letter was sent from the ministry of foreign affairs of that country to the governor of the state of Chihuahua, where this man was being tried. That letter, sent by the advice of the president, who concerned himself in satisfying us, recommended the governor to see justice administered promptly and duly, and to alleviate the hard condition of the prisoner, as well in all else permitted by the laws. The terms of that letter, if I had time to read it, would show the friendly, the conditions spirit of the Mexican minister the eagerness in fact, on the ciliatory spirit of the Mexican minister, the eagerness, in fact, on the part of that government to avoid conflict and end this troublesome question with their powerful neighbor on the north. They appear most anxious to avoid quarrel with us.

Mr. BLOUNT. Is not this man under arrest now?

A MEMBER. Why do they not release him?

Mr. HITT. He is in prison, and why? The pathetic story given in the dispatch of our minister to the Mexican Government is that he is in a loathsome, filthy prison, and is denied bail, though he has abundant bail ready. Upon that statement of Minister Jackson, detailing the horrors of this man's confinement and this hard ruling, the President of Mexico intervened and exercised his influence for the purpose of having the man allowed bail and that he should no longer be treated with such cruel imprisonment. What was the result? He scornfully · refused to give bail and said he would stay.

Mr. CRAIN. Will the gentleman allow me to ask a question? Mr. HITT. Wait until I finish answering this one.

He refused it, it is said, on the advice of that mischief-making consul, who is reported as making speeches to crowds in the streets about vindicating the rights of this great country. It is unfortunately to such a man, who seems to be indiscretion itself, that the conduct of our affairs there has fallen. This prisoner, by the advice of the consul, and declaring that his case was no longer a small individual affair of petty courts but was of international importance, refused to give bail, and persisted in staying in his prison. He can walk out of it (for he says he has abundant bail) at any moment he pleases.

In this correspondence, which my veteran diplomatic friend [Mr. CURTIN] asked just now to have read, the Government of Mexico explains that the autonomy of a state in Mexico, just as in the United States, is independent of the federal government, and that the courts administer justice, not by the orders of the president or his ministry—a similar answer to that Mr. Bayard gave recently to the minister of China when he sought relief for Chinamen wounded, pillaged, their relatives murdered, and whose rights were disregarded in this country.

Mr. CRAIN. Will'the gentleman allow me a question?

Mr. CRAIN. Will the gentleman allow me a question?
Mr. HITT. With pleasure.
Mr. CRAIN. Instead of it being the fact that this man has been of fered bail and has declined to accept it, is it not true that he has been convicted and is now awaiting sentence, and that he was tried for libel

under the laws of Texas, instead of the Mexican law?
Mr. HITT. There is no official information about that. I have received two or three different versions of that matter to-day from different newspapers and from persons pretending to have dispatches. One man, who said that he had come from the highest source of information, told me his assurance was that the Mexican authorities expected to reach an end of the case this very day, and that the man would be set at liberty. I do not know that there is one word of truth in any of these stories which have been in circulation, as we have no official information later than the conclusion of the diplomatic correspondence now on our tables. That correspondence ends with the fact that the chief-justice of Chihuahua had issued a decree to the judge to report in three days and to carry out the law allowing bail; and now we hear that he has refused to give bail, though by it he was at liberty to leave his prison whenever he chose.

Mr. DANIEL. I desire to ask my friend from Illinois from what source he ascertains that bail was offered this gentleman.

Mr. HITT. In a letter signed by the gentleman and which was shown to me a short time ago by one of the friends of this measure.

Mr. DANIEL. Is it in the official correspondence?

Mr. HITT. It is not. I do not know absolutely or officially that

such is the fact. I take my information from the letter which was shown to me by his friend and the El Paso newspapers.

Mr. KING. Will the gentleman from Illinois allow me a moment to reply to the reflections he made a few moments ago upon the Ameri-

can consul?

Mr. HITT. No, I have not time to yield.

The gentleman makes a charge wrongfully and then de-Mr. KING. clines to permit a reply.

Mr. HITT. The gentleman must make his speech in his own time. spoke only of that officer's public actions as reported.

The SPEAKER. The gentleman from Illinois [Mr. HITT] declines

to yield to the gentleman from Louisiana.

Mr. LANHAM. I desire to ask the gentleman from Illinois whether he does not know from the official correspondence furnished to us through the Secretary of State that this gentleman, Mr. Cutting, is now in prison in Mexico in violation of his rights as an American citizen,

and has been for one month? Mr. HITT. I know from the correspondence that he is in prison, and I know that our Government is now doing in this case what it has done in more than fifty cases which have at different times arisen on the Mexican border, in a hundred cases of imprisonment or other wrong which have arisen with the South American and other countriesis intervening to secure his release and redress. There is nothing more common in the business of the Foreign Office of this country than such intervention; and there is every prospect that with cordial desire on the part of both governments, ours earnestly urging and the Mexican government earnestly endeavoring, with all the power with which it is clothed by their constitution, that intervention in this case will be successful. I do not believe that the Democratic Secretary of State is so incompetent that he can not conduct to complete success a negotiation with Mexico in this single case, when he has been successful in many other cases, and he will do it without the direction given in this last resolution. All this is a wholly unnecessary demonstration by the House toward a comparatively feeble neighbor, who is only too eager to avoid trouble with us.

The Secretary of State can attend to this well enough. We fully understand his purpose; we trust his methods of procedure and the principles guiding him. I am perfectly content to let the Department attend to the business for which it is constituted.

The case for the interference of this legislative body in diplomatic questions and negotiations pending is where the Department seems to need backing against a powerful opponent, where there is defiance of our country, where there is evasion of its rightful demands, or where the Executive is uncertain, and there seems to be a necessity for the expression of the voice of the Legislature. But why should we inter-fere here? Why should we break out in reproach and threats against this weaker neighbor, anxious to be at peace with us? Were Mexico a great first-class power like England, that can bring her mailed fleets in a week to bombard the port and burn the city of New York, would there be so much demonstration? I would quickly vote a supporting resolution in a troubling question with England. What is the reason why such swift-footed wrath should be meted out to one of the least

powerful of neighboring foreign powers?

I have enough confidence in the Secretary of State to believe he is competent to manage this diplomatic question like others. mand he made upon Mexico has been answered in a perfectly friendly spirit and all they have done has been the very reverse of hostile. The reiteration, to humiliate Mexico needlessly, would embarrass a friendly government and possibly lead to local disturbance there where governments are not so solidly seated as we could wish. It is our interest and duty as members of a national Legislature, for the sake of our own people and for the sake of all nations, to do what we can to preserve peace. [Applause.] The Secretary of State knows full well without these resolutions that he has the backing of this Congress and of all our country in defending the rights and redressing the wrongs of Americans everywhere. On that we are always united, and there never has been and never will be one uncertain voice in the Congress of the United States on aught that touches the sacred rights of an American citizen. [Applause.]

Here the hammer fell.] Mr. BELMONT. Mr. Speaker, I am somewhat surprised that my colleague on the committee who yesterday joined in the report we have made to the House should to-day change his opinion. And I do not find that the information which he now presents to the House is derived from this record or from the message of the President or the letter of the Secretary of State accompanying it. My friend doubts whether Mexico has refused to accede to the demand of this Government. I can find no better authority than the statement made by the Secretary of State to the President, which forms part of the correspondence laid before the House, accompanying the President's message, and which is printed in full in the RECORD of this morning. I will read it:

will read it:

On July 22, 1886, the telegram of Mr. Jackson, minister at Mexico, dated July 21, 1886, was received here, stating the refusal of the Mexican Government to accede to the telegraphic demand of the undersigned for Cutting's release, the substance of which telegram is appended. On the same day a summary of the reasons for so declining was asked for by telegraph, and on the same night a reply from Mr. Jackson was received, giving a summary of the Mexican reasons. The substance of this telegraphic summary is annexed, and the full text of Mr. Mariscal's refusal is found among the accompaniments to a later dispatch from Mr. Jackson—No. 272, of July 22, 1886.

On July 26, 1886, Consul Brigham telegraphed to this Department that the governor of Chihuahua was pushing the trial of Cutting, who ignored the proceedings; copy of which telegram is appended.

On July 27, 1886, the instruction of the undersigned, numbered 228, was mailed to Mr. Jackson; copy thereof is annexed.

The last communication from Minister Jackson on the subject being his dispatch No. 272, of July 22, 1886, hereinbefore referred to, was received at this Department on the 31st ultimo. It conveys the text of the correspondence had by him with the Mexican secretary for foreign affairs, in which Cutting's release was demanded and refused.

Mr. HITT. In the correspondence you will find it was not refused. Mr. BELMONT. On the contrary it is very clearly shown that it was refused, and so it appeared to my colleague when yesterday he joined with the rest of the committee in its report. In reaching his conclusion yesterday my friend had also before him the statute under which the Government of Mexico claims the right to arrest and punish this American citizen. That statute is laid before us in the correspondence.

This is simply a question of jurisdiction. The gist of the whole matter is, whether we can afford to recognize the contention of Mexico in setting up one of its federal statutes as a ground for claiming jurisdiction over an alleged offense committed by an American citizen within the territory of the United States. My colleague on the committee had before him the statute yesterday and agreed with the committee it was proper that a resolution should be passed declaring that this Government could not assent to such a doctrine. I have failed to discover from any statement he has since made a reason for his change of opinion, unless it be the reports circulated in the newspapers.

Mr. HITT. The gentleman will not misrepresent me.
Mr. BELMONT. I do not desire in the slightest to misrepresent

the gentleman.

Let me say that I did assent to the report, understanding that this law was claimed by the Mexican Government to be its reason and support for refusing the demand of the United States, and that under it they held Mr. Cutting; whereas I read in the correspondence that this law is simply handed by the Mexican minister to us as explaining the action of the court over which they have no control, nor of the state where the court is sitting.

Mr. HISCOCK. Let me ask the gentleman from New York a ques-

Mr. BELMONT. I will answer my colleague as soon as I have an-

swered the gentleman from Illinois on this point. That this article 186 of the Mexican code is clearly in contention appears in the communication of the Secretary of State, which is as follows:

A copy of article 186 of the Mexican code, which was handed to the undersigned by Mr. Romero in support of the claim of Mexico to take cognizance of crimes of which Mexicans were the subject in foreign countries, is herewith appended. This conflict of laws is even more profound than the literal difference of corresponding statutes, for it affects the underlying principles of security to personal liberty and freedom of speech or expression, which are among the main objects sought to be secured by our framework of government. The present case may constitute a precedent fraught with the most serious results.

The House will at once perceive when this statute is read why the question has assumed so great an importance.

Mr. HISCOCK. I would like to ask a question of my colleague.
Mr. BELMONT. I will first ask to have the statute read.

Mr. WARNER, of Ohio. Let me ask if the President has sent to

Congress a message on this subject.

Mr. BELMONT. Yes; and the President has transmitted to the House the whole correspondence which has taken place up to this time. will ask the Clerk to read the passage I have marked.

The Clerk read as follows:

ARTICLE 186 OF THE MEXICAN PENAL CODE.

ARTICLE 186 OF THE MEXICAN PENAL CODE.

Any crimes that may be committed on the territory of a foreign state by a Mexican against Mexicans or against foreigners, or by a foreigner against Mexicans, may be punished in Mexico, in conformity with the laws of the country, under the following provisions:

I. That the accused party should be in Mexico, whether of his own free will or by having been extradited.

II. That a proper complaint should be made by the legitimate party in case the guilty person should be a foreigner.

III. That the accused party should not have been tried in the country where the crime was committed, or, in case he has been tried, that no acquittal, amnesty, or pardon should have been pronounced in the matter.

IV. That the violation of which he may be accused should be considered a crime both in the country where it was committed and in Mexico.

V. That the crime should be liable, in accordance with the laws of Mexico, to a more severe punishment than that of arrest.

Mr. BELMONT. The House will have observed that this distinctly claims an extraterritorial jurisdiction. In other words, that the offense of which Cutting was guilty, an offense committed within the borders of the United States, is according to this law to be punished by Mexico in Mexico.

May I ask how much time I have remaining?

The SPEAKER. The gentleman has consumed and yielded in all seventeen minutes.

Mr. WARNER, of Ohio. I would like to ask the gentleman, if the President has sent a message to the House, that he will have it read in

Mr. LANHAM. The message is exceedingly brief.
Mr. WARNER, of Ohio. I take it that upon a subject of so much Mr. WARNER, of Onio. I take it that upon a subject of so much importance, if the President deems it necessary for Congress to take action, he would send a letter of advice or recommendation.

Mr. GOFF. It is only a letter of transmittal.

The SPEAKER. The message of the President simply transmits the

correspondence.

Mr. WARNER, of Ohio. In response to the House inquiry? The SPEAKER. Yes.

Mr. WARNER, of Ohio. Then, as I understand it, the President has sent no communication asking for action in this matter, nor has

the Secretary of State.

Mr. BELMONT. The correspondence and the letter undoubtedly suggest such action as the committee recommends. It is now within a few minutes of the hour of adjournment under the rule, and I will yield to the gentleman from Illinois, who desires to submit a motion for

Mr. HISCOCK. The gentleman stated that he would allow me to make an inquiry. I desire to know whether the Secretary of State wishes any interference on the part of Congress?

Mr. MORRISON. I move that the House take a recess until 10

All

o'clock to-morrow.

Mr. KING. I object.

The SPEAKER. The gentleman submits a motion.

The question was taken; and on a division there were—ayes 90, noes

Mr. GLOVER. No quorum.
Mr. MORRISON. I demand the yeas and nays.
The yeas and nays were ordered.

The question was taken; and there were-yeas 135, nays 10, not voting 177; as follows:

DE DO DE EL EL ESTE

	YI	EAS-13
en, J. M. cinson,	Brown, W. W. Buchanan,	Crai

tkinson,	Buchanan.
Baker,	Bunnell,
Ballentine,	Burnes,
Barnes,	Butterworth,
Belmont,	Bynum,
Bingham,	Caldwell.
Bland.	Campbell, Felix
Blount,	Campbell, J. M.
Bound.	Campbell, T. J.
Boyle,	Cannon,
Brady,	Clements.
Breckinridge, W	CP.Cobb,
Browne T. M.	Colling.

ooper,	Ford,
ain.	Forney,
irtin.	Frederick,
miel,	Funston,
ockery,	Gibson, C.
orsey,	Gilfillan,
den.	Glass,
dredge,	Goff.
y,	Green, W.
vans.	Grout,
verbart,	Hall.
arguhar,	Halsell.
indlay,	Harmer,
	Hatah

Heard, Hemphill, Henderson, D. B. Henderson, J. S. Henderson, T. J. Neece, Negley, Norwood, O'Neill, Charles Osborne, Parker, Payne, Perkins, Pideoek, Randall, Reid, J. W. Richardson, Riggs, Stahlnecker, Struble, Lehlbach. Libbey, Lindsley, Struble, Swope, Symes, J. R. Townshend, Trigg, Wade, Wallace, Ward, J. H. Ward, T. B. Warner, William Weaver, A. J. Weaver, J. B. West, White, A. C. Little, Lore, Lovering, Lowry, Lyman, Mahoney, Hepburn, Hewitt, Hiestand, Hill, Hires, Hiscock, Holman, Hopkins, Jackson, Maybury, McAdoo, McComas, McMillin, Riggs, Rockwell, McRae, Merriman, Morgan, Morrison, Morrow, Muller, James, Johnston, T. D. Sayers, Scranton, White, A. C. Wilkins, Kelley, Laird, Lanham, Le Fevre, Seney, Seymour, Wilson, Sowden. Wise. Springer, Neal,

NAYS-10.

Bennett, Cowles Bliss, Dougherty, Breekinridge, C. R. Hitt, La Follette, Landes, Price,

Thomas, O. B.

NOT VOTING-177.

Snyder,
Spooner,
Spriggs,
Steele,
Stephenson,
Stewart, Charles
Stewart, J. W.
St. Martin,
Stone, E. F.
Stone, W. J., Ky.
Stone, W. J., Mo.
Storm,
Strait,
Swinburne,
Tarsney, Adams, G. E. Adams, J. J. Aiken, Allen, C. H. Anderson, C. M. Anderson, J. A. Dunn, Elisberry, Ermentrout, McKenna, McKinley, Millard, Felton, Miller, Milliken, Fisher, Fisher,
Foran,
Fuller,
Gallinger,
Gay,
Geddes,
Gibson, Eustace
Glover,
Green, R. S.
Grosvenor Mills, Mitchell, Moffatt, Arno., Barbour, Barksdale, Morrill. Murphy, Nelson, Ontes, O'Donnell, O'Ferrall, O'Hara, O'Neill, J. J. Outhwaite, Owen, Payson Barry, Bayne, Beach, Blanchard, Boutelle, Grosvenor, Swinburne, Tarsney, Taulbee, Taylor, E. B. Taylor, J. M. Taylor, J. M. Taylor, Zach. Thompson, Throckmorton, Tillman, Tucker Guenther, Hale, Mammond, Hanback, Bragg, Brown, C. E. Brumm, Buck, Burleigh, Harris, Hayden, Haynes, Henley, Herbert, Payson, Peel, Perry, Peters, Pettibone, Burrows, Cabell, Campbell, J. E. Candier, Phelps, Pindar, Pirce, Plumb, Ranney, Carleton. Hermann. Tucker. Tucker, Turner, Van Eaton, Van Schaick, Viele, Wadsworth, Caswell. Holmes, Catchings, Clardy, Compton, Comstock, Houk, Howard, Hudd, Hutton, Reagan, Reed, T. B. Reese, Rice, Robertson, Irion, Johnson, F. A. Johnston, J. T. Jones, J. H. Jones, J. T. Ketcham, Wait, Wakefield, Warner, A. J. Weber, Wellborn, Conger, Cox, Crisp, Croxton, Rogers, Romeis, Rowell, Ryan, Sadler, Culberson, Cutcheon, Wheeler, White, Milo Whiting, Willis, Dargan, Davenport, Davidson, A. C. Davidson, R. H. M. King, Kleiner, Laffoon, Winans, Wolford, Woodburn, Worthington. Lawler, Sawyer, Scott, Davis, Dawson, Dibble, Dingley, Long, Loutlit, Markham, Martin, Sessions, Shaw, Singleton, Matson, McCreary,

After the first roll-call,

Dowdney, Dunham,

The SPEAKER said: Gentlemen who desire to vote in order to make

Skinner, Smalls.

a quorum should vote on the roll-call.

Mr. WEAVER, of Iowa. I ask unanimous consent to dispense with the reading of the names.

There was no objection.

The following additional pairs were announced:
Mr. Skinner with Mr. West, for the remainder of this session.
Mr. Campbell, of Ohio, with Mr. Spooner, for the rest of this day.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed without amendment the bill (H. R. 2060) granting a pension to Margaret D. Marchand.

The message also announced that the Senate had passed with amendments the bill (H. R. 3280) to restrict the ownership of real estate in the Territories to American citizens, requested a conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. PLUMB, Mr. TELLER, and Mr. WALTHALL conferees on the part of the Senate.

ORDER OF BUSINESS.

The SPEAKER. Upon the question just taken the year are 135, the nays are 10. No quorum has voted, and the motion is not agreed to.

And then (at 5 o'clock and 7 minutes p. m.), in accordance with its previous order, the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BYNUM: Petition for a pension to Evadora B. Temple-on—to the Committee on Invalid Pensions.

By Mr. GLASS: Petition of Reuben S. Jones, deceased, of Shelby

County; and of David A. Perrick, of Marshall County, Tennessee, asking that his claim be referred to the Court of Claims-

By Mr. CHARLES O'NEILL: Petition of Mrs. Mattie S. Whitney, widow and administratrix of Franklin S. Whitney-to the same com-

By Mr. WHEELER: Petition of John Wyningear, of Lawrence County, Tennessee, and of Amelia Cohen, administratrix of Philip Cohen, asking that their war claims be referred to Court of Claims-to the same committee.

By Mr. WILLIS: Petition of members of the Liquor Dealers' Association of the District of Columbia, against the passage of Senate bill 1380, commonly known as the high-license bill—to the Committee on the District of Columbia.

By Mr. WILSON: Petition of Moses Bradshaw, with accompanying

papers-to the Committee on Rules.

SENATE.

THURSDAY, August 5, 1886.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. EDMUNDS, and by unanimous consent, the further reading was dispensed with.

ORDER OF BUSINESS.

Mr. ALLISON. I move to proceed to the consideration of the resolution fixing an hour for final adjournment.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Iowa.

Mr. CALL. What is the motion?

The PRESIDENT pro tempore. The me sideration of the adjournment resolution. The motion is to proceed to the con-

Mr. CALL. I ask the Senator from Iowa to allow me to present a

The PRESIDENT pro tempore. Petitions and memorials are now in

PETITION.

Mr. CALL. I present the petition of Mr. T. W. Neill, the attorney for various foreign citizens of New York, the New York Central and Hudson River Railroad Company, and various citizens and subjects of foreign governments, praying for a refunding of the tax improperly collected from them under the income-tax law. I ask that the petition be printed in the RECORD, with the accompanying papers, and ordered to lie on the table.

The petition was ordered to lie on the table and to be printed in the RECORD, as follows:

RECORD, as follows:

To the honorable Senate and House of Representatives
of the United States of America in Congress assembled:

Your petitioner respectfully represents that—
Whereas the New York Central and Hudson River Railroad Company has paid to the Government the sum of \$9,275.82 as income tax illegally exacted by the Government from certain dividends due non-resident aliens; and
Whereas the said company, in lieu of withholding this tax from the dividends due said aliens, paid it from other funds belonging to the company to the Government as and for the income tax required from said aliens; and
Whereas, in pursuance of the uniform practice of the Department and under the authority conferred by section 3220 Revised Statutes, the Commissioner of Internal Revenue has examined and allowed this sum as the proper amount now due said company, and the Secretary of the Treasury has asked Congress for an appropriation to pay the same:

Therefore your petitioner prays that the accompanying statement may be made a part of this petition, and that your honorable body will take such action in the premises as may be deemed proper, to the end that the Secretary of the Treasury may refund this money due on this adjudicated claim to this company without further delay.

And your petitioner shall ever pray.

T. W. NELLL,

T. W. NEILL, Attorney for the New York Central and Hudson River Railroad Company, WASHINGTON, D. C., August 4, 1886.

STATEMENT.

The following is a brief statement of the law and the facts in the matter of the claim of the Pennsylvania Railroad Company, now pending before the Appropriations Committee of the Senate, and this statement is substantially applicable to the other claims pending there, to wit: claims of the New York Central Railroad Company, and of the Pittsburgh, Fort Wayne and Chicago Railway Company, Nos. 46950, 47381, 47413, 48191, 48281, and 48242, on Executive Documents No. 70 and No. 225, first session Forty-unith Congress.

First, From September 1, 1862, to March 10, 1896, the time covered by the claims, this company was indebted for money, for which it has issued its interest-bearing bonds, payable in one or more years from their date.

Second. Some of these bonds were owned and held by non-resident aliens. Third. Under the provisions of section 81 of the act of July 1, 1862 (12 Stat., 46), and of section 122 of the act of June 30, 1864 (13 Stat., 284), the corporation with-held a portion (3 or 5 per cent., as the case might be) from the interest due and payable on these bonds, including those owned by non-resident aliens, and paid it over to the Government as and for internal-revenue income taxes on such interest.

Fourth. It was decided by the United States Supreme Court in the case of

terest.

Fourth. It was decided by the United States Supreme Court in the case of Railroad Company ts. Jackson (7 Wall., 262), that inasmuch as the income tax was by the very words of the statute imposed only on the income of residents of the United States and of citizens of the United States residing abroad, the incomes of aliens residing abroad were not taxable; the express mention of

residents and citizens excluding aliens residing abroad; that the fac on the interest on rulered bonds until the set of 'I run's 20,185, was imposed upon it not as a tax on the profils of the corporation, but as a tax on that portion of the income of the bondholders, and that therefore the corporation could not legally be required to withhold and pay an internal-revenue tax on the interest paid upon such of its bonds as were owned by non-resident aliens.

I result the set of the profils of the corporation, but as a tax on that portion of the under the corporation of the profile of the

Attorney for Claimants.

WASHINGTON, August 4, 1886.

ORDER OF BUSINESS.

Now I move to proceed to the consideration of the adjournment resolution.

Mr. CONGER. I ask the Senator to withhold that for a moment. The PRESIDENT pro tempore. Petitions and memorials are now in order. Until they are disposed of the motion of the Senator from Iowa will not be in order, except by unanimous consent.

Mr. EDMUNDS. I move that the Senate proceed to the considera-

tion of executive business.

The PRESIDENT pro tempore. That motion is in order.

Mr. HAWLEY. I should like to make a report from a committee. Mr. ALLISON. I hope before we proceed to the consideration of executive business that the Senate will pass the adjournment resolu-

Mr. HAWLEY. It will take but a moment or two; there is very little morning business.

Mr. ALLISON. It is important that this resolution should be passed and go to the House of Representatives.

Mr. CONGER. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Michigan rise to morning business

Mr. CONGER. I desire to have a bill on the Calendar fixed for con-

sideration-

The PRESIDENT pro tempore. It is not in order to proceed to the consideration of a bill on the Calendar until the morning business is

Mr. CONGER. This is morning business as much as anything else. It is merely to assign the third Wednesday of next December for the

hearing of the Atlantic and Pacific Ship-railway bill.

The PRESIDENT pro tempore. The Chair is not at liberty to re-The PRESIDENT pro tempore. The Chair is not at liberty to receive any motion until the morning business is called for and concluded. If there be no further petitions or memorials, reports of committees are next in order.

REPORTS OF COMMITTEES.

Mr. HAWLEY. I report from the Committee on Civil Service and Retrenchment without recommendation a bill which has been pending for several months, upon which I have been unable to get a decision of the committee

The PRESIDENT pro tempore. The Senator from Connecticut, from the Committee on Civil Service and Retrenchment, reports without rec-

ommendation a bill the title of which will be stated.

The CHIEF CLERK. A bill (S. 120) to revise section 1754 of the Revised Statutes, relative to the employment of persons discharged from the military or naval service.

The PRESIDENT pro tempore. The bill will be placed on the Cal-

ADJOURNMENT SINE DIE.

The PRESIDENT pro tempore. The introduction of bills and joint resolutions is now in order. [A pause.] If there are none such, the introduction of concurrent or other resolutions is now in order. [A pause.] If there are none such, the Calendar is now in order under the eighth rule.

Mr. ALLISON. I move to proceed to the consideration of the ad-

journment resolution.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of the adjournment resolution, which will be read.

Mr. CONGER. I had the floor for a motion.
Mr. ALLISON. I have had the floor about four times, Mr. Presi-

The PRESIDENT pro tempore. The Senator from Iowa was the first to address the Chair, long before the Senator from Michigan did.

Mr. CONGER. I addressed the Chair yesterday. I do not know when the Senator from Iowa did.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of the resolution in relation to The Senator from Iowa moves that final adjournment, which will be reported.

The Chief Clerk read the resolution and the amendment proposed.

The motion was agreed to.

The PRESIDENT pro tempore. The resolution is before the Senate.

Mr. ALLISON. I move to insert "4 o'clock p. m., August 5," in lieu of the time fixed by the House of Representatives.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Iowa.

Mr. CONGER. Perhaps I did not give information enough yesterday in regard to this matter. It may need some discussion. There is no quorum here now. The particular object in pressing this resolution just now I can not see.

The PRESIDENT pro tempore. Does the Senator from Michigan raise the question of a quorum?

Mr. CONGER. No, sir; I raise the question of the right to discuss

the matter

The PRESIDENT pro tempore. There is no question about that. The Senator has a right to discuss it.

Mr. CONGER. The object in having this resolution go over yester-day was that we might have an opportunity to learn something in regard to the river and harbor bill and allow time for an examination of it by the President. Up to this time, and until Senators return here, we are not advised of some things we wished to learn; and I hope the Senator from Iowa will defer the resolution until a later hour in the day.
Mr. INGALLS. Will the Senator from Michigan permit me to ask

him a question? Mr. CONGER. Yes, sir.

Mr. INGALLS. What length of time does he and those who are specially interested in the river and harbor bill desire to intervene between this and the adjournment for the purpose of enabling the Executive to act on that measure?

Mr. CONGER. It may need but half an hour and it may need an

hour.

Mr. INGALLS. Does the Senator oppose acting on the adjournment resolution to-day?

Mr. CONGER. I presume not. I have no reason to suppose that I shall ask more than an hour or something like that to ascertain some things which the friends of that measure wish to know. Whenever the time comes that inquiries and views in regard to that matter are satisfied we shall have no desire to prolong this session. I might say the manner in which I have been treated here rather makes me want to close the session and part before we become inalienably separated.

Would the Senator permit me to ask him further, Mr. INGALLS.

Mr. CONGER. Go on. There is nothing in the Senate that I enjoy more that the interrogatories of the Senator who is now addressing me.

Mr. INGALLS. And there is no Senator from whom I receive more valuable information and with whose suggestions I am more gratified than the Senator from Michigan.

Mr. GIBSON. We can not hear. • Mr. COCKRELL. We should like on this side to hear those compliments.

Mr. INGALLS. In case word should not be received as to the probable action upon the river and harbor bill to-day, would the Senator from Michigan desire the Senate to continue in session to-morrow?

Mr. CONGER. The question implies some knowledge or some expectation in regard to a matter which I certainly have no right to say I expect to receive, and which I do not expect to receive. I am not one of those who assume that they will be informed on matters which are in the breast of the President.

Mr. INGALLS. But in case the Senator should not be informed of

Mr. CONGER. In case the Senator should not be informed, or other Senators, I am merely asking a continuance until those who perhaps think they can ascertain something about the probabilities have an op-

think they can ascertain something about the probabilities have an opportunity of being informed. I am as little definite in my knowledge as I am in my expressions, and I am as indefinite in my replies to the Senator as he is in his inquiries to me. The inquiries and answers keep along pari passu, and I think both are in considerable ignorance.

Mr. INGALLS. Mr. President, it appears to me that we are being trifled with. I respectfully submit it is not appropriate, after the business of both Houses of Congress has been concluded and we are ready to depart, that we should be kept here doing nothing upon the expectation or hope or surmise or conjecture that at some time in the future we may be advised what action will be taken by the Executive upon a bill which, having received the sanction of both Houses, has gone to him for his approval.

him for his approval.

While I admit the great importance of the river and harbor bill and voted for it and shall be very glad to have it approved, every other legislative act but that having been accomplished and that bill having been in the custody of the Executive since yesterday noon, I respectfully submit that it is trifling with the public interests to allow this resolution to remain unacted upon and to compel both Houses to continue here in session doing nothing, without any information as to what is to be done, in order to give time for further consideration of that measure by the Executive.

Mr. CONGER. In my opinion the Senator estimates more highly

than I do the privilege of inserting his very interesting remarks in the

framework of my speech.

Mr. INGALLS. I beg the Senator's pardon; I thought he had concluded.

Mr. CONGER. I can not conceive, as he seems to do, that it would make his speech more interesting to make it part of mine and to reprove me perhaps for trifling, while he is indebted to my courtesy for the floor.

Mr. INGALLS. Will the Senator permit me one moment?

Mr. CONGER. Yes, sir.
Mr. INGALLS. I understood the Senator had concluded, and I addressed the Chair and was recognized by the Chair as being entitled to the floor. I trust the Senator will not criticise me for any violation of

the rules of this body or of courtesy to him of which I was not guilty.

Mr. CONGER. The Senator asked permission to put to me a question and then to ask me another question, and with my usual amiability, known and read of all men, I yielded to him and yielded to lengthy remarks on the subject, but not for any particular criticism on my own conduct.

I do not consider it trifling, Mr. President, to call the attention of Senators in a proper way to avoid coming to a conclusion in regard to adjournment before what seems to me sufficient time has elapsed for

the consideration of subjects by any branch of the Government.

At 5 o'clock yesterday the House of Representatives adjourned.

They have just met. There has been no possibility for the President to have communicated either to the other House or to the Senate until this time, and no opportunity to know what the executive action may have been or will be. There is no trifling in regard to it. There is no quorum of the Senate present. There is no need of taking up the resolution until the Senate is prepared to act upon it. After what has been said by myself and joined in by other Senators here, I do not like to be forced to take the position I do subject to the criticism of any man who says the attempt to have longer time than this is trifling; but I take it just as freely.

Now, Mr. President, pending this resolution I move that it be in-

formally laid aside, and I will ask the Senator from Iowa, who I know desires to accommodate me, to lay it aside until I call up and ask for the fixing of a day for the consideration of the Atlantic and Pacific

Ship-railway bill at the next session.

Mr. EDMUNDS. I must object.

The PRESIDENT pro tempore. The Senator from Michigan moves that the pending business be postponed, with a view to take up another proposition named by him.

Mr. CALL. I understand the motion to be to informally lay aside

the adjournment resolution.

Mr. EDMUNDS. No such motion can be made.
Mr. CONGER. I ask it for the purpose of moving to fix a day in the next term, the third Wednesday of December, when the Senate will consider the Tehuantepec Ship-railway bill.

Mr. CALL. Mr. President, I merely wish to say that it seems very clear to me that under the Constitution the President of the United States has a right to a reasonable time to consider any bill which may be presented to him for his approval. The Constitution says in express terms that every bill shall be sent to him, and if he approve it he shall sign it. It certainly implies a reasonable time, and I scarcely think that twenty-four hours for the examination of the river and harbor bill can be considered reasonable time.

I think the President might be allowed some little longer time; and inasmuch as it is a bill of very great importance, it occurs to me that the resolution had better be laid aside informally until we know some-

thing further in regard to the probable fate of that bill.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Michigan to lay aside the pending resolution.

Mr. ALLISON. I hope that will not be done. It is important that we should send the resolution early to the other House.

Mr. EDMUNDS. It is not in order to move to lay aside the pending

The PRESIDENT pro tempore. The Chair understands the motion

to be to postpone.

Mr. EDMUNDS. To postpone to when?

Mr. CONGER. To lay it aside informally.

Mr. EDMUNDS. That is not in order.

The PRESIDENT pro tempore. There is no such motion provided for by the rules.

Mr. CONGER. A postponement will answer.

The PRESIDENT pro tempore. It may be postponed indefinitely or postponed to a day certain.

Mr. CONGER. Postpone it for the time being.

Mr. EDMUNDS. That motion is not in order. You may postpone

t until a definite time.

The PRESIDENT pro tempore. It is in order to move to postpone to a time certain or to postpone indefinitely. Either would be in order. To postpone without a time named would not be in order. To postpone it for an hour would be in order.

Mr. CONGER. Then I move to postpone it for an hour.
The PRESIDENT pro tempore. The Senator from Michigan moves

that the resolution be postponed for one hour.

Mr. ALLISON. I hope that will not be done. We ought to fix now the time for final adjournment. I think we can fix it at 4 o'clock; and we can then send the resolution back to the other House in order that they may concur.

Mr. GIBSON. I suggest to the Senator from Iowa to fix it at 6 o'clock. That will give time enough.

Mr. McMILLAN. I think the Senator from Iowa had better permit his resolution to be laid aside informally for an hour or so. The President perhaps may communicate to the Houses some other legislative business that is pending before him. I do not understand that he has had an opportunity of communicating with Congress at all this morning.

Mr. ALLISON. He can have that opportunity between this time

and 4 o'clock.

Mr. INGALLS. He has had the opportunity that every other President has had and of which every other President has availed himself, of coming down to the Capitol in the closing days of Congress and communicating with them. There is a room provided for that purpose, and this is the first instance I know of in executive history that Congress has been permitted to adjourn without the Executive coming down here and availing himself of the usual custom to ascertain the wishes of Congre

Mr. GIBSON. I think the Senator from Kansas is not justified in that remark, because the President has not been notified that Congress is ready to adjourn, when I have no doubt he will avail himself of the

Mr. McMILLAN. Both Houses of Congress meet by standing rule at 11 o'clock in the morning. It is now but twenty minutes after 11 o'clock. It is not reasonable to expect that the President should be so much on the alert as to be present at the opening of each House of Congress. We should at least give a reasonable time to receive a message this morning before acting on the adjournment resolution. It may permit us to adjourn several hours earlier by delaying action on the resolution for a time. If all the business is disposed of within an hour or so, we can adjourn then by 2 o'clock. Otherwise perhaps we should not be ready to adjourn until a much later hour in the evening than has

I hope the Senator from Iowa will permit his resolution to lie over

informally, and we can act upon it in an hour.

Mr. ALLISON. I will test the sense of the Senate upon it.

The PRESIDENT pro tempore. The question is on postponing the consideration of the resolution for one hour. [Putting the question.]

The noes appear to have it.

Mr. McMILLAN. I ask for the yeas and nays.

Mr. COCKRELL. Pending that, I move that the Senate proceed to

the consideration of executive business.

Mr. ALLISON. Let us finish this adjournment question.

Mr. McMILLAN. We shall have the yeas and nays on that motion, I think.

The PRESIDENT pro tempore. The Senator from Missouri moves that the Senate proceed to the consideration of executive business.

Mr. CONGER. I had requested the postponement of the adjournment resolution from information received. I presume in the course of an hour, or perhaps half an hour, we shall be able to go on with the question of that resolution—

The PRESIDENT pro tempore. The pending motion is not debatable.

Mr. CONGER. Without any confusion and without any conflict—

The PRESIDENT pro tempore. The pending motion is not debatable. The Senator from Missouri moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-three minutes spent in executive session the doors were reopened.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 4th instant approved and signed the following acts:

An act (S. 68) for the relief of S. B. Cranston, of Oregon;
An act (S. 218) to confirm the title to certain lands in Platte County,
Missouri, and authorize patents to be issued therefor to Kinsey B.

Cecil;

An act (S. 380) for the relief of Mrs. Henrietta H. Cole;

An act (8. 708) for the relief of Stephen N. Smith; An act (8. 632) to provide for the settlement of the estates of deceased Kickapoo Indians in the State of Kansas, and for other pur-

. An act (S. 699) to authorize the Secretary of the Interior to issue to George K. Otis duplicates of certain land-warrants lost while in the ession of the officers of the Government;

possession of the officers of the Government;
An act (S. 1184) granting a pension to Jane D. Mumford;
An act (S. 1398) granting a pension to Milton P. Shockley;
An act (S. 2056) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service;
An act (S. 2325) to grant a pension to Nancy Mason;
An act (S. 2502) granting a pension to Louise Paul;
An act (S. 2366) granting a pension to Elizabeth Garaghty;
An act (S. 2438) to authorize the Postmaster-General to allow com-

pensation to railroad companies in certain cases for apartment service heretofore furnished pursuant to agreement;
An act (S. 2530) for the relief of the legal representatives of John

Wightman, deceased;
An act (S. 2609) granting a pension to Emily J. Stannard; and
An act (S. 885) to relieve the State of Colorado from charges on account of ordnance stores furnished to the State and Territory.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon

lowing enrolled bills and joint resolution; and they were increasing signed by the President pro tempore:

A bill (S. 1599) for the relief the Phoenix National Bank, of the city of New York;

A bill (H. R. 2060) granting a pension to Margaret D. Marchand;

A bill (H. R. 5196) to detach certain counties from the United States judicial district of California, and create the United States judicial district of California, and create the United States judicial district of Scather California, and trict of Southern California; and
Joint resolution (H. Res. 126) directing payment of the surplus in

the Treasury on the public debt.

ADJOURNMENT SINE DIE.

On motion of Mr. ALLISON, the Senate proceeded to consider the resolution of the House of Representatives fixing a day for final adjournment, the pending question being on the amendment of Mr. AL-LISON to insert ''4 o'clock p. m., August 5."

The amendment was agreed to.

The resolution as amended was agreed to.

NOTIFICATION TO PRESIDENT.

Mr. EDMUNDS. Mr. President, I offer the following resolution and ask for its present consideration:

Resolved, That a committee of two Senators be appointed by the Chair to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn, unless the President has some further communication to make to them.

The resolution was considered by unanimous consent and agreed to. By unanimous consent, the President pro tempore was authorized to appoint the committee on the part of the Senate; and Mr. EDMUNDS and Mr. HARRIS were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 335) to provide for protecting the interests of the United States in the Potomac River flats, in the District of Columbia.

SETH M. BARTON.

Mr. COKE. I ask unanimous consent of the Senate to take up House bill No. 8278, being an act to relieve Seth M. Barton of political disabilities.

By unanimous consent the Senate; as in Committee of the Whole, proceeded to consider the bill (H. R. 8278) for the relief of Seth M. Barton.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

PUBLIC LAND LAWS.

Mr. PLUMB. I ask unanimous consent to make a statement to the Senate in regard to a matter submitted to a committee of conference between the two Houses.

Mr. President, the conferees of the Senate and House of Represent-atives upon the disagreeing votes of the two Houses on what is known as the bill for the repeal of the pre-emption and timber-culture acts held a meeting, which resulted in a formal disagreement, that was reported to the two Houses, and followed by the appointment by each of new committees of conference. The new committees have had several meetings for the purpose of adjusting the differences between the two Houses in regard to that bill. The differences were mainly the fact that the Senate had inserted a provision in the bill which it passed confirming titles which had passed from the hands of the original entryman into those of innocent purchasers for value where the fact of the innocent purchase and the valuable consideration had been found in favor of the purchaser by the Commissioner of the General Land Office, and also a provision requiring the Commissioner of the General Land Office to send to the Attorney-General such cases of fraud in the entry of public lands as he might have discovered, and the Attorney-General was instructed thereupon to bring suit to set aside such fraudulent

At the meeting preceding the last one held by the conferees the Senate conferees agreed to yield absolutely the provision protecting entries in the hands of innocent purchasers for value. Before that time they had agreed to yield so far as to confirm only such entries as were in the hands of persons who held 640 acres of land or less, and subsequently tendered a reduction of that amount to 320 acres, so as to cut out all possible chance of entries being confirmed in the hands of persons who had employed others to make entries for them, such as cattle syndicates and so on. That being rejected, they finally and at the last conference agreed to yield the whole provision, and only ask the House to agree that where fraud was alleged as having entered into an entry of public lands that question might be sent to the courts for trial like any other issue involving property or other interests. That the House conferees declined to accede to.

They finally also declined to sign a report setting forth the points of disagreement, so that it was out of the power of the Senate conferees to report in the usual formal way to the Senate what had occurred, and hence it seemed proper this statement should be made in justification of the Senate conferees on this very important subject and for the purpose of showing that they at least were not responsible for the failure of a bill repealing the pre-emption and timber-culture laws being passed at this session of Congress.

Upon this latter provision I desire to say a very few words. As mat-ters now stand the Commissioner of the General Land Office believes it to be in his power, and he acts upon that belief, to set aside an entry that has been made under any of the land laws which he believes to have been fraudulently made and with or without a hearing, as he may choose. Even if he investigates, that investigation must necessarily be ex parte. He has no power and the power nowhere exists to compel the attendance of witnesses for the purpose of trying the issue which is presented in regard to the fraudulent character of an entry of public land. The investigation, therefore, whatever he may desire about it, is necessarily ex parte, and it can not be otherwise.

The class of people who have entered the public lands are generally very poor people. They are without means to defend themselves against the assaults of the Government. They can not compel by any process of law the attendance of witnesses before special agents nor before the registers and receivers, and, by reason of their poverty and of this lack of legal machinery, against any attack which may be made upon their entries they have practically no power to defend themselves.

It is the law of all the States and Territories in which public lands

exist that the moment the receiver's final receipt is issued the land becomes subject to taxation and is placed on the tax-roll. thereafter imposed on the land as upon other property, and becomes a lien upon it, to satisfy which the lands may be, as they often are, sold. They are bought and sold in the ordinary course of dealing as other property; and as lands in all new communities constitute nearly the whole available property, they frequently change hands. They are bought on the faith of the final receipt issued by the proper land officer, strengthened by the fact of their being taxed, and that the final receipt is made evidence of title in all the courts. Persons who come into the neighborhood seeking homes, preferring often to buy rather than to locate themselves farther away upon Government lands, buy from these entrymen after their entries are completed. The entryman then betakes himself to some other locality either for the purpose of getting another quarter-section of land or of seeking employment. His interest in the validity of his entry is gone. He will not volunteer to furnish testimony, and he can not, as the law now stands, be required to furnish it, and so the purchaser has no chance to legally defend himself against the charge that the entry under which he claims is fraudulent. In many cases entries which are now being attacked have been made not only for a number of years, but they have passed through a great many hands. Some of the entries recently suspended in the General Land Office were made as long ago as seven or eight years, and special agents of the Land Office are now at work in some of the old-settled counties of Kansas seeking at this late day, as much as ten years after the entries were made, some occasion to cast doubt on titles outstanding this length of time by preferring allegations that the original entries were fraudulent. The lands are not only in the hands of innocent parties, but are mainly occupied and improved. The titles have been unquestioned until now during all the time which has elapsed since the entry.

This proposition to go back and disturb these entries created great consternation and just indignation, and the Senate conferees felt as though questions of this kind, involving the title to valuable property, ought to be tried as all other questions are tried which relate to the property or other rights of individuals; and, therefore, they felt like insisting somewhat strenuously upon the provision contained in the Senate bill that all such cases should be sent to the courts to be there tried before a tribunal having power to compel the attendance of witnesses, and in order that the rights of the Government and of the entryman and of those who purchased from him might be adjudicated according to the usual and ordinary legal methods.

It was the failure of the House conferees to agree to the insertion of this very just, very humane, and very necessary provision of law that has caused the failure of the bill. As I before said, the Senate conferees were unable to present this to the Senate in the usual way, because the House conferees declined to sign a report setting forth the disagreement, and it was thought that some statement showing the position which the Senate conferees had occupied in this matter, and setting forth the reasons for a failure to agree, was due both to them, to the Senate, and to the

EXPENSES OF LABOR BUREAU.

Mr. ALLISON. I move that the Senate proceed to consider the House joint resolution in relation to certain expenses incurred by special agents and experts of the Bureau of Labor.

The motion was agreed to; and the joint resolution (H. Res. 213) authorizing the Secretary of the Treasury to pay certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July, 1886, was considered as in Committee of the Whole.

Mr. RIDDLEBERGER. Is that subject to objection?

Mr. ALLISON. I understand not. It came from the other House two or three days ago, and was read twice and laid on the table. I now call it up regularly

Mr. RIDDLEBERGER. I ask whether that is not subject to objection. If so, I object.
The PRESIDING OFFICER (Mr. HAWLEY in the chair).

The Chair does not understand that the resolution is subject to objection.

Mr. RIDDLEBERGER. That is what I wanted to ascertain.

is subject to objection, I object.

Mr. ALLISON. I called attention to this resolution a few days ago; and it has been considered informally by the Committee on Appropria-

tions, though the resolution has not been referred formally.

The PRESIDING OFFICER. The joint resolution has been on the Calendar, and is now called up and is before the Senate as in Committee of the Whole.

Mr. RIDDLEBERGER. It is not before the Senate in regular order. The PRESIDING OFFICER. It is before the Senate in regular

order, in the judgment of the Chair.

Mr. RIDDLEBERGER. I have a right to present the fact that it is

not before the Senate except as it proceeds from a committee to which

it was never referred.

The PRESIDING OFFICER. The Committee on Appropriations is supposed to have the rights of other committees, and to be at liberty to report an original joint resolution.

Mr. RIDDLEBERGER. I understand-

The PRESIDING OFFICER. The Chair is speaking now. The chairman of the committee has stated the action of that committee in a matter particularly within the jurisdiction of Congress, and the resolution has been on the Calendar since yesterday morning. It is now regularly before the Senate, as in Committee of the Whole, and open to

Mr. RIDDLEBERGER. I do not deny the right of the Chair to speak, and I ask pardon of the Chair; but I say this was not regularly referred to the Committee on Appropriations, and I mean to say until the end of this session of Congress it never was referred.

The PRESIDING OFFICER. The chairman of the Committee on Appropriations has informed the Senate of the condition of the resolu-

Mr. RIDDLEBERGER. I say it was never referred.

The PRESIDING OFFICER. The Chair asks the Senator from Iowa to make a statement to the Senate.

Mr. ALLISON. This resolution was informally considered by the Committee on Appropriations. It was read twice a day or two ago and placed on the Calendar, from which it has now been taken on my motion for consideration.

The PRESIDING OFFICER. It is before the Senate as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WOMAN'S SUFFRAGE.

Mr. BLAIR. I merely wish to give a notice.
Mr. HARRIS. Will the Senator yield to me a moment?
Mr. BLAIR. I only desire to give a notice. I will not take any time. I wish to call the attention of the Senate to Senate joint resolution No. 5, No. 122 on the Calendar, being a joint resolution proposing an amendment to the Constitution of the United States extending the right of suffrage to women.

That is a resolution which has been reported at several Congresses, but there has never been any action upon it. I now desire to give notice that at the opening of the next session, the first day of the session, at 2 o'clock in the afternoon, I will move that the Senate proceed to its consideration, or at such hour as the indispensable morning business, the message, or whatever it may be, shall allow; but I fix the hour at 2 o'clock in the afternoon.

THANKS TO PRESIDENT PRO TEMPORE.

Mr. HARRIS. I offer at this time a resolution, and I ask its present consideration.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the thanks of the Senate are due, and hereby are tendered, to Hon. JOHN SHERMAN, a Senator from the State of Ohio, for the ability, courtesy, and impartiality with which he has fulfilled his duties as President pro tempore of the Senate during the present session.

Mr. RIDDLEBERGER. On the consideration of that I ask for a quorum.

The PRESIDING OFFICER. The Chair will take the proper steps. Mr. EDMUNDS. I think the rule requires that the Chair should have the roll called when that question is raised.

The PKESIDING OFFICER. The Chair thinks there is a quorum

present, but the Chair will direct the roll to be called if that is insisted upon.

I think the rule requires that.

The PRESIDING OFFICER. It has been the practice for the occupant of the chair to satisfy himself from count or otherwise that there is a quorum in the Chamber, but the strict rule requires that the roll be called if that is insisted on.

Mr. HARRIS. The strict rule does not require the roll to be called.

If the Chair is satisfied from his own view of the Senate that there is a quorum, it is not necessary for the roll to be called.

The PRESIDING OFFICER. The Chair thinks there is no doubt

that a quorum is in the Chamber.

Mr. HARRIS. I ask for the question on the resolution.

The PRESIDING OFFICER. The Senate has heard the resolution offered by the Senator from Tennessee. The question is on the resolu-

The question being put, it was declared that the resolution was agreed to unanimously.

Mr. RIDDLEBERGER. I ask if there is a quorum.

The PRESIDING OFFICER. The Chair has decided that there is a quorum in the Chamber.

Mr. RIDDLEBERGER. I know the Chair has so decided, but I ask for a quorum.

The PRESIDING OFFICER. The Chair has often heard the ques-

tion of a quorum, when raised incidentally, treated as the Chair has treated it, by satisfying himself from personal observation, or a count by the assistance of the Secretary or otherwise, that a quorum was in the Chamber, and his statement has been as a matter of practical business accepted. But the Senator from Vermont calls the attention of the present occupant of the chair to a rule which says:

If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the presiding officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

The Chair therefore says to the Senator from Virginia that if he desires the roll to be called the Chair will order it to be done.

Mr. RIDDLEBERGER. I will not insist on that, but I mean to call

for a quorum, because I do not think that resolution ought to pass.

Mr. HARRISON. It has passed.
Mr. RIDDLEBERGER. Without a quorum it can not pass, even with the assent of the Senator from Indiana.

Mr. HARRISON. It has passed all the same.

RECESS.

Mr. EDMUNDS. Pending the question of a quorum, I move that the Senate take a recess for one hour.

The PRESIDING OFFICER. The Senator from Vermont moves

that the Senate take a recess of one hour. Would it not be better to say till 1 o'clock?

Mr. EDMUNDS. Very well, sir. Mr. RIDDLEBERGER. I understand that the resolution recently submitted, of approval of the Senator who now presides, has not passed.

The PRESIDING OFFICER. The Chair thinks the resolution has passed unanimously, and he so declared at the proper time.

Mr. RIDDLEBERGER. I understood the Chair to read a rule just

now which said it had not passed. I ask pardon, sir.

The PRESIDING OFFICER. The Chair did not read any rule to that effect; but the Chair did say that the Senator from Virginia had a right to call for a quorum, and the Chair said he would order a call of the roll if the Senator desired it.

Mr. RIDDLEBERGER. I ask for a quorum.

Mr. EDMUNDS. Pending that, I move that the Senate take a recess until 1 o'clock.

The motion was agreed to; and (at 12 o'clock and 8 minutes p. m.) the Senate took a recess until 1 o'clock, at which time the Senate re-

ATLANTIC AND PACIFIC SHIP-RAILWAY.

Mr. CONGER. Is there any matter now pending before the Senate? The PRESIDING OFFICER. There is no business before the Senate.

Senate.

Mr. CONGER. I renew the request I made before the recess. I ask unanimous consent that the bill (S. 2288) to incorporate the Atlantic and Pacific Ship-railway Company, and for other purposes, may be made the special order for the third Wednesday of December next.

Mr. EDMUNDS. I can not give unanimous consent.

The PRESIDING OFFICER. The clerks have difficulty in hearing Senators. Will the Senator from Michigan repeat his request?

Mr. CONGER. I sak unanimous consent that the bill (S. 2288) to

ing Senators. Will the Senator from Michigan repeat his request?

Mr. CONGER. I ask unanimous consent that the bill (S. 2288) to incorporate the Atlantic and Pacific Ship-railway Company, and for other purposes, be made the special order for the third Wednesday of

Mr. EDMUNDS. I object to that, Mr. President, and suggest to my

friend from Michigan-

Mr. GIBSON. I hope unanimous consent will be given.
Mr. EDMUNDS. I object always to all special orders.
Mr. GIBSON. A great many have been made.
Mr. EDMUNDS. Yes; and I suggest to my friend from Michigan that he will attain his object by giving notice that he will move to take up the bill on that day.

Mr. CONGER. At a time when I could have taken the bill up and

when I could have got the judgment of the Senate upon it, notwith-standing the objection of the Senator from Vermont, I was so occupied that I could not do what I intended to do.

Mr. COCKRELL. I should like to ask the Senator why he wants a special order. It does not benefit the measure in any way. It can not possibly be of any benefit that I can see. A majority vote can pass it

by. It does not necessarily come up after being made a community of the measure to endeavor Mr. CONGER. I promised the friends of the measure to endeavor the conference of th to get a hearing for it at that time, so that those interested might be present and see their friends. I have failed in that duty. Gentlemen who know me know that, not having had the opportunity when I might have been here and might have secured it, I make reasonable efforts to do what I promised to do. I had lioped at least that the Senator from Vermont would not himself object. It involves somewhat my fidelity to my trust.

Mr. EDMUNDS. Idonotthink it does. I object on public grounds. Mr. EDMUNDS. Idonot think it does. I object on public grounds. The PRESIDING OFFICER. The Senator from Michigan asks the unanimous consent of the Senate that the Tehuantepec Ship-railway bill be made the special order for the third Wednesday in December, and the Senator from Vermont objects.

Mr. CONGER. The proposition was announced from the Chair, but the Chair has not asked that that request be granted. The PRESIDENT pro tempore. The Chair announced that objection

was made, and therefore it could only be done by unanimous consent.

Mr. CONGER. Before I leave the subject I give notice that at an

early day next session I shall ask the Senate to proceed to the consideration of the bill.

Mr. EDMUNDS. That is right.
The PRESIDENT pro tempore. That is quite in order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the resolution of the Senate providing for the appointment of a committee of two Senators to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn, unless the President has some further communication to make to them, and had appointed Mr. MORRISON, Mr. RANDALL, and Mr. HISCOCK the committee on the part of the House.

The message also announced that the House had concurred in the following concurrent resolutions of the Senate:

A resolution providing for the printing of the compilation of the laws of the United States relating to loans and the currency, coinage, and banking, including any subsequent legislation which may be en-

acted on those subjects at the present session of Congress;

A resolution providing for the printing and binding of 5,000 additional copies of the report of the Bureau of Education on art and in-

A resolution providing for the printing of 6,000 additional copies of the Digest of the Official Opinions of the Attorneys-General of the United

A resolution providing for the printing and binding in cloth of 2,500 additional copies of the report of the electrical conference at Philadelphia in 1884, being Senate Executive Document No. 45, Forty-ninth Congress, first session, for the use of the Department of State.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 335) to provide for protecting the interests of the United

States in the Potomac River flats, in the District of Columbia; A bill (H. R. 8278) for the relief of Seth M. Barton; and

Joint resolution (H. Res. 213) authorizing the Secretary of the Treasury to pay certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July, 1886.

RAILROAD ATTORNEYS

Mr. HAWLEY. I hope the Senate will indulge me for a moment. Senators will remember a bill introduced by the Senator from Kentucky [Mr. Beck] on the 1st of June and nine days afterward considered and passed without reference to a committee, relating to a prohibition against members of Congress acting as attorneys or employés of railroad companies holding charters or having received grants of lands or pecuniary aid from the United States.

Though I voted for that bill I entered a motion to reconsider the

passage, which was carried, on the ground that the bill deserved a more formal consideration at the hands of a committee, and there was nothing in the nature of the evil complained of that should require such summary action. After the reconsideration I moved, and it was carried, a reference of the bill to the Judiciary Committee. An early report was promised, and one was made within a reasonable season. have waited to hear that bill called up, and have been intending for a day or two past, but have sought in vain to do it, to move to take it up.

I make this statement that I may clear myself of any responsibility for any delay in the matter. I did not seek to avoid the subject; I wished to have it considered duly and in order, and was ready at any time to proceed to the consideration of the bill. I spoke to the Senator who made the majority report from the Judiciary Committee con-cerning the matter, but as the time approached for the adjournment within the last few days we have been so hurried that he had no op-

portunity to call it up.

Mr. BECK. After the motion to reconsider was agreed to and the bill was referred to the Committee on the Judiciary and reported back, there being some delay and some difference of opinion in regard to it, I did not see for the first eight or ten days how to call it up because of the business that was pressing before the Senate. I was then compelled to be absent from this Chamber in the Appropriations Commit-I had several consultations with the Senator from Connecticut [Mr. HAWLEY] as to how best we could get a hearing upon it, until I think both he and I came to the conclusion that it was impossible to have it heard at this session, and if we did get a hearing here it was absolutely impossible to get consideration before the other House

Therefore I thought, and I think he agrees with me, that while I regard it as his business to call it up, he having moved the reconsideration, and I was quite anxious to call it up myself, it was best to en-

deavor to fix some early day next December when the matter can be

I hope under the peculiar circumstances of the case that the Senate will agree to fix the second Monday in December as the time when we

shall make this bill a special order, so that it can be finally settled.

All that I want is to do something practical. I think I am right in All that I want is to do something practical. I think I am right in trying to press the bill just as it was passed before; but not pretending to be infallible, and being willing that every other gentleman should have a fair chance to be heard, and knowing that the bill can not become a law at this session of Congress, and without finding fault with anything that has been done, though I feel that there has been good reason for finding fault—perhaps that is not a proper thing to say—all I desire now is that we shall make an exception in this case. I ask that a bill which has once passed this body and has been reconsidered, a bill which has had a substitute reported for it which I do not believe any member of the Judiciary Committee will vote for, a bill that I do not think has had fair treatment, shall be fixed so that bill that I do not think has had fair treatment, shall be fixed so that the Judiciary Committee can tell us whether they are willing to vote for the bill they reported. I avow here and now that I do not believe a single member of the Judiciary Committee will vote for their own bill, and that they sought to make a burlesque of what I regard as a very serious matter. But I want a day fixed for the debate on that subject; and I shall now ask that the second Monday in December next shall be set apart for which to make the bill a special order, so that the Judiciary Committee, myself, the Senator from Connecticut, and all of us can have a fair hearing upon the subject. I make that motion. motion.

motion.

The PRESIDENT pro tempore. The Senator from Kentucky asks the unanimous consent of the Senate to proceed to the consideration of the bill (S. 2578) to prohibit members of Congress from acting as attorneys or employés for railroad companies holding charters, or having received grant of lands or pecuniary aid from the United States, with a view to its being made a special order. Is there objection to the present consideration of the bill for that purpose? The Chair hears none.

Mr. BECK. I move that the bill be postponed until the second Monday of December part and be made the special order for that day.

day of December next and be made the special order for that day.

The motion was agreed to (two-thirds of the Senators present voting

in the affirmative).

MARY F. POTTS.

Mr. COCKRELL. Some time since the bill (S. 244) for the relief of Mary F. Potts was passed at a time when I did not have an opportunity of recording my objection to it. It was passed on the 7th of June, and or recording my objection to it. It was passed on the 7th of June, and on the 9th of June I made a motion to reconsider. I have examined somewhat into the case, as much as I have had the opportunity, and while I am opposed to the extension of patent rights by special bills such as this, I do not feel justified in delaying the bill or asking any further consideration than simply to record my judgment that these bills ought not to pass. I will, therefore, withdraw my motion to reconsider

The PRESIDENT pro tempore. Has the bill been passed?

Mr. COCKRELL. The bill was passed on the 7th of June, and on the 9th I made a motion to reconsider, and no action has been had upon that motion.

The PRESIDENT pro tempore. Is there objection to the Senator from Missouri withdrawing the motion to reconsider?

Mr. CULLOM. Has the bill passed the other House?

The PRESIDENT pro tempore. The bill has not passed the other House, but passed the Senate. If there be no objection, the motion to reconsider is withdrawn. The bill has been passed by the Senate and will be sent to the other House.

TWELFTH MICHIGAN VOLUNTEERS.

Mr. CONGER. I move that the Senate proceed to the consideration of the bill (H. R. 6983) for the relief of certain soldiers of the Twelfth Michigan Volunteer Infantry dishonorably discharged under special rders 92, War Department, Adjutant-General's Office, dated March 1, 1866. The bill was reported from the Committee on Military Affairs with an amendment favorably June 29, Report No. 1406, made by the Senator from Missouri [Mr. COCKRELL] from that committee.

The PRESIDENT pro tempore. The Senator from Michigan moves that the Senate proceed to the consideration of the bill indicated by

him.

him.

Mr. EDMUNDS. Let the bill be read for information.

The Secretary read the bill.

The PRESIDENT pro tempore. The question is on agreeing to the motion to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert: all after the enacting clause and insert:

That the Secretary of War be, and hereby is, authorized and directed to revoke and cancel special orders numbered 92, dated Washington, March I, 1866, ordering the dishonorable discharge of the soldiers therein named; and to cause to be issued to Sergeants John M. Russey, Company A, and William Becker and Michael Casey, Company B; Corporal Seth Gregory, Company B; Sergeants Collins Phelphs and George S. Foster, Company E; and Alfred Doolittle, Company H, and Hull M. Cross and Lewis M. Rope, Company K, and each

of them, all of the Twelfth Regiment Michigan Volunteers, and in case of the death of any of them, then to their heirs, respectively, honorable discharges as of the dates and places at which their companies were respectively mustered out of the service; and such discharges shall each have the same force and effect as if issued at the times and places of the muster-out of the said companies, respectively, and as if said special orders numbered 92 had never been issued or executed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in

The PRESIDENT pro tempore. The question is on ordering the amendment to be engrossed and the bill to be read a third time.

Mr. EDMUNDS. So far as I understand the report I am in favor of the bill, and I do not wish to interfere with my friend from Michigan who has it in charge, but I desire to suggest to him that at this stage in the session the chance is 100 to 1 that the bill will not get signed, and then it will have to begin all over again in the House of Representatives or here; and it would be much better for the interests of these soldiers to let the bill stand just where it is on the Calendar.

Mr. CONGER. I accept that. I hope the bill will pass, when I shall immediately move to reconsider the vote and leave it on the Calendar on the motion to reconsider, and at the next session that motion can be withdrawn.

can be withdrawn.

The PRESIDENT pro tempore. The Senator can make the motion to reconsider now.

Mr. CONGER. I do not wish to move a reconsideration until the bill is declared passed.

The amendment was ordered to be engrossed and the bill to be read third time.

The bill was read the third time, and passed.

Mr. CONGER. I now move to reconsider the vote by which the bill was passed, and let the bill be put upon the Calendar.

The PRESIDENT pro tempore. The Senator from Michigan moves to reconsider the vote by which the bill was passed. The motion to reconsider will be entered, and the bill will remain on the Calendar.

BENJAMIN P. LOYALL.

Mr. MAHONE. I ask the Senate to take up the bill (S. 2848) for the relief of Benjamin P. Loyall.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Virginia to proceed to the consideration of the bill.

Mr. ALLISON. I should like to hear what it is.

Mr. MAHONE. It is simply a bill for the removal of political dissibilities.

abilities.

Mr. ALLISON. That statement is sufficient.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed, two-thirds of the Senators present voting in the affirmative.

H. W. SHIPLEY.

Mr. MITCHELL, of Oregon. I ask the Senate to consent to take up Senate bill 1342, a local bill for a constituent of mine, reported unanimously from the Committee on Claims.

Mr. ALLISON. I think we had better not take it up now. We can take it up early at the next session. It is impossible for it to pass

the other House at this session.

Mr. MITCHELL, of Oregon. The chairman of the Committee on Appropriations has been working very hard, and I think he ought to allow this little bill to go through. It does not interfere with him. It is the only bill which I have asked to take up from the Calendar. It was reported unanimously from the Committee on Claims by the Senator from Tennessee [Mr. WHITTHORNE]. It is recommended by the

Department.

Mr. ALLISON. I shall be willing to take it up on the second day

of the next session.

Mr. MITCHELL, of Oregon. I move to take it up now.
Mr. ALLISON. I object to taking it up.
The PRESIDENT pro tempore. A majority may take up the bill. The motion is in order.

Mr. ALLISON. I know it.

The PRESIDENT pro tempore. A bill on the Calendar is open to a motion. The Senator from Oregon moves that the Senate proceed to the consideration of the bill (S. 1342) for the relief of H. W. Shipley. Mr. ALLISON. I should like to hear the bill read. Mr. COCKRELL. For information.

The PRESIDENT protempore. The bill will be read for information,

subject to objection.

The Secretary proceeded to read the bill.

Mr. COCKRELL. We can not consider that bill. It is useless to undertake it at this time.

Mr. MITCHELL, of Oregon. The Secretary is not reading the bill as reported from the committee. There is no \$7,000 about it. It is

The PRESIDENT pro tempore. The amendment of the Committee on Claims will be read.

Mr. COCKRELL. That would not facilitate the matter. I think the Senator had better not press the bill.

Mr. MITCHELL, of Oregon. If there is objection I withdraw my

Mr. COCKRELL. I think the Senator had better not press it now, but take it up at the beginning of the next session.

The PRESIDENT pro tempore. The motion is withdrawn.

ORDER OF BUSINESS.

Mr. CALL. I ask the consent of the Senate to take up a resolution reported from the Committee on Contingent Expenses, which the Senator from North Carolina [Mr. VANCE] requested me in his absence to call up. I ask that the resolution be read.

Mr. ALLISON. Pending that, I move that the Senate take a recess

for one hour.

I hope the Senator will allow the resolution to come up. N. We can consider it after the recess. I make that Mr. CALL. Mr. ALLISON. motion.

RECESS.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate take a recess for one hour.

The motion was agreed to; and (at 1 o'clock and 20 minutes p. m.) the Senate took a recess until 2 o'clock and 20 minutes p. m., at which hour it reassembled.

NOTIFICATION TO THE PRESIDENT.

Mr. EDMUNDS and Mr. HARRIS, of the joint committee appointed to wait upon the President of the United States and notify him that Con-

gress was ready to adjourn, appeared at the bar of the Senate; and Mr. EDMUNDS said: Mr. President, the committee of the two Houses appointed to wait upon the President of the United States and inform him that the two Houses had completed the business of this session and were ready to adjourn unless he should have some further communication to make have performed that duty, and are informed by the President that he has no further communication to make, and that he congratulates the two Houses on the termination of their labors.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had agreed to the amendment of the Senate to the resolution of the House fixing a day for final adjourn-

The message also announced that the Speaker of the House had appointed Mr. FINDLAY one of the managers of the conference on the part of the House on the joint resolution (H. Res. 89) providing for the distribution of the Official Register of the United States in the place of Mr. BARKSDALE, excused.

The message further announced that the House had passed the joint resolution (S. R. 82) making additional appropriation for purchase of

site for Congressional Library.

COMMITTEE ON RULES.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution reported by the Senator from Maine [Mr. FRYE] from the Committee on Rules July 29, 1886, which will be read. The Chief Clerk read the resolution, as follows:

Resolved, That the Committee on Rules be, and is hereby, continued and authorized to sit during the recess of Congress, and that the necessary expenses thereof be paid out of the miscellaneous items of the contingent fund of the Sen-

The PRESIDENT pro tempore. The question is on agreeing to the resolution

Mr. COCKRELL. Where does that come from?

The PRESIDENT pro tempore. It is reported by the Committee on Rules, and is made necessary by the rules.

The resolution was agreed to.

R. A. FENNELL.

Mr. CALL. I wish to call up the resolution for the relief of Mr. Fennell, which was reported from the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. The Senator from Florida moves that the Senate proceed to the consideration of the resolution named

by him. It will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That one month's pay, from 15th April to the 15th May, be paid by the Secretary of the Senate, out of the contingent fund of the Senate, to R. A. Fennell, a messenger removed from office.

Mr. PLUMB. I move to lay the resolution on the table.

Mr. CALL. I ask the Senator to withdraw that motion until I can make a statement.

The PRESIDENT pro tempore. Does the Senator from Kansas withdraw the motion?

Mr. PLUMB. Yes, sir. Mr. CALL. Mr. Fennell was the messenger of the Committee on Revolutionary Claims, of which my colleague [Mr. Jones, of Florida] was chairman. He was discharged early in the beginning of a month

for the purpose of appointing another employé, without any kind of fault on his part. The Committee on Contingent Expenses of the Senate, in consideration of that fact, reported this resolution, proposing to allow him a month's pay, being the month at the beginning of which,

as I understand the matter, he was discharged.

Mr. EDMUNDS. But, Mr. President, a great many other messengers have been discharged; and are we to set the precedent of giving

them all a month's pay?

Mr. CALL. It has been uniformly done, I understand.

Mr. EDMUNDS. I do not think so.

Mr. CALL. It was done when we came into power. I have a very distinct remembrance that a month's extra pay was allowed every dismissed employé of the Republican party when the Democrats obtained control of the Senate.

Mr. EDMUNDS. I do not so understand it.

Mr. CALL. I appeal to the record. It is unquestionably so. Mr. PLUMB. I withdraw my motion.

The PRESIDENT pro tempore. The motion to lay on the table is withdrawn

Mr. EDMUNDS. If that be true, then I should not object; but I fear the Senator from Florida is mistaken.

Mr. CALL. I am not. The Senator is unquestionably mistaken. There are a number of Senators here who can verify the fact.

Mr. EDMUNDS. I should like to know a little more about it.
Mr. INGALLS. Mr. President—
Mr. EDMUNDS. Perhaps somebody can state.
Mr. INGALLS. I have ordinarily been opposed to these donations, which appear to me in the light of gratuities, but there are special circumstances in this case which seem to me to entitle Mr. Fennell to compassion and sympathy.

He was, as has been stated, a messenger who was appointed, as I am advised, upon the recommendation of the colleague of the Senator who offered the resolution, and had every reason to believe that he would be retained at least until the close of the pending session; but from circumstances with which we are all familiar the influence which was behind him was withdrawn, and he was consequently discharged.

One of the relatives of Mr. Fennell, it may be his sister, called upon me and stated the circumstances in connection with his service and with

his condition. I am advised and believe that he is in a critical and infirm condition of health, without the means of support, and deprived of the income which he had just reason to believe he would continue to receive, as I said, until the expiration at least of this session of Con-

Believing that this case is entirely outside of the ordinary claim for

gratuities, I shall, if I have the opportunity, vote with great pleasure for the resolution offered by the Senator from Florida.

Mr. EDMUNDS. Mr. President, I certainly, after this statement that it is not a precedent, have no objection to the resolution, but I am very much afraid, from having examined the law in regard to another very much airaid, from having examined the law in regard to another resolution to pay all the session employés and clerks of Senators and everybody else a month's extra pay, that the statute absolutely forbids it, and that if this resolution passes and the Secretary of the Senate pays the money his account will be that much short under the law at the Treasury Department.

After the explanation which has been made by the two Senators, that

is the only difficulty I have, if it be not a precedent; but I am very much afraid on having examined the law yesterday about the general resolution that this payment of extra compensation—it may be that there is a distinction between extra compensation and a gratuity, I do not know what the form of the resolution is—but it is clear that the law is that neither House can pay out of its contingent fund any extra compensation to any of its employés by any resolution of its own, for the law forbids it.

If this falls within the provision—I do not say that it does, but I am afraid it does—it can not be done. If it does not, I certainly, after the statement made by the Senator from Florida, shall not object.

Mr. CALL. I do not think the Senator from Vermont need have any

trouble about that. If the law is operative to restrain this body from exercising its constitutional function of making an appropriation, of which I do not think there is any doubt, it certainly does not relate to the case of a person who is not an officer of the United States, and to whom Congress votes something from some consideration which moves them, whatever it may be. This is certainly not extra compensation in the sense of being paid to any person in the service of the United States, for this person has been discharged and is not in the service of the United Mr. EDMUNDS. That may possibly help him out. I make no objection; only it may be that he will not get his money.

Mr. CALL. It is a case of extraordinary merit.

The PRESIDENT pro tempore. The question is on agreeing to the

The resolution was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its

Clerk, announced that the House had passed the joint resolution (S. R. 46) accepting from Julia Dent Grant and William H. Vanderbilt objects of value and art presented by various foreign governments to the late General Ulysses S. Grant.

The message also announced that the House had concurred in the amendment of the Senate to the concurrent resolution of the House to print the special intelligence report by Lieutenant Kimball and Naval Cadet Capp upon the progress of the Panama Canal.

The message further announced that the House had concurred in the amendments of the Senate to the joint resolution (H. Res. 120) to

print the annual bulletins of the Bureau of Ethnology.

The message also announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H. Res. 89) providing for the distribution of the Official Register of the United States.

UNITED STATES OFFICIAL REGISTER.

Mr. MANDERSON submitted the following report:

Mr. MANDERSON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 89) providing for the distribution of the Official Register of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

CHAS. F. MANDERSON,
JOS. R. HAWLEY,
A. P. GORMAN,
Managers on the part of the Senate.

JOS. W. REED,
JOHN W. FARQUHAR,
JOHN V. L. FINDLAY,
Managers on the part of the House.

The report was concurred in.

The report was concurred in.

FORTIFICATIONS APPROPRIATION BILL.

Mr. EDMUNDS. I move that the Senate take a recess until five minutes before 4 o'clock.

Mr. PLUMB. Before that is done, I ask to present a report from a conference committee.

Mr. EDMUNDS. I withdraw the motion. Mr. PLUMB submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9798) "making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes," having met, after full and free conference have been unable to agree.

H. L. DAWES,
P. B. PLUMB,
A. P. GORMAN,
Managers on the part of the Senate. WM. H. FORNEY, SAM. J. RANDALL, BENJ. BUTTERWORTH, Managers on the part of the House.

Mr. CALL. I move that the Senate proceed to the consideration of the joint resolution of the House to pay the employes of the Senate—

Mr. PLUMB. There is a conference report pending. Mr. HAWLEY. We have not concluded this not

The PRESIDENT pro tempore. The report of the committee of conference has been read.

Mr. PLUMB. Before any question is put on it I wish to make a statement.

This report, according to the ordinary parliamentary usage, should first have been made to the House of Representatives. It may have been made there, but the Senate has not yet been advised of the action of that body. However, in view of the impending adjournment, it is proper that it should be made here, in order that the Senate may be advised of the result of the conference and of the reason for the disagreement reported.

The Senate amended what is known as the fortification bill by in-serting two sections, substantially connected with each other, provid-ing for the procuring by the Government from American manufacturers of forgings suitable for large guns and the finishing of those guns by the Government. That was done upon the theory that this country was in great need of proper means for coast defense, and that the one prime thing necessary to make that defense was the possession of guns of proper caliber.

Steel guns above 6-inch caliber have not yet been successfully made in the United States, not because the country is lacking in material or lacking in the skill, but because there has not yet been a demand for, and there is not yet in existence on this continent machinery suitable for, their manufacture. The machinery suitable for their manufacture is of a kind larger and different from that required for the ordinary manufacture of the products of iron.

In order to secure the production of these guns in this country it was deemed necessary that there should be inducements offered to American manufacturers in the way of contracts for the manufacture of guns which should enable them to erectand put in operation the necessary machinery for the manufacture of large ordnance.

With a greater length of seacoast than any other country in the world the United States is absolutely without any means of defending

The ordinary fort and vessel can be in a measure improvised, but guns, of large caliber especially, can not be produced at short notice

nor without long previous preparation.

It was to meet this demand, so conspicuously existing now, that the Appropriations Committee of the Senate and the Senate adopted the amendments to the fortification bill providing for entering upon the

manufacture of these large caliber guns.

The House conferees, while admitting the necessity, decided that it was wise to let the matter go over; they thought that the country could wait; and they were not willing to agree to anything unless it might be the appropriation of a very small sum of money to indulge in some

more experiments.

The Senate conferees, believing that experiments enough had been made and that what we wanted now was to avail ourselves of the experiments already made in the manufacture of ordnance which will be useful for purposes of national defense, declined to agree to any proposition limiting the operations of this appropriation bill merely for the purpose of further investigation.

So the issue was sharply drawn between the Senate on the one side proposing what was conceded everywhere to be a practicable measure for the manufacture of needed ordnance for the defense of the country, and the action of the House declining to enter upon that question, and proposing in lieu of it merely that we should go on and do something more in the nature of inquiry.

It is not necessary at this late hour to enlarge upon this subject. The question can not be considered now. There is no prospect that any other conference committee would be able to agree at this session. Yet accepting the suggestion of the House conferees, who proposed that this whole subject might come up better after the fall elections had taken place in connection with the bill as it passed the Senate, at the proper time I shall move that the Senate accede to the request of the House for an additional conference and appoint conferees who may meet in the early days of the next session of Congress.

Mr. HAWLEY. Mr. President, the substance of all this is that the fortification bill for the year fails. Of course in December there might

be a bill passed applying to the remaining six months of the year.

that contemplated?

Mr. PLUMB. No; not at all. I do not contemplate it.
Mr. HAWLEY. Nothing at all for this year?
Mr. PLUMB. This will result in the entire failure of the fortification appropriation bill for the fiscal year, unless Congress shall take it up at the succeeding session and pass an appropriation bill for what will then remain of the present fiscal year.

Mr. HAWLEY. There being nothing pressing before the Senate at this moment, and this being a subject, in my opinion, of very great importance, I desire to say a few words about it.

For many years we have done nothing toward the fortifications along the coast except to cut grass and occasionally to put up a brick that has fallen down or clear out a ditch. For many years nothing has been given toward the renewal of the old works or to build substantial new ones

The bill came here this year from the House giving "for the protection, preservation, and repair of fortifications and other works of defense, for which there had been no special appropriation available," (there being no such other works), \$100,000; the sum "to be expended under the direction of the Secretary of War." That is the old standard appropriation, under which they painted a fence, cleaned a ditch, cut down a little grass, and put some black paint upon some honeycombed old gun along the fortifications and on top of some of our great works around our great harbors-notably I remember Fort Columbus, in New York Harbor, where stand clumsy, old, useless iron guns, which they dare not fire upon the ramparts lest they shake the walls down.

The best of the forts have an 8-foot wall of granite, thinning down to 5 feet, through three of which walls the modern rifle will send its projectile. Some people think we can rely upon a sand bank. The largest steel rifles made will send their projectiles of 1,200 to 1,800 pounds through 70 feet of sand.

The upshot of it is that we are absolutely defenseless, so far as coast defenses are concerned, against modern ships of war, which can have their own sweet will sailing through the entrances of our great harbors. By carefully compiled statistics they may safely anchor at Portland, Boston, New York, San Francisco, and other great cities under the reach of our guns, with property to the amount of \$4,500,000,000, these returns being taken from the official returns of taxable property in those

I need not discuss the condition of our Navy. We are not quite so badly off there, because we have a few respectable ships of the third, fourth, or fifth class, and we have an excellent body of officers, and we have as many as the great number of about thirty steel guns very nearly

done; but the heavy, rough forged parts of the 8 and 10 inch guns have been bought abroad, and we are absolutely dependent upon the mercy of foreign contractors for any guns we may make of the larger size.

We have certain naval vessels nearly or quite complete. Proposals are about to be issued for the construction of several more. A bill has just passed both Houses providing for two fine armored cruisers and another lighter one, and also for completing the armament of the monitors. Several thousand tons of armor (not armament) are called for by these various vessels, a large quantity of heavy ordnance for the arming of them, and we have forbidden, in the bill for the increase of the Navy, the purchase of these articles abroad. But in the mean time there is not a manufacturing establishment in the United States that can make them, nor is there one that will contract to make them under the ordinary terms of an appropriation bill, because no wise manufacturer would put in a new plant costing \$600,000 or a million dollars or more to build these guns depending upon an annual appropriation by Congress. No sensible man would do it; no man ought to do it.

We are building a few large guns by the leave of foreign countries, which can be forbidden in a moment by their own governments refusing to let us have those rough parts. But it is an essential element in national defense that we shall be able to make our own weapons of defense. The Army has not one single high-power modern gun. It has some very nice little field pieces of steel; it has a large number of old 15-inch and 10-inch guns, &c., old cast-iron guns admirable in their time, and it has about two hundred 10-inch Columbiads altered down to 8-inch rifles, which can not take a heavy charge of powder and are only useful for perhaps a thousand yards against vessels of the third or fourth class.

What then shall be done? Everybody says it is a matter of very great importance; everybody says we are helpless. There are several ways of beginning to do this work. One is that the Government shall build its own great forging factories. That is not economical. That is not what the Government ought to undertake. Another plan is that the Government shall go into partnership with certain private manufacturers in the manufacture of a complete gun. That has been tried and has been a failure, economically and otherwise—a failure under foreign governments.

Another plan is to divide the work, that each may be a check upon the other, and that the larger and coarser and heavier work which can be done in private establishments shall be given out by contract, reserving to the Government the fine work of finishing, so that we may have some shops to depend upon ourselves, and that we may not require

of private manufacturers so heavy a plant.

The amendments which the Senate put on the fortification bill were in accordance with the experience of every European nation that has done anything, and they have all done a great deal in this direction, and in accordance with the recommendations of board after board that has been appointed upon this and kindred questions for a series of years past, all of which has been considered and summed up by your Committee on Coast Defenses and your Select Committee on Ordnance and War Ships; so that when a person refuses the proposition the Senate put upon the bill without offering any substitute for it, he simply declares that, no matter how defenseless or unprovided the country may be, we will do absolutely nothing.

The bill as passed by the House made a pretense of doing something in this direction:

For the armament of seacoast fortifications, including the procurement of steel forgings for the manufacture of heavy guns; for guns, carriages, projectles, fuses, powder, implements, the materials for which shall all be of American production, their trial and proof, and the testing of improvements of the same, and all necessary expenses incident thereto, \$500,000, to be available until expended.

We have gone on wasting a similar sum for a series of years. For "the procurement of steel forgings, for the manufacture of heavy guns," the "materials for which shall all be of American production." Those who drew and who were instrumental in passing that bill knew perfectly well that it was a farce, because those heavy parts can not be made in the United States, and we have been buying them abroad. The only practical step toward getting them made in America, which the Senate put in the bill, we understand is absolutely and positively rejected. It is demanded that the whole bill shall fail unless it can be passed in that shape, which is absurd, and knowr to be so; a mere pretense for an election campaign or for some other purpose, I do not know what.

The only practical provision in the bill as passed by the House was the one to keep the old forts swept at a cost of \$100,000, and \$20,000

The only practical provision in the bill as passed by the House was the one to keep the old forts swept at a cost of \$100,000, and \$20,000 for torpedo experiments and for practical instruction; and yet we are told by the chairman of the Committee on Appropriations that if the Morrison resolution shall become a law, which of course is exceedingly doubtful, there will be, indeed there will be substantially anyhow, \$100,000,000 applicable to the reduction of the bonded debt of the United States. The Republican administration in its closing months saved up its revenue and did not purchase bonds. The new Democratic administration for about nine months followed a similar course, until we have a very large surplus in the Treasury.

Whether the Morrison resolution shall pass or not, without any doubt there will be a very considerable reduction in the debt. We are embarrassed by our riches; we are burdened by the superabundance of our revenue, and a new party, or an old party rather, has come into

power without a very definite policy upon matters of national concern, not agreed concerning finance, not agreed concerning the tariff, and indeed if agreed upon anything I am unable to recall it at this identical moment. It is a party in search of a war-cry, a party that will be glad to command the enthusiastic support of the American people if it has an opportunity. The Republicans of the Senate, and I am bound to say that the majority at least of the Democratic Senators, are willing to offer to men who assume to lead the party an opportunity to make a reputation, an opportunity to command popular support and respect and enthusiasm, an opportunity to adopt a really national and broad and strong policy in some respects. What are they at, I wonder? What do they mean when they seek to keep down an appropriation bill by rejecting items of this sort? Do they make any sensible appeal to the groundlings in behalf of real economy? We advise, I advise, everybody advises who stops to think—the very able man who is now waiting for his grave was one of the strongest to advise that among matters of great national concern which commanded the support of the people unanimously was this matter of defense-coast defense and naval defense. I believe that nothing more acceptable to the American people could have been done, and yet I doubt very much whether the House of Representatives (I may say that much) will be allowed to even take a vote upon the question—by some singular combination of reasons.

The bill as amended by the Senate devoted \$6,000,000 to beginning the work of making heavy guns. In addition to that is the work, which must be begun by and by, of building new forts on a new plan along the coast, iron turrets, or defenses covered by sloping and curved armor, and numerous buildings, erections, and contrivances which are absolutely indispensable toward torpedo defenses, &c., but these things are largely omitted. Nothing is being done for armor. The new ships can not be armored by American products, and yet the Secretary of the Navy is forbidden to buy any other. The revised bill provided for \$6,000,000; that there might be a contract made for not to exceed 10,000 tons of rough-bored, rough-turned, and tempered forged steel suitable for heavy guns, in such lots and of such descriptions as the Secretary of the Navy and the Secretary of War might agree upon, the money to be available for six years.

be available for six years.

Not one dollar of that would be expended during the next year or year and a half, but if that should stand as a law, giving out from nothing to a million and a half or two millions a year during the next six years, there are several great establishments in the United States which would very gladly make the necessary plant at a cost of from six hundred thousand to a million and a half dollars. They will not do it depending upon annual appropriations; it is perfectly well known by the unanimous testimony of all, and I say every sensible business man knows it. If we make that contract we shall have at least one or two or three hundred guns, depending upon the size—of the smaller ones more, of the larger ones less—within four or five years; but, what is of more consequence, we shall have within our own borders the possibility of arming ourselves, which we have not now. I say the universal judgment of all men of military and other experience abroad, of all manufacturers at home, demands some such process of legislation as this, and yet we are absolutely refused the very first step in it. The Democratic party has missed an opportunity to commend itself to the respect and enthusiastic support of the American people by doing what is really a

great national and indispensable work.

Mr. GORMAN. Mr. President, I do not care to enter upon the discussion of this general question at this time; but I think it proper to say a few words in reply to what the Senator from Connecticut and the Senator from Kansas, my colleagues on the committee of conference, have said in relation to this matter. As they know, I am personally very heartily in favor of a large appropriation upon this account; and I think it would be very unfortunate indeed if the failure to agree upon an appropriation of \$6,000,000 to begin this great work should be treated from a political standpoint. I have not found any member of this body or any other body that has conferred upon this subject who has treated it as a political matter.

The great trouble is, as all admit, that for twenty years past you have neglected the coast defenses. No ample provision has been made for the construction of guns or to encourage manufacturers to make the best classes of steel. All admit that it should be done speedily, but there is great distrust as to the ability of the officers in charge, the Army officers and the ordnance officers, to carry out this great work. There is a very serious division as to whether this large expenditure should be placed in their hands or placed in the hands of a board of experts consisting of Army officers and civilians.

Mr. PLUMB. The Senator from Maryland ought to state in that con-

Mr. PLUMB. The Senator from Maryland ought to state in that connection, what he knows very well to be true, that the Senate conferees offered to yield all questions of control, substantially in accordance with the ideas of the House conferees, if only the amount was retained and if the plan which the Senate had proposed could be preserved.

Mr. GORMAN. That is true, but it was only in the very late hours of the session, within twenty-four hours, that we were able to reach the point when such a proposition could be made; and the conferees on the part of the House claimed that there was not time to consider it and put it into such shape as to make the provision effective.

My friend from Kansas knows perfectly well that this question is not

to be settled upon party issues. It is one that is broader than that; and I only rose to protest against this debate and the statements of my friend from Connecticut and my friend from Kansas, which might possibly jeopardize a great interest which we all have at heart by giving

it a political turn.

Mr. PLUMB. I certainly did not give any turn of politics to it at all. I spoke simply upon the basis of what the Senate had done, and in the Senate, as I understood, there was no division on party grounds. is true the committee on the part of the Senate was controlled by the Republican party, as the Senate itself is at the present time, but there was no suggestion of politics in the debate, and all I said was in justification of the position of the Senate as a Senate without reference to the party in control of it.

Mr. GORMAN. I did not mean to do the Senator injustice, but the Senator from Connecticut did say the Democratic party had lost a great

opportunity in not permitting this work to go on. It was only in reply to that remark I made the suggestion.

Mr. HAWLEY. I gave due credit, I think, to the Republican Senate that it acted without distinction of party in this matter and with broad and patriotic views, and I do not know where else to charge it if not to charge it to certain Democratic influences. The project spoken of by the two Senators of committing this work of the Army and Navy to a board, depriving the two Secretaries of the part we had assigned them in the bill, is another proposed vote of want of confidence in the

Mr. PLUMB. I wish to say in regard to that, that while that matter was not discussed at any very great length, the general proposition was that if we could agree upon the amount and the plan in substantial accordance with what the Senate had done a board should be constituted, of which the Secretary of War and Secretary of the Navy should be ex officio members, consisting as well of some members of the Army and Navy as of some civilians. In other words, the Senate conferees said, "We do not care so much about that question of detail of the said, "We do not care so much about that question of detail of the personnel of the management, provided always we can secure an appropriation of the money and the entering by the Government on this work zealously," and so we were willing to yield everything in that particular in order to get the substantial object.

Mr. HAWLEY. Except for a possible discourtesy to the Secretary of War or the Secretary of the Navy I should not object to that. If

that be eliminated from it and the board be composed as the Senator has suggested, of course my objection and the objection of every sensible friend of the measure will be gone, provided only that the substantial thing be done by whatever reasonable method.

Mr. CALL. I ask the Senator from Kansas if he will allow this matter to be informally laid aside to consider a House resolution?

Mr. PLUMB. What House resolution is that?

Mr. CALL. A joint resolution for paying the employes the remainder of this month's salary.

Mr. PLUMB. I have no objection to that, provided that resolution is not proposed to be amended in such a way as to give an additional month's pay to everybody. that be eliminated from it and the board be composed as the Senator

month's pay to everybody.

Mr. CALL. We can take it up and vote on it.

Mr. PLUMB. 1 shall have something to say about it.

Mr. CALL. The proposition is only that the balance of this month's salary may be paid to the employes of the two Houses. The month has already been commenced.

Mr. PLUMB. I do not wish to take any division on that unless

there be something substantially proposing to give extra pay.

Mr. CALL. I do not propose that.

Mr. PLUMB. We have not got through with the fortification matter yet. Since the Senator from Maryland [Mr. GORMAN] seems to be somewhat sensitive about the responsibility of this measure having been cast upon the House of Representatives, I wish to say in connection with his remark that for twenty years there has been a neglect of this subject; that it is only within a recent period that there seems to have been a consensus of opinion as to the kind of guns that ought to be manufactured. In other words, the inventive skill of the world has not till factured. In other words, the inventive skill of the world has not till within the last three or four years determined finally as to the character of the best kind of gun to be made and the best material to be used

Finally, it seems now to be conceded that steel is that material; and in the mean time the quality of steel manufactured has become a great deal better than it was formerly. All this has been going on in the domain of experiment, and so there is always something to be said in favor of waiting; that is, at all events as against the proposition to do a great deal. Undoubtedly we might have done something heretofore, but the Senate will bear in mind that the two Houses of Congress have been heretofore, as they are now, divided from each other in a political way; that for over ten years, with two exceptions, the House of Representa-tives has not been in accord with the Senate politically. Once the House was Democratic when the Senate was also under the control of that party; and but once within the last twelve years the House has been Republican at a time when the Senate was also Republican. While the House and the Senate have been controlled by different political parties it has seemed to be entirely impossible to get any concord whatever, the House insisting (whether well or ill I will not now un-

dertake to say) that it was not wise and prudent to commit the administration of this great question to Republican officials.

All I want to say now in that connection is to point to the different treatment which has been accorded to a Democratic administration by a Republican Senate. The Republican Senate has voted unanimously to give to the Secretary of the Navy a fund of three and a half million dollars for the purpose of adding to the Navy, and an appropriation which involved practically an agreement to appropriate \$8,000,000 more. It has also proposed to commit to Democratic officials \$6,000,000 for the purpose of the manufacture of guns, and in every way in which it has touched upon this question of appropriations and upon the responsibility of administration it has given as freely of the public revenues and as freely committed discretion to the Democratic administration as it ever proposed to do to a Republican administration. I think that much the Senator from Maryland will himself cheerfully admit.

When I say that, I say it for the purpose of emphasizing the fact which the Senator himself said, though in connection with what I thought to be a reflection on a former administration, that this question need not be and ought not to be a partisan question at all, and that every man, whether he be a Republican or a Democrat, ought to agree, in the first place, that the United States ought to have a good navy, one commensurate not only with its power but with the exposed situation of its commerce and the necessities of its people, and that it also should have an adequate system of coast defense, in order that the great possessions of the people may be protected against the possible contingencies of foreign war.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 1386) for the completion of a public building at Fort Scott, Kans., with an amendment; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the

A bill (H. R. 9116) to provide for holding terms of United States courts at Texarkana, Ark., and for other purposes; and Joint resolution (H. Res. 215) to provide for printing the third an-

nual report of the Bureau of Animal Industry.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled joint resolutions; and they were there-

upon signed by the President pro tempore:

Joint resolution (H. Res. 89) providing for the distribution of the Official Register of the United States;

Joint resolution (H. Res. 120) to print the annual bulletins of the Bureau of Ethnology; and
Joint resolution (S. R. 82) making additional appropriation for pur-

chase of site for Congressional Library.

HOUSE BILLS REFERRED.

The bill (H. R. 9116) to provide for holding terms of United States courts at Texarkana, Ark., and for other purposes, was read twice by its title, and referred to the Committee on the Judiciary.

The joint resolution (H. Res. 215) to provide for printing the third annual report of the Bureau of Animal Industry was read twice by its

title, and referred to the Committee on Printing.

PUBLIC BUILDING AT FORT SCOTT.

Mr. PLUMB. I ask that the bill (S. 1386) for the completion of a public building at Fort Scott, Kans., returned from the House of Representatives with an amendment, may lie on the table.

The PRESIDENT pro tempore. That course will be taken.

PAY OF EMPLOYES.

Is there anything before the Senate?

The PRESIDENT pro tempore. No bill is before the Senate. No action is required on the report of the committee of conference on the fortification bill.

Mr. CALL. I move to take up for consideration the joint resolution of the House relative to the payment of employes for this month.

Mr. PLUMB. Before that motion is put I ask to have the resolution read for information.

Mr. EDMUNDS. Pending that motion, I move that the Senate take a recess until a quarter before 4 o'clock.

Mr. CALL. I hope the Senator from Vermont will withdraw that for a moment. I appeal to the Senator. We have commenced the month of August. These employés have been here serving us, and it is only the fair thing for us to consider the propriety of giving them now pay for the month upon which they have already entered. That is all, and I think there is a large majority of the Senate disposed to do it.

Mr. EDMUNDS. I withdraw my motion for a moment.

Mr. PLUMB. I renew it. I do not think the question is of sufficient importance to come up at this time and in view of the fact, which is undoubtedly well known, that there is no quorum here, as will be disclosed if the question is called for, as it certainly will be Mr. CALL. Then we can not adjourn.

Mr. PLUMB. That is another question.
Mr. EDMUNDS. This resolution can not pass, because it is wrong in my opinion and in the opinion of a great many other people; and in view of some messages that may come from the House I move to take a recess until fifteen minutes past 3.

Mr. CALL. I hope that motion will be voted down.

RECESS.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Vermont.

The motion was agreed to; and (at 3 o'clock and 7 minutes p. m.) the Senate took a recess until 3 o'clock and 15 minutes p. m.

Mr. CALL. I call for a division.

The PRESIDENT pro tempore. The Chair thinks the call is too late.

A recess is taken until a quarter after 3 o'clock.

The Senate took a recess until 3 o'clock and 15 minutes p. m., at which time it reassembled.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. T. O. Towles, its Chief Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (S. R. 46) accepting from Julia Dent Grant and William H. Vanderbilt objects of value and art presented by various foreign governments to the late General Ulysses S. Grant; and it was thereupon signed by the President pro tempore.

PROPOSED RECESS.

Mr. EDMUNDS. I move that the Senate take a recess until five minutes before 4 o'clock.

Mr. HARRIS. I suggest to the Senator that we had better make it ten or fifteen minutes before 4.

Mr. EDMUNDS. Why?

Mr. HARRIS. Certainly it is Mr. EDMUNDS. Why?

Mr. HARRIS. I can not tell why, but there may be reasons. do not now know whether there will or will not be reasons, and therefore I think it safer to say ten minutes before 4.

The PRESIDENT pro tempore. The Senator from Vermont moves that the Senate take a recess until five minutes before 4 o'clock.

The question being put, a division was called for; and the ayes were 5.

Mr. HARRIS. Does the Senator insist on a further count?

Mr. EDMUNDS. I do.

The PRESIDENT pro tempore. Those opposed to the motion will rise and stand until they are counted.

Eleven Senators rose in the negative.

The PRESIDENT pro tempore. There is no quorum voting.
Mr. EDMUNDS. Call the roll.
Mr. ALLISON. Before that is done—
Mr. EDMUNDS. Nothing can be done now but to call the roll. The PRESIDENT pro tempore. Nothing is in order but the calling of the roll, under the rule.

The Secretary called the roll; and the following Senators answered to their names:

Cullom,
Edmunds,
Gibson,
Gorman,
Gray,
Harris,
Hawley,
Ingalls,
Jones of Nevada, Allison, Beek, Blair, Brown, Butler, Sawyer, Sewell, Sherman, Vest, Walthall, Whitthorne. McMillan. Mahone, Manderson, Mitchell of Oreg., Palmer, Plumb, Call, Cockrell, Colquitt, Conger, Saulsbury,

Mr. WALTHALL (when Mr. George's name was called). My colleague [Mr. George] is quite unwell, and unable to be here to-day.

The PRESIDENT protempore. Thirty-three Senators have answered

to their names. There is not a quorum present.

Mr. EDMUNDS. I move that the Senate take a recess until six min-

utes before 4 o'clock.

Mr. HARRIS. We can not take a recess without a quorum. We can adjourn from day to day.

Mr. EDMUNDS. A recess is within an adjournment, and it has been

held that

Mr. HARRIS. A recess is not an adjournment.
Mr. EDMUNDS. It is merely a continuance of the sitting. There is no doubt about it.

Mr. ALLISON. I ask unanimous consent— Mr. EDMUNDS. I withdraw the motion for the present.

PROPOSED RECESS-WANT OF A QUORUM.

Mr. EDMUNDS. Now I renew my motion to take a recess until six minutes before 4 o'clock.

The PRESIDENT pro tempore. The Chair is of opinion that under the language of the rule a motion for a recess is not in order under these circumstances. The rule will be read.

The Chief Clerk read as follows:

Whenever upon such roll-call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

Mr. EDMUNDS. That is, pending the execution of the order to bring in the absent Senators. No such order has been made, and the Senate may suspend making such an order as long as it likes. The motion for a recess is inside of the motion to adjourn, and a motion to adjourn includes the right of the Senate to suspend its sitting for a few minutes if it wishes to do so, I submit to the Chair; but if an order had been made to bring in absent Senators, the Chair would be

right.

The PRESIDENT pro tempore. The language of clause 3 of Rule V being that, "Whenever upon such roll-call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order," after the want of a quorum is ascertained the Chair is of the opinion that no debate or motion except to adjourn and to compel the attendance of absent Senators would be in order. The Chair would be very

glad to rule otherwise.

Mr. EDMUNDS. I wish with great respect to submit to the Chair that his inclination of opinion is contrary to the continuous practice of the Senate, and I submit with great respect that the Chair has over-looked the arrangement of this sentence. It is that—

Whenever upon such roll-call it shall be ascertained that a quorum is not present a majority of the Senators present may—

They are not obliged to-

direct the Sergeant-at-Arms to request, and when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate;—

Then comes a semicolon-

and pending its execution, and until a quorum shall be present-

That is while that order is being executed-

no debate nor motion, except to adjourn, shall be in order.

Now, the Senate has the authority; it may, but the rule does not say it shall; and the Senate not having chosen to direct the Sergeant-at-Arms to send for the absentees, the last clause of the rule, which says that "pending the execution of that order no motion shall be in order except a motion to adjourn," does not apply to the case now, because the Senate has not made any order directing the Sergeant-at-Arms to request the attendance of the absent members. I submit, with great respect to the Chair, therefore, as I certainly shall not appeal, to consider the way that stands in the rule and the uniform practice of the sider the way that stands in the rule and the uniform practice of the

Mr. HARRIS. I know this question is not debatable, but by the express terms of the rule, when the absence of a quorum has been disclosed, there are but two motions which are in order. The one is for a call of the Senate and the other is to adjourn. That is the express literalism of the rule.

Mr. EDMUNDS. The Senator is mistaken.

Mr. HARRIS. If the Senator can find me in the rule any other motion that is in order according to the letter of it I shall be glad for him to inform me of it.

Mr. EDMUNDS. Let me read it again, Mr. President. Rule XXII provides:

When a question is pending no motion shall be received but-

To adjourn,
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain,
To take a recess.

Here was a pending question on the motion of the Senator from Florida [Mr. CALL]. Therefore we are within that rule. Now we come to the quorum rule:

Whenever upon such roll-call-

The question of a quorum being raised-

it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution—

There comes the prohibition of the rule. Pending the execution of an order directing the Sergeant-at-Arms to bring in the absentees and until a quorum shall be present-

Pending the execution of that order-

no debate nor motion, except to adjourn, shall be in order.

So that the motion to take a recess is within Rule XXII. If the want of a quorum is disclosed, then the rule says that a majority of the Senators present may-not that they shall-proceed to call in the absentees. Then it goes on to say that having proceeded to call in the absentees, and while that order is being executed, you can only move an adjournment. So I submit with great respect to my friend from Tennessee and to the Chair under those two rules, just as the practice of the Senate has been half a dozen times this session and half a dozen times every session for twenty years to my knowledge, the Senate has the right, no quorum being present, to suspend its operations until it has ordered the Sergeant-at-Arms to bring in the absentees.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Vermont to the express language of the Constitution of the United States. The Secretary will read section 5 of article 1. It seems to the Chair that under the Constitution the matter is entirely clear.

Mr. EDMUNDS. I should like to be heard on that point.

The Chief Clerk read as follows:

SEC. 5. Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each House may provide.

The PRESIDENT pro tempore. The Chair is of opinion, on the face of the Constitution, that the word "business" excludes every other

motion except a motion to adjourn.

Mr. EDMUNDS. I take leave to submit to the Chair, with great respect again, that a recess is included within the motion to adjourn, which is a much larger motion than a recess, and is merely a modified and temporary adjournment in its effect; a motion to take a recess is in order, and always has been, and so held since the Government began as I believe. The Constitution gives the power to less than a quorum to adjourn from day to day, but sitting during the day waiting for the absentees to come in, and included in the larger power to adjourn is the smaller power to suspend the sitting of the body waiting for the absentees for the time being, and that has been the practice of the Senate, I beg leave to suggest, for a great many years. It is not of any consequence now, but in the future it may be of great consequence.

Mr. GIBSON. Mr. President, I rise to a parliamentary inquiry. What is the business before the Senate?

The PRESIDENT pro tempore. The business before the Senate is the fact that there is the want of a quorum, which involves an incapacity to do any business.

Mr. GIBSON. What is the pending motion?

The I RESIDENT pro tempore. The motion is to take a recess. The Chair in respect to this matter would submit it to the Senate, if the Senate was full, to decide the question; but the Chair supposes it would not be proper to do so at present.

'The Chair, in further reply to the Senator from Vermont, will state that the rules themselves make a distinction between a motion to adjourn from day to day and a recess, because the twenty-second rule

provides that-

When a question is pending no motion shall be received but-

To adjourn,
To adjourn to a day certain, or that when the Senate adjourn, it shall be to a day certain.

Those two are included in the constitutional provision. Then-

To take a recess, To proceed to the consideration of executive business, To lay on the table, To postpone indefinitely.

The Chair is of opinion that as the Constitution limits the power of less than a quorum to do only what is provided for in the rules also, to adjourn, that would not include taking a recess, because the Constitu-tion provides that in the absence of a quorum the body shall adjourn

from day to day. A recess is an adjournment within a day.

However, the Senator from Vermont says the point is not material now. If a quorum were present the Chair would with great pleasure, out of respect to the opinion of the Senator from Vermont, which he regards very highly, submit the matter to the Senate. At present he can not do so.

Mr. CULLOM. It requires a quorum to decide a question of this sort.

Mr. HARRIS. Not less than a quorum can decide a question of order. The PRESIDENT pro tempore. So the Chair stated. The only motion in order would be a motion to adjourn; and as the two Houses have by concurrent resolution fixed the time for the final adjournment of Congress, when that time arrives the adjournment must be declared.

Mr. CULLOM. It will not be very long before the six minutes' arrangement will be in order. We shall not have very long to wait.

MESSAGE FROM THE PRESIDENT.

At 3 o'clock and 45 minutes p. m. Mr. O. L. PRUDEN, one of the President's secretaries, appeared before the bar of the Senate with a message from the President of the United States.

The PRESIDENT pro tempore. The Chair will receive a message

The PRESIDENT pro tempore. The from the President of the United States.

WANT OF A QUORUM.

Mr. EDMUNDS. I make the point of order that no message can be

received in the absence of a quorum.

The PRESIDENT pro tempore. The Chair is of opinion that under the language of the rules messages may be received from the other House of Congress and also from the President of the United States at any time unless when the Senate is dividing.

Mr. EDMUNDS. I appeal from the decision of the Chair.

The PRESIDENT pro tempore. The Chair can not entertain the appeal in the absence of a quorum.

Mr. EDMUNDS. Let that be entered in the Journal.

The PRESIDENT pro tempore. The Chair has considered the rules very carefully before this question was presented, lest it might arise, and the Chair is clearly of opinion that the rule of the Senate does not exclude the receipt of a message from the House of Representatives or from the President in the present condition of the Senate. The Chair will receive the message.

Mr. President). Mr. President, I am directed by the President of the United States to announce to the Senate his approval of sundry Senate bills and joint resolutions. The PRESIDENT pro tempore. The Chair, to place the matter before the Senate that it may be settled, will read the last clause of the fifth rule:

And pending its execution-

That is, after the want of a quorum is announced-

and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

The receipt of a message is neither debate nor a motion. Therefore, it seems to the Chair, it is clearly in order.

Mr. EDMUNDS. But, Mr. President, if I may address the Chair—
The PRESIDENT pro tempore. Certainly.

Mr. EDMUNDS. I do not know whether the Chair will hold that a

Senator can address the Chair in the absence of a quorum. I recall to the Chair, who is so familiar with the Constitution, the provision of the Constitution that a majority of each House is necessary to do business, and if receiving a message from the President of the United States and entering it in the Journal is not doing business, then I am greatly

The PRESIDENT pro tempore. The Chair is of opinion that the construction has been given to the rule which he has now given, and that the limitation is the exclusion of debate or of a motion except to adjourn.

Mr. CONGER. Did the communication from the President announce the signature of the President to the bill?

The PRESIDENT pro tempore. The message has been received.

Mr. EDMUNDS. Can it be read and acted upon in the absence of a quorum?

The PRESIDENT pro tempore. No action is required. It can be read if any Senator desires.

Mr. EDMUNDS. I do not desire it. I protest against it as being

contrary to the Constitution.

Mr. CONGER. The reading of the communication is not precluded

by the rule.
Mr. EDMUNDS. I submit that it is by the Constitution, for it is

The Clerk of the House of Representatives appeared below the bar of the Senate with a message from the House.

The PRESIDENT pro tempore. The Chair will receive a message

from the House of Representatives.

Mr. EDMUNDS. I make the same point of order; but I suppose it is overruled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Clark, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate.

A bill (H. R. 191) providing for the erection of a public building at

A bill (H. R. 7218) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn., approved February 25,

WANT OF A QUORUM.

The PRESIDENT pro tempore. The Chair will state also, in order to have this matter further presented, that Rule XXVIII provides expressly that-

Messages from the President of the United States or from the House of Representatives may be received at any stage of proceedings, except while the Senate is dividing, or while the Journal is being read, or while a question of order or a motion to adjourn is pending.

Mr. EDMUNDS. But that implies that the constitutional body

necessary to do business is here, and it appears that it is not.

The PRESIDENT pro tempore. The Senate is still in existence. It is the Senate of the United States to-day, though without a quorum, and it has certain defined powers limited by the Constitution and the rules. The Chair has no doubt upon this question, and is only sorry that it may not now be submitted to a quorum of the Senate.

Mr. EDMUNDS. But the Chair will not entertain an appeal, I

The PRESIDENT pro tempore. The Chair can not entertain an ap-

Mr. CONGER. I should like to hear the message of the President of the United States read.

The PRESIDENT pro tempore. The Senator from Michigan does not speak loud enough to be heard.

Mr. CONGER. I say I desire to hear the message just communicated by the President of the United States read.

The PRESIDENT pro tempore. The message will be read.

Mr. EDMUNDS. I object to the reading, as no quorum is present. That must be business, I suppose.

Mr. CONGER. Since the objection made by the Senator from Ver-

mont several Senators have come into the Chamber.

The PRESIDENT pro tempore. The Chair is of opinion that the message was properly received under the express terms of the twentyeighth rule, and it will be read.

Mr. EDMUNDS. Will the Chair entertain an appeal from that de-

cision?

The PRESIDENT pro tempore. The Chair will if the Senator takes it.

Mr. EDMUNDS. The Senator takes it.

The PRESIDENT pro tempore. The appeal will be entered. The

message will be read.

Mr. EDMUNDS. Then I hope the Chair will submit to the Senate the question on the appeal.

The PRESIDENT pro tempore. The Chair does not feel authorized to submit the question on appeal while there is not a quorum.

Mr. EDMUNDS. The Chair entertains the appeal, but refuses to

submit it to the Senate!

The PRESIDENT pro tempore. The Chair will receive the appeal and have it entered on the Journal, but declines to submit it to the

Mr. EDMUNDS. And proceeds with the business as to which the

appeal is taken!

The PRESIDENT pro tempore. At the request of the Senator from Michigan the message communicated by the President of the United States will be read. The Senate takes no action on the message except to have it read. It will be read.

The Chief Clerk read as follows:

EXECUTIVE MANSION, August 5, 1886.

EXECUTIVE MANSION, August 5, 1886.

The President on August 5, 1886, approved bills of the following titles:
An act (S. 1599) for the relief of the Phonix National Bank, of the city of New York;
An act (S. 335) to provide for protecting the interests of the United States in the Potomac River flats, in the District of Columbia;
Joint resolution (S. R. 82) making additional appropriation for purchase of site for Congressional Library; and
Joint resolution (S. R. 46) accepting from Julia Dent Grant and William H. Vanderbilt objects of value and art presented by various foreign governments to the late General Ulysses S. Grant.

FINAL ADJOURNMENT.

The PRESIDENT pro tempore (at 4 o'clock p. m.). Senators, before announcing the termination of this session of the Senate I beg leave announcing the termination of this session of the Senate I beg leave to return to each of you my grateful thanks for your uniform courtesy and kindness to me as your presiding officer, and especially for the resolution of to-day in which you express your approval.

This session has been distinguished for the great number and variety of the subjects that have been considered, and the marked absence of

political controversy. The varied needs and aims of a great and rapidly growing country have occupied most of the time of the Senate. The short recess will enable you to greet your constituents, and I hope and trust you will each return in December with renewed health and strength to your important duties.

In pursuance of the resolution of the two Houses of Congress I de-

clare the Senate adjourned without day.

NOMINATIONS.

Executive nominations received by the Senate the 5th day of August, 1886. SURVEYOR-GENERAL OF UTAH.

William G. Bowman, of Illinois, to be surveyor-general of Utah, vice Frederick Salmon, commission expired.

UNITED STATES MARSHAL.

Thomas B. Yancey, of Tennessee, to be marshal of the United States for the western district of Tennessee, vice M. F. Williams, whose commission expired May 24, 1886.

REGISTER OF LAND OFFICE.

Selden Hetzel, of California, to be register of the land office at Sacramento, Cal., vice Edward F. Taylor, whose term of office has expired. (The nomination of W. A. Selkirk for said office, which was delivered to the Senate July 15, 1886, is this day withdrawn.)

POSTMASTERS.

William Carter, to be postmaster at De Kalb, De Kalb County, Illinois, vice Aaron S. Jackson, suspended, the nomination of Clinton Rosette, who was designated and afterward nominated to the Senate, having been rejected.

Leonard W. Chambers, to be postmaster at Jacksonville, Morgan County, Illinois, vice John Gordon, suspended, the nomination of E. M. Kinman, who was designated and afterward nominated to the Senate, having been rejected.

NAVAL ENSIGNS.

Ohio; Wilford B. Hoggatt, of Indiana; Albert M. Beecher, of Iowa; Nathaniel S. Moseley, of California; Frank K. Hill, of Ohio; Roger Welles, jr., of Connecticut; John D. McDonald, of Nevada; Walter O. Hulme, of New Jersey; Douglass T. Terrell, of Mississippi; Frederick J. Loomis, of Connecticut; Henry E. Parmenter, of Rhode Island; Hilary P. Jones, of Virginia; William R. Shoemaker, of New Mexico; Isaac K. Seymour, of Maine; Charles M. Fahs, of Alabama; Charles P. Plunkett, of the District of Columbia; and Humes H. Whittlesey, of Indiana. of Indiana.

NOMINATION WITHDRAWN.

Herbert Foote Beecher, nominated to be collector of customs for the district of Puget Sound, in the State of Oregon.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 4, 1886.

COMMISSIONER OF EDUCATION.

Nathaniel H. R. Dawson, of Selma, Ala., to be Commissioner of Edu-

ASSISTANT TREASURER.

S. Davis Page, of Philadelphia, Pa., to be assistant treasurer of the United States at Philadelphia.

SECOND ASSISTANT SECRETARY OF STATE.

Alvey A. Adee, of the District of Columbia, now Third Assistant Secretary of State, to be Second Assistant Secretary of State.

THIRD ASSISTANT SECRETARY OF STATE.

John B. Moore, of Delaware, to be Third Assistant Secretary of State.

MINISTER RESIDENT AND CONSUL-GENERAL.

E. Spencer Pratt, of Mobile, Ala., to be minister resident and consulgeneral of the United States to Persia.

CONSUL-GENERAL.

Owen McGarr, of Denver, Colo., to be consul-general of the United States in Ecuador.

UNITED STATES CONSULS.

Edward Young, of the District of Columbia, to be consul of the United States at Windsor, Nova Scotia.

Augustus M. Boyd, to be consul of the United States at Tuxpan.

Richard M. Stadden, a resident of Manzanillo, to be consul of the United States at that place.

R. H. Jones, of Lordsburg, N. Mex., to be consul of the United States at Chihuahua.

Berthold Greenebaum, of San Francisco, Cal., to be consul of the United States at Apia.

ASSOCIATE TERRITORIAL JUSTICE.

Thomas C. Beach, of Montana, to be associate justice of the supreme court of the Territory of Montana.

UNITED STATES ATTORNEYS.

Thomas Smith, of Virginia, to be attorney of the United States for

the Territory of New Mexico.

Cornelius C. Watts, of West Virginia, to be attorney of the United States for the district of West Virginia.

REGISTERS OF LAND OFFICES.

A. C. Bradford, of San Francisco, Cal., to be register of the land office at San Francisco, Cal.

Frank J. Mott, of Denver, Colo., to be register of the land office at Denver, Colo.

SPECIAL EXAMINER OF DRUGS, ETC.

Auguste Alers, of California, to be special examiner of drugs, medicines, and chemicals in the district of San Francisco, in the State of Cali-

COLLECTORS OF CUSTOMS.

George Hines, of California, to be collector of customs for the district of Wilmington, in the State of California.

Thomas J. Arnold, of San Diego, Cal., to be collector of customs for

the district of San Diego, Cal.

SURVEYOR OF CUSTOMS.

Joseph B. Cox, of Indiana, to be surveyor of customs for the port of Evansville, Ind.

COLLECTOR OF INTERNAL REVENUE.

Mahlon D. Manson, of Crawfordsville, Ind., to be collector of internal revenue for the seventh district of Indiana.

CLERK OF SURVEYS.

John A. Parsons, of Salisbury, Md., to be principal clerk of surveys in the General Land Office.

The following-named graduates of the Naval Academy to be ensigns in the Navy from the 1st of July, 1886, to fill vacancies:

Charles H. Hawes, of Pennsylvania; Washington L. Capps, of Virginia; Chester M. Knepper, of Pennsylvania; Clarence S. Williams, of States for the Territory of Wyoming.

Thomas J. Hamilton, of the Territory of Washington, to be marshal of the United States for the Territory of Washington.

Edward Hawkins, of Indiana, to be marshal of the United States for the district of Indiana.

RECEIVERS OF PUBLIC MONEYS.

Thomas B. Davis of Lincoln, Nebr., to be receiver of public moneys

at Lincoln, Nebr.

Bradley M. Thompson, of East Saginaw, Mich., to be receiver of public moneys at East Saginaw, Mich.

Allen Wood, of Susanville, Cal., to be receiver of public moneys at

Susanville, Cal.
William J. McClure, of Cœur d'Alene, Idaho, to be receiver of public moneys at Cœur d'Alene, Idaho.

INDIAN AGENTS.

Melmoth C. Williams, of Statesville, N. C., to be agent for the In-

Melmoth C. Williams, of Statesville, N. C., to be agent for the Indians of the Pueblo agency in New Mexico.

Joseph Hollman, of Emerson, Nebr., to be agent for the Indians of the Omaha and Winnebago agency in Nebraska.

Elmer A. Howard, of Fairfield, Iowa, to be agent for the Indians of the Pima agency in Arizona.

William M. Campbell, of Trigg, Ky., to be agent for the Indians of the Uintah and Ouray agency (consolidated) in Utah.

Samuel L. Gilson, of Erie, Pa., to be agent for the Indians of the Fort Peck agency in Montana.

William W. Anderson of Elizabethtown Ky. to be agent for the

William W. Anderson, of Elizabethtown, Ky., to be agent for the Indians of the Crow Creek and Lower Brulé agency, in Dakota.

FOR APPOINTMENT IN THE ARMY.

Medical Department.

Freeman V. Walker, of Georgia, to be assistant surgeon, with the rank of first lieutenant, July 27, 1886.

FOR PROMOTION IN THE ARMY.

Fifth Regiment of Artillery.

First Lieut. Selden A. Day, to be captain, July 18, 1886. Second Lieut. J. Walker Benét, to be first lieutenant, July 18, 1886. Additional Second Lieut. Gustave W. S. Stevens, of the Fourth Artillery, to be second lieutenant, July 18, 1886.

Twenty-fifth Regiment of Infantry.

First Lieut. David B. Wilson, adjutant, to be captain, July 16, 1886. Second Regiment of Cavalry.

Second Lieut. Thomas J. Lewis, to be first lieutenant, July 26, 1886. Twentieth Regiment of Infantry.

Second Lieut. Henry A. Greene, to be first lieutenant, July 24, 1886.

Medical Department. Lieut. Col. David L. Magruder, surgeon, to be surgeon, with the

rank of colonel, July 26, 1886.

Maj. Charles T. Alexander, surgeon, to be surgeon, with the rank of lieutenant-colonel, July 26, 1886.

Capt. Henry M. Cronkhite, assistant surgeon, to be surgeon, with

the rank of major, July 26, 1886.

ASSISTANT SURGEON IN THE NAVY.

Eugene Potter Stone, of Massachusetts, to be an assistant surgeon in the Navy.

PROMOTIONS IN THE NAVY. Paymaster Charles F. Guild, to be a pay inspector, from the 16th of

July, 1886. Passed Assistant Paymaster Samuel R. Colhoun, to be a paymaster,

from the 16th of July, 1886.
Assistant Paymaster Eustace B. Rogers, of California, to be a passed assistant paymaster from the 2d of November, 1884.

POSTMASTERS.

Robert Newell, to be postmaster at Salem, Salem County, New Jer-

sey.

James P. Owens, to be postmaster at Scottdale, Westmoreland County, Pennsylvania.

James S. Jennings, to be postmaster at Waynesburg, Greene County, Pennsylvania.

John W. Cage, to be postmaster at Mineola, Wood Connty, Texas. James L. Mathews, to be postmaster at Ellicott City, Howard County, Maryland.

George T. Mooney, to be postmaster at Saint Albans, Franklin County, Vermont.

Clark Holden, to be postmaster at Barre, in the county of Washington and State of Vermont.

Lewis C. Martin, to be postmaster at Garden City, Finney County,

Kansas. John A. McLaughlin, to be postmaster at Guthrie Centre, Guthrie County, Iowa.

Samuel Jacobs, to be postmaster at Hamburg, Fremont County,

George E. Lorenze, to be postmaster at Toledo, Lucas County, Ohio.

David W. Clark, jr., to be postmaster at Valley City, Barnes County,

Territory of Dakota.

W. R. Chapple, to be postmaster at Little Falls, Herkimer County, New York.

Christopher Whitney, to be postmaster at Franklinville, Cattaraugus

County, New York.
Otis G. King, to be postmaster as Kenosha, Kenosha County, Wisconsin.

H. J. Feltus, to be postmaster at Bloomington, in the county of Monroe and State of Indiana.

A. W. Copland, to be postmaster at Detroit, in the county of Wayne and State of Michigan.

Martin V. Meredith, to be postmaster at East Saginaw, in the county of Saginaw and State of Michigan. Morgan L. Gage, to be postmaster at Vassar, Tuscola County, Mich-

Sylvanus S. Wilson, to be postmaster at Colfax, Jasper County, Iowa. Stiles Kennedy, to be postmaster at Saint Louis, Gratiot County,

Orlando Humphrey, to be postmaster at Nyack, in the county of Rockland and State of New York.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 4, 1886.

UNITED STATES CONSUL.

John Devlin, of Detroit, Mich., to be consul of the United States at Windsor, Ontario.

SURVEYOR-GENERAL OF UTAH.

William G. Bowman, of Illinois, to be surveyor-general of Utah. REGISTER OF THE LAND OFFICE.

Selden Hetzel, of California, to be register of the land office at Sacramento, Cal.

GRADUATES OF THE NAVAL ACADEMY TO BE ENSIGNS IN THE NAVY FROM JULY 1, 1886, TO FILL VACANCIES.

Charles H. Hawes, of Pennsylvania; Washington L. Capps, of Virginia; Chester M. Knepper, of Pennsylvania; Clarence S. Williams, of Ohio; Wilford B. Hoggatt, of Indiana; Alfred M. Beecher, of Iowa; Nathaniel S. Mosely, of California; Frank K. Hill, of Ohio; Roger Wells, jr., of Connecticut; John D. McDonald, of Nevada; Walter O. Hulme, of New Jersey; Douglass T. Terrell, of Mississippi; Frederick J. Loomis, of Connecticut; Henry E. Parmenter, of Rhode Island; Hilary P. Jones, of Virginia; William R. Shoemaker, of New Mexico; Isaac K. Seymour, of Maine; Charles M. Fahs, of Alabama; Charles P. Plunkett, of the District of Columbia, and Humes H. Whittlesey, of Indiana. of Indiana.

POSTMASTERS.

William Carter, to be postmaster at De Kalb, De Kalb County, Illinois.

Leonard W. Chambers, to be postmaster at Jacksonville, Morgan County, Illinois.

REJECTION.

Executive nomination rejected by the Senate August 5, 1886. COLLECTOR OF CUSTOMS.

William L. Bancroft, of Michigan, to be collector of customs for the district of Huron, in the State of Michigan.

REPORTS ON EXECUTIVE NOMINATIONS.

August 2, 1886.

August 2, 1886.

Ordered, That the injunction of secreey be removed from the report of the Committee on Post-Offices and Post-Roads on the nomination of Edward M. Kinman, to be postmaster at Jacksonville, Ill., and from the views of the minority of said committee there on, and that they be printed in the Record.

The Committee on Post-Off ces and Post-Roads, to whom was referred the nomination of Edward M. Kinman, to be postmaster at Jacksonville, Ill., to succeed John Gordon, suspended, respectfully report:

That it appears that an order for the suspension of John Gordon was issued by the President two days before the present session of Congress began; that E. M. Kinman was installed in office by the Department, although he did not receive his commission until Congress met; that Gordon surrendered his office on demand, although questioning the right of Kinman to take possession under the circumstances; and that, so far as the committee has been able to ascertain, there was no reason for the suspension or removal of Gordon, whose commission did not expire for three years and who had been an efficient officer.

Since this nomination has been under consideration evidence has been submitted to the committee showing that this nomination is strongly objected to by many of the best citizens of Jacksonville of both political parties, and on other than political grounds, and charges affecting the fitness of Kinman for the position to which he has been nominated have been preferred against him. It is charged that Kinman was the author of and caused to be printed and distributed, on the occasion of the reunion of the soldiers of Central Illinois, held at Jacksonville on August 13, 1885, a certain circular or "bogus programme," in which the reunion and veterans participating were ridiculed in an offensive manner, and in which unjust reflections were particularly east upon E. C. Kreider and his wife, Colonel Kreider being a prominent citizen who had charge of the arrangements for the reunion.

If Kinman had any agency in p

of the late war and to those who sympathize with the cause in which they staked their lives by attempting to bring into ridicule and contempt one of their reunions. If Kinman was in any wise responsible for said circular, he was guilty of an underhanded and contemptible attack upon a fellow-citizen of high character who does not come before the public as a candidate for any office, but by reason of his public spirit and enterprise is usually prominent in promoting the success of such public gatherings as the soldiers' reunion in question.

This charge against Kinman is based upon an affidavit by John C. McBride, in which he states that Kinman showed him the manuscript of the circular which subsequently appeared and asked him to have it printed; that affiant declined to do this, and heard nothing of the matter until some days afterward, when Kinman told him he was expecting some packages by express and had ordered them sent to affiant, as he might be out of town when they arrived; that two packages containing the printed circulars were received by affiant from Sullivan, Ill.; that Kinman afterward paid affiant the charges he had advanced thereon and took the circulars away; and that Kinman subsequently informed affiant that he had distributed the circulars during the night previous to the reunion.

from Sullivan, ill.; that Kinman afterward paid affiant the charges he had advanced thereon and took the circulars away; and that Kinman subsequently informed affiant that he had distributed the circulars during the night previous to the reunion.

In corroboration of McBride's statement C. H. Bashford, a clerk in the express office at Jacksonville, states under oath that McBride received two packages from Sullivan as stated; that the books of the Jacksonville office do not show the name of the shipper; that when McBride made the above disclosure affiant went to Sullivan, examined the books of the express office there, and made copies of the entries, which show that one package is recorded as having been shipped by "owner" and the other one by "Shinn;" that Sullivan is a small town of but 1,400 inhabitants; and that the only person there by the name of Shinn that affiant could learn of was W. H. Shinn, who formerly resided at Jacksonville and is a cousin of Kinman.

It also appears from the affidavit of a city policeman that Kinman was upon the streets at a late hour the night before the reunion, and so far away from home that the officer was surprised at seeing him and remembered the circumstance. On the other hand Kinman positively denies under oath that he had anything whatever to do with composing, printing, or distributing the "bogus programme," or that he had any such conversations with McBride as the latter alleges, and says the charge is made maliciously by McBride because he was discharged from the post-office.

There were no winesses of the alleged conversations between McBride and Kinman concerning the circular, and the latter's denial raises the question of veracity between the two. McBride is forty years of age. His life has been spent in Jacksonville. His integrity and veracity are vouched for in the most unqualified terms by William Hamilton and Leopold Weil, in whose business houses he has been employed since boyhood. There has also been filed a statement signed by thirty-two citizens of Jacksonv

G. E. Doying, the publisher of the Democratic daily newspaper at Jackson-

Known.

G. E. Doying, the publisher of the Democratic daily newspaper at Jackson-ville, writes that—

"Very few people here, if any, except Kinman's immediate personal friends and relatives, doubt the truthfulness of McBride's statement, while the great mass of the people, regardless of party, would regard the confirmation of Kinman as an unspeakable outrage. No man who is capable of doing so dastardly a thing as the publication of that bogus programme, under all the circumstances surrounding it, is fit for any position under the Government."

It appears that when Kinman was installed as postmaster he appointed McBride as one of his clerks, but discharged him several months later in consequence of a difficulty that arose between them, McBride claiming that Kinman refused to pay him the full amount of salary agreed upon and having since sued him for the amount claimed to be due. Whatever may have been McBride's motives in making these charges, his veracity has not been impeached, although Kinman has been fully advised of his statements, and has been established in the most satisfactory manner.

On the other hand, it should be remembered that the authorship of the "bogus programme" was not a thing to be proud of, and the person or persons concerned might naturally be expected to deny any connection with a performance which, if acknowledged, would bring down upon him or them the contempt of the entire community. The fact that Kinman is deeply interested should also be taken into account in considering his denial. It also appears that Kinman is a bitter enemy of Colonel Kreider, against whom the attacks of the circular were principally directed, and was suspected of the authorship of the circular were principally directed, and was suspected of the authorship of the circular before McBride's disclosures were made. The evidence also goes to show that McBride's statements concerning Kinman's connection with the circular are commonly accepted as true by the people of Jacksonville without regard to party, and the commit

party, and the committee believe that Kinman was guilty of the offense as charged.

Other statements have been made in regard to Kinman's conduct of his office which lead the committee to believe that he is not a fit person to hold the position of postmaster, independent of his connection with the "bogus programme."

Affidavits have been filed by William J. Porawski, Henry McDonnell, F. J. McGhee, James A. Hall, and John C. McBride, all Democrats, showing that Kinman is an "offensive partisan" within the meaning of the Vilas circular; that his partisanship is offensive to members of his own political party; and that in the conduct of his office he has openly disregarded the civil service principles and policy of the present administration as publicly proclaimed by the President. These affiliants declare that Kinman and all his clerks actively participated in the Congressional canvass and primaries in the interest of Mr. Springer and against Mr. Callon, his opponent for the nomination; that they neglected their official duties to electioneer for Mr. Springer; and that Kinman and six of of his seven clerks were absent from their posts while the primaries and the subsequent county convention were in progress and actively participated in the same.

same.

Rev. James Leaton, pastor of the Brooklyn Methodist Episcopal Church, and one of the best men in Jacksonville, writes to say that Kinman ought not to be confirmed, because, in addition to the slanderous circular matter, "he is inexcusably inefficient. I have had more trouble with my mail matter since he has had the office than in twenty years before."

The majority of the committee report the nomination back with the recommendation that it be not confirmed.

In the matter of the confirmation of E. M. Kinman, as postmaster at Jackson-ville, lll.

VIEWS OF THE MINORITY OF THE COMMITTEE ON POST-OFFICES AND POST-ROADS. The undersigned members of the Committee on Post-Offices and Post-Roads

of the United States Senate dissent from the report of the majority of the com-mittee recommending the rejection of E. M. Kinman as postmaster at Jackson-

of the United States Senate dissent from the report of the majority of the committee recommending the rejection of E. M. Kinman as postmaster at Jacksonville, III.

The papers filed in this case are quite voluminous, and reference to all the papers is unnecessary for a correct understanding of the facts. There are some affidavits filed alleging than Mr. Kinman and the clerks in his office participated in the primary election for the selection of delegates to a county convention to appoint delegates to a Democratic Congressional convention.

The candidates for Congress before the primary conventions were the present Representative from that district, Mr. Springer, of Illinois, and Mr. William P. Callon. It is alleged that Mr. Kinman and his clerks assisted in the appointment of delegates favorable to Mr. Springer. The facts are that the primary conventions were held at 2 o'clock in the afternoon on Saturday and lasted but a few minutes, and no inconvenience resulted to the public business by reason of the fact that Mr. Kinman and some of the clerks appeared at their proper primaries and cast their voles. They were absent from the office but a few minutes; in fact, we believe that this charge is not insisted upon as constituting any grounds for Mr. Kinman rejection. Some other allegations are made with regard to the management of the office, but the general testimony is that the office is well managed and the business conducted in a prompt, satisfactory, and efficient manner.

The only allegation in the case that was deemed worthy of consideration by the committee was to the effect that Mr. Kinman had caused to be published and distributed a certain bogus programme at a soldiers' reunion in Jacksonville, III., on August 13, 1885. One J. C. McBride, whom Mr. Kinman had appointed a clerk in his office, was by him discharged on account of incompetency and insubordination. This clerk proceeded at once to make an affidavit, to be used to secure the rejection of Mr. Kinman as postmaster, in which affidavit is alleged t

from Sullivan, Ill., to Jacksonville, Ill., one dated August 1 and the other August 3, 1885.

These copies show that one package was from "owner" and the other from Shinn. Affiant says that the only person there that he could hear of by the name of Shinn was W. H. Shinn, a lawyer who formerly lived in Jacksonville, and who, affiant is informed, is a cousin of said Kinman. This ends Bashforth's statement. These two affidavits constitute all the evidence in the case that Mr. Kinman caused to be published and distributed the bogus programme.

In answer to these allegations Mr. Kinman files his own affidavit dated May 7, 1885, in which he says that he did not compose, write, originate, or distribute the Kreider circular, that he never told McBride that he wrote said circular, distributed it or caused it to be distributed; that he never showed the manuscript of it to McBride or any one else; that he never requested McBride to have said circular printed; that he never had said circular printed or sent out to any one to have it printed for him; that he was not accused of writing said circular or having it printed until the question of his confirmation as postmaster at Jacksonville came up.

Mr. Kinman-further says that he discharged McBride from the post-office on account of incompetency and-insubordination; that at the time of his discharge McBride threatened to get even with him, and told him that he had political enemies who could be worked on to defeat his confirmation. Kinman further says on oath that the statements of McBride are false and he believes them actuated by malice.

There is also filed in the papers the affidavit of Mr. Shinn of Sullivan Ill.

McBride threatened to get even with him, and told him that he had political enemies who could be worked on to defeat his confirmation. Kimman further says on each that the statements of McBride are false and he believes them actuated by malice.

There is also filed in the papers the affidavit of Mr. Shinn, of Sullivan, Ill., the party to whom Bashforth refers in his affidavit. Mr. Shinn says that he has resided in Sullivan for more than nine years; that he is not acquainted with either E. C. Kreider or J. C. McBride, of Jacksonville, Ill.; that on or about the last of April or 1st of May, 1886, one C. H. Bashforth, who represented himself to be a clerk in the Pacific Express Company's office at Jacksonville, Ill., came to affiant and inquired of him if he had on August 1 or 3. 1885, sent any package or packages by express to one McBride, at Jacksonville, Ill.

Affiant says he then informed Bashforth that he had no knowledge, directly or indirectly, of the writing, printing, or shipping of any programmes against E. C. Kreider or any other person, and that he did not ship or cause to be shipped to McBride any packages of any kind either on the 1st or 3d days of August, 1885, or any other day, either before or since said dates, and that if the express office at Sullivan showed that anything had been shipped in affiant's name to said McBride it was wrong and without affiant's knowledge and consent.

Affiant informed Bashforth that he knew nothing of any of the matters about which Bashforth told him, such as the bogus Colonel Kreider programme, the soldiers' reunion, or the fight about the Jacksonville post-office, or anything about Kimman taking any part therein, and that affiant had not seen said Kinman for more than three years and had had no communication with him for several years, and that Kinman had not talked with affiant about any of said matters. Affiant says the above conversation occurred at the time said Bashforth was in Sullivan making an examination of the express books, and, as he believes, before sa

the afildavit, has been prosecuting attorney of Moultric County, and is the present mayor of the city of Sullivan, and that his statement is entitled to credit.

There is one other affidavit upon this point, that of James Harris, of the county of Morgan, in which Jacksonville is stituated. Mr. Harris, the affiant, in a letter found in the papers addressed to Senator Cullon, states that he is a Republican in politics and was a delegate to a Republican convention on one occasion where the Senator was nominated for govenor.

In his affidavit he says that he was a juror in the case of John C. McBride against E. M. Kimman on the 19th of June, 1856, before a justice of the peace in dered certain services in the post-office and was entitled to pay for said services; and further says that McBride was contradicted in this statement by Henry Sutton and James Murphy, who were clerks in the post-office at said time, and that they each testified that McBride did not render the service that he, McBride expected and the services and further says that McBride was contradicted in this statement by Henry Sutton and James Murphy, who were clerks in the post-office at said time, and that they each testified that McBride did not render the service that he, McBride particular was impeached with reference to said transaction. The suit to which Harris refers was brough by McBride sagainst Kiman to recover pay were not performed for which McBride claimed pay.

These affidayits constitute all the testimony in reference to the bogus programme or circular. Briefly, it appears that McBride, a discharged clerk, made his affidavit charging the publication and circulation of the programme upon Mr. Kimman; that he endeavored to support his affidavit by that of Mr. Bashforth's statement.

The Senate will judge of the disinterestedness of this witness from the fact that is appears that he went from Jacksonville, where his duties were, to Sullivan, III., a distance of about 100 miles, for the purpose of procuring facis upon which he could make hi

S. B. MAXEY. E. SAULSBURY. A. H. COLQUITT. E. K. WILSON.

August 2, 1886.

Ordered, That injunction of secrecy be removed and report printed in RECORD [To accompany the nomination of John B. Ruger, to be postmaster at La Fayette, Ind., vice John G. Sample, suspended. Section 1768 Revised Statutes.]

The Committee on Post-Offices and Post-Roads, to whom the above nomination was referred, having considered the same, respectfully report:

The request of the committee to be furnished with the charges upon which Mr. Sample's suspension was ordered was denied. The committee are satisfied, however, that the charges were wholly of a political nature. Mr. Sample was an old resident of La Fayette who had been actively and largely engaged in business in that city for many years and had the esteem of every one. He was a Republican, but in no sense a politician, taking very little part in party organization or work. His suspension was ordered simply to make a place for a Democrat.

Hon. Thomas B. Ward, Democratic member of Congress from that district, has addressed to Senator Harrison the following letter upon the subject, which completely vindicates Mr. Sample from any reflection upon his character as a man and an officer:

House of Representatives, United States,

Washington, D. C., June 29, 1886.

My Dear Senator: In response to your inquiry as to whether the charges against John G. Sample, esq., late postmaster at La Fayette, affect that gentleman's character for integrity, or his competency as an officer, I am able to say to you that they do not—at least I have ne knowledge of any charges of that kind, and I think I am familiar with the record in this case. Sample's character and capacity could not, in my opinion, be truthfully assailed, and I would not knowingly have indorsed anything of the kind.

Very truly, yours,

Hop. Bry 1997

HOD. BENJAMIN HAPPISON

The committee are advised that Mr. Sample does not desire or expect to resume the duties of the office, and he could not hope under the circumstances to be allowed to exercise the duties of the office according to his sense of duty without interference,

The committee are advised that Mr. Ruger is a competent man to discharge the duties of the office, no charges to the contrary having been made, and therefore recommend that the nomination be confirmed.

August 4, 1886.

Ordered. That the injunction of secrecy be removed from the following report from the Committee on Post-Offices and Post-Roads:

The Committee on Post-Offices and Post-Roads, to whom was referred the nomination of Samuel Jacobs, to be postmaster at Hamburg, Iowa, vice II, C. Coolbaugh, suspended, reports:

That this is the second nomination sent to the Senate in this case. The first nomination was that of George Wise, who was rejected by the Senate. In that instance the charges made against Mr. Coolbaugh were shown to be without any foundation in fact. The rejection was made on that ground. The present nomination involves no charges of any kind against Mr. Coolbaugh.

Mr. Jacobs is a man of good character and is competent to discharge the duties of the office. The committee recommend that his nomination be confirmed.

HOUSE OF REPRESENTATIVES.

THURSDAY, August 5, 1886.

The House met at 11 o'clock a. m. Prayer by Rev. Dr. BULLOCK, of Washington, D. C.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Sympson, one of its clerks, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

VETO MESSAGE-ABRAHAM POINTS.

The SPEAKER. The Chair lays before the House the following message from the President of the United States:

The Clerk read as follows:

To the House of Representatives:

To the House of Representatives:

I herewith return without approval House bill No. 8556, entitled "An act granting a pension to Abraham Points."

This soldier enlisted August 11, 1864, and was mustered out June 28, 1865.

He was treated during his short term of service for "catarrhal," "constipation," "diarrhea." "jaundice," and "colic."

He filed an application for pension in 1878, alleging that some of his comrades in a joke twisted his arm in such a manner that the elbow joint became stiffened and anchylosed, and that his eyes became sore and have continued to grow worse ever since. There is no record of either of these disabilities.

The application was denied upon the ground, as stated in the report from the Pension Bureau, that the claim "was specially examined, and it was shown conclusively from the evidence of neighbors and acquaintances of good repute and standing that the alleged disabilities existed at and prior to claimant's enlistment."

listment."

I am satisfied from an examination of the facts submitted to me that this determination was correct. GROVER CLEVELAND.

EXECUTIVE MANSION, August 4, 1886.

The SPEAKER. What action does the House take?
Mr. SPRINGER. I move to refer the bill and message to the Committee on Invalid Pensions.

The motion was agreed to; and the message, with the accompanying bill, was referred to the Committee on Invalid Pensions, and ordered to be printed.

VETO MESSAGE-ANN KINNEY.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, referred to the Committee on Invalid Pensions, and ordered to be printed.

To the House of Representatives:

I return without approval House bill No. 5389, entitled "An act granting a pen-

I return without approval House bill No. 5389, entitled "An act granting a pension to Ann Kinney."
This beneficiary applied for a pension in 1877 as the widow of Edward Kinney, alleging that he died September 5, 1875, from the effects of a wound received in the Army. He enlisted November 4, 1861, and was discharged July 28, 1862, on account of a gunshot wound in his left cloow, for which wound he was pensioned in the year 1865.

A physician testifies that the pensioned soldier's death was, in his opinion, brought on indirectly by the intemperate use of intoxicating liquors, and that he died from congestion of the brain.

The marshal of the city where he resided states that on the day of the soldier's death he was called to remove him from a house in which he was making a disturbance, and that finding him intoxicated he arrested him and took him to the lock-up, and placed him in a cell. In a short time, not exceeding an hour thereafter, he was found dead. He further states that he was addicted to periodical sprees.

Another statement is made that the soldier was an intemperate man, and died very suddenly in the city lock-up, where he had been taken by an officer while on a drunken spree.

This is not a pleasant recital, and as against the widow I should be glad to avoid its effect. But the most favorable phase of the case does not aid her, since her claim rests upon the allegation that her husband was subject to epileptic fits, and died from congestion of the brain while in one of these fits. Even upon this showing the connection between the fits and the wound in the elbow is not made apparent. GROVER CLEVELAND.

EXECUTIVE MANSION, August 4, 1886.

VETO MESSAGE-GEORGE W. CUTLER.

The SPEAKER also laid before the House the following message from

the President of the United States; which was read, referred to the Committee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

mittee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

I herewith return without approval House bill No. 3551, entitled "An act granting a pension to George W. Cutler, late a private in Company B, Ninth New Hampshire Volunteers."

This claimant enlisted July 12, 1862, and was discharged June 22, 1863, for disability resulting from "scrofulous ulceration of the tibia and fibula of right leg: loss of sight of left eye."

He made a claim for pension in 1865, alleging an injury while loading commissary stores, resulting in spitting of blood, injury to lungs, and heart disease.

This claim was rejected August 31, 1855.

In 1867 he again enlisted in the United States Infantry, and was discharged from that enlistment March 29, 1889, for disability, the certificate stating that "he is unfit for military service by reason of being subject to bleeding of the lungs. He was wounded while in the line of his duty in the United States Army, at Fredericksburg, Va., December 13, 1862. Said wound is not the cause of his disability."

Afterward, and in the year 1879, he filed affidavits claiming that he was wounded by a minie-ball at the battle of Fredericksburg, December 13, 1862, and was injured by falling down an embankment.

In 1883 he filed an affidavit in which he stated that the disability for which he claims a pension arose from injuries received in falling down a bank at Fredericksburg and being tramped on by troops, causing a complication of diseases, resulting in general debility.

The statement in the certificate of discharge from his second enlistment as to the wound he received by a minie-ball at Fredericksburg was of course derived from his own statement, as it was related to a prior term of service.

The records of the Adjutant-General's Office furnish no evidence of wounds or injury at Fredericksburg.

The injury alleged at first as a consequence of loading commissary stores seems to have been abandoned by the claimant for the adoption of a wound at Fredericksburg, which in its

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had approved bills and joint resolutions of the following titles:

An act (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for

prior years, and for other purposes;
An act (9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other pur-

Joint resolution (H. Res. 160) to authorize the Commissioner of the

General Land Office to cause 7,500 copies of the map of the United States and Territories to be printed;
An act (H. R. 5003) for the relief of Mary E. Casey;
An act (H. R. 4865) to extend the system for the immediate delivery

of letters, and amendatory of sections 3, 4, and 5 of the act approved March 3, 1885, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes;"

An act (H. R. 8192) to remove the political disabilities of J. R. Eg-

gleston, of Mississippi;
An act (H. R. 8596) for the relief of Beaufort Lee and others;
Joint resolution (H. Res. 209) permitting the public building authorized by act of Congress approved June 30, 1886, at Savannah, Ga., to be located not less than 40 feet from any other building, instead of 60 feet as provided in such act;

An act (H. R. 3318) for the relief of Enols Loyd; An act (H. R. 3908) for the relief of John Ellis; and An act (H. R. 7480) making appropriations for the construction, re-

pair, and preservation of certain public works on rivers and harbors, and for other purposes.

The announcement was received with applause.

VETO MESSAGE-SUSAN HAWES.

The SPEAKER also laid before the House the following message from the President of the United States:

To the House of Representatives:

I herewith return without my approval House bill No. 7234, entitled "An act granting a pension to Susan Hawes."

The beneficiary named in this bill is the mother of Jeremiah Hawes, who enlisted in February, 1861, in the United States artillery, and was discharged in February, 1864. He filed a claim for pension in 1881, alleging that in 1862, by the premature discharge of a cannon, he sustained paralysis of his right arm and side. In 1883, while his claim was still pending, he died.

He does not appear to have made his home with his mother altogether, if at

all. For some years prior to his death and at the time of its occurrence he was an inmate, or had been an inmate, of a soldier's home in Ohio.

But whatever may be said of the character of any injuries he may have received in the service, or of his relations to his mother, the cause of his death, it seems to me, can not possibly upon any reasonable theory be attributable to any incident of his military service.

It appears that in July, 1883, while the deceased was on his way from Buffalo, where he had been in a hospital, to the soldiers' home in Ohio, he attempted to step on a slowly moving freight train, and making a misstep, a wheel of the car passed over his foot, injuring it so badly that it was deemed necessary, by two physicians who were called, to amputate the foot. An anesthetic was administered preparatory to the operation, but before it was entered upon the injured man died, having survived the accident but two hours.

The physicians who were present stated that in their opinion death was due to heart disease.

The above account of the death of the soldier is derived from a report furnished by the Pension Bureau, and differs somewhat from the statement contained in the report of the House Committee on Invalid Pensions as related to the intention of the physicians to amputate the injured foot and their administration of an anesthetic. But the accident and the death two hours thereafter under the treatment of the physicians are conceded facts.

GROVER CLEVELAND.

EXECUTIVE MANSION, August 4, 1886.

EXECUTIVE MANSION, August 4, 1886.

The bill and the accompanying message were referred to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles;

when the Speaker signed the same:

A bill (H. R. 2060) granting a pension to Margaret D. Marchand.

A bill (H. R. 5196) to detach certain counties from the United States judicial district of California, and create the United States judicial dis-

trict of Southern California.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled an act (S. 1599) for the releif of the Phoenix National Bank, of the city of New York.

VETO MESSAGE-A. C. RICHARDSON.

The SPEAKER also laid before the House the following message from the President of the United States:

To the House of Representatives:

To the House of Representatives:

I herewith return without approval House bill No. 1594, entitled "An act for the relief of Mrs. Aurelia C. Richardson,"
Albert H. Fillmore, the son of the beneficiary mentioned in this bill, enlisted in August, 1862, and died in the service, of small-pox, May 20, 1865.

His father having died some time prior to the soldier's enlistment, his mother in 1858 married Lorenzo D. Richardson. It is stated in the report upon this case from the Fension Bureau that the deceased did not live with his mother after her marriage to Richardson, and that there is no competent evidence that he contributed to her support after that event.

At the time of the soldier's death his stepfather was a blacksmith, earning at about that time, as it is represented, not less than \$70 a month, and owning considerable property, a part of which still remains to him.

While in ordinary cases of this kind I am by no means inclined to distinguish very closely between dependence at the date of the soldier's death and the date of proposed aid to a needy mother, I think the circumstances here presented, especially the fact of non-residence by the son with his mother since her second marriage, do not call for a departure from the law governing claims based upon dependence.

GROVER CLEVELAND.

EXECUTIVE MANSION, August 4, 1885.

The bill and the accompanying message were referred to the Committee on Invalid Pensions.

HENRY PLUNKETT.

The SPEAKER also laid before the House a bill (S. 757) granting a pension to Helen Plunkett; which was referred to the Committee on Invalid Pensions.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows: To Mr. Glass, indefinitely, on account of indisposition. To Mr. Rice, for the remainder of the session, on account of important business.

To Mr. LINDSLEY, for the remainder of the session, on account of

LEAVE TO PRINT.

Mr. HERBERT, by unanimous consent, obtained leave to print remarks in the RECORD on the appropriations made for the naval service and on the increase of the Navy

The following request was read from the Clerk's desk:

Leave is asked for all gentlemen who desire to do so to print in the RECORD remarks on the pending tariff bills.

The SPEAKER. Is there objection? The Chair hears none, and it will be so ordered.

Mr. FARQUHAR. I call for the regular order.

Mr. BLOUNT. I desire to make a correction.

Mr. McMILLIN. Mr. Speaker, what was the last request in regard to leave to print?
The SPEAKER.

Leave was asked and given for gentlemen who de-The SPEAKER. Leave was asked and given in general residence in the Record remarks on the pending tariff bills.

Mr. McMILLIN. Is it too late to object?

The SPEAKER. The Chair thinks it is.

Mr. McMILLIN. Mr. Speaker, I rose as soon as I understood what

the request was for the purpose of objecting. I did not understand that that was the subject. I object, because this will be an immensely costly

The SPEAKER. The Chair asked very distinctly if there was objection; no objection was made; the Chair announced that none was made, and the order was made accordingly. The Chair did not see the gentleman from Tennessee rise.

Mr. MORRISON. Is it too late to make the objection?

The SPEAKER. The Chair thinks it is. The request was read, and the Chair asked for objections and waited the usual time, but no objection was made; whereupon the Chair declared the order made.

Mr. FINDLAY. Is it in order to move to reconsider?

Mr. FINDLAY. Is it in order to move to reconsider? The SPEAKER. It is.

Mr. FINDLAY. Then I move to reconsider.
Mr. GLOVER. I desire to say, Mr. Speaker, that to the knowledge
of some of the clerks I objected before the Chair announced the result. The SPEAKER. Does the gentleman himself state that he objected? Mr. GLOVER. I do state that I objected before the Chair announced

that the order was made.

Mr. RANDALL. The gentleman from Tennessee [Mr. McMillin] states that he objects to general leave to print because of the cost. ask leave to print some remarks touching the bill which I have intro-

ask leave to print some remarks tolering the bar which I all duced on the subject of tariff duties.

Mr. MORRISON. I do not object, Mr. Speaker, to any gentleman getting leave to print who will ask it individually and take the responsibility; but I do object to giving promiscuous leave.

Mr. RANDALL. It was my intention to speak on the subject of the tariff, but I have not had an opportunity to do so, and I desire now

to print some remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RANDALL] for leave to print remarks on the tariff bill introduced by him?

Mr. McMILLIN. Mr. Speaker, the House having refused to consider the question of the tariff, I do not think that the privilege should be the property of the superior of the superior to print repeates on the subbe given at this last hour of the session to print speeches on the subject.

The SPEAKER. Does the gentleman object? Mr. McMILLIN. I do.

ENROLLED BILL SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

LEAVE TO PRINT.

Mr. McCOMAS, by unanimous consent, obtained leave to print remarks on the general deficiency bill.

INTEREST OF THE UNITED STATES IN POTOMAC FLATS.

Mr. HEMPHILL. Mr. Speaker, I desire to present a privileged report.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill of the Senate No. 335, entitled "An act to provide for protecting the interests of the United States in the Potomac River flats, in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

have agreed to recommend and to recommend the follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 3, and agree to the same.

That the House recede from its amendment numbered 4.

JAMES E. CAMPBELL,
JOHN J. HEMPHILL,
BENJ. BUTTERWORTH,
Managers on the part of the House.

JOHN J. INGALLS,
JAMES F. WILSON,
GEORGE G. VEST,
Managers on the part of the Senate.

Mr. TOWNSHEND. Mr. Speaker, I wish the gentleman would ex-

plain this report.

Mr. HEMPHILL. This is the bill for the purpose of having settled the title to the lands known as the Potomac flats. The House put certain amendments upon the Senate bill which in effect required that when the judgment of the court was rendered a report should be made to Congress before any money should be paid. The Senate has agreed to three of the House amendments, and the House has receded from one amendment; which conforms the bill to the river and harbor bill.

Mr. TOWNSHEND. In brief, what is the effect of the bill as agreed

upon?

The effect is that when the Attorney-General Mr. HEMPHILL. has instituted suit to determine the title to the land and the issue has been settled the result of the suit shall be reported to the House, with the amount of the judgment, if any, leaving it entirely in the power of the House to make an appropriation for it or not.

Mr. TOWNSHEND. But there is no admission or implication in

the bill that there is an outstanding title in private parties?

Mr. HEMPHILL. None whatever. The bill simply provides that

the Attorney-General shall be authorized to institute a suit and determine whether the land belongs to the United States or not.

The conference report was agreed to.

Mr. HEMPHILL moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LAWS RELATING TO LOANS, CURRENCY, ETC.

Mr. FARQUHAR, from the Committee on Printing, reported back favorably the following concurrent resolution of the Senate:

Resolved by the Senate (the House of Representatives concurring), That the compilation of the laws of the United States relating to loans and the currency, coinage, and banking (including any subsequent legislation which may be enacted on those subjects at the present session of Congress), now being prepared at the Treasury Department, be printed, and that 6,000 additional copies be printed; of which 2,000 copies shall be for the Senate and 4,000 copies for the House of Representatives. Representatives

The report accompanying the resolution was read, as follows:

The Committee on Printing, to whom was referred the accompanying concurrent resolution, providing for the printing of a compilation of the laws of the United States relating to loans and the currency, coinage, and banking, and including any subsequent legislation which may be enacted on those subjects at the present session of Congress, which compilation is now being prepared at the Treasury Department, having duly considered the same, respectfully report the said resolution back to the House with the recommendation that it do pass.

The committee ask that House resolution 207, on the same subject, be laid on the table.

The estimated cost of printing and binding the compilation is \$1,591.

The SPEAKER. If there be no objection House resolution No. 207 will be laid on the table, as recommended in the report just read. Chair hears no objection.

Mr. FARQUHAR. I demand the previous question on the adoption of the Senate concurrent resolution which has been read.

The previous question was ordered; and under the operation thereof the resolution was adopted.

Mr. FARQUHAR moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

OPINIONS OF ATTORNEYS-GENERAL.

Mr. FARQUHAR, from the Committee on Printing, also reported back favorably the following concurrent resolution of the Senate:

Resolved by the Senate (the House of Representatives concurring), That there be printed 6,000 additional copies of the Digest of the Official Opinions of the Attorneys-General of the United States from 1789 to 1881; of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives; to which shall be added a digest of such official opinions from 1881 to the date of publication.

The report accompanying the resolution was read, as follows:

Senate concurrent resolution, dated July 25, 1885, "that there be printed 6,000 additional copies of the Digest of the Official Opinions of the Attorneys-General of the United States from 1789 to 1881, of which 2,000 copies shall be for the use of the Senate, and 4,000 copies for the use of the House of Representatives, to which shall be added a digest of such official opinions from 1881 to date of publication," having been referred to the Committee on Printing, has been duly considered, and I sm instructed to recommend the passage of said resolution.

The cost of printing 6,000 copies of such digest it is estimated will be \$2,361.50, and of those added between \$200 and \$300.

The resolution was adopted.

Mr. FARQUHAR moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT ON ART AND INDUSTRY.

Mr. FARQUHAR, from the Committee on Printing, also reported back favorably the following concurrent resolution of the Senate:

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound 5,000 additional copies of the report of the Bureau of Education on art and industry; of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House, and 2,000 copies for the Bureau of Education.

The report accompanying the resolution was read, as follows:

The Committee on Printing, to whom was referred the accompanying Senate concurrent resolution, providing for the printing of 5,000 additional copies of the report of the Bureau of Education on art and industry, having considered the same, report the resolution back to the House with the recommendation that it do pass.

This report is made in response to a resolution of the Senate for "all the in-

that it do pass.

This report is made in response to a resolution of the Senate for "all the information" in possession of the Bureau of Education "relative to the development of instruction in drawing as applied to the industrial or fine arts, with special reference to the utility of such instruction in promoting the arts and industries of the people."

The estimated cost of printing is \$3,830.

The resolution was adopted.

Mr. FARQUHAR moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ELECTRICAL CONFERENCE REPORT.

Mr. FARQUHAR, from the Committee on Printing, also reported back favorably the following concurrent resolution of the Senate:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in cloth 2,500 additional copies of the report of the electrical

conference at Philadelphia in 1884, being Senate Executive Document No. 45, Forty-ninth Congress, first session, for the use of the Department of State.

The report accompanying the resolution was read, as follows:

The Committee on Printing, to whom was referred Senate concurrent resolution, "that there be printed and bound in cloth 2,500 additional copies of the report of the electrical conference at Philadelphia in 1884, being Senate Executive Document No. 45, Forty-ninth Congress, first session, for the use of the Department of State," having considered the same, have instructed me to make a favorable report thereon, and to recommend the adoption of the resolution.

The estimated cost will be \$585.

Mr. FARQUHAR. I call for the previous question on the adoption of the resolution.

The previous question was seconded; and under the operation thereof

the resolution was adopted.

Mr. FARQUHAR moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT ON TARIFF.

Mr. FARQUHAR, from the Committee on Printing, also reported back favorably the following resolution:

Resolved, That 3,800 copies of report No. 3209 on House bill No. 9702 be printed for the use of the House.

The report accompanying the resolution was read, as follows:

The committee recommend the adoption of the resolution, and estimate the cost of printing at \$15.

Mr. RANDALL. This resolution relates to a report from the Committee on Ways and Means on the subject of the tariff; but I do not object to it.

Mr. FARQUHAR. I call the previous question on the adoption of

the resolution.

The previous question was seconded; and under the operation thereof the resolution was adopted.

Mr. FARQUHAR moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE TO PRINT.

Mr. McMILLIN. I withdraw my objection to the request of the gentleman from Pennsylvania [Mr. RANDALL] to print remarks in the RECORD. At the time I made that objection, having indicated a purpose to make objection to the general leave to print, which might result in another volume of the RECORD, and probably not in much good to the country, I thought, to be consistent, it was proper that I should object to any individual request. I have no disposition to oppose the request of the gentleman from Pennsylvania; and upon reflection, and also at the request of the chairman of the committee of which I am a member, I feel it proper for me to withdraw my objection, and I do so,

and with much pleasure allow him to print.

The SPEAKER. Is there further objection to the request of the gentleman from Pennsylvania? The Chair hears none; and the leave

asked is granted.

ORDER OF BUSINESS.

Mr. FARQUHAR. I call for the regular order.
Mr. STRÜBLE. Mr. Speaker—
The SPEAKER. The demand for the regular order has not been

I understand that the gentleman from Ohio [Mr. BUTTERWORTH] withdraws his demand for the regular order.

The SPEAKER. The gentleman from New York [Mr. FARQUHAR] has demanded it.

Mr. STRUBLE. I will ask the gentleman— Mr. STRAIT. Regular order. The SPEAKER. The regular order is demanded again by the gen-

tleman from Minnesota [Mr. STRAIT].

Mr. STRUBLE. I desire unanimous consent to make a statement with reference to a Senate bill forfeiting certain lands in Iowa granted to aid certain railroad companies. I ask that I may be permitted to occupy not exceeding ten minutes.

Mr. WEAVER, of Iowa. Say five minutes.

Mr. STRUBLE. Well, five minutes will suffice; and I desire to follow this statement with a request for the consideration of the bill.

Mr. STRAIT. Regular order.

The SPEAKER. The regular order is insisted upon. If there be no further privileged reports, the regular order is the call of committees for reports.

ORDER OF BUSINESS.

Mr. TOWNSHEND. I ask unanimous consent to dispense with the call of committees to-day.

Mr. GLOVER and Mr. WILKINS objected.

Mr. HATCH. I move to dispense with the morning hour.

LABOR INVESTIGATION.

Mr. MORRISON. I desire to submit a privileged report from the Committee on Ways and Means. I am directed to report the resolution I send to the desk.

The Clerk read as follows:

Resolved, That the select committee, appointed April 12, 1886, to investigate the labor troubles in Illinois, Missouri, Arkansas, Texas, and Kansas have leave to sit during the recess of Congress, to employ and pay a clerk while in session, and to investigate such labor troubles as may exist, with all the powers granted by the resolution authorizing its appointment; and shall report the result of its investigation to the next session of the House. And that the necessary expenses of such investigation, not to exceed the sum of \$1,000, shall be paid out of the contingent fund of the House.

Mr. MORRISON. On that I ask the previous question.

Mr. CURTIN. Let me have a moment. Mr. MORRISON. Certainly.

Mr. CURTIN. It was impossible for the committee authorized to make this investigation to submit a satisfactory report to the House at this session, owing to the illness of one of its principal witnesses and the absence of others whose testimony it was important to have. I will not detain the House at this late stage of the session, but I ask permission to have printed in the RECORD some remarks on this matter.

Mr. CANNON. Let me ask first: Will the House be permitted to

Mr. CANNON. Let me ask hist: Will the House be permitted to see the evidence which has been taken in print?

Mr. CURTIN. I will be very happy to give the gentleman a copy.

Mr. CANNON. Is it in print?

Mr. CURTIN. Yes, sir.

Mr. CANNON. I would like the House and the country to see it. Here is a committee, appointed months ago, which has gone out and taken a mass of evidence, as authorized by the original resolution, and which was required to report before the adjournment of this Congress. Now, I have never seen any testimony taken by the committee. a committee investigating an exceedingly important matter, and yet the House and the country, so far as I know, have had no opportunity of seeing that testimony. If the gentleman gets the privilege of printing a speech it is substantially ex parte, unless the evidence is furnished, so that the House and the country may judge for themselves

Mr. CURTIN. It will not be an ex parte speech at all, but simply to explain why we were not able to report, from the fact that we could

not get the testimony.

Mr. CANNON. Well, you were able to report the testimony so far

Mr. CURTIN. Yes; and it has been printed. You can get a copy

of it at any time. Mr. CANNON. Where?

Mr. CURTIN. Down in the document-room.

Are there copies for general distribution? Mr. CANNON.

Mr. CURTIN. Well, we are only permitted to print a certain num-

Mr. CANNON.

How many copies? One for each member of the House, I think. Mr. CURTIN.

Mr. CANNON. That number only?

That is all we had the privilege of printing. Mr. CURTIN. Mr. CANNON. Why not ask now to have the usual number of copies

printed? Mr. CURTIN. Well, you may ask that yourself; I have no objec-

Mr. CANNON. I am not one of the committee, and only wanted to make a suggestion to the gentleman in that respect. I think we ought to have this testimony, though.

Mr. CURTIN. I do not want to detain the House, but if it is their

wish that I shall explain I will do so with pleasure, though I prefer not

to occupy any time now.

Mr. CANNON. Make a short explanation.

Mr. CURTIN. Very well; I will explain briefly.

Mr. Speaker, the committee proceeded immediately after their appointment to Saint Louis and commenced examining witnesses. pointment to Saint Louis and commenced examining witnesses. Then the committee separated. Mr. Crain, Mr. Buchanan, Mr. Outhwatte, and Mr. Parker went down into Texas. They traveled quite 2,000 miles, and took the testimony of three hundred and twenty-eight witnesses. Mr. Burnes, Governor Stewart, and the chairman went up into Missouri and Kansas, and after returning resumed the testimony in Saint Louis. I do not think, sir, that any committee ever appointed by this House did more work or worked more expeditiously or applied themselves with more diligence to the discharge of the duties imposed upon selves with more diligence to the discharge of the duties imposed upon them than this committee. It was necessary, in order to make an intelligent report, that we should take the testimony of Mr. Hoxie. Mr. Hoxie appeared before the committee, but on discovering his physical condition they unanimously dismissed him. They proposed subsequently to go to him at Long Branch and examine him there, but his physicians gave testi-mony that it was impossible. He was then removed to New York and back to Saint Louis, and I have in my pocket the testimony of his physicians that he is not in a condition to be examined. There are other witesses who ought to be examined before the report is made, because to furnish the report upon the testimony now before the committee would be furnish the report upon the testimony now before the committee would be necessarily to make an imperfect report and that could not satisfy the House or be acceptable to the country. The testimony taken up to this time has been printed, that is to say, a limited number of copies. I believe we can furnish each member of the House with a copy. But before the House could act upon the suggestions of the committee, or the propositions they desire to make, it will be necessary to have that testimony in full before it, and the resolution now offered by the Committee on Rules to extend the work of that committee over the summer will enable us to get that testimony, and at the beginning of the next session to make a report in which I am sure the committee will be unanimous in their suggestions to the House. That is all. I would

be unanimous in their suggestions to the House. That is all. I would be very glad if the testimony should be printed.

Mr. CANNON. Why not ask unanimous consent to have it printed?

Mr. BUTTERWORTH. Is there any provision now by which each member of the House shall receive a copy?

Mr. CURTIN. We shall send each member of the House a copy. But I do not think the testimony just now is in condition to go to the public. I think my colleagues will agree to that. My colleague from Missouri [Mr. BURNES] will agree it is not in condition to go to the public.

Mr. BURNES. That is right.

Mr. CURTIN. It is proper, Mr. Speaker, that I should say a few words in explanation why the report was not made, and as the session is near its close I ask to extend my remarks and position in the RECORD.

There was no objection.

Mr. CURTIN. I am satisfied there was no disposition on the part of Mr. Hoxie not to be examined by the committee, but his failure to do so was in consequence of his ill health. I have letters in my possession from his physician that an attempt to come to Washington might imperil his life. Under these circumstances it would be eminently proper that the committee should be continued until the meeting of the next session of Congress, and should not only be authorized to recall witnesses heretofore examined, but additional witnesses should be called with a view to an elucidation of the truth of the character of the labor troubles, so as to enable the committee to report the real questions involved in the disturbances now existing in the country between

labor and capital.

I had the honor to introduce the original resolution to raise the committee. It was not inspired by the condition of the Southwest, but came from the labor element of Pennsylvania, complaining of oppression under which they suffer, and was introduced at the solicitation of those who seemed, and I have no doubt did, represent that element. It was the pleasure of the Committee on Rules, to which it was referred, to return that resolution to the House, limiting the action of the committee to five States and to an inquiry into the cause of the disturbance of the commerce and trade of the country in the States named by reason of the strike. There are many petitions from the labor elements of Pennsylvania, Maryland, and other States now in the room of the Committee on Labor, to which committee such petitions were properly referred, asking that this Government inquire into the grievances which they think should be redressed. The petitions of these citizens, Mr. Speaker, should not lie unbeeded on your table.

If the allegations be true that syndicates have been formed, large properties in the coal regions purchased, so that the individual enterprises of those who with a limited capital engaged in profitable mining have had to be abandoned; if the allegation be true that the wages of labor are inadequate to living and that the railroad companies are connected with them and the oppressed laborers have to purchase from the stores and warehouses of the companies all their supplies needed for the support of themselves and families—if this be true, it is a subject to engage the serious consideration of this Government. If it is not true, it is eminently proper that the public should know it and the unrest which is now so prevalent throughout this country should be settled. It would be very improper to do injustice to the carrying companies of the country. It is very improper that allegations should be seriously made of that kind and remain uncontradicted if not true; and if true, it is an oppression to the laboring men of this country which this Government should redress

An element of this oppression, Mr. Speaker, is the importation of cheap labor from abroad known as contract labor, the bringing of Bulgarians, Hungarians, and Italians to this country, who might be de-nominated peons, serfs, yes, almost slaves, always controlled by a middleman and let out by contract, who live in a manner that never ought to have occurred in this country or that a man who labors ought to live. Their habits are unlike our people, and they are a people who never will be identified with our civilization or know our form of government.

This is a subject that should engage the attention of this Government. It is well known, Mr. Speaker, that more than one country in Europe send their abandoned paupers and criminals to this country. Mr. Speaker, we open the doors of our free and great Government to all who come in peaceful approach, who identify themselves with our people, who adopt their manners and customs, who swear allegiance to our Government, and become part and parcel of the body-politic. But the men to whom I refer come here under contract, and labor for wages on which the American laborer can not maintain himself and family in the manner and under the circumstances he has heretofore enjoyed. I would add that that committee could investigate this subject and turn their attention to that to which I have just referred, and they could at least report the facts to Congress; and if there are means within the power of this Government to redress these grievances it owes it to the laboring man of this country to do so. Every man brought to this country of the character I have just named displaces an American laborer, and the difference of the wages paid goes to the profit of those who bring them here under contract.

The men who labor in this country have been more happy, contented, and prosperous than the laborers of other lands. They have received a larger compensation, enabling them to live in greater comfort than those engaged in similar pursuits elsewhere. They possess a higher intelligence and are better fitted for the discharge of the responsible duties of citizenship of a great republic than any similar population that ever existed in any country in any age. We have no classes here; and the great prizes of life are open to them as to other citizens, and from among their number have come leaders of thought and action. For the past few years, however, they have not been happy, contented, and prosperous as in the past. Thousands of willing hands have been idle; distress and suffering have been widespread. What is the cause? Is it not the part of statesmanship, the duty of the representatives of the people to strive to discover the cause of this unfortunate state of affairs, and when discovered see if it can not be removed? They ask such action. Shall their prayer be unheeded? They are the foundation on which this Government rests, the creators of wealth, and with their welfare is linked the welfare of all the citizens of this country.

Mr. Speaker, there never has been presented a movement of the magnitude of this for the reconciling of labor and capital. They should be in perfect harmony throughout the land, so that no man could look over the diversified interests of the labor of this country with an apprehension as to the future. In the presence of calamities that may occur it is highly proper that this Government should inquire into this question, and, if possible, to relieve their condition and reconcile the differences that now exist between capital and labor that ought not to exist.

ences that now exist between capital and labor that ought not to exist. It was my expectation, sir, that this committee might report such facts and come to such conclusions as would induce this Government and the government of States to expend their power and relieve the oppressions that may exist and reconcile any public differences that ought not to occur, and this resolution extends that power and adds new responsibility to the committee. Now, Mr. Speaker, there ought to be no differences between labor and capital in this country, and under this impression we propose to ask that this House should enlarge the powers of this committee.

of this committee.

Not, sir, that I seek to be engaged in such employment during the recess of Congress when we ought all to be at leisure, but as a duty that I should faithfully fulfill. I speak only for myself. I am willing to do what may be possible to give back to this House facts and its conclusions on this question, and it is for myself, sir, that I support this resolution. If the resolution prevails, as a member of that committee I will endeavor to perform the duties of it. If it fails, I at least have been faithful to those who prompted me to offer the resolution which gave the committee existence. That will be a personal reflection that will be gratifying to me, that I have at least attempted to do my duty. I am justified, Mr. Speaker, in saying that no committee of this House has discharged its duties with more diligence and with stricter economy. When the full duties proposed by this committee are fulfilled, my impression is that the House will be enlightened by the evidence taken, and that conclusions will be reached that will quiet the unrest which has so disturbed the business of the country and too often the which has so disturbed the business of the country and too often the peace of communities.

The previous question was ordered; and under the operation thereof

the resolution was adopted.

Mr. MORRISON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid

The latter motion was agreed to.

Mr. CANNON. The gentleman from Pennsylvania [Mr. CURTIN] gave the House to understand a moment ago that a copy of the evi-dence so far as taken could be furnished to each member. I think he dence so far as taken could be furnished to each member. should make his word good by asking the House to order the printing of additional copies.

Mr. CURTIN. I thought there were enough printed, but I find there are not enough. Now, I ask permission to have the testimony

there are not enough. Now, I ask permission to have the testimony printed so far as taken, so that every member of the House shall be furnished with a copy as far as it goes.

The SPEAKER. The committee has leave to print for its own use. How many copies have been printed?

Mr. CURTIN. One hundred.

The SPEAKER. The gentleman asks unanimous consent that leave be given to print—how many? Five hundred?

Mr. MORRISON. The usual number.

The SPEAKER. The usual number is 1,900. The gentleman asks unanimous consent that an order be given to print 500 additional copies of the evidence taken before the committee for the use of members of of the evidence taken before the committee for the use of members of Will that include the evidence to be taken hereafter? the House.

Mr. CURTIN. No, sir.

The SPEAKER. If there be no objection that order will made. There was no objection.

JOURNAL INDEX.

Mr. MORRISON, from the Committee on Rules, submitted the following report; which was read, and ordered to be printed:

The Committee on Rules, to whom is committed the preparation of a general index of the Journals of Congress, submit the following report of the progress that has been made in the work:

Since the last report of the committee the personal index of the Journals of

the Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, and Sixteenth Congresses has been completed, and is submitted herewith, to be printed with this report, in order that it may be subjected to the revision necessary before final publication.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed the bill (H. R. 8278) for the relief of Seth M. Barton (two-thirds having voted in favor thereof).

The message further announced that the Senate had agreed to the res-

olution of the House of Representatives fixing a date for the final adjournment with an amendment, in which the concurrence of the House was requested; so that the resolution would read, as amended:

Resolved by the House of Representatives (the Senate concurring). That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned sine die at 4 o'clock p. m. August 5, 1886.

The message further announced that the Senate had adopted a resolution, in which the concurrence of the House was requested, that a committee of two Senators be appointed by the Chair to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, were ready to adjourn, unless the President has some further communication to make to them; and that Mr. EDMUNDS and Mr. HARRIS had been appointed as the committee on the part of the Senate.

COMMITTEE TO WAIT ON THE PRESIDENT.

The SPEAKER. If there be no objection the concurrent resolution just received from the Senate appointing a committee to wait upon the President and inform him that the two Houses are ready to adjourn will be concurred in.

There was no objection.

There was no objection.

The SPEAKER. The Chair will appoint as the committee on the part of the House the gentleman from Illinois, Mr. Morrison—

Mr. CANNON. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. I desire to inquire whether this committee, if applications on will delay doing so until

pointed, will wait on the President at once or will delay doing so until the amendment as to the hour of adjournment is acted on.

The SPEAKER. The Chair supposes the committee will not go till the amendment is acted upon. The Chair appoints as the committee on the part of the House the gentleman from Illinois, Mr. MORRISON, the gentleman from Pennsylvania, Mr. RANDALL, and the gentleman from New York, Mr. HISCOCK.

PERSONAL EXPLANATION.

I ask consent to make a personal explanation. The SPEAKER. The gentleman from New York [Mr. BAKER] asks unanimous consent to be permitted to make a personal explanation. Is there objection?

There was no objection.

Mr. BAKER. As will be remembered, on Monday last the gentle-man from New York introduced a series of preambles and resolutions that were read from the Clerk's desk. In the characterization of those resolutions the gentleman from Pennsylvania [Mr. RANDALL] said that in his judgment they were indecent and disrespectful. My friend from Texas [Mr. Reagan] also characterized them in language which it occurred to me the facts hardly warranted. It seems to me it is due not only to the House but to me that the resolutions themselves should be embodied in the RECORD, in order that it may appear whether they justified the language that was used. I want to say, in explanation, it was very far from my purpose to propose anything to the House that should be disrespectful or lacking in decency, and I think that all the gentlemen of the House will bear me out in making that claim. I therefore ask that under the circumstances unanimous consent be given to embody the resolutions in the RECORD.

Mr. CALDWELL. I object.

Mr. CANNON. I suggest to the gentleman from New York that he

can have them read at the Clerk's desk.

The SPEAKER. The Chair will state the gentleman's request. The gentleman from New York asks unanimous consent to print in the RECORD the preamble and resolution offered by him on Monday.

Mr. CALDWELL. I object.

Mr. BAKER. As a matter of personal privilege I desire to state further

Mr. SPRINGER. I ask unanimous consent, objection having been made to printing the resolution, that all reference to it be eliminated from the RECORD.

Mr. BAKER. I think it due to myself under the circumstances that I should rise to a question of privilege inasmuch as unanimous consent is denied to me to have the preamble and resolution printed in the

The SPEAKER. The Chair will state the request made by the gentleman from Illinois [Mr. SPRINGER]. He asks unanimous consent that the introduction of the resolution and all reference made to it and all proceedings of the House in regard to it be stricken from the REC-

Mr. BAKER. I have not yielded the floor. I desire to have these

resolutions read as part of my remarks so that they may appear in the

The SPEAKER. The gentleman proposes to read the resolutions as part of his remarks.

Mr. BAKER. I will not consume the time in having them read it they can go in the RECORD without being read.

Mr. RANDALL. I wish the Chair would state to the House the exact proposition made by the gentleman from New York [Mr. BAKER].

The SPEAKER. The gentleman from New York [Mr. BAKER] rose

and asked unanimous consent to make a personal explanation, which was granted. Now, being on the floor, the gentleman proposes to read as a part of his remarks a resolution which he offered on last Monday.

Mr. SPRINGER. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. I desire to know whether it is in order, by way

of personal explanation, to have that resolution read and printed in the RECORD?

The SPEAKER. It will go in as a part of the gentleman's remarks, s a matter of course. It may be that the gentleman requires to base his remarks upon the resolution for anything the Chair knows to the

Mr. SPRINGER. I make the point that, the House having pre viously refused to receive this resolution or allow it to be printed in the RECORD, it is not in order now, under the form of a personal explanation, to insert matter which the House has already excluded from

the RECORD.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] will remember that during the Forty-eighth Congress this precise question arose in the case of a matter presented by Mr. White, of Kentucky. The paper was not printed in the RECORD, and afterward the gentle-In a paper was not printed in the KECORD, and afterward the gentle-man from Kentucky rose to a personal explanation, and claimed the right to read as a part of his remarks the matter which the House had refused to allow to go into the RECORD, and after considerable discus-sion the Chair decided that the gentleman had the right to read it as a part of his remarks. Of course if the matter itself is personal, is offen-sive, is a violation of the privileges of the House, a point of order can be made against it as the reading proceeds, just as the point of order can be made against remarks of the same character while they are being

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Sympson, one of their clerks, informed the House that the Senate had passed without amendment the joint resolution (H. Res. 213) authorizing the Secretary of the Treasury to pay certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July, 1886.

PERSONAL EXPLANATION.

Mr. SPRINGER. The Chair having decided that the gentleman from New York [Mr. BAKER] has a right to have this matter printed in the RECORD

The SPEAKER. The Chair did not so decide. The Chair decided that he had a right to read the paper as a part of his remarks.

Mr. SPRINGER. Well, as the paper is to go into the RECORD anyway, I now ask unanimous consent that the gentleman be allowed to have it printed. We expect to adjourn at 4 o'clock to-day, and there is no use in taking up half an hour of our remaining time in listening to the receipt of this report.

Mr. RANDALL. Mr. Speaker, I think that I can now make a suggestion that will lead to a conclusion satisfactory all round. If the reason of the gentleman from New York [Mr. BAKER] for now proposing to read this paper is, as I understand him to say, that he appears at a disadvantage in the RECORD, and that he desires either that the original resolution offered by him shall go in or else that the criticism made upon it when it was offered shall go out, I have no hesitation in consenting, so far as the remarks which I made are concerned, that they shall be stricken from the RECORD. I make this suggestion in a spirit

of good feeling.

Mr. HISCOCK. Mr. Speaker, I assume that my colleague [Mr. Baker] has his own reasons for what he proposes to do, and does not care to take the statement of the gentleman from Pennsylvania [Mr. RANDALL] as to why he makes this personal explanation or asks to have this resolution read as a part of his remarks.

The SPEAKER. The request of the gentleman from Illinois [Mr.

SPRINGER] that all remarks and proceedings in relation to the resolu-tion should be stricken from the RECORD was objected to, as the Chair understood.

Several MEMBERS. Yes. Mr. SPRINGER. I renew that request.

Several members objected.

The SPEAKER. The request is objected to.

Mr. SPRINGER. Mr. Speaker, then I make the point of order that this is the same paper which the House has already voted to exclude from the RECORD and ordered to be returned to the gentleman who

The SPEAKER. It is undoubtedly; but the gentleman is now mak-

ing a personal explanation, and claims the right to read this paper as a part of his remarks.

Mr. HISCOCK. Do I understand that the request of the gentleman from Illinois [Mr. SPRINGER] for unanimous consent that this resolution be printed in the RECORD is objected to?

The SPEAKER. The Chair understood the gentleman from New York [Mr. Baker] to object.

Mr. HISCOCK. No; he is willing that it shall be printed without being read.

Mr. GLOVER. There are several objections, Mr. Speaker. I ob-

The SPEAKER. Objection is made. The gentleman from New York [Mr. BAKER] will proceed.

Mr. BAKER. Mr. Speaker—

Mr. RICHARDSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.
Mr. BAKER. Who has the floor?
Mr. RICHARDSON. My inquiry is this: The House gave unanimous consent to the gentleman from New York to make a personal explanation, not understanding what he was going to offer. to reconsider that unanimous consent.

The SPEAKER. But the gentleman from New York has the floor. If the gentleman from New York will yield to the gentleman from Ten-

nessee, he can make his motion.

Mr. BAKER. Mr. Speaker, my purpose in reading the preamble and resolution is to demonstrate to my friends in this House and to the whole House that there is not one word or sentence in them that is disrespectful or indecent, and after the preamble and resolution shall have been read as part of my remarks I will submit it to the House and to the country to say whether or no they contain anything deserving the the country to say whether or no they contain anything deserving the criticism inflicted by the gentleman from Pennsylvania [Mr. RANDALL], by the gentleman from Texas [Mr. REAGAN], and by the gentleman from Illinois [Mr. SPRINGER]. I now ask that the preamble and resolution be read as a part of my remarks unless the House consents that they may be considered as read.

The Clerk began the reading, as follows:

Whereas Congress has been in session

Mr. SPRINGER. Now, Mr. Speaker, that the gentleman has secured the right to have this paper read, I again ask unanimous consent that it be printed in the RECORD, and that the gentleman may go on and make his statement in regard to it.

Mr. GLOVER. I object. The Clerk resumed the reading.

Mr. PLAND (interrupting the reading). I make the point of order that this paper is not in order to be read to the House, inasmuch as the House itself has declared by a vote that it is disrespectful to the House. Mr. HISCOCK. No, sir, it has not declared anything of the kind. Mr. BLAND. It has been declared by a vote of the House to be dis-

respectful to the House, and it was directed to be returned to its au-

The SPEAKER. There was no direct vote of the House declaring that this resolution or preamble was disrespectful to the House; but there was a vote directing the paper to be returned to the gentleman who offered it. What may have been the motives which impelled gentlemen on the floor to vote to return it, the Chair, of course, can not state. There was no resolution declaring the paper to be disrespectful. Moreover, whenever a point of order is made that a matter is in violation of the honor, or dignity, or privileges of the House, it is not a question for the Chair, but for the House itself, to determine.

Mr. BLAND. I call for the reading of the motion upon which the paper was returned to the gentleman. I understood the motion was prefaced with the statement I have mentioned.

The SPEAKER. It was a simple motion that the resolution be returned to the gentleman from New York.

Mr. GIBSON, of West Virginia. Upon this point of order I desire to say a word. that this resolution or preamble was disrespectful to the House; but

to say a word.
The SPEAKER. The Chair has decided it.

Mr. GIBSON, of West Virginia. I desire to ask the action of the House. I want to call attention to the fact that this paper undertakes to arraign the majority of this House and the action of the House upon almost every question which it has decided; and it arraigns the House by statements which are, beyond question, false upon their face.

The SPEAKER. The Chair has decided that the House itself, if a

motion is made with regard to the matter, must determine whether or not the paper is in violation of the honor or dignity or privileges of the

Mr. GIBSON, of West Virginia. I make that motion.

The SPEAKER. But the Chair decides that before that motion can be entertained the paper must be read, and then the House may de-clare that it shall not be printed as a part of the RECORD.

Mr. GIBSON, of West Virginia. I give notice I shall make that

motion after the paper is read.

Mr. BLAND. I ask whether it is in order to appeal from the decision of the Chair?

The SPEAKER. It is.

Mr. BLAND. Well, I take that appeal.

The SPEAKER. The gentleman from Missouri makes the point of order, as the Chair understands it, that the reading of the paper should be stopped by the Chair for the reason that it is disrespectful to the House. The Chair overrules the point of order upon the ground that when it is alleged that any proceeding is disrespectful to the House it-The Chair overrules the point of order upon the ground that self as a body that is a question for the House to determine and not for the Chair to decide.

Mr. GIBSON, of West Virginia. How is it to be determined by the

House?

The SPEAKER. By offering a resolution or motion in relation to the matter in the usual way. The gentleman from Missouri appeals from the decision of the Chair.

Mr. BLOUNT. I move that the appeal be laid on the table.

The question being taken on the motion of Mr. BLOUNT, there were—

ayes 68, noes 4.

Mr. BLAND. No quorum.

Tellers were ordered; and Mr. BLAND and Mr. BAKER were appointed.

Mr. BAKER. As a matter of information, I desire to inquire whether it is in order to interrupt the reading of the paper.

The SPEAKER. It is, upon a point of order.
The tellers proceeded to count. During the count,
Mr. HERBERT said: I ask unanimous consent to offer a resolution for present consideration.

Objection was made.

ENROLLED BILLS AND JOINT RESOLUTION.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills and joint

resolution of the following titles; when the Speaker signed the same:

A bill (S. 335) to provide for protecting the interests of the United States in the Potomac River flats, in the District of Columbia;

A bill (H. R. 8278) for the relief of Seth M. Barton; Joint resolution (H. Res. 213) authorizing the Secretary of the Treasury to pay certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July, 1886.

POLYGAMY IN UTAH.

Mr. BENNETT, in pursuance of leave heretofore granted, presented the views of a minority of the Committee on the Judiciary upon the bill (S. 10) to amend an act entitled "An act to amend section 5352 of the Revised Statutes of the United States, in reference to bigamy, and for other purposes," approved March 22, 1882; which were ordered to be printed.

PERSONAL EXPLANATION.

Mr. O'NEILL, of Missouri. Mr. Speaker, there is pending a bill (S. 1800) to secure to the Cherokee freedmen and others their proportion of certain proceeds of lands under the act of March 3, 1883, which I hope by unanimous consent I will be permitted to call up and put upon its passage. It does not take a dollar out of the Treasury of the United States; it merely takes money from the Indian fund. These Cherokee freedmen are the poorest in the Indian Territory. I hope no

Cherokee freedmen are the poorest in the Indian Territory. I hope no one will object to it.

Mr. GIBSON, of West Virginia. No justice can be done so long as Republicans unjustly assail Democrats in this House.

Mr. BAKER. I call for the regular order.

The SPEAKER, Objection is made.

Mr. WILKINS. Mr. Speaker, I have a bill introduced by the gentleman from New York [Mr. WEST] to accept from Joseph W. Drexel the Drexel cottage in which General Grant died. I wish to make a favorable reserved from the Committee on Public Buildings and Servande if able report from the Committee on Public Buildings and Grounds, if there be no objection.

Mr. BAKER. I call for the regular order of business.

Mr. BROWNE, of Indiana. No unanimous consent can be had until the regular order is disposed of.

Mr. GIBSON, of West Virginia. If there be no objection, I will call up the resolution of the Senate accepting the gifts of General Grant to the Government of the United States

Mr. COOPER. I call for the regular order of business. Mr. GIBSON, of West Virginia. Who raised the question of regular order?

The SPEAKER. The gentleman from Ohio [Mr. COOPER].
Mr. BROWNE, of Indiana. I insist on the regular order.
The SPEAKER. The gentleman from Mississippi [Mr. BARKS-DALE] has been called away from the city, and if there be no objection the Chair will appoint the gentleman from Maryland [Mr. FINDLAY] in his place as one of the conferees on the disagreeing votes of the Houses on House joint resolution 89 providing for the distribution of the Official Register of the United States.

There was no objection, and it was so ordered.

Mr. REID, of North Carolina. I rise for the purpose of submitting privileged report.

The SPEAKER. It is no while the House is dividing. It is not privileged now; no report can be made

Mr. SPRINGER. Mr. Speaker, it was decided by Speaker Blaine

it was in order to submit a conference report pending a motion to adjourn.

The SPEAKER. So it is, but not while a division is being taken. Pending a motion it is in order.

Mr. REID, of North Carolina. I will withdraw it.

Mr. SPRINGER. The gentleman can ask for unanimous consent?

The SPEAKER. He can.

Mr. MORRISON. I ask unanimous consent that the proceedings be

suspended until we can take up the resolution in reference to final adjournment returned from the Senate with an amendment.

Mr. BROWNE, of Indiana. I object.

Mr. SPRINGER. No quorum having voted, I move there be a call of the House

Mr. BROWNE, of Indiana. It is in the power of the majority of the

House to settle this matter at once.

Mr. DANIEL. Mr. Speaker, I ask by unanimous consent to discharge the Committee of the Whole from the further consideration of a bill (H. R. 2950) for the relief of James Albert Bondack. I have not asked for any such favor heretofore and I hope gentlemen on the other side will not object. It is a little bill to validate—

Mr. BENNETT demanded the regular order, but subsequently with-

drew the demand.

The SPEAKER. Is there further objection? Mr. HEPBURN. I demand the regular order.

Mr. OATES. On yesterday I asked by unanimous consent to report back from the Judiciary Committee what is known as the Henley resolution, or rather a substitute for it. That was objected to by the gentleman from Pennsylvania [Mr. O'Neill]. Despairing of getting immediate consideration and action on this resolution, I ask by unanimous consent for leave to present the report and have it printed and go upon the Calendar.

Mr. REID, of North Carolina. I ask by unanimous consent to submit a report on the bill (H. R. 8932) granting leave of absence to employés in the Bureau of Engraving and Printing.

Mr. BROWNE, of Indiana. If gentlemen wish to take it up there is a way in which it can be done. Until the pending matter is disposed of we shall object to taking up anything.

Mr. REID, of North Carolina. I wish to call attention to the fact that the objection comes not from this side of the House, but from the other side. All of the employés of the different Departments but these other side. All of the employés of the different Departments but these employés in the Bureau of Engraving and Printing are granted leave of absence. This is a simple act of justice. I introduced this bill, and if the gentleman on the other side will permit me to make my report

Mr. BROWNE, of Indiana. Let the gentleman from Missouri [Mr.

BLAND] get out of the way.

Mr. SPRINGER. If it is of such transcendent importance the gentleman from New York should be able to present his speech, I move he have leave to print it in the RECORD. [Cries of "Regular order!"]

The SPEAKER. Objection is made, and there is nothing before the

The matter seems to be so very important that the majority are filibustering to prevent it from being presented to the House.

Mr. REID, of North Carolina. The objection to this bill does not come from this side of the House. I wish to have that understood.

Mr. O'NEILL, of Pennsylvania. Mr. Speaker, the House of Representatives will do itself great honor to take up the Senate resolution proposing that the Government accept as a gift the matters of curiosity presented by the Grant estate to the Government.

The SPEAKER pro tempore (Mr. MCMILLIN in the chair). That

has been already requested and objected to.

Mr. O'NEILL, of Pennsylvania. I think perhaps the House would now give unanimous consent.

The SPEAKER pro tempore. The regular order has been insisted

upon.

Mr. DOCKERY. I withdraw the demand as far as I am concerned. Mr. O'NEILL, of Pennsylvania. The demand being withdrawn, I hope the objection will be withdrawn, and that this matter may now be considered.

Mr. BROWNE, of Indiana. I sympathize with the gentleman from Pennsylvania, but until this matter is disposed of I shall object.

Mr. O'NEILL, of Pennsylvania. Well, I tried to do my best at all

events to have this done.

Mr. LAWLER. Mr. Speaker, I want to ask unanimous consent that the House take up and pass a bill for the relief of some laborers who worked on the Chicago custom-house in 1881, and who have not been paid for it. These men did the work and their claim has been dragging

all that time. It is a small sum, aggregating \$1,400.

Mr. BROWNE, of Indiana. All the gentleman has to do to get it before the House is to get the gentleman from Missouri to withdraw his present demand for a quorum.

Mr. PAYNE. What is the pending question?
The SPEAKER. On the motion to lay on the table the appeal from the decision of the Chair. There is no other question before the House;

and gentlemen on both sides have given notice that other matters will not be permitted by consent until this is disposed of.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced the return to the House of the bill (S. 244) for the relief of Mary F. Potts.

The message also announced that the Senate had passed a bill (S. 2848) for the relief of Benjamin F. Loyall, of the State of Virginia; in which

concurrence was requested.

PERSONAL EXPLANATION.

Mr. SPRINGER. I want to make a request for unanimous consent with a view to disposing of this matter now in hand. The Senate have passed a resolution to adjourn at 4 o'clock-

Mr. BROWNE, of Indiana. That is a matter which has been stated already several times to-day, and the House is familiar with the fact.

Mr. SPRINGER. I wish to make a request in regard to the pending

matter so as to get it disposed of.

Mr. BROWNE, of Indiana. Well, you know how to get it disposed of.

Mr. SPRINGER. I want to ask unanimous consent that the appeal be withdrawn, and that the gentleman from New York be permitted to print in the RECORD the resolution which was being read and then be permitted five minutes' explanation.

Mr. BLAND. Regular order.

Mr. BRUMM. Who demanded the regular order? The SPEAKER. The gentleman from Missouri.

Mr. SPRINGER. Then I move that there be a call of the House.

There is no rule requiring us to keep the polls open all day. The SPEAKER. That motion can be made as soon as the tellers make their report.

Mr. SPRINGER. I make the point of order that the tellers should

report. There are no more voters.

The SPEAKER. But the gentleman from New York, one of the tellers, has just this moment announced another vote in the affirmative. Laughter.

Mr. SPRINGER. These must be the "repeaters" then who are now

going through. [Laughter.]
Mr. WEAVER, of Iowa. I ask unanimous consent that the House
proceed to business for thirty minutes, at the end of which time to continue the order of business now progressing.

Mr. BRUMM. The House is transacting business now.

Mr. WEAVER, of Iowa. You do not object to the request?
Mr. BRUMM. I object to any other business than the business in which the House is now engaged.

Mr. BROWNE, of Indiana. There will be a quorum here presently I am advised, and I shall object to any requests for unanimous con-

Mr. WEAVER, of Iowa. There are matters of great public importance which should be transacted and which might be transacted if this matter was out of the way

Mr. BRUMM. It can be disposed of in a little while if the gentleman from Missouri chooses to yield.

Mr. KELLEY. We serve notice on that side that we are going to stand by the Speaker's decision. It is a most righteous one.

The SPEAKER. No business is in order but the division by tellers; and the Chair will again state that several gentlemen have given notice that they will not permit any requests for unanimous consent to be con-

Mr. REID, of North Carolina. I desire to present a report from the

Committee on Printing.

Mr. BROWNE, of Indiana. I call for the regular order.

The Clerk resumed the reading of the preamble and resolution.

Mr. SPRINGER (interrupting the reading). I ask unanimous consent that the further reading may be dispensed with and that the resolution be printed in the RECORD as if read.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SPEINGER]?

There was no objection. The preamble and resolutions in full are as follows:

The preamble and resolutions in full are as follows:

Whereas Congress has been in session only a little more than eight months with a majority of only about 40 controlling Democrats in the House and a solid Democratic representation in the White House; and

Whereas during the entire session the two wings of the Democratic party have never ceased to flap together in perfect harmony; and

Whereas by the united and harmonious labors and co-operation of a harmonious Democratic President and party the country has been saved from the humiliation and extravagance of Republican misrule, such as has characterized the administration of governmental affairs under Lincoln, Grant, and their Republican successors in office since the rebellion; and

Whereas at the close of this the first session of the Forty-ninth Congress we are able to proudly exhibit as the first fruits of Democratic reform—

First. The successful defeat of the inglorious and unconstitutional efforts on the part of the people of Dakota, numbering a mere half-million only, to gain admission into the Union of States for a portion of her people and Territory numbering in population 220,000 only, and in area 77,000 square miles only, and a Territorial organization for the remainder thereof.

Second, Successful burial in the House Committee on the Territories of the bills (though introduced by misguided Democratic Representatives) providing enabling acts for the admission of the Territories of Washington and Montana, respectively, into the Union of States.

Third. An almost successful effort to create a new Territory with the usual outfit of governor, &c., all to be filled from the ranks of the only truly harmonious party that has ruled the destiny of the nation since Washington declined a third term—a Territory where, owing to fill-considered and unwise treaty covenants and stipulations, in consequence whereof, during the past fifty years no less than five tribes of Indians, numbering more than sixty-five thousand, have assumed to establish so-called civilized governments, alleged to be republican in form, accompanied by churches, Catholic and Protestant, schools, a college, and some charitable institutions, thereby rendering the soil and climate unsuitable for the growth and existence of Democratic institutions as proposed to be administered by Oklahoma boomers.

Fourth. An earnest though unsuccessful effort to reform the tariff and establish free trade, an effort which failed only by reason of a slight friction between the two wings before-mentioned, and because it became manifest, as claimed by one wing, that owing to a failure on the part of the other wing to keep in mind the Democratic platform pledge for real reform as distinguished from rank repudiation, the tariff, in so far as it affords protection to American industries and labor, was threatened by reason of such failure with total destruction, but the Democratic party pauses to congratulate the country that the bill of each wing still lives, and that both will rise at the next sessions for the encouragement of the country.

Fifth, The Democratic party further congratulates the country upon the suc-

lion, the tarili, in so the as it allows processon to American musicine anhor, was threatened by reason of such failure with total destruction, but the Democratic party pauses to congratulate the country that the bill of each wing still lives, and that both will rise at the next session for the encouragement of the country.

Fifth. The Democratic party further congratulates the country upon the successfully inaugurated policy of the Democratic majority in Congress in compelling, though against the protest of the President and the financial officers of the Government, the payment of the reserved surplus in the Treasury upon the public debt in disregard of the plighted public faith to maintain, through such reserve, in part the credit and honor of our Government.

A The failure of the national bankruptey bill.

B. The failure of the national bankruptey bill.

C. The defeat, through executive veto, of the bill for the relief of the Des Moines River settlers, which was intended to afford the persons concerned an opportunity to have their titles to their homes adjudicated under their patients from the United States.

D. The successful defeat, through executive disapproval, of private pension bills to so-called veterans of the late war, to alleged widows of such, and to pretious and defray the necessary annual expense of repairs to the White House and place therein the necessary cooking utensits, furniture, and flowers, in accordance with Jeffersonian simplicity.

E. The almost successful defeat of the Democratic majority to revive the popular income-tax law by ingraffing it upon some one of the pending general pension bills which have been so persistently urged by the Republican side of the Procession of the second of the pending secretal pension bills which have been so persistently urged by the Republican side of the Procession of the pending state of the pending state of the pending state of the country are under special obligations to the present Democratic majority in Congress, for the strice enforcement and ma

Mr. BAKER. I desire to say just one word. These resolutions having been read, I submit to the House and the country there is nothing disrespectful or indecent in them.

FINAL ADJOURNMENT.

Mr. SPRINGER. I ask unanimous consent to take up for considcration the resolution as to the final adjournment, with the Senate amendment thereto.

The SPEAKER. It is a privileged matter.

Mr. SPRINGER. Then I call it up for present consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned sine die at 3 o'clock p. m. July 28, 1886.

The amendment of the Senate was read, as follows:

Strike out "3 o'clock p. m. July 28" and insert in lieu thereof "4 o'clock p. m. August 5."

Mr. SPRINGER. I move concurrence in the Senate amendment. The amendment of the Senate was agreed to.

Mr. SPRINGER moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SITE FOR CONGRESSIONAL LIBRARY.

Mr. BUTTERWORTH. There is a matter to which I desire to call the attention of the House, relating to the site for the Congressional

Library. It has been ascertained—

Mr. BLAND. I call for the regular order.

Mr. BUTTERWORTH. I hope the gentleman will allow me to make a brief statement. It has been found the amount appropriated is \$35,000 short of what is necessary. The Senate has passed a joint resolution appropriating \$35,000 more for that purpose, which lies on the table. By passing that resolution the appropriation may be utilized during the vacation and the matter closed up as to the purchase of real estate for the Library site. I think it will take but a moment.

The SPEAKER. The Senate resolution has been referred to the Com-

mittee on the Library. The gentleman from Ohio asks unanimous consent that the committee be discharged from its further consideration

sent that the committee be used and that the House do now consider it.

and that the House do now consider it.

The Committee on the Library are very anxious to have the resolution passed. Colonel Singleton, though not well, and suffering under a recent affliction, was in the House to-day for the purpose of calling it up. I see the gentleman is now in the House again.

Mr. DOCKERY. What amount of money does this involve?

Mr. BUTTERWORTH. Thirty-five thousand dollars.

The joint resolution was read, as follows:

A joint resolution (S. R. 82) making additional appropriation for the purchase of a site for the Congressional Library.

Whereas under the provisions of an act of Congress authorizing the construction of a building for the accommodation of the Congressional Library, approved April 15, 1886, the sum of \$550,000 was appropriated for the purchase of a site for the Congressional Library; and
Whereas in the proceedings instituted in the supreme court of the District of Columbia in pursuance of said act the amount of damages has been assessed as about \$55,000 in excess of the amount so appropriated: Therefore,
Resolved, &c., That the additional sum of \$35,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of a site for the Congressional Library, to be immediately available.

Mr. BUTTERWORTH. I move the previous question on the joint resolution

The SPEAKER. The request for unanimous consent is still pend-

Mr. HOLMAN. While I have opposed this measure through all its previous progress and believe it was an unwarrantable extravagance on the part of Congress to invest so large a sum of money in the purchase of a site for this building when we had available sites in various parts of the city as desirable as the one selected, yet in its present condition I do not feel justified in objecting to the subject coming before the House for action, and shall simply ask for a vote.

The SPEAKER. Is there objection to the present consideration of

the resolution?

There was no objection.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. BUTTERWORTH moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ANNUAL BULLETINS OF BUREAU OF ETHNOLOGY.

Mr. REID, of North Carolina. I submit a privileged report from the Committee on Printing. I am directed to report back the joint resolution (H. Res. 120) to print the annual bulletins of the Bureau of Ethnology, with amendments by the Senate, and to move concurrence in the amendments.

The report of the Committee on Printing was read, as follows:

The Committee on Printing, to whom was referred the joint fesolution to print the annual bulletins of the Bureau of Ethnology and Senate amendments thereto, recommend that the House concur therein. The amendments propose limiting the proposed printing to such matters only as are now on hand or may be collected during the fiscal year ending June 30, 1837, and appropriate \$3,000, or so much thereof as may be necessary, to defray the cost of said printing.

The Senate amendments were read, as follows:

In line 4, after the word "Indians," insert "provided that the authorization shall apply only to matter now on hand or collected during the fiscal year ending June 30, 1887."

At the end of the resolution add an additional section, as follows:
"SEC. 2. The sum of \$3,000, or so much thereof as may be necessary, for the printing and binding of the aforesaid annual bulletins, is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Mr. REID, of North Carolina. I move that the House concur in the Senate amendments.

The amendments of the Senate were concurred in.

Mr. REID, of North Carolina, moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table. The latter motion was agreed to.

PROGRESS OF THE PANAMA CANAL.

Mr. REID, of North Carolina. I rise to present a privileged report from the Committee on Printing.

The SPEAKER. The report will be read.

The Clerk read as follows:

The Clerk read as follows:

The Committee on Printing, to whom was referred the concurrent resolution to print the reports of Lieutenant Kimball and Naval Cadet Capp relative to the progress made in the Panama Canal, with the Senate amendment thereto, have duly considered the same, and recommend that the House concur in said amendment. The amendment simply strikes out the provision requiring the distribution to be made in the usual manner, and apportions 2,000 copies for the use of the Senate and 3,000 for the use of the House. The estimated cost of said printing is \$3,437.50.

The concurrent resolution as amended by the Senate was read, as

Resolved by the House of Representatives (the Senate concurring), That the special intelligence report on the Panama Canal, by Lieutenant Kimball and Naval Cadet Capp, transmitted to the House by the Secretary of the Navy, be printed, and that 3,000 additional copies be printed; of which 1,000 copies shall be for the use of the Senate and 2,000 copies shall be for the use of the House.

The question was taken on concurring in the Senate amendments;

and there was taken on one of the distribution of the property a recess for an hour?

The SPEAKER. It would.
Mr. HOLMAN. I make that motion.
Mr. SPRINGER. I hope that will not be done.
Several MEMBERS. Oh, no.

The question was taken on the amendment of Mr. HOLMAN; and there were-ayes 48, noes 30.

Mr. MILLS. No quorum has voted.

The SPEAKER. The point being made that no quorum has voted, the Chair will appoint the gentleman from Texas, Mr. MILLS, and the gentleman from Indiana, Mr. HOLMAN, to act as tellers.

Mr. HOLMAN (after the count had proceeded for some time). obvious, Mr. Speaker, that there is no quorum present, and I withdraw the motion for a recess

The SPEAKER pro tempore (Mr. SPRINGER). Upon this question the tellers report ayes 34, noes 30. The motion is withdrawn.

Mr. BROWNE, of Indiana. I withdraw the point of no quorum

which I made as to the proposition submitted on the report of the gentleman from North Carolina [Mr. Reid].

The amendments of the Senate to the concurrent resolution were

agreed to.

The concurrent resolution as amended was then adopted.

Mr. REID, of North Carolina, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

REPORT-BUREAU ANIMAL INDUSTRY.

Mr. REID, of North Carolina. I present a privileged report from the Committee on Printing.

The SPEAKER. The report will be read.

The Clerk read as follows:

The Coerk read as follows:

The Committee on Printing, to whom was referred joint resolution (H. Res. 203) to provide for printing the third annual report of the Bureau of Animal Industry, have considered the same, and recommend that the same do lie on the table, and that the accompanying substitute be adopted

The estimated cost of said printing is about \$20,000.

The substitute (H. Res. 215) was read, as follows:

Resolved by the Senate and House of Representatives, &c., That there be printed 35,000 copies of the third annual report of the Bureau of Animal Industry for the year 1836; of which 10,000 copies shall be for the use of members of the Senate, 20,000 copies for the use of members of the House of Representatives, and 5,000 copies for the use of the House of Representatives, and 5,000 copies for the use of the Public Printer, in accordance with the directions of the Joint Committee on Printing; the work to be subject to the approval of the Commissioner of Agriculture.

Mr. REID, of North Carolina. I move the adoption of the resolution.
Mr. BROWNE, of Indiana. Will the gentleman tell us about how Mr. BROWNE, of Indiana. much this printing will cost?

Mr. REID, of North Carolina. in the report. It cost last year \$

Mr. REID, of North Carolina. Twenty thousand dollars, as stated the report. It cost last year \$25,000, but they have cut it down. The substitute was ordered to be engrossed and read a third time; and

being engrossed, it was accordingly read the third time, and passed.

Mr. REID, of North Carolina, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to re-consider be laid on the table.

The latter motion was agreed to.

The original joint resolution (H. Res. 203) was laid on the table. DISTRIBUTION OF OFFICIAL REGISTER.

Mr. FARQUHAR. I desire to present a report from a committee of conference

The SPEAKER. The report will be read.

The report was read, as follows:

[Joint resolution (H. Res. 89) providing for the distribution of the Official Register of the United States.]

IN THE SENATE OF THE UNITED STATES, April 5, 1886.

Resolved, That this joint resolution pass with amendments:

Strike out all after the word "repealed," in line 5, down to and including line 8. Strike out section 2.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 89) providing for the distribution of the Official Register of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

J. W. REID,

J. M. FARQUHAR,

JOHN V. L. FINDLAY,

Managers on the part of the House.

CHAS. F. MANDERSON,

JOSEPH H. HAWLEY,

A. P. GORMAN,

Managers on the part of the Senate.

The following is the statement accompanying the conference report:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to House resolution 89, providing for the distribution of the Official Register of the United States, submit the following statement:

The Senate recedes from its amendments, thereby leaving the resolution in the shape in which it passed the House.

JAS. W. REID, JOHN V. L. FINDLAY, JOHN M. FARQUHAR, Managers on the part of the House.

Mr. FARQUHAR. I demand the previous question upon the adoption of the report.

The previous question was ordered. The joint resolution was passed.

Mr. FARQUHAR moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on

The latter motion was agreed to.

Mr. GLOVER and others addressed the Chair.

The SPEAKER. The regular order is demanded and insisted upon all over the House.

Mr. GLOVER. What is the regular order?
The SPEAKER. The call of committees for reports.

Mr. HOLMAN. Is it not now in order to move to suspend the rules? The SPEAKER. Not while the regular order is insisted upon, because while the rules of the House provide that during the last six days of the session a motion to suspend the rules shall be in order, they also provide that the Speaker shall call the committees during the morning hour. That call can be dispensed with of course.

Mr. McMILLIN. I move to dispense with the morning hour for the call of securities.

the table

the call of committees.

The SPEAKER. That will require a two-thirds vote.

Mr. McMILLIN. I ask consent that if the morning hour be dispensed with gentlemen have leave to file their reports.

Mr. BLAND. I demand the regular order.

The question being taken on the motion to dispense with the morning hour, there were—ayes 48, noes 30.

Mr. BLAND. I make the point that no quorum has voted.

Tellers were ordered; and Mr. BLAND and Mr. McMillin were ap-

Mr. McMILLIN. The point being made that no quorum voted, and it being doubtful whether there is a quorum present, I will, with the

permission of the House, withdraw my motion.

Mr. BLAND. I object to the withdrawal of the motion.

The SPEAKER. The gentleman has the right to withdraw it. It has not been voted on. There was an attempt to vote upon it, but no quorum voted.

Mr. BLAND. I renew the motion.

The question being taken; there were-ayes 45, noes 28.

Mr. BLAND. No quorum.

Tellers were ordered; and Mr. BLAND and Mr. McMillin were ap-

The tellers proceeded to count.

Mr. HOLMAN (pending the count). Mr. Speaker, would it be in order to ask unanimous consent at this time for the consideration of a measure of very material public moment, to which I think there is no objection whatever? I refer to the bill to provide for the appointment of a commission on Indian affairs. The bill was prepared by the Sec-

retary of the Interior. It was considered by the House for two days and amended. I hope the House will consent to take it up and pass it.

The SPEAKER. The gentleman from Indiana, pending the count by tellers, asks unanimous consent to interrupt that proceeding for the purpose of considering a bill which has already been considered by the

House for one day

Mr. HOLMAN. For two days

Mr. HISCOCK. What is the bill?

The SPEAKER. It is a bill to provide for the appointment of a

commission to investigate Indian affairs.

Mr. HOLMAN. The bill was prepared by the Interior Department. Mr. HISCOCK. But I understand it was considered in the House

Mr. HOLMAN. It was; but at the adjournment on the second day its consideration was not completed, and it went over. I am satisfied there will be no objection to the measure.

Mr. HISCOCK. What does the gentleman from Illinois [Mr. Can-

NON] say about this proposition?

Mr. CANNON. I think we might just as well consume time in considering that bill as any other.

Mr. HISCOCK. You do not propose that it shall be passed?
Mr. CANNON. I have no objection to the passage of the bill.
The SPEAKER. The Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 6973) to provide for the appointment of a commission to inspect and report on the condition of Indians, Indian affairs, and for other purposes.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BUTTERWORTH. I object.

The SPEAKER. The tellers will proceed with their count.

ACCEPTANCE OF GRANT SOUVENIRS.

Mr. O'NEILL, of Pennsylvania. I ask unanimous consent that the House take up and pass the joint resolution of the Senate providing for the acceptance by the Government of the Grant curiosities.

The SPEAKER. That request has been made several times. Mr. O'NEILL, of Pennsylvania. I am aware of that, but I do not believe it is too late to ask it again. The resolution has been passed by

the Senate, and I think the House should take it up and pass it. involves no expense to the Government whatever.

Mr. BROWNE, of Indiana. I made the objection before, and I now

withdraw it.

Mr. SPRINGER. I understand there is no objection to dispensing

with the morning hour.

Mr. GLOVER. I object to dispensing with the morning hour, but I do not object to the resolution referred to by the gentleman from Pennsylvania

The SPEAKER. Is there objection? The Chair understands there is no objection to the consideration of the joint resolution. It was received from the Senate a day or two ago and referred to the Committee on the Library. In the absence of objection, that committee will be discharged from the further consideration of the joint resolution, and

it is now before the House for consideration. It will be read. The Clerk read as follows:

Joint resolution (S. R. 46) accepting from Julia Dent Grant and William H. Vanderbilt objects of value and art presented by various foreign governments to the late General Ulysses S. Grant.

whereas Julia Dent Grant and William H. Vanderblit, by deed of trust executed on the 10th day of January, 1885, presented to the United States certain swords, medals, paintings, bronzes, portraits, commissions, and addresses, and objects of value and art presented by various governments in the world to General Ulysses S. Grant as tokens of their high appreciation of his illustrious character as a soldier and a statesman: Therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States accept, with grateful acknowledgments, the said property and articles, more fully described in the schedule attached to said deed of trust, to be held by the United States and preserved and protected in the city of Washington for the use and inspection of the people of the United States.

SEC. 2. That the said property and articles be placed under the custody of the

SEC. 2. That the said property and articles be placed under the custody of the Director of the National Museum; and he is hereby directed to receive the same for safe-keeping therein.

The joint resolution was ordered to be read a third time; and it was

accordingly read the third time, and passed.

Mr. O'NEILL, of Pennsylvania, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NOTIFICATION OF THE PRESIDENT.

Mr. MORRISON. Mr. Speaker, the committee appointed on the part of the House to wait upon the President of the United States, in conjunction with a similar committee on behalf of the Senate, and inform him that, unless he has some further communication to make to them, the two Houses are ready to adjourn, have performed that duty, and report that the President requests them to inform the House that he has no further communication to make.

UNITED STATES COURTS, TEXARKANA, ARK.

The SPEAKER. The tellers will resume the count.

Mr. McRAE. I ask, by unanimous consent, to take from the House Calendar the bill (H. R. 9116) to provide for holding terms of court at Texarkana, Ark., and for other purposes, and put the same upon its passage at this time.

The SPEAKER. Is there objection?
Mr. WARNER, of Ohio. Have you a court-house there?
Mr. McRAE. No.
Mr. WARNER, of Ohio. I suppose you are getting ready for one.
The SPEAKER. The bill will be read, subject to objection.

The Clerk read as follows:

Be it enacted, &c., That terms of the circuit and district courts of the United States for the eastern judicial district for the State of Arkansas shall be held twice in each year at the city of Texarkana, in said eastern judicial district, commencing on the second Mondays in January and July, to be known as the Texarkana division of said district.

SEC. 2. That all process, civil and criminal, against persons residing in the counties of Columbia, Howard, Hempstead, La Fayette, Little River, Miller, Nevada, Ouachita, Pike, and Sevier shall be made returnable to said courts, respectively, at said city of Texarkana.

SEC. 3. That the clerk of the courts for said district shall appoint a deputy for the said division, who shall keep an office open at all times in the city of Texarkana.

arkana, and shall there keep the records, files, and documents pertaining to the courts authorized by this act.

Mr. GLOVER. If the gentleman from Arkansas will allow me to make a statement it will result not only in my not objecting but in stopping filibustering on the floor. The Committee on Expenditures in the Treasury Department is about to be called, and when it is called it will submit a report on the case of Richard T. Lancaster.

Mr. BLAND. I object.

The SPEAKER. The Chair asks gentlemen to preserve order on the

Mr. BLAND. I demand the regular order of business.

The SPEAKER. Does the gentleman object to the bill indicated by the gentleman from Arkansas?

Mr. BLAND. No, I do not object to that bill. The SPEAKER. That is the matter before the House. tleman from Arkansas asks unanimous consent that the House committee be discharged from the further consideration of that bill and that it be put upon its passage. The gentleman from Missouri states that if he is allowed to make a statement it will obviate the difficulty Mr. BLAND. I call for the regular order of business.

Mr. DANIEL. I ask the Chair whether members have the privilege

of filing reports to-day?
The SPEAKER. They have not.

Mr. LAIRD. I ask the gentleman to withdraw his demand for the regular order of business so I can have a resolution read.

Mr. DANIEL. I ask by unanimous consent that all members having reports to file may be allowed to do so to-day.

Mr. BLAND. I do not object to individuals offering to submit reports in the House subject to objection. There are reports I propose to object to, and I object now to granting unanimous consent to file reports generally.

Mr. GLOVER. In that case I shall object to granting a special leave

to file a report.

Mr. LAIRD. I ask by unanimous consent to have read a resolution for which I ask present consideration.

The SPEAKER. It will be read subject to objection.

Mr. McRAE. I understand the gentleman from Missouri [Mr. Bland] does not object to my bill, but to the other matter.

The SPEAKER. He did object, but there is now another question before the House. The Clerk will read the resolution subject to obiection.

The Clerk read as follows:

The Clerk read as follows:

Whereas it appears by an act passed March, 1885, the sum of \$160,000 was appropriated to enable the Secretary of War to acquire a good and valid title for the United States to the Fort Brown reservation, Texas, and to pay and extinguish all claims for the use and occupation of said reservation, provided that no part of this sum should be paid until a complete title be vested in the United States;

Whereas it is alleged that disputes have arisen between the claimants as to their respective shares of this appropriation, and that the Secretary of War has not paid any part of said amount;

Whereas by an act of Congress passed in 1875 the sum of \$25,000 was appropriated for the purchase of the grounds and payment of the said Fort Brown, and the report of General Sherman as to the sufficiency of the said sum, it is alleged that the payment of \$160,000 therefor would be a fraud on the Government;

Whereas it is alleged that it will appear from the documentary evidence in the War Department, the Quartermaster-General's Office, also the evidence of officials now in Washington who have served at said post, likewise the testimony of other citizens which can be obtained, that the sum of \$50,000 would be a large price to pay for said reservation, including rent for the use and occupation of the same: Therefore,

Resolved, That the Committee on Military Affairs be instructed to investigate the subject-matter herein named, with authority to send for persons and papers, also to inquire into and report as to what necessity exists, if any, for a military post at said point, and the cost to the United States of said post since 1865.

Resolved, That the Secretary of War be directed to withhold the payment of any part of said sum of \$160,000 for the grounds and rents of the said Fort Brown reservation.

Mr. CRAIN. I object to the consideration of that resolution. The SPEAKER. The gentleman from Arkansas [Mr. McRae] says the objection to the bill (H. R. 9116) to provide for holding terms of United States courts at Texarkana, Ark., has been withdrawn. Is that correct?

Mr. WARNER, of Ohio. We want to have som The SPEAKER. The Chair hears no objection. We want to have some explanation.

Mr. McRAE. There are embraced in this judicial district about fifty counties with only two places for holding court. At one of the places there are a few counties to which writs are returnable. Nearly all the writs for fifty counties are now returnable to Little Rock. Witnesses and jurors have to travel from 100 to 150 miles. This bill proposes a court for ten of these most remote counties, and witnesses and jurors will not have to travel more than from 25 to 75 miles. Instead of being an expense to the Government it will be a great saving. It is desired by the people and is in the interest of the Government as well as of suitors. If no gentleman desires to be heard on the subject I will demand the previous question on the passage of the bill.

The SPEAKER. The Chair hears no objection, and the House Calendar is discharged from the further consideration of the bill and the

question is on its engrossment and third reading.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

Mr. McRAE demanded the previous question on the passage of the bill.

The previous question was ordered; and under the operation thereof

the bill was passed.

Mr. McRAE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. McMILLIN. We have reported to the Clerk the vote taken by the tellers. I hope the Chair will announce the result.
The SPEAKER announced the result as ayes 21, noes 4.

So (no further count being demanded, and two-thirds having voted in favor thereof) the morning hour was dispensed with.

OKLAHOMA.

Mr. HILL. Mr. Speaker, I ask unanimous consent to submit for present consideration the resolution which I send to the desk.

The Clerk read as follows:

Resolved. That the first Thursday of the next session, after the reading of the Journal, be set apart for the consideration of the bill (H. R. 7217) to provide for the organization of the Territory of Oklahoma, and for other purposes, in the House, and this order to continue from day to day until the bill is disposed of

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BLOUNT. I object.

Mr. CANNON. I hope there will be no objection to this resolution. It is only an apology for the failure on the part of these gentlemen to pass this bill, and I hope they will have an opportunity for making

Mr. BLOUNT. There are other very important matters which

should be considered.

Mr. HILL. Then I move to saspend the rules and pass the resolu-

The SPEAKER. The Chair will entertain the motion; but of course if the gentleman desires to make the point of order of no quorum it will effect the same result.

Mr. HILL. He can make the point of order if he desires to defeat

The SPEAKER. Is there a second demanded on the motion to suspend the rules?

No second was demanded.

The question was taken; and on a division there were-ayes 38, noes 47.

So the motion to suspend the rules was not agreed to.

PUBLIC BUILDING-FORT SCOTT, KANS.

Mr. FUNSTON. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (S. 1386) for the completion of a public building at Fort Scott, Kans., and take it up for present consideration.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be il enacted, &c., That the additional sum of \$50,000 is hereby appropriated for the completion of a suitable building, with fire-proof vaults therein, for the accommodation of the post-office, United States courts, and other Government (flices, at the city of Fort Scott, State of Kansas, to be expended by the Secretary of the Treasury, subject to the requirements of an act for that purpose approved March 3, 1855. The limit of cost prescribed in said act is hereby extended as aforesaid. And no plan shall be approved which will involve an expenditure for site and building complete, including approaches, greater than the limit herein fixed.

The committee recommend the following amendment:

Strike out "fifty thousand" where it occurs in the bill and insert "twenty-five thousand,"

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BRECKINRIDGE, of Arkansas. Let us have some explanation of this, subject to the right of objection.

Mr. FUNSTON. During the last Congress \$50,000 was appropriated-

Mr. BRECKINRIDGE, of Arkansas. What are the merits of the

case? We do not want the precedents.

Mr. FUNSTON. We have a Federal court there, at Fort Scott, and have had \$50,000 appropriated to put up a public building which was insufficient, and this bill appropriates a sufficient amount to complete it. I repeat we have a Federal court there, also a post-office from which

the receipts from the sales of postage-stamps are \$17,000 a year.

Mr. BRECKINRIDGE, of Arkansas. You have a court, I under-

stand?

Mr. FUNSTON. Yes, sir, a Federal court is held there. Mr. BRECKINRIDGE, of Arkansas. I have no objection to the bill.

Mr. MORRISON. How many people have you? Mr. FUNSTON. The population is 11,500.

The amendment reported by the committee was agreed to.

The bill as amended was ordered to a third reading; and having been read the third time, was passed.

Mr. FUNSTON moved to reconsider the vote by which the bill was

passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PUBLIC BUILDING, CHATTANOOGA.

Mr. NEAL. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 7218) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, and put it upon its passage.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, &c., That the act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, be, and the same is hereby, so amended as to provide that the cost of said building, including site and building complete, shall not exceed the sum of \$200,000: Provided, That the site shall not be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site, nor plan for said building, shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of \$200,000 for site and building.

Mr. WARNER, of Ohio. Is that a Senate bill?
Mr. NEAL. No, sir; a House bill.
Mr. HOLMAN. I suggest to my friend from Tennessee that the amount named in this bill-is too large. I would suggest to him that \$150,000 is sufficient for a building at this point.

Mr. NEAL. This is one of the most important towns of the South. Mr. BLOUNT. Let me state to the gentleman from Indiana that there is scarcely a place in the country that is growing as rapidly as

Mr. McMILLIN. It is a very important point, and its population

is increasing every day.

Mr. HOLMAN. What is the present population?

Mr. NEAL. The present population is between 28,000 and 30,000.

Mr. McMILLIN. And, as I have said, is increasing with great

Mr. McMILLIN. And, as I have said, is increasing with great rapidity.

Mr. NEAL. By the census of 1880 the population did not exceed 12,000, but has increased to something in the neighborhood of 30,000.

Mr. WARNER, of Ohio. The amount is too large, I think.

Mr. HOLMAN. I suggest that \$150,000 is enough.

Mr. WARNER, of Ohio. Unless there can be an amendment of this

kind I must object to the consideration of the bill.

Mr. NEAL. I suppose I will have to accept the amendment, al-

though I am sure it is not sufficient.

Mr. HOLMAN. I move, then, to strike out "200" wherever it occurs in the bill and insert "150," so that the amount will be \$150,000. Mr. WARNER, of Ohio. With that amendment I shall not object to the bill.

Mr. McMILLIN. There is no objection to the consideration of the bill, is there?

Mr. BRECKINRIDGE, of Arkansas. Let me ask the gentleman a question. Have you a United States court established there?
Mr. NEAL. We have, sir.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HOLMAN. I now offer the amendment I have suggested—to strike out "200" and insert "150" wherever it occurs in the bill.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. NEAL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED JOINT RESOLUTIONS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolutions of the following titles; when the Speaker signed the same:

Joint resolution (S. R. 82) making additional appropriation for purchase of site for Congressional Library; and
Joint resolution (H. Res. 120) to print the annual bulletins of the Bureau of Ethnology.

PUBLIC BUILDING AT LOS ANGELES, CAL.

Mr. MARKHAM. I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 191) providing for the erection of a public building at Los Angeles, Cal., and that the same be put upon its pas-

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to procure a site for, and caused to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the United States district and circuit courts, post-office, and internat-revenue and other Government offices, at the city of Los Angeles, Cal. The plans, specifications, and full estimates for said building shall be previously made and ap-

proved according to law, and shall not exceed for the site and building complete the sum of \$250,000: Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of California shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The Committee on Public Buildings and Grounds recommended the following amendment.

In line 11 strike out "\$250,000" and insert in lieu thereof "\$150,000."

Mr. SOWDEN. I reserve the right to object in order to call for the

reading of the report.

Mr. FELTON. If the gentleman will allow me to make a very brief explanation I think he will not insist on the reading of the report.

Mr. SOWDEN. I should like to hear it read.

The Clerk read the report (by Mr. HENLEY), as follows:

Mr. SOWDEN. I should like to hear it read.

The Clerk read the report (by Mr. HENLEY), as follows:

The Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 191) providing for a public building at Los Angeles, Cal., having had the same under consideration, begs leave to report as follows:

Los Angeles is 500 miles from San Francisco. It has a permanent population of about 40,000: transient population not less than 5,000; 45,000 in all. It has all the benefits of the Central and Southern Pacific system of railroads, besides being the terminal point for the whole Atchison, Topeka and Santa Fé system. It is surrounded by the richest agricultural and horticultural country on earth. It supplies the vast mining regions of Southern California, Arizona, and parts of New Mexico. It has in all about 19 miles of street railway, one cable road of 3 miles completed, and three others in process of construction. It has the finest electric-light works in the country, besides perfect gas works, supplying the whole city. It has a complete water system, furnishing water to every house in the city. It has also a paid fire department. Almostall the streets are macadamized or graveled. It has six banks with an aggregate capital and deposits of \$7,200,000, the largest having \$2,500,000. It has the State normal school and four colleges. It has twenty public-school buildings, worth at least \$255,000; seventy-five teachers at salaries from \$60 to \$200 per month. It has thirty religious societies, occupying churches which cost over \$300,000. It has four daily, nine weekly, and three monthly papers. It has a telephone exchange of four hundred and ten subscribers, as against one hundred and fifty subscribers in 1883. It has fire limits; therefore all the business portion consists of substantial brick and stone buildings. It has the car shops of the S. P. Railroad, and the L. A. and S. G. V. Railroad, which employ a large number of me. Its population is made up of Eastern, Western, and Southern people, coming fro

Taxable property in the county in 1880	\$18,500,000
In county, 1885	\$41, 814, 311
Population of city, 1880	11,311 32,528
Population now estimated at	40,000

Mr. SOWDEN. I wish to ask the gentleman who is in charge of this bill a question. It is whether they have a United States court at this place?

Mr. MARKHAM. We have.
Mr. FELTON. There was no United States court within 500 miles of Los Angeles until this morning, when a bill establishing one was approved.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment recommended by the committee was adopted, and the bill as amended was ordered to be engrossed; and being engrossed, it was accordingly read the third time, and passed.

Mr. MARKHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE. .

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the joint resolution (H. Res. 89) providing for the distribution of the Official Register of the United States.

INDIAN COMMISSION.

Mr. HOLMAN. I now renew the request which I made some time ago, for the present consideration of the bill (H. R. 6973) to provide for the appointment of a commission to inspect and report on the condition of Indians, Indian affairs, and for other purposes. The Secretary of the Interior, I may say, is very anxious that this bill should pass.

Mr. BROWNE, of Indiana. I shall object to every request until

gentlemen resume their seats.

The SPEAKER. The House will come to order.

Mr. HOLMAN. I hope I will be permitted to say that this bill was

onsidered for two successive hours.

Mr. BUTTERWORTH. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUTTERWORTH. Is this bill called up under a request for unanimous consent, or under a motion to suspend the rules?

The SPEAKER. The Chair understands the gentleman from In-

diana to ask unanimous consent to take up this bill for consideration. Mr. BUTTERWORTH. I object.

Mr. HOLMAN. Then I move to suspend the rules and pass the bill with all the amendments heretofore made by the House.

The SPEAKER. Is a second of Mr. BUTTERWORTH. It is. Is a second demanded?

The SPEAKER. The Chair appoints as tellers the gentleman from Ohio, Mr. BUTTERWORTH, and the gentleman from Indiana, Mr. Hol-

BILLS REFERRED.

Pending the vote on seconding the motion to suspend the rules,

The bill (H. R. 3280) to restrict the ownership of real estate in the Territories to American citizens, &c., with amendments by the Senate, was referred to the Committee on the Public Lands.

The joint resolution (S. R. 83) for the payment of the salaries of the Mississippi and Missouri River Commissions, and for other purposes, was read twice, and referred to the Committee on Appropriations.

ENROLLED JOINT RESOLUTIONS

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a joint resolu-

the committee had examined and found duly enrolled a joint resolution of the following title; when the Speaker signed the same:

Joint resolution (S. R. 46) accepting from Julia Dent Grant and William H. Vanderbilt objects of value and art presented by various foreign governments to the late General Ulysses S. Grant.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a joint resolutions of the following title, when the Speaker signed the speaker is

tion of the following title; when the Speaker signed the same:

Joint resolution (H. Res. 89) providing for the distribution of the

Official Register of the United States.

MEXICAN AWARDS.

Mr. DANIEL, by unanimous consent, from the Committee on For-eign Affairs, reported back with a favorable recommendation the bill (H. R. 8122) to amend and enlarge the fifth section of an act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico concluded on the 4th day of July, 1868; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. SINGLETON, by unanimous consent, submitted the views of the minority; which were ordered to be printed with the report of the ma-

PUBLIC BUILDING AT CLARKSBURG, W. VA.

Mr. DIBBLE, from the Committee on Public Buildings and Grounds, reported a joint resolution (H. Res. 216) concerning an appropriation to continue the construction of a public building at Clarksburg, W. Va.; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

INDIAN COMMISSION.

Mr. RANDALL. I move that the House take a recess for one half-

Mr. SPRINGER. Is that motion now in order?

The SPEAKER. It can only be made pending this vote by consent of the gentlemen who are insisting on the motion to suspend the rules.

Mr. HOLMAN. I have no objection to that. Mr. BUTTERWORTH. Nor have I.

Mr. SPRINGER. I object.
Mr. HOLMAN. Will it be in order to ask unanimous consent that this measure be made a special order for the second day of next session?

The SPEAKER. The gentleman from Indiana asks unanimous consent to set apart the second day of the next session of Congress for the consideration of this bill.

Mr. WEAVER, of Iowa. I have no objection to that if the Oklahoma bill can be assigned for the first Thursday of next session and from day to day thereafter until disposed of.

The SPEAKER. In connection with the request of the gentleman from Indiana the gentleman from Iowa asks unanimous consent

Mr. HOLMAN. I withdraw my request and also withdraw the motion to suspend the rules; and I now move that the House take a recess for a half-hour.

ORDER OF BUSINESS.

Mr. SPRINGER. I ask the gentleman from Indiana to withhold that motion in order that the House may pass the resolution which I hold in my hand, which must be passed before the recess if it is to do any

Mr. HOLMAN. I withdraw the motion for a recess.

Mr. SPRINGER. I ask unanimous consent to offer for present consideration the resolution which I send to the desk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House be authorized to appoint a special committee of three members of the House, to act jointly with a like committee to be appointed by the President of the Senate, for the purpose of considering propositions relating to the investigation and adjudication of claims and payments against the United States, which joint committee is authorized to sit during vacation and report by bill or otherwise at the next session of Congress; but no expense shall be incurred thereby.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. WARD, of Indiana. I object. Mr. HOLMAN. I renew the motion that the House take a recess for thirty minutes.

The motion was agreed to.

And accordingly (at 3 o'clock and 10 minutes p. m.) the House took a recess for half an hour.

The recess having expired, the House was again called to order at 3.40 p. m.

DUTIES ON TOBACCO.

Mr. HISCOCK. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the Clerk's desk.

The SPEAKER. The bill will be read.

The bill was read, as follows:

Be it enacted, &c., That the paragraph beginning with the words "Leaf-to-bacco," being the second paragraph in Schedule F, section 2502, chapter 121 of the statutes of the United States of America passed at the second session of the Forty-seventh Congress, is hereby amended so that said paragraph shall read as follows:

"Leaf-tobacco in any bale, box, package, or bulk, any part of which is suitable for wrappers, if not stemmed, 75 cents per pound; if stemmed, \$1 per pound, upon the whole contents of such bale, box, package, or bulk."

SEC. 2. That this act shall take effect on and after its passage.

Mr. BLAND. I think we had better have a second on that,

Mr. WISE. I hope the gentleman from Missouri [Mr. Bland] will withdraw that demand.

Mr. BLAND. I have no objection to a second being considered as ordered, but I wish to hear an explanation of the bill.

The SPEAKER. In the absence of objection a second will be considered as ordered. Under the rules of the House thirty minutes are allowed for debate, fifteen minutes in support of the bill and fifteen minutes in opposition to it.

Mr. SPRINGER. Let the gentleman from New York [Mr. Hiscock] make his explanation.

Mr. HISCOCK. The bill which I have had read, and as to which I

have moved to suspend the rules and pass it, is an amendment which is intended to cure a defect in the law as it now exists.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, it is perfectly clear that this bill can not be passed this afternoon or at this session of Congress and therefore it seems to me that we had better proceed to

something else that can be disposed of.

Mr. HISCOCK. I agree with the gentleman from Kentucky that if any one should raise the question of a quorum I should be unable to

pass the bill at this time.

Mr. BLAND. I do not propose, Mr. Speaker, that this bill shall be passed without a quorum or without full explanation. It is too late in the session to pass so important a bill. Ide not know anything about it, and I do not think the House knows anything about it.
Mr. TOWNSHEND. The gentleman from New York [Mr. His-

Mr. TOWNSHEND. The gentleman from New York [Mr. HISCOCK.] has a right to explain the bill.

The SPEAKER. The gentleman from New York has the floor.

Mr. HISCOCK. Mr. Speaker, what I desire to say in answer to the gentleman from Kentucky [Mr. BRECKINRIDGE] is that, recognizing the fact that if the question of a quorum is raised I can not pass the bill to-day, I would be entirely willing to let it stand over until the next seesing rate injury is present status.

next session, retaining its present status.

Mr. MORRISON. Oh, no. It can not pass at all.

Mr. HISCOCK. That may be, but if I consume my fifteen minutes now, and we reach a vote and the bill does not pass, it will be the first business in order at the next session of Congress whenever it is proper to take up this order of business. Now, if the bill can retain that position, I shall be perfectly content to let it go over.

Mr. MORRISON. You can not get any advantage for this bill with

Mr. HISCOCK. I do not ask for any advantage. I ask simply to retain the position which I have now.

Mr. TOWNSHEND. Is the bill recommended by the Secretary of

the Treasury?

Mr. HISCOCK. There is a provision somewhat like this bill contained in the bill reported from the Committee of Ways and Means, Mr. HISCOCK. what is known as the administrative provision of the bill for the reduction of tariff taxes. The provisions here are changed somewhat from those contained in the bill reported from the Committee on Ways and Means. As I have said, I have no desire to press this now to the extent of excluding appears. tent of excluding unanimous consents that gentlemen may desire to ask, provided this bill can retain at the next session of Congress the position that it would occupy if we should continue its consideration until the adjournment of the House.

Mr. MORRISON. You can not have any consent upon that bill. Mr. O'NEHLL, of Missouri. Does it require unanimous consent, Mr. Speaker?

The SPEAKER. The Chair can only state that the gentleman from New York has the floor, and has made a motion to suspend the rules, which has been seconded, or (which is the same thing in effect) by unanimous consent a second has been considered as ordered. Therefore the motion would be pending when motions to suspend the rules are again in order; but it may be that if the gentleman now surrenders the floor some other gentleman may obtain it and may move to suspend the rules in relation to some other matter which may be left in the same position. The Chair would not like to rule in advance as to what would be the situation under such circumstances.

Mr. MORRISON. If the gentleman desires to hold the floor to keep out somebody else, let him go on.

Mr. HISCOCK. All right; I will do that. Now, Mr. Speaker, as I was about to say, this bill is intended to correct what I believe is a mistake in the existing law. This Sumatra tobacco is unlike any tobacco grown anywhere else in the world. The leaf is so peculiarly thin that it can be utilized for wrappers to an extent absolutely unequaled by any tobacco that is grown in the United States. As the bill was originally passed it imposed a duty of 75 cents a pound upon this Sumatra tobacco in so far as it could be used for wrappers, and beyond question that was the intention of Congress when the law was passed which is now in existence. That, beyond question, was the intention on the part of Congress in the law which was passed and which is now in existence.

Mr. JAMES. I desire to ask my colleague [Mr. HISCOCK] whether this bill has been favorably reported from the Committee on Ways and

Mr. HISCOCK. I stated a little while ago that among the administrative sections of the bill to reduce tariff taxes, which was reported from the Committee on Ways and Means, there is a provision on this which I now desire to pass.

Mr. O'NEILL, of Missouri. I desire to ask the gentleman whether this is a "bill for the repeal of tariff taxes" by abolishing the duty on

this kind of tobacco.

Mr. HISCOCK. The gentleman is entirely mistaken. I am not

seeking to abolish the duties on tobacco, but to increase them.

Mr. O'NEILL, of Missouri. Then I am in favor of the bill.

Mr. GUENTHER. What is the rate of duty per pound now?

Mr. HISCOCK. So far as the rate of duty is concerned, I do not propose to change it from what it was supposed was levied by the present statute at the time it was passed.

Mr. McMILLIN. But this does change the existing law very ma-

terially.

Mr. HISCOCK. It does change the law very considerably; that I concede. The point in reference to the present measure is this: It was supposed that the description in our present statute of the kind of to-bacco upon which we imposed a duty of 75 cents and \$1 a pound would exclude the Sumatra tobacco, which is fit for wrappers; but under a ruling of the Department it has been discovered that the tobacco can be so sorted as to bring in the wrapper tobacco at the regular rate of 35 cents per pound.
Mr. McMILLIN.

And the object of this bill is to prevent that? Mr. GUENTHER. As I understand the gentleman from New York there is now an evasion of the law, which this bill proposes to prevent.

Mr. HISCOCK. My bill proposes to prevent that evasion of the law.
Mr. BROWN, of Pennsylvania. Would not the effect of this measure be to reduce or practically prohibit the importation, rather than to increase it?

Mr. HISCOCK. I believe that if this bill be passed its effect will be to reduce the revenue received from the importation of tobacco.

Mr. BROWN, of Pennsylvania. That was just what I wanted to

bring out

Mr. GUENTHER. Is this the bill which is recommended by the United States Tobacco Growers' Association?
Mr. HISCOCK. It is.
Mr. GUENTHER. I hope it will pass.
Mr. HENDERSON, of Iowa. Will this cheapen or increase the cost of cigars to consumers? [Laughter.]

Mr. HISCOCK. I do not suppose it will affect the cost of cigars at

Mr. HISCOCK. I do not suppose it will affect the cost of cigars at all; but it will have the effect of encouraging and promoting the to-bacco-growing industry of the United States.

Mr. BROWNE, of Indiana. Has the Committee on Ways and Means acted on the bill?

Mr. HISCOCK. I will say, in response to the gentleman from Indiana, that the Committee on Ways and Means, as I understand, is opposed to this bill; but I know of no reason why that should defeat the bill, and I do not believe it will.

Mr. FELTON. Did the gentleman say this bill looks to the protec-

Mr. FELTON. Did the gentleman say this bill looks to the protection of the tobacco-growing interest?

Mr. HISCOCK. It does.

Mr. HISCOCK. It does.
Mr. STRUBLE. Will the gentleman yield to me to make a request for unanimous consent?

Mr. HISCOCK. I do not propose to yield in any way so as to lose the position I now hold with reference to this bill.

Mr. STRUBLE. I do not wish the gentleman to do that.

The SPEAKER. The gentleman from New York [Mr. HISCOCK]

has two minutes remaining.

Mr. BROWNE, of Indiana. I object to the gentleman yielding to

anybody. Mr. HISCOCK. anybody.

Mr. HISCOCK. I do not propose to yield the position I hold with reference to this bill. By constant watchfulness I have succeeded in obtaining this position [applause], and I propose to hold it until I obtain a vote from this Congress upon this bill. I believe a vote will be obtained during the next session; and I congratulate myself on holding this position. Without expecting to procure a vote to-day, I propose to give up no advantage which I have secured.

[Here the hammer fell.]

APPROVAL OF BILLS AND JOINT RESOLUTIONS.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had on the 5th instant approved and signed the following bills and joint resolutions:
An act (H. R. 5196) to detach certain counties from the United States

judicial district of California and create the United States judicial dis-

trict of Southern California;

An act (H. R. 2918) for the relief of William Huntington; An act (H. R. 6664) to increase the naval establishment; An act (H. R. 5278) for the relief of Seth M. Barton;

Joint resolution (H. R. 213) authorizing the Secretary of the Treasury to pay certain expenses incurred by special agents and experts of the Bureau of Labor during the month of July, 1886;

Joint resolution (H. Res. 120) to print the annual report of the Bu-

reau of Ethnology

An act (H. R. 9857) in relation to the western judicial district of

Wisconsin;

An act (H. R. 2124) amendatory of and supplementary to "An act to alter the judicial districts of Pennsylvania, and for other purposes," approved May 26, 1824, and providing an additional place for holding the several courts thereof.

LEAVE OF ABSENCE.

The SPEAKER. The Chair, if there be no objection, will lay be-

fore the House some personal requests.

Mr. DUNN, by unanimous consent, obtained leave of absence on account of sickness.

WITHDRAWAL OF PAPERS.

Mr. TAULBEE, by unanimous consent, obtained leave to withdraw from the files of the House for return to the Quartermaster-General's Office the papers in the claim of Samuel Beatty, of Kentucky.

Mr. KLEINER asked and obtained unanimous consent that the Com-

mittee on War Claims be discharged from the further consideration of

the claim of Sally Hardman, for services as nurse during the war, and that the papers filed by her be returned to her.

Mr. O'NEILL, of Missouri, by unanimous consent, obtained leave to withdraw papers in support of the application of Herman Hynes for

SENATE BILLS REFERRED.

The SPEAKER laid before the House the following Senate bills; which were read a first and second time, and referred as indicated:
The bill (S. 244) for the relief of Mary F. Potts—to the Committee on

Patents; and

The bill (S. 2848) for the relief of Benjamin P. Loyall, of the State of Virginia—to the Committee on the Judiciary.

LEAVE TO PRINT.

The SPEAKER. The gentleman from Illinois [Mr. MORRISON] asks unanimous consent to have printed in the RECORD the report made by

the Committee on Ways and Means to accompany House bill No. 7652.

Mr. MORRISON. And also the report on the bill of the gentleman from Pennsylvania [Mr. RANDALL].

Mr. HISCOCK. That does not interfere with my motion to suspend the rules?

the rules?

The SPEAKER. That motion is pending.
Mr. HISCOCK. It is possible I may desire leave to print on that subject, and I will ask the same leave.
The SPEAKER. The gentleman from Illinois [Mr. Morrison] asks leave to have printed in the RECORD the report of the Committee on Ways and Means on what is known as "the Morrison bill"—
Mr. MORRISON. And "the Randall bill."
The SPEAKER. The gentleman asks unanimous consent that both reports be printed in the RECORD.
Mr. BROWNE, of Indiana. I ask unanimous consent that all gentlemen be permitted to print remarks on the same subject.
Mr. MORRISON. I object to general leave, but do not object for leave to any gentleman who asks it.
Mr. PAYNE. Does this request include the views of the minority of the committee?

of the committee?

The minority presented no "views" on the bill of The SPEAKER. the gentleman from Pennsylvania. Is there objection to printing these two reports in the RECORD?

Mr. PAYNE. Does that include the minority report on "the Morrison bill?"

The SPEAKER. It does not.

Mr. HISCOCK. I supposed this request was to print remarks on the subject.

The SPEAKER. No; reports.

Mr. HISCOCK. Then I do not ask leave to print on that subject. The SPEAKER. No; reports.

Mr. HISCOCK. Then I do not ask leave to print on that subject.

Mr. PAYNE. Unless this proposition includes the views of the minority, I object. I ask to couple with the proposition the request that the views of the minority be printed.

Mr. MORRISON. I do not want to be "coupled" with the gentle-

man from New York [laughter], but have no objection to his taking leave to print the minority views as requested by him.

Mr. STRUBLE. I ask unanimous consent for the consideration of

the measure which I send to the desk.

The SPEAKER. The gentleman from Iowa [Mr. STRUBLE] asks unanimous consent for the consideration of the bill which will be read. Mr. GUENTHER. I object. I do not want anything to interfere with the tobacco bill.

The SPEAKER. The hour of 4 o'clock having arrived, the Chair, in obedience to the concurrent resolution of the two Houses, declares the House adjourned sine die.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. CLEMENTS: Memorial and papers in the claim of H. S. Allgood, of Georgia—to the Committee on War Claims.

By Mr. FORAN: Memorial and petition of the iron and steel workers of the United States, relative to railroad stocks, and praying for the appointment of a national board of railroad commissioners—to the Com-

mittee on Railways and Canals.

By Mr. EUSTACE GIBSON: Petition of citizens of West Virginia, asking the passage of the act to pension America F. Spouse, widow of William S. Spouse, deceased, late private Company B, Eleventh West Virginia Volunteers, and his minor children—to the Committee on Invalid Pensions.

By Mr. GIFFORD: Petition of settlers upon the Crow Creek and Winnebago reservation in Dakota, for relief-to the Committee on Indian Affairs.

By Mr. PERKINS: Petition of Garden Post, No. 343, Grand Army of the Republic, of Udall, Kans., asking for the passage of Senate bill 1886, pensioning poor and infirm soldiers of the late war—to the Committee on Invalid Pensions.

APPENDIX.

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APPENDIX

THE SECTION AND THE DESCRIPTION OF THE PROPERTY OF THE PROPERT

TO THE

CONGRESSIONAL RECORD.

The Silver Coinage.

SPEECH

HON. JAMES L. PUGH.

OF ALABAMA,

IN THE SENATE OF THE UNITED STATES,

January 11 and 12, 1886.

The Senate having under consideration the resolution submitted by Mr. Beck December 18, 1385, relative to the payment of customs dues in coin and the exe-cution of the laws relating thereto—

Mr. PUGH said:

Mr. President: Congress has no power more important than that of coining money and regulating its values, and none that has been attended with greater difficulties in its exercise. Every civilized government in the world has this power, and has experienced the same trouble in solving the problems of coin and paper as money of account and contract. With the aid of all the learning in the world the most advanced statesmanship is still grappling with these problems at the precise points encountered in the beginning. All legislation upon finance and currency is necessarily more or less speculative and experimental, dependent as it is for results upon natural laws and conditions over which law-makers can exercise no control. The first question, and the whole question, for Congress to decide is whether existing laws to coin silver and regulate its value should be repealed, suspended, or amended. Is our currency unsound or in danger of unsoundness by the continued annual coinage of 24,000,000 of silver dollars? Is the country suffering or likely to suffer by this annual addition to our coin currency? Where is the proof of unsoundness and suffering and necessity for a change?

I venture the statement that at no time in our history has our paper or metallic currency been as sound and perfectly healthy as it is toor metalic currency been as sound and perfectly healthy as it is to-day, and our country never has been freer from financial trouble or in a more universally healthy and prosperous condition. The financial and industrial reports from all parts of the United States concur in the statement that everything has improved and is improving on the situ-ation of last year, except in the amount of our exports, which are short of last year for the admitted reason that the demand and consumption of American commodities have diminished on account of the inability of the industrial classes in gold-using countries abroad to purchase the necessaries of life. Mr. Swank, the best-informed man in the country on the condition of the iron and steel industries in the United States, in his late report states that they are in a promising condition, and not in the least affected by the excitement about silver in financial circles. The same report comes to us in the Manufacturers' Bulletin, published in Boston, as to the condition of the dry goods trade. Whatever affects our currency or our commerce, locally or generally, to-day is liable to affect them forever from causes that exist unavoidably in everything

affect them forever from causes that exist unavoluably in everything that is human and the work of man.

How much gold coin is there in the United States and how much are we producing? How much silver coin is there in the United States and how much are we producing? What is the capacity of our mines to produce both metals? The following is the last authoritative answer to these questions. The report of the Director of the Mint for 1885, page 27, shows that on the 1st of July, 1885—

The amount of cain in the country was some \$820,000,000,000 which \$542,000,000

The amount of coin in the country was some \$820,000,000, of which \$542,000,000 consisted of gold coin and \$278,000,000 of silver roin. * * * The gold and silver bullion in mints and assay offices on July 1, 1885, and available for coinage, was \$71,501,682, making the actual amount of coin and bullion in the country \$892,500,519.

The same report, page 3, shows that-

The domestic production of gold bullion was on July 1, 1885, \$31,584,436, and of silver bullion, same year, \$32,250,044. The total coinage value of the gold and silver bullion purchased at the mints was \$89,683,850.

How much paper currency have we in the United States? In legaltender Treasury notes (greenbacks) we have in round numbers \$346,tender Treasury notes (greenbacks) we have in round numbers \$20,000,000 that can not be reduced under existing laws. On the 1st of November, 1885, there were 2,727 national banks in existence, with their note circulation of \$315,847,168, including notes of national goldbanks, making in the aggregate of actual coin and paper currency in the United States \$1,471,847,000—in round numbers, \$1,500,000,000.

What is the matter with this volume of American currency? Is it

unsound, or is there any well-grounded apprehension of its serious de-rangement or unsoundness? How are these important questions to be answered? Our aim as lawmakers, charged under oath with the grave duty of voting upon all propositions to change or suspend the operation of existing coinage or financial laws, should be to get at the truth and be governed by it as free as possible from passion, or prejudice, or the influence of party, or the spirit of crimination or recrimination.

In the examination and discussion of the troublesome questions of finance the originates assuments and exallations of other absolute.

finance the opinions, arguments, and conclusions of others should be weighed according to their real merit; and to ascertain how much they are worth we should scrutinize the motives, capacity, experience, practical knowledge, integrity, and disinterestedness of the authors. Is practical knowledge, integrity, and disinterestedness of the authors. Is it a fact that those who take part in the discussion of financial questions and make arguments and express opinions to influence legislation belong to the creditor or the debtor class, or are they producers or capitalists? The people understand that those who supply money and those who use it are widely separated in interest. Capitalists and creditors own United States bonds and national banks, and these banks issue paper money on these bonds and aid in making the volume of our circulating medium. Capitalists and creditors mostly own the deposits and use the checks on banks and clearing-houses. Farmers, laborers, mechanics, artisans, and manufacturers own commodities made up of cotchanics, artisans, and manufacturers own commodities made up of cotton, wool, and other raw material, and wheat, corn, meat, animals, muscle, and brain.

These commodities and human agencies bring money, and the amount depends upon the supply and the demand for them and very largely upon the quantity of money in circulation. If there is but little money and plenty of commodities, the price will be low. If there is a sufficient supply of money, the demand for commodities will be greater and the price higher. Too little money will always buy more commodities, whether the supply be great or small. It is manifestly to the interest of those who have idle money, or money to invest, to make its purchas-ing power as great as possible. The smallest volume of money will buy more labor, productions, and property than a larger volume. Hence more labor, productions, and property than a larger volume. Hence money-holders generally favor contraction of the currency, and commodity-holders favor a volume of circulation that comes up to the point where equality is found between the supply of money and commodities. "The quantity of necessary, useful, or gratifying products is the measure of wealth, and money is the just measure of commerce and exchange and the standard by which contracts are fulfilled."

It is very natural that those who have labor and land and machinery to produce commendities should favor a plentiful supply of money to

to produce commodities should favor a plentiful supply of money to make market prices more remunerative. It is also very natural that those who have money to lend and to employ labor and purchase crops and other productions should want their money to have as much purchasing power and bring as high rates of interest as possible, and they know that the less money there is in circulation the less competition and the less market price. Those who owe debts can pay them easier when money is plenty than when it is scarce, and the creditor to whom the money is coming wants it to have as much value and purchasing power as practicable. power as practicable.

power as practicable.

These are plain truths well understood by the people. I hear no complaint from the people that the amount of currency that is or could be put into circulation is too large. They do complain that the circulation of our supply of currency is withheld and obstructed for the purpose of exciting undue influence upon public opinion and Congress. We all remember the cry against the passage of the coinage act of 1878. It came from the same men and newspapers who are now clamorous

for the repeal of that act. They told us then, as they do now, that cranks and fanatics favor the coinage of silver. That they knew it would load us down with a cheap and useless currency, and according to Gresham's law, which is universal and unvarying in its operation, gold would be driven out of circulation and all currency would give way to the depreciated dollar and cause gold to be hoarded, and discredit of Federal securities; but the cranks and fanatics restored silver to coinage and made it a legal tender, and after seven years trial we call for actual results, and what is reported? We have \$215,000,000 of silver and \$550,000,000 of gold. Federal securities are 24 per cent. premium. For 1885 our exports of gold were only \$8,477,892, while for 1884 they were \$41,081,957, or \$32,000,000 less. Our exports of silver for 1885 \$33,750,633, or more by \$8,000,000 than for 1884. While our

gold imports the year 1885 increased \$4,000,000 over those of 1884.

And what has become of Gresham's law that the cheaper would drive out the better dollar, that silver would supplant all the par currency and occupy the whole field of circulation, when the fact reported by the Treasury officials is that the people do not want silver, will not take it, and the Treasury is overloaded with unused and idle silver dollars?

But how gratifying the admission in the last Treasury reports that

the \$215,000,000 of silver, the fruit of the Bland bill, that was to spread poison in every direction and produce such dire consequences, can be made as good as gold and absorbed by the people in our circulating medium if we will be so good as to suspend further coinage. What a grim satire upon the financial sagacity of our present instructors in the science of political economy! Is it not a great triumph of the Bland bill that its enemies are compelled to admit that our silver currency has been increased \$215,000,000 without driving out a dollar of gold or depreciating Federal bonds, and that all this silver can be utilized in circulation if we will be wise enough to stop the silver mint. As these financiers have shown themselves mistaken seven years ago it is not impossible that they are now mistaken in their opinions and predictions. One request I make, and that is for the Federal Treasury and national banks to stand aside and allow Gresham's law to have full and free

operation on silver currency.

There is a most important difference between gold and silver coin and paper currency that is hoarded by individuals or lying in the vaults of banks and gold and silver and paper currency that is in actual active circulation among the people. It is very material that we approximate as near as practicable what amount of coin and paper is required by our people for active use among themselves to make our trade and commerce prosperous on a reasonably permanent, legitimate, and healthy basis. We should never lose sight of the important fact that our entire volume of currency, whether gold, silver, or paper, circulates only among ourselves in the United States. Not a dollar of our gold, silver, or paper circulates or has any purchasing power as money in any other country in the world. All our gold and silver coin is nothing but bullion when it leaves this country, and is marketable by the pound, just as beef and iron. Remember, then, when we talk about gold and silver and paper as money we only mean, and must necessarily mean, that which is made money by a law of Congress and the stamp of the Government. Where is the necessity for legislation? President Cleveland and Secretary Manning have communicated to

Congress the information that our volume of circulation is made up of an incongruous, conflicting, and irreconcilable mass of paper and coin—national-bank notes, legal-tender greenbacks, gold and silver certificates, and standard gold and silver coin. These high officials in discharging their solemn duty according to their honest convictions have recommended to Congress in substance that the legal-tender greenbacks recommended to Congress in substance that the legal-tender greenbacks be redeemed and retired from circulation, that no more coin certificates be issued, and that the coinage of silver be suspended. The same information and the same recommendations were made by President Arthur and his Secretary of the Treasury in two annual messages to Congress, and I remember no Republican in either House who was bold

enough to introduce a bill to carry out either of these recommendations.

President Cleveland is the Chief Magistrate of this great Republic. I have much confidence in his practical sense, sound judgment, unwavering integrity, manly firmness, and devotion to constitutional principles. He and I and other members of the national Democratic party may and do differ on the troublesome economic questions of finance and currency, and we may and no doubt will differ on questions of detail in the adjustment of revenue and tariff legislation. I know that these subjects are incapable of final and satisfactory solution. They are so far-reaching and complicated in their operation upon the varied pursuits and interests of the people of this wonderful country that I can not consent to be so self-conceited, so intolerant and exacting as to make such differences the cause of quarrel or our separation. These subjects are regulated by laws of Congress that are always open to repeal or amendment. The President recommends measures to Congress and we have to vote for these measures to give them the force of laws. I have given thoughtful consideration to the President's recommendations and feel constrained to withhold from them my support.

The report of the Secretary is the most luminous and powerful presentation of the reasons and arguments in favor of his proposed "currency reform" that have been or can be produced. He avers that our currency is suffering from two disorders:

1. The act of February 28, 1878, requiring "perpetual Treasury purchases of at least \$24,000,000 worth of silver per annum" to be coined into unlimited legal-tender dollars and issued to the people as equal in value to gold dollars.

2. "The act of May 31, 1878, which indefinitely postponed redemption and payment" of the \$346,000,000 of unlimited legal-tender green-

The Secretary charges that "these two acts are each a separate men-ace to the public tranquillity and injurious to the public morals and the public faith," and he "commends to the consideration of Congress the immediate repeal of the clause requiring Treasury purchases of silver bullion and repeal of the act making compulsory the issues and reissues of legal-tender" greenbacks. How is it that the public tranquillity is menaced and public morals and public faith injured? The Secretary answers that "the coinage act of 1878 is overloading the mints with unissued and the subtreasuries with returned silver dollars, and will unavoidably convert the funds of the Treasury into those depreciated and depreciating coins."

These charges unavoidably lead us into a wide field of inquiry. The first general question to be answered is how much real honest money do our people require to carry on among themselves their own trade and commerce on a legitimate, safe, and permanent basis to insure reasonable and healthy results and conditions? The radical and far-reaching changes made in the last twenty years in the agencies and instrumentalities of trade and commerce and in the methods and practices of conducting business transactions have introduced so many new factors as to greatly modify and render inappropriate many of the rules and principles heretofore taught by the ablest financiers.

As illustrative and explanatory of my meaning I desire to quote from the report of the Comptroller of the Currency to Congress in 1881, page

It is evident that the amount of coin and paper currency used in any country depends largely upon the number of banks and bankers it contains, and upon the method of doing business; and no theory is more absurd than that which has been so frequently urged during the currency discussions of the past few years that the amount of money required is in proportion to population. Tables showing the per capita of coin and currency in use in any country are curious and interesting, but almost valueless in determining the amount of paper money required. Through the machinery of the bank, with its system of checks, bills of exchange, and clearing-houses, large amounts of business may be settled without the use of coin or circulating notes. Coin and currency are but the small change used in trade. Checks and drafts are substitutes for money, and in every case, if these were not used, the latter would be required.

Again, at page 198 of the same report he prints tables showing the relative amount of gold and silver and paper, and checks, drafts, and bills of exchange in daily use by the national and other banks in their vast transactions.

This table "exhibits the total receipts on June 30, 1881, of the fortyeight banks in New York city, the fifty-four in Boston, the thirty-two in Philadelphia, and the nine in Chicago, and the proportion which the receipts in each city and the aggregate of all of them bear to the receipts of all the banks on the same date. It also shows the receipts and proportion to the whole of the banks in twelve other cities, and the same as to the remaining banks of the country."

From an examination of this table-

Says the Comptroller:

Says the Comptroller:

it will be seen that the receipts of the forty-cight banks in New York city, the
fifty-four in Boston, the thirty-two in Philadelphia, and the nine in Chicago comprised nearly four-fifths of the total receipts on June 30, 1881; while the receipts
in the sixteen reserved cities, named in another table, on same day were more
than 85 per cent. of the whole amount; the receipts of the New York city banks
were three-fifths of the whole, which fact shows how closely connected is the
business of all the national banks with the great commercial center of the
country, nearly every bank and banker in the Union having deposits, subject
to sight-drafts, at that point.

The next table shows for same date the receipts of the banks in each State and
Territory, exclusive of those above named, with similar percentages. Attention
is called to the remarkable coincidence shown in the table in the percentage of
checks and drafts for the date named, it being 81.7 per cent, in each instance.

The percentages of the cities for the same date also correspond very nearly.

What amount of coin and paper currency and checks and drafts were

What amount of coin and paper currency and checks and drafts were used in these bank transactions and what is the proportion in the respective amounts used by the banks of coin and paper and checks and drafts on June 30, 1881, an approximate relative amount of business that the solution of the solut in daily use by our own people is consequently larger, in fact, far greater, than anywhere else in the world."

The Comptroller then furnishes tables giving the amounts and ratios of gold and silver coin and paper money, as well as that of checks and drafts, in each of the cities, States, and Territories of the Union:

The New York Clearing-House Association was formed in 1853, and is now composed of forty-eight national and twelve State banks, and the assistant treasurer of the United States at New York.

Through the courtesy of Mr. W. A. Camp, its manager, a statement of the transactions during the year ending October I, 1881, has been obtained, which shows that the total exchanges were more than \$48,000,000 while the balances paid in money were less than \$1,800,000,000. The daily average balances paid in money were nearly \$6,000,000, or about \$1\frac{1}{2}\$ per cent. of the amount of the settlements.

* * * The average proportion of checks and drafts was \$1.7\$ per cent.

* * * The gold coin equaled 1.38 per cent. of the total receipts; the silver coin

0.17 of 1 per cent.; the paper money 4.36 per cent., and the checks and drafts 91.85 per cent., while the checks, drafts, and clearing-house certificates together were equal to 94.09 per cent. of the whole. The total percentage of cash on that day was 5.91 per cent. only.

Checks, certificates of deposit, and drafts, or bills of exchange, which are now used so largely as substitutes for money, are the most important and useful parts of the machinery of the bank. The issue of circulating notes is not an essential feature of banking, for there are many banks in this country, chiefly incorporated under State laws, which do not issue such notes. But checks and drafts are almost as indispensable to the successful conduct of the business of banking as capital or deposits.

The foregoing instructive facts and figures are American and relate to American banks and their use of coin and paper money and checks and drafts in their vast transactions.

How is it in European nations? The same Comptroller reports that-

In England banks and bankers are numerous and large numbers of such instruments of exchange are used, particularly in the principal cities. In France, on the other hand, their use is much more infrequent, for, except the Bank of France, with its ninety branches, there are no incorporated banks in that country, and thirteen of these branches were conducted in 1890 at a loss of more than \$30,000.

A paper read by Mr. Pownall, which is published in the London Bankers' Magazine for November, 1881, says:

It will be seen that the proportion of checks and drafts used in London does not vary greatly from that of the same items shown in the receipts of the banks in New York city. The proportions used in the banking business of the country districts is less, as in the United States it is less in the banks outside the cities. But the use of checks and drafts in the country districts in the United States is nearly 9 per cent. greater than in the corresponding districts in England.

From the same authority we learn:

The proportional use of credit documents and metallic money in English banks. * * * The paper is elaborate, and among others gives tables showing the proportion of gold coin, silver coin, bank notes, and checks used by banks located in agricultural places, in the metropolitan area, and in the cotton, woolen, iron, pottery, and silk manufacturing districts. * * * The entire paper will greatly interest the economic student.

But the following extracts will be found particularly instructive, as indicating the tendency of modern thought upon banking and currency complications growing out of far-reaching changes in the machinery of banks and their methods of business:

Says Mr. George H. Pownall, a great English financier, speaking before the Institute of Bankers in London-

Says Mr. George H. Pownall, a great English financier, speaking before the Institute of Bankers in London—

a certain grim satire in these figures when one thinks of the libraries filled with blue books full of weighty arguments, all curiously wrought out to help in the settlement of the great note question. It is clear that the check and the clearing system are the main lines upon which banking is destined to run. Dead theories respecting notes and the right of issue belong to the generation to which they were living verities. To us the living fact is the substitution of a new instrument of credit. For the present generation the improvement of the check and the clearing system, the mechanical details of office organization, those details of book-keeping which save time are, from the enormous number of documents passing through the hands of bankers, of more weight than the most learned treaties on notes and note-makers.

Banking statistics, gathered with due patience, would play a great part in industrial statistics. They represent trading totals, they rise and fall with prices, they expand with commercial prosperity, they contract in the day of bad trade. Systematically collected, they would furnish constant lessons. From no other source could we gain so much and so valuable information as to trading currents as from bankers. In their books the trading world is photographed. It has been calculated that 97 per cent. of the transactions of British wholesale commerce pass through the hands of the bankers of the United Kingdom. The sources of that commerce and its distribution must in the broadest way be marked in the totals of the banking world. The cottons of Lancashire, the woolens of Yorkshire, the shipping of Liverpool, the commerce and finance of London are all represented there. The tendency of this generation is to seek to place its theories upon an exact basis. How much would the social and trading life of England be illustrated if we could mark out, though only at intervals, or even for a single day, the

Mr. President, I have thus presented to the Senate and the country the controlling influence of banks and bankers in deciding the most intricate and far-reaching question of modern times. The new factors of checks and clearings as substitutes for money had their origin in the war on silver in Europe and America, and these bank implements are and have been the most formidable and destructive with which the friends of silver have had to contend. Checks and clearing-houses have concentrated in banks and bankers, irresistible power in interstate and international trade and commerce, and their mighty influence and agencies in all industrial pursuits connect them necessarily and inseparably with any financial system in any country and make them potential in deciding the volume, character, and regulation of all currency.

See what mighty power banks and bankers possess in determining

what amount of money the people shall have in their trade and commerce; when and to what extent the volume of circulation shall be expanded or contracted; whether coin or paper money shall circulate, and in what proportion. Look at the facts and figures I have furnished to prove how this vast power has been exercised. It is useless to tell the people that the banks and bankers will not use their power to pro-

clearing-houses dispense with the use of money by banks and bankers in their dealings with each other, and make the volume of coin or paper currency in actual circulation a matter of comparatively indifferent interest to them. But it is not so with the people in their trade and commerce with each other. The people have no clearing-houses and but few deposits, and with them checks are a useless substitute for money.

Do not understand me as condemning national or other banks or their honest methods of doing legitimate business. On the contrary I believe our national banking system to be superior to any in the world, and I am its friend to the full extent of the rights and powers of bankers honestly, legitimately, and fairly exercised, but when they prostitute their powers and defiantly disregard the laws and objects of their creation to acquire absolute dominion over our supply of currency and thereby make themselves the soulless regulators of our trade and commerce and of the price of labor productions and property, they become public enemies and deserve instant annihilation.

Mr. President, notwithstanding the almost exclusive use of checks as substitutes for money in business transactions, all payments, great and small, depend for their integrity upon a true measure of value, and that measure must be made of coin of standard weight and fineness. All currency, whether coin or paper, that is entitled to be denominated real, honest money, whatever may be its volume, must at all times and under all conditions be able to stand the crucial test prescribed by Congress

in the law which declares what shall be a dollar.

I have already stated the constituent elements of our fifteen hundred millions of dollars, and that no part of this volume of currency has any recognition or purchasing power anywhere in the world except in the United States. It is not denied by any person that everywhere in the broad limits of the United States, in the manifold and vast trade and commerce of our own people among themselves, each constituent element of our entire circulating medium is fully established in its purchasing power over labor, commodities, and property of every description, and is received in all payments as lawful money, each different kind of coin and paper having the confidence of the people that for the uses among themselves it is a uniform part of a harmonious volume of currency not equaled, and certainly not excelled, in its soundness and usefulness by any in the world's history. is the matter? Where do we find any cause for alarm?

President Cleveland and Secretary Manning and those who urge Congress to repeal and amend our coinage and currency laws have failed to state a single fact or a single cause originating, existing, and operating anywhere in the United States that has produced or can produce any unsoundness or derangement in our currency, or justify any change in our financial legislation in accordance with their recommendations. Every fact and every cause upon which they have their predictions of trouble and express the opinion that serious disorder in our currency and ruinous effects upon our trade and industrial pursuits are impending and threatening are foreign in their origin and existence. Congress is confronted with the highest official announcement that the United States have reached a crisis in their marvelous development and in their industrial growth and commercial relations that can be met and relieved only by concurrent action between our Government and the governments of England, France, and Germany, resulting in an agreement by which there shall be but one standard of value in each and all these countries, and that when such an international standard is thus established our entire home currency must be made to conform to it in equivalency and convertibility.

What are the foreign facts stated by Secretary Manning as being so potential and disastrous in their effects upon American conditions

and welfare?

1. That, except for petty domestic uses, silver coinage has been suspended and silver disused as a legal-tender currency in England, Germany, and all the nations composing the Latin Union, and gold made the only standard of value.

2. That such suspension and disuse of silver as money of account and contract by leading European nations with whom we carry on nearly all our foreign commerce "has made that metal of unstable and falling value" and reduced the price of silver in our standard dollar from 100 cents to 80 cents in the bullion market of London.

From the existence of these two facts in Europe the conclusion is drawn that their necessary and unavoidable effect on American currency and commerce will be destructive morally, politically, materially,

and generally.

It is not stated with any confidence by the President, the Secretary, or any who agree with them that there is any ground for hope that the Government of the United States will be joined or aided by any leading government in Europe in preserving silver as an equal with gold in the monetary unit of value to be employed by the parties to such union in their trade and commerce with each other.

It is, therefore, useless to blink the issue. The question for Congress to decide is whether the silver-coinage act of 1878 shall be repealed and the coinage of silver thereby forever terminated in the United States. It is a reflection on the common sense of the people and those who repthe people that the banks and bankers will not use their power to promote their own interest. The people fully understand that checks and

intended deliberately to have the effect of putting an end to silver except for pocket change and petty home uses on the same basis it occu-

Is this Senate ready for such action, involving as it does the most mo-

mentous consequences?

It may be presumption in me to say it, but I am too full of the conviction to retain it, that if the coinage of silver is suspended it will be a step that never can be retraced, and will lead directly and speedily to the consummation of a thoroughly organized conspiracy of the capitalists who own Federal bonds and national banks and two-thirds of the gold in this country to secure absolute control of all the currency in use by the people, as a measure of value, the regulation of its volume, and its consequent purchasing power over labor, property, and all commodities. To the capitalists who are parties to this conspiracy no such prize ever enlisted the energies of man. No wonder those who stand in the track of their endeavor are denounced as fools, fanatics, dema-gogues, unworthy of public attention and confidence. "The bankers, gogues, unworthy of public attention and confidence. "The bankers, bondholders, and business classes," we are told, possess all the ability, learning, and experience on money questions, and they alone are qualified to decide what shall be money, how much of it the people need, and what shall be the price of labor, productions, and property.

Secretary Manning informs us that what he has recommended as "currency reform" "is much more than the deliberate judgment of

the Secretary of the Treasury. * * * It is attested to him from the centers of trade in all parts of the country, as much from the South as the North, as much from the West as the East. * * Not alone our able statesmen and instructed economists and financiers advise the stopping of the silver coinage now, but wherever our fellow-citizens are concentrated in commercial cities and towns the business classes engaged in the trade, the enterprises, and manufactures of those centers, and the still larger classes of workingmen employed by them urge the stopping of the silver coinage now." The Secretary further "respectfully submits that there is no compensation for the risk of a continued coinage of silver, and that a judgment so accordant of the great business classes who carry on the exchanges of the country must be accepted as a final estimate of that risk."

Who are "the great business classes who carry on the exchanges of the country?" The report of the Comptroller of the Treasury, from which I have quoted, proves that they are the bankers and bondholders who carry on the exchanges of 97 per cent. of the entire trade and commerce of this country, and that three-fifths of the whole passes through the banks and clearing-house of New York. The Comptroller's report further shows that most of the banks in the United States, numbering 2,727 national banks and over 4,000 other banks, and most of the other "great business classes who carry on exchanges" in all the great business centers in Northern, Southern, Eastern, and Western cities and towns, are bound to New York and her banks and clearing-house with hooks of steel. These are the great business classes who are the final arbiters and whose decision of the question whether the coinage of silver shall be suspended "must be accepted as final" without appeal or question.

I claim some right to speak for the people of the great State of Alabama, and I believe I have enjoyed opportunities equal at least to those had by the Secretary of learning the sentiment of all classes in my State, and I believe I know how the people in the South think and feel on the question of stopping the coinage of silver. I can not be shaken in my belief, except by an actual test, that at least three-fourths of the voting population of Alabama and the other States of the South (not bankers or bondholders or capitalists) would to-morrow vote against the suspension of the coinage of silver. On what do I base my belief? Every State, county, city, and town in the South are in debt more or less. They are all poor and the people are in the same condition. At least three-fourths of the population of the South are farmers and agri-

cultural laborers.

Our mining and manufacturing industries are in their infancy, and our resources and means and advantages for manufacturing are equal to any in the world. The indebtedness of the South was contracted on a silver basis, and we repel the charge as being utterly unjustifiable that it would be dishonest to pay in silver. The people of the South know that if there is to be no more silver coinage and gold alone is to be the only legal tender in payment of their indebtedness their burden will be increased at least one-half, and the farmer and manufacturer know if they are to have no more currency in circulation than the banks are willing to furnish the prices received for commodities will be reduced to the point of bare subsistence.

There is but one fact the enemies of silver parade conspicuously to the front, and, like Day & Martin's blacking, it is always on hand, and that is, that the 4122 grains of silver that the Government makes a legal tender for a dollar is worth only 80 cents; that as American coin in American markets it is made a compulsory dollar, and in the London market (England) the same amount of silver is really worth only 80 cents or less. Banks and bankers, their directors and stockholders, and their subsidized press and other representatives, all able and experienced financiers (?), are greatly distressed that the poor farmer has to sell the fruits of his toil for 100 cents in a dollar's worth, and is compelled to accept only 80 cents in payment, and that the brown-fisted laborer and

weeping widow and needy orphan have to take for their hard earnings and small incomes 80 cents when their employers and debtors honestly owe them 100 cents.

I undertake to say that the poor farmers and laborers and widows and orphans never had any idea how they were being robbed or how much they had been wronged by the use of this vile thing called silver until they read a description of their sufferings by their guardians in the official reports and the New York and Boston newspapers or other newspapers established, edited, and supported by the officials and stockholders in national banks or by capitalists interested in destroying silver as a part of our coin currency. I have no doubt there are many exceptions of newspapers and their owners and editors who are free from the influence or control of national banks or capitalists, and who entertain the disinterested opinion that silver should be demonetized or its coinage suspended, but I venture the statement that a large majority of the monometallic newspapers in the United States and a large majority of the delegates who attend conventions to discuss and act upon the silver question are personally interested in the demonetization of silver; but because this class is thus interested it is no reason why they are dishonest, and no reason why they should not be heard, and their opinions and statements respected and allowed to receive fair and full consid-

But while this is true it is also true that there is a rule, so old and universally accepted without dissent that it has become a part of the common law, that no man, however pure and upright, can entirely free himself from the influence and bias of self-interest, and its existence disqualifies the judge, the juror, and the witness; and when the witness is allowed to testify interest in the result goes to his credibility. While I read what national-bank officials and their representatives and friends say why silver should be demonetized it is received and weighed by me with many grains of allowance as coming from the standpoint of self-interest and the bias formed imperceptibly by association and opinions coined in the mint of the clearing-house. The opinions of manufacturers expressed by themselves or in convention or in their newspapers are received and governed by the same rules when the question is to be decided whether there shall be a revision and amendment of existing tariff laws; and I apprehend that the Secretary will decline "to accept as final the judgment of this great business class on the risk" of allowing existing tariff laws to stand without revision. The same rule applies to those interested in silver mines and silver coinage.

The President and Secretary admit that the fate of silver, beyond its use by our own people as pocket change to the extent of its present amount in this country, depends entirely upon the action of foreign governments. The Secretary says "Bimetallism is essentially an international affair;" that "international bimetallism does not exist since it was upset by Germany; and the international agreement, twice at-

tempted, has failed."

Then the sole question for Congress to decide is: Are we to have no more silver than the present supply (say \$215,000,000); and is that amount to be accepted as the limit of the silver coin to be employed by our own people in their trade and commerce among themselves? And shall we now decide that it is now settled that no more of our silver coin will be exported for use abroad? Are we ready to decide these questions on speculative theories and solemn predictions of what may or will happen, against authoritative and indisputable facts found in Treasury records, and against what we know is true, and in favor of what we know to be false?

Are we to accept the mere dictum of the President in his message that the coinage of silver has already gone "beyond the amount needed for a circulating medium?" Where are the facts to support that assertion? The President himself states them, and what are they? He says:

The necessity for such an addition to the silver currency of the nation as is compelled by the silver-coinage act is negatived by the fact that up to the present time only about fifty millions of the silver dollars so coined have actually found their way into circulation, leaving more than one hundred and sixty-five millions in possession of the Government. Against this amount there are outstanding silver certificates amounting to about \$93,000,000.

Was ever a conclusion more unsatisfactory? After stating that only about \$50,000,000 had found their way into actual circulation among the people, the admission follows that \$93,000,000 more had found their way among the people, who had deposited them where they had the legal right and obtained silver certificates for their convenience. Do these facts discredit silver with the people and prove that no more is wanted or needed by them in our circulation? What other reason for his opinion that the people do not want silver even to the extent of its present amount is given by the President? He says:

A special effort has been made by the Secretary of the Treasury to increase the amount of our silver coin in circulation; but the fact that a large share of the limited amount thus put out has been returned to the public Treasury in payment of duties leads to the belief that the people do not now desire to keep it in hand; and this, with the evident disposition to hoard gold, gives rise to the suspicion that there already exists a lack of confidence among the people touching our financial processes. our financial proc

Again I inquire what has become of Gresham's law. Poor silver! What can be done to get a little fair play from its enemies? When its friends pass a compulsory law that it shall be received in payment of duties, as soon as it is done the fact is paraded to show that the people are enemies of the money the law gave them the right to pay for duties.

But who paid these duties in silver, and where were they paid? More than three-fifths of these duties on imports were paid in New York, and a large part in Boston and Philadelphia. Who made these payments? Were any payments made by importers through national banks and the clearing-house? Did the "great business classes who carry on exchanges" have anything to do with making these payments? If so, the explanation is easy where and how the President got the information and used it as a fact supposed to be prejudicial to silver.

tion and used it as a fact supposed to be prejudicial to silver.

But the President and Secretary and all the subordinates in the Treasury unite in the statement that "if silver coinage is continued long enough it will result in the substitution of silver for all the gold the Government owns applicable to its general purposes." How does the President say this result is to be produced? He answers:

Every month two millions of gold in the public Treasury are paid out for two millions or more of silver dollars, to be added to the idle mass already accumulated.

What public law, duty, policy, or obligation requires that silver bullion shall be paid for in gold? Have bullion owners refused to accept lowed the owners of silver belief in payment? Has the Secretary allowed the owners of silver bullion to refuse silver dollars when silver dollars are a legal tender in payment? Is it not singular that silver bullion owners would thus discredit the coin from their own mines? If the owners of silver bullion refuse silver dollars and demand gold, then amend the law with a proviso that the Secretary shall not make the monthly purchase unless silver dollars are received when offered in payment. But I apprehend the payment made in gold for silver bullion has been the voluntary act of the Secretary. If so, then the ruinous drain of gold from the Treasury in payment for silver bullion can be easily avoided.

Again, the President says-

We have now on hand all the silver dollars necessary to supply the present needs of the people, and to satisfy those who from sentiment wish to see them in circulation.

It is the sentiment of a large majority of the American people that the interest accruing on Federal bonds and the principal of called bonds should be paid in silver dollars, as authorized by express law and the contract recited in the face of the bonds themselves. Why is "the idle mass of silver dollars already accumulated in the Treasury" permitted to remain there by the voluntary act of the Secretary of the Treasury in failing to offer or tender payment in silver dollars in accordance with the positive law of the contract by which the debt was created and on which the bonds were issued? The following is the law and the contract:

This bond is issued in accordance with the provisions of an act of Congress entitled "An act to authorize the refunding of the national debt, approved July 14, 1870, amended by an act approved January 20, 1871," and is redeemable at the pleasure of the United States after the 1st day of May, 1881, in coin of the standard value of the United States on said July 14, 1870, with interest in such coin from the day of the date hereof at the rate of 5 per cent. per annum, payable quarterly, &c. The principal and interest are exempt from the payment of all taxes and duties of the United States as well as from taxation in any form by any State or municipality.

In the teeth of this solemn act of Congress, passed by a two-thirds vote of the representatives of the people, who have repeatedly indorsed such law by their re-election, and the election of others who have permitted it to remain unrepealed and unamended to this day, the Comptroller of the Treasury has the temerity to use the following language in his report, page 15:

The credit and standing of the country is deservedly high, and it is not believed that the people desire either that the principal or interest on the bonded debt of this country be paid in anything but gold coin or its equivalent. This matter was discussed at the time the bonds were issued, &c., and the conviction is general that the faith and credit of this Government is pledged for the payment of its securities in gold coin or its equivalent.

The law and the contract which govern in every forum in Christendom the obligation of the Government and the rights of the bondholders expressly declare that the gold and silver coin now lying idle in the public Treasury are equivalents in value and a legal tender in payment of the principal and interest of the bonds through all coming time and under all circumstances and conditions. And yet the Comptroller declares that "if we continue to add these silver dollars to our circulating medium, and they continue to accumulate in the Treasury, the Government must of necessity pay some portion of its obligations in that coin; and if the Government should pay its interest and other obligations and redeem its bonds in standard dollars the business of the country would immediately go to a silver basis." The President follows in the same strain. He says:

The condition in which our Treasury may be placed by a persistence in our present course is a matter of concern to every patriotic citizen who does not desire his Government to pay in silver such of its obligations as should be paid in gold. Nor should our condition be such as to oblige us, in a prudent management of our affairs, to discontinue the calling in and payment of interest-bearing obligations which we have the right now to discharge, and thus avoid the payment of further interest thereon. The so-called debtor class, for whose benefit the continued compulsory coinage of silver is insisted upon, are not dishonest because they are in debt, and they should not be suspected of a desire of popardize the financial safety of the country in order that they may cancel their present debts by paying the same in depreciated dollars.

The foregoing is a burlesque upon Congressional enactments, which define the obligations of the Government as recited in its bonds, and

especially is it promising of the faithful execution by the executive officers of the Treasury of the law contained in section 3694 of the Revised Statutes, requiring that-

The coin paid for duties on imported goods shall be set apart as a special fund, and shall be applied as follows: First, to the payment, in coin, of the interest on the bonds and notes of the United States; second, to the purchase or payment of 1 per cent. of the entire debt of the United States, to be made within each fiscal year, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt, as the Secretary of the Treasury shall from time to time direct; third, the residue to be paid into the Treasury.

Why have the foregoing laws of Congress now on the statute-books been persistently treated as a dead letter every hour of their existence by every President and Treasury official? Can any other reason be assigned than that the wisdom of these laws has been condemned by the accordant judgment of the great business classes who carry on the exchanges of the country, and whose judgment must be accepted as a final estimate of the risk of obeying the laws of Congress?" Shall Congress abdicate and surrender the financial government of the country to this new tribunal, self-constituted, with no responsibility to the people, and from whose decisions there is to be no appeal? Nor is this all of the disobedience of law and absolute subjection to the demands and decrees of this new tribunal.

On the 21st of June, 1882, the Senate had under consideration "the bill to enable national banking associations to extend their corporate existence." Mark the object of the bill. The charters of national banks were about to expire, and the purpose of the bill was to enable them to renew and continue their lives. The national banks obtained from Congress the right to extend their lifetime by renewing their charters on the terms of the law which is now and has been in operation since 1882

I quote from the CONGRESSIONAL RECORD of the Forty-seventh Congress, first session, volume 13, part 5, page 5171:

I quote from the CONGRESSIONAL RECORD of the Forty-seventh Congress, first session, volume 13, part 5, page 5171:

Mr. Pugh. Before the question is put, I should like to submit to the Senator from Texas [Mr. Coke] an amendment which it seems to me will meet all the difficulties, and present squarely to the Senate the question that I am satisfied he aims to present. I think he will accept it. After the word "and," in the twelfth line, I propose to insert, "no national banking association shall become a member of a clearing-house in which such certificate shall not be receivable in the settlement of clearing-house balances," meaning silver certificates. In explanation of this amendment, I stated to the Senate that "that prohibition will operate alone upon the fiscal agents of the Government, and will not interfere with any right of individuals or other banking associations who are members of a clearing-house. It obviates the constitutional difficulty suggested by the Senator from Iowa and the Senator from Ohio."

The clearing-houses are the most powerful agencies in the country to discredit the silver certificates on account of their refusal to receive them in the settlement of balances. We do not seek by the amendment I propose to interfere with the rights of any other members of the clearing-houses, except the members over whom we clearly have absolute control, and they are the national banks. We ought not to permit our fiscal agents to go into any association that employs its power for the purpose of discrediting the silver certificates, but the temploys its power for the purpose of discrediting the silver certificates, which have been so strongly stated by the Senator from Texas. Why is it that we will permit the national banks to become parties to an association which is employing its power for the purpose of affecting the credit and circulation of the very certificates we authorize to be issued and require everybody else to receive. I say our power over the national banks ought to be exercised to prevent th

The following is the vote on the passage of my amendment:

VEAS-29

Beek.	Davis of Ill	Ingalis,	Van Wyck,
Brown,	Davis of West Va.,		Vest.
Butler,	Farley,	Maxey,	Voorhees,
Call,	George,	Morgan,	Walker,
Cameron of Pa.,	Gorman,	Pendleton,	Williams.
Chilcott,	Grover,	Pugh,	
Cockrell,	Hampton,	Ransom,	
Coke,		Vance,	
	37.13	*CI 00	

Aldrich, Allison, Anthony, Bayard, Conger, Hoar, Lapham, McMillan, Mahone, Morrill, Rollins

Since my amendment became a part of the act of 1882 the national banks that extended their existence under it have continued their membership of the New York clearing-house, and have deliberately and defiantly refused to carry out the provisions of the amendment by an agreed evasion of the law, amounting to its nullification. The plan agreed upon was that no member of the clearing-house would ever offer silver certificates in payment of any balances, and none being offered, of course none would be refused; and, what is most remarkable, the assistant treasurer of the United States in New York, who was a member of the clearing-house, was a party to the agreement and co-operated with the national banks in the practice of repudiation and nullification. The New York Times, a paper of great ability and influence on financial questions, is outspoken in its confession and justification of the policy of evasion and nullification of Congressional law by national banks. In a recent editorial it says, under the caption of "The Banks and Silver:"

manks. In a recent editorial it says, under the caption of "The Banks and Silver:"

Meantime it has been suggested by a banker of very high standing that the banks are bound by every consideration of obligation to the community and of prudence in the care of the interests of their depositors to preserve the general currency on a gold basis, and to continue to treat, as they have hitherto treated, the silver currency "as an unavoidable infliction, to be separated in practical business from current money by marked discrimination." The method of carrying out this principle is to receive from the Government through the clearing-house the currency the Government may have to offer, but setting it apart and treating it as a special fund, "to be paid over to the banks interested in the very money received on their behalf." No silver or silver certificates need be offered by any bank in the settlement of its clearing-house balances, and none would need to be refused. Such as came from the Government would be received and used as opportunity offered. But the clearing-house settlements and the reserves of the banks would be preserved unadulterated, and the international standard would be maintained in its integrity. Silver would not be any more than it has been in New York bankable money, while it would continue in general circulation undepreciated until such time as its volume became too great for such use. Such a policy is clearly within the law, and it is equally clearly calculated to secure the only solution of the currency problem, and to secure it with the least derangement to business. It will be objected that it is not calculated to promote the permanent incorporation of silver in our currency, and is opposed to the spirit and intent of the silver-coinage act. This is true. It is not intended to promote any such result, and it would lead to the ultimate repeal of the act. Of that there is no doubt. The set was at once a blunder and a wrong. There is not the slightest obligation upon any citizen or body of citizens

What other powerful motive of self-interest do we find for this lifelong, persistent, and unfair warfare upon silver by national banks as

a part of our standard currency?

Silver is the only money that circulates among the people that is beyond the control of national banks. Silver is the only lion in the track of the absolute dominion of the national banks over the volume of currency that circulates among the people. We have \$346,000,000 of green-backs that can not be diminished or increased under existing law. Stop the coinage of silver, and nothing in the future is more certain than that it is a mere question of time when the national banks will become not only the money-kings, but the absolute "monarchs of all they survey." In the language of General Hamilton, "the general state of debtor and creditor, all the relations and consequences of price, the essential interests of trade and industry, the value of all property, the whole income, both of the state and of individuals" will become subject "to the judicious or injudicious regulation" of the currency by national banks.

If silver is demonetized how can there be any increase in the amount of our coin or paper money except at the will and dictation of national banks? Is Congress prepared to delegate this stupendous power over the price of labor, property, and productions in this country to these private corporations? Everybody agrees that the price of everything depends largely upon the quantity of money in circulation. Does silver add to our volume of currency? Would the amount of money in circulation be distributed if silver was depended as the form of the contract of circulation be diminished if silver were dropped out of our currency? The opinion of James G. Blaine ought to have some weight with a large class of people, and in the Forty-fifth Congress he delivered a prepared speech, which will be found in the seventh volume, page 821, of the CONGRESSIONAL RECORD:

CONGRESSIONAL RECORD:

On the much-vexed and long-mooted question of a bimetallic or monometallic standard my own views are sufficiently indicated in the remarks I have made. I believe the struggle now going on in this country and in other countries for a single gold standard would, if successful, produce widespread disaster in the end throughout the commercial world. The destruction of silver as money and establishing gold as the sole unit of value must have a ruinous effect on all forms of property, except those investments which yield a fixed return in money. These would be enormously enhanced in value, and would gain a disproportionate and unfair advantage over every other species of property. If, as the most reliable statistics affirm, there are nearly seven thousand millions of coin or bullion in the world, not very unequally divided between gold and silver, it is impossible to strike silver out of existence as money without results which will prove distressing to millions and utterly disastrous to tens of thousands.

Alexander Hamilton, after admitting that the quality of fixedness could be more surely found in a single than in a double standard, used the following weighty language in his memorable report as Secretary of the Treasury in 1791:

To annul the use of either gold or silver as money is to abridge the quantity of circulating medium, and is liable to all the objections which arise from a comparison of the benefits of a full circulation with the evils of a scanty circulation. On the whole it seems most advisable not to attach the unit to either of the metals, because this can not be done effectually without destroying the office and character of one of them as money and reducing it to the situation of mere merchandise, and this would probably be a greater evil than occasional variations in the unit from the fluctuations in the relative value of the metals, especially if care be taken to regulate the proportion between them with an eye to their average commercial value.

Again Mr. Blaine speaks:

Again Mr. Diame speaks:

I do not think that this country, holding so vast a proportion of the world's supply of silver in its mountains and its mines, can afford to reduce the metal to the "situation of mere merchandise." If silver ceases to be used in Europe and America the great mines of the Pacific Slope will be closed and dead. Mining enterprises of the gigantic scale existing in this country can not be carried on to provide backs for looking glasses and to manufacture cream-pitchers and sugar-bowls. A vast source of wealth to this entire country is destroyed the moment silver is permanently disused as money.

I quote from the speech of the distinguished Senator INGALLS on the

Bland bill:

Were the proposition to discontinue the coinage of the silver dollar and deprive it of its legal-tender power submitted now for the first time to the people of the United States it would be rejected overwhelmingly. No enduring fabric of national prosperity can be builded on gold. Gold is the money of monarchs; kings covet it; the exchanges of nations are effected by it. Its tendency is to accumulate in vast masses in the commercial centers, and to move from kingdom to kingdom in such volumes as to unsettle values and disturb the finances of the world. It is the instrument of gamblers and speculators, and the idol of the miser and the thief. Being the object of so much adoration, it becomes haughty and sensitive and shrinks at the approach of danger, and whenever it is most needed it always disappears. At the slightest alarm it begins to look for a refuge. It flies from the nation at war to the nation at peace. War makes it a fagitive. No people in a great emergency ever found a faithful ally in gold. It is the most cowardly and treacherous of all metals. It makes no treaty that it does not break. It has no friend whom it does not sooner or later betray. But silver is the money of the people. It is the money of wages and retail. Its tendency is toward diffusion and dissemination. It enters into the minute concerns of traffic, and is exchanged day by day for daily bread. It penetrates the remotest channels of commerce, and its abundance, bulk, and small subdivision prevent its deportation in sufficient amounts to disturb or unsettle values.

I next quote from the speech of Senator Wallace, of Pennsylvania, to be found in the RECORD of the Forty-fifth Congress, page 637:

Now, for the first time in the history of this country we are urged by a powerful interest to adopt the single standard, to recognize gold as the sole measure of value of the property of the country, and to place and keep silver in a subsidary position. Otherwise stated, it is to add to the value of gold by debasing and disusing silver. Our measure of value has always been gold and silver. This policy had its foundation deep in the wise forethought of the men who made this Government for the people. Silver then, as now, was the money of the people. To destroy the use of silver as money was to lessen the quantity of the circulating medium and provide a scanty instead of a full supply of money. Against this sending of silver to a subsidiary position our whole history isses up in protest.

I will next read from the able and exhaustive report of Mr. R. M. T. Hunter, of Virginia, as chairman of the Finance Committee of the Senate in 1853:

T. Hunter, of Virginia, as chairman of the Finance Committee of the Senate in 1853:

But the mischief would be great indeed if all the world were to adopt but one of the precious metals as the standard of value. To adopt gold alone would diminish the specie currency more than one-half; and the reduction the other way, should silver be taken as the only standard, would be large enough to prove highly disastrous to the human race. Indeed, a reference to the history of the precious metals and the general course of human production can scarcely fail to convince us that there has been a constant tendency to appreciate their value as compared with the residue of the property of the world, and that every extraordinary increase of the supply of the precious metals of which we have any account has exercised a highly beneficial effect upon human affairs.

When contracts are made by a standard which is gradually contracting, the advantages are on the side of capital as against labor, and productive energy is cramped by receiving less than a fair share of the profits of its enterprise. Before the invention of substitutes for payments in coin, and before the increased supply of specie from the discovery of America, human history is full of the strifes between debtor and creditor, and human legislation is rife with experiments to limit the encroachment and engrossing power of capital. So much is the value of currency affected by the facility with which it may be counted and its convenience of transportation, that there will always be difficulty in supplying the place of small notes with anything but silver or that of large notes with anything but gold. We require, then, for this reason, the double standard of gold and silver; but above all do we require both to counteract the tendency of the specie standard to contract under the value increase of the value of the property of the world. And what harm can arise from any probable increase of the precious metals, if both are allowed to swell the volume of currency? On the contra

Never were heard sounder or wiser utterances upon the intricate subject of the currency. It will always be an indisputable truth that "when contracts are made by a standard which is gradually contracting, the advantages are on the side of capital as against labor, and productive energy is cramped by receiving less than a fair share of the profits of its enterprise." It is equally well established that "both metals are required to counteract the tendency of the specie standard to contract under the vast increase of the property of the world." This truth has been and is now being fully verified in European and American history. England and Germany are now struggling to retain their gold supply, and the prices of labor, property, and productions in both countries are now on the downward grade on account of the unavoidable tendency of their gold standard to contract under the pressure of the vast increase of labor, property, and productions, and we are now feeling the effects of this contraction in the diminution of our exports. The Right Hon. George I. Goschen, M. P., an eminent English financier, in an address delivered before the Bankers' Institute, in April, 1883, said:

To me it appears that we have a striking phenomenon before us. On the one hand, I do not think any of you will be ignorant of the fact of the withdrawal of an immense amount of gold which under ordinary circumstances would have passed into the currency of gold-using countries. If you take the amount of gold currency which has been absorbed in the last ten years by Germany, Italy, and the United States you will arrive at the stupendous sum of about \$1,000,000, Germany required \$420,000,000, Italy \$80,000,000, and the United States have taken more than \$500,000,000.

Mark the weighty fact that this amount of gold taken by the United

States was during the ten years from 1873 to 1883. Five years of this time the coinage of silver was dropped, and five years the coinage of silver was renewed, and for the five years the silver mint was turning out \$24,000,000 per annum, our gold supply was on the increase, and no gold-standard country in the world has kept pace with the double-standard United States in the increase of its gold supply.

Continues Mr. Goschen-

We have this phenomenon before us—that \$1,000,000,000 of gold has been applied to purposes for which ten or fourteen years ago it was not necessary to apply it.

I next have to ask from what annual supply of gold this extraordinary demand for gold had to be met? Now, many of you may be aware that there has been a falling off in the annual supply of gold, and that while in 1852—the first year after the gold discoveries—the amount of gold produced was \$180,000,000 it is now about \$100,000,000 rannum. The annual average therefore fell in the years from 1871 to 1875 to \$96,000,000 as compared with very nearly \$150,000,000 in the years from 1852 to 1856. Thus you will observe that we have had an extraordinary and additional demand of \$1,000,000,000 coming upon an annual supply of \$100,000,000.

The consequence is that this extraordinary demand has practically absorbed

of \$100,000,000.

The consequence is that this extraordinary demand has practically absorbed the total supply of gold for the last ten years. But it is not sufficient to state that the total supply of gold available for the needs of circulation in the gold-using countries of Europe has been absorbed. This additional and extraordinary demand falls upon a supply of \$100,000,000, which has to furnish the wear and tear of the coinage and the total amount used for the purposes of art and manufacture, besides the purposes of circulation. Now, there are various estimates of the amount of gold used in arts and manufactures. A very eminent Prench authority accepts an estimate of \$50,000,000 as the amount annually consumed for such purposes.

In the report of the Director of our Mint for 1883 on the consumption of the precious metals in the United States, it appears, on page 15, that "gold to the value of \$14,223,448 was consumed." And the Director

These figures indicate a much larger appropriation of the precious metals for purposes of manufacture and ornamentation than any estimate I have previously made, and are especially significant and valuable in ascertaining the metallic circulation, as they show a large and apparently increasing consumption of the gold coins of the country in such industries.

I continue the quotation from the address of Mr. Goschen that-

If we take the \$50,000,000 as the amount required for arts and manufactures and for all purposes other than circulation, and subtract that sum from the \$100,000,000 of annual supply, it leaves for the purposes of circulation \$50,000,000 only, and on this hypothesis the extraordinary demand of \$1,000,000,000 would absorb the available yield. Economists will accordingly ask themselves what result, if any, is such a phenomenon likely to have produced. I think there is scarcely an economist but would answer at once: "It is probable, it is almost necessary, it is according to the laws and the principles of currency, that such a phenomenon must be followed by a fall in the prices of commodities generally." Let us now turn to the other side of the question and examine the range of the prices of commodities, and see whether or not it is a fact that there has been a great fall.

now turn to the other side of the question and examine the range of the prices of commodities, and see whether or not it is a fact that there has been a great fall.

For the figures I am about to place before you I am indebted to Mr. Giffin, of the board of trade. I have examined the prices of commodities as published by the board of trade, but I have also consulted other sources. I have here a classification of articles under certain heads showing prices in the years 1873 and 1883 respectively. [Here he gives the table.] I am bound to say it appears to me that if it be true that population continually increases, and that there is a certain increase in wealth, an additional amount of circulation will be necessary in order to meet the increased demand unless there are compensating counter economies by the extension of the check system and other methods. On the one hand you undoubtedly have increased population. You also have an increase of wealth. Then again, you require more gold for more transactions. Gold has two or three functions to perform in circulation. It has to supply what I may call pocket-money, and thas to liquidate large transactions between nations and nations, and what is almost an analagous function, it has to remain in the vaults of bankers on deposit against the notes that are issued against it; still it is more simple to treat these two latter functions as one. Such being the two functions of gold, if the population increases the necessary pocketmoney must increase, and if the transactions increase, somewhat more is required for liquidating the balances.

Let us now consider whether the economies in the use of gold (checks and clearings) have been as great as the increase in the population and as the increase in the amount of gold required to liquidate the balance of transactions. Mr. Giffin, in an article printed in the Journal of the Statistical Society for March, 1879, expresses the opinion that the United Kingdom was thoroughly "well banked." even twenty years ago, and that there have bee

Let us now assume that there will be a continuance of low prices; that is to say, a continuance of the increased value of gold. Two classes would be permanently affected. One is the class which is entitled to receive gold. They will be much better off. The class of debtors, on the other hand, who are bound to pay a given amount of gold for a long period to come, will be much worse off. In the same way, as the rise in prices is generally to the advantage of the debtor,

so a fall in prices will be to his disadvantage. The holders of mortgages would be in a distinctly favorable position. While the mortgages would run, they will continue at a sum that will be on the constant increase in its purchasing power. Those who have borrowed the sum will be in a worse position by having their means of payment constantly diminishing in price. The influence of this circumstance on land owners will not be overlooked. Land owners who have borrowed on their estates will be under contract to pay a sum which represents more value than when the loan was made, while the produce of the land, if it should fall in price like other commodities, would not secure the same amount of gold. It is impossible to see how farmers should be able to continue to pay the same amount of gold for rent if the prices of what they raise from the soil should permanently fall.

A distinguished French economist has said that he was not sure whether France would not have been bankrupt in 1848 but for that great increase in the production of gold, which created a degree of commercial prosperity which enabled the French to escape from their difficulties. I have heard another distinguished man suggest that the great difficulties of the old Roman Empire with regard to laws that had to be passed for the relief of debtors was due to the fact that they never had an expansive currency, but that the supply of the precious metals was stationary, at least if compared with the increasing transactions and the increasing population, and that it did not enable the Roman men of business to conduct their operations with that continuously small increase in the supply of the precious metals which was required to meet the increased demands of population and increasing wealth.

Mr. President, this is not the twaddle of a Western or Southern demagogue, or the incoherent nonsense of some "idiot" or "lunatic" who ought to have a room in an asylum, but they are the grave and well-considered views of an English statesman and experienced financier and monometallist, who speaks to his fellow-economists on a great financial phenomenon that now overshadows monometallic Efigland and Germany.

But the London press, speaking for the Bank of England and the Bank of Germany and the Bank of France and their clearing-house and the English minister in Washington can safely join with their allies in Wall street and the money kings of the East in demanding of Congress the unconditional abandonment of the coinage of silver and planting gold as the world's standard of value. These crusaders against silver come and tell us "our returns show how small an amount of money enters into our transactions, and how much its use has been superseded by our machinery of banking, with its modern system of checks, bills of exchange, and clearing houses. The coinage of silver has increased the currency of the country to the extent of \$215,000,000, without any necessity or demand for it whatever. Silver certificates are an inexpedient addition to the paper currency. They are made a legal tender, and yet have for their basis only about 80 cents in the dollar. There need be no apprehension of a too limited paper circulation. The national banks are ready to issue their notes in such quantity as they think the laws of trade demand. The embarrassments which are certain to follow the endeavor to maintain several standards of value out of high gold and low silver, and high gold certificates and low silver certificates, are too obvious to need discussion. And then the greenbacks are in our way and fill a place in our circulation that we could supply, and they ought to be redeemed and retired. Let silver and silver certificates go, have no more gold certificates, and sweep away the greenbacks, and the Congress that secures these results will have a monument erected to its wisdom and statesmanship." Then the gold image will rise in full view of an admiring world. Then, indeed, we shall have but one god to worship. What a millennium! Gold the only god and the national banks the only king! One standard, of no use but to worship, and one currency, all paper, issued alone by the king and in such quantities as he may decree.

But a more dangerous class of the common enemies of silver come and

But a more dangerous class of the common enemies of silver come and propose a compromise. They say, "We, too, are the friends of silver. We agree with you that striking silver out of our currency and confining us to gold as the only unit of value would produce the most serious consequences. But a crisis is upon us in the fate of silver, and as its friends, we must be considerate and make reasonable concessions. Most of the European nations have a deep interest in the proper adjustment of the ratio between gold and silver coinage. We furnish the world with the largest portion of both gold and silver, and our exports command the best money in the world, as they ever should do and will, unless we bind ourselves to accept a poorer. The silver question demands our immediate attention. A continuance of the monthly addition to our silver coinage will soon leave us no choice but that of an exclusive silver standard, and reduce us to a place in the commercial world among the minor and less civilized nations. We can not consent to be placed in the very awkward position of paying for all that we buy abroad upon a gold standard and selling all that we have to sell on a silver standard. Now we are assured that the most potential means of bringing about any concert of action among different nations would be for the United States to suspend, for the present, the further coinage of silver dollars. This is the decided opinion, in both France and America, of the highest authorities on bimetallism, and of those who wish to bring silver into general use and raise its value."

Mr. President, this is a very seductive picture. It looks so fair. It comes with the face of good old common honesty. Can it be a Trojan horse? I do not like some of the company this suspension project is keeping. It comes from the life-long enemies of silver. It looks to me that if we stop the coinage of silver it will be an important point gained

by its enemies, and the necessary and inevitable effect will be to reduce its price far below what it is now selling for in the bullion market, and otherwise discredit it as currency. To expect me to believe by any theoretical reasoning in the face of indisputable facts that the amount of silver bullion consumed or taken for use in the world has nothing to do with its price, is a poor compliment to my common sense. In one breath we are told that silver is selling 20 per cent. under gold on account of the quantity that is being produced; that the quantity is greater than the demand. In the next breath we are told that the surest way to raise the price of silver in the bullion market and make it stronger in public confidence is to suspend the annual consumption of twenty-four millions for colnage, and thus put it under the world's interdict as currency.

Such reasoning excites my suspicion. I know the reasoning is utterly false, and the soundness of a proposition founded on it can never have my confidence and sanction. There is no plainer truth to my mind than that silver has not been fairly treated by the Government, or by the fiscal agents of the Government, or by those whose paramount interest it is to destroy it as currency, and it is those enemies who favor the proposition to suspend coinage. With the powerful agencies and motives that have been actively at work by all sorts of methods here and in Europe to put down silver and put up gold, it is surprising that silver has been able to meet the odds against it and stand as well as it has the shock of the battle. Mr. President, silver is invincible because it has the confidence of the people. If its enemies will turn it loose among its friends there will be no depreciation, no degradation. Let gold stay where it has always been, and where it will always be found and nursed and kept free from hard usage, in the vaults of the national banks and the money chests of the rich, but give the people—the friends of silver—a showing at it and it will have a hearty welcome and find a warm place in their pockets.

When silver has the same treatment as gold from the Government and from banks and bankers and clearing-houses, and a fair trial with gold on the natural laws of supply and demand, and the same chance with gold to get into circulation, and the same recognition as gold under the existing laws of Congress, then if silver fails the failure will be unavoidable and irremediable. When that trial is thus made and the results verify the predictions of its enemies, I will meet the emergency as best I can with the lights then before me. Until that time comes I shall "let well enough alone" on the double coinage of gold and silver. I have no fear of a loss of our gold so long as the balance of trade is in our favor, and the danger of our imports exceeding our exports is a contingency not likely to happen. Such a result is too improbable to require the perilous experiment of the suspension of silver coinage to remedy. And if we were to suspend silver coinage and the balance of trade were to turn against us how would that balance be paid? Should there be a balance how would our gold be any safer on a single than on a double standard?

I have no fear of a redundant coin currency. The addition of \$24,000,-000 per annum to our silver currency has caused no injurious effects in this country or in Europe. The Director of our Mint in his report in 1881 makes the following statement at page 276:

For instructive comparison, the circulation, paper and metallic, as far as ascertainable, is given in additional columns. They are worthy of special consideration at this time, and should tend to allay the prevalent fear of impending commercial disaster as a consequence of abundant and increasing monetary circulation, expanding with the growth of business and accompanied by enlarged production and substantial prosperity.

I will support any change in existing laws that will retire from circulation all paper currency under ten or even under twenty dollars, so as to give the entire field for the use of small bills, or small change, to silver and silver certificates. My friend, the Senator from Mississippi [Mr. George], introduced a bill to make this change the last Congress, and I am glad he has introduced the same bill the present session. I hope the Committee on Finance will give the bill early and favorable consideration. If that field is given up entirely to silver it will not be in conflict with gold or the greenback or national-bank notes in that dominion. Were the United States bonds, hereafter called for payment by the Secretary of the Treasury, paid to the national banks who hold them in silver dollars, and existing laws were amended so as to give the right to such banks to deposit the silver thus received in the Treasury and subtreasuries and to obtain coin certificates therefor in denominations of one, two, five, or ten dollars to circulate as money free from the 1 per cent. tax, it would present a very favorable opportunity for silver and the national banks to become better friends. The field that ought to be occupied entirely by silver and silver certificates would be a very attractive one to national banks, as they are now allowed to issue no bill under \$5 and that taxed 1 per cent., and there are no silver certificates now authorized under \$10.

But until silver has a fair trial and fair treatment in this country that nature has supplied so bountifully over all others with this metal, I will never agree to suspend its coinage an hour. If the friends of silver allow themselves to be captured by any compromise requiring a suspension of its coinage it will amount to giving up the threshold to its enemies and ultimately end in the loss of the fort.

Presidential Succession.

SPEECH

OF

HON. LEWIS BEACH,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 14, 1886,

On the bill (S. 471) to provide for the performance of the duties of President in case of the removal, death, resignation, or inability both of the President and Vice-President.

Mr. BEACH said :

Mr. Speaker: I must confess that I was greatly surprised at the remarks of my friend from Illinois in the closing hour of yesterday's session. I can not allow his statements to go unchallenged. His charge that the Democratic party through its representatives in this House was striving to rush this bill through "in hot haste" simply to perpetuate the power of that party in the executive branch of the Government is not warranted by the facts. Who is responsible for this bill? Who began the agitation of this question? Was it not a Republican Senator at the other end of this building? In which branch of Congress did the bill originate? Was it not in the Republican Senate? When was the subject of changing the existing law first mooted? Was it not at a time when the assassination of President Garfield devolved the duties of the Presidential office upon Vice-President Arthur? Why was it then for the first time in our history made the subject of deliberate action by the Republican Senate? Was it or was it not for the purpose of perpetuating a Republican succession?

It may be reasoned that the Republican Senate was not actuated by any partisan motives, because since the circumstances have changed with the accession of a Democratic President it has promptly passed the bill again. But, Mr. Speaker, the belief is gaining ground that the alacrity of the Senate was not without its party aims and purposes. It is thought by many that it is the intention of you gentlemen on that side of the House to defeat this bill and then go before the country crediting the Republican Senate with its passage and debiting the Democratic House with its defeat.

The bill may be defeated in this House. Such a thing is possible. There are grave doubts and serious misgivings in the minds of members on both sides of the House as to whether the bill under consideration is exactly what it ought to be.

I am free to say it does not come up to what I believe to be right and expedient. But I look at this whole question in a practical way. I recognize the necessity of doing something and doing it quickly. The present condition of affairs should not be permitted to continue for a single daylonger. The public mind is disquieted and the peace of our President disturbed by the thought of the crisis his death would precipitate. We can not shut our eyes to the fact that assassination—a thing the fathers never dreamt of—has become possible in our Republic. It is our duty then, as wise legislators, not only to provide for the resulting effects of an assassination but to adopt all reasonable precautions to prevent its commission. This bill is in that direction, and that is one of the reasons why I support it.

Much has been said in the course of this debate upon the constitutional right of Congress to provide for a special election. I am of opinion that the Constitution did not contemplate a special election. Others may differ with me, as they have have a right to; but whether a special election was contemplated or not, I take the position that none should be held, and in that position I believe I would be sustained by ninetenths of the people. The frequency of elections has grown to be an alarming evil. They disturb the business interests of the country and tax the industrial resources of the people. The class of voters whose presence at the polls is particularly desirable are alienated by too frequent demands upon their time at the sacrifice of their business interests. In addition, the enormous expenses of conducting elections, with the attendant turbulence and corruption, should warn us against holding them any oftener than may be actually necessary.

Another point has been made as to the meaning of the word "officer" in that clause of the Constitution which relates to a vacancy in the Presidential office. It is claimed, on the one hand, that the President protempore of the Senate and the Speaker of the House are not "officers" upon whom the Presidential office can devolve, and on the other hand it is claimed that they are, and upon this point a great deal of breath has been wasted. I do not regard it as material. I am willing to admit for argument's sake that the President protempore of the Senate and the Speaker of the House are "officers" within the meaning of the Constitution, and yet I hold that the Presidential office should not under any circumstances devolve upon them or either of them. The importance of maintaining the legislative and executive branches of the Government separate and distinct and keeping the one independent of

the other can not be overrated. It was this consideration that influenced Mr. Madison to prefer the line of succession adopted by this bill. And in my opinion such a succession would have been made in 1792 had it not been for the envy and jealousy which prevailed in Congress among

the respective friends of Hamilton and Jefferson.

Mr. Speaker, it is almost universally conceded that Congress is confined by the Constitution to the designation of some "officer" to discharge the duties and functions of the Presidential office in case to a vacancy. If this be so, the simple question before us is, what "officer" shall we designate? Shall it be the Cabinet officers who are the trusted advisers of the President chosen by the people, or shall it be some one of the numerous United States district attorneys or marshals, or shall it be one of the judges of the Supreme Court, or shall it be the presidit be one of the judges of the Supreme Court, or shall it be the presiding officer of the Senate or this House? It resolves itself into a matter of taste, and taste, as we all know, differs.

Under the limitations imposed by the Congress, I favor at this time

a Cabinet succession, and I do so for one very strong reason if for no other. We all of us, I hope, appreciate the great importance of passing some bill at the earliest moment possible. Most of us are familiar with the fate of bills which receive amendments in one House distasteful in the other. This bill has passed the Senate three times, I believe, after very careful consideration. The Senate has passed it without division. If we pass it, as I think we should to-day, it will become a law by to-morrow, and a great weight will be lifted from the minds of the people. If we do not pass it—if we amend it—it will go back to the Senate and the chances are it will fail to become a law.

Under these circumstances I think it our duty to pass the bill in its present shape, and leave to the future the formulation of some more acceptable plan for the regulation of the Presidential succession.

Presidential Succession.



SPEECH

HON. ROBERT S. GREEN.

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 18, 1886.

On the bill (S. 471) to provide for the performance of the duties of President in case of the removal, death, resignation, or inability of the President and Vice-President.

Mr. GREEN, of New Jersey, said: Mr. Speaker: By the pending legislation Congress is seeking to discharge a duty expressly imposed upon it by the Constitution-that of providing by law for the case of a vacancy in the office of President and Vice-President, declaring what officer shall then act as President until the disability be removed or a President shall be elected. In discharging this duty, a law should be enacted, not by hasty legislation, but as the result of deliberate examination and thought, which shall be in harmony with the theory of our Government, and one as free from objec-tions as to its possible operation as such deliberation and thought can

The act of 1792 was passed to meet this constitutional requirement, but its provisions are now seriously challenged and weighty objections are urged against its provision which devolves the duties of President upon the President of the Senate or the Speaker of the House. Passed by a Congress largely composed of men who had also been members of the constitutional convention, at a time almost immediately succeeding the adoption of that instrument, it is plausibly argued that such law should be taken as presumably free from the objections urged. If it was the result of calm, unprejudiced judgment, arrrived at with an approach to unanimity, such argument would appeal to us with great force; but the history of that legislation shows that these provisions which are now objected to were, when the bill was pending, the subject of criticism, and that the act was finally passed by a small majority and not without grave doubts as to the constitutionality of that feature. Not only is this true, but contemporaneous correspondence, which will be found referred to in the debate on the pending measure, shows that personal antagonisms and jealousies entered into, if they did not control, the solution of the question.

Thomas Jefferson was Secretary of State, Alexander Hamilton was Secretary of the Treasury. The latter justly regarded the former as unfriendly to him. Aaron Burr was a Senator from the State of New York, a member of the committee of that body in charge of this measure, at that time friendly to Hamilton, and in a measure a rival of Jefferson.

Hamilton says in a letter that in the part he took he ran counter to Jefferson, but that if he had no other reason for it

I had already experienced opposition from him which rendered it a measure of self-defense.

Mr. Madison says-

That the decision proceeded mainly, if not exclusively, from feelings of personal and political enmity to the gentleman who then filled the office of Secretary of State, and the jealousy entertained of him by the friends and partisans of the Secretary of the Treasury is rendered apparent by the surviving memorials of the time.

The result was reached after stubborn controversy, and by a vote so close that the absence or change of vote of a few members shifted the measure from the one to the other side.

The legislative history of the law is as follows:

A committee was appointed in the Senate on the opening of the Second Congress to report "a bill determining the time of choosing the electors of President and Vice-President, and the day in which they shall give their votes, and presenting the mode of transmitting the votes to the seat of Government." A bill covering these points was reported by Mr. Rutherford, of New Jersey and was afterward recommitted with instructions to report a clause making provision for the administration of the Government in case of vacancies in the office of President and Vice-President.

The bill of the committee, which was passed by the Senate, provided that the President of the Senate pro tempore, or, if there was none, the Speaker of the House, should, in such event, discharge the duties of President. We have no record of the debates in the Senate at that time, nor of the votes on the measure, but when the bill reached the House we find that the very objections now made to this feature were then urged. In Committee of the Whole House, the proposition to strike out the provision relating to the President of the Senate and Speaker of the House was lost, but in the House, when the committee rose and reported, an amendment to strike out the President of the Senate, was renewed and lost by a vote of yeas 24, nays 27, and one to strike out the Speaker of the House was carried by a vote of yeas 26, nays 25. Subsequently the amendment to strike out both the President of the Senate and Speaker of the House was carried by a vote of 32 to 22, and the Secretary of State substituted as the officer to discharge the duties of President. On the bill going back to the Senate, the last amendment made in the House was disagreed to, and the House finally receded by a vote of 31 to 24.

We see that the selection of the President of the Senate pro tempore or the Speaker was a measure upon which the members of that Con-

gress were nearly evenly divided.

There was, however, a feature of the act of 1792 which did not meet with objection, and that was the provision which appealed to the people to fill the vacancy, making the service of the President of the Senate pro tempore and of the Speaker of the House provisional only. In the first Congress, on the discussion of a similar measure, it was said by William Smith, of South Carolina, that "he thought that, by the Constitution, a new election was not to take place till the term for which the President and Vice-President had been elected was expired." He was a member of the Second Congress, but neither he nor any one else seems in that Congress to have suggested such an opinion, and there is nothing in the reports to indicate that the periodicity of elections, of which we have heard so much of late, was considered as an element to be seriously regarded.

For the reasons stated and because of the objections which are now and were then urged, in my opinion the act of 1792 should, so far as it pro-vides for the acting of the officers of the Senate and House, be superseded, and the pending bill, in so far as it devolves those duties on the officers named therein, meets my approval, but in so far as its provisions permit such officers to act as President, not provisionally until a new election or some other resort to the people can be taken, but for the unexpired term for which the President had been elected, it seems to me to be radically wrong, presenting difficulties of greater importance even than the defects of the act sought to be repealed.

Defects other than the one named, to which objection may be made, may be faults connected with the operation of the law, and might be corrected by amendment; but this feature is to my mind contrary to the theory of the Government and not within the spirit, if it is within

the letter, of the Constitution.

By this provision we have Congress declaring that a person who happens to occupy a certain office shall, in case of a vacancy in the Presidency and Vice-Presidency, act as President for the unexpired term, it may be in a certain event the whole term of four years. This officer does not come from the people. He is appointed by the President with the advice and consent of the Senate; and while it is proper that he should be selected to act provisionally until a new President can, under the forms of law, be chosen, that service should end as soon as a President from the people can be put into office. The theory of our system is that we are a government of the people, that they have the selection of their rulers, that we are a democracy. Let us as legislators

system is that we are a government of the people, that they have the selection of their rulers, that we are a democracy. Let us as legislators bring the officer as near the people as possible, securing to him the confidence, sympathy, and support of the whole country.

This act ignores this theory entirely. Under it, as it stands, in the event of the death of the President and Vice-President elect between the declaration by Congress of election and inauguration, the then Secretary of State, or other Cabinet officer, becomes President for four years, although it may be that the people have at the very election put their

seal of condemnation upon the administration with which they have been identified, and declared that there should be a change. It perpetuates a policy the people have rebuked. It is no answer to say that such contingency is not likely to happen. It is true there is little probability of it happening from natural causes, let there be no incentive to bring about such a condition. to bring about such a condition.

The proceedings of the constitutional convention seem to me to demon-

strate that it was never the purpose to permit Congress by enactment or other action to fill the Presidential office with its untrammeled choice for a term of years. The question was continually before the conven-

In the resolutions proposed by Edmund Randolph, it was provided that the national Executive be chosen by the National Legislature. It was almost immediately antagonized by a proposition from Mr. James Wilson, of Pennsylvania, providing for the selection by electors, which was lost, and the proposition of Mr. Randolph at first adopted.

The question, however, was again agitated. Alexander Hamilton's plan was like Mr. Wilson's, that the Executive be elected by electors

plan was like Mr. Wilson's, that the Executive be elected by electors "chosen by the people."

The propositions of William Paterson, of New Jersey, provided for the election of the Federal Executive by "the United States in Congress."

On the question being considered again in the convention, it was agreed that the Executive be chosen by electors appointed for that purpose by the State Legislatures. This was afterward amended by providing that the electors be chosen by the National Legislature. This was afterward changed so that the national Executive was to be chosen by the National Legislature. by the National Legislature.

These different propositions were then referred to a committee of five which reported that the President shall be elected by ballot by the

Legislature.
The whole matter was again referred to a committee of eleven, which reported the provision for the election of President by electors appointed in each State, equal in number to the Senators and Representatives from the States respectively. Again there was submitted the proposi-tion that "he shall be elected by joint ballot by the Legislature, to which election a majority of the votes of the members present shall be which election a majority of the votes of the members present shall be required." This was lost, and the report of the committee of eleven adopted. The power of Congress was limited, in the event of a failure to elect, to the selection of a President by the House voting, not individually but by States, in the case of a tie, which of the two should be President; and in the case of no one having a majority, then to choose by ballot one from the five highest on the list. The Vice-President was to be the person receiving the greatest number of votes after the choice of President; and in the case of a tie the Senate was to choose from them the Vice-President.

The twelfth amendment changed the former provision in requiring

The twelfth amendment changed the former provision, in requiring the electors to vote distinctly for Vice-President as well as President, and in the event of a failure to elect, restricting the House in a choice of President to the selection from the persons having the highest numbers, not exceeding three, on the list of those voted for as President. Thus has the Constitution, as originally framed and as amended, sought to keep from Congress the power to arbitrarily choose who shall be the President or Vice-President, the choice by the House and by the Senate being restricted to a selection from first five, then three of those who had received the highest number of votes of the electoral colleges, as instructed

by voice of the people.

Certainly there is design, method, plan to be recognized in this; we must see that it was the purpose to secure to the people the right to elect the President and Vice-President and at the same time preserve the individuality of the States, these two purposes being secured by the adoption of the plan of an electoral college in each State chosen by its own people, leaving to each State the right to decide upon the manner in which it would surpose the secure and give expression to the will of its which it would appoint its electors and give expression to the will of its voters; further providing if the voice of the people was not so pro-nounced as to give a clear majority to any one, that the House of Representatives, voting as States, and not per capita, should select a President from among those receiving the highest number of electoral votes; the Senate, in which each State is represented equally, to select, in like manner, the Vice-President, preserving in the manner of voting the individuality of the States and enforcing, in the restriction of choice to one of the highest candidates, the expressed wish of the people. This was no scheme of hasty determination, no measure of expediency; it was the calm judgment, after consideration of proposition and counterproposition, perfected by consultation and argument, of men who were identified with the severance of the colonies from the mother country, and who were met to establish a government "of the people, by the people, for the people."

We have immediately following these provisions, so clearly indicating the design that Congress should not be clothed with the unrestrained power to select a President, the provision under which this legislation is being enacted, declaring substantially that in the event of a vacancy in the office of President and Vice-President Congress may by law declare what officer shall act as President until the disability be removed or a President shall be elected. In the light of the struggle that had achieved the properties are resulting as stated in limiting the in taken place in the convention, resulting, as stated, in limiting the in-terference of Congress to a choice by States from certain candidates who

had received to a certain extent the indorsement of the people, I can not regard the clause in question as giving Congress the power by en-actment to fill the office of President for a term of years, or as anything more than an authority to fill the office provisionally until the

machinery of election could again be put into operation.

This certainly was the view of the members of the Second Congress in providing for the new election as speedily as practicable; and that it was so intended seems clear, from the action of the convention which struck out of the clause, as reported by the committee of eleven, that such officer should act as President until the disability be removed, or the period for choosing another President arrive, the words in Italics, the effect of which is exactly that of the bill under consideration, and substituted the words "a President shall be elected." I can not regard this clause of the Constitution as conferring on Congress any greater power than to make provision for the temporary filling of the office and until a new President should be as speedily as possible chosen by the constitutionally prescribed methods.

If, in the judgment of the House, none of the amendments suggested to obviate this difficulty be adopted, and the bill as presented for final passage retains this objectionable feature, my convictions will require

that I vote in the negative.



Presidential Succession.

SPEECH

OF

HON. SETH C. MOFFATT.

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES.

Monday, January 18, 1886,

On the bill (8. 471) to provide for the performance of the duties of President in case of the removal, death, resignation, or inability of the President and Vice-President.

Mr. MOFFATT said:

Mr. SPEAKER: Having the honor of being a member of the committee which reported the pending bill, justice to myself demands that I briefly state the reasons which induced me to join the majority of said committee in favorably reporting said bill and in advising its passage by this House.

This bill is designed to meet an emergency which has never before occurred in the history of this nation. It is purely and simply an emergency bill. No one claims it to be perfect. No member of the committee which reported the bill nor any gentleman who supports it on this floor claims that it meets very many cases which may arise in the future. The ingenuity of able and distinguished lawyers has been exercised in supposing exigencies which may occur for which the provis-ions of this bill do not provide. With the highest respect for the ability and ingenuity of these gentlemen, in my judgment very many of the cases supposed are so unlikely to occur as to be but faintly discernible in the dim horizon of probability.

I do not believe any bill can be framed under the Constitution which

will not be open to the criticisms of not meeting every conceivable case which able gentlemen may suggest. But we do claim for the bill under consideration that it meets fully and completely the present emer-

gency.

The gentleman from Ohio, who has so ably presented his views as a minority of the committee, in his skillful defense of his report called attention to the fact that six times in the history of the nation there has been no Vice-President to assume the office of President in case of death of the Chief Magistrate, and no serious results have followed; but the

of the Chief Magistrate, and no serious results have followed; but the gentleman will recollect that in each case the death of the President would have occasioned no change in the political administration of the country. This is the first time, if I mistake not, when by the death of the President the control of the Government would be lost to the party to whom the suffrages of the people had committed it.

The whole theory of our Government is that the people shall once in four years determine the political policy which shall control for the succeeding four years, and any law which affords an opportunity for the defeat of this expression of the will of the people is, in my judgment, unwise and dangerous and a violation of the sprit of the Constitution. The President is but the representative of his party: his stitution. The President is but the representative of his party; his election is not so much a compliment to the man as an indorsement or the principles of his party, and that indorsement should be irrevocable the principles of his party, and that indorsement should be irrevocable for the succeeding four years. I yield to no one in my devotion to the Republican party. I am proud of its past and have the greatest of faith in its future, but I should deplore to see it called to power by the voice of death. The Republican party wishes no chance to draw a prize in what has been so aptly termed the "lottery of assassination." There is but one life between the present situation of affairs and this contingency and I submit to this side of the House that we can not afford to take the chances. In this I apprehend we all agree and a law which affords a chance for a defeat of the recently expressed will of the people should not remain on the statute-books a day longer than is necessary to repeal it.

We should lose no time in providing for every contingency, but in the presence of the emergency now existing we should pass this bill, and then proceed to perfect such legislation as the judgment of Congress

may deem necessary to provide for all other cases that may arise.

The main objection to this bill expressed by the gentleman from Ohio and other able and distinguished gentlemen upon the floor of the House is that it repeals that part of the present statute providing for an election to fill the vacancy occurring by the death of both the President and Vice-President, and the gentleman from Ohio proposes to amend the bill by striking out the repealing clause. I have failed to find, sir, in the power granted to Congress any authority to provide for such an election. I am aware that it is claimed that it is implied under general and sweeping provisions of the Constitution; but I submit it is a cruestion not altogether free from doubt. Contain it is that distinguished. question not altogether free from doubt. Certain it is that distinguished jurists and statesmen, before whom I would not dare to hold up my rush-light, have expressed the opinion that Congress has not this power. Again, it is conceded that if a special election be held that the President elected will hold office for four years. This would be a great inconvenience, would break in upon the established system existing from the foundation of the Government, and be productive of untold and incalculable confusion.

The question in regard to the constitutionality of an intermediate election, the certain confusion that must result therefrom, and the delay which an amendment to this bill must necessitate, are sufficient reasons to my mind for rejecting the amendment proposed by the gentleman from Ohio.

We are advised by the highest authority that "true statesmanship consists not in blindly groping after the desirable, but in striving to obtain the attainable." The attainable in this emergency, in my judgment, is the present bill. Let us pass it and then submit to the States a carefully prepared constitutional amendment which will remove the question of succession to the high office of President from the region of doubt and debate.

Admission of Dakota.

SPEECH



HON. PRESTON B. PLUMB,

OF KANSAS,

IN THE SENATE OF THE UNITED STATES,

Friday, February 1, 1885,

On the bill (S. 967) to provide for the admission of the State of Dakota into the Union and for the organization of the Territory of Lincoln.

Mr. PLUMB said :

Mr. PRESIDENT: I do not wish to detain the Senate at this late hour to any considerable length, nor in fact to make a set speech on this subject after the very thorough manner in which it has been discussed by the Senators on both sides of the Chamber; but there are some facts bearing upon the attitude of parties to this question which seem to have been overlooked in the discussion and which I think are pertinent to

it that I shall be glad to bring to public attention.

So much has happened since 1861 that the memories of very few persons go back of that very important period in the history of the country. So many important events have transpired since that date that what occurred before it has come to be quite ancient history. At this

moment it seems wise to refer to it.

In 1857 the Legislature of the Territory of Kansas, then being in the hands of the pro-slavery party, under a government which was insti-tuted not by the people of the Territory of Kansas but by the people of South Carolina and Missouri chiefly, passed an act for the assembling of a convention to frame a constitution for the proposed State of Kansas. The members of the constitutional convention were elected in the spring of 1857, and at that election only about 2,000 votes were cast; that is to say, the entire vote cast for members of the convention to frame the constitution was only about 2,000. The convention met in the succeeding summer, and then, for reasons which it is not necessary to enumerate, adjourned until October. Pending their reassembling the regular annual Territorial election for the choice of members of the Territorial Legislature was held, and at that election for the first time in the history of the Territory the Free State men prevailed and elected a very considerable majority of the members of both houses of the Legislature notwithstanding the fact that there were a very large number of fraudu-lent votes cast in behalf of the pro-slavery or Democratic candidates, 1,600 votes for the Democratic candidates having been returned from Oxford, a village of six houses, on the line between Missouri and Kansas, where

it was shown only about 50 people lived and where but about 30 votes were actually cast; and 1,200 votes being returned for the Democratic candidates from McGee County, in which not over twenty families resided and in which not a vote was cast and no election held

The constitutional convention thus called met at its adjourned session in the month of October and continued in session until some time in November following. It framed a constitution, which was subsequently submitted to Congress, and which is known in the history of that time as the Lecompton constitution. By the ordinance of that constitution there was to be submitted to the people of the Territory of Kansas, at an election called and to be held on December 21, 1857, not the question of the adoption of the constitution nor the question as to whether the people desired to be admitted into the Union under it, but simply the question as to whether they would have the constitution with slavery or the constitution without slavery. They were to have the constitution and admission under it in any event. The form of the substitution and admission under it in any event. The form of the sub-mission was this: After stating that the vote should be by ballot, and naming how the judges and clerks of the election should be appointed, &c., the ordinance goes on to say:

&c., the ordinance goes on to say:

The president, with two or more members of this convention, shall examine said-poll books, and if it shall appear upon said examination that a majority of the legal votes cast at said election be in favor of the "constitution with slavery" he shall immediately have the same transmitted to Congress of the United States, as hereinbefore provided; but if, upon such examination of said poll-books, it shall appear that a majority of the legal votes cast at said election be in favor of the "constitution with no slavery," then the article providing for slavery shall be stricken from this constitution by the president of this convention, and slavery shall no longer exist in the State of Kansas, except that the right of property in slaves now in this Territory shall in no manner be interfered with, &c.

The submission, it will be seen, was not for the purpose of ascertaining the sense of the voters of the Territory of Kansas as to whether they desired to be admitted into the Union at all, nor as to whether they desired to be admitted into the Union under that constitution, but only whether in case they had to be admitted, that being assumed, they desired to be admitted under the constitution with slavery or the constitution without slavery; and it was so framed, as will be observed by the tion without slavery; and it was so framed, as will be observed by the language which I have quoted, that slavery in any event was to be maintained in the State of Kansas. By the terms of the constitution it could not be amended until the year 1864. It was well understood that a large majority of the people of Kansas were for making it a free State, and that as soon as they could get their hands on the constitution, if they should be admitted under it, they would make it an instrument of freedom and not an instrument of slavery; but the constitution, as I said, was so framed that it could not be amended before the year 1864, and thus if the people of the Territory of Kansas yated for the constitution. was so framed that it could not be amended before the year 1804, and thus if the people of the Territory of Kansas voted for the constitution with slavery they were certain to have that institution with them as a part of the fundamental law until that year; and if they voted for the constitution without slavery then they were to have slavery forever to the extent that they then had it; in other words, in the very expressive and happy language of Mr. Seward in his speech on that subject in the

Each voter was permitted to cast a ballot "for the constitution with slavery," or "for the constitution with no slavery;" and it was further provided, that the constitution should stand entire, if a majority of votes should be cast for the constitution with slavery, while on the other hand, if the majority of votes cast should be "for the constitution with no slavery," then the existing slavery should not be disturbed, but should remain, with its continuance, by the succession of its unhappy victims by descent forever.

At the election which was held, at which these two questions were voted upon, the result was announced to be, constitution with slavery 6,226, constitution with no slavery 569, a total vote of less than 7,000, and two-thirds of the affirmative votes were fraudulent.

The ordinance of that constitution provided for the election of a State ticket, the election for that purpose to be held on the 4th day of January, 1858.

Immediately after the adjournment of the Lecompton constitutional convention it being discovered then that the constitution itself was not to be submitted to the people, and the full scope of the determination and conspiracy to force Kansas into the Union under a pro-slavery constitution being appreciated, leading Free State members of the Legisla-ture-elect united in a request to the acting governor of the Territory, Hon. F. P. Stanton, to convene the newly elected Territorial Legisla-ture in extra session in order that measures might be taken if possible to prevent the success of this vile conspiracy against the rights of the people. This request was acceded to, and on the 1st day of December the proclamation was issued convening the Legislature to meet on the 7th. On the 17th the Legislature passed an act submitting the Lecompton constitution to the people on the day appointed (January 4, following), for the election of State officers under that constitution, and on that day, December 17, Secretary Stanton received notice of his removal from office by the President, because of his having thus convened the Legislature in special session.

Both elections were held as ordered, the result being that over 10,000 votes were cast against the constitution and only about 150 for it. At to prevent the success of this vile conspiracy against the rights of the

votes were cast against the constitution and only about 150 for it. At the same election the Free State men chose a full ticket of State officers under the Lecompton constitution, elected under protest and in order to make more manifest to the Congress and the people of the United States the position they occupied in reference to that instrument and

with reference to the attempt to put them into the Union under it. Every member of that State government so elected joined in a protest to Congress against the admission of Kansas under the Lecompton constitution.

The gentleman who was the president of that convention, Mr. Cal-houn, of Illinois, who went to the Territory as its surveyor-general, bearing the commission of the then President of the United States, Mr. Pierce, disappeared very suddenly after the first election, moved to such disappearance by the fact that he was liable to be indicted, as he undoubtedly would have been, for his participation in the frauds occurring at the election of December 21. He came to be known in the local vernacular of that time as "Candle-box Calhoun," because of the fact that certain fraudulent returns which had been forwarded from the Delaware, Oxford, and other precincts were concealed in a candle-box under a wood-pile at Lecompton, the seat of the Territorial government. Mr. Calhoun turned up after a mysterious passage from Kansas to Washington along about the last days of January, 1858, and presented to President Buchanan a copy of the Lecompton constitution, which Mr. Buchanan by a special message, dated on the 2d day of February, transmitted to Congress. The message covers about twelve pages ordinary document size, in which the President argued the Kansas question at great length. A portion of that message I will read for the purpose of exposing now, in connection with this debate, the Democratic position at that time on the question of the admission of new States into the Union.

It will be remembered that the election at which the people of Kansas had voted, and the only election at which they had had a chance to vote on the question of their desire to be admitted into the Union under the Lecompton constitution, had been held nearly a month before Mr. Buchanan presented this message to Congress, resulting in a nearly unanimous vote against admission under the Constitution. The result of that election was not only known to Mr. Buchanan but to every other person in the United States who could read. Mr. Buchanan, in arguing the question, treats of the rights of the people of the Territory of Kansas under the Kansas and Nebraska bill as follows:

Kansas under the Kansas and Nebraska bill as follows:

That this law recognized the right of the people of the Territory, without any enabling act from Congress, to form a State constitution, is too clear for argument. For Congress "to leave the people of the Territory perfectly free" in framing their constitution, "to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States," and then to say that they shall not be permitted to proceed and frame a constitution in their own way, without an express authority from Congress, appears to be almost a contradiction in terms. It would be much more plausible to contend that Congress had no power to pass such an enabling act than to argue that the people of a Territory might be kept out of the Union for an indefinite period, and until it might please Congress to permit them to exercise the right of self-government. This would be to adopt not "their own way," but the way which Congress might prescribe.

It will be observed that the organic act of the Territory of Kansas simply remitted to the people of that Territory the right to "regulate their domestic institutions in their own way," a term which was not liable at that date to any misconstruction; that was well understood to refer simply and only to the question of slavery; and Mr. Buchanan upon that premise argued that for Congress to refuse to admit a State into the Union which had exercised, as he assumed the Territory of Kansas had exercised, the right to regulate this domestic institu-tion was a denial of the right of self-government. This provision in the organic act is no broader in terms, even as construed by Mr. Buchanan, than the Louisiana treaty by which we acquired what is now the Territory of Dakota from France. That is in the following words:

The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

It will be seen, I think, that this provision of the Louisiana treaty is a much more comprehensive one than the one which Mr. Buchanan

a much more comprehensive one than the one which Mr. Buchanan found in the organic act of Kansas. He goes on to say:

It is impossible that any people could have proceeded with more regularity in the formation of a constitution than the people of Kansas have done. It was necessary, first, to ascertain whether it was the desire of the people to be relieved from their Territorial Legislature in 1855 passed a law "for taking the sense of the people of the Territorial Legislature in 1855 passed a law "for taking the sense of the people of the Territory upon the expediency of calling a convention to form a State constitution" at the general election to be held in October, 1856. The "sense of the people" was accordingly taken, and they decided in favor of a convention. It is true that at this election the enemies of the Territorial government did not vote, because they were then engaged at Topeka, without the slightest pretext of lawful authority, in framing a constitution of their own for the purpose of subverting the Territorial government.

Mr. Ruchanan, it will be seen admits that the Free State men who

Mr. Buchanan, it will be seen, admits that the Free State men, who were in an undeniable majority of more than 4 to 1, did not vote. The returns show that but 2,592 votes were cast for a constitutional convention at this election and 454 against it. Of these 1,300 were cast in a single county, and one-half at least were fraudulent.

It is not necessary to recall in detail the history of those days to show why the Free State voters did not participate in that and subsequent elections, though in the majority. The Territorial Legislature which called the election was the creature of fraud and violence. Many of its members were citizens of Missouri, and a large majority of both bodies were chosen by votes cast by invaders from Missouri and other slave States. "They seized the ballot-boxes, replaced the judges of elections with partisans of their own, drove away their opponents,

filled the boxes with as many votes as the exigencies demanded, and, leaving the results to be returned by reliable hands, they marched back again to their distant homes to celebrate the conquest and exult in the prospect of the establishment of slavery upon the soil so long consecrated to freedom."

Instead of a free republican government in the Territory such as popular sovereignty had promised there was then and thenceforth a hateful usurpation. This usurpation proceeded without delay and without compunction to disfranchise the people. Laws designed to reduce the white Free State settlers of the Territory to a condition of practical slavery were passed. All judges, sheriffs, justices, constables, and other county officers, including officers of elections, were appointed by the Legislature or by agents created by it. No person could vote without taking an oath to support the fugitive-slave law. Every member of succeeding Legislatures, every judge of election, every voter, must swear to his faithfulness on the test questions of slavery. Every officer in the Territory, judicial, executive, or legislative, every attorney admitted to practice in the courts, every juryman weighing evidence on the rights of slaveholders, must attest his soundness in the interest of slavery and his readiness to indorse its most repugnant measures

To all this was added a reign of terror in which the life and property of Free State men were rendered insecure. The Territory was traversed by armed bands of pro-slavery men from Missouri and other Southern States; indictments were found against the leading Free State men, and such as did not flee the Territory were arrested and imprisoned. whole civil and military power of the United States Government was wielded under the direction of the pro-slavery leaders to the purpose of intimidating and driving from the Territory the Free State majority in order that the small minority of pro-slavery men might, backed by

their non-resident allies, make of Kansas a slave State.

It is not surprising, therefore, that the Free State majority did not participate in the so-called election of October, 1856. But their absence stamped as convincingly as their presence could have done the usurp-

ing character of the whole proceeding.

It was from such sources that the Lecompton constitution sprungthe creature of violence and fraud, of the most atrocious conspiracy against the rights of a free people which had ever been practiced upon the American continent.

It was this constitution, conceived in fraud and brought forth in iniquity, which the convention framing it had refused to submit to the people for their approval, which established and perpetuated slavery, and which the people of the Territory at an election called for the purpose by the Territorial Legislature had voted down overwhelmingly, which Mr. Buchanan commended to Congress as the "exercise of the right of self-government," and under which he urged the admission of Kansas into the Union—practically asking Congress to force Kansas into the Union as a slave State.

I have found it instructive to re-examine the Congressional history of that time, and my memory was not at fault in telling me that those who led the fight in favor of forcing slavery upon an unwilling people and in the effort to force Kansas into the Union against the all but unanimous vote of her people, were those who then represented the States of Missouri and South Carolina in both Houses of Congress.

The Senate of that day, giving swift heed to the request of Mr. Buchanan, by the vote of every Democratic member except those of Douglas and three or four followers from the Northern States, voted to admit Kansas under the Lecompton constitution. The House majority, less resolute in its determination to force Kansas into the Union as a slave State, substituted for the bill of the Senate what came to be known as the English bill, which submitted to the people of Kansas the question of their desire to come into the Union under the Lecompton constitution at an election to be held in the following August, and the Sen-

ate subsequently yielding the bill became a law.

This was supposed to be a reasonably certain way of bringing Kansas into the Union under the Lecompton constitution, on account of the evident desire of the people of Kansas to be admitted into the Union and the great inducements offered. The bill not only offered to the people of Kansas the greatest quantity of land for public purposes ever offered to a new State in case they voted to come into the Union under the Lecompton constitution—and in case of the vote being in the affirmation. ative the President was authorized to proclaim the result, and there-upon, without further proceedings of Congress, Kansas should at once become a State of the Union—but in the event that the people should reject the Lecompton constitution it was provided that the Territory should not be admitted until by a census, thereafter to be taken, there should be shown to be a population equal to the ratio of representation required for a member of the House of Representatives, in which event a convention to frame a new constitution might be called, &c.

a convention to frame a new constitution might be called, &c.

But the temptation was unavailing. Much as the people of Kansas desired admission into the Union for the purpose of being rid of the infamous and hateful persecutions of the Federal Government, they could not be coaxed or bribed to abate one jot or tittle of their determination to come in only under a Free State constitution, and one, too, of their own framing, and so at the election ordered by the English bill they have the transfer constitution out of sight under an overthey buried the Lecompton constitution out of sight under an over whelming avalanche of their votes. Out of a total vote of over 13,000 all but about 1,800 were cast against the constitution.

Then the census was taken, members of a constitutional convention duly chosen, a constitution framed, which was in turn submitted to the people for their approval or rejection. A majority of more than two to one voted in its favor in the largest poll of votes ever cast in the Territory, and the constitution was transmitted for presentation to the first session of the Thirty-sixth Congress in December, 1859. In the following April an act passed the House by the votes of the Republicans and Douglas Democrats admitting Kansas under the new constition, and on the 21st day of the following January (1861) the Senate passed the bill with an amendment, the vote on the same being classified as in the House; and on the 29th day of the same month President Buch-

as in the rouse; and on the 25th day of the same month resident buchanan signed it, and Kansas was finally, after a great and bloody struggle, admitted into the Union as a free State.

This struggle is significant to be recalled because of the historical
parallel it furnishes to what is transpiring now.

The last in a long line of Democratic Presidents, until the present,
made indecent haste to urge, officially, that Kansas be forced into the
Union under a constitution which established slavery on soil consecrated to freedom, notwithstanding the people to be affected by it had overwhelmingly repudiated it. The representatives of the national Democracy of that time, led by the Senators and Members from Missouri and South Carolina, were the actors in this conspiracy against free soil and free States. Subsequently, when Kansas presented itself with a free constitution, the choice of its people, with more than the requisite population, the same Senators and Members, followed by all the Democratic Representatives except the few who consorted with Mr. Douglas, resolutely and vindictively fought against her admission.

Is not history repeating itself? Is there no significance in the fact

that the fight against the admission of Dakota, a free State, is led in the Senate by the Senators representing the same States of the same political faith, the lineal successors of those who first tried to force Kansas as a slave State into the Union and later tried to keep her out as a free State? The fight against Dakota is under the same banner and under the same leadership as was the fight against Kansas, and with the same

purpose to keep out of the Union a free Commonwealth.

This is not only worthy of consideration as a historical parallel, but I present it as a part of the dispute I make to the position assumed by the Senator from Alabama [Mr. Morgan]. He says the Democratic party has always been favorable to the admission of new States, and I reply that the Democratic party has never favored the admission of new States unless such States were in political affiliation with that party. No other test except that of party affiliation has ever been applied by the Democratic party, and it has consistently opposed the admission of all States into the Union which were not in political accord with it.

Are we on the threshold of a contention about the admission of new States which will be carried out of these halls and divide the American people as they divided upon Kansas? The Kansas struggle foreshadowed the greater one which followed for the preservation of the Union. It was in those days "bleeding Kansas," "abolition Kansas," abolition It was in those days "bleeding Kansas," "abolition Kansas," abolition traitors, Yankees, higher-law men—any and all terms which expressed for the Free State settlers of Kansas contempt, and designed to cover them with obloquy, to show their utter worthlessness and unfitness for self-government. The felicitous language of the Senator from Missouri enabled him to characterize the people of Dakota in something like the same virulent fashion; and yet I appeal to facts within the knowledge of every Senator on this floor when I say that the Kansas of that early time was worthy of association with the States then or since of that early time was worthy of association with the States then or since composing the American Union. The Kansas of bitter contention. treated with indignity and contumely by the slave oligarchy and its servile tool, the Democratic party, became, in the language of Mr. Sumner, "the ministering angel of the Republic."

Kansas came into the Union when the Union was breaking-seemingly beyond the hope of ever again recovering—as the States whose representatives in House and Senate had persecuted her and caused her fair face to be defiled with blood were leaving their places in the Union to join in a wicked and causeless rebellion. It did not seem an attractive place to get into—a Union assailed by nearly one-half its inhabitants—but the people of Kansas were not dismayed. Admission to the national Union as a free State had been for all the weary years of their struggle the goal of their ambition, and they cheerfully came in, knowing that the toil and blood by means of which their ambition had been wrought out would necessarily be followed by similar sacrifices to maintain the Union, a place in which they had at last achieved. In that hour of supreme peril they never doubted that the principles of freedom for which they had contended and by the sign of which they had conquered would save the Republic, and so they not only willingly, joyfully cast their fortunes into the balance with what was left of the American Union of States and people, but having literally fought to get in, they fought under the flag of the Union to bring the seceding States back-fought out all that long struggle, manfully giving to the ranks of the Union Army more men than there had ever been votes cast in Kansas, more in proportion to population than any of the States which adhered to the Union.

The one hundred thousand people in Kansas in 1861 have become one million and a half. The settlements of that day which were mainly

found in the tier of counties which bordered on Missouri now cover nearly all the 80,000 square miles composing the State. The burden of the desert has been lifted. The industrious, energetic, and adventurous people of Kansas stamped their feet upon the ground and there came forth not only fruits of the soil in abundance, but pleasant and comfortable dwellings, orchards, school-houses, churches, railroads, towns, cities, and all the appliances and blessings of a high state of civilization, of a State free in fact as in name-one not ashamed to hold up its head alongside the oldest and proudest members of the Republic. They have nothing to be ashamed of by comparison with those who persecuted them in the days of their trial. They do not boast of their persecuted them in the days of their trial. They do not boast of their ancestry; they have been too busy to gather up much in the shape of a pedigree, but the results of their labors—civilization, prosperity, liberty—they will put against any lineage, however proud. Four thousand miles of railroad, school-houses of the value of \$7,000,000, a present annual expenditure for school purposes of nearly \$3,000,000—these are no inconsiderable results from the poverty of twenty-five years ago, but they are the result of ambitious, well-directed labor inspired by a determination which has been appalled at no obstacles and shrunk from no difficulty. ficulty.

No suppliants they of national bounty, no jealousy of other communities desirous of a place in the national Union. They know that the more props under the national arch the stronger it is; that the Union of States increases in strength as new and virile communities are added to it; and when, as in the case of Dakota, there is embraced within her limits the blood and brawn of all the races and conditions of men whose association on the North American Continent has made the greatest republic the world ever saw, they gladly welcome her. They are willing that two Senators representing Dakota shall sit on this floor. The added power to the Republic will more than make up for any loss of power to Kansas. Kansas says to all the Territories possessing the requisite population and struggling for that which she struggled for and paid for with the price of her blood, "Come into the Union; we know you are equally virtuous with us, and we know that your hopes and aspirations are as ours are, and we would clasp and bring to-gether under the ægis of the Republic in the exercise of the precious

gether under the ægis of the Republic in the exercise of the precious right of self-government every American citizen who has an honest aspiration for freedom and a determination to defend and perpetuate it."

Perhaps, Mr. President, the voice of South Carolina and of Missouri is more entitled to weight than that of Kansas. They are older States; they boast of their generations of able and distinguished public men, of an ancestry that goes back to the earlier days of the Republic. I would not speak lightly of this, but Kansas shrinks from no comparison as to present condition in all vital particulars. She asks no question about age, birth, or previous condition; all she asks is what the person coming within her borders proposes to do for the future. If to be a good citizen, then he is welcome. And so Kansas espouses the cause of Dakota, perhaps a little stronger because she sees her contending with the same influences in the Senate, against the same leadership and the same following which she herself encountered twenty-five years ago. In many ways it is the same contention, and I hope destined to the same result.

It is indeed significant that here, in the first days of the first Democratic administration which the country has had for twenty-five years, the forces in this Chamber are dividing precisely as and upon substantially the same questions that they divided upon at the close of the last Democratic administration. The last step of 1861 is the first step of 1886. The Democratic party newly restored to power is beginning where it left off. History does thus repeat itself. It will be instructive to observe hereafter how far the parallel continues.

The people will not be more considerate to-day of a conspiracy against the rights of Dakota than they were twenty-five years ago of the conspiracy against Kansas. Now, as then, resistance within will cause the tide to rise higher without—and to use the words of Mr. Seward in another forum, "The people will pick strong matter of wrath out of the bloody finger-ends of a successful conspiracy."

Fitz-John Porter.

SPEECH

HON. WILLIAM D. KELLEY,

OF PENNSYLVANIA.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 17, 1886.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 67) for the relief of Fitz-John Porter—

Mr. KELLEY said:

Mr. CHAIRMAN: With sincere thanks to the gentleman from Michigan for the courtesy he has done me, I avail myself of the fifteen minutes, not for the purpose of attempting to review the testimony elicited on



the trial that resulted in the conviction of General Fitz-John Porter, but to ask leave to submit a review of that testimony which was made by the Judge-Advocate-General, Hon. Joseph Holt, and was, through the War Department, submitted to President Lincoln, pending his consideration of the record and findings of the court, which conscientious consideration led him to cause the following order to be issued:

Sentence: And the court does therefore sentence him, Maj. Gen. Fitz-John Porter, of the United States Volunteers, to be cashiered and to be forever disqualified from holding any office of trust or profit under the Government of the United States.

ned from holding any office of trust or profit under the Government of the United States.

Second. In compliance with the sixty-fifth of the rules and articles of war, the whole proceedings of the general court-martial in the foregoing case have been transmitted to the Secretary of War, and by him laid before the President of the United States.

The following are the orders of the President: The foregoing proceedings, findings and sentence, in the foregoing case of Maj. Gen. Fitz-John Porter, are approved and confirmed; and it is ordered that the said Fitz-John Porter be, and hereby is, cashiered and dismissed from the service of the United States as a major-general of volunteers, and as colonel and brevet-brigadier general in the regular service of the United States, and forever disqualified from holding any office of trust or profit under the Government of the United States.

JANUARY 21, 1863.

This condense is is send by A brokeny Lincoln, then where six Lleves high.

This order is signed by Abraham Lincoln, than whom, sir, I have high military authority for saying an abler theoretic soldier never lived; than whom, sir, few abler lawyers have ever lived; than whom, sir, no more humane man ever breathed the breath of life. It was made, too, when humane man ever breathed the breath of life. It was made, too, when the facts of the case were all fresh in his memory, for he had watched for nearly four days and nights the progress of the betrayal of the Army of Virginia by a great soldier—for such I believe Fitz-John Porter to be by training and natural gifts—the betrayal, I say, of that army by a great soldier, who, having forgotten country and patriotism, sunk himself to infamy by regarding military office and duty as a personal trust for the benefit of himself and his clique or coterie. I have just heard it maintained by the gentleman from Nebraska [Mr. LAIRD] that Fitz-John Porter was loyal to Pope. If he were loyal to Pope he did not know it. If he were loyal to Pope he shamefully belied himself. On this point I ameal to the testimony of one who was known to On this point I appeal to the testimony of one who was known to and respected by all of us who were members of the Forty-seventh Congress. I refer to the late William Blair Lord, who so long graced one of the seats at the desks of the reporters of this House, and whose marital relations were so beautiful as to have made them noteworthy in the esteem of all who knew him and "the little woman," as he fondly called the wife to whom for many years he had been supremely devoted.

I appeal to Mr. Lord, with his memory enforced and refreshed by the fact that, shocked at hearing the man whom he worshiped, Fitz-John Porter, during his trial by the court-martial declare that he had not been loyal to Pope, had transmitted a statement of it to his wife, and now produced before the commission which re-examined the case his book containing a press-copy of his letter. With this book in hand he

testified as follows:

Q. Will you state substantially what that interview was, and what General Porter said?

A. I had been directed by the judge-advocate of the court to proceed to the rooms of General Porter, and to look for some telegrams that had been introduced in evidence that day, and that had been mislaid in some way. While there looking over some papers General Porter made the remark: "I was not loyal to Pope; there is no denying that,"

Pope was his commanding general and represented the majesty of his Government; and therefore, even though he had blundered and had ordered Porter and his men, as the six hundred of Cardigan's troop were ordered, with cannon to the right of them, cannon to the left of them, cannon in front of them, into hell, he should have plunged rather than have slunk from dangerous duty in the hour of battle. But let me read further from the testimony of Mr. Lord:

Q. Do you recall anything else that he said in that connection?
A. I can not say that I do, and I doubt that I should recall that now but for the peculiarity of the circumstances, and the fact that I made a record of it myself a few days afterward. Otherwise I think likely I should have forgotten it.
Q. That was during the progress of the trial before a general court-martial?
A. It was.
The PRESIDENT OF THE COURT. The decision is that the letter is admissible for the purpose stated by the counsel, namely, not to prove the fact, but to test the credibility of the witness.

By the RECORDER.

By the RECORDER:

Q. You have stated in your cross-examination that the feelings which had actuated you you expressed at the time you wrote that letter to your wife. It was not called for by the counsel for the petitioner. I will call for it. Please let me know what you stated on the subject, if you have that letter here.

(Witness produced a book.) Shall I read?

Q. Just that part and no more.

This is what he wrote to "the little woman"—his dear wife:

I have been a little bothered about General Fitz-John Porter. I had to go to his room on Monday to get some papers that belonged to the court that he had had to copy. One of the reporters of the New York Times was along with me, While in the room, after some conversation, General Porter made the remark, "Well, I wasn't loyal to Pope; there is no denying that." Now, that is really the charge against him before the court-martial—that he did not do his duty as an officer before the enemy, and that he did not act rightly toward General Pope, his commanding officer.

Yet gentlemen here say that Porter did not know he was disloyal—that he was in fact loyal; and the speech to which we have just listened seemed to me to come as near to the facts of the case, generally, as its author did in insisting upon it that Porter did not know his own feelings-his state of loyalty or disloyalty.

Again, it was idle to appeal to Porter by motives of patriotism. The

appeal that would move him must be personal to himself and his friends. so long as he was under Pope's command he was slow, treacherous, and false; but when, by his inaction, Pope had been driven within the defenses of Washington, and by McClellan's superior rank became subject to his orders, his alacrity revived. But on this point he required assurances from headquarters. I will therefore close my remarks by reading a brief note from Maj. Gen. George B. McClellan, first asking leave to print an official paper which I have not time to read—the review of the evidence by Judge-Advocate-General Holt.

WAR DEPARTMENT, September 1, 1862-5.30 p. m.

For your country's sake? By the sense of military duty that was instilled into 'you by the Government in your boyhood when it was educating you for military life? By your love of country? Oh, no! General McClellan knew his correspondent too well for that.

I ask you for my sake, that of the country, and of the old Army of the Potomae that you and all friends will lend the fullest and most cordial co-operation to General Pope in all the operations now going on—

Which were then chiefly the gathering of his hungry, bleeding, disheartened troops within the defenses of Washington, and so bringing them under the command of the writer of this letter.

The distresses of our country, the honor of our arms are at stake

They had not been, it seems, during the four days preceding this. I had thought they had, but I have learned this afternoon and from the general discussion on the other side that there was nothing going on during those days that required Major-General Porter to bring his troops into action.

The distresses of our country, the honor of our arms are at stake, and all depends now upon the cheerful co-operation of all in the field. This week is the crisis of our fate. Say the same thing to all my friends in the Army of the Potomae, and that the last request I have to make of them is that for their country's sake they will extend to General Pope—

Now out of command by having been driven back within McClellan's

the same support they ever have to me.

Mr. BRAGG. Certainly the gentleman would not intentionally make misstatement.

Mr. KELLEY. No. Mr. BRAGG. General Pope was not then within the lines of Washington; he had not yet been driven back, and that dispatch was answered from the field.

Mr. KELLEY. He was falling back, and his troops were coming within the lines of the defenses of Washington.

I am in charge of the defenses of Washington

Now he gives his pretty boy assurances that no harm shall come to

I am in charge of the defenses of Washington. I am doing all I can to render your retreat safe, should that become necessary.

But, Mr. Chairman, I fear that my interjections have prevented gentlemen from fully appreciating the rhetoric in which the self-absorbing patriotism of this dispatch is clothed. I will therefore repeat it in un-broken continuity. It is as follows:

I ask you for my sake, that of the country, and of the old Army of the Potomac that you and all friends will lend the fullest and most cordial co-operation to General Pope in all the operations now going on. The distresses of our country, the honor of our arms, are at stake, and all depends now upon the cheerful co-operation of all in the field. This week is the crisis of our fate. Say the same thing to all my friends in the Army of the Potomac, and that the last request I have to make of them is that for their country's sake they will extend to General Pope the same support they ever have to me. I am in charge of the defenses of Washington. I am doing all I can to render your retreat after should that become necessary.

GEO. B. MCCLELLAN.

GEO. B. McCLELLAN, Major-General, Commanding.

Major-General Porter, Centreville, Commanding Fifth Corps.

Mr. BRAGG. Now, will the gentleman read Porter's response to that dispatch?

Mr. KELLEY. It is not in my possession. How painful a contrast to Porter's conduct while under Pope's command is presented by Dessaix at Marengo and that of Richepanse at Hohenlinden. Dessaix, with his cavalry, was 15 miles from what proved to be the field of battle and marching from it when his ear caught a dull thud, which, with his experience, he thought might be the roar of distant cannon. Listening a moment, he became convinced, and though his orders would have protected him in leaving the battle farther in his rear he changed front and, with the utmost speed his cavalry could attain, reached the field, and hurling his cavalry upon the enemy's rear at the cost of his life converted defeat into victory and added one of its most splendid glories, that of Marengo, to the story of the great Napoleon. The conduct of Richepanse was, if possible, in even more striking contrast to that of Porter, for in disregard of orders that would have kept him out of the battle, with sword in hand, amidst his grenadiers, he penetrated into the forest, sustained a violent discharge of grape-shot, and falling on the Austrian rear in the defile accomplished a complete rout of the Austrian army, which lost 20,000 men, with nearly all its artillery and baggage. But we need not go to the story of foreign wars for brilliant illustrations of the truth that soldierly instinct and military training

unite in leading a soldier to participation on a field in which his fellow-soldiers are maintaining an unequal fight. Recall the story of Porter's inaction from the day that he learned, at or near Acquia Creek, that Pope, not McClellan, was now to command him until he was assured that he was again to pass under McClellan's command, and imagine, if you can, Phil. Sheridan or Hancock, or any other soldier whom you and I and all of us are ready to honor, living safely as he did through the 27th, 28th, and 29th of August, 1862. Such conduct on the part of such a soldier is inconceivable. And that Porter, after arraignment and a fair and protracted trial for his misconduct, should at the end of nearly a quarter of a century appeal to the country to obliterate the finding against him which Abraham Lincoln, despite his boundless humanity, was constrained to approve, and to restore him to the Army, will be regarded by future historians as one of the marvels of these times.

Here the hammer fell.]

Mr. KELLEY. I renew my request for consent to incorporate Judge Holt's review of the testimony with my remarks.

Mr. BRAGG. And I object.

Friday, February 19.

Mr. KELLEY. Mr. Speaker, with entire respect to the House and all its members, I renew my request to incorporate in my remarks on the bill disposed of yesterday for the relief of Fitz-John Porter the review of the testimony which I originally proposed to substitute for a review of my own. I ask leave to print it in connection with my remarks, which in their incomplete condition I still withhold.

The SPEAKER. The gentleman from Pennsylvania [Mr. Kelley] asks unanimous consent to incorporate in his remarks on the bill for the relief of Fitz-John Porter a review of the testimony by Judge-

Advocate-General Holt. Is there objection?

Mr. BRAGG. Mr. Speaker, the war being over, the tide of battle having moved away, I am in favor of general amnesty; and, therefore, I am entirely willing that the gentleman should print all he desires.

The SPEAKER. There being no objection, the leave requested by the gentleman from Pennsylvania will be granted.

REVIEW OF THE JUDGE-ADVOCATE.

JUDGE-ADVOCATE-GENERAL'S OFFICE, January 19, 1863.

BEVIEW OF THE JUDGE-ADVOCATE.

JUDGE-ADVOCATE GENERAL'S OFFICE, January 19, 1863.

Sir: In compliance with your written instructions, under date of the 13th instant, "to revise the proceedings of the court-martial in the case of Maj. Gen. Fitz-John Porter, and to report fully upon any legal questions that may have arisen in them, and upon the bearing of the testimony in reference to the charges and specifications exhibited against the accused, and upon which he was tried," I have the honor to submit the following report:

As the animus of the accused toward his commanding general, in pursuing the line of conduct alleged against him, must largely affect the question of his criminality, and may furnish a safe and reliable light for your guidaine in determining points otherwise left doubtful by the evidence, it is proper that it should, if possible, he was instructed me to make.

General Porter, with his command, belonged to the Army of the Potomac, which had closed its disastrous campaign on the Peninsula just before the moment at which the narrative of the events set forth in the record before you is taken up by the witnesses who have deposed. General McClellan and Assistant Secretary of War Tucker state that he displayed great energy and zeal in debarking his troops and hastening their departure for Acquia Creek. The former, however, adds that it was not then known to the accused that he was to be placed under the immediate command of General Pope, the question of the command not having at that time been decided. It should likewise be borne in mind that the transfer of the Army of the Potomac, once begun, was a movement of the complete, not only by those high considerations of patriotism which must be supposed to have been present, but also by the equally urgent instincts of self-preservation. The order of General Pope, seems to have reached him at Acquia Creek. From this he proceeded, in obedience to the vorte, to effect the junction, and at that time, as we learn from General Burnside, he lacked confidence in

ing around loose, but I expect they know what they are doing, which is more than any one here or anywhere knows."

The precise import of these remarkable words, in their connection, can not be mistaken, nor can it fail to be observed but wharshly they jar upon the proprieties of military life. It may be safely affirmed that they express, on the part of the accused, an intense scorn and contempt for the strategy and movements of the Army of Virginia, a weariness and disgust for his association with it, added to a bitter fling at his commanding general, as found in the extraordinary declaration that he had taken two divisions of his army as a "body guard" to Centreville. The words, as quoted, disclose also a looking by the accused not to General Pope, but to General McClellan as his guide, and a reliance upon his exertions and influence to relieve him from his connection with the Army of Virginia, and an expectation, if not a hope, that they would all soon arrive at Alexandria. This, it is true, would involve the discomfiture of that army, but it would also involve the discredit of its commander, and would restore the accused to his former position under General McClellan. Such must have been the anticipation, and such certainly was the result.

In explanation of these dispatches, and with a view to relieve the mind of the impression they tend to make, it was alleged in the defense, and was proved by General Burnside, that they were official in their character, and that the accused had been requested to furnish him information in reference to current military events occurring in connection with the army with which he was serving. So far as the purpose for which they were offered by the Government is concerned, it is wholly immaterial under whose promptings or for what end they were written. If the words make it manifest that the accused entertained feelings of contempt and hostility toward the Army of Virginia and its commander, it matters not whether they were spoken in a private and confidential or in an offici

the light which the pages of the record before you now furnish. When, afterward, on his arrival at Washington, he was informed of the dispatches sent by the accused to General Burnside, his mind appears to have been very differently. In the afternoon of the 28th of August General Roberts became satisfied that the accused was not doing his duty in good faith to General Pope. He arrived at this conclusion as well from his alleged disobedience of the order to march at 1 a. m. of that morning, as from the declaration of General Kearny. General Roberts had previously held the accused in high estimation, and when mentioning this to General Kearny the latter said that "he General Roberts did not know him, and that he would fail General Pope."

Lieut. Col. Thomas C. H. Smith, an aided-e-camp on the staff of General Pope, called on the accused in the afternoon of the 28th of August. He had not heard of his disobedience of any orders, and had, like General Roberts, the most favorable opinion of his character and conduct as an officer; yet, such was the impression made upon him by his manner and conversation, that, at the close of their interview, he left him fully satisfied that he would fail General Pope, and would withhold from him his support in the then pending operations of the Army of Virginia. Soon thereafter he arrived at the headquarters of General Pope, and said to him that he had just seen General Porter on his way there, and that he would fail min, and added. "So certain an I that Pitz-John Torter is a traitor, the law would min, and added." So certain an I that Pitz-John Torter is a traitor, the law would min, and added "So certain and I that Pitz-John Torter is a traitor, the law would min, and added "So certain and I that Pitz-John Torter is a traitor." the law would min, and added "So certain and I that Pitz-John Torter is a traitor. The law of the pressure of the severe cross-seamined with a view to the ascertainment of the weight to which the opinion of the witness is entitled. It has been stigmatized i

directed the accused, then at Varrenton Junction, to start at 1 o'clock on the at Briston Station, distant b miles, at daylight. It recited that General Hooker had "had a very severe action with the anemy, with a loss of about three hundred killed and wounded;" that the enemy were retiring along the railroad, the had "had a very severe action with the enemy, with a loss of about three hundred killed and wounded;" that the enemy were retiring along the railroad, between that place and Gaineaville. The urgency of the necessity under which the order was issued was further expressed in these words: "It is necessary, on all accounts, that you should be here (Briston Station) by daylight. It seed an adverse of the start of the station of the start of the station of the start of th

General Pope was asked this question:
"Question. If there were any obstacles in the way of such a march as your order contemplated, either growing out of the night or the character of the road, will you please state them?"

He answered:

"There was no difficulty in marching, so far as the night was concerned. I have several times made marches with a larger force than General Porter had, during the night. There was some obstruction on the road, in a wagon train that was stretched along the road, marching toward the Manassas Junction, in rear of Hooker's division, not sufficient, in my judgment, to have delayed, for any cocsiderable length of time, the passage of artillery. But even had the roads been entirely blooked up, the railroad track was clear, and along that track had passed the larger portion of General Hooker's infantry. There was no obstruction to the advance of infantry."

There were a very few breaks in the road, but its general condition is shown to have been good. General Pope made the showing shatement on this points are the properties of the 27th of August I directed Captain Merril, of the engage of the 27th of August I directed Captain Merril, of the engage of the 27th of August I directed Captain Merril, of the engage of the 27th of August I directed Captain Merril, of the engage of the 27th of August I directed Captain Merril, of the engage of the 27th of August I directed to me on the night of the 27th that he had done so; so that from Warrenton Junction to the bridge over Kettle Run, which had been burned, the a hundred Yards above the ridge the road crossed the creek by a ford. And from there toward Briston Station the most member thereountry, riding along on the safternoon of the 27th of August. "General Roberts, who passed from Warrenton Junction to Briston Station the most market with the properties of the 27th and 17th of August." General Roberts, who passed from Warrenton Junction to Briston Station on the 27th, asys: "The condition of the road wargeood generally," and in anather condition everywhere. At most places it was a double road on each side of the 27th and 17th of August. "General Roberts, who was well acquisited with it, that it was "wery good." Leutenant-Colonel Myers was asked:

Leutenant-Colonel Myers was a dark thin the most all the colonel and Briston Station at that time (27th), so far as regards the passage of wagons, and that time.

The chief obstructions upon the road, however, and those most claborately researched by the evidence and argument of the accused, were wagon rules and the colonel and the same of the colonel and the

Whatever may be thought of the difficulties in the way of the night march required by this order, it was the manifest duty of the accused to make a sincere and determined endeavor to overcome them. If, after having promptly and vigorously made this effort, and started as ordered, he had failed to arrive at Bristoe Station at daylight, either from the exhaustion of his troops, the darkness of the night, or the character of the road, the responsibility of the failure would not have been charged upon him. The contemptuous and unfriendly feelings disclosed in the dispatch to General Burnside—which was written but about five hours and a half before this order was received—will probably furnish a more satisfactory solution of the question why this effort was not made than can be found in the nature of the obstacles themselves.

Nor is it believed that the conduct of the accused finds any shelter in the Napoleonic maxim quoted in the argument for the defense. The discretion it allows to a subordinate, separated from his superior officer, is understood to relate to the means, and not the end of an order. When the accused determined that, instead of starting at 1 o'clock, he would start at 3 or 4, he did not resolve that he would arrive at Bristoe Station by daylight in a different manner from that he would arrive at Bristoe Station by daylight in a different manner from that he would arrive at Bristoe Station by daylight in a different manner from that he would arrive at Bristoe Station as the head of the order—he had no discretion.

The order set forth in the second specification to first charge was addressed to Generals McDowell and Porter, jointly, and a copy, or, rather, duplicate, of it was delivered to each of them, it may be inferred from all the evidence on the point, at about 10 o'clock in the morning of the 29th of August. Previously to this they had met with their forces, and, under the sixty-second article of war, General McDowell had assumed the command. The order directed them to move with their joint com

far in his presence that he might command them directly, and not through each other.

Their forces continued their march—those of the accused being in the advance—until the front of his column had reached some three miles beyond Bethlehem church, and until a small part of General McDowell's command had passed that point. General McDowell then rode forward to the head of the column of the accused, where an interview and conference took place between them, to which reference is frequently made in the testimony. They discussed the joint order, and General McDowell determined, for himself, that there were "considerable advantages to be gained by departing from it," and by moving with his forces along the Sudley Springs road toward the field of a battle then being fought by the main army of General Pope, at the distance of three or four miles. His purpose was to throw himself on the enemy's center, and he wished the accused to attack his right flank. He therefore said to him: "You put your force in here, and I will take mine up the Sudley Springs road, on the left of the troops engaged at that point with the enemy;" and he left him, at about 12 o'clock, with the belief and understanding that he would put in his force at that point. Why this expectation was doomed to disappointment may possibly be gathered from the following extract from General McDowell's testimony as to what occurred during his conversation with the accused:

"Q. You have said that the accused made an observation to you which showed that he was satisfied that the enemy was in his immediate front. Will you state what that observation was?

"A. I do not know that I can repeat it exactly, and I do not know that the accused meant exactly what the remark might seem to imply. The observation was to this effect (putting his hand in the direction of the dust rising above the tops of the trees): 'We can not go in there any where without getting into a fight."

"Q. What reply did you make to that remark?

was to this effect (putting his hand in the direction of the dust rising above the tops of the trees): "We can not go in there any where without, getting into a fight."

"Q. What reply did you make to that remark?

"A. I think to this effect: 'That is what we came here for.'"

These words will certainly stand in memorable contrast with the sad utterance to which they were a reply.

General McDowell, on parting with the accused, ceased to exercise any authority over his command, and he was thus left untrammeled and in possession of the joint order still in full force. Soon after General Griffin's brigade—a part of the corps of the accused—was ordered to move to the right, as if for the purpose of advancing on the enemy, as directed by General McDowell. It hap proceeded, however, only about 600 yards, when, coming into "some small pine bushes," and somebody saying there were obstacles shead, a retreat was ordered, and they fell back to their original position. General Griffin saw no obstacles himself, and he made no reconnaissance. This was all that was done toward carrying into effect the stirring and soldierly direction of General McDowell.

Some time after this faint demonstration—it may have been an hour or more, General McDowell having left at about 12—a rebel battery threw three or four shot at the head of the accused's column. It was at once replied to and silenced, and then came the order to fall back, of which Col. B. F. Smith, who witnessed the artillery firing, speaks so distinctly. The note of the accused to Generals McDowell and King, which was read in evidence and is without date, must have been written immediately after this artillery firing, and after the order to retreat which followed it. It is in the following words:

"Generals McDowell and King: I found it impossible to communicate by crossing the roads to Groveton. The enemy are in strong force on this road, and as they appear to have driven our forces back, the firing of the enemy having advanced and ours retired, I have determined to withdr

"F. J. PORTER, Major-General,"

This note appears to have been written for the purpose of explaining why the accused had not "put his force in" at the place which General McDowell had pointed out. It announces most energetically a determination "to withdraw"—i.e., retreat—to Manassas, because of the approach of the enemy, and because the battle seemed to be going against the Federal forces. That this purpose was promptly carried out, substantially, if not to the letter, is made evident from the fact that at between 5 and 6 o'clock the accused was found at or near Bethlehem church, surrounded by his troops, whose arms were stacked. It is fur-

ther proved by Col. B. F. Smith, who was in the front at the time of the artillery firing, and alleges that he and the troops of his command then fell back; under orders, to within a mile or two of Manassas, where they passed the night, having arrived there in the afternoon. It is yet further shown by General Griffin, examined by the accused, who says his brigade retreated from a mile and a half to two miles. This retrograde movement might have been excused had it been made in good faith for the purpose of reaching Bull Run that night; but no such purpose was entertained, nor has it been insisted that it was, either by the testimony or the argument. General McDowell says the accused might have attacked the enemy and would have still had ample time for falling back on Bull Run. Indeed, as appears from the map, such an attack would have been an advance in the direction of Bull Run. He might have found justification, too, for this step, had it been taken from a conviction that, in the sense of the order, 'considerable advantages' were to be gained by departing from its terms. No such position, however, could be successfully taken in the defense. The accused and staff, and the exemption of his troops from any participation in the sanguinary battle then being fought immediately to his right. Surely such advantages as these, purchased, as they were, at the imminent hazard of the sacrifice of the whole army, were not those contemplated by the order. The advance of the accused, either along the Gainesville road or to the right, would have brought him into conflict with the enemy. The court concluded, and justly, that his falling back, under the circumstances and for the purpose mentioned in his note to Generals McDowell.

It would seem, also, to have been a manifest violation of the duty resting on him as a soldier, in the position in which he was placed, without reference to any specific order or direction leading or directing him to engage the enemy. Since that the column shall be so held in their advance as to be re

delivered "in half an hour or less, as orders are generally carried on such occasions." Adopting the latest estimate—that of General Pope and the orderly—this would give the accused two hours of daylight within which to make the attack.

On the other hand, there are five witnesses introduced by the accused—three of them being hisstaff officers—namely: General Sykes, Lieutenant-Colonel Locke, Captain Monteith, Lieutenant Weld, and Lieutenant Ingham—who depose that the order was not received until about sundown. One of them, indeed, though he is not supported by the others, fixes the hour much later. If, in ascertaining the value of testimony, witnesses were counted, and not weighed, the question would be at once settled by the relative numbers as given. Such, however, is not the rule of law, and it may be that after carefully considering all the circumstances, the court felt that the explicit and intelligent statements of Captain Pope and his orderly, fortified by the corroborative evidence of Generals Pope, McDowell, and Roberts, were not overcome by the opinions of the five officers named. There was, outside of the positive testimony, a consideration strongly supporting this view, and it is this: There is no question as to the time at which Captain Pope left with the order; it was at \$\frac{1}{2}\circ \circ \c

been received from General Pope, or had been forwarded to General Morell.* What conclusion is necessarily drawn from this? If the accused had seriously determined that the order to General Morell should be executed, would be not have apprised General Sykes of its character, and directed him to proceed at once to his command? When we add to this the feebleness of the attack directed—being but with four regiments—and the further fact that the order was revoked before it was possible to make the movement, can we escape a painful impression that the order itself was issued without any expectation that it would, or any purpose that it should, be obeyed?

would, or any purpose that it should, be obeyed?

There is yet one other fact presented in connection with this order which deserves a passing notice. Captain Pope found the accused with his troops halted, and the arms of some of them stacked. After delivering the order, and during his stay of fifteen or twenty minutes, he did "not observe any orders given, or any indication of preparation for a movement in the direction of the battle-field." On his return, nearly an hour afterward, the same condition of things existed. The following extract from the testimony of Mr. Duffee, who accompanied Captain Pope, will yet further illustrate the absence of all anxiety, if not of all interest, on the part of the accused:

"Question. Did you see the order delivered into the hands of General Porter?
"Answer. Yes, sir; I saw him take the order from Captain Pope.
"Q. Was he in his tent or out of doors?
"A. He was lying down under a shade tree when he took the order.
"Q. Did he change his position on reading the order, or did he continue to lie

down?

"A. I can not state positively whether he rose to his feet or not; but at the time he was reading the order I noticed that he was lying in this position on the ground [describing him as resting on his elbow, his head upon his hand].

"Q. Did you leave him lying down on the ground when you came away?

"A. Yes, sir."

"A. I can not state positively whether he rose to his fect or not; but at the time he was reading the order I noticed that he was lying in this position on the ground [describing him as resting on his elbow, his head upon his hand].
"A. Yes, st."

The accused had, for between five and six hours, been listening to the sounds of the battle raging immediately to his right. Its dust and smoke were before his eyes, and the reverberation of its artillery was in his ears. He must have known the exhaustion and earnage consequent upon this prolonged conflict, and he had reason to believe, as shown by his note to Generals McDowell and King, that our army was giving way before the heavy re-enforcements of the cenemy. He was a should not an order to charge the enemy have electrified him as a soldier, and have brought him not only to his feet and to his saddle, but have awakened the sounds of eager preparation throughout his camp? But the bugle-note of this order seems to have fallen unheeded; and after reading it, ger who bore it turned away, leaving the accused still "lying on the ground."

There is some contrariety in the evidence as to the force of the enemy by which the accused was opposed. The weight of the testimony is that it was small-decidedly so in the early part of the afternoon, when the attack directed by General McDowell should have been made. General Roberts thinks there was only a cavalry force, with some light artillery. Col. E. F. Smith, who was at lack with his command half an hour afterward, noticed clouds of dust beyond the trees, but whether there were troops advancing or moving in another direction be could not tell. He saw nothing to induce him to believe that they were retreating before the enemy, but supposed that they had been making a reconsistance in force, and having completed it were falling back for some other decided to the contrariety of observation, having been asked as to the opinion of the enemy; I only know that during to distribute the him to believe that they were retreating before t

*The troops of General Sykes extended along the road from those of General Morell toward, and, may be to where General Porter was. It is not, therefore, intended to intimate that, in being with General Porter at the moment, he was out of place; but to say that had it been General Porter's purpose that his order to General Morell to engage the enemy should be vigorously carried out, he would, from General Sykes's necessary relation to the movement, have advised him of it, and have directed him to go forward and prepare for performing his part in its execution.

the enemy, was sufficiently practicable to enable the enemy, as they did, to make a similar movement on our left on the next day."

Some of the witnesses of the accused declare that artillery could not have passed over this ground, while others testified that infantry could not have been marched through the woods in any order. Under a cross-examination, however, the obstacles on which these opinions were based were much reduced in the attempt to enumerate them. The general description of the country given is that it is open, with fields and woods and occasional ravines, but not remarkable for its ruggedness. There were no impassable streams, or morasses, or precipices. General McDowell deposed that he did not consider that there were any insuperable obstacles "in the way of the advance on the part of General Porter's command upon the flank of the enemy;" and he proved the sincerity of this opinion by directing him to make the movement. After reciting in detail certain facts leading to this belief, he thus concludes: "These movements by these two divisions of my corps, my own movements, and the movements of the enemy, give me the belief that troops could move through the country comprised between the Warrenton turnpike and the Sudley Springs road and the road from Bethlehem church to Gainesville. I will mention, further, that that country is a mixture of woods, cleared ground, and hills, and that it is easy for troops to march without being seen or seeing the enemy." A glance at the map which accompanies the record will show that the ground in question is embraced by this boundary and description.

It may be admitted—and perhaps the testimony requires the admission to be made—that in falling upon the enemy on the afternoon of the 29th the accused would have encountered both difficulty and danger; but difficulty and danger, in time of war, are daily and hourly in the category of the soldier's life. Their presence should be for him not a discouragement, but an inspiration. To grapple with them should be his ambiti

probably the destruction or capture of Jackson's army, the record fully justifies us in maintaining.

This opinion, in effect, is emphatically expressed by Generals Pope, McDowell, and Roberts, and by Lieutenant-Colonel Smith, all of whom participated in the engagement, and were well qualified to judge. General Roberts, who was on the field throughout the day, says: "I do not doubt at all that it would have resulted in the defeat, if not in the capture, of the main army of the confederates that were in the field at that time." To the same effect is the following explicit language of General Pope: "Late in the afternoon of the 29th—perhaps toward half past 5 or 6 o'clock—about the time that I hoped General Porter would be in his position and assaulting the enemy on the fiank, and when General McDowell had himself arrived with his corps on the field of battle, I directed an attack to be made on the left of the enemy's line, which was handsomely done by Heintzleman's and Reno's corps. The enemy was driven back in all directions, and left a large part of the ground, with his dead and wounded upon it, in our possession. Had General Porter fallen upon the flank of the enemy, as it was hoped, at any time up to 8 o'clock that night, it is my firm conviction that we should have destroyed the army of Jackson." Even had the attack itself failed, General McDowell states that the number of troops which would have been withdrawn from the main battle by the enemy to effect this result would have be far elieved our center as to render our victory complete. When we recall the calamities already suffered by our country, and contemplate the untold griefs to the homes and hearts of its people which may yet follow from the esage of that army on that day, we can appreciate with some approach to accuracy the responsibilities incurred by a line of conduct which so certainly and so fatally led to that disaster.

The first, second, and third specifications of the second charge arraign the conduct of the accused on the 29th, under the fi

the homes and hearts of its people which may yet follow from the escape of that army on that day, we can appreciate with some appreach to accuracy the responsibilities incurred by a line of conduct which so certainly and so fatally led to that disaster.

The first, second, and third specifications of the second charge arraign the conduct of the accused on the 29th, under the fifty-second article of war, as "misbehavior before the enemy." If a soldier disobeys the order of his superior office before the enemy he commits a double crime, by violating both the ninth and fifty-second articles of war, and he may be prosecuted and convicted of either or both offenses. So any other breach of duty, connected with military movements and occurring in the presence of the enemy, has assigned to it by the articles of war a depth of criminality which would not belong to it under other and ordinary circumstances. This results from the increased disaster likely to follow from misconduct in such a conjecture, and from the fact that insensibility to duty is doubly criminal when displayed in the midst of those dangers which ever inspire the true soldier with renewed devotion to the honor and interests of his flag. The accused is shown to have been, with his command, in the presence of the enemy, from the beginning to the end of the battle of the 29th—a period of at least seven and a half or eight hours. His troops were fresh and well equipped; and that from his position he was bound to have taken part in the engagement, and that his failure to do so was to the last degree culpable, can not be denied, unless it can be made to appear that he was restrained by some uncontrollable physical necessity, or by some positive order of his commanding general. The attempt has been made to justify his conduct on both grounds. The examination already made of the testimony warrants the conviction that the material obstacles in his way, growing out of the proximity and strength of the enamination already made of the testimony warrants the convict

and that it was in form an order, and given by proper authority, still it is not claimed that I reached the accused before about 50 clock. This would keeve his a battle, unexplained, and therefore unpaillated in its culpability by anything that is contained in the record.

An accused because of the enemy and of the difficult nature of the ground in his front and to his right has been commented on, it may not be inappropriate to the culpability of the property of the contained of the record.

In a strict of the contained of the difficult nature of the ground in his front and to his right has been commented on, it may not be inappropriate to the contained of the

spirit which, shrinking from neither toil nor exposure nor danger, bravely struck the enemy whenever and wherever it could be found.

The accused presents two general grounds of defense, which apply to all the accusations against him. They are—first, his general reputation for zeal and loyalty; and, secondly, the expression of satisfaction with his conduct which General Pope is alleged to have made at Fairfax Court-House on the 2d of September.

tember.

In reference to the first, the testimony is full and earnest as to his former services and character for faithfulness and efficiency as an officer. The law admits such proof in criminal prosecutions, because a presumption of innocence arises from former good conduct as evidence by general reputation. The presumption, however, is held to be entitled to little weight except in doubtful cases. Where it comes into conflict with evidence that is both positive and reliable it

tion, however, is held to be entitled to little weight except in doubtful cases. Where it comes into conflict with evidence that is both positive and reliable it at once gives way.

In regard to the second, Colonel Ruggles testified that at the close of a conversation on the 2d of September, at Fairfax Court-House, between General Pope and the accused, the General expressed himself satisfied with his conduct, referring, as the witness believed, to the transactions on which the present charges are based. Colonel Ruggles admits, however, that he was not a party to the conversation; that he heard it only in scraps, and endeavored not to hear it at all. General Pope, on the other hand, deposed that he was not satisfied, and could not have been; and that the expression heard by Colonel Ruggles related to explanations made by the accused as to certain disparaging telegrams which he was understood to have sent to General Burnside. In view of the relation of these two officers to the conversation, the court, of course, could not hesitate to accept the version of General Pope as the true one. Even if General Pope had declared himself satisfied, it would not have affected the status of the accused before the law. His responsibility was to his Government and country, and not to the commanding general. Nor can any presumption arise against this proceeding from the failure of General Pope to prefer charges against this proceeding from the failure of General Pope to prefer charges against the accused. It was his privilege to prefer them, but he was not bound to do so. He discharged his whole duty when, in his official report, he laid these transactions before his Government for its consideration.

This case has been most patiently investigated. If, in war, and in the midst of active hostilities, any government has ever devoted so long a period of time—some forty-five days—to the examination of a military charge, it has not come to my knowledge. The court was not only patient and just, but liberal, and in the end everything w

the conduct of the accused in its true light. It is not believed that there remains upon the record a single ruling of the court to which exception could be seriously taken.

The case is important, not only because of the gravity of the charges and the dignity of the officer arraigned, but also because of the fact that it involves a principle which lies at the very foundation of all discipline and of all efficiency in military operations—the principle of military obedience. A standard author, treating on this branch of jurisprudence, says: "Hesitancy in the execution of a military order is clearly, under most circumstances, a serious offense, and would subject one to severe penalties; but actual disobedience is a crime which the law has stigmatized as of the highest degree, and against which is denounced the extreme punishment of death." (De Hart, page 165.) The same author continues: "In every case, then, in which an order is not clearly in derogation of some right or obligation created by law, the command of a superior must meet with unhesitating and instant obedience." So vital to the military system is this subordination of will and action deemed that it is secured by the most solemn of human sanctions. Each officer and soldier, before entering the service, swears that he "will observe and obey the orders of the officers appointed over him;" and it is from this, probably, that the offense of disobedience derives much of the depth and darkness of the criminality with which it is stamped by the Articles of War. Obedience, indeed, is the very jewel of the soldier's life. It adornshim more even than laurels, which are so often plucked by unholy hands. The soldier who has given to the order of his superior officer a prompt, an earnest, a heartfelt support, has triumphed in the field of duty, even though he may have fallen on the field of arms.

The offenses for which the pleadings and testimony arraign the accused are the very gravest that a soldier can possibly commit—being neither more nor less than the willfu

J. HOLT, Judge-Advocate-General.

To the PRESIDENT.

Mr. BRAGG. I shall object to the printing of the argument of Judge-Advocate-General Holt in the RECORD.

The CHAIRMAN. The Chair hears no objection to printing

Mr. BRAGG. I object to the printing of the argument of Judge

The CHAIRMAN. There is objection to printing in the RECORD the argument of Judge Holt.

Mr. KELLEY. May I have as much of it as possible read in the

time that can be spared?

Mr. NEGLEY (to Mr. KELLEY). Go on, Judge, I will give you ten

minutes of my time. The CHAIRMAN.

The time belongs to the gentleman from Michigan [Mr. Burrows].

Mr. NEGLEY. There are ten minutes reserved belonging to me.

The CHAIRMAN. The Chair has recognized the gentleman from Michigan.

Mr. KELLEY. I am aware that the time belongs to the gentleman from Michigan.

Mr. STEELE. I would like to raise a point of order. The gentleman from Pennsylvania [Mr. Kelley] asked leave, and no objection was made at the time. I claim that objection now comes entirely too

Mr. CUTCHEON. The gentleman from Pennsylvania asked leave pending his argument.

Mr. KELLEY. I opened my argument with a request for leave—Mr. BRAGG. No, sir.
Mr. KELLEY. However, I can better afford to have it excluded

Mr. KELLEY. However, I can better afford to have it excluded on the objection of the gentleman from Wisconsin than he can.

The CHAIRMAN. The Chair did not submit to the Committee of the Whole the request of the gentleman from Pennsylvania until he had concluded his remarks.

Mr. BRAGG. That argument is a libel on humanity, and it shall never be printed with my consent.

Mr. BURROWS. I would most cheerfully yield the balance of my time for the reading of the document were I not under obligations to other gentlemen to yield some portion of my time.

Mr. KELLEY. Will you permit me to read a brief extract, occupy-

ing three minutes or five?

Mr. BURROWS. Certainly.
Mr. NEGLEY. I have ten minutes of my time reserved. May I not by some understanding yield that time now to my colleague?
The CHAIRMAN. The Chair can not take the gentleman from Michigan [Mr. Burrows] off the floor.

Mr. NEGLEY. I do not wish to have that done. I simply ask the courtesy of the House, that by unanimous consent I may at this time yield, in conection with the time given by the gentleman from Michigan, sufficient time to my colleague for him to read a part of the official

The CHAIRMAN. The gentleman from Michigan has already yielded

the time desired out of his hour.

Mr. BURROWS. Yes, I will yield to the gentleman from Pennsyl-

vania for the purpose which he states.

Mr. BRAGG. I dislike to be discourteous to my colleague on the com-

mittee, but by unanimous consent that will not be read.

The CHAIRMAN. The gentleman from Pennsylvania is entitled to the time yielded him by the gentleman from Michigan. How much time does the gentleman from Michigan yield to the gentleman from Pennsylvania.

Mr. BURROWS. I understand five minutes will be sufficient.
Mr. KELLEY. I would like as much time as would be necessary. My colleague [Mr. NEGLEY] has yielded to me the ten minutes of time which he had reserved.

Mr. BURROWS. Very well; I will yield that much time to the gen-

Mr. THOMAS, of Illinois. There will be an understanding, of course, that the floor will be yielded to the gentleman from Michigan as soon as the gentleman from Pennsylvania has closed his remarks

Mr. KELLEY. I will take my chances, Mr. Chairman, to get in again. I am on the list, in my own right, and I will try to get in then the paper which I desire to have read. [Applause.]

Fitz-John Porter.

SPEECH

HON. JOHN R. THOMAS,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, February 17, 1886.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 67) for the relief of Fitz-John Porter—

Mr. THOMAS, of Illinois, said:

Mr. CHAIRMAN: No one realizes more than I my utter inability in thirty minutes' time to discuss this question with anything like the fullwith which I would be glad to discuss it if I had sufficient time. I find myself met by a further difficulty, and that is to offer anything new in this discussion after so many able and elaborate speeches have been made for and against the bill. In the short time allotted to me (only thirty minutes, remember) I can only hope to discuss in a most cursory manner the salient points of this case, without being able to go into details, without being able to read from the evidence adduced before the court-martial, or from the evidence gathered by the Schofield board. I can only look at the question as a whole and deal with certain prominent features of it.

In the very outset I find myself confronted by a paradoxical and anomalous state of affairs. We are treated to the delectable spectacle in the House of Representatives of the United States Congress attempting, without constitutional or legal authority, to change its powers and pre-rogatives from legislative to judicial. There has been an impression abroad, not only in this country but throughout the whole world, that this Government was divided into three co-ordinate branches, that each within its realm was independent, having power under the Constitu-tion to deal with the questions which came within its legitimate province. Although judicial subjects under our Constitution are given in

charge to the judicial branch, here the legislative branch of Government is now attempting to usurp those judicial functions in violation of the Constitution by reviewing a case which has been tried by a competent court in a constitutional manner long after that case had been tried and, as it were, rounded up under constitutional authority.

We have been in the habit of regarding courts as above the ordinary plane of politicians, as above those partisan influences which characterize legislative assemblies, and especially the popular branch of Congress. Judges are supposed to act upon evidence and law, to be governed by the Constitution and to dispassionately and fairly seek the ends of justice. But here, with all the prejudices, with all the extraneous influence surrounding and controlling this House, we are asked to assume the functions of judges and pass upon this case

Now, I deny most emphatically the right of Congress to retry Fitz-ohn Porter. I deny the right of Congress to overturn the judgment John Porter. of a constitutional court of the United States which has been supposed to be and ought to be now and forever at rest.

The attempt has been made here, not only in this Congress but in other Congresses as well, to wash from Fitz-John Porter the brand of infamy which was placed upon him twenty-three years ago. His advocates have been parading him here as a patriot who had suffered under the stings and unjust malignity of his comrades and peers at that time. It is claimed that he was not fairly tried; that there was not an opportunity for the serious and earnest investigation of the case; that the times were troublous, and the land was full of war, and, therefore, that men's minds could not grasp the subject, could not deal with it fairly and dispassionately. But, sir, when we remember the fact that this case was not only tried by one of the most distinguished bodies of military men that ever assembled upon earth, that they gave forty-five days to its consideration, that it passed the scrutiny of that illustrious war secretary, Edwin M. Stanton, and that it rested beneath the shadow of the wing of mercy of Abraham Lincoln, it is safe to say that justice was meted out at the time when the minds of men were full of the facts, when they had not been dimmed by accumulating years and cares, and that those facts led them instinctively to a proper conclusion.

Fitz-John Porter a patriot! Where do you find the man who so re-

gards him? In the hearts of the loyal people of this country, in the minds of those who loved the flag and our Government, the impression has lasted for more than twenty-three years that Fitz-John Porter was anything but a patriot, that in other words he was a traitor to his military commander who represented the flag and the Government, and in being a traitor to his commander he was also a traitor to his country. The platitudes indulged in here by those who admire and glorify Fitz-John Porter will not change the opinion in the minds of the people of this country that he merited the punishment meted out to him by the

court before which he was tried.

Mr. Chairman, one of the advocates of Fitz-John Porter has to-day seen fit not only to traduce the living but to blacken the memory of the dead in order to sustain Fitz-John Porter. Maj. Gen. John Pope is referred to as the Falstaff of the times, and held up to ridicule. Let any one who cares to acquaint himself with the facts look at the history of General Pope, a man who graduated with high honors in his class at West Point; who was three times brevetted for gallantry on the field in Mexico; who lead our armies and won victories for the country when he was properly supported; and who was rewarded by his countrymen by being placed in a conspicuous position, that of major-general of the United States Army, where he has shed credit and honor upon his

country to this day.

And yet, sir, Fitz-John Porter, this admitted traitor to his commander, is held up here as the peer of Pope, as a patriot to be honored as Pope is honored; honored as one who has received the commendation of his countrymen, both those living to-day and those who died since the memorable occasion referred to.

We are admonished, Mr. Chairman, that we should investigate and try this case now as a court and without political prejudice. I should have been glad, sir, if we could have approached the consideration of it in that manner and spirit, believing its result would be only to affirm the sentence of condemnation heretofore pronounced upon Fitz-John Porter. But we find from the very beginning that it has assumed a political aspect; that it has been the pet of the Democratic party from the time it first showed its head here, receiving the almost unanimous support straight along of that party, with one solitary individual exception; and by way of recompense that man, the only Democrat who had the courage to vote his convictions, was ignominiously defeated by his party for renomination and re-election.

We find Porter to-day brought in and exhibited before the country in the leading-strings of a cavalry general of the late so-called conin the leading-strings of a cavalry general of the late so-called confederacy. We find the charge upon the public conscience and upon the public mind led by General WHEELER, of Alabama, who figured quite conspicuously as a confederate cavalry general in the late attempt to destroy the Government. There is no difficulty in finding the friends of Fitz-John Porter. The late confederates have a proper regard for Fitz-John Porter. They realize that he rendered them an invaluable and an inestimable service on that field, and they reward him with their votes and their influence accordingly.

their votes and their influence accordingly.

Every one who has observed the course of the Democratic party, not

only during the war, but since, has seen that it has in every way that can be imagined by the mind of man, in season and out of season, attempted to overturn the victories and results of the war. It is not necessary to enumerate instances nor to go into a detailed account of all the efforts made to wipe out and belittle everything accomplished by the Union side of the country, and to emphasize and magnify those things which were done on the confederate side. It was said on the floor of this House that the Democrats were in their fathers' house, and that they had come to stay. Who helped them to enter and stay in their fathers' house? They are here, but they are here because the men who were loyal to the flag and country whipped them back into the house of their fathers. And now they have come to stay? And, as one of their first acts, they propose to reward the man who helped them in their day of trouble.

Looking into the philosophy which lies beneath the action of the regular Army officers during the earlier part of the war, we find this state of affairs: on both sides, for the leaders of the army of the rebellion were West Point graduates and the leaders of the forces on our side were West Point graduates; and we remember that the teachings and the influences of West Point in ante-bellum days were of the most aristocratic character. The graduates of that institution are commanders of men and they look with contempt upon those beneath them. Very naturally then they were pro-slavery men. They looked upon slavery as right. If you analyze their conduct and the impulses by which they were governed you will see they hoped to hold the putting down of the rebellion in their own grasp—to settle it under an armistice, giving greater guarantees to slavery. But when the rebellion reached its greatest proportions and the Government began to lay its iron hand upon the insurgents with the evident intention of suppressing the rebellion, then the disaffection of Fitz-John Porter and men of his ilk began to manifest itself. The people awoke to the fact that the country must be saved, that the flag was in danger, that the existence of the Government was in peril. We saw men like Fitz-John Porter sent to the rear. We saw men who were willing to save the country without slavery brought to the fore. John Pope had been known as an anti-slavery man; he was known as an abolitionistand was hated accordingly; and when brought to command the Army of Virginia he was at once assailed by pro-slavery Democrats in Congress and out of Congress, in the Army and out of the Army.

The distinguished services rendered by Fitz-John Porter before the events complained of, and for which he was tried, show that he was a gallant soldier indeed. It is known that he was educated at public expense, that he was commissioned an officer in the Army, that he sustained an unblemished reputation up to a certain point when political prejudices entered the Army and affected him the same as political influences affected other men. Therefore I say he was not willing to see the country saved under an anti-slavery man like John Pope when a pro-slavery leader like McClellan had been deposed or had ceased to command. Then I say that if not a traitor to his country by overtact of treason he was a traitor to his country in this, that it is shown conclusively that he disobeyed proper orders and was unfaithful to his superior officer, General Pope.

Admit, if you please, for the sake of the argument, that Pope blundered. Admit, if you please, that at the time he was incompetent. Still under military law, under the law of the land, he was Porter's superior; and it was Porter's duty to obey his orders implicitly and without question. It is said that Porter being a corps commander had certain discretionary powers, that he had a right to exercise a certain discretion. I want any one to show me where he ever tried, where he ever made the slightest effort to obey the orders which he complained were physically impossible of execution. It is said that he had a right to use his discretion. Let us illustrate it. We will take a common illustration. Suppose a constable goes and arrests a man without a warrant, charging him with the commission of some crime. Any one knows the constable has the right to make such an arrest, yet every lawyer knows that he makes the arrest at his peril, and unless the man is convicted, he is liable for trespass and false imprisonment, and so a military commander if he sees fit to use his discretion must take the consequences with it. Porter used his discretion and he reaped the reward. And now let him rest in peace.

The promotion or the appointment of Fitz-John Porter to a position in the regular Army would be the rewarding of one who was an enemy to his country and an enemy to liberty. He it was that staid the tide of victory when it was turning in his country's favor. His restoration would be an insult to the living officers who fought from the beginning to the end of the war. It would be an outrage to the dead who fell in their country's defense. It would be an outrage to those dead soldiers who sleep the sleep that knows no waking and are embalmed in the mantle of their country's patriotic pride and affection. In conclusion, for my time is well-nigh consumed, I can only say that I protest against the passage of this bill, first, on the ground that I believe it to be unconstitutional; secondly, I protest against it on account of the wrong of honoring the man who was tried and condemned by his

In conclusion, for my time is well-nigh consumed, I can only say that I protest against the passage of this bill, first, on the ground that I believe it to be unconstitutional; secondly, I protest against it on account of the wrong of honoring the man who was tried and condemned by his peers and associates when the facts were fresh in their memory and when all the evidence was before them. I protest against it because the restoration of Fitz-John Porter shows on its face an infamous attempt to blacken the memory of Lincoln, of Stanton, of Garfield, and the other

members of the court-martial by declaring their judgment erroneous, and influences by which they were surrounded and governed impure, unjust, and unpatriotic.

The advocates of Fitz-John Porter may try, but they never can obliterate from the minds of the people of this country that Abraham Lincoln, James A. Garfield, Edwin M. Stanton, and the other officers and men who performed their duty in the suppression of the rebellion were patriots, and that Fitz-John Porter was a traitor. [Applause on the Republican side.]

Subtreasury at Louisville, Ky.

SPEECH

OF

HON. ALBERT S. WILLIS,

OF KENTUCKY,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 6, 1886.

The House being in Committee of the Whole on the state of the Union for general debate-

Mr. WILLIS said:

Mr. SPEAKER: In the early part of the present session I introduced a bill (H. R. 902) for the establishment of a subtreasury at Louisville, Ky. The object in view is so important, both to the general public and to the people whom I have the honor to represent, that I have felt called upon to present some of the reasons for the passage of the bill.

OBIGIN OF THE SUBTREASURY SYSTEM.

A brief reference to the origin of the subtreasury system may not be out of place. The first United States bank was used as a depository. Legislation, however, making that institution a depository first occurred in 1816 in the charter of the second United States bank. Prior to that time and after 1833, when Jackson removed the public funds the various State banks were also used. The financial crisis of 1814, as well as that of 1837, brought ruin to the State banks and consequent loss to the Treasury, which was their chief depositor. Finally, after an exciting political contest, a divorce of banks and States was effected in 1840, but repealed in 1841. Afterward, when public attention was drawn to Texas and the Mexican war, the independent treasury act was re-enacted in 1846, and has since remained in force.

The system as created in 1846 has been since but slightly modified. In the exigencies of the first war loan in 1861 deposits were again authorized to be placed in certain State banks. The only other change took place on the organization of the national banks in 1864, at which time power was given to the Secretary of the Treasury to designate certain of the national banks as depositories of public funds. Observing, however, a distinction between different kinds of Government funds, it forbids that "receipts from customs" shall go into any national-bank depository, but authorizes receipts from internal revenue and other

DEPOSITORIES OF PUBLIC MONEY.

The act of June 3, 1864, indicates a very decided departure from the policy of 1846, which demanded the total separation of the Treasury from the banks. Under the act of 1846, none of the public money was to be deposited with any banking institution whatever. A complete separation of the Government from all banking institutions was the principle of the bill. The deposit of the revenues in the banks was not, in the opinion of the Congress which passed that bill, placing them actually and bona fide in the Treasury; and permission to the banks to use the deposits in their banking business and various operations was in its opinion an employment of the revenue which exposed it to hazard and loss; and was substantially a loan of all public moneys on deposit to the several institutions. The experience of the Government up to that time had been a very disastrous one. The losses arising from such deposits were estimated in the report of the Treasury Department on 11th February, 1881, at the enormous sum of \$15,492,-000. In the same report of the Secretary of the Treasury the total loss in 1879 to the people through the existence of the banks and the use of bank paper was computed at \$365,451,497.

SUBTREASURIES NOW IN EXISTENCE AND THEIR HISTORY.

The act of August 6, 1846, authorized the establishment of subtreasuries at four places: New York, Boston, Charleston, and Saint Louis. These were for the "receipt, safe-keeping, transfer, and disbursement" of public funds, and were also by section 6 authorized to act as pension agents. The mints at Philadelphia and New Orleans were also, by the act, to be used for the same purposes. By the acts of February 12, 1873, these mints and the one at San Francisco were formally designated subtreasuries. On the 15th of June, 1870, a subtreasury was established at Baltimore, and on the 3d of March, 1873, Cincinnati and Chicago were added to the list. In 1876, the subtreasury at Charleston was discontinued.

The whole monetary transactions of the Government are now con-

ducted through the office of the United States Treasurer, one hundred and forty-one national bank depositories, and the nine assistant treasurers at New York, Boston, Philadelphia, Baltimore, Saint Louis, Chicago, Cincinnati, New Orleans, and San Francisco.

NECESSITY FOR AN ADDITIONAL SUBTREASURY.

The statement of population and business since the establishment of The statement of population and business since the establishment of the last subtreasury could be presented as conclusive reasons for further facilities in this direction. At that time the total revenues of the Government were only twenty-six millions against three hundred and twenty-four millions last year. It is, however, unnecessary to refer to such statistics. The official reports of the Government for several years past clearly set forth the necessity for an additional subtreasury and urgently demand the relief afforded by the pending bill.

As far back as the year 1882 we find from the report of the Secretary of the Treasury that there were in the subtreasury at New York about \$19,000,000 in standard silver dollars while the subtreasury and mint at San Francisco held nearly \$41,000,000. The Secretary assigns as the reason for not bringing away a part of these silver dollars from San Francisco that "there was no unsatisfied call for them elsewhere and the expense of carriage is great, never less than 1 per cent.

Besides that-

He continues

the vaults on this side are inconveniently taxed in the storage of what is here. Indeed, the storage capacity of the mints and other vault room of the Government is everywhere severely taxed. There were on hand in the subtreasury on November 1, 1882, 285, 881, 387, 62 of fractional silver coin. In all, there were 2,400 tons of silver coin stored in the public vaults. If the coinage of standard silver dollars is kept up * * * it will be a serious question where the Treasury Department will find, in public receptacles, storage room therefor. (Report of Secretary of the Treasury for year ending June 30, 1882, page 12.)

In the following year, 1883, the Secretary again called attention to the subject in the following words:

The accumulation of standard silver dollars in the custody of this Department at the date of its last annual report was such as to cause serious inconvenience, actual and prospective, for the want of safe storage room. The vaults owned and hired by the Treasury are still heavily taxed for room, and frequent transfers must be made, at risk and cost.

The Treasurer in his report for the same year states:

The vaults of the Treasury offices are taxed to their utmost capacity to contain the funds of the Treasury, including the \$114,576,044 in standard dollars and \$25,792,519.83 in fractional silver coin. Frequent transfers of such coin are necessary from an office that has become filled to its capacity to some office in which vault room can be found.

Upon these statements Congress authorized the construction of a large vault, with the capacity of forty-five million standard dollars, in the Treasury building at Washington, and of another, with the capacity for twenty-eight millions, in the treasury office at New Orleans. These additional accommodations were inadequate to the demands of the public service, and in the next year after their construction the Secretary of the Treasury again calls the attention of Congress in the following

Attention is again invited to the crowded condition of the vaults in the subtreasury offices, occasioned by the great accumulation of standard silver dollars and redeemed fractional silver coins. The new vault just completed in the office of the Treasurer of the United States at Washington is the only one now available for further storage, the new vault at New Orleans being needed for the storage of silver accumulated at that point and that coined at the mint in that city.

* * The assistant treasurer at San Francisco has reported that his vaults are nearly full, and that there is no further space in his office available for the erection of another vault. He recommends the purchase of adjoining property for the purpose of providing additional vault room.

There are also many millions of standard silver dollars in the mint at San Francisco which encumber the vault space required to accommodate the current coinage. (Report of Secretary of the Treasury for year ending June 30, 1881, page 38.)

NECESSITY FOR ANOTHER SUBTREASURY AS SHOWN BY THE LATEST OFFICIAL

The latest reports of the Department are very clear as to the necessity of another subtreasury. The Secretary of the Treasury in his last

The monetary transactions of the Government have been conducted through the offices of the Treasurer of the United States, nine assistant treasurers, and one hundred and forty-one national-bank depositaries.

The gross receipts of the Government, amounting during the fiscal year, as shown by warrants, to the sum of \$568,887,099.38 (\$245,195,303 of which were on account of loans, United States notes, and certificates and conversion of refunding certificates), deposited as follows:

In the Treasury and subtreasuries... In national-bank depositories.....

Owing to the large movement of moneys caused by the exchange of standard silver dollars for silver certificates, the deposits of legal-tenders in exchange for like certificates, and the redemption of fractional silver coin, the duties of the officers and employes of the different subtreasuries have greatly increased, and I would, therefore, recommend that inquiry be made by Congress as to the present condition of these offices, and such method of relief be adopted as may be deemed proper. (Report of Secretary of the Treasury for the year ending June 30, 1885, page 14.)

The Treasurer in his report for the same year, under the head "standard silver dollars," page 25, says:

The amount of silver dollars shipped from the Mint to points by express to June 30, 1885, was \$96,516,067, of which there remained outstanding on that date only \$38,348,527, as stated above. The cost to the Government of moving these coins was \$430,313.76, an average of \$4.46 per \$1,000.

The average rate per \$1,000 from the several mints was as follows:

 From Philadelphia
 \$3 94

 From New Orleans
 2 21

 From Carson City
 14 47

 From San Francisco
 9 23

The vaults in the mint at New Orleans having become filled with dollars, it was determined to remove as many as practicable to the vault in the Treasury Department. In order to avoid the payment of a large sum for this transfer, \$10,400,000 were safely moved by means of United States naval vessels in September last, at an expense which saved the Government about \$40,000. There was also moved by registered mail from San Francisco the sum of \$12,800,000 in gold coin without any expense to the Government except the transportation from the post-office to the subtreasury.

Special contracts have been made with the express companies to transport to Washington or New York \$10,000,000 in silver from San Francisco and \$3,700,000 from Carson City, at the rate of \$9 per \$1,000, and \$15,000,000 from New Orleans to Washington, at \$3 per \$1,000; also, for the transfer of \$17,200,000 of gold coin from San Francisco and of \$900,000 from Carson City, at \$2 per \$1,000.

On July 1, 1885, the clause in the sundry civil appropriation act of 1885, authorizing the shipment of silver coin from subtreasuries, became operative. The shipments made since that date to September 30 have been at an average cost of \$1.74 per \$1,000. The average rates from the several points were as follows:

\$2.08 \times Circumstant Circumstant Sunday Sunday Circumstant Circumstant Sunday Circumstant Circumsta

	our me porterni pounto mere an tone	2 44 12 V	
2 01	Chicago	1 8	37
1 04	Saint Louis	2 3	11
1 04	San Francisco	5 7	9
	\$2 08 2 01 1 04 1 45	\$2 08 Cincinnati	\$2 08 Cincinnati. \$1 0 2 01 Chicago 1 2 1 04 Saint Louis 2 8 1 45 New Orleans 1 7 1 04 San Francisco 5 7

It is recommended that the appropriations for this purpose be continued, and that the authority given by the act referred to be extended to include shipments of silver coin from depository banks.

If the coinage of silver dollars is to continue, a new vault will be needed in New York city, and additional vault room in the Treasury building at Wash-

ington.

The following table shows the amount of standard silver dollars and of fractional silver coin in each office of the Treasury on September 30, 1885, and on that date last year:

	Standard si	lver dollars.	Fractional silver coins.		
Office.	September 30, 1884.	September 30, 1885.	September 30, 1884.	September 30, 1885.	
Treasury United States, Washington	\$1, 494, 616	\$14, 334, 245	\$198, 405 67	\$264, 274 28	
Baltimore	3, 123, 065 1, 866, 971 6, 648, 800 635, 500 7, 923, 208 25, 908, 000	3, 380, 708 687, 805 7, 322, 000 737, 000 10, 112, 004 28, 900, 000	474, 097 45 1,512,701 05 3,848,157 00 132,063 00 713,977 27	538, 935 70 1, 393, 974 00 4, 147, 010 00 149, 725 00 719, 901 80	
Philadelphia	9, 384, 360 18, 558, 000 7, 819, 750	10, 009, 330 21, 000, 000 10, 119, 400	8, 877, 504 65 3, 690, 270 00 7, 776, 797 77 2, 098, 100 00	2, 954, 122 32 3, 631, 380 00 7, 496, 281 80 2, 237, 080 00	
Denver	2, 876, 730 12, 642, 620 7, 798, 269 32, 740, 620	18,080 4,042,165 14,441,005 29,404,002	1 40 13,630 58 25 34,777 72 34,214 88	7,047 76 51,523 89 11,452 74	
Office: Boisé City Charlotte, N. C	708		8 00		
Helena, Mont New York Saint Louis	350	1,624 12	19, 217 35 71 14 30	48 45 17 50	
TotalAdd amount in transit	142, 431, 407	154, 509, 380	29, 424, 029 05	23, 602, 776 84	
between offices	10,000	11,069,000	71,856 78		
Deductamount required to fill orders unpaid	142, 441, 407 91, 998	165, 578, 380 147, 297	29, 495, 885 83 19, 170 20	23, 602, 776 84 76, 425 40	
Total	142, 349, 409	165, 431, 083	29,476,715 63	23, 526, 351 44	

The foregoing official statements require no explanation or comment. They are, I submit, sufficient of themselves to justify action by this Congress, and are indeed presented to us with that view. The force of the suggestion is, however, increased when we find, upon further examination of the last official reports, that not only are the subtreasuries of the country overcrowded both with funds and with work, but that the Department has been compelled against its own judgment and against the law to permit the mints and assay offices to be used as subtreasuries.

UNLAWFUL STORAGE OF BULLION AND COIN IN MINTS AND ASSAY OFFICES,

This phase of the question has been fully presented, both by the Treasurer and the Director of the Mint. From the statement appended to the last Treasurer's reportit will be seen that the Treasurer is charged in the account with \$148,504,628.77 held in the mints and assay offices as a bullion fund. While receiving daily reports from these offices, showing the changes in the fund, he has, as he shows in his last report, page 15-

No means of verification except by calling upon another bureau; the condition of these offices has never been examined heretofore by any one representing the Treasury. The results of the annual examinations made under the direction of the Mint Bureau are not communicated to the Treasurer, and these examinations are therefore not sufficient, it is submitted, to confirm the statement that the funds are held as represented.

If these prudent suggestions of the Treasurer are not sufficient to induce action on the part of Congress I would call attention to the following forcible presentation of the matter by the Director of the Mint. In his last report, page 32, referring to the improper use of the mints and assay offices, he states:

STORAGE OF BULLION AND COIN IN MINIS AND ASSAY OFFICES

The mints of the United States were never designed to be repositories either

of large stocks of bullion or of coin. This is indicated by the small capacity and number of their original vaults. The best of these in the mint at Philadelphia are very primitive in design and in safety appliances. Indeed, all of the institutions, as far as I am informed, with the exception of the mint at San Francisco, are supplied with vaults the security of which mainly depends upon the integrity and efficiency of guards and patrols by night and upon the presence of officers and employes by day.

But, as a matter of fact, still further dependence is placed on the legal preservation of public order and the efficiency of local police. Confidence in such personal, as distinguished from structural, means of security seems happily to, have suffered no relax from serious disturbances of public order. Yet it may well be asked should even this long immunity from popular violence be accepted as a guarantee against the possibility of any future occurrence of the kind in large cities like New York, Philadelphia, and New Orleans? Or should indeed such immunity in the past serve as a justification on the part of the Government for not exhausting all practicable structural means for the safe custody in yand subtreasuries at present offer but a scant asylum?

The demand upon the mints for facilities for the storage and safe custody of bullion and coin becomes more and more urgent as their available capacity becomes taxed through the accumulation, especially of coin, of which the Treasury and subtreasuries of the United States are unable to relieve these institutions, through similar exigencies on their own part, or through considerations of expense attending every movement of specie.

Regarding the mints and assay offices in their true character as manufacturing establishments, and, on the other hand, the subtreasuries as the proper repositories of the finished product of the mints, there seems to be no reason, except that of absolute necessity, for continuing to charge the several mints with the custody of specie over a

It thus appears by official report that all the subtreasuries throughout the country and at Washington are overburdened with coin and bullion, and that the mints and assay offices, institutions not directly set apart for such purpose, have been used for the storage of bullion and coin. The hazard, inconvenience, and expense resulting from this condition of things are fully set forth in the reports which I have read. If, therefore, the necessity for another subtreasury rested solely upon the inadequacy of accommodations at the disposal of the Department it would be fully recognized by Congress. I need not call attention to the fact, however, that such inadequacy of accommodations is insignificant as compared with the demands of business and commerce throughout the country. It is unnecessary to go into statistics upon this point. If forty years ago six subtreasuries were deemed necessary for the proper conduct of the pecuniary affairs of the Government, will it be doubted that additional facilities should be furnished to-day when our population in the solid greaters and our wealth head of the pecuniary affairs of the country. tion is threefold greater and our wealth has increased more than twenty-

FACTS GOVERNING THE LOCATION OF SUBTREASURY.

Conceding, then, the necessity for another subtreasury, where should it be located? What considerations should operate in determining this question? I submit that the most material points would be geographical position, accessibility to surrounding country, distributing power, amount and character of present and prospective collections and disbursements of public moneys.

The briefest reference to the facts will, I am satisfied, convince this House that the city which I have the honor to represent more fully comes up to these requirements than any other place in the United

States.

GEOGRAPHICAL POSITION AND NATURAL ADVANTAGES OF LOUISVILLE.

Louisville, the metropolis of Kentucky, is located on an elevated and beautiful plain at the falls of the Ohio River, 368 miles from its mouth. Its area is 18 square miles. It is laid out with great regularity, the principal streets running parallel with the river and being intersected with others at right angles. It has a population, in connection with the cities around the falls, of over 200,000, and is fast increasing in numbers and wealth. The rapidity of this numerical increase may be seen from the statement that since 1850 its population has trebled. single glance at the map will make it evident that the position occupied by Louisville is of peculiar importance with reference to the great feature lines of the continent.

The Mississippi River system is the key to the continent; those parts

which lie beyond its borders are either limited area, or their severe conditions of climate make them relatively of minor importance. In this system the State of Kentucky, and Louisville, its chief city, occupy a most important place. The western border of our State is only 1,070 miles from the mouth of the Mississippi, while its eastern boundary is within 500 miles of the Atlantic ports. The special feature of position to be considered in measuring the importance of the location of Louisville, is its central place with reference to the valley of the Mississippi, and the advantages it has from its extended contact with the riversy tem of that valley. It is by water 598 miles below Pittsburgh, 132 miles below Cincinnati, 368 miles above Cairo, 607 miles above Memphis, 1,377 miles above New Orleans, and 558 miles from Saint Louis. Situated midway between the Gulf of Mexico and the northern lakes, and also between the eastern and western ranges and the North American mountains, Louisville becomes the focal point of the great Mississippi Valley. The extent, fertility, and boundless resources of that valley in agricultural and mineral wealth need not be here enlarged upon, nor is it necessary to refer to the importance of its future destiny whether from a political or commercial standpoint.

But not only is Louisville in the heart of the Mississippi Valley, but it is also in the heart of the valley of the Ohio, a valley without doubt comprising a larger quantity of fertile land, and a more extensive and diffused interior navigation, together with a more salubrious climate than in any other portion of the temperate zone on the globe. It comprehends an area of 201,720 square miles, which is about double that of France, more than twice that of Great Britain, and nearly as much as Germany. Its internal navigation is over 5,000 square miles, with access to navigation on the great northern lakes of 82,750 square miles. The resources of the finest iron and lead ore and salt are stretched over this section of the United States in a profusion unequaled in the world. This valley of the Ohio extends from latitude 40° 29' north to latitude 34° 12' north, and in an eastern and western direction it stretches from the head of the Ohio River to its mouth; that is, from 78° 2' west, from Greenwich, to 89° 2' west. This valley is destined to become the greatest source of these productions that require cheap labor and cheap food in the world, and its population in the near future will undoubtedly equal that of the oldest-settled areas in the great European States. Thus centrally located with reference to the great valleys of the Mississippi and Ohio, I submit it to the judgment of my colleagues on this floor whether in geographical position the city which I have the honor to represent does not possess special advantages.

While possessing these advantages, by reason of its geographical posi-tion, Louisville has direct water communication and railroad facilities for reaching the remotest parts of these great valleys. She has a river frontage of 12 miles, and a river trade in the South and in the West combined of over 12,000 miles. There are no less than thirty navigable rivers accessible by the steamers from her wharves and tributary to her commerce. With her river facilities she has opened avenues of trade to a vast and wealthy domain, comprising sixteen States, with a population of over 7,000,000 people. Her immediate communications with her own State are also direct and numerous. Of the one hundred and seventeen counties in the State of Kentucky one hundred and eight can be reached by water or railroad communication. The successful completion of the Eads jetties will, with proper improvement of the river, within a few years bring within easy access ships of the largest tonnage. The invaluable advantages of river communication, which in consequence of the mildness of the climate is never interrupted for more than ten or fifteen days in the year, in floating to her doors in the greatest abundance salt, coal, and lumber, will be readily perceived.

This system of railroad gives easy communication with every point of the compass.

The Louisville and Nashville and Great Southern, the

most important of the trunk lines of railroad in the South, and second only to the Mississippi River, its total mileage being 3,600 miles of Southern roads, including the line to Cincinnati under one management, that road laid with steel rails on the main stem, is the great through line from the Southern States to the Eastern and Northern markets, and is to the South what the New York Central and the Pennsylvania railways are to the trade of the Northeast and West.

The Chesapeake and Ohio Railroad connects Louisville directly with Newport News on the Atlantic coast, 729 miles distant, with the Southern Pacific and Mexican Central Railroads; the Chesapeake, Ohio and Southwestern Railroad, a continuation of the Chesapeake and Ohio road, opens up a direct line of communication with the southwestern portion of the State of Kentucky, abounding in choice iron and coal beds and

forests of splendid timber.

The Louisville Short Line, running through Kentucky, reaches Cincinnati and thence all the railroad communication of the North. The Ohio and Mississippi leaves Louisville and makes the same connection with Cincinnati as the latter road but upon the opposite side of the river. It also connects Louisville with Saint Louis. The Jeffersonville, Madison, and Indianapolis Railroad connects Louisville with all East and West lines and with Chicago, as also does the Louisville, New Albany, and Chicago. The Louisville, Evansville, and Saint Louis Railroad runs through southern Indiana and southern Illinois, 260 miles to Saint Louis, and the Cincinnati Southern is connected with Louisville

through the Louisville and Nashville road.

From this brief sketch it will be seen that the railway system of Kentucky gives her direct communication with all parts of the country by trunk lines, and, taken in connection with her unparalleled river system, it is clear that but few, if any, of the cities on the continent are more accessible or possess greater facilities for transportation. As an illustration of the advantages resulting from this it may be stated that at the present time the freight rates from the Lower Ohio to Liverpool will permit the profitable shipment of the cannel coal and the native ores direct to Europe with one transshipment at New Orleans. A detailed statement upon this point could be made which would conclusively demonstrate this fact. It is to be noted, too, that it is possible for many months in each year to bring ships of large tonnage to the landing points on the Ohio River and load them for direct trade for Europe. It may also be noticed that the cost of transportation by water being lower than by rail in most countries, is particularly cheap on the Mississippi River and its principal tributaries, for the reason that coal is lower than in any other country, as is also timber for boat-building. Moreover, there are no tolls on the steamers, and the currents near the shore are generally

slow, admitting of easy ascent.

The last census shows that the center of population is in the State of Kentucky, and Louisville is near that center. The density of population surrounding Louisville may be realized from the following statement: Within a radius of 300 miles of Louisville there are eleven million people; that is within half a day's journey for the most remote of this vast population live one-fifth of the entire population of the United States. This 300 miles radius, sweeping around Louisville as a center, traverses in every direction only land, and land occupied by a full population on every side. Such a circle about the most crowded seaport is half, and in many cases more than half, water. Such a circle farther West embraces large areas of unpeopled lands and uncultivated waste. Such a circle farther North takes in the waters of the great lakes and the thinly-peopled lands of the far North. Such a circle circumscribed about Louisville not only holds within its circumference the largest population of any like circle around any city, but it embraces sections of all the various productive belts delineated on the census maps of productive areas. Every color indicative of peculiar production used on the census maps is found within the circumference described around Louisville by this remarkable radius, and hardly an appreciable section of this circle is, as we have seen, without direct railroad or water connection with Louisville, whether it lies to the north, the south, east,

The bearings of the above facts upon the question involved in the pending bill will be readily seen. Granting that other points may be nearer the supply of bullion, their remote communication with the country to be supplied with coin from the subtreasury must be taken into consideration. The coin is not only to be received but it is to be distributed, and the latter is much more important from every standpoint than the former. At San Francisco, New Orleans, and other places where sub-treasuries are now established, the coin must be largely distributed as an article of freight chiefly, and, of course, at an expense to the Government. How great the expense is I shall presently show from the official reports. Should coin deposited in a subtreasury at Louisville need to be sent to other points the extended facilities by river and rail will enable this to be promptly and cheaply done.

LOUISVILLE AS A DISTRIBUTING POINT.

The above facts also set clearly forth the advantages of Louisville as a distributing point. While at many cities the coin would be distribthe dat an expense to the Government, the particular products of the State of Kentucky, the extensive business and manufacturing interests of the city of Louisville would secure its distribution through the natural channels of trade without such expense. The briefest r to well known facts will illustrate and confirm this statement The briefest reference

There are in Louisville one thousand three hundred and fifty-two manufacturing establishments in active operation, which have an invested capital of \$40,000,000 and a commercial credit for five times that sum. These employ over twenty-four thousand workmen and put in the market annually finished wares amounting to more than \$60,000,000. Some of the leading branches contributing to this magnificent total I will call attention to. In the manufacture of furniture, both in point of quantity and quality, Louisville is the second city in the United States, having a capital invested of over \$2,000,000, and employing over two thousand operatives, and sending its manufactured goods of this kind to all parts of the South and West. It turns out an annual product of between two and three william dellar. The price of timber for of between two and three million dollars. The price of timber for furniture-making is lower here than in any other lumber market in the world.

Louisville is also one of the leading pork-packing cities of the country, having a capital invested in the pork and ham trade of nearly \$3,000,000. It is the largest plow manufacturing city in the world, the united capa city of its plow manufactories being over 1,500 per day, these establishments having an extensive trade in Europe and sending thousands of plows every year to that part of the world. Over 200,000 plows and 50,000 cultivators are annually manufactured. There are in the vicining the country.

ity of the Falls 23 tanneries, 17 being located in the city of Louisville. These tanneries represent an invested capital of \$2,500,000, and their

annual business is over \$5,000,000.

Louisville furnishes the largest supply market in the world for sole leather, it being in greater demand and bringing higher prices than the product of any other market in the world. In the article of jeans and jeans clothing the annual sales in our city are 5,500,000 yards, representing over \$1,500,000. One hundred and twenty tons per diem of cast gas and water pipe are manufactured, or 30,000 tons per annum. The capacities of our manufactories in that direction are 180 tons per Other divisions of iron work aggregate a manufactured product of \$8,000,000 per annum. The largest plate-glass works in the United States are located around the falls, one being located in Louisville and the other and larger in New Albany. The works in New Albany cover very nearly 30 acres of ground, and cost over \$2,000,000, affording ememployment to fifteen hundred men.

employment to fifteen hundred men.

The paper-mills of Louisville employ a capital of \$1,000,000. Its architectural foundries are now doing Government work for custom houses at Columbus, Chicago, Saint Louis, and other cities, competing with home firms at these points. The boot and shoe trade amounts to \$6,000,000 annually. The capacity of the flour mills in the city is 1,000 barrels per day, one of these being the largest in the world. Pig-iron is cheaper and in greater abundance than in any other place in the United States, it being the market point to a large extent of the in the United States, it being the market point to a large extent of the Alabama and other Southern irons, and is the largest storeage point for iron in America. There are eight cement mills with \$1,000,000 invested in them, manufacturing 830,000 barrels of cement annually, which finds a market all over the country. The sales of tobacco from January 1, 1885, to January 1, 1886, amounted to over 127,000 hogsheads—the value of which was between twelve and thirteen millions of dollars. Louisville is also the largest market on the continent for fine whiskies, and millions of dollars are invested in its manufacture. Some idea may be formed of the vast business in this direction from the statement that the revenue from this source and from tobacco last year amounted to over \$7,000,000. To these two branches of business I will

presently refer more at length, as they have a direct and intimate connection with the question I am discussing.

In nine of the foregoing industries Louisville leads the world. I refer to tobacco, jeans and jeans clothing, cast gas and water pipe, plows, live-stock, cement, fine sole leather, plate glass, and fine whiskies. These branches of trade illustrate the commercial importance and consequently widespread communications which Louisville has, and through which the desired distribution of Government funds could

be effected readily and without expense.

OPERATIONS OF BANKS AND CLEARING-HOUSE OF LOUISVILLE.

Aside from being a commercial and industrial center of acknowledged size and importance, equal to other cities where subtreasuries are now established, Louisville is fast becoming a very important financial cenestablished, Louisville is growing in size every day.

As an evidence of this steady and uniform expansion, and as a further index of its commercial condition, I call attention to the exchanges of the Louisville clearing-house for the past nine years, which were as follows:

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1885	\$217,748,602	1880	\$149, 587, 212
1884	211, 062, 250	1879	127,653,037
1883	224, 845, 981	1878	108, 219, 963
1882	193, 667, 491	1877	114, 583, 990
1881	198, 170, 532		

Comparing the year 1885 with the first year of specie payments, there is a gain in clearings of \$90,095,565.

REVENUE COLLECTED AT LOUISVILLE DURING PAST YEAR,

The objects to be secured by the establishment of subtreasuries is defined by the act of 1846 to be fourfold—(1), the receipt (2), safe-keeping (3), transfer and (4), disbursement of public funds. In the light of the (a), transfer and (a), disbursement of public funds. In the light of the facts which I have already presented, it will not be denied that the last three of these can be accomplished as fully at Louisville as at any city in the Union. It remains to consider what "receipts" of public funds at that city is to be annually expected. However centrally located a city may be, however great its facilities for wide distribution and cheap transportation, it is still more important to know what are its Government receipts. its Government receipts.

The internal-revenue collections for the year 1885 in the nine States where subtreasuries are now located, as stated on page 8 of the last report of the Commissioner of Internal Revenue, are as follows:

Illinois	13, 823, 644 12, 565, 516 7, 271, 209	Maryland	\$2,774,384 2,613,160 2,287,453 538,804
Missouri	6, 276, 165		

The internal revenue collected in the State of Kentucky during the same period was \$14,482,476, the largest amount, therefore, except one,

As seen by this statement, the receipts of this character in Kentucky were twenty-eight times as great as Louisiana, over six times as great as Massachusetts, over five times as great as California or Maryland, and over twice as great as Missouri or Pennsylvania; or, if you add together the amounts received from the last five States in the above list, the total will be found only \$7,500 more than the single State of Kentucky.

commercial centers, but this is more true of Louisville than of three-fourths of them. If, however, a comparison is made between the cities themselves, the claims of Louisville as a revenue-paying city will be found well established. In all of these States the subtreasury cities are the financial and

The following, as appears from official reports (see page 6, report Internal Revenue Commissioner for 1885), were the amounts of internal revenue received during the past year at the points designated:

Cincinnati	\$8,737,148	Philadelphia	\$2,892,819
Chicago	8,001,784	Baltimore	2,774,384
Louisville	7, 076, 453	San Francisco	2,342,080
New York	5, 057, 715	Boston	1,970,722
Saint Louis	5,011,585	New Orleans	538, 814

A comparative idea of the amount which was actually collected last year from the Louisville district from this source may be formed when it is known that the States of Alabama, Arkansas, Colorado, Connectit is known that the States of Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Kansas, Maine, Minnesota, Mississippi, Nevada, New Hampshire, Oregon, Rhode Island, South Carolina, Texas, and Vermont, and the Territories of Arizona, Dakota, Idaho, Montana, New Mexico, Utah, Washington, and Wyoming paid last year the aggregate amount of \$3,463,195, which is less than half that district paid; in other words, this single district at Louisville had more than twice as much public business in this direction as eighteen States and all the Territories of the Union combined.

The receipts of the Louisville office are temporarily lessened several million dollars per annum by exportation of spirits, but even upon present receipts it ranks fourth in importance of the eighty-one offices, paying over one-sixteenth of the total amount of internal revenue col-

lected.

It will thus be seen that only two of the subtreasury citiesand Cincinnati-collected more internal revenue than Louisville, and that the aggregate receipts of four of them-Baltimore, San Francisco, Boston, and New Orleans-hardly equaled that city.

REVENUE FROM CUSTOMS,

The total ordinary receipts of the Government for the fiscal year ended June 30, 1885, were \$323,690,706; of these the receipts, excluding customs and internal revenue, were \$28,812,578. From the last two sources the receipts were

From customs (including fees, fines, &c.)	\$182, 379, 403 112, 498, 725
Total from customs and internal revenue	294, 878, 128

In other words, over five-sixths of all the revenues which are paid to the Government come from these two sources—customs and internal revenue The amount of these, therefore, affords a criterion, at least so far as the receipts of public money are concerned, for determining the necessity for a subtreasury. The internal-revenue receipts of the subtreasury cities and of Louisville have already been given. The question of customs receipts in the interior cities is relatively unimportant in the comparison, as imports have always been largely made at seaboard cities.

The customs receipts at the three seaboard cities of New York, Bos-

ton, and Philadelphia were respectively \$125,493,472, \$19,610,356, and \$12,429,625; total, \$157,533,453—deducting which from the whole amount (\$182,379,403) received from that source will leave \$24,845,950 as the whole amount collected from customs at all the remaining ports

of entry (interior and exterior), including the six other subtreasury cities.

The revenue receipts at these six cities have already been given. Adding to these the customs receipts as stated in last report of the Register of the Treasury, we will have as the total customs and revenue receipts as follows:

Chicago	8, 984, 929	Saint Louis	\$6,061,379 4,798,130 2,050,981
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It thus appears that Louisville maintains her prominence, collecting of both customs and internal revenue more than any one of the last three cities, more than the last two combined, and nearly as much as two others. In this connection I will state that the increase of customs duties at Louisville has been more than 100 per cent. in the last four years. The transportation of foreign goods to inland ports without appraisement is destined to revolutionize the methods of collecting revenue in the United States, and will every year increase the business of the interior at the expense of the seaboard ports.

PROSPECTIVE INCREASE OF REVENUES FROM CUSTOMS DUTIES.

This annual increase of revenues from customs Louisville can expect in common with all interior ports of entry; but as to its internal revenues, it not only has precedence now of all but two of the subtreasury cities, but that precedence in the future will be very much greater.

The chief sources of internal revenue are whisky and tobacco. Both

of these articles have largely increased in production at Louisville, and for well-known causes will continue to enormously increase, and thus swell the revenues of the Government at that point.

By the law of 1878 whiskies are permitted to remain in bond three years before paying the tax. Since the passage of that law with-drawals have only been made to meet the wants of trade, and consequently a large per cent. of whisky has been left in bond, thus creating a temporary reduction of the internal revenue within the last six years under the operation of this law. In 1880 the number of taxable gallons of spirits produced in the Louisville district was 4,651,090. In 1881 the number of gallons produced was 14,233,860, thus showing in one year an increase of 9,582,770. This enormous increase is owing to the increased number of new distilleries and the increased capacity of the old ones, and as this increase is permanent the internal revenue alone of the Louisville district will hereafter exceed \$10,000,000 per annum. Except for the exported spirits the revenue from this source last year would have been over \$9,000,000.

LOUISVILLE EXCEPTIONAL IN THIS PROSPECTIVE INCREASE OF INTERNAL REV-ENUE.

But it may be asked, are not all districts affected alike by the law of 1878, and will not this increase be general? An examination of the last report of the Commissioner of Internal Revenue will answer this question. On page 96 of the report is a table showing by districts "the quantity in taxable gallons of spirits in warehouse June 30, 1885." From this it appears that outside of the State of Kentucky the aggregate number of gallons in bond at that time was 21, 211, 143. The total number of gallons, including Kentucky was 54 794 916, which were disnumber of gallons, including Kentucky, was 54,724,916, which were distributed among the different districts in very unequal quantities.

In twenty-one districts, being over one-fourth of the whole number, there were no spirits in warehouse at the end of the fiscal year, and consequently they are not represented in the Commissioner's statement. Of the remaining sixty districts outside of Kentucky, two, Pittsburgh and Baltimore, had in bond between three and four million gallons. In only six was the number of gallons between one and two millions. In thirty-five of the sixty districts enumerated by the Commissioner, that is, seventh-twelfths of all, the number of gallons was under a quarter of a million. The State of Kentucky had in bond 33,513,773 gallons, being more than three-fifths of the whole amount. The number of gallons in the Louisville district is stated at 16,015,190, which, deducting one district (the twenty-second) in Pennsylvania and one (the fifth) in Tennessee, is more than all the other districts in the United States, including the nine sub-Treasury districts, outside of Kentucky, combined. The Louisville district is, therefore, exceptional. At 90 cents per gallon the amount of tax thus ready to be paid from that district on the 30th of June last was \$14,400,000. Should the recommendations of the present Secretary of the Treasury and the Commissioner of Internal Revenue be adopted and the bonded period for spirits be made the same as for cigars, beer, and tobacco, this large amount would be increased by several millions more from the spirits now fled to foreign ports for sale and protection. The estimate, therefore, of \$10,000,000 per annum from receipts of internal revenue is within the official statements.

THE LARGEST MARKET FOR TOBACCO AND FINE WHISKIES IN THE WORLD.

An examination of the report of the Commissioner of Internal Revenue will show that the proportion of the enormous revenue business of Kentucky which is transacted at Louisville, always great, and now more than one-half of the whole amount, has been steadily on the in-Nor is this surprising to any one familiar with the facts. On the 8th of January, 1876, the fourth internal-revenue district, composed of fourteen counties, was consolidated with the fifth district. Louisville thus became the commercial center of the largest whisky-producing district in the State. The counties of Nelson, Owen, Bullitt, La Rue, Marion, Washington, and Anderson, which are included in this district, have for half a century been noted for the manufacture of fine whiskies. The product of more than one-half of the State of Kentucky comes to Louisville, thus making it the first market of the United States, if not in the world, for this class of goods. This concentration of trade has given increased activity to the business. The statement is equally true as to the manufacture of beer, both common and lager. The storage capacity of nearly all the lager-beer breweries has been increased, some 50 per cent., some 75 per cent., and two of the largest more than double

As to another chief source of internal revenue, tobacco, it is well known that Louisville holds precedence over all other markets. It is, indeed, both in the variety and magnitude of the offerings, the largest and best leaf-tobacco market in the world. From 1850 to 1886 the total sales at Louisville of this staple have reached the enormous total of 1,492,730 hogsheads, equivalent to 1,492,730,000 pounds! Louisville accomplished last year what has never been achieved or even approached by any other city of the world, the sale of 127,046 hogsheads of tobacco in one year—an event which was celebrated by a magnificent industrial parade over 8 miles in length. These immense sales are not confined to our own country but include Germany, Italy, Russia, England, Africa, Australia, the islands of the South Pacific, and six of the South American republics. Many of those nations have permanent buyers to repcan republies.

A comparison with Cincinnati, Saint Louis, Clarksville, Evansville, and Nashville, the five great tobacco markets of the West and of the world, will show the advantage which Louisville has.

I call attention to the following tabular statement:

Statistics of the tobacco sales in the Western markets for the last eleven years.

Years.	Louisville.	Cincinnati.	Clarksville.	Saint Louis.	Evansville.	Nashville.	Totals.
1885 1884 1883 1882 1881	127,046 81,359 88,919 61,441 67,408 65,281	60, 579 50, 908 62, 681 48, 491 48, 519 45, 797	28, 228 17, 717 17, 757 14, 649 12, 475 16, 296	8, 436 6, 081 8, 714 7, 358 8, 844 2, 621	6, 776 5, 185 4, 818 4, 571 5, 559 4, 197	5, 155 2, 233 4, 288 2, 947 2, 882 3, 903	268, 400 184, 804 213, 455 158, 219 164, 935 158, 703
1879 1878 1877 1876	58, 103 71, 080 56, 218 60, 886 27, 875	31, 425 37, 335 35, 268 32, 167 17, 038	14,048 19,486 12,624 14,408 3,515	5, 221 9, 013 13, 046 12, 227 9, 466	3,384	3, 852 6, 364 4, 738 7, 461 1, 765	134, 141 182, 635 140, 408 161, 924 69, 181

It will thus be seen that the sales at Louisville during the past year were twenty-five times greater than Nashville, twenty-one times greater than Evansville, fifteen times greater than Saint Louis, over four times

than Evansville, fifteen times greater than Saint Louis, over four times greater than Clarksville, and over twice as great as Cincinnati.

A brief glance at the statistical history of the Louisville tobacco market presents a remarkable example of rapid expansion. As compared with previous periods of five years, the sales in the last five are 158 per cent. greater than in the period ending in 1879; as compared with the period ending in 1874, 174 per cent.; with 1869, 243 per cent.; with 1864, 259 per cent.; with 1859, 594 per cent., and with 1854, 633 per cent. The money value in 1870 was \$4,616,459, and in 1885 over \$12,000,000.

What city in the world can present a parallel to this rapid progress in any staple department of trade.

any staple department of trade.

Situated in the heart of the tobacco-producing regions of the world— the metropolis of the State which produces more than one-third of 1 per cent. of the entire tobacco yield in the United States, accessible at less cost than any other market-Louisville is destined not only to maintain her position as the largest and best leaf-tobacco market in the world, but to largely add to her present vantage ground.

This immense and yearly increasing trade in leaf-tobacco has had its influence in stimulating the manufacturing interest. New factories have been established every year, and old firms have enlarged their capital and capacity. The same causes which have operated to make Louis-ville the largest leaf-tobacco market in the world will in time make it the largest manufacturing tobacco market. The revenue from this source, already great, has been, and will continue, steadily on the in-

DISBURSEMENTS AT LOUISVILLE.

Another question bearing both directly and indirectly upon the es-Another question bearing both directly and indirectly apply the stablishment of a subtreasury is the amount of public money disbursed. In this particular also it will be found that Louisville will compare favorably with the majority of the subtreasury cities. I call special attention to two branches of the public service wherein large payments are annually made—pension agencies and post-offices.

The pension-list of the United States on the 30th June last amounted

to 345,125 persons. The total amount paid last year for pensions was \$64,933,288.12. This enormous business is now transacted by eighteen agencies, one of which is located at Louisville. Of the nine subtreasury cities only five-New York, Boston, Philadelphia, Chicago, and San

Francisco-have pension agencies.

The disbursements at Louisville on this account last year were \$1,815,-926, an amount yearly increasing, and which is now greater than the disbursements of any two of the subtreasury cities where no such agencies are located.

The disbursements on account of the post-office business at Louisville are also very large, and compare favorably with the subtreasury cities. In evidence of this I call attention to the following table:

Statement of postal funds deposited by the postmasters at the following-named offices during the fiscal year ended June 30, 1885.

Office.	Amount.	With whom deposited.
New York Philadelphia Chicago Boston. Saint Louis San Francisco Baltimore Louisville New Orleans	\$3, 626, 143 10 715, 568 03 708, 944 03 463, 244 44 218, 751 08 208, 914 07 206, 623 19 145, 635 09 101, 892 13 80, 481 26	Assistant treasurer at New York. Assistant treasurer at Philadelphia, Assistant treasurer at Chicago, Assistant treasurer at Boston. Assistant treasurer at San Francisco, Assistant treasurer at Baltimore. Assistant treasurer at Cincinnati. Assistant treasurer at Cincinnati. Assistant treasurer at Wew Orleans. Assistant treasurer at Cincinnati.

There not being an assistant treasurer at Louisville the postmaster is a postal depositary and received from other offices during 1835 \$27,953.64, which, with his surplus revenues, was transmitted to the assistant treasurer at Cincinnati.

D. McCONVILLE, Stath Auditor.

It will thus be seen that Louisville deposited more last year than either New Orleans or Cincinnati. As a further evidence of extent of the postal business of Louisville I find from a statement for year 1883, which is the last one I have at hand, that the receipts of that office were \$319,253. I also call attention to the following items of receipts:

	Number.	Amount.
Domestic money-orders issued	19, 293 261 7, 853	\$263,016 672,000 846 263
The total receipts were \$1,816,398. Also to these items of disbursements:		100
	Number.	Amount.
Domestic money-orders paid	110, 478 11, 504	\$1,774,381 22,589

The total disbursements were \$1,816,398.

RECAPITULATION.

I have thus hastily and imperfectly, Mr. Speaker, presented the facts upon which the claim of Louisville for the establishment of a subtreasury is founded. Neither as to their substance or verbiage do I present them as original with myself. They are well known to our people and have been repeatedly made public through our press. I call attention to them now in connection with the pending bill. I have shown the central location of our city with reference to the two great valleys of the Ohio and Mississippi, whose phenomenal growth in wealth and population are a part of our common history

I have called attention to the extraordinary facilities of rail and water transportation which enable our business men promptly to reach every part of their great tributary territory. I have called attention to some of the leading industries of our city and the immense capital employed in them for the purpose of demonstrating our advantages as a distributing point, thus rendering unnecessary the expense incident to the transfer of coin or bullion. I have presented in detail the actual and prospective revenue of our city showing that its present rank as a revenue-paying city is higher than half of the cities where subtreasuries are now located. I have presented the facts from official sources to show that this rank will be higher in the future than in the past, that all our sources of revenue will steadily and greatly increase in the immediate future. I have endeavored to show from the official reports an existing and pressing demand for another subtreasury. All the vaults of the Government are now full to overflowing. "Persons," to quote pective revenue of our city showing that its present rank as a revenuethe Government are now full to overflowing. "Persons," to quote from the last report of the Treasury, page 15, "occupying the positions of messengers and laborers are now engaged in handling, counting, shipping money, and doing other clerical labor." Banks have not usually the means of holding coin and bullion.

In modern times large safes and large vaults are not kept even by the largest banks. The subtreasuries are the only proper receptacles for Government funds. The urgent necessities of the case and the immense cost of transportation induced the present Secretary of the Treasury to resort to the extraordinary expedient of using war vessels to transport the coin of the Government, and in this way over \$10,000,000 were brought to Washington from New Orleans. The local and governmental needs unite in urging further subtreasury room. The propriety of immediate action upon the present bill results from the fact that a new custom-house is now in course of erection at Louisville, and vaults

could be put in without additional expense.

Resting, then, upon these facts, I now, Mr. Speaker, submit this bill to the decision of the House, with the full reliance that it will do what-

ever is just and right in the premises.

The proceedings of the Board of Trade of Louisville, Ky., together with letters from leading bankers and citizens, I will ask to append to my remarks.

APPENDIX.

Louisville Board of Trade, Louisville, Ky., January 30, 1886.

DEAR SIR. The undersigned has been instructed to forward to you the enclosed communication, under date of the 23th instant, from the members of the Louisville Clearing House Association suggesting some reasons why the bill introduced by you to establish a subtreasury at Louisville, Ky., should in their

opinion pass.

At a meeting of the board of directors of the Louisville Board of Trade, held on the 29th instant, the inclosed resolution was adopted, and the undersigned was instructed to forward same to you.

Very respectfully,

II. A. DUDLEY, Secretary.

Hon. A. S. WILLIS, M. C., Washington, D. C.

LOUISVILLE BOARD OF TRADE, January 29, 1886.

At a meeting of the board of directors of the Louisville Board of Trade, held this day, the following resolution was adopted: "Resolved, That the board of directors of the Louisville Board of Trade having considered the reasons for establishing a subtreasury of the United States at

Louisville, Ky., set forth in a communication dated January 25, 1886, from the members of the Louisville Clearing House Association to Hon. A. S. Willis, M.C., respectfully approve and adopt the same, and submit the arguments therein presented as an expression of the opinion and wishes of this commercial community."

From the minutes of the board.

HARRY WEISSINGER, President, H. A. DUDLEY, Secretary.

LOUISVILLE, KY., January 25, 1886.

Hon. Albert S. Willis, M. C., Washington, D. C.:

Hon. Albert S. Willis, M. C.,

Washington, D. C.:

Dear Sir: The undersigned banks, members of the Louisville Clearing House Association, beg leave to express their pleasure at your introducing House bill No. 902, for the establishment of a subtreasury of the United States at Louisville, Ky., and beg leave to suggest the following reasons why that bill should, in their opinion, pass, to the honorable members of the Committee on Coinage, Weights, and Measures:

First. The undersigned respectfully call attention to the commercial and industrial importance of the city of Louisville, having with the cities of New Albany and Jeffersonville, at the Falls of the Ohio, a population of 200,000 inhabitants, being almost the center of population of the United States, and is an important entrepot to the commerce of Kentucky, Tennessee, Arkansas, Northern Texas, Mississippi, Northern Alabama and Georgia, and Southern Indiana and Illinois, and which is headquarters of the second largest internal-revenue collecting district. The interest and convenience of the people in this large section of the country would be greatly promoted, as well as that of the city of Louisville and her sister falls cities, by the establishment of a subtreasury.

Second. The South has at present but one subtreasury (at New Orleans), located at the extreme southern part, and we think is entitled to another such institution in the northern section. We think the gentlemen of the committee to be perfectly aware of the growing importance of the Southern States from an industrial and commercial standpoint to concede this point.

Third. If the silver dollar is to become an active factor in the disbursements of the Government, it will undoubtedly be advantageous to have as many points as possible, where silver dollars may be paid out, exchanged into silver certificates, and paid out again until the people become more accustomed to the handling of that class of coin. We think Louisville would be a good point for that purpose.

Fourth, The banks in Louisville

ling of that class of coin. We think Louisville would be a good point for that purpose.

Fourth. The banks in Louisville are now compelled to send their surplus silver and uncurrent United States moneys to subtreasuries in other cities, causing them a heavy tax for transportation and loss of interest, which is the more burdensome as the Louisville banks act as correspondents to many country banks throughout the territory above indicated. They, as well as the Louisville banks, would be benefited by the establishment of a subtreasury here.

Fifth. If a subtreasury would be established at Louisville, the Louisville banks would be enabled to deposit on account of their correspondents 5 per cent, funds, which they can not do at home now, thus placing the banks here at a disadvantage as against other established reserve cities.

Sixth. The pensioners of the United States, who draw their pensions at this agency, get their pay in checks on New York and other points, except the number now drawn on the First National Bank of Louisville, thus putting these people to cost and delay in getting their pay, which would be a convenience and saving to this large class of worthy people.

Seventh. The custom and revenue offices of this district, as well as the banks and the people of Louisville, would certainly be benefited by being able to make interchange of one kind of currency into another at home if a subtreasury was established at this point.

Eighth. The custom-house, now being built here, could easily and with little cost be completely and conveniently arranged for suitable offices, safes, and vaults for the reception of the Government funds. This will, without doubt, be necessary at some time, and it would certainly be cheaper and better to build such vaults while the building is being erected than to postpone the work, thereby causing expensive and objectionable alterations afterward. In the mean time quarters in our present custom-house can be provided at moderate cost.

Hence the undersigned respectfully request you to

Hence the undersigned respectfully request you to urge the above considera-tions upon the honorable Committee on Coinage, Weights, and Measures, and beg a kind consideration of their petition for the passage of your bill No. 902 as

(Signed by Thomas L. Barrett, president Bank of Kentucky; Sam'l Russell, president Bank of Louisville; John B. Smith, president Bank of Commerce; J. H. Huber, cashier People's Bank of Kentucky; Jacob Kringer, sr., president Masonic Savings Bank; J. F. Barret, cashier of German Security Bank; George Davis, president Fourth National Bank; Jnc. E. Green, president Second National Bank; James A. Leech, cashier Louisville City National Bank; James M. Fetter, president Kentucky National Bank; Falls City Bank, by W. Tillman. cashier; Merchants' National Bank, Louisville, Ky.. by J. H. Lindenberger, president; Louisville Banking Company, by John H. Leathers, cashier; German Bank, by P. Vigiline, president; Third National Bank, E. C. Bohné, cashier; Farmers and Drovers' Bank, by J. W. Nichols, cashier; The Western Bank, by Henry Hurter, cashier; German Insurance Bank, by J. D. Fischer, cashier.

The Third National Bank, by J. D. Fischer, cashier.

The Third National Bank, Louisville, Ky., January 16, 1886.

Dear Sir: In reply to your favor of the 12th instant I beg to state a few reasons why your bill to establish a subtreasury in this city should be passed, in my opinion.

First. If the silver dollar is to be made an active factor in commercial transactions, the Government agency will be necessary to introduce it among the people, as the banks are not in a position to force that bulky metal into use. For this reason I believe that a subtreasury should be established in every city of 100,000 or more inhabitants. As it now stands, the banks are compelled to take the silver dollars from their retail customers, can not force them out again on the clearing-house, or on any one presenting checks, to any great extent, and have to deposit the surplus in a subtreasury. Louisville, having no such institution, is compelled to ship its surplus silver to the nearest subtreasury (Cincinnati), and the banks of Louisville are thus compelled to pay a considerable tax for the benefit of the Government's silver. (This bank pays often as much as \$15 to \$20 per month express charges on silver dollars to the subtreasurer in Cincinnati. This makes about \$200 per annum, and for twenty-two banks in Louisville this tax is equal to \$4,400, which could be saved to Louisville banks if the silver could be deposited here.) Silver, thus buried in a few subtreasuries, becomes naturally a burden to the Government, while, if there were more subtreasuries, it could be paid out for interests due by the Government, pension checks, salaries, &c., and thus kept in active circulation, when people would gradually become more accustomed to it, and especially if Congress would abolish paper money below \$5, the present stock on hand might be totally absorbed.

Second. Under the national-bank system Louisville is a reserve city. But national banks in the country can not get the necessary accommodations out of Louisville as a reserve center, becau

Third. The pensioners of the United States who draw their pay at this pension agency get checks on New York and other places in payment, and are compelled to dispose of them here, often at a discount. The frequent occurrence of indorsements not scrupulously correct and the frequent return of these checks are an everlasting source of annoyance and loss to the poor and ignorant people who hold them. All such annoyances and losses could be avoided by the establishment of a subtreasury here, where pension checks could be drawn on this city, cashed, and, if necessary, corrected in loso without trouble or expense.

Fourth. Louisville is headquarters of the second largest revenue collection district in the country and its customs collection business is on a steady increase. A subtreasury would no doubt be a great help to the officers in the revenue and customs service.

Fifth. If new vaults for the reception of silver dollars must be built by the Government it will be just as cheap to build a few of them in our new custom-house here, in charge of a subtreasurer, as anywhere else, and the convenience of the Government to have them scattered over the country is evident.

As practical illustrations of the necessity of a subtreasury in this city, I beg to add a few instances which occurred in this bank to-day and which frequently take place. A corresponding bank in Alabama sends us a bag of legal-tender silver dollars for exchange into silver certificates. We have to ship that silver to the subtreasury at Cincinnati at an expense of 80 cents per thousand to make the desired exchange. Another bank in Indiana requests us to place a certain sum with the Treasury of the United States for credit of its redemption fund. We have to do this through our correspondent in New York or some other subtreasury city at the cost of the ruling rate of exchange.

The above examples show that Louisville as a financial center is placed at a decided disadvantage as against other places where subtreasuries are established. Very respectfully, yo

E. C. BOHNÉ

Hon. A. S. WILLIS, M. C., Washington, D. C.

LOUISVILLE, KY., January 18, 1886.

LOUISVILLE, KY., January 18, 1886.

Dear Sir: The establishment of a subtreasury in our city would give great satisfaction to the banks and bankers of our city and State. A subtreasury would facilitate business, save time and labor, and reduce expenses in all transactions of collecting Government checks, redeeming mutilated paper, and exchanging notes, gold and silver coin, which now have to be transmitted to or procured from cities of the Middle and Eastern States as Cincinnati, Ohio, New York or Washington, D. C.

In these benefits for the banks would of course largely share the producing, manufacturing, and commercial classes of the State, towns, and cities.

As you are all aware, Kentucky has great natural resources of soil, timber, and mine, and on account of her whisky and tobacco interests stands fourth among the States of the country with regard to tax-paying capacity. Louisville, mostfavorably situated geographically, is the industrial and commercial metropolis and railroad center of the State, and has an estimated population of 160,000 and value of assessable property of \$65,000,000; true value, \$100,000,000.

The city contains 1,330 manufactories, representing capital to the extent of \$28,000,000, with 22,000 operatives, producing annually \$50,000,000 of goods.

There are many great and growing branches of industry and trade, as leather, furniture, plows and cultivators, wagons and carriages, iron works, cement, woolens, distilled and malted liquors, manufactured tobacco, live-stock, and others, and corresponding therewith financial transactions.

More particularly Louisville is located in or near the center of the tobaccogrowing regions of our country and pre-eminent as a leaf market. There have been sold in this market during the year of 1885, 127,946 hogsheads of leaf-to-bacco of from 1,000 to 2,200 and more pounds each, and representing a value of \$12,000,000 to \$14,000,000, earning for our city the undisputed title of the greatest tobacco market in the world.

Hence Louisville is entitled to som

Hon. Albert S. Wills, House of Representatives, Washington, D. C.

MERCHANTS' NATIONAL BANK OF LOUISVILLE, Louisville, Ky., January 19, 1886.

Louisville, Ky., January 19, 1886.

Dear Sie: When you consider the large amount of internal revenue as shown by the Department records collected in this and the contiguous districts in this State, and the large number of citizens directly and indirectly interested in the business resulting therefrom, whose convenience will be promoted by the ordinary facilities afforded through the operations of a subtreasury, the equity and fitness of the establishment of one here becomes apparent.

It should be borne in mind that the traders and dealers in an area of territory making this city their financial and commercial center, embraces a very considerable part of Arkansas, Texas, Kentucky, Tennessee, North Alabama, North Mississippi, North Georgia, Southern Indiana, and Southern Illinois, and that the importance of this city as a central commercial point is entitled to national recognition.

I do not doubt that the committee will report favorably on your bill.

With regards, very truly yours,

J. H. LINDENBERGER,

ALBERT S. WILLIS, Esq., Washington, D. C.

J. H. LINDENBERGER.

LOUISVILLE, KY., January 20, 1886.

Louisville, Ky., January 20, 1886.

Dear Sir: At the annual meeting of our Clearing House Association, held yesterday, we voted unanimously to request you to push your bill in the House for the establishment of a United States subtreasury in this city. A petition to this end is being prepared for presentation in Congress and will be signed by all our banks, both State and national. As you are fully aware we are entitled to this by our geographical position, and very much can be said in our favor while little can be advanced to the contrary—nothing so far as we can see beyond the argument of economy. We will highly appreciate your assistance and hope the measure may be carried without difficulty.

Yours, truly,

JOHN B. SMITH. President.

JOHN B. SMITH, President.

Hon. Albert S. Willis, Washington, D. C.

LOUISVILLE, KY., December 30, 1885.

LOUISVILLE, KY., December 30, 1885.

Dear Sie: I saw from the papers some days since that you were making an effort to have a subtreasury or assistant treasury established here. This is something needed here, and especially if silver is continued to be coined in such quantities as heretofore. As it is now we have to send our surplus silver to Cincinnati at our own expense, and we frequently have large quantities of it. If this is not done then silver ought to be carried at Government expense to and from points at which there is no subtreasury. Something will have to be done with the silver question. What should be done is a difficult question. If the coinage could be suspended for a time and the Government adopt some plan by which to get silver in circulation through the country the present feeling in regard to it will be dissipated. It is a very popular money, especially with the masses. Many poor people will hide it away when perhaps they never see paper or gold. The trouble is that silver has only found its way to the larger cities in great quantities, while in the smaller towns and in the country it does not circulate to any great extent. It seems to me that if some plan could be adopted by which the smaller towns throughout the country could be supplied without the expense of transportation vast quantities of it could be used, and it would cease to be such a nuisance to the larger commercial centers. In no event should it be demonetized nor any step taken looking to it. Neither can we safely add to the present silver dollar. The Government can not change to meet the varying value of buillion. To do so would be to unsettle values, a thing to be avoided if possible.

Yours, truly,

SAM'L RUSSELL, President Bank of Louisville.

Hon. A. S. WILLIS, Washington, D. C.

LOUISVILLE, KY., -

Louisville, Ky., ——, 188-.

Dear Sir: The establishment of a subtreasury in our city would be of very great importance and benefit not only to our city, but to the entire scope of country tributary thereto, of which Louisville may be called the gateway between the North and the South. It would further seem to me that the millions of revenue collected annually in this and the surrounding districts would render it a great convenience to the Government also. I am thoroughly satisfied that it is a measure that should pass, and believe the act will meet the hearty approval of the citizens not only of Kentucky, but of Southern Indiana, Southern Illinois, Tennessee, a good portion of Arkansas, Texas, Mississippi, Alabama, and North Georgia, who largely rely upon Louisville for their general supplies. The measure is most heartily indorsed by our merchants, manufacturers, and those who contribute most largely to the revenues throughout this district, and I sincerely hope your efforts in its behalf may prove successful.

Very respectfully, yours, &c.,

J. M. ROBINSON.

Hon. Albert S. Willis,

House of Representatives, Washington, D. C.

Note.—On the 26th of last month, since the foregoing statement was made, the Treasury Department through the acting Secretary of the Treasury, Hon. C. S. Fairchild has sent to Congress a letter asking for an appropriation of \$100,000, to be immediately available for additional storage and transportation of

000, to be immediately available for additional storage and transportation of silver.

"The last appropriation for this purpose," says Mr. Fairchild, "was \$100,000 made in 1883, of which there remains unexpended the sum of \$1,707.28. In view of the fact that the amount of standard silver dollars required to be coined under existing law is about \$27,000,000 each year, and that the remaining space available in the vaults of the subtreasury offices other than at New Orleans is not sufficient for the storage of the coinage for the ensuing twelve months, it is deemed advisable and prudent to ask that a suitable appropriation be made to enable the Department to erect vaults in some other of the subtreasury offices, leaving the vault at New Orleans free for the storage of the accumulation of the coinage executed at the mint in that city."

Silver Coinage.

And Moses returned unto the Lord, and said, Oh, this people have sinned a great sin, and have made them gods of gold,—Exodus, xxxii, 31.

SPEECH

HON. SEABORN REESE,

OF GEORGIA.

IN THE HOUSE OF REPRESENTATIVES,

Naturday, March 20, 1886,

On the bill (H. R. 5690) for the free coinage of silver, and for other purposes.

Mr. REESE said:

Mr. SPEAKER: There have been very exhaustive debates on this question at both ends of the Capitol and reasons cogent enough to convince any one, except those who regard their own interests rather than those of the country, that there should be not only a continuance of the coinage of silver under the Bland act, but that an unlimited coinage for several years at least would be advantageous to the people and to trade, commerce, and manufactures. The aggressive movements of organized wealth against the masses of this country are remarkable alike for their persistent and unrelenting power. Let us take a rapid review of some of them since 1865.

In 1869 Congress passed an act to pay the bonds of the United States in gold and silver coin. When the bondholder purchased his bond with reenbacks it would have taken two dollars in greenbacks to get one dollar in gold or silver coin, and in 1869, when they procured the pas-

sage of that act, one dollar in greenbacks was only worth 70 cents in coin. In other words, they loaned the Government one dollar in paper money, worth only 50 cents at the time in coin, and received interest on it at par in gold ever since, and in 1869 said to the tax-payers: "I will not take back the same money I have loaned you, although you have paid me interest on it in gold, but you must pay me back my principal in gold and silver coin." Was not this the most impious piece of impu-They would have taken and been satisfied, in 1869, with silver dence? coin. They schemed for it, prayed for it, demanded it, and tried to make it appear that unless the act was passed the public credit was in danger.

Why would they have been satisfied with silver in 1869? it was then at a premium of 30 per cent. over the money they had loaned, and the poor tax-payer, the brawn and muscle, the yeomanry, the wealth-producer, the men who were digging millions of wealth from the earth in the great West, and the impoverished, though resurrecting, South, these moving, living masses, upon whose shoulders this great nation was being lifted into splendor and power, were then and there being cheated by their lordly creditor, the bondholder, and were duped by their misrepresentatives in this American Congress into promising not only to pay the debt, but to pay 30 per cent. premium besides the interest on the loan. This seemed to satisfy the ravenous maw of insatiable "money-bags;" but, alas! it was soon discovered that this act could not operate to suit them, and on the 14th of July, 1870, "moneybags" was again at the front, and the act then passed by Congress extended the time of payment of the bonds, exempted them from taxes, Federal, State, &c., lowered the rate of interest, and had printed on them that they were to be paid in coin of the standard value of that date.

Another attack upon the rights of the people! This did not suffice.

No sooner than resumption had taken place, and Congress to supply a sufficient circulating medium to meet the growing necessities of trade and commerce by the passage of the act 28th February, 1878, known as the Bland act, than these same favored classes, who pay scarcely any taxes, who care nothing for the toiling millions of their fellow-citizens, cry out in their disturbed luxury, "If you force us to take silver coin in payment of our bonds you will rain us and the national credit, and inconvenience us in hauling off silver coin," which they schemed and clamored for in 1869 and 1870; and when the representatives of the people awoke to the inroads being made upon the rights they were intrusted. ple awoke to the inroads being made upon the rights they were intrusted to guard, and cried, "Halt! you shall receive what the people have to take and what you demanded and cunningly obtained by the acts of 1869 and 1870," and say to them, "You shall not debase and depreciate our silver, the circulating medium of our trade and commerce," these favored, law-pampered "money-bags" raised their hands in pleading gesture and rolled their eyes to Mammon, and with an Aminidab Sleek voice cried out:

Let ragged virtue stand aloof, Nor mutter accents of reproof; Let ragged wit a mute become When wealth and power would have her dumb.

It is not new in the history of legislation that attempts are made to divert its most important work from the wants of all to those of the few who need it least. A just legislation discriminates neither in favor of individuals nor classes. It owes and it gives protection to the possession of the rich, whether acquired by inheritance or fortune or the successful employment of industry or talent. But it gives also protection to the poor in defending them from oppression and encouraging them to persistence in rewarded toil. Every reader of Roman history knows what oppressions were put upon the peasantry of the empire by farming out to special favorites the revenues

It seems almost incredible, yet it is true, that at last under such a policy nine-tenths of the real estate of the whole empire was owned by not more than twelve hundred wealthy citizens of Rome. Lessons like this from the past can always be studied with advantage by those who sinerely wish for the good of all. It would seem singular, but for so many examples, that the same sort of attempts should be made in a country like ours, so large, so powerful, so generous, while yet in its infancy, where immense territory is undeveloped, rich in every resource of nature and in a government founded upon principles for the protection of the governed. But the bondholder in this country like the Roman senator, the senator under the empire, seems to be seeking to own all the land as well as the proceeds of the sweating toil of those who work it. The bondholder, yet like that subservient favorite of the emperor, does not wish to take the trouble and the risk of adventures in the various fields of human endeavor, but he prefers to sit at home or disport in his yacht and let the showers of gold daily refresh him as he lounges, eats, and drinks, careless, oblivious, forgetful, and even indifferent, to the condition of the masses of the people.

Harmony between capital and labor is the normal condition, and

they are reciprocally dependent. There should be no clash of interests, and there would be none if the Government would offer no greater protection or assistance to the one than the other. Experience has taught that the concentration of wealth in the hands of a few has produced an abnormal condition, and while I am no sympathizer with communists, socialists, or agrarians, nor do I antagonize wealth nor condemn its accumulation, yet I am unwilling to grant protection to

the few at the expense of the many. What a spectacle is now pre-

sented to the American people.

Notwithstanding all the favors the bondholder has received from the Government under the acts of 1869 and 1870, and of the various Secretaries of the Treasury, and the calls made and the determination past and present to pay them in gold coin instead of silver coin, they are now using all their ingenuity and power to strike down and bring into disrepute, by open and covert means, our silver coin. Do they not know that silver is the money of the masses? Do they not know not know that silver is the money of the masses? Do they not know that the great and wealth-producing part of our country, the agriculturists, are suffering from Maine to Oregon, from the lakes to the Gulf, for want of markets, and that they are compelled to rely upon home consumption mainly? That scarcity of money will still more depress and the stoppage of coinage will produce this money stringency? Of course they do. But what care they who hold the bonds of the Government and pay no taxes, who hold mortgages on the lands of the West and South, if they can make the debtor work two days instead of one to pay his debts, because they live on money, by money, and the hard sleepless interest of money. hard, sleepless interest of money.

The time has been when the people slept in fancied security from the danger of this organized power of wealth in the hands of a few, and they would have slept on had not their power of rest been gradually drawn from them; and now there is unrest, unrest among all class the farmer, the miner, the laborer, the artisan, and mechanic. Continued oppression has aroused the masses, and to-day guilds and all kinds of organizations are being born, growing like giants all over the country. Born of necessity, nurtured by want, and clamoring at the doors of Congress for protection! The time has been when to oppose the fearful power of concentrated wealth would have been to "swim with fins of lead, and to hew down oaks with rushes."

But now, the antagonism is demanded and the people are at the back of their representatives and they want regist it for them. While I are

of their representatives and they must resist it for them. While I am no alarmist and there is no member of this House who would shrink from uttering one word or sentiment that would add to the already widening breach between classes than I, yet, judging the future by the past, I believe that the great danger to this nation is the concentration of capital. By this I do not mean the man of ordinary wealth who has made it in a legitimate and honorable way, but I refer to that class whose accumulated millions consist of the blood and sweat of their fellow-men. This produces a pride which Mr. Carlyle in his graphic and philosophic work on the French Revolution says was the worst of -"pride of birth, pride of office, any known kind of pride being a degree better than purse pride."

Such a condition of course would be most distasteful to the masses,

and then antagonisms dangerous to peace, good order, and security would follow; then upon the other hand the demand would come for strong government. Alarm will drive the law making power to advance to the preservation of order and security, and we would soon learn to rely upon the central powers of government, and step by step the government of the people would become the government of centralized power, and our boasted liberty would be swallowed up in the vortex of concentrated power to protect concentrated wealth.

Wealth heaped on wealth nor truth nor safety buys; The danger gathers as the treasures rise.

What are the reasons assigned by the advocates for the suspension of the coinage of silver? Perhaps there is no better way of stating them than as I find them set forth in a printed circular sent out by those advocates all over this country for signatures to be sent to members of this House, every one of whom I presume has received one. It reads as follows:

To the honorable Senate and House of Representatives of the
Forty-ninth Congress of the United States, at Washington now assembled:
Your petitioners respectfully represent that it is their conviction that the law requiring the Secretary of the Treasury to coin not less than \$2,000,000 per month of standard silver dollars should be immediately repealed.
The law has now been in operation for over seven years, and experience has shown that not only has it failed in every promise prophesied by its projectors, but it has proven to be of great inconvenience to the people, detrimental to mercantile, manufacturing, and legitimate banking interests, dangerous to the credit and welfare of the Government, and at this time is retarding the increase of prosperity and menacing the finances of the country.
We are therefore impelled to recommend the repeal of said law, and, as in duty bound, will ever pray.

And I may add another reason advanced and confidently pressed by them: that it will drive gold from this country. Let us examine some of the most important of these reasons. That it will drive gold from this country has been clearly refuted by the statistics of the imfrom this country has been clearly reluted by the statistics of the imports and exports of gold since the passage of the Bland act in 1878. Since 1878, and including that year, the importation of gold coin and bullion has exceeded the exportation \$187,280,257, and the exportation of silver coin and bullion has exceeded the importation in the same period of eight years \$68,230,256. This certainly is sufficient to satisfy any unprejudiced mind that the coinage of silver has not repelled if it has not attracted gold to this country. But experience teaches us if it has not attracted gold to this country. But experience teaches us that the influx or efflux of gold depends largely upon the balance of trade. Now let us examine the imports and exports of merchandise for the eight years succeeding the passage of the Bland act.

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Imports	umu	capurts	UI	merenanaise.

Year.	Imports.	Exports.
1878	\$422, 896, 834 433, 679, 124 656, 262, 441 624, 213, 229 707, 337, 049 703, 565, 144 652, 148, 936 562, 020, 520	\$680, 683, 298 698, 340, 790 823, 946, 353 883, 923, 947 733, 239, 732 804, 223, 632 724, 964, 852 726, 682, 946
Total	4, 762, 123, 277	6,076,008,050
Imports of merchandise, 1878 to 1885 Exports of merchandise, same period		\$4,762,123,277 6,076,008,050
Excess of exports		1, 313, 884, 773

From this table it will be seen that the exports exceed the imports for that period \$1,313,884,773. Now let us examine the

Imports and exports of merchandise and coin and bullion for the eight years next preceding the passage of the Bland act.

Year.	Merchandise.	Coin and bullion.
1870	\$419, 803, 113 505, 802, 414 610, 904, 622 624, 689, 727 550, 556, 723 518, 846, 825 445, 938, 766 438, 518, 130	\$12, 147, 315 7, 231, 395 6, 664, 395 10, 777, 909 21, 524, 187 12, 625, 704 9, 469, 070 27, 746, 914
Total	4, 115, 062, 320	108, 186, 889
EXPORTS.		177
Year.	Merchandise.	Coin and bullion.

Year,	Merchandise.	Coin and bullion.	
1870	\$376, 616, 473 428, 398, 906 428, 487, 131 505, 033, 439 569, 433, 421 499, 234, 100 525, 582, 247 589, 670, 220	\$13, 883, 802 84, 403, 359 72, 789, 240 73, 905, 546 59, 699, 686 83, 857, 129 50, 038, 691 43, 134, 738	
. Total	3, 932, 505, 939	511, 721, 191	

. Total	3, 982, 505, 989	511, 721, 191
Imports of merchandise from 1870 to 1877		4, 115, 062, 320 3, 932, 505, 939
Excess of imports		182, 556, 381
Imports of coin and bullion, 1870 to 1877		108, 186, 889 511, 721, 191

This shows an excess of imports of merchandise for that period to be \$182,556,381, and an excess of exports of coin and bullion to be \$403,-5152,500,501, and an excess of exports of coin and bullion to be \$405,-534,302. Therefore, it clearly demonstrates that with the balance of trade in our favor, which has been the case since the act of February 28, 1878, there is no real foundation for the alarm of the gold-bugs. Has the coinage of silver impaired the public credit? The query answers itself. The idea of the credit of this great country being injured or even impaired because we have coined \$203,000,000 of silver or may sain two hundred and three millions more with the strides of developcoin two hundred and three millions more, with the strides of development going on from ocean to ocean, with science, art, and industry ablaze in the hands of the most enterprising population upon earth; with undeveloped resources that would make the mines of Golconda pale into insignificance, and an increasing population from natural causes as well as immigration requiring an increased circulating medium to meet the demands of internal commerce that will keep the machinery of the mints hot for years!

Indeed we need no further credit. Our credit, if such a thing could be possible, is too good. The pledge of this nation's faith, the greatest and most powerful on earth, and its grand possibilities, is sufficient collateral for the money-lenders of the balance of the world if not for Wall street. How can we hurt our credit by offering the bondholder silver and gold coin for what we owe? Is there an American citizen holding a bond, who took it under the act of July 14, 1870, unpatriotic enough to refuse credit, if the emergency should arise to ask it, provided we paid him his bond in gold and silver coin, when he sought it, in the acts

of 1869 and 1870?

And as there is only about one-tenth of 1 per cent. of the bonds held abroad and only an infinitesimal part of the bonds which can be paid before 1892 held by foreigners, oh, sir, this is a weak design of the enemies of the people to parade a phantasm before their representatives to frighten them from the care of the toiling millions.

What can be the causes which impel this attack upon silver?

The logic of statistics is absolutely overwhelming against it; the experience of eight years refutes the principal reasons advanced by its advocates. Then why do we find such strong supporters of the gold-standard theory? I venture to assert that among them here upon this floor and in the Senate there is hardly a man who is not directly or indirectly interested in money or bond speculation. Understand me, Mr. Speaker, I do not impute intentional wrong doing to any supporter of the theory in this House or the Senate, but we all know that—

When self the wavering balance shakes 'Tis rarely right adjusted.

Let any of these gentlemen open their ears and they will hear an unmistakable sound from the people, rising from all sections of the country; from the mining camps of the far West; from the fertile plains and valleys of the West and South; from the primeval forests, where untold wealth lies bound up in stately trees awaiting the stroke of the woodman's ax and the hum of the saw to strike asunder its chains of nature and turn it loose upon the world to meet the demands of civilized man; from all quarters, from all classes the cry has gone forth and has reached the capital of the nation, demanding silver as their coin, their money, or its representative, the legal certificate for the same. Only a wail from the few money centers and a feeble cry from provincial bankers to give them one standard of value and one more chance to unsettle values and grow richer by the legerdemain of cunning speculation. These hungry gold-bugs have closed the ears of some of the peoples' representatives by a trick of figures and dire forebodings, and they seem to be deaf to the demands of the great masses of their countrymen for whom they

should legislate.

It is also inconvenient, we are told. It is said of old that the Sybarites would not allow the artisan to engage in his vocation within the limits of their city lest the noise would inconvenience them. Neither would they allow a cock to be in their city because his crowing at the dawn disturbed their slumbers. But the American people do not intend to have their heads cut off or wrung off merely for the sake of deeper repose to bloated bondholders or Wall street gamblers.

Issue certificates and make the silver convenient and portable. not restrict the issue; do not in the face of such a demand for silver certificates as arose under the circular issued by Hon. John Sherman, Secretary of the Treasury, on the 18th of September, 1880, shut off the people from obtaining silver certificates as was done by the discontinpeople from obtaining silver certificates as was done by the discontinuance of it on the 1st day of January, 1885, but allow the Treasury offices of the country to at least issue silver certificates for gold coin deposited under such a circular. The people of the West and South had sufficient confidence in the silver coin to deposit gold and take silver certificates for it to the amount of \$80,730,500. Then, where is the occasion for the alarm? Is not a silver certificate as easy to carry about as a gold certificate of the United States? It is no more expensive and useless than a gold certificate. Yet the Treasurer in his report, page 24 says: 24, says:

The further issue of silver certificates should be discontinued, being both expensive and useless.

The Treasurer must have been looking through gold spectacles to have arrived at that conclusion. If silver certificates, not only of the denomination now authorized by law would be issued whenever requested nomination now authorized by law would be issued whenever requested by the holders of gold and silver coin, but also in denominations of one, two, and five dollars, then we not only have an increase of circulating medium suitable to the necessities of the country, but convenience added, and the delicate fastidiousness of the bondholder would not be so sorely taxed to transport his wealth. Indeed it does not appear that either the efflux of gold or the impairment of the national credit or inconvenience has as much to do with the fears of the Wall street speculators as their desire to contract the currency and make money scarce and give them an opportunity to realize their fondest hopes-a premium

and give them an opportunity to realize their fondest hopes—a premium upon their hoarded gold.

Let us not turn a deaf ear to the appeals of the struggling millions who produce and sell and conspire with those who speculate and buy, because forsooth the representatives of the bondholder proclaim with a flourish of banners that "in the commercial world gold is king;" but let us adhere to the money of our fathers and let our riches consist as of old—in cattle, silver, and gold; for we are taught by Holy Writ that "Abraham went up out of Egypt, he and his wife and all that he had, and Lot with him, into the south, and Abraham was very rich in cattle and silver and in gold." and silver and in gold."

Perhaps the swollen dwellers on Fifth avenue would disdain the degree of wealth posessed by this favored servant of the Most High. deed, not long after his day we hear the great lawgiver complaining of

deed, not long after his day we hear the great lawgiver complaining of what effect mere gold had produced upon the people: "And Moses returned unto the Lord, and said, Oh, this people have sinned a great, sin and have made them gods of gold."

Yes, and there are those in this great, free American country who have made them gods of gold and year after year cry out to us, the representatives of the people, "Come, fall down and adore with us." I, for one, representing a toiling people who seldom see a piece of gold unless it may be in simple ornaments on the bosoms and fingers of their wives and daughters, will not bend the knee, because their gods are not my people's gods. not my people's gods.

Hon. Joseph Rankin.

REMARKS

HON. EDWARD S. BRAGG,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, March 25, 1886.

The House having under consideration resolutions of respect to the memory of Hon. JOSEPH RANKIN, late a Representative from the State of Wisconsin—

Mr. BRAGG said:

Mr. SPEAKER: The House is convened under special order as a mark of respect to the memory of my deceased colleague, the late Hon. JOSEPH RANKIN, a Representative from the fifth district in the State of Wisconsin, and to permit his friends and associates in this body to pay their

tribute to his character as legislator, soldier, citizen, husband, father, and friend. Those who knew him best esteemed him most.

He was a native of New Jersey, born at Passaic September 25, 1833, but in his childhood was removed to New York, and was educated at the Homer Academy in Cortland County, then justly celebrated for the thoroughness of its teaching and the impress of manhood it stamped upon the character of its students.

In his earliest manhood he determined to cost his fortune of the character of the students.

In his earliest manhood he determined to cast his fortune and fate with the then young and growing West, and settled in Wisconsin in 1854, and from that time until his death he remained a citizen of that State, identified with its interests and legislation, and became a thoroughly Western man in his habits and instincts. When the black cloud of internecine strife broke and deluged the country with blood, the name of JOSEPH RANKIN was quickly attached as a volunteer upon the muster-roll of his country, and with his life in his hand he went to battle for the Union of the States and the preservation of the nation. He was no laggard in war, but for three years did service in the field, participating in many bloody engagements; always cool and nonchalant, winning the respect of his superiors and his subordinates by his gallant example and the love of his men by his kind and considerate attention

The close of the war found him in Tennessee, where he remained temporarily engaged in private business enterprises until 1868, when he returned to his home in Wisconsin. He was almost immediately called into public life in his county in the management and conduct of the local business of its people, and served them so well to their satisfaction that he was advanced by them to a position of higher grade, with a more extended field for operation, and for eleven years he proved an honest, upright, and faithful representative in the Legislature of the State. In recognition of this service, with full trust and faith in his honesty and capacity, the people of his Congressional district promoted him from the councils of the State to the National House of Representatives.

In 1884 he was re-elected and came to this House with the hand of death upon him, and at the opening of the session took the oath as one of its members, determined to die, if must be, with the harness on. On the 24th day of January of the present year, after a long and painful illness, at an angel's touch "the silver cord was loosened," and his

When I stood by this lifeless clay and looked upon the face once bright and pleasant with life and humor, the light of which had gone forever, I could not but thank the Great Father of the universe for a forever, I could not but thank the Great Father of the universe for a hope and faith instilled in me by a mother long since in quiet rest, "that death is not the end of man," but is only "sleep's twin sister," and from out that sleep will spring new life, and the body we give to earth to-day will be reproduced, in His own good time, by the processes of the Infinite, whose ways are past finite comprehension, "but who doeth all things well."

It was my good fortune, sir, to have known and associated with Mr. RANKIN for many years. He was a stanch friend, but a plain, unpretending man, who had a thorough contempt for ostentation. He could not move bodies of men by appeals to their passions or to their reason, but he was a clear, practical thinker, with quick, keen perception and an intuitive knowledge of the springs of action which control the action an intuitive knowledge of the springs of action which control the action of men as individuals, and herein was his power to accomplish wonderful results. When brought face to face with the man, he rarely failed; hence I class him rather as a manager than a leader of men. He was an experienced legislator, and, by the combination of his qualities of perception and practicality, he was a wise and prudent one, and conservative in all his leanings. As a soldier he was brave and generous, tender and sympathetic as the brave only know how to be.

I was one of the committee of this House charged with the duty of

I was one of the committee of this House charged with the duty of delivering his remains to his State and superintending their committal to their resting-place at his home. And to speak of him as a citizen and the respect in which he was held, I need only say the throngs of people of high and low degree, from Chicago to his home in Northeast Wisconsin, who crowded every station as we passed, and who followed the funeral cortege as it wended its way to the cemetery, is a better rec-

ognition of his worth than any words spoken by me.

I feel, sir, that I shall trespass on sacred ground to speak of his inner life in the domestic circle, but I can not forbear saying he was a marvel of tenderness and affection to his wife and children, and he enjoyed in return the wealth of their unbounded love. May the God of the widow and fatherless ever protect and preserve them with His blessing!

As a friend JOSEPH RANKIN was strong and steadfast, and, could be speak from the tomb, would ask no more eulogistic epitaph upon the

tablet at his grave than "He was true to his friends." And now, sir, I must bid my friend farewell.

I shall go to him, but he will not return to mc.

Post-Office Appropriation Bill.

SPEECH



M. TAYLOR. HON. JOHN

OF TENNESSEE.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 30, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 5887) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1887—

Mr. JOHN M. TAYLOR said: Mr. CHAIRMAN: Being a member of the Committee on Post-Offices and Post-Roads, and having been one of the subcommittee specially charged with the appropriations for this service, it will be permissible for me briefly to explain some matters in the bill. The postal service reaches to every nook and corner of our country, and is the vehicle of intelligence to every household comprising our widespread population. This is really the people's bill. They are more interested in this appropriation for efficiently carrying on this service than any other, as all are directly affected. Its importance is beyond calculation, and its efficiency should be promoted by just and liberal appropriations rather than retarded by a parsimonious policy. In other words, nothing should be left undone that would for a moment interfere with the expedition of the service and the supplying the necessities of a well-regulated postal system.

In the preparation of this bill the committee have been considerate and painstaking, desiring to observe the requirements of economy, coupled with the necessities of honest and faithful service, at the same time intending to deal fairly with the questions involved, and have recommended such sums as we thought the exigencies demanded. a view to an intelligent understanding of the growing needs of the service we have examined expenditures in the several preceding fiscal years, instituting comparisons as to revenues derived from the service, the necessary outlay of money, and the per cent. of increase.

In looking over these we find that the financial summary shows an in-

In looking over these we find that the financial summary shows an increase in the deficiency of the postal revenues. For the year ending June 30, 1883, the revenues were in excess of the expenditures, and there was a net revenue derived from the service of \$1,633,233.17. For the year ending June 30, 1884, there existed a net deficiency of \$5,246,951.42. For the year ending June 30, 1885, there appears to be a total net deficiency (partly estimated) of \$8,381,571.41.

It will therefore be observed, Mr. Chairman, that the Department has changed in two years from being more than self-sustaining by nearly

\$2,000,000 to an outlay above appropriations of more than \$8,000,000.

The Postmaster-General in his able and carefully prepared report assigns as a cause for this change a decrease in the revenues and an increase in expenditures, the latter amounting to more than six millions. The decrease, however, is chiefly attributable to the reduction in the rate of letter postage from 3 to 2 cents upon the half-ounce, which was the unit of weight. This reduction under the law took effect on the 1st day of October, 1883, and the decrease of one-third of the letter postage was materially felt in the Department and lessened the revenues considerably, if not correspondingly. The service is growing rapidly with the development of the country and growth of population, and it is expected that if existing laws are undisturbed as to rates there will be pretty soon a net increase

The estimates upon which the bill of the committee is based amount to \$54,987,166.89, which is considered necessary and at the same time to approximately meet the requirements of the service for the fiscal year ending June 30, 1887. We have, after careful consideration and examination and a grouping of all the facts and data attainable by the committee, recommended the appropriation of \$54,326,588.07, being \$659,-578.82 less than the estimates furnished by the Department.

The first item of appropriation is for mail depredations, inspectors, &c., authorized by act of June, 1872, empowering the Postmaster-Gencer, authorized by act of Jule, 1912, empowering the Fundamental transfer by act of Jule 1912, empowering the Fundamental transfer by act of Jule 1912, empowering the Fundamental The same may be said of the free-delivery service, which shows a rapid growth since its inauguration July 1, 1863, at which time the traveling expenses of such agents. This section was amended by the

act of 1878, inserting for "special agents" the words "post-office inspectors." The estimate was placed at \$250,000, but upon an examination of the subject thoroughly and instituting comparisons with expenditures during the years immediately preceding this, taking into account the work of these inspectors and their number, grades, and the duties contemplated to be performed, we have recommended the appropriation of \$200,000.

We have been sustained in this reduction by the letter of the Postmaster-General stating that the service would not suffer with this

For advertising and miscellaneous items we have adopted the recommendation of the Department, believing the same to be reasonable and

For compensation to postmasters we have recommended the appropriation of \$11,700,000, being \$300,000 less than the estimates and \$456,548.94 more than was expended in 1885. The expenditures of the last fiscal year exceeded the appropriations to the extent of \$243,-848.94, creating a deficiency. We have 48,899 postmasters of the fourth class, and their average compensation is \$151.09, aggregating the sum of \$7,388,239.94. The number of Presidential offices on the 1st of October, 1885, was 2,249, and the amount thought to be necessary is stated at \$3,800,000. An increase is contemplated of some sixteen new Presidential postmasters to the quarter, estimating, as suggested in the report, from the standpoint of a hopeful and prosperous outlook for a season of "peace, prosperity, and plenty" and an improvement and revival generally in business interests.

While our sanguine expectations and desire would lead us to this conclusion, we have not been enabled, looking through the horoscope of the future, to discern that abundant prosperity our hearts might desire. Therefore we have not drawn too liberally upon the public Treasury upon bright anticipations of the near dawn of plenty and prosperity.

We have looked at both sides of the picture, considering present depression and prostration as a clog upon that rapid stride to business prosperity, and consequently reduce the amount \$300,000, leaving, in our opinion, a sufficient margin for the growth of the business in this Department.

The next considerable item is that of \$5,150,000 as compensation to clerks in post-offices, being the amount recommended and corresponding with that appropriated for the year 1886, for which latter year was an increase of 3½ per cent. over the year preceding. The appropriation for that year was inadequate to meet the demands of the service and an additional appropriation required. This amount is specially for the payment of clerks in the offices who, as a general rule, are closely confined to their duties and, in many instances, poorly paid. The appropriation should be sufficient to warrant the payment of clerks in the fourth-class offices, where mail is distributed and separated. Take for illustration many of the offices in the interior, and we find upon examination that they are central, separating offices for all offices in the county and frequently adjacent counties. They are reached by a numcounty and frequently adjacent counties. ber of star routes, necessitating confinement and attention to business by the frequency of incoming and outgoing mails.

These clerks are essentially the servants of the public, and the people are interested to the extent of fair and reasonable compensation to insure efficiency in the prompt delivery and proper handling and distributing the mails. The postal service, as suggested, ramifies the whole country until like net-work it is checkered over with routes extending in every direction. It is the proper and popular means for the disemination of literature and the news of the world, reaching to remote corners not visited by telegraph; and those whose energy and attention contribute so largely to meet the wants of the people should be rewarded.

These allowances for clerical assistance in separating offices, depend measurably upon the changes in the service, and can be reduced, increased, or discontinued by the Department as the exigencies of the service may require. We find in the report that the separating offices number twenty-three hundred and five with an average allowance of \$242.23 for clerk-hire, &c. The demands of the service will require, we confidently believe, an increase for the present year commensurate with the amount recommended. A satisfactory conclusion was obtained by running over the estimates for several preceding years, and the actual expenditures, making an average, and adding 3½ per cent. to the sum of \$455,000, calculating for two years, allowing a margin, and have recommended \$495,000.

Similar reductions have been made, Mr. Chairman, in several of the succeeding items in the bill amounting to \$10,000 each. It is unnecessary, however, to follow each provision in the bill, as I apprehend there are but two to which there has developed in committee or will develop on the floor of the House any serious or tangible objection. Quite a considerable portion of all appropriations for this service is made up of fixed expenditures and matters governed entirely by contract and by statutes authorizing and fixing the amounts.

This is specially true as to the office of the Third Assistant Postmaster-General, and we have, therefore, been governed by existing laws and the contracts.

ber of offices supplied sixty, with an annual cost of \$317,061.20. This service has grown until its provisions and benefits are extended to one hundred and eighty cities with four thousand three hundred and fiftyeight carriers, with the cost of the service amounting to \$3,985,952.55. At these local deliveries the postage on local matter is \$5,281,721.10, leaving an excess of postage on local matter of \$1,295,768.55.

The Department recommends as necessary, and we have adopted the same for this service, \$4,928,531.25, being an increase over the appro-

priation for the current year of \$443,531.25.

The law as it now stands is only applicable to places having a population of 20,000, and which furnishes a gross postal revenue of \$20,000. The propriety of extending it to thriving communities whose local circumstances are adapted to the free-delivery system has been discussed by the levy of special assessments, but under existing law we could not recommend allowances for the same. In making the estimates for the year 1887, recognition of the increased pay of twelve hundred and ninetyfive clerks for nine months at the annual rate of \$225 each was considered. I append here a tabular statement taken from the report of the Postmaster-General, which fully sustains the increase made:

TABLE D .- Showing the growth of the free-delivery service from its inauguration, July 1, 1863.

Years.	Number of of- fices.	Number of car-	Cost of service.	Postage on local matter.	Excess of cost,	Excess of postage on local matter.
1863-'64. 1864-'65. 1865-'66. 1865-'66. 1867-'68. 1868-'67. 1867-'68. 1869-'70. 1870-'71. 1871-'72. 1872-'73. 1873-'74. 1874-'75. 1875-'76. 1876-'77. 1877-'78. 1878-'79. 1880-'81. 1881-'82. 1881-'82. 1882-'83. 1883-'84.	66 445 46 47 48 48 51 52 52 52 52 7 87 87 87 87 87 87 87 87 109 119 1154 159 178	685 767 863 943 941, 198 1, 246 1, 462 1, 419 1, 443 1, 498 2, 049 2, 195 2, 265 2, 265 2, 275 2, 359 2, 861 3, 118 3, 680 3, 890 4, 358	\$317, 061 20 448, 664 51 589, 236 41 699, 934 34 995, 934 59 1, 183, 915 31 1, 230, 079 85 1, 353, 923 23 1, 385, 965 76 1, 422, 495 48 1, 802, 696 41 1, 890, 041 99 1, 981, 186 51 1, 893, 619 85 1, 824, 166 96 1, 947, 706 61 2, 363, 603 14 2, 499, 911 54 2, 623, 262 74 3, 173, 336 51 3, 504, 206 52 3, 985, 952 55			84, 375 22 360, 977 98 628, 084 55 864, 771 14 705, 104 00 773, 718 85 1, 193, 313 35 1, 021, 894 01

Section 3865 of the Revised Statutes provides that "letter-carriers shall be employed for the free delivery of mail matter as frequently as the public convenience may require at any place containing a population of 50,000 within the delivery of its post-office, and may be so employed at any place containing a population of not less than 20,000 within the delivery of its post-office." The first provision of this statute is mandatory as to cities having a certain population, and the salvaire are fixed by law; and been an observance of the law and desire aries are fixed by law; and hence an observance of the law, and desiring to promote efficiency of the service, the amount stated has been deemed necessary.

For inland transportation by star routes the sum of \$5,850,000 is estimated to be needed to meet the requirements of this extensive branch of the service. This is a decrease of \$50,000 when compared to the appropriation for the current year.

For inland transportation by steamboat routes there is a decrease from the present year of \$40,000. A number of these routes have been dis-continued and are now carried by star routes at less expense. This serv-

continued and are now carried by star routes at less expense. This service has been falling off for a number of years, the expenditures in 1881 being \$826,975, dropping down to \$558,000 in 1885.

As was stated by our courteous and distinguished chairman, Mr. Blount, we have inserted the mail messenger service or "special facilities" without finding any law authorizing the same, but realizing its importance, sanctioned by custom and the preceding annual appropriation bills for nine years, we did not at the risk of a point of order desire to assume the responsibility of leaving it out of this bill.

The country has become accustomed to it, and as stated a moment since, attention was called to it by the report that it might be fully under-

stood

I call attention to the reasons given on page 4 of the report of the chairman for the insertion of the necessary amount for this particular

The mail-messenger service, which is the means by which the Government delivers the mails at post-offices which are more than 80 rods from the depots of the railroads which transport the same, likewise appears to rest upon no statute, but upon custom and the exigencies of the service. It has been inserted in the bill because great confusion would arise if it were omitted, and the attention of the House is also called to this matter with a view to felieving the committee from any appearance of an improper attempt to insert sums of money in the bill in disregard of the rules of the House.

The Postmaster-General, in the Book of Estimates, recommends the appropriation of \$15,725,432 for transportation of mails by railroad

lines. Using the cost on June 30, 1885, of \$13,735,202 as a basis and calculating upon an increase of 7 per cent. for the preceding years, and also considering the increase in mileage for the year at about 6,000 miles, the committee arrived at its conclusion. Upon the same basis, and using the increase for several years, we have calculated it at a cost of \$45 per mile instead of \$60, the maximum paid for said service, and also that the increase for the fiscal year will be gradual, and hence we recommend \$15,595,432, and feel confident this will be sufficient.

But, Mr. Chairman, there are other matters in this bill, but, as heretofore stated, only two have provoked opposition from any one of the Committee on the Post-Office and Post-Roads, and these are the compensation to railway postal clerks and for the transportation of foreign mails.

As to the first of these, the bill recommends \$4,800,000, being \$77,000 less than the estimates. The expenditure, it is stated, for the current year will not exceed \$4,601,000, and the increase is asked upon an anticipated demand for additional force on existing lines and for railway postal cars and the requirements of new lines, placing the increase upon approximately the same ratio as the growth of railroad transportation. This assumption of an increase in the clerical force is upon the belief that new lines and extensions will be built amounting to some 10,000 miles. Such an increase is hardly to be anticipated, and we will be gratified if the same reaches one-half the sanguine expectations expected. pressed.

On the 31st day of December, 1885, the number of postal clerks was forty-five hundred and twelve, the salaries of whom are regulated by law. By the law approved July 31, 1882, entitled "An act to designate the salaries of the law approved July 31, 1882, entitled "An act to designate the salaries of th nate, classify, and fix the salaries of persons in the railway mail service," are the following terms:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That persons in the railway mail service, known as railway post-office clerks, route agents, local agents, and mail-route messengers, shall, on and after the passage of this act, be designated as railway postal clerks, and divided into five classes, whose salaries shall not exceed the following rates

and divided into five classes, whose salaries shall not exceed the following rates per annum:

First class, not exceeding \$900; second class, not exceeding \$900; third class, not exceeding \$1,000; fourth class, not exceeding \$1,200; and fifth class, not exceeding \$1,000; fourth class, not exceeding \$1,200; and fifth class, not exceeding \$1,400: Provided, That the Postmaster-General, in fixing the salaries of clerks in the different classes, may fix different salaries for clerks of the same class, according to the amount of work done and the responsibility incurred by each, but shall not in any case allow a higher salary to any clerk of any class than the maximum fixed by this act for the class to which such clerk belongs.

SEC. 2. That the sums appropriated in the act entitled "An act making appropriation for the service of the Post-Office Department for the fiscal year ending June 30, 1883, and for other purposes," approved May 4, 1882, for the compensation of the railway post-office clerks, route agents, mail-route messengers, and local agents, be consolidated into one fund, and applied for the compensation of the clerks embraced in the five classes under the title of railway postal clerks provided in this act.

provided in this act.

This act clearly states the salaries for the different clerks, giving discretion to the Postmaster-General to so classify them, fixing salaries for clerks of the same class according to the amount of work performed and

responsibility incurred.

It therefore, Mr. Chairman, appears that the criticism of my colleague on the committee can not be against the amount appropriated, but must break its force against a stubborn, existing law, which under the rules we can not remedy on a general appropriation bill. It is certainly error to oppose the classification of these clerks. One who has a run of 75 miles per day should not receive the same compensation as he who makes a run of 150 miles, being twice the run in miles and incurring twice the risk, as to responsibility and danger.

The argument of my friend BURROWS might well be directed to the committee when considering the propriety of changing the law or advocating the passage of additional provisions.

In the discussion, as I have suggested, but two prominent issues have been presented, the one involving the proposition of an increase in the pay of railway mail clerks, and the second as to the compensation for the transportation of foreign mails. Had the discussion been restricted to the first proposition it would of necessity have been brief, and would doubtless have resolved itself into an opinion founded largely upon local experiences, every one being to some extent influenced by the rate of wages in his own section. But the gentleman from Michigan elected to give debate a wider berth, and arraigns the Postmaster-General for not obeying a mandate of Congress, and for not affording sufficient compensation to the postal clerks for the services rendered, and then concludes with a swoop and assault upon the present administration for its enforcement and practical recognition of the provisions of civil-service re-

I desire to show, Mr. Chairman, that the strictures of the gentleman from Michigan [Mr. Burrows] are unjust and wholly unwarranted by the facts, and that the Postmaster-General did nothing but his duty as an honest man to his Government.

On the 19th of February last the following resolution, introduced by he gentleman from Michigan, was adopted by the House:

Whereas the act of March 3, 1885, appropriated the sum of \$4,682,300 for the payment of railway postal clerks for the fiscal year ending June 30, 1885; and Whereas it is alleged that \$81,300 of such appropriation was made for the purpose of enabling the Postmaster-General to pay the postal clerks of classes 4 and 5 the sum and salary of \$1,200 and \$1,400, respectively, for the year ending June 30, 1885; Therefore,

Be it resolved, That the Postmaster-General be, and he hereby is, directed to inform this House what portion of the said sum of \$81,300 has been used for the purpose aforesaid, and if no portion of such sum has been so applied why the same has been withheld, and whether any portion of said sum has been used for other purposes.

On March 4 the Postmaster-General acknowledged the receipt of a copy of the same, and sent his reply to Congress, being Executive Document No. 110, from which I read explanatory of his action:

ment No. 110, from which I read explanatory of his action:

(1) The salaries of the clerks of these classes were, in 1876, fixed by the Postmaster-General to begin July 1 of that year at the respective sums of \$1,150 for clerks of class 4, and \$1,300 for clerks of class 5, because, as I am informed, the action of the Congress in making appropriations for the service made it necessary, if it did not impliedly require it; and they have during nine years since so remained, and the Congress has annually made appropriation for their compensation based upon that rate of pay without directing any change, and no reason is known to exist why that compensation is not as adequate during the current year as during any of the years since it was fixed.

(2) In view of the fact that such salaries have been under the cognizance of the Congress during so many years, and have by repeated appropriations received its sanction as sufficient, it appeared improper for the Department to increase the salaries of all clerks of those classes without expression from the Congress of its purpose that such increase should be made, and instructive information on this point was sought in the debates and proceedings of that body which accompanied the passage of the act of March 3, 1885, to disclose the true purpose of the Congress in enlarging the appropriation. The only definitive expression of that purpose, to be collected from the report of such proceedings, appears to be found in the sixteenth volume of the Congressional Record, on page 1766, from which volume the following extract is made of proceedings, appears to be found in the sixteenth volume of the Congressional Record, on page 1766, from which volume the following extract is made of proceedings occurring in the House of Representatives when this item of the appropriation for the postal service was under discussion, to wit:

(Page 1750.)

"The House accordingly resolved itself into Committee of the Whole on the

(Page 1750.)

"The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. Springer in the chair) and resumed the consideration of the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes."

(Page 1766.)

"The Clerk read as follows:

"For railway post-office clerks, \$4,482,300."

"Mr. Horr. I move to strike out '\$4,482,300."

"Mr. WARNER, of Ohio. Before the vote is had on that let us know whether that increase is an increase of the number of postal clerks or of the salaries of the number now provided by law.

"Mr. Horr. It is the amount needed to put sufficient service on the new roads which have been already built and will go into operation during the next year.

"Mr. WARNER, of Ohio. And is not to operate to increase salaries?

"Mr. HORR. No, sir. The Postmaster-General estimates that it will take every dollar of it to provide for the increase in the service for the coming fiscal year.

"Mr. RYAN. The salaries are already fixed by law in amount, and can not be increased.

"Mr. Ryan. The salaries are already fixed by law in amount, and can not be increased.

"The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Michigan.

"The question was taken; and on a division there were—ayes 95, noes 51.

"So the amendment was agreed to."

These proceedings so unmistakably show that the purpose of the enlarged appropriation, as stated at the time of its consideration and enactment, was to put sufficient service on the new railroads which had already been built and would go into operation during the present fiscal year, and that the intention to increase salaries was expressly disavowed, that no right to impute any other object was admissible, much less to adopt the disavowed purpose; and, although in point of fact it has not yet appeared to me necessary to put such increased service into operation as will require the whole of the increase in the appropriation, this can not, without further expression, authorize an expenditure which the Congress clearly intended not to have made.

4. It would have been manifestly prejudicial to the discipline of the service and promotive of future dissatisfaction and discontent to have increased the salaries of clerks of these classes for a single year, and again reduced them in the next to the amounts at which they now stand; and therefore it was inexpedient to raise them under the current appropriation without a justifiable expectation of continuance.

Mr. Chairman, I have called attention to this, and the colloquy in the House, in which a distinguished gentleman from Michigan, then a member of the House and of the Committee on Appropriations, distinctly disavowed that this \$81,000 was for an increase of salaries of clerks of classes 4 and 5, but replying to Mr. WARNER, of Ohio, stated the specific purpose for which it was intended.

Notwithstanding all this, Mr. Chairman, the fact that the answer of the Postmaster-General was before him, the gentleman, my colleague on the committee, Mr. Burrows, gave utterance to the following:

on the committee, Mr. Burrows, gave utterance to the following:

It seems to me there can be no question but \$81,300 of this sum was appropriated for the special purpose of paying clerks of classes 4 and 5 the full amount of their salary allowed by law. It is demonstrated by the estimates and by the appropriation which followed, and in no other way can it be explained how this appropriation came to be for the exact sum of \$4,682,300. Yet the clerks of classes 4 and 5 are being paid at the old rate of \$1,150 per annum for clerks of classes 4, and 1,300 for clerks of class 5. Why? The Postmaster-General declines to execute the law and apply the appropriation in obedience to the will of Congress. At page 419 of the report of the Postmaster-General for the year 1885 will be found the following:

"The annual appropriation for the pay of railway post-office clerks for the current fiscal year is \$4,682,300. Of this amount, \$81,300 was presumably appropriated for the special purpose of increasing the salaries of clerks of the fourth and fifth classes to the rates of compensation paid prior to 1st of July, 1876; but, inasmuch as the appropriation bill, as approved, does not state specifically that such was the intention of Congress, the Postmaster-General is of the opinion that this fund can not be drawn upon for that purpose. With this amount deducted, the sum available for the pay of postal clerks for the present year is \$4,601,000."

Mr. Budenows. From the report of the Superintendent of the Railway Mail Service, page 419, from which it will be observed the superintendent states he has not used the \$81,300 "presumably appropriated for the special purpose of increasing the salaries of clerks of the fourth and fifth classes to the rate of coms pensation paid prior to July 1,1876," because the "Postmaster-General is of the opinion that this fund can not be drawn upon for that purpose." The Postmaster-General looks only to the letter of the law, and in the letter of the law he finds no mention of \$4,682,300 and would hav

of the Postmaster-General are better served by looking only to the letter of the law, and so, declining to examine the estimates or obtain any information be-yond what the statute conveys, he declines to execute it.

But admitting the \$81,000 to have been appropriated for the purposes alleged by the gentleman from Michigan, one of three things must be true—either the appropriation was procured by an indirection that did not state specifically the purpose, or Congress did not assume the responsibility of directing the expenditure, or it voluntarily left it within the discretion of the Postmaster-General, he being the proper executive If the first of these propositions is true the Postmaster-General should be applauded for refusing to become a party to the expenditure of public moneys authorized by questionable practices. If the second proposition be true it would ill become a legislative body which declined to assume the consequences of its act to find fault with the executive officer for declining such responsibility. If it be conceded that Congress vested the matter in his discretion and he exercised the same within the limits allowed, he is not subject to censure by any fairminded, unbiased mind. It certainly was the intent and purpose of Congress to leave this matter wholly within the discretion of the Postmasthe Government deal justly with its employes occupying the positions of postal clerks, and at the same time honestly with the Government?

The Postmaster-General had no special purpose to serve except the interest of the Government, and in doing so he looked to the law and the intent and meaning of Congress that invested him with authority.

He did decline, and properly, to become a party to a doubtful and un-authorized expenditure of money, for which the enlightened judgment of the nation will accord him praise.

Instead of a reckless disregard of law and a profligate waste of money, the Postmaster-General executed and reflected the will of Congress. Where else could he go but to the Congressional Record containing the proceedings of Congress when the bill was under discussion? There can be no ambiguity as to the interpretation of Congress on this question. A different course would have been subject to censure rather than approval for such a wanton disregard of the clearly expressed purpose of Congress. Again, it is a demonstrable fact by calculation that to pay all these clerks the maximum salaries allowed would have required a larger sum of money than estimated by the Department.

To reply fully and fairly perhaps, involves an inquiry into the relative status of a postal clerk as compared with other wage-earners. The General Superintendent of Railway Mail Service, page 425, Postmaster-

General's report of 1885, says:

Any young man possessing a good constitution, unimpaired eyesight, a retentive memory, and an ordinary education, if he be not afraid of hard work and sees fit to apply himself, can readily pass to the regular (postal) service.

Here we have the requirements. The physical condition which nature bestows when there is an observance of her laws, and the education which most of the States offer to all their children free. The qualifications necessary do not require as long apprenticeship as falls to the man who would handle the saw, the hammer and chisel, or drive the plane, and in fact such as are necessary in all the trades and occupations; no mental culture and severe technical training as falls to the lot of those struggling to enter upon the various professions, but the "novice can readily pass to the regular service," and enjoy from the outset of this appointment a rate of pay far above that of almost any unskilled labor in the land.

Mr. Chairman, we have had their duties portrayed here by my friend from Kansas, Judge Peters, in a pathetic appeal, and he embodies in his speech a bill introduced by him for their relief. Let us analyze their duties. The Postmaster-General, in his report, page 17, says:

And the entire number of miles actually run gives a daily average to each clerk of 120.94 miles.

Placing the average rate of speed of our mail trains at 20 miles per hour-a low estimate-would give a daily run of six hours per day. is true they handle a number of pieces exclusive of registered matter, and this is increasing, amounting altogether to about five million pieces during the past year. This is their duty to distribute the mails along the route. The Government requires the post-road to furnish cars lighted and warmed for their occupancy. With the salary attached, six hours per day on a train, with heat and light furnished, with changing localities and scenes, does not strike the average man, and specially the laborer, as being that character of arduous labor that demands an increase of compensation.

As an evidence of this fact I feel warranted in declaring that this service to-day is more sought after than any in the Government. Applications by the hundred have poured into the Department asking for employment in this service. Some are debarred by a ruling in the Department disfranchising all persons over thirty-five years of age, and others meet with the statement, "There are no vacancies," and removals must be for cause. Those who have been fortunate in securing these positions refuse to relinquish them, and are not making that stupendous effort indicated in the other end of the Capitol to avoid being incident-

ally connected with the present administration.

But it is alleged that the duty is extra-hazardous. This is possibly true, but it has its compensation. The law is tiberal and permits "

leave of absence with pay during convalescence from injury not exceeding twelve months," and the railroads are liable for damages by suit at law for injury of life or limb. The opportunities are great; ability, skill, or talent are sure to meet proper recognition by those who require

such qualities.

While I would not raise my voice, Mr. Chairman, in opposition to while I would not raise my voice, III. Charman, in opposition the fullest reward in this or any other service, I give it as my deliberate judgment that postal clerks are as amply provided for any class who serve for wages in the Government. Their labor is as any class who serve for wages in the Government. Their labor is not so onerous; their quarters are comfortable and hours of labor short, their pay regular and certain, and the Postmaster-General has meted out to them the fullest justice under the law. Notwithstanding all this, Mr. Chairman, these postal clerks are clamorous for an increase of wages, and also insist by their friends that they should be provided with a life estate and be billeted upon the bounty of the Government as pensioners after serious disability or incompetency arising from age or the service of a certain number of years. As evidence of this fact, I desire here in my remarks to insert a part of a report I made as chairman of a subcommittee, which will explain the situation and the attempted raid upon the Treasury in the future:

The Committee on the Post-Office and Post-Roads, to which were referred House bills 2113 and 4489, having had the same under consideration, report as

The Committee on the Post-Office and Post-Roads, to which were referred House bills 2113 and 4489, having had the same under consideration, report as follows:

The first named (H. R. 2113) is "A bill granting a gratuity to persons having served faithfully twenty-five continuous years in the postal service of the United States, or who after ten years of faithful service shall become physically or mentally disabled."

The latter (H. R. 4489) is entitled "A bill for the relief of aged, disabled, diseased, and worn-out postal clerks who have devoted the best years of their lives to the (transit) mail service, and who have been or may hereafter be in the employ of the Post-Office Department in the arduous and extra-hazardouss ervice therein mentioned for a period of not less than twenty years."

The two bills being of a kindred nature, we have considered them together and report accordingly.

The number of railway mail clerks now in the service is between forty-four and forty-five hundred, and the estimated appropriation for the next fiscal year for the payment of this special class is \$1,877,000, which is supposed sufficient.

These bills contemplate a pension list and the retirement of postal clerks or route agents and messengers who become disqualified from any cause for future service after a certain number of years of continuous service, or who after ten years' faithful service shall become physically or mentally disabled. One of the bills proposes to retire them on pay equal to two-thirds of the compensation they were receiving, and the other to full pay.

We are opposed to the policy of establishing by legislation a pensioned civil list, and especially to the adoption of a statute with such broad provisions as are embraced in these bills. We do not realize the necessity or propriety of creating this additional retired-list-embracing all persons employed in other branches of the Government service.

This is not a compulsory service; these employés are not conscripted into the service, but voluntarily ask for a

themselves.

All nationalities recognize the propriety of granting pensions to soldiers and sailors disabled in battle, or who have become helpless in the service of their country, but their right to such recognition is based upon a different principle to that embraced in these bills.

The taking of this step would eventually lead to the pensioning of almost all classes of persons in the employ of the Government, and entail upon the people a constantly increasing and enormous debt. There is no moral, and should be no legal, obligation upon the Government to tax the people and take from them their hard earnings in order to support those less thoughtful, who have lived upon the Government and wasted the salaries paid by the same. We are opposed to according to this class of employés' superior privileges and provisions to other classes of persons.

We recommend said bills do not pass.

The principal opposition, however, Mr. Chairman, manifested to the committee's bill, is the appropriation for the foreign-mail service, and the reasons are expressed in the views of the minority heretofore submitted to the House and reiterated on the floor by the gentleman from Michigan [Mr. Burrows] during his arraignment of the Postmaster-

Before proceeding to a statement of the reasons governing my action, and presumably the majority of the committee, a brief review of the laws

regulating the foreign-mail service will not be inappropriate.

The act of 1864, found in section 3976, Revised Statutes of 1878, is as

The master of any vessel of the United States bound from any port therein to any foreign port, or from any foreign port to any port of the United States, shall, before clearance, receive on board and securely convey all such mails as the Post-Office Department, or any diplomatic or consular officer of the United States abroad, shall offer; and he shall promptly deliver the same, on arriving at the port of destination, to the proper officer, for which he shall receive 2 cents for every letter so delivered; and upon the entry of every such vessel returning from any foreign port, the master thereof shall make oath that he has promptly delivered all the mail placed on board said vessel before clearance from the United States; and if he shall fail to make such oath the vessel shall not be entitled to the privileges of a vessel of the United States.

Subsequently, and in 1877, it was provided as follows frection 1000.

Subsequently, and in 1877, it was provided as follows (section 4203 of the Revised Statutes of 1878):

All vessels belonging to citizens of the United States, and bound from any port in the United States to any foreign port, or from any foreign port to any

port in the United States, shall, before clearance, receive on board and securely convey all such mails as the Post-Office Department of the United States, or any minister, consul, or commercial agent of the United States abroad shall offer, and shall promptly deliver the same to the proper authorities on arriving at the port of destination, and shall receive for such service such reasonable compensation as may be allowed by law.

The foregoing was the law upon the subject and under which our for-eign mails had been successfully transported for a number of years, with gratifying results to the United States. The steamship companies, however, were not satisfied, and desired to be subsidized. Consequently "An act to remove certain burdens on the American merchant marine and encouraging the American foreign carrying trade, and for other purposes," passed Congress and was approved June 26, 1884. This act, among other things, provided as follows:

among other things, provided as follows.

That sections 3976 and 4203 of the Revised Statutes of the United States, and all other compulsory laws and parts of laws that oblige American vessels to carry the mails to and from the United States arbitrarily, or that prevent the clearance of vessels until they have taken mail matter on board, be, and the same are hereby, repealed, but such repeal shall not take effect until the 1st day of April, 1885. (United States Statutes at Large, volume 23, chapter 121, section 23.)

The provisions of this last act relieved American vessels of the restrictions of former acts, giving them clearance without the compulsory provisions of carrying mails, &c.

To enable the Department to meet the new order of things the Forty-eighth Congress in an act making appropriations for the postal serv-

ice provided as follows:

For transportation of foreign mails, including railway transit across the Isthmus of Panama, \$800,000. And the Postmaster-General is hereby authorized to enter into contracts for the transportation of any part of said foreign mails, after legal advertisement, with the lowest responsible bidder, at a rate not exceeding 50 cents a nautical mile on the trip each way actually traveled between the terminal points, provided that the mails so contracted shall be carried on American steamships, and that the aggregate of such contracts shall not exceed one-half of the sum hereby appropriated.

The Postmaster-General very candidly states in his report that after a protracted and painstaking consideration of the subject it was deemed inexpedient and improper to exert the authority of the act empowering him to contract for ocean service upon the mileage plan of computation, and gives the following reasons, which are apparent and plausible and should be satisfactory to any one except a partisan who is hunting an excuse to pitch into some one and provoke a political discussion over a purely business proposition. It does seem to me, sir, his reasons for the governing of his conduct are sound, practical, and logical, and the propriety and good sense of a different course are not apparent to a wayfaring man, though he be a political opponent.

But, Mr. Chairman, let me read from the report of the Postmaster-General, beginning on page 35 and continuing, which is a complete answer to the unjust and inexcusable assault upon this question. He

A statement compiled in the office of the foreign mails shows the total miles sailed last year, and to have been expected to be sailed this year by all American companies, to be over 2.050,000; and the total compensation at the maximum rate would exceed \$1,025,000, or over two and one-half times the utmost authorized expenditure. The act requires a letting to the lowest responsible bidder after legal advertisement to invite competition; and except to contractors, so brought into service, no money could be paid on mileage contracts. Only two routes are navigated by more than one American company; one between New York and Havana, the other between San Francisco and Japan and China. To have solicited competition by advertisement would have been idle, except upon these; no competition to bring the bids below the maximum rate was possible.

The consequence seems undesign that the the consequence seems undesign the consequence seems undesign the consequence.

sible.

The consequence seems undeniable that the Department must either have made choice of certain routes whose total mileage would have demanded no more than the limited sum, and, by ostentatiously calling through advertisement for a competition which could not come, have distributed the whole bounty to the chosen, entirely excluding the others, or else have so planned its advertisements to meet the circumstances of the only possible bidders that, by concerted understanding with all American companies or such as the Department chose to give the money to, contracts might have been made for such sums to each that the whole appropriation would be divided between them.

The first method of expending the money would have been partial and unjust. There are no circumstances, it may be safely affirmed, which give any American line the right to be so greatly preferred that it should be paid the full bounty while others should receive none. And to have so administered the authority would have defeated the objects of the appropriation, since, it may well be supposed, the disfavored lines would promptly and justifiably have refused their further service as mail carriers to the Government.

But the act unmistakably contemplated, by its terms, that the Government should secure the gain of competition, wherever possible, among bidders. The two routes already mentioned afforded the opportunity. Yet if the law were pursued and a contract were awarded to either of the companies on the trans-Pacific route, and another to either of those plying between New York and Havana, both public injury and private injustice would have been wrought, because the public would have lost the service of one company on each route when it ought to enjoy the greater frequency of both, and one company on each would have been denied a share of the bounty to which it was as well entitled as the other. This constituted in itself so grave an objection to any employment of the authority of the act as to render it of doubtful expediency, a proof of which lies in the usages of the transatlantic carriage, where the best service is gained by employing at will the swiftest ship among those ready to sail at any time when mail is to be dispatched, no special contracts being made.

Explanatory of the reason why the Postmaster-General declined to

Explanatory of the reason why the Postmaster-General declined to exercise the authority conferred under the subsidy clause, I desire to read and call attention to the views of the President, expressed in his

first annual message, as follows:

It was decided with my approbation after a sufficient examination to be inexpedient for the Post-Office Department to contract for carrying our foreign mails under the additional authority given by the last Congress. The amount limited was inadequate to pay all within the purview of the law the full rate of 50 cents

per mile, and it would have been unjust and unwise to have given it to some and denied it to others. Nor could contracts have been let under the law to all at a rate to have brought the aggregate within the appropriation without such practical prearrangement of terms as would have violated it.

The rate of sea and inland postage which was proffered under another statute clearly appears to be a fair compensation for the desired service, being three times the price necessary to secure transportation by other vessels upon any route, and much beyond the charges made to private persons for service not less burdensome.

Whatever may be thought of the policy of subsidizing any line of public conveyance or travel, I am satisfied that it should not be done under cover of an expenditure incident to the administration of a Department; nor should there be any uncertainty as to the recipients of the subsidy or any discretion left to an executive officer as to its distribution. If such gifts of the public money are to be made for the purpose of aiding any enterprise in the supposed interest of the public, I can not but think that the amount to be paid and the beneficiary might better be determined by Congress than any other way.

The Postmaster-General also says:

Upon a review of all these facts and reasons it seemed a plain duty, the only admissible course, for the Government to decline to make contracts upon the mileage plan, and await the meeting of Congress, to which the subject might be referred for consideration and direction. It involved but a few months of delay, and in the mean time the American vessels could be paid a compensation more than three times as great as most of them have received for similar service during the past seven years,

But it is insisted that the statute was plain and easy of comprehension and execution. True it may be, Mr. Chairman, and it was easy for the executive officer to have pursued a different course, if he had disregarded the rights of the tax-payers and contracted on these lines beyond the limit contemplated. It was impracticable and his course is to be commended.

The history of this legislation, which remitted to the Postmaster-General quasi instructions to expend \$400,000 needlessly for the transportation of mails to foreign ports in American vessels, shows that two bills were introduced in the Forty-eighth Congress, one in the House and one in the Senate, to remove these alleged burdens from the merchant marine. Without tedious detail, suffice it there existed differences, and the result was a conference between the two Houses, and the law by which the Government could compel the carrying of its mails wiped out and what is called the subsidy adopted, giving the discretion to which I have alluded. As an American citizen and Democrat, I am exceedingly gratified that notwithstanding the enormous pressure and the voluminous correspondence from all sources, the Department has stood firmly by the principles of honest and business methods in its administration and kept the unclean hands of the subsidy-grabbers out of the Treasury of the United States. The mails have been carried, business principles observed, and the Treasury protected from the rapacions greed of those who would willingly impose burdens upon the whole people to build up their individual interest.

But my friend from Michigan, in his minority report upon another bill and in his recent utterances in the House, insists that the Postmaster-General would impose upon American vessels the duty of carrying the mails of the United States as freight, such as beef, hides, &c.
The law discriminates in favor of American vessels, giving them sea and inland postage, allowing sea postage only to foreign ships; and the following from the report demonstrates legislative judgment that sea postage is sufficiently remunerative to command good and efficient service:

age is sufficiently remunerative to command good and efficient service:

To the Pacific Mail Steamship Company, on its New York and Colon line, \$19,275.82, as against \$7,501.78 at sea postage, and \$7,679.49 at its parcels-dispatch rates, and \$411.40 at its freight rates for nearly 55 tons of total mail; an average of \$507.26 per trip for 283 pounds of matter, which it would have carried for \$10.82 at freight rates and \$20.20 at parcels-dispatch rates.

On its San Francisco and Panama line, \$3,496.18 for about 7 tons, against \$1.238.44 at sea postage, \$71.69 at freight, and \$1,002.55 at parcels-dispatch rates.

On its San Francisco and Yokohama line, \$10,125.80 for less than 19 tons, against \$3,506.64 at sea postage, \$226.34 at freight rates, and \$3,758.40 at parcels-dispatch rates.

On its Australian line, \$41,018.65 for about 48 tons, against \$13,565.29 at the special rates paid heretofore, \$762.93 at freight rates, and \$9,537.40 at parcels-dispatch rates; an average per trip of \$3,155.28 for 7.336 pounds, nearly fifty-four times its freight rates, over four times its parcels-dispatch prices, and a better average price per trip than the average paid across the Atlantic by \$2,506.22.

To the Venezuelan Red "D" line, \$3,942.86 for about 8 tons of mail, against \$1,302.95 at sea postage, \$58.34 at its freight rates, and \$1,155.01 at its parcels-dispatch rates.

\$1,32.90 at sea postage, \$08.34 at its freight rates, and \$1,100.01 at its parcels-dispatch rates.

To the New York and Cuba line, \$5,203.48 for about 12 tons, against \$2,271.94 at sea postage, \$61.63 at freight rates, and \$1,458.17 at its parcels-dispatch rates.

To the New York, Havana and Mexican line, \$11,932.11 for about 25 tons, against \$4,134.13 at sea postage, \$129.17 at freight rates, and \$3,229.33 at parcels-dispatch rates.

These statements are convincing that the total sea and inland postage, when compared to charges for transportation of other valuable articles, is adequate. The mails may be considered sacred, and, per-haps, in business transactions should not be mentioned in connection with other matters and packages for transportation. Both by land and sea the moment the key is turned the mails become freight pure and simple, and on sea they do not require or receive any special attention.
They do not demand light, heat, or ventilation, berth, food, or attendance. Bills of exchange, lading, drafts, post-office money-orders, can all be duplicated. There is no special liability for loss. These vessels have their own time of departure and arrival, and are not compelled to deviate from their usual line of travel on the high seas, touching only at such ports as their interest suggest and their business carries them. The compensation of sea and inland postage is from two to thirty times

as much as they demand or receive for any other kind of freight trans-

ported by them.

This bill, Mr. Chairman, is to provide for meeting the demands of the postal service, and does not present the question as to the employment of American postal appropriations to the development of our commerce and opening up trade, but it is a question as to whether the Government has a right as a sovereignty by act of Congress to provide certain contingencies upon which vessels shall have clearance and carry our mails. A number of routes by steamship, railroad, and star-routes have been referred to in order to make it appear that the pay to steamships is inadequate. A tabulated statement prepared by the Superintendent of Foreign Mails refutes the statement made by the minority, wherein they place the compensation of railroads per mile at 10.95 cents, that of starroutes at 6.52, and of domestic steamers at 15.9 cents, and that of ships carrying foreign mail at 2.74 cents per mile.

The statement furnished and published by my friend on the committee, Governor Wakefield, from Minnesota, shows that the total number of miles traveled on outward trips by eight principal lines was 810,829, the amount paid them was \$43,492.48, or an average per mile of 5.3 cents. Had these lines been paid both sea and inland postage they would have received 14.4 cents for each mile they carried the mails. This exceeds the pay of star-route or railroad compensation. The following table discloses the amount paid per mile during the fiscal year ending June 30, 1885, for transportation of United States mails by railway, star routes, steamboat, and coastwise service, American steamships to foreign ports, and average amount paid to eight principal American lines, and the amount that would have been paid if said ships had

Number of miles Rate Total com-pensation. Service. per mile. traveled. Cents. .10-95 .06-52 .15-9 \$16,627,983 00 5,414,804 00 563,002 00 151, 912, 140 83, 027, 321 3, 540, 607 Railways. Railways.
Star routes...
Steamboat and coastwise service...
Steamboat and coastwise service...
Steamboat and coastwise service...
If paid sea and inland postage...
American steamships, eight principal lines (outward), sea postage...
If paid sea and inland postage... 1,024,126 46, 223 69 43, 492 48 810, 829 .05-3

American vessels sailing from our ports to foreign ports are but common carriers governed by the universal law of reasonable compensation for services performed, and as such the United States has the right to impose qualifications as to official clearance papers giving them national protection as a condition to carrying the United States mails. Such vessels, as I have just stated, are not required to deviate from their voyage or to change their time of departure and arrival, but they pursue their usual course and deliver the mails at such points as they touch in the pursuit of their usual business. They are only required to exercise ordinary diligence as they would in freights. In fact they carry the mail by weight as they do other matter. They are common carriers for individuals and are governed by the law of reasonable compensation, and if compelled to perform service for individuals in the way of passenger rates and freight and express charges, why not for the Government that extends to them such protection on the high seas and enables them to enter the ports of other countries?

It is an absolute advantage to these vessels to transport the mails, for in doing so they carry intelligence and letters relating to the cargo, and therefore benefit the ship-owners. Why, then, do they complain and under the statute enacted by the last Congress refuse to carry the mails? There is but one answer to this question. It is an effort to coerce the Government into the payment of unreasonable compensation in the way of a subsidy. The law prior to the last Congress had stood for twenty years. There was no complaint at the law as to its constitutionality,

but as to the amount allowed.

received sea and inland postage:

It does seem the compensation under all the circumstances is ample for the services rendered. It is simply a refusal to perform for the Government a service that they had been rendering for twenty years, and a breach of their duty as common carriers, when they refused to allow the agent of the Government to take mail-bags with him as baggage, he proposing to pay his regular fare and charges for extra weight.

Combinations or agreements were effected by which embarrassment to the service was occasioned. The object, as stated, was to coerce the United States into the payment of large sums in the way of subsidy for

the expedition of her foreign-bound mails.

It was suggested, and the thought entertained, to further complicate matters by a refusal to deliver the mails on arrival in American ports, but section 3988 being unrepealed and in full force, the necessity of a compliance was apparent. The section is as follows:

No vessel arriving in any port or collection district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered at the nearest post-office, and the master thereof has signed and sworn to the following declaration before the collector or other customs officer.

And then follows the oath.

This provision settled that question in favor of the Government.

Again, it appears that for the carriage of mails from San Francisco a greater price was offered for each trip than for the maximum price for the most profitable trip across the Atlantic. The Pacific Mail Company did not accept the offer at \$41,000 for thirteen outward trips, while they would have probably carried express packages for one-fourth the amount. If I mistake not, all lines of American ships carry mail except four: two to Cuba, and one to Venezuela, and one to China.

Notwithstanding temporary embarrassment, the United States mails are still carried to their destination, and in some instances the results are more satisfactory. The Government did not yield, as demanded by these lines, to exorbitant and unreasonable exactions so far exceeding prices charged individuals for special or express packages.

But the minority attempt to show that the highest rate in the discretion of the Postmaster-General is inadequate, and insist that American shipping interests should be encouraged by donations or subsidies under the garb of compensation for transporting the United States mail. This, Mr. Chairman, I controvert. Fair and reasonable compensation is all these American line of steamers should demand, and is all we should be willing to give. The duty of the Postmaster-General is plain. He is an officer of the Government and should protect his Department from the attempted raids of all corporations. There should certainly be a limitation. It is not a question as to whether this or that line should receive more or less, but the correct rule is to administer equal justice to all. Foreign vessels we are advised are anxious for the privilege of carrying our mails, and for sea postage only, being only one-third of sea and inland postage; and they seek the opportunity of transporting our mails to Europe. For a more perfect understanding of sea and inland postage, I read from the stenographer's notes of the interview between Mr. Bell, the Superintendent of Foreign Mails, with our committee:

Q. Define sea and inland postage.
A. It is the gross revenue collected on the mails destined to foreign countries.
Q. On what basis is it calculated?
A. Five cents per each one-half ounce, or \$1.60 per pound, on letters and postcards, and 1 cent per 2 ounces, or 8 cents per pound, on other articles.
Q. What is the legal weight of a foreign letter?
A. One-half ounce or less.
Q. What is the average weight of a letter?
A. On a count made by the Third Assistant Postmaster-General on domestic
letters on the first seven days of May and September last, respectively, as per
pages 746 and 750 of the Postmaster-General's report for the fiscal year ended
June 33, 1885, it will be observed that the average weight of letters is three to an
ounce. I have no information as to the average actual weight of letters addressed
to foreign countries.

June 33, 1885, it will be observed that the average weight of letters is three to an ounce. I have no information as to the average actual weight of letters addressed to foreign countries.

Q. Please define sea postage?

A. It is an indefinite term. Under the Berne treaty, which went into effect July 1, 1875, the rate of extraordinary sea transit of the mails was fixed at 25 frances per kilogram, or \$4.82 for 2 pounds 3 ounces for letters and post-cards, and 1 franc (19 cents) per kilogram (2 pounds 3 ounces) on other articles, and the ordinary rate of sea transit of the mails was fixed at 6 francs 50 centimes, or about 60 cents per pound, on letters and post-cards, and 50 centimes on other articles. The Paris convention of June, 1878, by paragraph 2, article 4, page 5, reduced the international sea-transit rates of the mails as follows: Where the extraordinary rates of sea transit had been hitherto fixed at 25 francs it was reduced to 15 francs, and where the ordinary sea-transit rate had been fixed at 6 france 50 centimes per kilogram, it was reduced to 5 francs, or 44 cents per pound. As the United States Government was a party to, and is bound by, this conventional treaty this Department has accepted and taken these rates to be sea postage on the mails conveyed by the various steamship companies. There is no statutory law defining sea or inland postage, and this Department has been governed solely by the universal postal union treaty.

Q. Did the foreign vessels offer to carry mails at the 5-frane rate (or 44 cents

Q. Did the foreign vessels over to early make the per pound?
A. Yes, sir; and apparently glad to get them. Foreign steamships have been tendered in one or two instances to the Department for the conveyance of mails to the West Indies and Central America for nothing, provided that the Department would furnish them the usual certificate authorizing them to ply to these countries as mail steamers for the advantage they would obtain as to tonnage-tax and port and light-house dues in the ports of those countries.

30 grams are equivalent to 10 onnee. 1 kilogram is equivalent to 2 pounds 3 ounces. 1 franc is equivalent to 19 cents.

To illustrate the absurdity of the idea that it is seriously supposed that foreign mail facilities can create commerce or contribute materially to the placing the carrying trade in the hands of American vessels, it might be proper to trace the history of the foreign mail service.

The late Postmaster-General Howe says (Senate Document No. 65,

Forty-seventh Congress):

Previous to the mail-steamship contracts authorized by acts of March 3, 1845, and March 3, 1847, the ocean mails were transported by sailing vessels, as their voyages might occur, for a small gratuity payable on each letter at the port of delivery, and consequently no payments were made prior to the fiscal year 1848 for the transportation of the mails of the United States to foreign countries.

On the 3d day of March, 1845, in obedience doubtless to suggestions connected with the contest in regard to Texas with Mexico, Congress passed the first law providing for the transportation of foreign mails, and in that act (Statutes at Large, volume 5, page 750) authorizing the Postmaster-General, under restrictions and provisions of existing laws, to contract for carrying mails to foreign ports, with this provision:

And the said contractor stipulating to deliver said ship or ships to the United States, or their proper officer upon demand made, for the purpose of being converted into a vessel or vessels of war.

Just two years subsequently contracts were made with E. K. Collins and his associates to transport the mails from New York to Liverpool, and with A. G. Sloo, of Cincinnati, for similar services from New York

to New Orleans, Savannah, and Havana, and from Havana to Chagres, &c. The vessels to be used were to be constructed under the supervision of a naval constructor, with a proviso: "And that each of said steamers shall receive on board four passed midshipmen of the United States Navy, who shall serve as watch officers, and be suitably accommodated without charge to the Government;" also, one agent, appointed by the Government to take charge of the mails, was to be accommodated without charge.

Reference has been made in this discussion to the "olden time," and here we see the restrictions thrown around vessels that transported our

mails.

I have said, Mr. Chairman, more than I intended, and shall not be betrayed into following the discussion into irrelevant matters as to civilservice reform. I have my views, and hope to have an opportunity of expressing them before the adjournment. I would like to see necessary reforms instituted and vigorously pursued, such as would result in surrounding the administration by its political friends only, and not embarrassed with those unfriendly to Democracy.

Political organizations are necessary in a Government like ours, with marked and definite lines of differences. I would like to see manifested that "tumultuous and somewhat indecent haste to get out of office ' exhibited partially in some other localities besides the solitary State recently mentioned in the far West. The tenure-of-office act has afforded welcome shelter to many whose reluctance prevented them embarrassing the administration by resigning. Such has been the case in the beloved State that I have the distinguished honor, in part, to represent. Republicans have waited to be removed, or a request to resign. parisons have been resorted to, and an estimate of the number of post-masters appointed within the last twelve months; yet our friends on the other side neglect to state that upon the incoming of a Democratic administration a Democratic office-holder was even sporadic, in fact one could hardly be found where a Republican could be induced to accept the appointment.

It ill becomes, therefore, our political opponents to find fault because a small per cent. of their friends have been afforded an opportunity of relinquishing office, for the Departments are yet swarming with Republicans sheltering under the tenure-of-office act and the protection of civilservice reform. They have not resigned and will not resign, but prefer, for the emoluments of office, to embarrass an administration for which they entertain no sympathy, and the existence of which they endeavored to defeat. I would prefer, sir, instead of a few hundred removals and recommendations being sent to the Senate, that the business should begin

in earnest and be vigorously pursued.

We must not flounder in the ruts and mud of Mugwumpism, but plant ourselves on the solid highway of Democracy that the principles of our party may be successfully administered. The friends of Democracy should be stationed in every position possible. Irrespective of party the people of the United States expected nothing less than that Democrats alone would administer the affairs of the Government. I would rejoice with the Democratic voters of the Union in the full fruition of our victory achieved at the ballot-box in November, 1884, and a realization of their anticipations when it was announced that a Democrat was elected President of the United States.



Labor Arbitration.

SPEECH

JOHN V. L. FINDLAY, HON.

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 31, 1886,

On the bill (H. R. 7479) to provide for the speedy settlement of controversies and differences between common carriers engaged in interstate and Territorial transportation of property or passengers and their employés.

Mr. FINDLAY said:

Mr. Chairman: I have said nothing upon this bill during the prog-ress of the debate for the reason that I felt I could show my appreciation of its merits by my vote quite as well as by any speech I could make, but under the leave of the House I am not willing to let the opportunity pass without putting on record the reasons for my vote. voted for the bill, not as some gentlemen here said because it was harmless, but because I believed it contained the germ at least of positive good and that that germ would finally develop in a generous fruition for struggling labor, not only in this exigency but in trials to come. It is more than a mere legislative declaration that a submission of the differences between capital and labor to voluntary arbitration is a wise method of determining those differences.

A joint resolution or a separate resolution embodying this declaration would have accomplished as much, but might well be denominated

as no better than sounding brass or tinkling cymbal. But this bill not only contains such a declaration, but it goes further and says that arbitration, in the opinion of Congress, is not only wise, but as an inducement to bring the parties together the United States will pay the expense of the procedure. It devises the machinery of arbitration and provides for the cost of running it. An item of small moment to one of the parties, perhaps, but of incalculable significance to the other. But it does not stop here. It provides, instead of a bond to perform the award or other coercive measures, the only means of enforcement which the nature of the case admits, and that is a certification of the decision made by the arbitrators to one of the organized bureaus of the Government, there to remain on record as the solemn judgment of the United States against the offending party until discharged. Now, who shall say that will be a mere idle decree?

Suppose this bill had been a law when the trouble in the West, which lms been the immediate occasion of it, occurred. On one side you would have had the corporation, on the other its employés, behind them the masses of the people whose commerce and business were impeded by the strike, and on the statute-books of the United States a law which by the strike, and on the statute-books of the United States a law which afforded an easy mode of escape out of the difficulty. Will any man say that the whole force of public opinion would not have been brought to bear in favor of settling this difficulty by arbitration as provided by that law? Can it be reasonably concluded that either of the parties to the controversy would have been willing to protract it in the face of this public opinion? I think not; and therefore believe that the very existence of the law will of itself promote voluntary arbitration by creating a public opinion in favor of it which it will be difficult if not impossible to resist. The strongest argument made against the bill has gone to the point that as far as such mission was concerned the bill conferred no rights which did not already exist at common law.

But that argument does not strike me as sound. To point out to litigants a common-law method of settling differences by arbitrament and consent is one thing. To show the suffering public that a statute has made it easy to have these differences settled in this way, without cost to either party, is, in my judgment, quite a different thing. It puts an argument in every man's mouth simple to make and difficult to answer—an argument which says in effect to both corporations and employés, We, the public, have some rights; you are not the only sufferers by this disagreement; we outnumber you ten to one; our business, our livelihood, our very existence, depends upon a prompt and reasonable settlement of the difficulty; the law has provided the means for such a settlement, and we demand that you adopt these means and permit the wheels of commerce to again revolve on their accustomed

But in the absence of such a law, what would the argument be? Simply that it was a duty to arbitrate, without answering the objections as to expense and the difficulty of enforcing attendance of witness obtaining testimony and executing the award. In the other case I have put it is a duty made easy, and a duty besides that has the sanction of positive enactment by the National Legislature. I think, then, that the bill will promote arbitration. Will it effectuate it? Great stress has been laid upon this part of the argument against the bill. It has been insisted that the mere suggestion of a decree without compulsory provision for its enforcement is an idle form of words without force or virtue. It has been denounced as a sham and a trick, an innocent poultice, a harmless application on the outside for what is a deep-seated internal malady, and much other denunciation more or less pointed.

I have listened to these arguments with all the respect due to their authors, but I can not bring my mind to the conclusion that the same public opinion which has hushed this clamor and reduced the enemies of the bill into a pitiful minority of 29 as against 199 in its favor will not be potent enough to give effect to the bill after it becomes a law. I do not believe there is a railroad corporation in the country that would dare to resist for twenty-four hours the solemn judgment of our authorized board of arbitration, in which it appears voluntarily by its chosen representatives, holding its sessions, performing its work, and certifying its conclusion under the sanction of the law-making power of the United States. Such corporations, beside being exposed to the criticism of the press, are amenable to public opinion not only as source of legislation in the States, but of those efficient although in-direct disciplinary methods of which juries, quite aside from the merits of the particular case, are sometimes made the beneficent agents.

It is not necessary to point out the processes by which public opinion can make itself felt upon a stiff-necked and hard-hearted corporation, but, believing as I do that no law can long be enforced without the sanction of public opinion, at least in this country, it would be a very curious contradiction to hold that that subtle and all-pervading influence, so omnipotent in everything else, should suddenly be smitten with imbecility in the effort to enforce a formal decree against an offending railroad company. The sheriff who executes processes does it after all by the force of public opinion. Withdraw that and you may bring in the bayonet to help the law, but in the end the bayonet will disappear too before this resistless power. A warrant in the marshal's hands to enforce the fugitive-slave law was not worth much. I believe, then, that this bill will not only promote but will also effectuate arbitration, and for this reason I have voted for it.

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But suppose it should do neither. Suppose, in practical results, it should prove as abortive and harmless as its enemies have predicted. Suppose it should bear neither the fruit of arbitration nor award terminating in satisfaction. It would still be worth something. all substantial benefit to those whose injuries it was intended to redress, the measure would still stand upon the statute-books of the country as a responsive and sympathetic recognition on the part of Congress, not only of its right, but its duty to attempt at least some legislation in the interest of that great class of our people without whom there would be neither Congress nor country. For this reason, if for no other, the bill, in my opinion, will not only not prove harmless, but will be productive of good.

Labor Arbitration.

SPEECH

HON. ANDREW J. CALDWELL,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 31, 1886,

On the bill (H. R. 7479) to provide for the speedy settlement of controversies and differences between common carriers engaged in interstate and Terrritorial transportation of property or passengers and their employés.

Mr. CALDWELL said:

Mr. SPEAKER: Imperfect as any law may be that seeks to deal with the questions now agitating the industrial world, and as little disposed as I was upon first looking at the committee's bill to support it, I be-lieve if it is put upon the statute-book no man in America will hereafter have the temerity to brave public opinion by refusing to arbitrate his differences with his employes. The passage of this bill will be the highest authoritative expression of that public sentiment to which it appeals as the final arbiter. As to the expense to be incurred, I imagine that the peace of the country and the prosperity of trade will be amply worth the price we may be called upon to pay for them under this bill.

It makes very little difference so far as the solution of the social problem now upon the American people is concerned whether this bill or any other is passed by Congress. The issue is upon us. The capital of this country can not control it. The labor of the country can not stop it. It is one of those questions that arise in the history of the world and in the progress of civilization which must work out it self. As of old, there is an absolute and an irresistible power that is a working leaven in society which will "leaven the whole lump."
We are on the threshold of the last great conflict for the disenthrall-

ment of men.

The sword, the cowl, the crown no longer menace the rights of the many in our land. The threatening force is the power of the purse. It is the most momentous question ever propounded for solution. For what benefit are the victories of the ages if at last man by the power of money may be forced to work like a slave all his days and still go naked What benefit is liberty if under its glittering wheels the multitude writhes in the abject slavery of starvation, ignorance, and Are the many ever to be in some form the slaves of the few? Must the weak ever be the prey of the strong? Must the race struggle up from barbarism to civilization, from the hut to the palace, from illiteracy to letters, from slavery to freedom, only to wear new yokes and more galling chains? Has man overthrown the rule of force only to submit to the domination of avarice? Is slavery the coming doom of man?

The very triumph of our republicanism, our prosperity under free government, has developed a new enemy to the rights of the many. The aggregation of capital in corporate bodies and accumulation of money in private hands is unprecedented in the history of the world, and menaces the perpetuity of our institutions. The incorporation of capital is a device to concentrate its power in a single hand. Beneficently exerted this power works for good. It is only its abuse that is a power for evil.

There was no wiser provision of the founders of our system than the

abolition of the laws of entail and primogeniture. The perpetuation of great estates in the hands of a few was known to be inimical to freedom. Under the operation of our laws of descent and distribution

this was prevented.

this was prevented.

One generation, by thrift and industry, rises to comfort; the next to riches and affluence; the next, untrained to economy, lavishes the accumulation of two lives; the fourth generation pulls off its coat and commences life at the bottom of the ladder. From shirt-sleeves to shirt-sleeves is only three generations. This continual relegation of men to self-reliance and effort is a perpetual incentive to merit, a necessary discipline for the development of those virtues which keep men free and one safeguard of democratic government. Entail of wealth free, and one safeguard of democratic government. Entail of wealth

being impossible under our system, the same end was sought through

corporate succession.

All the evils of absentee landlordism are brought home to employés in every department of labor. In the one case the landlord turns over the estate to his steward, who, having no interest but to please his absent superior, grinds the tenantry with every species of exaction that will increase the income. In the other the ownership of capital becomes impersonal and the stockholder is further removed from the employé than if he were beyond the seas, and knows nothing of the tyrannies practiced to make dividends. Thus the bond of human sympathy is cut, or rather there is no cord between the corporate entity and the dependent laborer. At the behest of self-interest, his wages are reduced to declare a dividend, and he is forced to strike; or he is locked out to prevent overproduction and reduction of prices, and he is forced to starve. Thus, under the tyranny of capital, the workman has fled to the domination of the labor organizations. His retreat is primarily for self-protection and the defense of his means of livelihood. He is not an enemy to society. He sees capital take too much from labor. That capital which furnishes him employment is not content with reasonable returns, but seeks to increase them even if it sinks him to pauperism. He combines with others of his trade to raise wages in that special trade. Other trades form unions, and finally all trades consolidate into one universal union controlled by an absolute central authority, with power to cut up, if need be, the plant of capital by the roots, whether invested in mannfactures, traffic, or transportation, and the power to deny to any workman, whether he belongs to the order or not, the right to accept employment or to make a living.

Now, has he simply exchanged masters, swapped one form of tyranny for another? With him the question is, "Under which King Bezonian? Speak or die!" The one great difference is that he has a voice in selecting his master workman, who is subject in his exercise of his power to the criticism and rebuke of the common voice of the order if he makes a mistake or commits a wrong. With power comes responsibility, and woe is he who does not worthily discharge it. Public opinion is king in democracies, and the opinion of the order itself is a part of the opin-

ion of the public.

Prophets of ill omen, not in love with our Government, have predicted that as our population became dense, the area of public lands filled up, the struggle of life more intense, the conflict, so called, between labor and capital would, with universal suffrage, render property inselled. cure, revolutionize society, and overthrow our democracy. tutions can not stand this final test they are a failure. If our insti-

Let us look back and see if we can get any comfort from the experience of the race in history. The merchant guilds and craft guilds of the old English towns stand at the bar of historic precedent as compurgators for the modern trades unions and labor associations against any criminal charge. Now, as then, the "frank pledge," the free engagement of neighbor with neighbor, is the basis of social order.

Gentlemen have read history in vain if they have thought English or American liberty was the work alone of barons, kings, protectors, lords or commoners, generals or statesmen. The barons, it is true, wrenched Magna Charta from John at Runnymede. But Green, the philosophic historian of the English people, says that the "burghers secured to the English towns local self-government, self-taxation, charters, and liberties, which gave life to smaller organizations." Frith guilds, merchant guilds, craft guilds "substituted the oath of fraternity and fidelity for the tie of blood, the trial by oath for the trial by bettle." regulated the quality and value of work fixed the burst of the battle," regulated the quality and value of work, fixed the hours of toil
"from daybreak to curfew," and made "strict provision against competition in labor. * * * A common fund was raised by contributions among members, which not only provided for the trade objects of the guild, but sufficed to found chantries and masses and erect painted windows in the church of their patron saint. Even at the present day the arms of the craft guild may often be seen blazoned in cathedrals side by side with those of prelates and kings."

Here then is the type of the labor unions of to-day. Here is the root of the genealogical tree from which sprung the "noble order of the Knights of Labor." The guilds decided between master and man. The thriftless barons, who were the oppressors of the commons and the despoilers of labor then, were traded out of charter rights, cajoled into releases of feudal rights, and bullied into the grants of liberties by the tradesmen and mechanics of the towns.

Whenever the Anglo-Saxon achieved a right he put it in a charter, and never surrendered the parchment on which the glorious words were written. He achieved liberty for himself. It was not the boon given him by a superior race, nor the largess of a feudal lord; it was conceived in his brain and nurtured by his blood. Yet furt does the historian of the English people give. He says: Yet further testimony

In silent growth and elevation of the English people the boroughs led the way; unnoticed and despised by prelate and noble, they alone preserved the full tradition of Teutonic liberty. The rights of self-government, of free speech in free meeting, of equal justice by one's equals, were brought safely across the ages of Norman tyranny by the trades and shopkeepers of the towns. In the quiet quaintly-named streets, in the town mead and market place, in the loft's mill beside the stream, in the bell that swung out its summons to the crowded borough-mate, in the jealousies of craftsmen and guilds lay the real life of Englishmen, the life of their home and their trade, their ceaseless sober struggle with oppression, their steady, unwearied battle for self-government.

The sure, gradual, and orderly victory of burghers over king and feudal lord, of craftsmen of the guilds over rich burghers, wringing power and privilege from their grasp and exacting justice to the humble and honest laborer in all trades and businesses, will be repeated in the triumph of our trades-unions and co-operative labor associations over monopolists, money-kings, and bosses. Some future historian of the American people will lead the student by the hand not only over our battlefields or through these halls, but also among the wage-workers, who now as of old are working out the emancipation of labor and the amelioration of the condition of those who live by the sweat of the face.

The deliverance will be self-wrought and will not come as a boon from any man or party. Occupying a field that is not reached by the lawmaking power, these co-operative associations of labor are working out as of old the salvation of the working classes, the safety of capital,

the preservation of social order, and the perpetuity of the state.

The result will, of course, be delayed by mistakes. Men learn wisdom from mistakes. Unbroken success often blinds the eyesight and leads to ultimate failure. Every mistake made by the Knights of Labor will send to the rear the rash counselors and imprudent leaders re-

sponsible for it, and bring to the front the cool-headed, sedate, conservative element and put it in the lead.

The result will be to establish a partnership between labor and capital; declare a truce to the war between them and pool their assets; money on the one hand, skill and labor on the other; so that out of the product the partner, labor, shall have every dollar it earns after allowing the partner capital current interest upon its actual invest-ment, fair salaries for management, and just allowance for necessary This will render their interest and their effort reciprocal. This will satisfy labor, which shares intelligently in the prosperity or evil fortune of the investment; and capital can ask no more than the fair worth of its money and the security of its investment. The leaders of organized labor will meet capitalists and arbitrate their differences with or without Congressional enactments. Strike, mob, riot, and rev-

olution will have no producing cause when the just rights of all parties are conserved by decrees enforced alike upon the striker and the boss. Nothing is so timid as capital, yet nothing is so tyrannical when it has the power. When it finds the safety of its investments alone to be secured by its friendly relations with and justice to the great army of the employed it will be content. the employed it will be content. Labor will learn that its interest is to preserve and not destroy that which gives it employment, and continually furnishes more employment by expending its savings in increasing the plant. Self-interest will help both to be fair and honest. Thus the conflict between labor and capital will be ended.

But capital must be real, not fictitious; no watered stock. paid on values that never had an actual existence are simply stolen from the labor of the world. The great alliance between solid wealth and honest labor will solve the social problem. The only tramp will be the idler too lazy to work; the only sufferer, the criminal incorrigible to the rule of honesty and justice.

Let no man doubt that our system will fail to work this problem,

vital as it is to human freedom.

It was the hope and desire of some of our early statesmen that the better classes, so called, should emigrate to this country. But it is not the contented and privileged who forsake the old home for the new. It is from the tiers èlat not from the noblesse, from the commons not the lords, that we have drawn the manhood that has built up and developed this country so rapidly. The steerage is better than the cabin; the peasant than the prince; the laborer than the capitalist. He goes to work; becomes a tax-payer in peace, a soldier in war. The capitalist puts a barbed-wire fence around thousands of acres of the public domain, or pools his millions in speculation, and takes away his gains to sustain him in aristocratic sloth at home. The collusies convicte consustain him in aristocratic sloth at home. The colluvies omnium gentium are disciplined here into a great civic army, the guardians of order and the creators of wealth.

From this dispersion throughout Europe, the different nations of the Aryan stock are being united again in our Government. The interchange of ideas, the attrition of national differences, the intermingling change of ideas, the attrition of national differences, the interminging of blood will break down prejudices and produce, as Herbert Spencer says, "the eventual mixture of the allied varieties of the Aryan race and result in a more powerful type of man than has hitherto existed, a type of man more plastic, more adaptable, more capable of undergoing the modifications needful for complete social life."

He further says:

The American may look forward to a time when they will have produced a civilization grander than any the world has known.

The doctrines of anarchy in the Old World are repressed by weighter down the safety-valve with standing armies. With us, the weird The doctrines of anarchy in the Old World are repressed by weighting down the safety-valve with standing armies. With us, the weird sisters of freedom, free speech, free press, free school, and free conscience; stir them in an open cauldron, and socialism, nihilism, and anarchism bubble and babble, harmless to the open sky. The orator of the sandlots speaks no more, and the screech of the night-hawks of the commune excites ridicule among laborers and scares only hysterical women and millismires. The red flag of the commune and the black standard of the anarchist fail to catch the calm eye of the American mechanic. He knows that nihilism is the destruction of wealth and the suicide of labor. Jack Cade can not reign here by proclaiming that, "There shall be seven half-penny loaves sold for a penny; the three-hooped pot shall have ten hoops; and it shall be felony to drink small beer." "If any will not work neither shall he eat" will be the maxim of the future order of things.

That future will not reveal great ruins and a degenerate race.

No mongrel Copt will scowl on the traveler from a mud hut under the shadow of a pyramid, the monument of his father's slavery; no lazzarone will hide his rags under the moonlit arch of a coliseum, the monument of his country's brutality; the memorial of self-government will not be a moldering but glorious torso, dug up by the antiquary from the ruins of free states, but its monuments will be in free institutions and free men.

Post-Office Appropriation Bill.

SPEECH

HON. STEPHEN C. MILLARD,

F NEW YORK.

IN THE HOUSE OF REPRESENTATIVES.

Thursday, March 25, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 5887) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1887—

Mr. MILLARD said:

Mr. MILLARD said:

Mr. CHAIRMAN. I thank the gentleman from Kansas [Mr. Peters]
for yielding me a portion of his time, and in what I have to say I desire to address myself more particularly to gentlemen upon the other side of the House. You have a majority of at least forty upon this floor; and if this bill passes in its present form I insist the responsibility shall rest where it belongs.

My first objection to the bill is that it does not appropriate a sufficient

sum for the payment of the salaries of the railway postal clerks. While every other Government employé from the Postmaster-General down to the Department messenger is provided for by the bill only a partial provision is made for the payment of the salaries of the railway partial provision is made for the payment of the salaries of the railway postal clerks, the most faithful and the hardest worked class of all our Government employés. There are to-day in the railway mail service forty-five hundred and twelve postal clerks. Under the act of 1882 they were divided into five classes. The first class the Postmaster-General is authorized to pay a salary of \$800; the second class a salary of \$1,200, and the fifth class a salary of \$1,200, and the fifth class a salary of \$1,400.

To enable the Postmaster-General to pay them the compensation authorized by existing law the Post-Office appropriation bill should appropriate the sum of \$4,890,200. It appropriates only \$4,800,000, a sum less by \$77,060 than is recommended by the General Superintendent of the Railway Mail Service in his annual report for the next fiscal year.

fiscal year.

These salaries were paid until July 1, 1876, at which time it was found that the sum appropriated was insufficient to pay the number of clerks thus employed. It was accordingly decided that the clerks receiving \$1,400 per annum should be reduced to \$1,300, and those receiving \$1,200 should be reduced to \$1,150; but this reduction was intended only for that year, and, as I have stated, owing entirely to the insufficiency of the appropriation. By referring to the report of Mr. Vail, the Superintendent of the Railway Mail Service, for the next sueceeding year you will find that his estimates were made upon the basis and with the view of restoring the salaries of clerks of classes 4 and 5 to \$1,200 and \$1,400 respectively. Whether or not the recommendation of the superintendent was heeded I am unable to state, but this I do know, that the salaries of these classes of Government employés were not then and never have been restored.

The attention of the Forty-eighth Congress was specially called to this unjust discrimination by W. H. Thompson, late Superintendent of the Railway Mail Service; and that there might be no mistake made either in the Committee on Appropriations or in the House, in his annual report for the fiscal year ending June 30, 1884, he stated the sum that would be required to restore the salaries of classes 4 and 5—that the additional appropriation necessary for that purpose would be \$81,300.

In pursuance of his recommendation, the last session of the Forty-eighth Congress, through the efforts of Mr. Horr, a distinguished member from Michigan, one of the Committee on Appropriations, the amount recommended by the superintendent was put into the Post-Office ap-propriation bill, and passed both branches of Congress, and in due time was approved by the President. But notwithstanding all this, notwithwas approved by the Fresident. But notwithstanding all this, notwithstanding the particular recommendation of the Superintendent of the Railway Mail Service and the action of Congress thereon, it appears that the salaries of these employes have not as yet been restored; that this \$81,300 voted by the last Congress, for this purpose and for no other,

is withheld from them, and withheld under the direction of the Postmaster-General.

That this sum of \$81,300 was appropriated for the express purpose of paying the railway postal clerks the full amount authorized by the act of 1882 and restoring the salaries of classes 4 and 5 to \$1,200 and \$1,400 respectively, I call the attention of the House to the report of Mr. Jameson, the present Superintendent of the Railway Mail Service, for the fiscal year ending June 30, 1885. That portion of the report to which I refer may be found on page 9 of his report, and is as follows:

The annual appropriation for the pay of railway post-office clerks for the current fiscal year is \$4,682,300. Of this amount \$81,300 was presumably appropriated for the special purpose of increasing the salaries of clerks of the fourth and fifth classes to the rates of compensation paid prior to the 1st of July, 1876; but, inasmuch as the appropriation bill as approved does not state specifically that such was the intention of Congress, the Postmaster-General is of the opinion that this fund can not be drawn upon for that purpose.

Mr. Chairman, I have no patience with this sort of special pleading. A specific sum was appropriated, and in pursuance of a specific recommendation of the superintendent, and for a particular purpose. The appropriation is susceptible of no other construction. The decision of the Postmaster-General is another verification of the truth of the old maxim "that there are none so blind as those who will not see."

Now, Mr. Chairman, I am in favor of paying these Government employés the full amount authorized by law, and when I became satisfied that there was to be a contest, not only in the committee, but in the House, I asked the Superintendent of the Railway Mail Service to furnish me the number of clerks in each of the classes 4 and 5, and the additional appropriation necessary. He replied at once that there were five hundred and sixty-four clerks in class 5, and six hundred and seventy-six in class 4, and that an additional sum of \$90,200 was necessary for the restoration of their salaries.

essary for the restoration of their salaries.

I submit there is no good reason why this sum should not be voted them. They are the hardest worked class of employés in the service of the Government and the poorest paid. They are men in middle life who entered the service in its infancy and by hard work, diligent study, devotion and fidelity to duty, have become the most efficient and responsible branch of our governmental service. Our postal service is the best in the world. The postal clerk is often times required to work at all hours of the day and night. His life is full of hardship and part unfrequently has be been called upon to meet accident or peril and not unfrequently has he been called upon to meet accident or

death in the performance of his duty.

Mr. Chairman, in behalf of the railway postal clerks I demand this additional appropriation. He is the only Government employé whose salary under existing law is subject to the will or caprice of any one man. The railway postal clerk is the only employé in the service of this great Government who is not paid the full compensation authorized by law. In the various Departments of the Government here at Washington are employed more than ten thousand men and women. They are capable, honest, and efficient; but they are required to labor They are capable, honest, and emcient; but they are tapable, honest, and there is not one who is not per-only six or seven hours per day, and there is not one who is not peronly six or seven hours per day, and there is not one who is not permitted to receive the full compensation allowed by existing law. What justice, what propriety or decency, I submit, is there in paying the Government clerks in the Departments at Washington who are compelled to labor but six or seven hours a day full compensation, and withhold it from the railway postal clerk, who not unfrequently is compelled to labor twenty out of the twenty-four hours of the day? Mr. Chairman, there is no justice in such a discrimination, and I protest against it.

My next objection to this bill is the compensation which it proposes to allow for the transportation of our foreign mails. For this service the hill recommends an appropriation of \$325,000. Upon what having

the bill recommends an appropriation of \$375,000. Upon what basis the recommendation is made I confess I am unable to state, for it is neither sea nor inland postage. For this service section 4009 of the Re-

vised Statutes provides as follows:

For transporting the mail between the United States and any foreign port, or between the ports of the United States, touching at a foreign port, the Postmaster-General may allow as compensation if by United States steamship any sum not exceeding the sea and United States inland postage, and if by a foreign steamship or salling vessel any sum not exceeding the sea postage on the mails so transported.

The sum recommended by this bill, if it is intended that sea and inland postage shall be paid American vessels, is less than the appropriation recommended by Mr. Bell, the present Superintendent of Foreign Mails, in his report for the fiscal year ending June 30, 1885. I call the attention of the House to the recommendation of Mr. Bell, which may be found on pages 29 and 30 of his report. If it is the will of Congress that sea and inland postage shall be given to vessels of the United States register for the conveyance of mails transported by them, he states that the sum of \$425,000 and not \$375,000, as provided by this bill, should be appropriated.

In determining the question whether full sea and inland postage should be paid to American vessels for the transportation of our foreign mails, we should bear in mind that sea and inland postage is not what it was when the act to which I have referred was passed. Formerly our vessels received 40 cents a letter to more than one-half the ports to which our mail was carried. To Australia we paid 30 cents a letter;

to China, 25 cents a letter.

In June, 1878, a convention of the leading nations of the world was held at Paris for the purpose of revising and re-establishing the rate of sea postage. The result of that conference was a reduction in the in-

ternational sea-transit rates. The rate as established by that conference, and which bound every nation that took part in its proceedings, instead of being 25, 30, and 40 cents a letter, was reduced to 2 and 3 cents. But the rate of international sea and inland postage as fixed by that convention was not in any manner intended to indicate or determine the compensation to be paid by any nation to its own citizens for the service

Immediately upon the adjournment of the conference, every government but the United States entered into contracts agreeing to pay its vessels adequate compensation for the conveyance of its foreign mails without regard to the rate established by the international conference.

Mr. Chairman, all I ask is that we shall place at the disposal of the Postmaster-General a sufficient sum to enable him to pay American steamships full sea and inland postage. My distinguished friend from Georgia [Mr. BLOUNT], chairman of the committee, will concede that the sum recommended by the bill will not permit him to do it; that \$50,000 should be added to the bill to enable the Postmaster-General

to pay American vessels full sea and inland postage.

The United States is the only Government on the face of the earth that compels its steamships to carry the foreign mails for the sea and Contrast the amount paid annually by the United States with that of Great Britain. Great Britain pays annually for the transportation of its foreign mails \$3,000,000, France \$3,500,000, Germany \$1,600,000, Austria \$1,600,000, Italy \$1,000,000, Holland \$300,-000, the United States the magnificent sum of \$331,903.24, and of this sum \$278,117.41 was paid to foreign vessels sailing under a foreign flag.

But to show how absolutely unjust and ungenerous we are as a nation toward our own people, let me contrast the compensation paid by Great Britain with that of the United States for similar service. Great Britain paid the last fiscal year for her Brazil line upward of \$60,000; the United States the enormous sum of \$4,210.24. Great Britain paid for carrying her mails to the West Indies more than \$400,000; the United States paid the New York and Cuban line \$4,134.13. Britain paid her China and East Indies lines upward of \$1,500,000; the United States paid the Pacific Steamship Company for transporting

the mail to China \$3,506.64.

The report of the Superintendent of Foreign Mails for the last fiscal year shows that the United States paid the New Orleans, Honduras, and Guatemala line that made five trips and traveled 21,075 miles the enormous sum of \$38.91. This was upon the basis of sea postage. Had the line received sea and inland postage it would have been paid \$108.74. The Red D line to Venezuela, that made thirteen trips during the last fiscal year and traveled 208,488 miles, was paid, all told, \$1,392.94. cers of that company who appeared before the Committee on the Post-Office and Post-Roads stated that the amount received was not sufficient to pay the actual expenses of carting the mail to and from the

The Morgan line (Cuba), that made forty-one trips and traveled 30,500 miles, received for transporting the United States mail for the past fiscal year \$212.48. The California and Mexican Steamship Company, Mex-

ico, that made twelve trips, received \$208.82.

That this matter may be put in a still clearer light, contrast the compensation paid for the transportation of our foreign mail with that paid our coastwise service: Galveston to Brasher, Tex., total distance traveled, 58,500 miles; amount paid the last fiscal year, \$50,000; rate per mile, 35½ cents. San Francisco to Portland, Oreg., total distance, 69,660 miles; amount paid, \$25,000; rate per mile, 36 cents. Portland to Sitka, total distance traveled, 16,020 miles; amount paid, \$34,800; rate per mile, \$2.17. Portland to Astoria, Oreg., total distance, 54,880 miles; amount paid, \$14,960; rate per mile, 271 cents. Total distance of coastamount paid, \$14,960; rate per mile, 274 cents. Total distance of coast-wise service, 247,589 miles; average rate per mile 57.6 per mile. The United States and Brazil Mail Steamship Company traveled, beginning July and ending September, 1885, 21,892 miles; amount tendered by the Postmaster-General this company, but refused as inadequate, \$1,720.73, or 7.86 cents per mile. It absolutely cost this company \$8,606.20. It cost the company 31.44 cents more per mile to handle the mails thus carried than was actually tendered it by the Postmaster-

This company traveled for the quarter ending December, 1885, 16,419 The amount tendered the company by the Postmaster-General, but refused as inadquate, \$1,500.29, or 9.14 cents per mile. It cost the company \$6,454.65, or 30.16 per mile more than was tendered.

In view of these facts, I submit whether the sum of \$375,000, the amount recommended by the bill, ought not to be increased to \$425,000; whether in any event we ought not to place in the hands of the Postmaster-General a sum sufficient to enable him to pay the full sea and inland postage.

If you will give full sea and inland postage you will then not in some instances furnish an adequate compensation for this service.

The Forty-eighth Congress sought through the efforts of the gentleman from Maine [Mr. DINGLEY], a man who has done more to improve the condition of our ocean and marine service than any man living, to remedy this unfortunate condition of affairs. At the first session the statutes which required American vessels as a condition of clearance to carry the United States mails, whether sufficiently compensated or not, were repealed. And at the last session of the Forty-eighth Congress

the following provision was inserted in the Post-Office appropriation

Office of Superintendent of Foreign Mails:

Office of Superintendent of Foreign Mails:

For transportation of foreign mails, including transit across the Isthmus of Panama, \$800,000; and the Postmaster-General is hereby authorized to enter into contracts for the transportation of any part of said foreign mails, after legal advertisement, with the lowest responsible bidder at a rate not exceeding 50 cents a nautical mile on the trip each way actually traveled between the terminal points: Provided, That the mails so contracted shall be carried on American steamships, and that the aggregate of such contracts shall not exceed one-half of the sum hereby appropriated.

The object of this legislation was not only that adequate compensation might be paid for this service, but that our mails to foreign ports might be transported in American vessels, and that our steamship lines with the South American ports be re-established. I regret to say that the Postmaster-General failed to appreciate this legislation. He refused to enter into contracts as provided by the act. He declined to use the appropriation for the good of the service which was placed at his disposal. He set the deliberate act of Congress at defiance. result of his conduct was the refusal of American ships to carry our mails, and foreign vessels were permitted to take their places. Had he been the Postmaster-General of Great Britain he could not have pursued a policy more hurtful to the best interests of this country.

The CHAIRMAN. The gentleman's time has expired. Mr. RIGGS. I will yield a portion of my time to the gentleman

from New York in order that he may finish his remarks.

Mr. MILLARD. Mr. Chairman, this is not a political question and should not be regarded in that light. It is a question that affects the welfare of the people of the whole country. The legislation of the welfare of the people of the whole country. The legislation of the Forty-eighth Congress, to which I have referred, was due quite as much to certain liberal-minded gentlemen upon the other side of this House as the side to which I belong. I refer more particularly to the efforts and remarks of my friends FINDLAY, of Maryland, and TILLMAN, of South Carolina.

Sir, the policy inaugurated by the Postmaster-General can not be defended upon the theory that the payment of additional compensation would increase the burdens of the people. The foreign-mail service is The postage received for mail matter transmore than self-sustaining. ported to foreign countries during the last fiscal year was nearly a mill-ion dollars—in exact figures it was \$985,731.19—while the amount paid out by the Government, as I have already stated, was only \$331,903.24. Not a dollar of revenue obtained by ordinary taxation is to be employed in increasing our postal and commercial relations with foreign countries.

There has not been a year for the last ten years that England has not paid to her own steamships for the transportation of her foreign mails more than a million dollars in excess of the gross amount re-

ceived for foreign postage.

In 1840 American vessels carried 82.9 per cent. of all our exports and imports; in 1850, 72.5; in 1860, 66.5; in 1870, 35.5; in 1880, 17.4; and in 1882, 15.5.

Mr. ADAMS, of New York. How do you account for the decline to which you have referred?

Mr. MILLARD. By the refusal of Congress to appropriate sufficient

money Mr. ADAMS, of New York. I understand the gentleman to say that it has continued to decrease.

Yes; from the termination of the war to the pres-Mr. MILLARD.

Mr. DINGLEY. The decline commenced in 1865 and has been stead-

ily going on ever since. It declined more rapidly from 1865 to 1871. Mr. MILLARD. In 1850 more than one-half of the commerce of South America was done in American vessels and under the flag of the United Now our share is less than one-fifth.

In 1850 England had less than 300,000 tons in steamships. She has

to-day more than 5,000,000 tons. Her flag is upon every sea and her

ships are in every port.

What is the cause of the decline? To-day our merchant marine is a thing of the past. It has barely an existence. European merchants have undisputed sway. For more than twenty years year by year the commerce of the United States has been upon the decline. Year by year our steamships and sailing vessels are being driven from the ocean and the markets of the world. To-day as never before the great question that confronts us is not how we shall reduce the tariff but how shall we revive our foreign commerce, how restore our former relations with the West Indies and the South American countries. There is but one answer to these questions, re-establish our steamship lines, re-establish our commercial relations with foreign countries.

Mr. Chairman, I have no patience with the policy of the Postmaster-General as shown in his treatment of American vessels in the transportation of our foreign mail. The continuance of such a policy means the extermination of all that is left of our American marine. Rather than permit foreign steamships to carry the mails and commerce of the United States I would build the ships at Government expense, man them with American seamen, and, having loaded them with the mails and products of this country, follow the flag of Great Britain into every South American port. And I would pursue this policy until our steamship lines and our commercial relations with the countries that furnish

a market for our surplus products had been fully and permanently re-

Mr. Chairman, let us place at the disposal of the Postmaster-General a sum that will enable him to pay full sea and inland postage for this service. Let us do this, and if he fails to avail himself of the appropriation the responsibility will be with him and not with us. [Applause.]

Classification and Compensation of Public Officers.

SPEECH

HON. WILLIAM

OF NORTH CAROLINA.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, March 30, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 6855) to secure an equitable classification and compensation of certain officers of the United States—

Mr. COX said:

Mr. CHAIRMAN: The influence that goes out from this House affects for good or evil every citizen of this Republic. Its prosperity or its misfortunes will depend upon the fidelity and ability with which we discharge our responsible duties. The Treasury, properly denominated the "heart of the nation," is committed to our care, and as the finances of a country are its life-blood its prosperity depends upon their judicious management. Its principal officers must possess cool heads and the highest integrity. Every expression and every act is watched with the closest scrutiny, as they deal with the difficult financial problems continually submitted to them. The regulation and direction of the working forces must be relegated to their subordinates, for there are now twenty-five hundred clerks in this Department.

The Interior Department alone has an army of thirty-six hundred employés. So we have the Departments of Justice and State daily employés. So we have the Departments of Justice and State daily dealing with intricate questions of municipal, constitutional, and international law. Then comes the Army and Navy Departments, the Agricultural Bureau, all employing a grand army of one hundred and twenty thousand officers, exceeding one to every five hundred persons, the controlling influence of whom radiate from this great political center. To expect the President to appoint and the heads of Departments to personally superintend the management of these Departments is literally a vain hope, in view of its magnitude. This bill proposes to aid these officers in their duties or at least make an inevstication which will lead officers in their duties, or at least make an inevstigation which will lead to a purification of these Departments. And to do this we present a business proposition to the House.

Mr. Chairman, the bill does not in any respect interfere with the duties or invade the prerogatives of the Civil Service Commissioners provided for by the act to regulate and improve the civil service, approved January 16, 1883, but is independent of and wholly different from that act. Indeed its antecedents go back to an early period in our history when our population was but small and the number of em-

ployés in the service of the Government comparatively few.

In 1818 the first law was enacted to classify and improve our civil service. It was incomplete and the work of classification imperfectly done. Still this was the classification upon which the Departments were administered up to 1853, when a new one was made, the only change in the meantime being some minor amendments in 1837 which increased the compensation of the employés. In 1854 the act of 1853 was amended, and since that time no general classification has been made. Amendments to the law, however, have been made, but the classification of 1854 is the one in operation to-day.

The proposition for the classification of 1854 originated in the Senate

and met with such favor that after a brief discussion it passed that body without the nay vote being recorded. It was likewise carried through the House with but little opposition.

I now beg to call the attention of the committee to the remarks of

Mr. Hunter, of Virginia, chairman of the Committee on Finance, and who as such had charge of the bill, made at the time the measure was under consideration in the Senate. He said:

I believe we shall lay the foundation of what is essential to the safe administration of this Government. I mean a civil-service corps which shall have the experience, the efficiency, and ability to enable the heads of the Departments to administer their respective Departments safely and efficiently, without which I believe that no matter who is President, no matter who is at the head of the Departments, we can not expect that the affairs of the Government will be administered safely and efficiently, because after all it depends upon the honesty, skill, and the efficiency of the men who do the work of the Departments to administer them properly. minister them properly

What was so well said by this distinguished financier and statesman of that day may be applied with great propriety at the present time.

While we have no data now before us from which to ascertain the number of employés in the Executive Departments at Washington in 1818, at the time of the original classification, we find that in 1837,

when the act was slightly amended, the following were the numbers of clerks in the respective Departments, namely:

State Department	22 221
War Department	73 16
Total	332

Or about one officer to every 39,400 inhabitants. And in 1854, when the present classification was made, we find that

there were employed in the-Treasury Department.
War Department.
Navy Department.
Interior Department
Post-Office Department

About one to every 35,000 inhabitants. It will be seen that the Departments of State and of Justice are not embraced in this classification; the number of clerks in them was of minor importance. By the accomplished clerk of the Committee on Appropriations I have been furnished with the following statement of the employés of the Executive Departments at Washington, provided for in the legislative, executive, and judicial law for the fiscal year 1886:

One office to every 7,000 inhabitants.

This estimate does not embrace the officials in the Agricultural Department, numbering ninety, provided for in the agricultural appropriation law, which added to the above makes a grand total of eight thousand and thirty-one clerical employés in Washington. So that during the administration of Mr. Van Euren, succeeding that of President Jackson, the civil-service appointments need have given the Executive little care, as in the general service the employes were insignificant in number. Even so late as Mr. Fillmore's administration the whole civil-list in the Executive Departments in Washington was about seven hundred and nineteen, or less than one-fifth of the whole number now in the Interior Department alone, which at this day are said to num-ber over thirty-six hundred—an army of itself. We can therefore readily appreciate the magnitude and ceaseless labors not only of the Execuappreciate the magnitude and ceaseless labors not only of the Executive, but the Secretaries of the respective Departments in their labors to secure an efficient and faithful civil-service corps.

When steps preparatory to the classification of 1853 were taken the views of the respective Secretaries were sought relative to the expedi-

ency of establishing boards for the examination of candidates for original appointments, so that the alleged abridgment of the liberties of the people to hold office without the test of qualifications is not of re-cent origin, as might be inferred. Among other things, Mr. Webster, then Secretary of State, expressed the following sentiments:

then Secretary of State, expressed the following sentiments:

The heads of Departments must necessarily be chosen according to political occurrences, but the knowledge and experience of those who perform subordinate duties is quite essential to the prompt and safe administration of the public affairs. Their acquaintance with precedents and knowledge of those duties which can only be gained by long service and careful industry is of the greatest use and importance. No one coming into any one of the various branches of this Department can learn in short time the actual state of things in the bureau to which he may be assigned. While the Department has been under my care no removal has been made without proof of notorious incapacity or inattention to duty.

The other members of the Cabinet, among whom was Hon. William A. Graham of North Carolina, A. H. H. Stuart of Virginia, and others, used the following language:

used the following language:

Leaving to the wisdom of the Legislature to determine how far this power is by the Constitution subject to restraints or conditions, they suggest as the most appropriate means which they have been able to devise for bringing into practical effect the reformations proposed, that in case of a vacancy in any office of clerk, except that of chief clerk, a board shall be constituted by the head of the Department in which the vacancy shall have occurred to examine any candidates to fill the same who may be sent before it by the head of the Department, as well as to their condition of physical health and energy as to their education, skill, or other qualifications for the duties of the place in question; and that no person shall be considered eligible to such an appointment who shall not produce to the head of the Department, to be filed in its archives, a certificate of approval from such board of examination.

It may be urged that the members of the Cabinet who gave expression to such sentiments were old Whigs, who did not properly appreciate the inherent right of all freemen to hold office. But, in apology, I will say there are many now in this body, on both sides of the Chamber, who were old Whigs, honorable and sagacious statesmen, who will repudiate such imputations. And, furthermore, the classifications with these restrictions in regard to examinations originated in a Democratic Senate, and were passed without serious opposition; and the father of Democracy, Mr. Jefferson, prescribed the test of honesty and capacity. It is not my purpose at present to do more than put on record these opinions. For this is an eminently practical business matter, addressed to the reason and patriotism of this House, and not to its political passions. Otherwise, I would despair of success. It is simply a proposition to classify the service, to regulate the number and compensation of the employés, and to correct abuses which have corrupted the service, and render more equitable the compensation of those in the employment of the Government. It contemplates the appointment by the President of a commission of three persons, not in the public service of the United States, and two additional persons who shall be detailed from the service, not more than three of whom shall be of the same political party.

This commission will be required to prepare and submit to the Pres-

ident a report, or, in case of a difference of opinion among them, one or more reports, for transmission by the President to Congress on or befor the first day of its next regular session. It shall recommend the proper classification, compensation, and number of officials to be employed in each Department, showing the number employed at the date of the report, and their salaries and compensation respectively, and the separate offices and commissions in the executive civil service at Washington. The report shall contain one or more arrangements of the officials into appropriate classes, stating the salary or compensation of those proposed for each class, and give their reasons for the recommendations for such classification, salaries, and compensation.

The bill provides that the compensation of those employed in the Departments, as far as practicable, shall be uniform for persons doing the same kind of work. The classification shall not extend to officers confirmed by the Senate, nor to laborers employed in the Departments. The commission shall report the practice as to substitutes, furloughs, and leaves of absence in the service, and in what respect, if any, such practice may be improved, and whether with advantage, and upon what conditions a clerical force may be provided the members of which shall serve from time to time in the different Departments or offices as the exigencies of the public service may require. The compensation of the exigencies of the public service may require. The compensation of the members of the commission taken from civil life is to be fixed by the President, and the sum proposed to be appropriated for this service is \$8,000. It is believed that less than this amount will secure the services of first-class men for this work, as it is not expected they will be The surplus, if any, of engaged in their labors exceeding six months. course, will be covered into the Treasury.

The selection of a mixed commission is believed to be most judicious. Those taken from private life will represent the great non-official, breadwinning classes of the country, while the two detailed from the Departments will bring to the consideration of the subject the practical, ripened experience obtained through their familiarity with the departmental work.

From the President's evident desire to see this Government conducted on business principles, from his oft-expressed wish to see the civil service elevated and purified, it is believed that the greatest wisdom would be exercised in the selection of able and competent men for the duties they are expected to perform, and that they would shed an amount of light upon the subject committed to their care which would be most beneficial to the country, and stimulate Congress to institute such changes in the administration of the Executive Departments as would be not only more just to its faithful, honest, and industrious employés but save annually hundreds of thousands of dollars to the tax-payers. For the working bees would be separated from the drones, who would be expelled from the hive.

The proper classification and arrangement of the employés in the Departments would be of incalculable advantage to the members of the House in making appropriations. It is well known that with the exception of the Committees on Appropriations their reports are sealed books to the members of the House. The amounts annually appropri-ated are so large and so complex to the average Congressman as to preclude an understanding of their details, except by the better informed who have had the advantage of hearing the discussions preparatory to presenting the bills for consideration. And the overworked Appropriations Committees find it almost impossible to master the details.

By the proposed classification, the appropriations would be made for classes 1, 2, 3, &c., so that any member could understand how many clerks were provided for in classes 1, 2, &c., and approximately know the character of the duties they would be required to perform. Furthermore, it would take away from the heads of the Departments a generous discretion, which in some instances would be abused, and remove the temptation to extravagance and favoritism by pointing directly to the specific object of the appropriation. If it has been found necessary to classify the service on two occasions when the civil list was comparatively small, most assuredly the reasons are tenfold stronger now, when our population has so increased, our expenses been so greatly augmented, and the public employés are so numerous as at present. At all events, this is simply a proposition for investigation and report. What legislation may follow, if any, is a matter for future determination. Let us at least manifest a disposition to act as any prudent man would in the management of his private affairs. Let us occasionally take stock, examine the debit and credit side, and see how matters have been conducted, especially when the business has changed hands and charges of favoritism, nepotism, and baneful social influences have

been preferred.

In 1853 our population was but little over one-third of what it is at

the present time, and the whole expenses of the Government, including interest, \$47.773,988; while our expenditures, including interest, in the year 1885 were \$260,226,935, and for the present year will be still greater. In addition, I will add, numerous offices have been created, until the employés in several of the Departments in Washington now far exceed the entire civil list at the time of the last general classification. The classification provided for by the act of 1853 was as follows: Class 1, \$900; class 2, \$1,000; class 3, \$1,500; class 4, \$1,800; and this was amended by the act of 1854 as follows: Class 1, \$1,200; class 2, \$1,400; class 3, \$1,600; and class 4, \$1,800, the present classification. It is true, amendments have been made from time to time, but they were predicated on this one which was the last general classification. It is confidently believed that the efficiency of the service might be promoted by making additional classes under the lowest grade now established, and which might be filled by women and boys, who have recently shown a much greater disposition to enter the public service than they did prior to the war. In the Post-Office Department youths would be especially adapted to the service, owing to their quickness and readiness to obey commands, and they would be found less expensive than mature men;

and as messengers they would be found less expensive than mature men; and as messengers they would prove invaluable in every Department.

The question may be asked, Why can not these changes be made by the chiefs of the Departments? A sufficient reply might be to answer the question by asking another, Why have they not heretofore been made? It is is sufficient to know that it has not been done, and that the service has grown so cumbrous and the abuses been of such long the service has grown so cumbrous and the abuses been of such long standing that, however disposed the chief of a Department may be to make proper changes, it would be nearly impossible for him to do so alone and unaided. He would naturally be resisted by those around him, his daily associates, who oppose any changes calculated to increase their burdens and responsibilities. He would be carped at as an innovator by the more slothful, and, however good his intentions, he would be discouraged and rendered unhappy by the opposition he would encounter. Further, in many of the larger bureaus the chiefs but selden see all their expellence and only know them her the names on their dom see all their employés, and only know them by the names on their books.

I will now invite attention to abuses which I am reliably informed will be found to exist in consequence of the growth of the Government's business, the expansion of the civil service, and the consequent change of its clerical requirements, all of which has been continually ignored by Congress, as it has annually voted so many clerks here and so many

there without regard to grade or pay.

That they have been employed without any regard for their grade or pay Congress has never stopped to inquire. Except in the Patent Office, and more recently in the Pension Office, no attempt is made at grading the work by the pay, and pay by the work and responsibility, and under the present system it is impossible for Congress to give its time and at-

tention to correcting these abuses.

We are reminded of the perversions which may exist in the executive department without correction by what occurs in this and the other end of the Capitol, in the gradual increasing of the number of employés and incidental expenses, and can readily perceive how difficult it is to amend them. Within the last ten years the employés of this House have increased over one hundred, and at the other end of the Capitol in a greater proportion, while our expenses continue to augment with no unequal stride.

Returning to the necessity for the commission provided for in the bill now before the committee, I find that in the Departments in Washington men are to-day drawing salaries without regard to the class of work or the quality and amount performed; and incompetency and favoritism have dampened the ardor of those who are compelled to perform the duties of those above them. This can be but an abuse of the service, for it is unjust and an improper discrimination against the working bees Who can deny the necessity for an investigation where all of the hive. of us have heard so many causes of complaint, even if we can not remedy That there are abuses, very gross abuses, now existing, no one. Men are drawing seven hundred and twenty and eight huncan deny. Men are drawing seven hundred and twenty and eight hundred and forty dollars who are doing the same work as men who get from twelve hundred to sixteen hundred dollars a year. They are on They are on the rolls as laborers.

In many offices there are men and women drawing the highest grades of pay who are simply copyists and laborers, while men and women are everywhere employed on the same "joh" at every grade of pay, with-out regard to the amount or quality of service rendered. When you step into any room of the Departments and see five or six persons at work, you can form no idea of the pay any one of them gets (except perhaps the chief of the room, who is usually of the higher grade), as there are no assignments of labor with reference to pay. And while exception may prevail in the Patent Office, where the system of examiners, assistant, second, third, fourth assistant examiners is in vogue, even here complaints exist, which should be investigated. These facts are sufficient to put this House on inquiry and to justify the small expenditure which would place most valuable information in our posses-

That great abuse exists in regard to the furlough and absentee system there can be no denial. An eighteen-hundred-dollar clerk, a sworn officer of the law, is allowed to select a substitute in his absence, and

for alleged sickness he may absent himself for months and attend to other business, while the Government may pay for principal and substitute. This substitute is unsworn; is really not an officer; may be a seven-hundred-dollar laborer; and I have heard of instances of the clerks seven-hundred-dollar laborer; and I have heard of instances of the clerks drawing the highest salaries while paying the substitute the lowest wages, thereby reversing the maxim, "The laborer is worthy of his hire." Is this the proper manner to conduct the public business? What would you think of the business principle of a contractor who would hire a gang of men at \$4, \$3, \$2, and \$1 per day and put them to work indiscriminately on a house, one man carrying a hod and others mixing mortar and others doing chores at from the highest to the lowest wages without regard to nev or analifications? This it appears is weather wages without regard to pay or qualifications? This, it appears, is precisely what the Government does. Says an intelligent and reliable citizen, formerly in the employment of the Government:

zen, formerly in the employment of the Government:

When I was a clerk in the Treasury Department there were from three hundred to three hundred and fifty clerks in the bureau where I worked. In my division, auditing accounts, there were about one hundred men, paid from \$1,200 to \$1,800 per year. In my room were three grades of clerks, all doing the same work; in some instances the lowest grades doing more and better work than those of the highest grades. Clerks at \$1,600 and \$1,900 had charge of filerooms, where nothing but a laborer's work was performed, and could have been handled by any laborer at \$600 a year. Men were on intricate accounts at the lowest grade, and on examining and book-keepers' branches, at all sorts of pay. No attention whatever was paid to the assimilation of work and pay beyond chiefs of divisions and other special places. Nor has this disregard of the plainest business principles changed in any manner with time.

This is a part of the inheritance acquired from neglect and inatten-

tion and which demands early attention and correction.

I have thus briefly outlined the main features of the bill now before the House, and I have shown the necessity for its adoption and the good it can be the means of accomplishing. I will add further that the Civil Service Commission has been in operation for about two years and a half. Its employés are the hardest worked and the poorest paid, taking into consideration the character and responsibility of their work, of any of the employés of the Government. Whether their work has of any of the employés of the Government. Whether their work has been successful in producing the results anticipated; whether their method of procedure was the best calculated to elevate and promote the efficiency of the civil service, is still a mooted question among some members of Congress. The facts to be brought forth by the commission provided for in this bill will be the means best calculated to enlighten the public mind on the subject and solve the disputed problem. I am confident the Civil Service Commissioners will not be reluctant to have the matter tested by an impartial tribunal, but court an investigation and comparison which would redound to their credit.

Where officers have been faithful and Departments well administered due credit will be given, while the slothful alone would suffer. Where classifications in different Departments are unequal and unjust they will classifications in different Departments are unequal and unjust they will as far as practicable be made uniform, and even-handed justice meted out to all. Who should object to this except those who have relatives or friends pensioned on the Government? Such, indeed, should be the effect of a thorough, honest, and complete investigation and classification of the Executive Departments at Washington. But the work will require the best efforts of able, fearless, and well-informed commissioners, who would not be swayed by official frowns or seduced by the blandishments of social or political influences. And such a commission we might reasonably expect at the hands of the able and fearless Executive who now presides with such distinguished ability and acceptability over the destinies of this nation. the destinies of this nation.

Silver Coinage.

SPEECH



HON. DAVID B. CULBERSON.

OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES.

Saturday, March 27, 1886.

The House having under consideration the bill (H. R. 5690) for the free coinage of silver, and for other purposes—

Mr. CULBERSON said:

Mr. CULBERSON said:
Mr. SPEAKER: I do not intend to discuss the silver question at any great length, but I propose to enter a plea in behalf of fair play for silver and fair dealing with the people.

I am a friend of silver and in favor of placing it on the same plane with gold in respect to coinage and full unqualified debt-paying power. Under existing law the coinage of gold is free and unrestricted. The owner of gold bullion may deposit it at the mints and have it coined on his own account, or may exchange it for coined gold.

The owner of silver bullion is not permitted to have it coined on his own account or exchange it for coined silver dollars. But the Government is authorized and required to purchase silver bullion in the open market and cause to be coined not less than two nor more than four millions of standard silver dollars per mouth. millions of standard silver dollars per mouth.

In order to secure the remonetization of silver in 1878 and restore it to its ancient use as money, the friends of silver were compelled to submit to the limitation upon its coinage and to assent to the unwise provision which vested in the Secretary of the Treasury discretionary power over the amount, within the limits, to be coined.

Such badges of servility and inferiority to gold placed on silver in

the interests of bondholders and banks ought to be removed at once.

By the provisions of the act of February 28, 1878, silver dollars of grains were made a legal tender at their nominal value for all debts and dues, public and private, except where otherwise expressly stipulated in the contract.

The repudiation of silver dollars as a legal tender in the payment of The repudiation of silver dollars as a legal tender in the payment of any of the debts not within the exception, due by the Government, by the Secretary of the Treasury, is a violation of both the letter and spirit of the law, and is a wrong to the people who are required by taxation to furnish the money to pay the debts of the Government.

If the existing law authorizing the coinage of silver dollars is to remain in force, or if it is to be substituted, as is proposed, by an act providing for the free and unlimited coinage of standard silver dollars, the processing of the debts of the Treesury Description during the price of the second silver dollars.

practice established at the Treasury Department during the reign of the Republican party, and still followed with remarkable fidelity by the officers of that Department, of discriminating against silver and in favor of gold, and of repudiating it wholly as a legal tender in the payment

of gold, and of repudiating it wholly as a legal tender in the payment of the public debt, interest and principal, ought to be forbidden by law. It seems to me, Mr. Speaker, that there could be no greater legislative folly than to require the Government to purchase bullion and cause not less than two nor more than four millions of silver dollars to be coined each month if the Treasury Department shall be permitted, in the exercise of a discretion confided to it by law, to store them away in the vaults of the Treasury and refuse to pay them out upon the matured obligations of the Government. obligations of the Government.

There are outstanding \$194,000,000 of bonds, long past due, and held mainly by national banks, upon which the people are required to pay over \$5,000,000 interest annually. Over \$30,000,000 in gold have been paid in interest upon these bonds since their maturity.

The last report from the Treasury Department showing the condition of the Treasury on the 20th day of March, 1886, reveals the fact that there were in the Treasury over eighty-five millions of silver dollars belonging to the Government, held and hoarded for no lawful or reasonable purpose, but upon the shallow pretext that they can not be made to circulate in companionship with gold. This report presents nothing new. For years millions of money have been allowed to remain in the Treasury unemployed, while the people have been forced to pay interest upon bonds which ought to have been paid years ago.

In view of this condition of our financial affairs Congress and the country are confronted with the recommendation of the President to suspend the coinage of silver dollars and allow the stock of coined silver

dollars, amounting to two hundred and twenty millions, to be absorbed, if possible, in the daily transactions of the people.

We are confronted also with the recommendation of the Secretary of the Treasury to destroy our entire volume of legal-tender greenbacks, and with his answer to the resolutions of inquiry submitted by the Committee on Coinage, Weights, and Measures, that in the future, as in the past, the practice of repudiating silver dollars as a legal tender in the payment of the public debt, interest and principal, will be adhered to.

It is therefore apparent, Mr. Speaker, that the Executive Department of the Government is not only in favor of suspending the coinage of silver, thereby cutting off all further increase of our volume of metal money from that source, but approves the policy of repudiating silver as a legal tender in the payment of the public debt, and of dumping out among the toiling millions of this country the present stock of silver dollars branded with fiatism and dishonor and as unfit to be paid to the holders of Government securities.

If these recommendations should be adopted gold will be the only debt-paying money and national-bank notes the only paper currency. The financial policy of the Democratic party—gold, silver, and paper convertible into coin on demand—will have been repudiated, and the policy of the Republican party, broken and overthrown by the Democracy in 1878, restored.

Are Democrats prepared to accept such results?

Mr. Speaker, it is said that the long administration of the Treasury Department in the interest of gold and in hostility to silver is in open and defiant violation of law, and that no further legislation is needed to compel that Department to use silver dollars in the payment of interest upon the public debt, in the purchase or redemption of bonds with which to provide a sinking fund each fiscal year, or in reducing the public debt from time to time by the application of surplus funds to the payment of the matured obligations of the Government. If that be so it is only necessary to secure fair play for silver and fair dealing with the people to exact and enforce obedience to the laws.

But I apprehend, Mr. Speaker, that upon a brief review of some of the laws which regulate and control the collection of revenues and the custody and disposition of the public funds, it will be found necessary to provide further legislation in order to break up the practice in the Treasury Department of repudiating silver dollars as a legal tender and

coercing their application to the payment of the public debt, interest and principal. The laws to which I refer confide large discretion to the head of the Treasury Department as to the manner in which they may be executed.

I am not here to approve or excuse the action of the Secretary of the Treasury, who avails himself of such discretion to defeat the will of the people by adhering to a policy of administration which has been disapproved by law and repudiated by the people at the ballot-box. But I propose to show the state of the laws upon this subject, and to suggest, with deference to the judgment of others, such additional legislation as will in my opinion make it impossible in the future for the Treasury Department to administer the financial affairs of the Government in opposition to the will of the people.

Those who claim that the provisions of the act of 1869 have been violated by the Secretary of the Treasury by the failure to use silver in the payment of the interest upon the public debt, or in providing for the sinking fund each year, or in the payment of interest on the bonds which belong to the sinking fund, refer to section 3694 of that act,

which reads as follows:

The coin paid for duties on imported goods shall be set apart as a special fund, and shall be applied as follows:

First. To the payment of interest in coin on the bonds and notes of the United

States.

Second. To the purchase or payment of 1 per cent. of the entire indebtedness of the United States to be made within each fiscal year, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt as the Secretary shall from time to time direct.

The ostensible object of this act was to strengthen the public credit, and the duty imposed upon the Secretary of the Treasury is to carve out of the coin received for duties on imported goods each fiscal year a sufficient amount to pay the interest upon the public debt and to provide the sinking fund required by the law. The balance of the coin, should the sinking fund required by the law. The balance of the coin, should there be any, is required to be placed in the general funds of the Treasury. It is made his duty also to apply the interest upon the bonds belonging to the sinking fund to the reduction of the public debt.

It will be observed that there is no direction as to what coin, gold or silver, should be set apart. The object of the law is accomplished and its terms literally complied with whenever a sufficient amount of

coin—either gold or silver, or both—is used to construct the special fund required by the statute.

Mr. Speaker, without reference to transactions occurring before, it may be affirmed that since the remonetization of silver in 1878 the special fund required to be set apart each year under the act of 1869 has been constructed of gold only. And the interest on the sinking-fund bonds has been paid in gold only and that applied to the redemption of the public debt. No silver has been used for any purpose con-templated by the act. Not because silver had not been received in payment of duties upon imported goods, for many millions have been so received every year, but for the reason, as alleged, that there was no necessity to use it, a sufficient amount of gold having been received each fiscal year with which to meet all the requirements of the statute.

To make this point entirely clear, take the fiscal year which ended 30th June, 1885. The interest upon the public debt for that year amounted to \$51,386,256.27, and the amount of bonds required to be purchased or paid for the sinking fund that year was \$45,588,150. The total amount, therefore, required by law to be paid out of the coin paid on duties on imported goods was \$96,974,406.47.

The whole amount received for duties on imported goods during that

year was \$181,471,939,34.

Over one hundred millions of that amount were paid in gold, gold certificates, and legal-tender greenbacks, the latter being classed and counted as gold receipts. It will therefore be perceived that an enemy of silver could discard it in constructing the special fund required by the law and yet not violate any of the provisions of the act

The gold advocates concede that the law contemplated the employment of both gold and silver. Indeed, when that law was enacted the bondholders were proud of their achievements. By its provisions \$1,500,000,000 of currency bonds had been converted by legislative fiat into coin bonds and the value of the bonds enormously augmented. But soon after its passage it was discovered that not only had their bonds been converted into coin bonds, but by skillful handling of the special fund means had been provided by a generous Congress, unwittingly, no doubt, by which the interest upon the bonds, as well as the sinking fund, could be paid in gold.

Because Congress failed to declare that no discrimination should be

made between gold and silver and that both should be used in proportion to the amount of each paid upon duties on imported goods it is lawful for the Secretary of the Treasury to use gold only, a sufficient amount having been received each fiscal year for all the purposes of the

If by accident or chance a friend of silver had been appointed Secretary of the Treasury no such discriminations against silver would have been made. On the contrary, it is not improbable that in view of the long-continued ill-treatment of silver by his predecessors in that Department discriminations in favor of silver and against gold would have been indulged in.

And so it appears, Mr. Speaker, that under existing law the use of silver dollars in the payment of interest upon the public debt, amounting now annually to over \$50,000,000 per annum, and in the payment or purchase of bonds for the sinking fund, requiring over \$45,000,000 per annum, depends solely on the politics of the head of the Treasury Department. If he should by chance—and that appears remote—be a silver Democrat, silver would be used; if a gold Democrat or Republican, gold only will be used. The will of the people seems powerless to enforce respect for the money of the people.

When the people declared, as they did from 1869 to 1885, that the

financial policy of the Republican party should be enforced by the Treasury Department their mandate was respected and obeyed. But when the people revolted against the oppressions and extortions of that policy and declared that the more liberal policy of the Democracy should be administered and enforced by the Executive Departments of the Government, their mandate and their will are to be ignored and all the fruits of their grand achievement in this behalf are to be sacrificed

upon the altar of gold.

Again, Mr. Speaker, two millions of gold are expended each month, or in that proportion, in the purchase of silver bullion from which to coin two millions of silver dollars per month.

It would seem to be a fitting thing to invest dishonest silver dollars in depreciated silver bullion; but that is never done. Is it because an opportunity would be afforded for two millions of silver dollars to escape the watchful custody of the Treasury Department and enter into the channels of circulation every month, either actually or in the form of certificates; or is it because the enemies of silver would lose an opportunity to display a want of equivalency in value between coined gold

and uncoined silver, a mere commodity?

Whatever may be the cause of this strange practice, the vice to which desire to invite attention, is: the discretion which the law allows the Department in the use of money for that purpose. The law authorizes the Secretary of the Treasury to use in the purchase of silver bullion any money in the Treasury not otherwise appropriated. Though millions of silver dollars lie hoarded in the Treasury from year to year, and though the banks, with an abnegation of selfish purposes, truly refreshing, thrust their contributions of gold upon the Treasury Department in order that the stock of the precious coin may not fall too low to maintain the war on silver, still no silver dollars are used to buy silver bullion.

Mr. Speaker, if there is anything certain in politics it may be safely affirmed that three-fourths of all the people in the United States oppose the policy of hoarding money in the Treasury. There can not be, in my estimation, a greater wrong inflicted upon the people, a people staggering under the burden of debt which they have borne long and patients were the context from their complete burden of several parts of the state of th triotically, than to extort from their earnings year by year, by a sys tem of taxation which feeds the rich and starves the poor, money to be banked up in the Treasury while the matured obligations of the Government go unpaid and gather millions of interestannually. Why should such conditions exist? Why should the people be taxed to pile up reserves in the Treasury to tempt the cupidity of audacious schemes of legislative appropriations unwarranted by the Constitution and unsanctioned by wisdom?

During the year which ended November 1, 1883, \$105,634,150, and during the year that ended on 1st day of November, 1884, \$105,976,150

were paid upon the public debt, and yet no bonds were called or paid for the year which ended November 1, 1885.

What does that mean? The Republican party is in favor of perpetuating a part if not all the public debt, in order to perpetuate the banking system, but yielding to the demands of the people, it paid off during the last two years of its administration over two hundred millions. ions of the public debt.

The Democratic party is in favor of paying off the public debt in order to relieve the people of the enormous burden of interest and destroy forever the basis for that system of banking which usurps the powers of Government over the currency. Yet from March 4, 1885, to March 4, 1886, only \$10,000,000 were paid on the public debt. Since then, however, additional calls, amounting in the aggregate to twenty millions of bonds, have been made. Such are the facts, notwithstanding the existence of nearly two hundred millions of matured bonds.

Unfortunately for the people, Mr. Speaker, there is no law that requires the Secretary of the Treasury to apply the surplus funds to the payment of the public debt. The act of 1881 authorizes the Secretary of the Treasury to apply so much of the surplus from time to time to the reduction of the public debt "as he may consider proper." Of what avail is the will of the people? The discretion of the head of

the Treasury Department becomes the law of the land.

I submit that such high considerations of the public welfare ought not to be made dependent upon the discretion of the head of any Department of the Government. And since experience has shown that such discretion may be exercised and employed in such manner as to defeat the will of the people upon policies affecting their rights-to dwarf the volume of money and plunge the business of the country into financial -it ought to be withdrawn at once and the stern command of law substituted in its stead.

How is it, Mr. Speaker, that legal-tender greenbacks are employed

at the Treasury Department to debase and discredit silver? That they have been so used since 1879 can not be denied. They have been received in payment of duties upon imported goods since that time upon the order of the Treasury Department, notwithstanding the fact that

the law authorizing their issue expressly forbids it.

Under the provisions of the resumption act legal-tenders became redeemable in coin. When they are received for import duties under the orders of the Treasury Department they are redeemed in gold at the Treasury, and the gold placed to the credit of duties received on imported goods. Every year since 1879 silver has been cheated by this operation, and the stock of gold with which to construct the special fund for the payment of interest upon the public debt, to provide the bonds for the sinking fund, and to pay interest upon the bonds belonging to the sinking fund, largely increased from that source.

Up to 1882 that practice rested for authority solely upon the discretion of the Secretary of the Treasury, but since the act of 1882 providing for the extension of the corporate existence of national banks there has been just enough color of lawful authority for it to justify the con-

tinued injustice to silver.

In preparing for specie resumption in 1879 the Secretary of the Treasury constructed a reserve of one hundred millions of gold with which to

redeem such legel-tenders as might be presented for redemption.

The gold was obtained by selling 3 per cent. bonds payable in coin at the pleasure of the Government, and that amount of gold has been held in the Treasury since then to redeem greenbacks, which are more desirable for circulation than gold. Why was it necessary to hold such a vast sum of money for that purpose away from the volume of circulation? The law required that when redeemed at the Treasury the greenbacks should be reissued. Did any one suppose that there ever would be a time when it would be necessary to have such an amount in the Treasury to meet the demand for the redemption of legal-tenders?

There has been no necessity at any time for such a magnificent display of gold coin to give confidence in the ability of the Government to redeem the legal-tenders. On the contrary, it was a scheme to debase silver and oblige the bondholders and the banks. It enabled the Secretary of the Treasury to have on hand gold with which to redeem the legal-tenders paid into the Treasury for duties on imports, and thus secure for the bondholders gold for interest on their bonds and gold for the redemption or purchase of the bonds necessary for the sinking fund. The proviso to the twelfth section of the act of 1882 simply recognized the existence of that reserve and provided that, when the amount should fall below one hundred millions the issue of gold certificates should be discontinued. There is no law that requires legal-tenders to be redeemed in gold, and no law that requires a reserve of one hundred millions of gold to be held for their redemption.

Such being the state of the laws to which I have referred, and the manner in which they have been executed, it seems evident to my mind that silver is in danger of being entirely dishonored and debased by

official discretion.

What remedy ought to be applied? Free and unlimited coinage of silver would go far toward furnishing a complete corrective of the evils to which I have alluded, and would to a great extent present a shield against the dangers which beset it. If the coinage of silver is made free, as gold is, it will find its way into circulation through friendly agencies, and will consequently escape the obstacles now interposed by the agencies of Government to keep it out of circulation as the equal of gold. To that extent free coinage would promote the value and augment the circulation of silver; but when the silver dollars found their way into the Treasury in payment of debts due the Government what would become of them? Would they not go into captivity the moment they entered the Treasury? Have we any assurance that they would not then as now be repudiated as a legal tender in the payment of the public debt?

With due deference to the opinion of others, I submit that free coinage is not all we need to give silver fair play for silver and enforce fair dealing with the people, but a law as well that shall require the Secretary of the Treasury to pay out the surplus money in the Treasury, less reasonable and proper reserves to be fixed by law, upon the matured

obligations of the Government.

Appreciating the absolute necessity of withdrawing the discretion heretofore confided to the Treasury Department over the reserves and the custody and disposition of the public funds, I introduced two bills in the early days of the session, one of which requires the application of the surplus funds in the Treasury to the payment of the public debt, less proper reserves to be fixed by law, and by the other it is proposed to repeal the proviso to the twelfth section of the act of 1882 to which I have called attention.

If these two measures should become laws, and proper reserves be established by law, the Treasury Department will be forced to release from duress and imprisonment not only the silver dollars but all other money unnecessarily hoarded in the Treasury. The results which would follow would be most wholesome and beneficent. Bondholders and bankers would cease to slander and dishonor silver, as they would be interested in maintaining its value. The people would be relieved of millions of interest now unnecessarily exacted. The volume of money, stinted and starved by the arbitrary restraint of millions in the Treas-

ury, would be augmented; enterprise and industry would be stimulated and aroused; labor would look up and feel encouraged, and an era of pure Democratic prosperity would dawn upon the country.

All this, Mr. Speaker, the people expected to realize by a change of administration, and would have been in due time secured to them by the execution of the laws in accordance with the Democratic theory of

Mr. Speaker, I have heard it said in this debate that the highest aim of the Treasury Department since 1879 has been to be at all times able to pay every creditor of the Government such money as he preferred Such high consideration and respect for the wishes of the creditors of the Government are to be commended. Official politeness is a rare virtue, and should be cherished and nurtured. But, Mr. Speaker, considerations of this character are commendable only when they can be justified by fair dealing with the tax-payers. When the interests and rights of the people must be sacrificed to accomplish such an achievement it ceases to be praiseworthy and becomes a wrong.

The repudiation of silver dollars as a legal tender in the payment of

the public debt by the Treasury Department because the holders of the bonds prefer gold is a very great favor to that class of Government creditors. Not for the reason that silver dollars are less valuable than gold dollars, for that is not true. The purchasing power of a silver dollar is equal to that of a gold dollar, and by law its debt-paying capacity is the equal to that of gold, notwithstanding the practice at the counters of the Treasury. But it enables the bondholder to continue his investment, and if a bank holds the bond it enables it to draw interest upon it and maintain a basis for banking as well. It reduces the volume of money applicable to the payment of the interest and principal of the bonds, and thereby appreciates the value of the bonds. On the other hand, the repudiation of silver as a legal tender in the

payment of the bonds and hoarding it in the Treasury inflicts upon the tax-payers the unnecessary burden of furnishing other money to pay interest upon the matured obligations of the Government. It locks up from circulation vast sums of money and breeds those terrible evils to business that follow contraction. It taints with depreciation and discredit the silver dollars already placed in circulation by the Government by the payment of ordinary creditors. And, finally, it commits the Government to the unjust and indefensible policy of declining to enforce the law against the supposed interest of a favored class, while

it compels, by its courts, the people to obey and abide the law.

What right, Mr. Speaker, has a bondholder to decline to receive silver dollars in payment of bonds? They are payable in coin, and the contract expressly provides that they are payable in coin of the present standard of value. The refusal to accept silver is a bald repudiation of the contract. When did it become the policy of this Government to legalize repudiation and compel the people to yield obedience to the mercenary exactions of repudiators?

The option to pay the public debt, interest and principal, in either gold or silver or both is a valuable right for which the people paid most dearly. About one-half the public debt was originally payable in currency of greatly depreciated value. Without consideration to tax-payers, Congress annulled that contract and provided for the issue and sale of the bulk of the present bonds payable in coin in order to obtain coin to pay off such of the currency bonds as were not exchanged for the present issue, dollar for dollar. In that transaction the tax-payers were literally despoiled of over \$500,000,000, which bondholders pocketed as profits. In view of these facts, any law of Congress that strikes down this option of the tax-payers, or any practice of a department of the Government which shall destroy it will inflict upon the people an unforgivable outrage.

It is said by the gold advocates that a silver dollar is worth only 80 cents in gold. If that be so, and for the purposes of this argument I concede that gold advocates make no mistakes in money matters, it follows, that if silver is repudiated as a legal tender in the payment of the public debt either the tax-payers must lose \$300,000,000 by being compelled to furnish gold to pay the public debt without reference to interest, or the bondholders must lose that amount by being required to abide

their contract and accept silver.

There is no escape from one or the other of these results. lic debt in round numbers amounts to \$1,500,000,000; if that is to be paid in gold only, and gold is worth 20 cents more in the dollar than silver, then the tax-payers must furnish three hundred millions more money to pay the debt than if paid in silver.

I am not contending that the public debt should be paid in silver

only, but in behalf of fair dealing with the people I insist that their option to pay the public debt in either gold or silver shall not be abridged or impaired, either by the legislation proposed or by the despotism of official discretion. The people have never demanded that the public debt should be paid in silver only, but they do demand that the volume of metal money shall not be reduced by the destruction or debasement of silver, and that their right to use either or both of these coins in the payment of the public debt shall not be again taken away from

If, as is alleged by the advocates of gold, either the bondholders or the tax-payers must lose three hundred millions of money, which class should lose? If there is any sanctity in contract, if a decent respect is

to be paid to the great principles of equity and justice and fair dealing,

the answer to the inquiry is plain.

Mr. Speaker, whenever the rapacious triumvirate of bondholders, banks, and syndicates of wealth contemplate a raid upon the volume of money for the purpose of exalting the value of gold and increasing the value of all coin obligations, the air becomes suddenly filled with protestations of friendship and sympathy for the poor from the organs and advocates of the unhallowed schemes.

The efforts of the real friends of the people to shield them from the rapacity of the organized and disciplined combinations of wealth are met with denunciations of communism and demagogy or scoffing mer-riment. Listening to the wonderful expressions of human sympathy which come on every breeze and from every quarter where public sentiment is molded, one would naturally believe that the toiling millions have no friends but bondholders and banks. So is the lion the friend of the lamb, and the spider the friend of the fly, until the unsuspecting victim is powerless.

These sycophantic exhibitions of friendship for the poor are displayed

here in the advocacy of a measure the legal operation of which must dump two hundred and twenty millions of silver dollars, alleged to be worth only 80 cents on the dollar as compared with gold, among the people to be used by them in their daily transactions so that bondholders may be paid in gold only. Repudiated and dishonored by bond-

holders may be paid in gold only. Repudiated and dishonored by bondholders and banks as an unfit money to be received by them, they are to
be cast out like old clothes among the needy poor.

The war waged upon silver is not because it is of less real value than
gold. The apparent depreciation of silver bullion, a mere commodity,
when compared with coin gold, and which is the basis of all the hue and
cry of dishonesty of the silver dollar, has been produced by the deliberate and concerted effort of those who seek increased wealth by its debasement, aided by the strange and unnatural hatred of the Treasury
Department to its use as a full legal tender. The irrepressible conflict Department to its use as a full legal tender. The irrepressible conflict between the financial policy of the Republican party and that of the Democratic party is opened afresh, and a brief comparison of these policies is challenged and invited.

The Republican party, inspired by the support and applause of bond-holders, banks, and corporate influences, struggled from 1866 to 1875 to destroy all other money except gold, and all currency except national-bank notes. To accomplish that object and fix that policy upon the financial system of the Government, the legislative authority of Congress was perverted, and measures which excelled in greed and avarice all other schemes to plunder the people known among civilized nations

were enacted into laws.

During the three years between 1866 and 1869 the volume of currency was reduced over nine hundred and fifty millions, and the currency withdrawn from circulation was covered into the coffers of wealth merged into long-time interest-bearing bonds. By that brilliant stroke of financial legislation the people were despoiled of over \$450,000,000 wthout consideration.

wthout consideration.

The people, Mr. Speaker, can never forget the unparalleled outrage inflicted upon them by the acts of 1869-'70-'71. It required the legislative force of all those acts to alter a plain contract and place the proceeds of the larceny beyond the reach of subsequent legislation and make it impossible for the tax-payers to exercise the right, which they had reserved, to pay an issue of bonds amounting to \$1,500,000,000 in

The demonetization of silver in 1873 was another link in the chain by which the brain and muscle of the people were held in slavish servitude to the kingly power of gold. Who can estimate the profits made by the holders of \$2,500,000,000 of coin bonds by their sudden conversion into gold bonds? It was a golden harvest. The sanctity of contract was powerless to stay the hand of legislative spoliation.

In 1875 the crowning infamy, to enthrone gold as the sole debt-paying money and make national-bank notes, the obsequious attendants of gold, the only paper currency, was consummated.

In the expiring days of the Forty-third Congress legal-tender greenbacks were doomed to destruction by a provision in the resumption act. That volume of currency was the last and only barrier against the absolute dominion of the banks over the currency. Its removal was provided for, and an open field for the circulation of bank notes graciously made in which the banks might exercise their powers of contraction as The demonetization of silver in 1873 was another link in the chain

made in which the banks might exercise their powers of contraction as their greed might dictate.

Unshamed by the rebuke of the people, and unmoved by the wide-spread distress which its legislation had brought upon the country, the Republican party—defeated and routed at the polls—as it left this Hall cast this Parthian arrow from a quiver of greed at the best money of the

people.

The evils which followed these great financial wrongs overwhelmed the people with gloom and despair. Who even now, Mr. Speaker, can contemplate the condition of the people during the period from 1869 to

1879, a decade of spoliation and wrong, without indignation and shame?

The fires in our great furnaces burned to ashes; enterprise faltered, withered, and died; immigration halted at the threshold of our country; no new fields gladdened the eye. Thousands of happy homes, where thrift and comfort once abounded, became the dwelling places of

hunger and despair; labor looked down upon its rags and begged for bread; values perished in the fearful financial blight and property shifted into the hands of the fortunate possessors of gold and gold mortgages at gold prices.
Such, sir, was the condition of the country when the Democratic party

appeared here in a majority for the first time in a quarter of a century.

The reign of the Republican party had been broken and overthrown because that party had destroyed the volume of money and filled the land with panic and bankruptcy. It had covered into the strong boxes of wealth nearly a billion of dollars wrung from tax-payers without consideration. It had struck down silver to enrich bondholders and swell the profits of banking. It had legislated in the interest of bank monopoly and against the right of the people for an adequate volume of currency. It had fastened the fangs of an infamous system of taxation in the vitals of the carnings of the people to provide coin to pay bonds. in the vitals of the earnings of the people to provide coin to pay bonds which the people had reserved the right to pay in currency. It had severed empires from the public domain, God's gift to the homeless, and donated them to corporations already fattened upon the spoils of financial legislation. It had made prosperity for the rich and despair for the poor by legislation.

The Democratic party-came here with a majority pledged to the people to wipe out, so far as possible, the cruel and unjust legislation which had covered the land with the ruins of fortunes and heaped intolerable burdens upon the people. It had opposed with all its power, feeble as it was at times, the consummation and enforcement of the financial policy of the Republican party and maintained the rights of the people against

the mercenary encroachments of legalized robbery.

True Democracy could not have done otherwise. It would have been treason to the great principles of the party to have joined in schemes of legislation which destroyed private contracts, altered contracts of Government in the interest of bondholders, struck down silver, starved and stinted the volume of money, enslaved industry, and constructed in a free republic an aristocracy of wealth. Throughout that long decade of wrong the representatives of Democracy pleaded for equal laws and a liberal volume of money—gold, silver, and paper convertible into coin on demand and a volume adequate to meet the wants of business, freed from all taint of fiatism and depreciation and divorced wholly from the dominion of banks and the thralldom of official discretion. was of course impossible, Mr. Speaker, to restore to the tax-payers the millions of dollars of which they had been despoiled by the conversion of depreciated notes into bonds and by the alteration of contracts, or reclaim for the poor and homeless all the vast territory which had been filched from the public domain under the forms of law

Over these gigantic outrages the seal of contracts had been impressed, and they had passed from the province of legislation. Intrenched and fortified in the Senate, the tariff still gathers coin for bondholders, and its annual tribute of \$500,000,000, soiled with the dust of labor and toil, to swell the riches of favored classes. But there have been many reforms achieved, and chief among them was the overthrow in part of the

financial policy of the Republican party.

In 1878, after a long and bitter contest for years, that great crime against the people, the demonetization of silver, was rebuked, and silver restored to its ancient and lawful use as money. One hundred millions of legal-tenders had been burned to ashes in the furnaces of the Treasury under the law providing for their destruction. The execution of the law was arrested and that provision of the resumption act was repealed. Three hundred and forty-six million of legal-tenders thus rescued from the fires of the Treasury were converted into a perpetual revolving volume of money between the Treasury and the people. The passage of these two acts overthrew the financial policy of the Republican party and broke the chain which held the earnings of the people subservient to the rapacity of gold. Everywhere, save in the gilded palaces of wealth and the counting-rooms of scheming monopolies, their passage was hailed with delicht.

What results followed? Labor was encouraged, business and industrial enterprises revived, and marked improvement in the condition of the people was evident. Our volume of money has grown from nine hundred and fifty millions, the average amount for the period between 1873 and 1879, to one billion and seven hundred millions, and is increasing every year from fifty to sixty millions by the coinage of silver and gold. As our population and business increase the volume of money increases. Great and beneficent as the results of breaking down the financial policy of the Republican party and overturning the despotism of gold have been, they would have been immeasurably greater and far more beneficent but for the autocratic power of the Treasury Department over the finances of the Government which has been wielded since 1879 to repress and hinder the free and full operation of the law remonetizing silver and authorizing the issue of silver certificates to facilitate its circulation.

Mr. Speaker, the proposition now made to abandon the fruits of those magnificent triumphs of Democracy over the combined powers of monopolies and to repeat the folly of the Republican party by destroying our growing volume of money, either by the suspension of the coinage of silver or the redemption and cancellation of greenbacks, falls on the ears of the people like the sound of fire-bells at night. Are there no

loftier aims or nobler purposes to inspire the heart of Democracy than blindly following in the paths of outrage and wrong made by the Re-publican party over the rights of the people? Sir, if the Democratic party would remain in power it must keep its pledges to the people. Infidelity to that great and fundamental principle on which the party rests, which declares that all men are equal before the law, and that whatever blessings the Government shall bestow shall fall like the dews of heaven on all alike—the poor as well as the rich—will wound its honor and insure the speedy death of its reign. The love of the great popular heart can only be maintained and cher-

ished by fair treatment and equal laws. [Prolonged applause.]

Labor Arbitration.

SPEECH



HON. HENRY B. LOVERING,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 31, 1886.

On the bill (H. R. 7479) to provide for the speedy settlement of controversies and differences between common carriers engaged in interstate and Territorial transportation of property or passengers and their employés—

Mr. LOVERING said:
Mr. CHAIRMAN: The bill under consideration, reported from the Committee on Labor as a substitute for such measures relating to the formation of boards of arbitration as had been referred to it, is the formation of boards of arbitration as had been referred to it, is the best measure upon which the committee could practically unite after an exhaustive consideration in committee of the question in all its scope and bearing. Every bill submitted contained compulsory features, which the committee practically considered if not unconstitutional at least repugnant to the spirit and teachings of the Republic and of our free and enlightened institutions; hence all these conditions enforcing arbitration are eliminated from the substitute bill now under consideration. For it was claimed, and rightly, if the compulsory feature was incorporated as a provision it was not arbitration, but in its stead the creation of a court with all the powers of a court to enforce its decrees against whichever of the parties in interest the decree may lie upon their refusal to abide by the finding. Who shall say that the business of a railroad or of an individual shall be run at a loss? Who shall charge disloyalty when an award goes against these parties if they close their road, or sell their horses and vehicles of transportation and go out of business? And, on the other hand, who shall say a workman shall continue work unless he shall choose, when he chafes under a

shall continue work unless he shall choose, when he chafes under a sense of wrong in the operation of what he considers an unjust decree? The bill introduced by the gentleman from Missouri [Mr. GLOVER] is practically the English act, commonly known as the "Mundella law," as arbitrary an act as ever was drawn for the compulsory settlement of labor disputes. That act, from the very force of its imperial and arbitrary nature, has never yet, although passed as recent as 1872, been evoked in the settlement of a single dispute.

As Mr. Robert Kettle, to whom the cause of industrial arbitration in England owes a heavy debt, says: "It is agreed that according to the spirit of our laws and the freedom of our people, any procedure to be popular must be accepted voluntarily by both contending parties." This act, which never has accomplished anything in the direction sought, is now almost bodily lifted into this House, and we are asked to en is now almost bodily lifted into this House, and we are asked to encumber our statute-books with it. Had the gentleman studied the history of industrial effort in Great Britain he would have found that although there are three acts at present compulsory in their nature on the statute-books—the first, passed in 1824, and generally referred to as 5 George IV, cap. 96; the St. Leonard's act of 1867, and the act which he has brought to our notice—they have seidom if ever been used; he would also have found that the differences that have been settled in England by arbitration in the past twenty-two years have all been voluntary in their submission and in the enforcement of the award, and that moral coercion in case of any attempt to repudiate the awards, or, as Mr. Kettle so happily terms it, "that aggregate honor of individuals," which our French neighbors call esprit du corps, have generally been sufficient to secure the enforcement of awards."

So much, Mr. Chairman, for the endeavors to enforce arbitration in England; it has proven a complete failure under all its acts; and I do not believe we desire to ingraft upon our system a code which has not been accepted in a nation where conditions were better for its succe ful enforcement than exists in free and enlightened America. sir, the practical operation of this bill if applied to the present controversy on the great Southwestern system, if the workmen felt that the provisions of the enforced award was unjust, that Jay Gould had manipulated the composition of the board in his favor, and consequently they declined to accept the award, they may be fined, and

in default of payment of fine, thrown into prison to rot until it was paid. Why, sir, I fancy the States would have immediately to go into the prison-building business in order to accommodate the 8,000 men

engaged in the controversy.

The substitute bill of the committee is drawn in the light of such history as I have cited; it recognizes the power of that greatest of all

tribunals, public opinion, from which there is no appeal.

Gentlemen have been pleased to say the bill is a fraud and will be spurned by the workmen of the nation; that it makes a promise to their spurned by the workmen of the nation; that it makes a promise to their car only to break it to their hope, simply because the committee have not chosen to take the parties by the throat and tell them they shall submit to enforced arbitration the decree of which they might not feel bound to respect. As one of the committee, I accept the consequence predicted in this direction, without fear or trembling, satisfied that I at least have tried to do my duty as I saw it.

The bill does not, as has been stated, change existing conditions one iota as regards the inherent right of parties to arbitrate if they choose. This voluntary right the committee respect, and they provide, and I

This voluntary right the committee respect, and they provide, and I quote the language of the first section of the bill, that "upon the written proposition of either party to the controversy to submit their differences to arbitration, the other party shall accept the proposition, then and in such event, &c., they may go on and select their board.''

Now, suppose under this act one party with a desire to settle impending controversies serves notice as provided of such desire upon the other

party to the controversy, and the party on which such notice is served flatly declines, what happens? Why, immediately public opinion is wrought upon to an extent commensurate with the magnitude of the interests involved, and will invariably sympathize with the party who has in good faith first proffered the olive branch, for the justice and fairness of the proposition to submit for arbitration is apparent, and ninety-nine times in the hundred the moral sentiment evoked will force the stubborn party to terms. So long as the workmen remain peaceable and commit no overt acts the sympathy of the public is with them. Now, then, when reason has resumed her sway and pride and passion has subsided and a willingness finally shown to desire a settlement of pending controversies, they agree to arbitrate. If they can not agree among themselves as to the composition of the full board from the ranks of parties in interest, they may proceed under this bill to select one each from the ranks of persons entirely disinterested in the controversy, who shall in turn select the third, wno are then clothed with a legal status and given for the time being the powers and privileges now possessed by United States commissioners. They shall go on and investigate all facts in the case in an impartial manner, and on its conclusion shall announce publicly its award, with the findings of fact upon which it is based, which shall be reduced to writing and signed by the arbitrators concurring therein.

I claim in the light of history an award brought about in this way, if fair, and the presumption is that it will be fair, will be respected by all the parties in interest, from the very force and power of the moral sentiment breathed into life and surrounding the transaction. Thus far

I am willing to go.

Some law is demanded, which demand has found utterance in the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of the serious aspect of the introduction of bills precipitated no doubt by the serious aspect of t pending labor troubles in the great Southwest. In response to this demand the committee have given you the result of its best effort in the substitute before you. We do not claim it is infallible, but it is the best we can present with any degree of unanimity for your consideration. It gives the sanction and approval of Congress to the principle of arbitration, and provides the machinery by which it may be set in motion and a decision reached of acceptance or non-acceptance of the The results it leaves for approval or condemnation, as the case may be, by an enlightened public opinion, that great reservoir of moral force which, with unerring judgment, never fails to distinguish right from wrong and render its decisions in accordance. Its effect is more binding upon the subject than all the laws in Christendom. It is a bold man who dares to snap his finger in the face of the public. Even Vanderbilt, with all his millions and personal independence, denied he ever said "The public be damned."

There is another feature of the bill which commends itself to my judgment. The third section of the bill provides that after the arbitrators have announced their award they shall file with the Commissioner of Labor of the United States the findings of fact and the testimony taken. So that at all times, when advantage is taken of the proposition sub-mitted in this bill, the Commissioner is advised of every step taken in the matter, and all the material facts become matters of statistical reference in his office, from which his findings may be deduced for the benefit of the country in the consideration of the great underlying motives

which govern the movements of labor and capital.

In closing, I desire to submit some facts taken from a report on "industrial conciliation and arbitration," published by the commissioner of labor of Massachusetts in 1881, who is also the present head of the Labor Bureau of the United States, as bearing upon the question under discussion, and therefore pertinent at this time:

INDUSTRIAL CONCILIATION AND ARBITRATION IN ENGLAND. In transmitting to his government the report on this subject, which we now reproduce, the author makes special acknowledgments for aid given him in its preparation to Mr. Rupert Kettle, judge of the county courts of Worcestershire; Mr. A. J. Mundella, M. P.; Mr. B. Samuelson, M. P.; Mr. Thomas Burt, M. P., representative of the colliers; Mr. Ed. Trow, secretary of the National Amalgamated Iron Workers' Association; Mr. George Howell, formerly secretary of the parliamentary committee of the trades-union congress; Mr. George Broadhurst, present secretary of the same; Mr. Alsager Hay Hill, editor of The Labour News; Mr. W. H. S. Aubery, editor of Capital and Labour; and especially to Mr. Charles Wheeler, of Wolverhampton.

He also says:

"I found, at the beginning of my inquiries, that though there were at least three laws on the statute-books of England on this subject, they were virtually dead letters, and therefore I directed my attention to the workings of the voluntary boards of arbitration and conciliation that exist in a number of the trades of that country; and have given, in this report, some account of their operations, with copies of the rules of the most important. These rules will be found in appendices to the report, together with the latest act of Parliament on the subject of arbitration.

"The condition of the laboring class, and the strength and extent of the labor organizations, were subjects to which I was forced to devote considerable attention in order to correctly understand and appreciate the workings of arbitration; but I have touched upon these subjects incidentally, and only so far as was necessary to an understanding of the difficulties to be overcome."

The report then continues, as follows:

"Preliminary-Conseils des Prud'hommes-Arbitration in England prior to

"Industrial arbitration and conciliation had their origin in France early in the present century. The system established was the outgrowth of the trade guilds which had existed in that country and regulated trade matters in some cases from the middle ages. These were abolished during the last days of the monarchy of Louis XVI, a time when the constitution of industrial as well as political society was being overturned. After a few years of imperfect legislation, in 1806, at the request of the workingmen of Lyons and by command of the First Napoleon, courts of arbitration and conciliation were established by law. These, with some slight modification, have continued until the present under the title of 'Consells des Prud'hommes.' These councils are judicial tribunals, constituted under authority of the minister of commerce, through the chambers of commerce, which are established at important trade centers of that country. They are composed of an equal number of employés and workingmen members, each class electing its own representatives, with a president and vice-president named by the government. The authority of these councils extends to every conceivable question that can arise in the workshop, not only between the workman and his employer, but between the workman and his apprentice or his foreman. There is but one question they can not settle—future rates of wages; but even this can be done by mutual agreement. Arbitration is compulsory upon the application of either, and the decisions of the court can be enforced the same as those of any other court of law.

"The workings of these courts have been beneficial to French industry, especially in conciliation, by which more than 90 per cent, of all cases brought before the tribunals are settled. In 1847, the sixty-nine councils then in existence had before them 19,271 cases, of which 17,951 were settled by conciliation in the private bureau, 519 more by open conciliation, and in only 520 cases was it necessary to have formal judgment. In 1850, of 28,000 cases, 26 "Industrial arbitration and conciliation had their origin in France early in the

Tribunals similar to the censeils des prud'hommes of France are in existence in Belgium. Their success, however, has not been as marked as in France, owing in part, no doubt, to the fact that they have in some cases criminal juris-

diction.

In Great Britain, though a law somewhat similar in its character to that of France, and evidently framed from it, has been on the statute-books since the fifth year of the reign of George IV (1824), so little use has been made of its provisions that its existence was practically forgotten. England did not possess the organizations necessary to its successful workings, and the compulsory features seem especially obnoxious to both employer and employed. As Mr. Rupert Kettle, to whom the cause of industrial arbitration owes such a heavy debt, says, "It is agreed that according to the spirit of our laws and the freedom of our people, any procedure to be popular must be accepted voluntarily by both contending parties." (Strikes and Arbitrations, page 26, London, 1866.) The history of arbitration and conciliation in Great Britain fully justifies this remark.

om of our people, any procedure to be popular mass be accepted voluntarily by both contending parties." (Strikes and Arbitrations, page 26, London, 1866.) The history of arbitration and conciliation in Great Britain fully justifies this remark.

Previous to 1860, a year which marks an epoch in the history of industrial arbitration in England, it had frequently been applied to the settlement of industrial disputes. Legal sanctions, however, were never sought for the awards. They were loyally accepted without any constraint except a man's sense of honor and a certain esprit du corps, both among employers and employed. These arbitrations were not only frequent, but in some trades were systematically used in every dispute which arose. The pottery trade furnishes a very good example of continuous and successful arbitration. In this industry, one of the most difficult in which to harmonize the conflicting views of capital and labor, by reason of the large number of trades into which labor is divided and the peculiar customs that have come to be regarded as rights—in this trade there has not been a general strike since 1838; and the reason given is that disputes have been invariably settled by arbitration. The yearly "contracts for hiring" contained the following clause: "If any dispute arise between the parties as to the prices or wages to be paid, by virtue of such an agreement, the dispute shall be referred to an arbitration board of six persons, to consist of three manufacturers, chosen by the masters, and three working potters, elected by the workingmen." This clause does not provide for a board to settle future rates of wages; but both sides have formed what may be called the habit of arbitrating and they have appealed to this principle in trouble. As a result, for over thirty years this clause has prevented strikes in this trade.

It is not necessary to extend this report by giving other examples, showing the history and success of arbitration prior to 1850. It was often appealed to in many trades, though in no

THE ESTABLISHMENT OF VOLUNTARY PERMANENT BOARDS OF ARBITRATION AND CONCILIATION IN ENGLAND—DIFFERENCE BETWEEN ARBITRATION AND CON-CILIATION

As already stated, the year 1860 marked an epoch in the history of arbitration and conciliation in Great Britain, and gave it a new character, one more in accordance with the tone of modern thought and the changed relations of capital

nd labor. Late in that year, mainly through the efforts of Mr. A. J. Mundella, the first

permanent or continuous board of arbitration and conciliation in England was established in the hosiery and giove trade at Nottingham. Mr. Henry Crompton, in his admirable little work on "Industrial Conciliation," in speaking of the established in the hosiery and giove trade at Nottingham. Mr. Henry Crompton, in his admirable little work on "Industrial Conciliation." In view of the fact stated in the previous section that the large majority of cases brought before the conseils deep rout flommes were settled by conciliation in the private bureau, of the board organized by his efforts, and at the same time the marked characteristic of arbitration since 1800, is that it is systematic conciliation or arbitration organized on a purely voluntary pass, without an appeal to legal processes, even to enforce its decisions. That is, its movelty is not that it is systematic—tristic of arbitration since 1800, is that it is systematic and voluntary.

The voluntary feature of these boards is one to which I desire to call particular attention. Both Mr. Mundella and Mr. Kettle, to whom the cause of arbitration and conciliation in England owes much that it is, and who represent somewhat diverse views on the subject, agree that these boards should be voluntary, and not compilsory. Though there are acts of Parliament which provide compulsory legal powers, by which eithers effe can compel the other to a Louid learn, been used; but the large number of differences that have been a could learn, been used; but the large number of differences that have been voluntary and rot provide, that the awards should become part of the contract between the employer and the employed, to be enforced as law as any other contract; but, from the voluntary nuture of the awards should become part of the contract between the employer and the employed, to be enforced as law as any other contract; but, from the voluntary nuture of the awards should become part of the contract between the employer and the employed in referring to the system, there is an esse

THE NOTTINGHAM SYSTEM OF ARBITRATION AND CONCILIATION.

The so-called Nottingham system of arbitration or conciliation owes its establishment to Mr. A. J. Mundella, at present one of the members for Sheffield of the House of Commons. Mr. Mundella has been most carnest and untiring in his efforts to make arbitration the prevailing and recognized method of settling all disputes that may arise between labor and capital; and it is not too much to say, that to his intelligent efforts much of the success that has attended conciliation is due.

The hosiery and glove trade, with which Mr. Mundella is connected, is one of the most localized in Great Britain, being carried on only in the immediate vicinity of Nottingham, in Nottinghamshire, Derbyshire, and Leicestershire. I need not point out that such a concentration of one class of skilled labor led to union, and a consequent power not always judiciously used. According to all accounts, the relations between employers and employed in these trades, prior to 1860, were as ugly as could well be imagined. From 1710 to 1820, here is a frightful list of murders, riots, arsons, and machine-breaking recorded, all arising out of industrial differences. An act was passed by Parliament, early in the century, punishing machine-breaking with death; and in 1816 six persons suffered this penalty. In the remaining forty years of the century and a half from 1710, while the worst features of this industrial strife nearly or quite disappeared, the relations were in no wise improved, though the strife assumed a different form. Suspicion, distrust, hatred, were the sentiments cherished toward the manufacturers by the workmen; and arrogance, oppression, and an equally strong hatred were returned. War, or at least an illy-kept armistice, was the condition of the hostile camps. Strikes and lockouts were constantly occurring, and no judicious, honest effort was made to end them. In 1860, there were three strikes in one of the three branches into which the hosiery trade is divided, one lasting leeven weeks. It was during this strike that the board o

prud'hommes in France; and with one or two others I built up a scheme in my imagination of what I thought might be done to get a good understanding with our men, and regulate wages."

At a meeting of the manufacturers, a committee of three was appointed to invite the workmen to a conference, which they accepted. "We three," to quote Mr. Mundella again, "met perhaps a dozen leaders of the trades union; and we consulted with these men, told them that the present plan was a bad one, that it seemed to us that they took every advantage of us when we had a demand, and we took every advantage of them when trade was bad, and it was a system mutually predatory. And there is no doubt that it was so: we pressed down the price as low as we could, and they pressed up the price as high as they could. This often caused a strike in pressing it down, and a strike in getting inp: and these strikes were most ruinous and injurious to all parties, because, when we might have been supplying our customers, our machinery was idle, and we suggested whether we could not try some better scheme. Well, the men were very suspicious at first; indeed, it is impossible to describe to you how suspiciously we looked at each other.

Some of the manufacturers also deprecated our proceedings, and said that we were degrading them and humiliating them, and so on. However, we had some ideas of our own, and we went on with them; and we sketched out what we called a board of arbitration and conciliation."

The result of this action was the formation of "The Board of Arbitration and Conciliation in the Glove and Hosiery Trade," the first permanent board established. The rules adopted were very simple, and have worked so well in most particulars that they have hardly been amended since the day they were made. The object of the board is declared to be to arbitrate on any question of wages that may be referred to it, and to endeavor, by conciliatory means, to put an end to any disputes that may arise. The board consists of twenty-two members, half operative

and we did agree."

In the Wolverhampton system this error was avoided. An independent umpire or referee was elected by the board, whose decision was final and binding in case of an equal vote by the board. The Nottingham board has also changed its rule, and the chairman no longer gives a easting vote, a referee appointed for the occasion being called in, in case of a faiture to agree. I can not but regard the Wolverhampton system of a referee elected previous to a "dead-lock" as much the better plan. This is the course adopted in the lace trade of Nottingham

ils rule, and the chairman to bonger give a tassing voca a cassanguate for the design of the first of the control of the contr

cussing subjects of common interest as sensible men, seeking for the facts, and inclined to moderation and concession, if need be, have had a marvelous effect in removing this pride and obstinacy, and bringing about that respect and courtesy that must be at the basis of all friendly negotiations between capital and labor. These meetings have also given the men a knowledge of the conditions of trade and its necessities, which they could not get in any other way, and, from this knowledge, they have been led to moderation in demands or willingness to concede reductions that otherwise they would not have possessed. If the arbitration features were wholly removed from these boards, and they only retained this feature of quarterly meetings of recognized representatives of trades unions and of manufacturers' associations, their adoption generally in this country would be productive of incalculable benefit.

Labor Arbitration.

SPEECH

HON. WILLIAM H. COLE,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES.

Friday, April 2, 1886,

On the bill (H. R. 7479) to provide for the speedy settlement of controversies and differences between common carriers engaged in interstate and Territorial transportation of property or passengers and their employés.

Mr. CHAIRMAN: The debate upon this simple yet valuable bill has taken a wide scope. I can not say I am surprised at this, for I am sure that no problem could be introduced here in the line of lifting some of the burden of labor that all these questions would not arise, especially that of its constitutionality. If it is a bill to charter or enlarge the power of a national bank, a power distinctly denied to Congress by the Federal convention that framed the Constitution, it would be granted without a word; if it was to enrich some already wealthy corporation, even at the expense of the public lands, the property of the people, or some larger monopoly by the conferring of some vast privilege, less would be said about it than about this bill, introduced for the purpose of pouring oil upon the disturbed labor elements in the great West

We have been told again and again that the question is five hundred years old; that there will always be the privileged and the suffering classes of the community, and that legislation is no cure for the evils under which the laboring man toils for his living and his bread. To be thus informed does him no good. He is quite aware that there is but little in political economy new since the days of Adam Smith. He knows his burdens remain; he knows that, toil as he may, labor as he can, in the cold of winter or the heat of summer, he can no longer provide proper food and nourishment for his family. In his despair he organizes, and humbly and manfully he endeavors by every honest measure to improve his condition. Those belonging to the labor organizations thrive comparatively well, while the condition of those not thus protected grows worse and worse; all are bad enough. The condition of the working classes is as sad as it can be. Shall it remain so? In the name of a common humanity and by the sacred duty we owe the people of this free land, I appeal, Mr. Chairman, to this great parliament-shall it remain so?

Legislation has been mainly the cause of the depression existing throughout this country. For twenty-five years the principal legislation of Congress has been in favor of banks, railroads, and other corporations, all of which, as they have grown wealthy under the bounty of Congress, have become harder and harder in their dealing with their employes, until it really seems as if they were in a united conspiracy to reduce the wages of the workingman down to the very lowest cent compatible with his finding corn-meal and water enough to keep his body and soul together. Besides, all articles in his daily use have been highly taxed; and Congress one session, considering this question, after months of discussion, reduced—what?—it is astounding but a fact—reduced the tax on national banks to the amount of \$60,000 per annum, and the ill-paid workman has gone on to this day bearing the unequal proportion of the Government's expenditures on his overburdened shoulders. Your legislation, besides, has driven from the seas the flag of our Republic, and as a consequence American seamen have disappeared with that flag. Other acts of Congress have added to the public distress until now-worst calamity that can befall a nation-the land

lic distress until now—worst calamity that can befall a nation—the land is thronged with laborers crying for work which they can not get, and their families suffer for food and raiment. God help them all!

If many of the evils come from your legislation, is it not worth the effort for you to try and correct some of the great wrongs done in the past twenty-five years by the National Parliament in the interest of capital? Let us for once listen to the cry of labor; let us listen to the wail of the distressed. Would it not be a task worthy of us if we could brighten up our unhappy homes, restore life and light, plenty, happiness, and joy to the home of some industrious, worthy man now a prey to want and penury? Is it not a task worthy of your consida prey to want and penury? Is it not a task worthy of your consid-

eration to endeavor to put an end to strikes, which fall so heavily on the innocent and the helpless and are the cause of so much of sorrow, violence, and bloodshed? One gifted gentleman has told you, you have your remedy in the governor, the militia, and then in the Army of the United States. This is his remedy for strikes. How deployable 1. It United States. This is his remedy for strikes. How deplorable! It is bad enough to unleash the hounds of war upon a common enemy, and war, refine it as you may, at the best is but cruelty. But, oh horror, to unloose these evils upon our own countrymen; to shoot them down as if they were wild beasts; to slay them-the men whose labor and industry have helped build up the wealth of your great country; the heads of families with wife and children depending upon them, what a fearful recourse, what a terrible remedy. I can not contemplate it, though it be constitutional, with anything except the utmost abhorrence. Let us avoid this. I find in the bill before us an act that will prevent the occurrence of such scenes, and therefore I support it eagerly and warmly-not alone in the interest of labor but in the name of humanity.

Let us be just to all, to capital as well as to labor; but let us first be humane. I would not interfere with the rights of capital in the slightest degree. I understand its importance in the world's economy, and I feel as much as any one the sacredness of property. Of the same opinion do I find the American workingman. Education is too well diffused here for any of the most dangerous forms of communistic errors being rife among our people. They are safe, reliable, and conservative. They know that the laws must be preserved, and that violence is no argument and is always to be lamented. All they ask for is a fair day's pay for a fair day's work. If capital has her rights, has not labor also this right? And is it not a blot on the boasted civilization of the nineteenth century that here and in Baltimore it has recently transpired that capital drove labor in harness seventeen hours every day? Is this Is it right? Does not every humane sentiment revolt against it? Is this a right of capital that any one is bound to respect? not a case for legislation? Yes, Mr. Chairman, I have no hesitancy in

answering yes for penal legislation.

While owing to your legislation the rich men have been growing richer the poor man has been growing poorer, and occasionally when his hard work will not buy sufficient bread, he asks for more; he is refused; he strikes, but even then the contest is unequal. a penny, behindhand in rent and doctor's bills, every day brings more trouble to his poverty-laden home. One by one household goods and clothing disappear and the cupboard looks bare, and the wife in vain with her family brood seeks warmth at the hearth, the warmth from which has long departed. He holds out manfully; it is his only He looks confidently to Heaven in his dire need for help, but it does not come; he struggles until despair seizes his brain or misery his heart, unfil at last his course is concluded perhaps at the cost of his own and the life of some one dearer than his own, and this in this land of liberty and of plenty, of corporations and millionaires, the home of Washington, the land of Vanderbilt and Gould, if I may be pardoned for using such names in juxtaposition in order to illustrate how far we

have fallen from the days when the mechanic received good pay and his home was a happy and a prosperous one. Still the time comes when the patient man will strike. What then? I have alluded to the one hideous remedy suggested during this debatethe bayonet and the ball. This must be repugnant to you all, and to none more so than the genial, generous nature that mentioned it. have called your attention to one side of the evils of strikes, saying nothing of the interruption to travel or business, and the immense loss to capital regarding them, or the lesser evils to the sufferings entailed upon the striker and his family. Let us try another remedy for this—the bill now under discussion—which provides for a system of arbitration. It is contended that the bill is of no power. Every orator against it made use of the expression, "the laborer asked you for bread and in this bill you give him a stone." Whether this be so or not it is worthy of the trial. I am inclined to believe in arbitration. That grand and majestic trial. I am inclined to believe in arbitration. That grand and majestic organization whose peaceful banners can be seen gleaming on every hilltop in the country, upon the folds of which are inscribed the words "equal and exact justice to all men;" the Knights of Labor, who may be considered good judges on the question, have declared in favor of this principle; and its grand master, Powderly, has only this week proven himself a grand master indeed. I learn that in foreign countries, where arbitration has the force of legislative enactment, it is a great success in putting a stop to strikes. Even in bloody England, that England whose unjust government of Ireland has at lest excited great success in putting a stop to strikes. Even in bloody England, that England whose unjust government of Ireland has at last excited the combined execration and denunciation of the world, it is said, a law like this has been most effective. Some of the best writers on labor troubles advocate arbitration, and I earnestly hope that this Congress will pass this bill and throw the weight of its influence in the scales, so that they may again be evenly balanced between capital and labor hereafter, and so that each party to a dispute may not have to look for a remedy in a strike or lockout, two evils which I hope under the influence of this bill will disappear forever. Should this act not be found sufficient, a subsequent Congress can amend it so as to make it effective until at last we shall have a complete and perfect law upon the statute-books. Then there will be no need of your soldiers,

every one of whom should at this instant be on the frontier, guarding the home of the settler from invasion and his family from the knife and

torch of the savage

As to the constitutionality of this law I would say, that if this was a question of chartering a bank or giving a few million of acres of the public domain to some bloated corporation not a word as to its legality would be raised. I have seen this House, with disgust, already pass two such bills. It has been always so from the first day of the Government until now. The Federal convention forbade Congress chartering national banks; but by the doctrine of implication the limits of the Constitution were so fixed that banks and corporations were organized in great numbers, whose influence, as at present, commanded legisla-tion until every liberty was trampled on and there was a reign of terror in this country. In vain did the Democratic party protest against this state of affairs. The contest continued throughout three administrations before victory perched upon the banners of the people. It was during this terrible struggle that Benjamin Franklin, hearing the war spoken of as the war of independence, answered, No! the war of the revolution! Think of these huge corporations; the war of independence is yet to begin.

William Pitt, the worst enemy of America, exclaimed: See these huge corporations in America, their boasted liberties will soon be at an Lafayette, after his visit to this land, when he was received with gratitude by an entire people, remarked that he saw with great regret the growth of powerful corporations in America, which threatened the perpetuity if not the existence of the United States. Would they not repeat their language now? What would they think if they could view this scene and find a bill like this fought by the representatives of a free people through every step of its progress on the ground of its constitutionality, &c. Sir, if there is such a limit to the Constitution that it can be stretched one way to protect and encourage capital, but has no elasticity whatever whenever the rights of the people are involved, it is time for us to know it so that by an amendment it can be cor-

rected and made to conform with what our brave fathers designed and what in this age justice and humanity demand.

This law, sir, is not unconstitutional. Understand me, I am a Democrat of the strictest sect of the constructionists, and I can not find anything opposed in letter or in spirit to that august instrument. It provides for voluntary arbitration, so that no law is possibly involved. was compulsory there might be some legal questions worth noticing arising. Those urged thus far against the bill seem to me to be mere pretext, nothing more, however honestly or eloquently they have been urged. As the bill contains the principle of arbitration, which I regard to be good and worthy of every trial, I shall vote for the measure before us in the hope that it may, if imperfect, lead to better and higher legislation. Some step should be taken in this direction. The national footsteps have too long followed in the train of capital; let them be trained into the paths the people tread, for is not this a government of

the people?

I know how poor and feeble are my words and as I approach the conclusion I find myself longing that my lips may be touched by inspired fire in order that I might speak of things as they are to-day in this unhappy Republic. God has blessed us with all His bounties. We have bright skies, fertile fields and valleys, great rivers rolling onward to the sea bearing the commerce of a mighty nation on their breasts everything indeed to make us prosperous and happy. Your legislation has scattered these bounties ungratefully, and from one end of the country to the other arises the cry of distress, the cry for work, for shelter for wife and child, for home and kin, and utter desolation marks the spot where only a short while ago stood a happy dwelling-place. Labor

has been driven to the wall.

Was it not a great Republican orator who said that the workingman Was it not anshould live like his brother in Europe on corn-meal? other who exclaimed that the American workingmen indulged in luxuries that his European brother never dreamed of, and he should be eduated down to the necessaries of life? Still he has been reduced past all this; he has work, but poorly paid, or he is without work or food. In the first case when he has work he finds his pay utterly insufficient for his work, and his life, though industrious, is one long scene of suffering and distress. He does not rush in his distress to the torch or to steel, but he turns his hopeful face to you. He stretches out his hand to you. The party that has been restored to power here he recognizes as the lifelong friend and ally of labor, and confidently he appeals to you to turn your stream of legislation his way for awhile, stop the work of aggrandizing corporations, and yield the hard-paid child of labor some relief. He is true and grateful. If you were in trouble to-morrow whose arms would carry the star-spangled banner of our country to victory except those of your laboring men? He is your support in peace and your protection and defense in war. He is at once the pride and ornament of the nation. He is worthy of your attention, and I sincerely hope you will recognize these facts not by any unjust exaction against capital, nor unfair concessions to labor, but that the laws that you enact in this free land of America shall evidence equal and exact justice to all men. That is all the laboring man desires. This is the only request he makes of this or any other Congress.

Col. Henry J. Hunt.

SPEECH



HON. JOSEPH WHEELER,

OF ALABAMA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 26, 1886.

The House being in committee of the Whole on the Private Calendar, and having under consideration the bill (H. R. 37) to change the rank of an officer on the retired-list of the Army—

Mr. WHEELER said:

Mr. CHAIRMAN: The committee of which I have the honor to be a member fully agrees and concurs with all the gentlemen say who oppose this bill with regard to legislation of this character. Not only does this committee agree, but it has taken the lead of all the Military Committees of the last twenty years to carry out practically these views. The records of this House show that ninety bills which have for their object the restoration of officers or which seek to restore soldiers to a position in which they may draw money from the Government have been reported adversely by the Military Committee of the present Con-gress, and of the sweeping avalanche of bills which provide for the res-toration of officers to the Army, and which have been referred to this committee, but two have been favorably considered.

A reference to the records of the Committee on Military Affairs of the House of Representatives during a period of ten years reveals the fact that at single sessions of each Congress from forty to ninety bills

The Military Committee of the last Congress nade a favorably reported.

The Military Committee of the last Congress made a favorable report on a single bill which, it is estimated, placed fifty thousand soldiers or officers in a position that enabled them to draw money from the Government, which they could not have drawn had not this bill been favorably reported and become a law. Already, under the provisions of that bill, nearly five thousand cases have been acted on by the War Depart-

I make these statements to emphasize the contrast between the pres ent committee and its predecessors in their ideas of economy, and to call attention to the aversion which the committee entertains to this

class of legislation.

When the committee came to consider this bill it had before it the When the committee came to consider this bill it had before it the printed reports of other Congresses showing favorable action upon from forty to ninety cases in each Congress, and probably a hundred such cases were then pending, all being urged with the usual pertinacity. Each case was carefully examined, and, as I have already stated, but two of them were favorably considered.

The committee found that the case of General Hunt possessed special

and peculiar merits which distinguished it from any similar bill ever

brought before Congress.

The committee found that a bill identical in all respects with this had passed the Forty-eighth Congress on the 23d of May, 1884, by a vote of 127 for the bill and 58 votes against it. They also found that the same bill passed the Senate by a unanimous vote.

The committee had before it a letter sign of by ten general officers, which I will read:

WASHINGTON, D. C., January 11, 1884.

Washington, D. C., January 11, 1884.

The undersigned desire to express their gratification that a bill has been introduced into the House of Representatives placing Byt. Maj. Gen. Henry J. Hunt on the retired-list with the rank of major-general. General Hunt was distinguished in the Mexican war; and in the late war his reputation as a gallant, efficient, and thorough soldier rose with his services, which were distinguished in the highest degree in almost every battle fought east of the Alleghanies. Forty-four years of such service richly and justly deserve recognition by Congress.

gnames. Forty-four years of such service richly and justly deserve recogni-tion by Congress.

The undersigned heartily concur in this proposed action by Congress, and strongly recommend that this bill become a law.

eartily concur in this proposed action by Congress, and that this bill become a law.

S. V. BENÉT,

Brigadier-General, Chief of Ordnance.
D. B. SACKET.

Brigadier and Inspector General, U. S. A.

WM. B. ROCHESTER.

Paymaster-General, U. S. A.

R. MACFEELY.

Commissary-General of Subsistence, U. S. A.

S. B. HOLABIRD,

Quartermaster-General, U. S. A.

R. MURRAY.

Surgeon-General, U. S. A.

H. G. WRIGHT,

Chief of Engineers, Brigadier and Brevet Mojor-General.

W. B. HAZEN,

Chief Signal Officer.
D. G. SWAIM,

Judge-Advocate-General,

R. C. DRUM,

Adjutant-General.

so had before it a statement of General Hunt's mil-

The committee also had before it a statement of General Hunt's military service, which I will read:

He was graduated at the United States Military Academy and appointed second lieutenant Second Artillery July 1, 1839; promoted first lieutenant June 18, 1846; captain, September 28, 1852; major Fifth Artillery, May 14, 1861; lieuten-

ant-colonel Third Artillery, August 1, 1863; colonel Fifth Artillery, April 4, 1869; colonel and additional aid-de-camp, September 28, 1861; and brigadier-general of volunteers, September 15, 1862, "for meritorious services."

He received the brevets of captain United States Army August 20, 1847, "for gallant and meritorious conduct in the battles of Contreras and Churubusco;" major United States Army, September 13, 1847, "for gallant and meritorious conduct in the battle of Chapultepec;" colonel United States Army, July 3, 1863, "for gallant and meritorious services during the slege of Petersburg, Va., and in the campaign terminating with the surrender of the insurgent army under General R. E. Lee;" major-general United States Army, March 13, 1865, "for gallant and meritorious services in the field during the war;" and major-general of Volunteers, July 6, 1884, "for gallant and distinguished conduct in the battle of Gettysburg, and for faithful and highly meritorious services in the campaign from the Rapidan to Petersburg, Va." He served with his company at Detroit Mich., from August 30, 1839, 160 October 15, 1839; at Buffalo, N. Y., to September 21, 1840; at Madison Barracks, N. Y., to August 13, 1841; at Fort Adams, R. I., to August 29, 1843; at Fort Hamilton, N. Y., to October 3, 1844, and at Fort Columbus, N. Y., to August 15, 1845; conducting recruits to October 19, 1845; with company at Fort Adams, R. I., to June 1, 1846; with Light Battery en route to and in Texas, and in the war with Mexico (commanding battery from November 18, 1847, to June 24, 1849), to July 14, 1848; and at Fort Moultrie, S. C., to June 15, 1853; commanding Light Battery at Fort Smith, Ark., to August 16, 1853, and at Fort Washita, Ark., to November 18, 1849; with company at Fort Leavenworth, Kans., to May 28, 1858; in the field on the expedition to Salt Lake, Utah, for the relief of Col. A. Sidney Johnston, to August 1, 1853; commanding battery at Fort Leavenworth, Kans., to May 28, 1858; in the field on the expedition to Salt Lake

He was honorably mustered out as brigadier-general of volunteers April 30,

He was honorably mustered out as brigadier-general of volunteers April 30, 1866.

He was appointed president of the permanent artillery board, in reference to the interest and efficiency of the artillery arm, in session from April 2, 1868, to August 29, 1866; on permission to delay to January 18, 1867; member of board to determine the caliber and proportion of rifled guns for the armament of fortifications to February 27, 1867; commanding Fort Independence, Masaachusetts, to April 29, 1867; Fort Sullivan, Maine, to February 5, 1869; Fort Jefferson, Florida, to April 5, 1869; regiment and post of Fort Adams, Rhode Island, from May 20, 1869, to July 28, 1870, being also in command of the Canadian frontier from Lake Ontario to Lake Ckamplain, with headquarters at Malone, N. Y., during the Fenian disturbances April and May, 1870; commanding the district of North Carolina, July 28 to September 13, 1870, and Fort Adams, Rhode Island, to July 4, 1871; member of board preparing a system of general regulations for the administration of the affairs of the Army to May 23, 1872; commanding post of Fort Adams, Rhode Island, to March 2, 1873; on leave to April 23, 1873; commanding Fort Adams, Rhode Island, to August 24, 1874; on court-martial duty at Fort Sanders, Wyoming, to September 26, 1874; commanding Fort Adams, Rhode Island, to November 30, 1875, and at Charleston S. C., to November 12, 1876; under orders of the Secretary of War to February 21, 1877; commanding post of Charleston, S. C., to April 12, 1877; on leave to June 20, 1877; commanding post of Charleston, S. C., to April 12, 1877; on leave to June 20, 1877; commanding post of Charleston, S. C., to April 12, 1877; and Atlanta, Ga., to September 19, 1879; on court-martial duty in Kansas to December 3, 1879; commanding post of Atlanta, Ga., to December 21, 1880; on duty in Washington, D. C., to January 6, 1881, and commanding the Department of the South at Newport Barracks, Kentucky, according to his brevet rank of brigadier-general, to March 3, 1883, and as colo

nel to September 14, 1883, when he was retired from active service by operation of law under the provisions of section 1 of the act of Congress approved June 30, 1882.

In the war with Mexico he was attached to Duncan's battery, and was engaged in the siege of Vera Cruz, the battles of Cerro Gordo, Churubusco, Molino del Rey, storming of Chapultepec, assault on the Garita San Cosmé, and capture of the city of Mexico. In this campaign he was twice wounded. He commanded his battery at the battle of Bull Run, Virginia, July 21, 1861; commanded the artillery reserve in the Peninsula campaign of 1862. At the siege of Yorktown, the battles of Gaines's Mill, Garnett's farm, White Oak Swamp, Glendale, Turkey Bend, and Malvern Hill. As chief of artillery he commanded the artillery of the Army of the Potomac in the subsequent campaigns of that army, being engaged in the battles of South Mountain, Antietam, and Fredericksburg, in 1862; Chancellorsville, Gettysburg, Rappahannock Station, in 1863; Wildenness, Spottsylvania Court House, North Anna, Totopotomoy, Cold Harbor, assaults of Petersburg, June 15–18, 1864; siege of that place and its capture, and was present at the capitulation of the Army of Northern Virginia, at Appomattox, April 9, 1865, All the siege operations at Petersburg were placed under his general direction by the following orders:

It is a fact worthy of the attention of the House that General Hunt is still performing duty, and this record shows him to be three years older than the oldest officer now on duty. It is obvious, therefore, that if this bill should pass the few extra dollars which it awards him would

not be paid him for a very long period.

As General McClellan has recently died I will ask the Clerk to read a letter which he wrote to Colonel Lyman, a member of the last Con-

gress, after the passage of the bill in 1884. The Clerk read as follows:

32 WASHINGTON SQUARE, New York, May 27, 1884.

My DEAR COLONEL LYMAN: I have just read the debate upon the bill to place Col. H. J. Hunt on the retired-list as a major-general. I assigned Colonel (then

Major) Hunt to the command of the artillery reserve of the Army of the Potomac soon after its organization. He held that command until the arrival of the army on the James River, at the close of "the Seven Days," when, upon General Barry being relieved from duty, I appointed Hunt to the position of chief of artillery. Hunt was more than once applied for by other generals to be assigned to them as commander of a brigade of infantry, but my appreciation of the value of his services in the artillery was such that I steadfastly resisted all such applications.

His experience with field artillery in Mexico, his intimate knowledge of the theory and practice of artillery, his successful labors in improving the tactics of that arm, his remarkable administrative ability, his extraordinary power of handling masses of artillery in battle; in brief, his peculiar and entire fitness for the position of chief of artillery of a large army in the field rendered it my duty to call upon him to sacrifice his chances of promotion and his individual interests for the good of the country and the efficiency of the army under my command. Most cheerfully and without a murmur Hunt acceded to my demand.

I did my best, but in vain, to obtain for him rank and promotion in his own arm, and never permitted myself to doubt that in the end he would receive the just reward of his services and sacrifices. In the armies of the great military powers his command would have been regarded as the equivalent of an army corps, and he would have received the corresponding rank and reward. If Hunt had been permitted to take command of a brigade of infantry he would long before the close of the war have been in command of an army corps at least.

In view of the fact that he sacrified his chance of promotion to his sense of duty to his own arm of the service, and in deference to the urgent wishes of at least one of the commanders of the Army of the Potomac, I think the bill in question should be regarded as a simple act of justice and not as a special favor

Let me say one thing more. The position of chief of artillery was not a grade, nor was it a definite position or rank in that arm, it was simply a matter of detail or assignment, carrying with it vastly increased responsibilities and duties without any corresponding pay or privileges.

With the earnest hope that this measure of justice may be meted out to one who served his country so long, so gallantly, and so ably, and that this debt of gratitude so long due may be paid.

I am, sincerely, your friend.

GEO. B. MCCLELLAN.

Col. THEODORE LYMAN,
United States Houst of Representatives,
Washington, D. C.

Mr. WHEELER. Mr. Chairman, in reply to the gentleman from Wisconsin [Mr. PRICE] I wish to say that no one would go farther than myself in advocating any character of legislation which would be a benefit to the laboring classes of our country. No one has shown a disposition to go farther in that line of legislation in this House than myself. But the gentleman seems to intimate that it might be better if all our Army, both officers and men, should be brought down to the same basis of absolute equality, and that all should be awarded the same compensation. That seems to be the argument of the gentleman from Wisconsin. He says he wants no distinctions. He wants no special honors bestowed upon those men, who, by their education and skill and gallantry, achieved high rank and great eminence.

While I would gladly concur with the gentleman from Wisconsin [Mr. Price] in his advocacy of equality among men, so far as that equality can be attained by elevating the soldier in the Army or the citizen in civil life, I must dissent from any theory of equality which is to be attained only by degrading some men so as to bring all down to the same level. I shall always assist my friend from Wisconsin in any effort to level up, but I shall always oppose with all the vigor I can command any effort to level down.

Twenty years ago laws were enacted to reorganize the Army, by which meritorious officers were given increased rank and emoluments, but as is always the case in general legislation it did not extend so far as to embrace all who had a just claim to its benefits. And for the last ten years efforts have been made by private bills to regulate and even up inequalities and injustices caused by general legislation.

Of all the numerous bills brought before the Committee on Military

Affairs for the purpose of increasing the rank of meritorious officers during the war, this is the only one which has received the approbation of that committee. The evidence before the committee showed that General Hunt would have had the rank which this bill gives him had he not for commendable reasons declined promotion, because his commanding general insisted that he was more valuable and necessary in the position which he would have had to resign than he would be in other positions which would have given him higher rank. For this and other reasons the Committee on Military Affairs and many of the highest officers of the Army who have filed with it their recommendations, believed that this bill had merit which no other bill of similar character that has come before Congress has developed.

The gentlemen who profess to base their opposition to this bill upon the ground that it would cost the Government a few hundred dollars, voted, with practical unanimity, a few days since to increase the pensions of widows so as to give them at least \$6,000,000 a year more than they would have received under the old law. This bill was so framed that, under its provisions, a woman who was not born until five years after the war closed might receive from the Government \$12 a month, while a gallant Union soldier, who fought in every battle from Fort Sumter to Appomattox, and who may have been repeatedly wounded, would be receiving only \$8 per month. The gentlemen, Mr. Chairman, who displayed so much ability and activity on that occasion in lecturing those of us who opposed this large increase of the pensions of one hundred thousand persons who never fought, and now oppose this bill to slightly

increase the pension of a soldier who has served his country for fifty years, and whose military fame is part of our history, may be sincere in their zeal for economy, but I submit they appear to be slightly inconsistent

As another proof of the disposition of the Military Committee of this House to carry out the economical views of those who oppose the bill now under consideration, I would respectfully call their attention to the how under consideration, I would respectfully can their attention to the bill reported by this committee, and now on the Calendar, which makes appropriations for the support of the Army. The committee considered and examined every item of expenditure with unusual care. Expenditures which could be avoided were omitted, but the committee believes that ample provision was made for everything necessary to maintain the unimpaired efficiency of the service.

The Military Academy bill is also on the Calendar, reported by this committee, which provides for all the needful expenditures of that excellent institution. And each of these bills is less than any bill of like character reported to this House by any Military Committee from 1865

down to the present time.

I believe that no other gentleman desires to discuss the bill, and shall therefore move that the committee rise and report it to the House.

Mr. REED, of Maine. Will the gentleman from Alabama permit

me to interrupt him?

Mr. WHEELER. I will yield to the gentleman.

Mr. REED, of Maine. The object of this bill is to promote General

Hunt for meritorious service, is it? Now what right has the legislative department of the Government to promote a man?

Mr. WHEELER. This bill is to authorize the President to select one

of the distinguished colonels who during the war served as colonel and promote him to a certain rank in the Army without mentioning any man's name in it

Mr. REED, of Maine. Then you abandon the Fitz-John Porter bill,

do you?

Mr. WHEELER. This bill was not introduced by me, and I knew nothing about it until I was ordered by the committee to submit the report to the House

Mr. REED, of Maine. Who did draw the bill? I want to know who

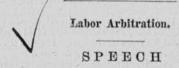
Mr. WHEELER. I never inquired of anybody as to who drew the bill. I simply did my duty in compliance with the order of the committee to present the report to the House. Mr. REED, of Maine. Do you know?

Mr. REED, of Maine. Do you know.
Mr. WHEELER. I do not.
Mr. REED, of Maine. I am sorry.
Mr. STEELE. Mr. FORNEY, of Alabama, drew it.
Mr. CUTCHEON. Will the gentleman from Alabama yield to mo for a few moments?

Mr. WHEELER. How much time?

Mr. CUTCHEON. Ten or fifteen minutes.

Mr. WHEELER. I yield to the gentleman from Michigan.



HON. WILLIAM STONE,

OF MISSOURI.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 31, 1886,

On the bill (II, R. 7479) to provide for the speedy settlement of controversies and differences between common carriers engaged in interstate and Territorial transportation of property or passengers, and their employés.

Mr. STONE, of Missouri, said:

Mr. CHAIRMAN: In the few moments I control I have not time to criticise the bill under consideration, though I regard it as rather a peculiar and original piece of legislation. If it is not obnoxious to constitutional objection, perhaps the only harm it can do is to subject the Government to some additional expense, and I indulge the hope, if it becomes a law, it may result in some good, though in what way I confess myself at this time unable to determine. If I vote for it at all I shall do so because it is a well-meaning effort, however futile—a step, however feeble, in the direction I wish to go.

I have been taught, and I believe, that all good government derives its just powers from the consent of the governed, and that those poware the prosperity, and happiness of the governed, and that those powers should be so administered as to promote, as far as possible, the welfare, the prosperity, and happiness of the whole people. The condition of the industrial and producing classes of this country is anything but satisfactory. Whatever may be the cause of this condition, or whatever may be the remedy for it, there can be no doubt of the fact that that unsatisfactory condition exists. The magnitude of the present revolt in the Southwest, its disastrous effect upon business, its menace

to the public peace, the widespread demoralization and disorder it is producing, compel a universal public attention to this event. But this outbreak, though on a larger scale than usual, is not exceptional or novel. It is but typical of similar disturbances, more or less extensive, constantly occurring in all sections of the country. To-day the "strikers" are the employés of a railroad corporation, yesterday they were the employés of a manufacturing corporation; to-morrow they may be the employés of a manufacturing corporation. But however or where the employes of a manufacturing corporation. But however or wherever employed the fact remains that the relations existing between the great business corporations and their employés, who comprise a very large per cent. of the wage-workers of the country, are such as to be most heartily deplored, and to be the cause of grave concern to every man who has the welfare of his countrymen near to his heart. We can not, if we were so disposed, close our eyes to the portentous fact that there is positive, aggressive, and organized warfare between employers and employés, between labor and capital-the power of numbers upon one side and the power of wealth upon the other.

The workingmen are not prosperous; they are not contented; they are dissatisfied. As a rule, they are a thrifty, industrious, and frugal people, but they find the struggle they are engaged in to be a hard one for simple existence. They go on in this way toiling from day to day, while they see their employers amassing great fortunes out of the fruits of their industry. The profits of the joint enterprise of labor upon the one hand and capital upon the other are so divided as to give the laborer a scant existence and the capitalist a magnificent fortune with all its attendant advantages. This inequality and injustice very naturally provide an inequality and dependence conflict het ween these two greats. provoke an inevitable and dangerous conflict between these two great

factors in our commerce and civilization.

Capital is organized. Every corporation is organized capital. The Missouri Pacific, the Texas Pacific, and all the great railway systems are vast organizations of capital—compact, aggressive, exacting, arrogant, selfish organizations, easily managed and easily combined whenever and wherever combination will promote a common interest. the other hand, the industrial and producing classes, inspired by the primal law of self-preservation, have made repeated efforts to combine and organize—efforts which have hitherto proved abortive. But now, at last, it seems that the wage-workers of the land have attained some measure of success in perfecting a tolerably well-equipped and fairly effective organization, known as the Knights of Labor. This organiza-tion, though it gives great hope and promise of success, is still a crude experiment. The very magnitude of the movement, the extent and scope of its purpose, makes it cumbersome and difficult of intelligent and systematic management and control. But it is going on strengthening its organization, eliminating its defects, and perfecting its disciening its organization, eliminating its defects, and perfecting its discipline; and if it proves to be wise, conservative, patriotic, and just, avoiding excesses and abuses, it will become a power for the accomplishment of great good to the people of this country. I do not hesitate to say that every movement made by the producing and laboring classes of this country by which they seek, through legitimate and proper means, to protect and advance their interests has my hearty sympathy, and will receive my unqualified support. I have not time to say more than that, and that, perhaps, is enough to say.

say more than that, and that, perhaps, is enough to say.

I want to go a little farther. The very fact that this country is one great military camp of opposing forces—of organized capital and organized labor; the very fact of these oft-repeated tumultuous uprisings of the people in warlike protest against corporate greed and rapacity; the very fact that these corporations and their stockholders have grown enormously rich and the working people wretchedly poor, show that there is something radically wrong in our economic systems. Legislation can not be made a panacea for all the evils that afflict us. the powers of government can be so administered as to remove in whole or in part the cause or causes producing these unhappy industrial conditions, and thereby promote the prosperity and advance the interests of the great masses of the people—those who sow and reap and delve and dig and toil with brawny hands, in whatever sphere—it is the solemn duty of the Government to direct all its policies and exercise all its powers to the achievement of that end. It is not the hour for inflammatory appeal or incendiary assertion. It is an occasion demanding deliberation, serious thought, calm judgment, and self-sacrificing states—

Proudhon's communistic aphorism that "property is theft" should find no countenance in this country, and above all no advocate in this Mobocracy should find no crown in this country, and the despicable demagogue who rides as its courier should find his sycophant lips locked with the key of silence for want of an opportunity to fawn and flatter. But we should spare no effort to get at the cause of these disturbed and unhealthy conditions, and, as far as possible, apply a

I listened with great pleasure to the distinguished gentleman from Texas [Mr. Reagan] on yesterday. I have great respect for him and for his judgment, for though he is a little old-fashioned in his notions, he is generally very close to the line of right. I believe with him that the remedy for these evils does not lie with such measures as the one now under consideration, however fruitful it may be of temporary good results. We must go back to the cause, and apply a more radical and permanent remedy. I believe with him there will be no cure—the evil

and the disease will remain—until there is a thorough and radical change in our whole financial, commercial, and economic systems, so far as Congress and the Executive can effect such changes. But I go a step But I go a step further than he did, or than the gentleman from Iowa [Mr. WEAVER]. The restoration to the people of their plundered public domain, the reform of the tariff, the reduction of taxation consequent upon such reform, and an economic administration of the Government, the emancipation of our financial affairs from the bondage of syndicates and the control of metropolitan banks, are all important and essential. These are reforms that must be exacted and enforced by the people of this country as preliminary to the permanent adjustment and settlement of these great industrial questions. And, as suggested by the able and distinguished gentleman from Maine [Mr. REED] and by others, public sentiment and the strong native common sense of the people must play an important part in the solution of these problems and in compelling and enforcing justice and fair-dealing on both sides in all conflicts between employers and employes. But I desire to go a little fur-ther than that. I can not deal with this whole labor question, but with only one phase of it—that phase which has been brought sharply and abruptly to our notice by the present disturbance in the Southwest. I mean that which relates to the great transcontinental lines of railroad-

those mighty arteries of interior traffic and commerce.

In the first place, Mr. Chairman, I believe that such great corporations as these ought not to exist. They are a positive curse to our commerce and our people, to the farmers, stockmen, miners, and laborers of this country, and are a constant and defiant menace to good government. About nine-tenths of our producers, in whatever field they labor, are rarely able to save more than enough to pay their taxes and live, while the profits of their industry are extorted from them and absorbed by these railroad corporations and other combinations with which they are allied. Created by law and, in theory, subject to governmental control, they violate all law and defy all government. They have no respect for private right and but little for public authority. They "damn the people" and ignore the Government, both State and Federal, except when they have occasion to invoke its power to protect them from the results of their own iniquities. Unlimited in resources, commanding the best talent of the country, bold in design, and unscrupulous in method, they corrupt Legislatures, manipulate courts of justice, influence the high officials of government, and utilize for their good the very powers the people depend upon to control them. In vio-lation of law they fix arbitrary rates of transportation without regard to distance or any consideration of justice, or without regard to any consideration except that which makes them practically the masters of the profits of labor and commerce. It is an incorporate despotism against which the people are rising from protest to open war. I say they ought to be destroyed, not in the spirit of communism, not by

violence or riotous revolution, but by peaceable and lawful means.

It has been truthfully said that "free government establishes libraries, constructs and endows a magnificent school system, maintains sewerage, compels unwilling parents to vaccinate their children, regulates the size and structure of houses; in short, does a hundred things which a mere State police has no right to do, but which a great co-operative industrial organization may fitly and wisely do for itself." And which, it might be added, a free government can do for itself. The Government improves and owns its harbors and water ways. Great canals are constructed and in some measure operated by the States. own, administer, and control these great interstate lines of commerce? Not many years ago we granted vast areas of the public lands to corporations and loaned them millions of bonds to aid them in constructing lines of railroad across the continent. To one corporation we made a magnificent gift of lands and a loan of thirty-three millions of bonds, for which we are still responsible, to induce and enable it to build a railroad from the Missouri to the Pacific Ocean, which cost the company only \$50,000,000. In money and bonds we paid for building the Union Pacific Railroad, and yet we have not a dollar of interest in it. The Government should have some interest in that road. It should have

actual control of its management.

Some years ago England contracted with certain capitalists to build a road in India, and guaranteed the capitalists 5 per cent. on their money. England is represented in the directory; she receives an income of 7 per cent., pays the capitalists the guaranteed 5 per cent., and the 2 per cent. profit has enabled her to abolish the income tax in India. Why can not we own and control our railroads? Why can not we own our telegraph lines? If we could the Government could realize a profit, justice be done employés, the robbery of the people would cease, and strikes be a thing of history. I have seen it stated on high authority that within four years after the British government had secured the ownership and control of the telegraph lines of Great Britain, the number of business offices had increased 30 per cent., the number of messages 50 per cent., the number of words sent 200 per cent.; the cost of sending had been reduced 40 per cent., and it had actually cost the government nothing, for it borrowed the money for the enterprise at 3 per cent., and the profits of the business were 4.3 per cent. If that can be done in England, it can be done in the United States.

The Government can own these railroads and telegraph lines, or own others just as good. We can be masters of the situation if we would.

I know what objections would be urged against any effort put forward with these ends in view. Aside from antagonizing the mighty influences of these corporations which would gather here, many honest and patriotic gentlemen would fear the involvements of such an experiment, and others would object on constitutional grounds (which I do not believe to exist), and others be frightened away by the vast increase of Federal power and patronage. But I believe all these objections can be overcome. It is a broad question. It requires time investigation. be overcome. It is a broad question. It requires time, investigation, thought, consultation, and comparison of views to mature it. At all events I am sure the public good requires that these great corporations should be controlled, and, I believe, destroyed. The resolution introduced by the able and experienced statesman from Pennsylvania [Mr. CURTIN] to appoint a commission of wise and conservative men to in-

CURTIN] to appoint a commission of wise and conservative men to investigate this whole question, and report the results of their investigations and deliberations, ought to be adopted. I am in favor of it. It is the right way to proceed. These ephemeral, spasmodic attempts at reform and the solution of these great problems amount to nothing. We should proceed in some orderly and systematic way.

Mr. Chairman, what I have said is but a suggestion. But out of a multitude of suggestions propositions are evolved and formulated. If I had the time and opportunity I would like to go further into this question. It is the first question of the age. It is the one most strongly appealing to the philanthropy and statesmanship of the country. I shall hail with delight and welcome with open arms the man who can lead us out of this wilderness of danger and difficulty, whatever may be his politics or the land of his birth.

be his politics or the land of his birth.



HON. WILLIAM H. NEECE,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES.

Saturday, April 3, 1886.

The House having under consideration the bill (H. R. 5690) for the free coinage of silver, and for other purposes—

Mr. NEECE said:

Mr. SPEAKER: Could a vote have been taken on this bill to provide for the free coinage of silver during the first three weeks of this debate I would have contented myself with voting and should not have said a word, but as this question has undergone so many different phases I feel as though I could not content myself without giving my views.

I can see no reason for the suspension of the coinage of silver as suggested by the enemies of silver. If the argument is true that "silver will not circulate," then there is but one conclusion, and that is to suspend. There is no reason for this Government using \$2,000,000 a suspend. There is no reason for this Government using \$2,000,000 a month of the peoples' money to buy silver bullion and go to the expense of coining it if it will not circulate, if it is to lie idle in the Treasury. If that be true the question is settled in my mind. The suggestion of the Secretary of the Treasury should be adopted at once, for every month you are taking the peoples' money, wrung from them by taxation and invested in a dead commodity; it is simply taking from circulation that amount of money and placing it out of circulation. And I grant you that to the extent that this silver money coined under the Bland act lies idle in the Treasury, where it is not retained by the the Bland act lies idle in the Treasury, where it is not retained by the Government to meet some demand, it is an injury and a wrong to the tax-payer and to the prosperity of the country.

Is it true that silver will not circulate; that the people will not have

it; that the people will pay more to return it into the Treasury than the Government can afford to pay to get it out, as has been stated on this floor during this debate? I say if that be true, suspension should follow

at once.

Who is it that will not take this money? Has there been an honest effort to pay this money out on the debts and expenses of the Government? In order to determine this question I do not think it necessary to go back of the first bank that ever existed; and the conditions of the finances of other nations at various periods do not afford much light on the subject unless it is shown that the circumstances then were similar to the circumstances and conditions of things now. I think we will get more light on the subject by noticing more particularly the conditions and circumstances of the present day and of our own country and people. What are they? We are divided into two classes, debtor and creditor, tax-payers and tax-receivers. Our duty is to honestly legislate for both. We should have honest laws and honest government, and also—which is so often repeated by those who favor suspension—honest money. The law should protect each citizen, without favoring the one at the expense of the other.

Honest money is that kind which is created by Congress, the only power that has the right under our Constitution to make or create It should be of that character that will circulate as money among the people; it should meet the wants of commerce and trade; it

should pay the debts of the Government and of the individual alike. There should not be two kinds of money unless they each fulfilled the same object in the sight of the law. No money should be created unless it is made a full legal tender for all debts, both public and private. When that is done I do not care whether it is made of gold, silver, or I believe that in a Government like ours, with our people of so many different fancies, doing business in so many different ways, and who are so well adapted to doing business with the whole world, and our prosperity so greatly depending upon our trade, commerce, and in-tercourse with all the nations of the earth, we should foster and keep in circulation gold, silver, and greenbacks, to be made a full legal ten-

der for debts both public and private.

I am in favor of encouraging business and trade with the whole world, and that kind of money that will best serve the ends of trade and commerce at home and abroad we should have in a sufficient quantity to meet the legitimate wants of the people.

I have stated that we should have in view a money that would invite

the trade and commerce of the world. Now, let me refer to the money in use by the different nations of the earth. I will here add a table, taken from the United States Silver Commission report of 1877, showing the standard of money and population of the different countries, as

Sil	VER-STANDA	IRD COUNTRIES,	
Russia	Population. 76,000,000 36,000,000 4,500,000	Peru China British India	400,000,000
Mexico	8,000,000 2,600,000 1,300,000	Total	768, 941, 456
. Doi	UBLE-STAND	ARD COUNTRIES.	
Greece Roumania Colombia Venezuela Chili Uruguay Paraguay Japan Holland	1,400,000 4,000,000 2,900,000 1,600,000 1,900,000 400,000 1,200,000 33,000,000 3,700,000	France Belgium Switzerland Italy Spain United States Total	2,700,000 26,800,000 16,400,000 50,000,000
G	OLD-STANDA	RD COUNTRIES.	
Great Britain	7,000,000	Germany Norway Sweden	. 1,700,000

These estimates show that over 700,000,000 people have adopted silver as the sole standard of money, and over 180,000,000 have the double standard, gold and silver, thus constituting a total of more than 900,000,000 who use silver as a standard money. Only 92,800,000 have the single gold standard.

We are the producers of silver. Nearly one-half the silver of the world is produced in this country. Now, as I think I have shown that a great majority of the people of the world use silver as their money, and as our country produces both silver and gold in large quantities, would it not be unwise for us to adopt gold as the exclusive money of this country and thereby deprive the people of the great advantage of making money out of silver, which is so beneficial in our foreign trade and commerce? That policy simply means a contraction of our commercial relations with foreign countries.

The argument that England, Germany, and France have adopted gold as their money does not hold good with us. They have to purchase a large proportion of their bullion from abroad which they use in manufactures and the arts, as well as what they use in making their money, and therefore it is to their interest to do everything in their power to make that which they have to purchase abroad as cheap as possible, but insomuch as we have large quantities of both gold and silver bullion to sell to foreign countries, why is it not to our interest to keep it up? Now, as the argument is made by those who favor suspension, "that

silver will not circulate," let us examine the facts as to the circulation of silver with foreign countries and to the comparison of its circulation with gold. I hold the report of the Bureau of Statistics, issued by the Treasury Department of the United States, dated March 24, 1886, which report shows the import and export of gold and silver of the United States. It certainly makes a wonderful argument in favor of retaining silver. It shows that we have exported more silver than gold within the last twelve months, ending February 28, 1886, to the amount of \$16,872,810.

The report also shows that during the same time we have exported more silver than has been imported to the amount of \$15,598,629. Instead of silver accumulating on our hands in the twelve months last past, we have disposed of over \$15,000,000 to foreign countries. But it also shows that foreign countries were getting the advantage of us in the money trade, for when you come to compare the exports and imports of both gold and silver during that period we are the loser of over \$9,000,000.

How is it with gold during the same time? The same table shows that there was an excess of imports over exports of \$5,803,612 in gold. It does not look much like gold was leaving this country. Here are the figures taken from the report for twelve months ending February 28, 1886:

Imports GOLD. Exports	\$22, 374, 649 16, 571, 03
Net gain	5, 803, 61

Which shows an actual loss in our money exchange with foreign countries.

17,845,217
15,598,629
5,803,612
9,795,017

I will incorporate into my remarks that portion of said report that refers to gold and silver, and an examination of the report will show the excess of exports over imports of silver was greater during every month in the year 1884, except the month of October.

Imports and exports of gold and silver.

Months.			Ex	ports.					Impo	orts.		
Atolitis.	1880-'81.	1881-'82,	1882-'83.	1883-'84.	1884-'85.	1885-'86.	1880-'81.	1881-'82,	1882-'83.	1883-'84.	1884-'85,	1885-'86.
GOLD,	21 166 670	\$160,786	\$3, 228, 840	\$284,180	e10 004 10K	econ 000	\$892,180	67 160 774	\$839, 566	\$3, 244, 859	\$903, 201	\$1,756,597
April		88, 593	2, 342, 449	2,050,215	\$12, 224, 135 21, 047, 525	\$833,082 1,157,995	166, 432	\$7,169,774 15,351,980	551, 301	2, 311, 351	3, 010, 429	782, 533
May		614,498	13, 289, 404	935, 106	2,711,864	1, 393, 975	123, 580	1, 315, 777	204, 626	232, 015	1, 626, 531	564, 735
June	541, 361	616, 548	5, 572, 251	597, 149	132, 105	741, 992	648, 272	322, 155	257, 142	398, 246	2,074,599	229, 763
July	61,886	112,361	4,754,422	100,870	159, 106	1, 329, 570	244, 330	750, 852	162, 202	429,754	2, 283, 103	588, 412
August	90,909	178,648	1,637,212	132, 323	175, 619	359, 317	9, 145, 390	5, 427, 196	424, 878	1,977,354	2,758,300	733, 907
September	80, 914 169, 871	148, 166	229, 849	196, 345	77, 350	151,568	18, 846, 998	10,660,641	1,135,799	2, 233, 272	1,477,672	2, 986, 116 1, 323, 811
October November		176, 941 97, 124	104, 616 52, 725	132,530 403,368	192,533 443,529	139, 120 438, 460	11, 256, 058 9, 555, 391	8, 295, 490 3, 059, 202	3,835,410 2,241,787	4, 261, 430 4, 363, 818	2, 451, 402 8, 192, 904	5, 096, 358
December	158, 574	108, 084	175, 699	436, 969	220, 557	1,789,974	16, 506, 026	2,728,173	2, 146, 952	1,003,212	2, 231, 799	5, 620, 191
January	30, 415	102, 219	34,000	153, 766	1,446,326	2, 581, 674	4, 739, 902	1, 134, 040	1, 309, 639	525, 413	2,074,923	1,705,841
February	271, 379	7, 231, 393	745, 715	3, 411, 157	1,632,828	5, 654, 309	577.478	468, 825	291,011	422, 304	1,887,965	986, 384
Total twelve months	2, 988, 436	9, 635, 361	32, 167, 182	8, 833, 978	40, 465, 477	16, 571, 036	77, 702, 309	56, 684, 105	13, 400, 313	21, 403, 028	30, 972, 828	22, 374, 648
Total eight months												
ending Feb. 28, 29	1,084,707	9, 154, 936	7,734,238	4, 967, 328	4, 350, 848	12, 443, 992	75, 871, 573	32, 524, 419	11,547,678	15, 216, 557	23, 358, 068	19, 3041, 020
SILVER.	-											
March	842, 463	1, 368, 460	1,526,982	2, 957, 474	2,094,803	3, 118, 839	1, 223, 252	805,078	620, 754	1,522,888	1, 203, 674	1,835,906
April	327, 191	2, 033, 497	1,059,284	1,698,676	2,051,295	3, 137, 555	975, 594	854, 650	1,054,904	1,023,674	1,006,275	1,939,024
May	1,599,034	1,779,428	1,772,760	1,825,582	1,980,974	2, 159, 849	998, 657	560, 641	611,516	798, 709	1,066,695	637, 244
June	713, 634 658, 773	1, 368, 147	1,326,902 1,655,981	1, 908, 243 1, 292, 189	1,788,330 2,860,658	3,616,347	784, 583	640, 388 670, 452	816, 681 419, 970	699, 549 1, 117, 227	1,051,352 1,205,018	903, 813
July August		1, 035, 198	1,657,334	2, 508, 543	2, 499, 155	3, 216, 044 2, 851, 297	800, 780 704, 348	582,759	722, 464	1,513,784	1, 248, 157	2,134,711
September		1,046,637	1, 188, 460	2, 730, 872	3, 330, 042	2, 605, 843	822, 895	733, 727	512, 235	1, 206, 206	1,004,445	707, 965
October		1, 388, 447	607, 927	2, 204, 266	2, 573, 652	2,524,823	1,120,006	432, 911	276, 343	1, 455, 549	2,743,136	1, 925, 229
November		1, 198, 183	925, 739	1, 960, 118	1,849,901	2, 110, 153	1,046,382	655, 152	1,727,471	1,495,904	1, 365, 245	1, 224, 581
December	1,863,975	1, 255, 301	1,861,946	2,776,624	3,871,526	3, 203, 683	1, 280, 677	751, 494	1, 171, 061	1, 438, 989	1,571,490	1,531,079
January		2, 181, 611	2,517,889	2, 314, 395	2, 228, 627	2, 906, 917	950, 822	534, 340	894, 802	1, 163, 235	1,093,070	1,022,741
February	1,726,445	1,522,129	1, 424, 194	2, 349, 017	2,507,482	1,992,496	957, 571	630, 646	986, 076	876, 055	1,004,079	1,146,907
Total twelve months	13, 774, 505	17, 693, 203	17, 525, 398	26, 525, 999	29, 636, 445	33, 443, 846	11,665,567	7, 852, 238	9, 814, 277	14, 311, 769	15, 562, 636	17, 845, 217
Total eight months ending Feb, 28, 29	10, 292, 183	11, 143, 671	11, 839, 470	18, 136, 024	21, 721, 043	21, 411, 256	7, 683, 481	4, 991, 481	6,710,422	10, 266, 949	11, 234, 640	12, 529, 230

Values of imports and exports of the United States for the month of February, 1886, and for the two, eight, and twelve months ending February 28, 1886.

Gold and silver coin and bullion.	For the month of February.	For the two months end- ing February 28.	For the eight months ending February 28.	For the twelve months end- ing February 28.
1886, Exports: Gold, domestic	\$4,356,236 1,298,073	\$6,098,053 2,137,930	\$8, 982, 222 3, 461, 770	\$11, 883, 446 4, 687, 590
Total	5, 654, 309	8, 235, 983	12, 443, 992	16, 571, 036
Silver, domestic	1,420,629 571,867	3, 625, 616 1, 273, 797	14, 239, 538 7, 171, 718	18, 445, 203 14, 998, 643
Total	1,992,496	4, 899, 413	21, 411, 256	33, 443, 846
Total exports	7, 646, 805	13, 135, 396	33, 855, 248	50, 014, 882
Imports: Gold	986, 384 1, 146, 907	2, 692, 225 2, 169, 648	19, 041, 020 12, 539, 230	22, 374, 648 17, 843, 740
Total	2, 133, 291	4, 861, 873	31, 570, 250	40, 218, 388
Excess of exports over imports	5, 513, 514	8, 273, 523	2, 284, 998	9, 796, 494
1885. Exports: Gold, domestic	82, 533 1, 553, 295	261, 737 2, 820, 417	1,515,739 2,835,109	33, 084, 088 7, 381, 389
Total	1,635,828	3, 082, 154	4, 350, 848	40, 465, 477
Silver, domestic Silver, foreign	1, 927, 712 579, 770	3,551,481 1,184,628	13, 807, 626 7, 913, 417	18, 429, 270 11, 207, 175
Total	2, 507, 482	4,736,109	21,721,043	29, 636, 445
Total exports	4, 143, 310	7, 818, 263	26, 071, 891	70, 101, 922
Imports: GoldSilver	1,887,965 1,004,079	3, 962, 888 2, 097, 149	23, 358, 068 11, 234, 640	30, 972, 828 15, 562, 636
Total	2, 892, 044	6,060,037	34, 592, 708	46, 535, 464
Excess of exports over imports Excess of imports over exports	1, 251, 266	1,758,226	8,520,817	23, 566, 458

Excess of imports or exports of gold and silver.

	Excess	of gold.	Excess o	f silver.
	Exports.	Imports.	Exports.	Imports.
1884.	U.S.	- A 1252		
March	\$11, 320, 934		\$891,129	
April			1,045,020	
May	1,085,333		914, 279	
June		\$1,943,494	736, 978	
July		2, 123, 997	1,655,640	
August		2,582,681	1, 250, 998	
September		1,400,322	2, 325, 597	*************
October		2, 258, 869		\$169,484
November		7,749,375	484, 656	
December		2, 011, 242	2,300,036	
January		to a second		STATE OF THE PARTY OF
February		628, 597	1, 135, 557	
		252, 137	1,503,403	
Total twelve months	9, 492, 649		14,073,809	
Total eight months end-			11,010,000	***************************************
ing February 28, 29		19, 007, 220	10, 486, 403	
March	7	923, 515	1, 282, 933	
April	375, 462	220,010	1, 198, 531	Control of the Contro
May			1,522,605	
June			2,712,534	
July			380,027	
August		374,590	716,586	******
September	***************************************	2, 834, 548	1,897,878	
October		1, 184, 691	599, 594	
November		4,657,898	885, 572	
December 1886.		3, 830, 233	1,672,604	
January	875, 833		1, 884, 176	
February	4, 667, 925		845, 589	
Total twelve months		5, 803, 612	15, 598, 629	
Total eight months end- ing February 28, 29	- Value	. 6,597,028	8, 882, 026	1

Since the late war there has been much legislation on the subject of money and the finances of our country. The coin act of 1869, the funding act of 1870, the single-standard gold act of 1873, the resumption act of 1875, and the Bland act of 1878. The people quietly submitted to the act of 1869, so called, to strengthen public credit. The funding act of 1870, which allowed the bondholder to exchange his bond which was payable in the lawful money of the country for one that was by its terms payable in coin. Gold and silver was the coin of this Gov-

ernment at the time, so understood by every intelligent citizen. Next came the act of 1873, demonetizing silver, leaving gold the only coin of the country. The people had been worn threadbare by the several of the country. The people had been worn threadbare by the several acts which had increased their burdens by the million, but the act demonetizing silver was the straw that broke the camel's back.

A cry of indignation came from the people as soon as they learned what had been done. A people who heretofore had been submissive and had let these bondholders have their own way about matters be-came indignant. The question was discussed thoroughly by the people, and in obedience to the public demand the Bland act was passed in 1878 which restored to the silver dollar its legal-tender qualities and also provided for the coinage of at least two millions a month of standard silver This act was not passed without a struggle, for it had to be

passed over the veto of the President.

The passage of that act meant more than the mere satisfaction of a public clamor; it was not done with any intent to deceive the people. It was passed to meet the emergency of the Government. First, to give It was passed to meet the emergency of the Government. First, to give life and to restore the legal-tender qualities of the silver dollar; secondly, to provide for the payment of the national debt according to the letter and the spirit of the contract, and to provide the people with the means to pay, and a circulating medium which could be kept in circulation. The same circumstances then existed as now exist. There was a shrinkage of the money in circulation at the date of the passage of the Bland act; property of all kinds had shrunk in value, and the tax-payer was demanding relief from the burdens which had been unjustly the first three acts mentioned. How LAMES imposed upon him by the first three acts mentioned. Hon. JAMES BECK, in his able speech made in the Senate December 21, 1885, stated the situation so much better than I can, I quote from his speech:

BECK, in his able speech made in the Senate December 21, 1885, stated the situation so much better than I can, I quote from his speech:

In short, no set of men should be allowed to exercise privileges prohibited by law, nor have rights given to them in regard to the character and quality of the coin in which their debts shall be paid which are denied to all other equally meritorious creditors; and no set of men should ever have power to regulate or control, as their private interests may be affected, the currency or the business of the people. If that power is yielded or conceded to them, with legal tender notes and silver certificates withdrawn and gold paid to them, and to them alone, for their interest and bonds, Congress would be powerless to resist any demands our bondholders and bankers might make. I know their power and appreciate the adroitness with which they can have their claims presented. Even the President in his message has been induced to say that up to the present time only about \$50,000,000 of the silver dollars we have coined have found their way into circulation. He modified that statement by showing that a large amount of silver certificates were outstanding.

But the press of the country has taken up the first statement, leaving out all the qualifications, and parades it before the country as conclusive evidence that too much silver has been coined, and that all of it is an incumbrance except about \$50,000,000. They utterly ignore the fact which the official reports show that at the close of the last fiscal year, June 30, 1885, out of a total coinage of \$203,000,000 (\$140,000,000 in round numbers was in active circulation in the form of silver certificates, in addition to the coin in the hands of the people, of which certificates and the proof of New York alone—more than was paid in gold and gold certificates accombined. Why is not the coin represented by these certificates as much in active circulation as if it was passed from hand to hand as often as the same time and in the same way, re

I may observe here that silver certificates are now and have always been a popular currency.

The Treasurer in his last report, page 24, says:

"The issue of silver certificates by Treasury officers in the South and West for gold coin deposited with the assistant treasurer at New York, under departmental circular of September 18, 1880, was discontinued in January last. The amount which had been issued in that manner to the date named was \$80,730,500."

Silver, since the passage of the Bland act, has been in unfriendly ands. I say this because at the time of the passage of the Bland act it had to be passed over the veto of the President, and its execution had to be intrusted to the hand of the Executive who has used all the power he possessed to defeat the passage of the act, and ever since the execution of that law has been in the hands of those who, from some cause unknown to me, seem to think that silver should not be paid out on the debts of this Government if the bondholder objected to taking it, although by the very terms of the contract it is payable in silver, and silver money being the same in every particular as to legal standing and quantity of pure silver that existed in the silver dollar at the date of the execution of the bond.

Let us pay the national debt as fast as possible in the very kind of money called for by the bond. Let us use every dollar that it is safe to take out of the Treasury and pay at once as far as it will go. Silver should be placed upon an equality with gold; each should pay to the Government the cost of coining, and if coined for the bullion-owner it would be in circulation as soon as coined, for the owner would at least

have to remove it from the mint, and then the Secretary of the Treashave to remove it from the mint, and then the Secretary of the Treasury would not be bothered in trying to circulate it, and if unfriendly he would have less opportunity to discriminate. We are told by the opponents of silver that it is fiat money; that 80 cents' worth of silver plus 20 cents of flat will not make a dollar. I have been astonished at hearing this argument, for I undertake to say that it is the *flat* that makes the dollar, and by the use of flat you can as well make money out of paper not worth one cent for that which will make a dollar as you can by the use of 80 cents' worth of silver.

What is it that makes money? Is it not the law of Congress that authorizes its creation and declares what its functions shall be? That is derisively called fiat. You have not got a gold dollar but what is made so by the same fiat; otherwise it is nothing but bullion. The people that I have the honor to represent are tax-payers, and largely we are a people that borrow of Eastern capitalists a great deal of the money we use in business. We are a producing people; to pay our taxes and interest we naturally look to the products of the farms and our shops for our income. We look to the East over a stretch of fifteen hundred miles of railroad for a market, and if the silver mines of the Rocky Mountains are not stricken down we may gain some advantage

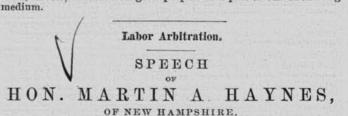
of a market for our products in that direction.

When silver shall have a fair trial, and when we have discharged our obligations in the very same kind of money that we contracted to pay; if, after that, it will not circulate, or if there should be required an increase in the amount of the pure silver that should make a dollar, then it is time to consider that question. Until the people and the bondholders are placed on an equal footing I shall vote to retain the silver dollar as it is and to place it on an equality with gold.

We are told that to provide for the unlimited coinage of silver, we are doing injustice to the bondholder, although by the terms of the bonditis payable in silver. It certainly can not be seriously contended that the Government by the terms of the bond was deprived of the means to procure the commodity the article that it agreed to pay in If the Government had possessed the coin at the time of making the bond there would have been no necessity for borrowing or for extending her bonds. The very fact that the Government promised to pay in the future implied that it would make the money to pay with from any of the honorable sources known to the powers of a government.

The friends of the single-money standard seem to think that the power of the Government to coin money ought not to be exercised only to declare the bullion value of the metal that money is made of, and as the bullion value shall fluctuate in the market, particularly when the value declines, we should increase the amount in each dollar of gold or silver. I am in favor of gold as one of the kinds of money that this Government should maintain and to be recognized as a part of the coin that we should have in circulation, but I do insist that nothing should be done by legislation to make it more or less valuable

than any other money made by this Government. While I recognize gold as valuable to our country and people, yet we can not deny the fact that it is and always has been timid. times of war or depression of business it always hides until the danger is over; it is the money of the coward. During the late war the Government had to give to its owner two dollars of the Government's money for one dollar in gold it got of its holders, and then to keep from being called dishonest and to strengthen public credit, so called, the Government had to take up the bonds, which were payable in lawful money, purchased with greenbacks, which were purchased with gold two for one and a new bond given payable in coin. The champions of gold forget that it never did a patriotic act, either in war or beace; during this country's darkest days it did not come forth to pay the soldier, and it did not make its appearance on Black Friday for the relief of the people or the Government, a day so well remembered by every man in this country. Gold is simply good in its place; no more, no less; it answers a good purpose as a part of our circulating



IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 1, 1886,

On the bill (H. R. 7479) to provide for the speedy settlement of controversies and differences between common carriers engaged in interstate and Territorial transportation of property and their employés.

Mr. HAYNES said:

Mr. CHAIRMAN: This bill, for one that has "nothing in it," has certainly had a most singular reception. It could hardly have met with a more determined opposition had it contained every element of danger to our social structure and our free institutions. Decried as a weak-

ling, powerless for good or for evil, still it has had turned upon it the heaviest guns of parliamentary opposition and obstruction. I presume if the Committee on Labor had come in here with a simple resolution that "the laborer is worthy of his hire" we should have had long and able arguments to convince us of the unconstitutionality of the proposition, an unlimited crop of amendments, some designed to kill and some to perfect, and various substitutes embodying the plans and specifications of individual members.

The remark has been made in my presence that this bill was hurried in here without proper consideration by the Committee on Labor. desire to say, as a member of that committee, that the subject to which it relates was most thoroughly discussed at several sessions, and some of them protracted ones; and with all due respect would suggest that a like industry and zeal in some others might dig important bills from the pigeon-holes where they seem to be sleeping the sleep that knows no waking, and from which it is doubtful if they ever emerge, even to die upon the Calendar of the House.

This bill is in one sense an emergency bill. If there lies in it as reported, or as it may be amended, any healing power or any influence toward settling the difficulties which for weeks have threatened the peace of entire States, delay on our part is criminal. It was this conviction that impelled the Labor Committee to act promptly, and having arrived at a conclusion to waive the snail-like dignity of inaction, which seems to be one of our unwritten laws, and come directly to the House with its report.

It may be that its findings will not meet your approval. It may be that its judgment was faulty. Upon that you can pass your judgment. But if there is any virtue in this proposition, if by any legislative action we can furnish a safety-valve for the immediate dangers of the situation, it is our duty to act, and to act promptly. Nero fiddled while Rome was burning. The Forty-eighth Congress fiddled while Greely and his poor fellows were starving and dying upon the bleak rocks of Cape Sabine. Human lives are too precious to be sacrificed upon the altar of Congressional procrastination, and if the Forty-ninth Congress fiddles away its opportunity to pour oil on the troubled waters of the West, the fault will not lie at the door of the Committee on Labor. They have wasted no time in presenting this bill, the best solution they have been able to formulate.

The general appreciation of the gravity of the situation was indicated by the number of bills introduced here to meet it. This bill of the committee was evolved out of them all by a system of pruning and trimming rather than by building up and padding. No man can claim

In all the assaults which have been made upon it, no man has accused it of being a vicious bill. On the contrary, the pith of all adverse criticism appears to be that it is like the old woman's bread-pill, which could not do any harm even if it did not do any good. Then what harm in trying it? It would be well if we could throw around all the measures which are brought here a like charm of "innocuous desuetude.

There are but three roads out of such difficulties as have arisen in several States, and we turn instinctively to the one that offers peace and harmony without calling for sacrifice of self-respect by either party. I am frank to acknowledge my conviction that if, in the present trou-bles, the railroad managers had shown the same disposition and willingness to submit to arbitration that has been displayed by the Knights of Labor, the difficulties might long ago have been adjudicated. Corporations in New York and Boston, in my own State, and elsewhere within the past few weeks have handled strikes much more judiciously than the Gould system has handled this one.

Settlements have been made with credit to both parties and to their mutual satisfaction. The corporations, recognizing the representatives of their employés, sat down with them like men to talk over matters and come to an understanding. It has not proved so difficult a matter to arrange when set about in the right temper. And I like this spirit better than that which demands of one party an "unconditional surrender," which spurps advances toward arbitration or plays with them as the cat plays with the mouse; which doggedly says; "No, I won't talk with you nor treat with you! I will lay down the terms, and you will come to them!"

The culmination of such troubles, if peaceable, must be either a backdown by one party or a settlement by arbitration. Which would we encourage? Not the former, certainly. That is no good settlement which leaves with one party the sting of defeat and self-abasement. The old wrong rankles, and the old wound will break out afresh. But the spirit of the age recognizes arbitration as the very angel of con-It settles. There can be no wiser statesmanship than that which opens every avenue and offers every facility for the settlement of disputes by arbitration. The Knights of Labor announce this as a cardinal principle in the solution of labor troubles. When American labor comes in this spirit, capital may well make haste to meet it half way. Thus may we secure immunity from strikes and their attendant evils,

This bill looks in that direction. It goes, perhaps, as far as it is possible, or at least practicable, for Congress to go. It carries no power to enforce a submission of differences; it furnishes no authority to enforce the circuit courts, and are cooked with quasi-futcions, with powers of admitting to bail (section 1014), holding to security for the peace (section 727), &c.

I do not mean to say that under the proper construction of this bill enforce a submission of differences; it furnishes no authority to enforce

the decrees which might be rendered under it. There are difficulties in the way of such enforcement which present themselves upon the most cursory examination.

But what it does do is this: It opens another door for arbitration, and gives the great prestige of the Government's sanction in recognition of this just principle. It provides the machinery and invites both parties to use it. What its practical effects may be time must determine. Upon its possibilities we are justified in passing this bill. It may be that it will never be invoked. I believe it will, however, and that when invoked we can depend upon the mighty power of the public opinion to make it effective.

Its operations must be limited. It can reach only a portion of the ases constantly arising. It may be that it is only a surface remedy at cases constantly arising. It may be that it is only a surface remedy at the best. But that consideration should not deter us from applying it. It may be that the foundation of our labor troubles lies deeper than can be fully remedied by mere arbitration of disputes between parties. If so, we should study what national policy and what national legislation will keep us from the old country conditions toward which we seem to be drifting. When that question is solved the labor problem will no longer vex us

Labor Arbitration.

SPEECH

HON. J. RANDOLPH TUCKER,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 31, 1886,

On the bill (H. R. 7479) to provide for the speedy settlement of differences be-tween common carriers engaged in interstate and Territorial transportation of property or passengers and their employés.

Mr. TUCKER said:

Mr. CHATRMAN: The bill which has been perfected by the Committee of the Whole is liable to great and serious objections, and as a new departure in the legislation of this Government, and a dangerous infraction of the fundamental principles of the Constitution, it calls for a protest from every one who reverences the ancient policy of the Government guided by a strict adherence to the Constitution.

It is said that the bill is harmless. I confess it does not go far enough, if constitutional; but much too far, if it takes one step beyond the limits fixed by the Constitution. The truth is, that it may be said of this curious piece of proposed legislation that wherein it is not unconstitutional it is useless, and wherein it might possibly be useful it is unconstitutional.

It is unfashionable, I know, to stickle for the Constitution. It is an idea too prevalent that we have outgrown the written Constitution of our fathers, and that the will of the people expressed through the Government is the Constitution of our future. It is sometimes said that the British constitution has grown—why should not ours? The answer is obvious. The constitutional monarchy of England has been evolved by centuries of popular struggle with inherited prerogative; and Liberty has at last emerged from the precedents of its victories through the centuries, and has erected the trophies of its triumphs on every battlefield as at once the monuments and the muniments of its organized power. The freedom of England springs from its institutions, as organized forces in the mechanism of the government itself-and we have but embodied in our written Constitution the institutions of freedom our fathers brought with them to the New World—British liberty is institutional;

American liberty is constitutional.

To violate the Constitution by usurping power is more disastrous to the public good than all the possible good the usurpation can promise to the people. When labor or capital, when private or personal interests seek to obtain a benefit through unconstitutional methods, they obtain it at the expense of the surest guaranty that any can have for right and justice by destroying the integrity of the Constitution as the sefer and justice by destroying the integrity of the Constitution as the safe-

Let me then examine this bill and test its validity. It proposes to settle differences or controversies arising between certain parties. tribunal (as it is called in section 5) is a board of arbitration (as it is called in sections 1 and 2) composed of an arbitrator selected by each party, and a third selected by the two, with the powers of commissioners of the circuit courts of the United States as to subpænaing and compelling attendance of witnesses, swearing them, preserving order at its sittings, and requiring the production of papers and writings. By referring to the Revised Statutes, we find that these commissioners are appointed by the circuit courts, and are clothed with quasi-judicial functions,

except as to the subjects expressly named in the act. I cite these sections only to show the judicial nature of the powers. But this bill does authorize the board to compel the attendance of witnesses, as commissioners may do; and commissioners may subject witnesses to like penalty for refusal to attend, as courts may do. (Revised Statutes, sections 875, 4071-4074.) And, by section 725, the courts have full power to fine and imprison for contempt, disorder, and disobedience of any com-

Does not this bill, then, under the power to compel attendance and preserve order, give to this board the power to punish parties, witnesses, and officers by fine and imprisonment? How can this board require the production of books and papers without power to punish for disobedience? Without such power the bill is useless; with such power it

is worse—it is illegal and unconstitutional.

It is true the bill reported by the committee contained the express power to the board of "punishing for contempt," and the Committee of the Whole has stricken out these words. But the bill, as it is, may well be construed to give this extraordinary power. Without it the investigation will be partial and ineffectual; but with such a power the bill is unconstitutional. This is clear for this reason: If these are printed with the contemporary of the property o vate arbitrators, then no such power can be conferred on them; if public, then, as I shall show, they must be appointed according to the Constitution, and the powers conferred are unconstitutional.

These preliminary considerations lead me to look to the character of this arbitration and the nature of this board. The arbitration is as to subject-matter—a determination of "controversies or difficulties." Is this a legislative or judicial function? If it is a legislative function, then it belongs to Congress, for the Constitution provides that-

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. (Constitution of the United States, article 1, section 1.)

All the legislative powers vested in Congress are granted by the Constitution; e converso, the powers not delegated to the United States by the Constitution are reserved. (Constitution of the United States, tenth amendment.) These two clauses shut Congress out from all legislative power not granted, and shut Congress in to all legislative power granted by the Consttution.

Look to another clause:

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. (Constitution of the United States, article 3, section 1.)

Mark the words. The judicial power—the deciding function as to controversies and cases—is vested in the courts. No judicial power of the United States is vested in Congress, or the President, or anywhere else than in these courts.

This and similar language as to the executive power builds walls of impenetrable partition between the three departments and fix great gulfs, through and over which no man filling either can pass to the other. These stringent provisions realize Montesquieu's maxim that liberty lives in the separation of these functions, and despotism is born

of their union.

But it may be asked, has Congress no power to create courts and give them jurisdiction? I reply it has power "to constitute tribunals in-ferior to the Supreme Court." (Constitution United States, article 1, section 8, clause 9.) And it has power, by implication from the language of the judicial clause just cited, "from time to time to ordain and establish inferior courts." And it has the power to fix the number of judges of Supreme Court, the number of districts and circuits, &c., and to declare what jurisdiction shall be exercised by the inferior courts. This is vested in Congress as a part of its legislative power by the comprehensive clause that Congress shall have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof." (Constitution of the United States, article 1, section 8, chapter 17.)

As it is necessary and proper for some authority to define the portion of jurisdiction which each of these courts shall exercise, the Constitu-

tion reposes that as a law power in Congress.

But we must be careful to note that Congress can not create judicial power, for all the judicial power of the United States is created by the Constitution. Nor can Congress grant any, for it has none to give, and can hold none. If asked, What, then, is the process by which jurisdictional power is vested in the courts? I answer, The Constitution fills the reservoir of judicial power. Congress creates legislative conduits from this only source to the inferior courts which Congress constitutes as receptacles for this power, and from which the order and peace and well-being of society are secured by the dispensation of justice under the law of the land. This absolute separation of the legislature from the judiciary is thus assured as essential to liberty and good government, and it is our duty to prevent all attempts to break down the partition wall between them.

Let me now call attention to the character of the functions vested in the board of arbitration by the bill before us. The Congress makes law, which is a rule, fixed and general, to govern the actions of those subject to it. The judiciary declares the law in its application to the

individuals of society. The one makes, the other applies the law. The one prescribes the rule, the other adjudges and arbitrates upon the relations of parties according to the rule. The rights of men are determined by the courts under and in pursuance of law when controversies and differences arise between them.

Can Congress determine and decide upon such controversies and differences? Clearly not; for that is judicial power. It seems to me to be of the essence of the judicial power to decide upon a controversy or difference, involving conflicting claims of right, between man and man. To prescribe or define the rights arising from contract or relations between parties belongs to legislation. To decide upon a conflict of claim under this legislation between parties belongs to the judiciary.

Now, as Congress can not decide upon the controversy or difference

when it arises, it can not create a legislative tribunal to do so. Non dat qui non habet. Hence, I propound the dilemma: this bill, in establishing this board of arbitration, either creates a legislative or a judicial tribunal.

As Congress can not create a legislative tribunal to act for it in such cases, because this would be to exercise judicial functions, then it follows that this board, if constitutional, must be constituted as a quasi judicial tribunal—as a substitute for a court. Arbitration of a controversy between parties is a substitute for public judicial trial, and award is a substitute for a public judgment. If Congress can, therefore, constitute this board of arbitration, it can constitute a court for which the board is a substitute, and give it power to pronounce a judgment for which the award of the board is a substitute. If the Constitution gives Congress power to establish a board of voluntary arbitration, it can make it compulsory, or authorize either party to implead the other before an inferior court, established by it under the Constitu-

It seems to me perfectly clear, therefore, that the power proposed in this bill is in its essence a judicial power, and if Congress can pass this bill it could vest in a circuit or district court jurisdiction to decide upon

the controversies or differences referred to in the bill.

The contention then comes up in this shape: If the function vested in this board is judicial and can be vested in a court by Congress with equal right, as in the board, then let us answer this inquiry: Are the controversies and differences mentioned in this bill such as, under the judicial power conferred by the Constitution, can be exercised by a court of the United States? Could such a court, under the Constitution, try such controversies or differences?

There is a twofold jurisdiction created for the judiciary by the Constitution:

First. Cases arising out of their subject-matter, no matter who are the parties.

Second. Cases arising out of the character of the parties, no matter what the subject-matter.

Test the controversies and differences named in this bill under these two grounds of jurisdiction:

First. Does the subject-matter of these controversies give constitu-

The subject-matter which gives jurisdiction to the Federal courts

The subject-matter which gives jurisdiction to the Federal courts
must be either a case arising under the Constitution, a law of Congress,
or a treaty; or a case of admiralty or maritime jurisdiction; or a case
of parties claiming lands under grants of different States. (Constitu-

tion United States, Article III, section 2.)

I need hardly say the controversy named in the bill does not arise under the "general-welfare" clause, for this clause does not grant a new power, but defines the purpose of the revenue power. Indeed, it is not claimed to be a subject-matter relating to any of those just named, except it comes under the power of Congress to regulate commerce among the States. But it must be noted, first, that no law of Congress has regulated commerce in respect to any such controversies. It does not arise, therefore, under any law of Congress.

But does the controversy arise under interstate commerce as granted by the Constitution to Congress? Not at all. The controversy is described as arising between the railroad companies engaged in interstate commerce and their employés, and to be such as may hinder, impede, obstruct, interrupt, or affect such transportation, &c.

The power to regulate commerce involves the power to regulate transportation and intercourse between States. It regulates the act of transportation as an act of commerce, but it can not regulate the subject of commerce; it may regulate the mode of transporting wheat, but can not regulate the production of wheat or the wheat itself. The articles or products which commerce moves is subject to State police power; the transportation is commerce, and is subject to the power of Congress.

The acts of parties in transporting from State to State may be regulated by Congress so as not to hinder commerce; but the contracts of such parties, inter se-their relations as employers and employés-are not subject to Congressional power, but to State authority. Because the Baltimore and Ohio Railroad Company carries flour and passengers from Maryland to Missouri, which is interstate commerce, it does not follow that the contract of employment in Baltimore between the company and its ticket agent there is a subject for regulation by Congress, or for the jurisdiction of the Federal courts. The contract and relation between the company and its employé are subjects for State regulation and for the jurisdiction of State courts. The conduct of company

and employés in the act of transportation may be under the power of Congress; but whether the contract is valid-what it means, whether the wages are fair, or the hours of labor are just, or the company or its officers are harsh, cruel, or unjust, or discharge an employé against right—these are questions collateral to the commerce and transportation, and which can not under the power to regulate commerce be con-trolled by Congress or be adjudicated by Federal courts.

The controversies described in this bill, between parties who are engaged in the business of interstate commerce, are personal and are collateral to the business, and the jurisdiction as to them must there-fore be determined by the character of the parties and not by the business done under the contracts and relations of such parties. construction of this clause of the Constitution would make the jurisdiction of the Federal courts unlimited instead of being circumscribed by well-defined grants of authority. The relations between the com-pany and every employé in the depot in Baltimore would, by such an interpretation, be withdrawn from State courts to swell the already too much swollen dockets of the Federal courts.

But if the subject-matter of commerce does not give this jurisdiction, how is it as to parties? The Constitution gives no jurisdiction as to private persons to the Federal courts, except when the case arises

between citizens of different States.

This bill makes no such distinction; it applies to all controversies between the company and its employés. The company is a citizen of the State which chartered it. Between it and the employés in that State the Federal courts have no jurisdiction. If they are of different States,

the Federal courts are open and this law is unnecessary.

But what is meant by controversies? The debate shows, and the events of our day show, that they are controversies which do not take the form of suits or cases in law or equity, but controversies which concern the general policy of the company, relating not to matters of rights under contracts, but to the contracts themselves. Can Congress or can courts make contracts between parties without or against their mutual consent? If a strike occurs because a company discharge one man, or he violates the order of the company, shall the Federal court arraign the company or the man, and administer lessons of proper conduct, and enforce them? Then will the judicial power become despotic and supreme over laborers and company, and freemen become

despotic and supreme over laborers and company, and neemed become slaves of the courts and the judges.

I come back to my original proposition. As far as these controversies may be subjects of judicial cognizance the bill is without the sanction of and against the Constitution in giving jurisdiction to the Fed-In so far as they are controversies not of judicial cognizance they are outside of the judicial power, nor has Congress any control over them, but only the States. In any and every aspect the

bill is extra-constitutional.

But I take another ground. The arbitrators are selected by private will, and yet are, as I have shown, clothed with quasi-judicial functions of commissioners of the courts. These commissioners exercise the powers of public officers because appointed by the courts. These arbitrators are really officers of the law, clothed with its powers, and very trators are really officers of the law, clothed with its powers, and very dangerous ones, and yet are not appointed as the Constitution prescribes, by the President and Senate, or by the President alone, or by a head of Department, or by a court. To whom are they responsible for their official misuse or abuse of power? They are peripatetic functionaries, paid out of the Treasury, exercising judicial functions, and yet are appointed without legal sanction and may do as they please, without the power of any department of Government to check or control them. It can not be said that this is a private arbitration. It is a public board—an official board a public board-an official board.

In the first section, twenty-first and twenty-second and twenty-third lines, this bill declares that these persons "shall be and are hereby created and constituted a board of arbitration, with the duties, powers, and privileges hereinafter set forth." Constituted and created a Government board, with the powers of commissioners of courts, and yet holding office by private appointment and without official responsibility to the

office by private appointment and without official responsibility to the Government which created and pays them!

And, after all, what are they to do? Receive their pay, spend \$1,000 a case, lord it over the parties before it, and render an opinion without sanction and a judgment without execution? "Oh, most lame and impotent conclusion!" The board shall have a clerk—like those of a court—a stenographer, and may command the services of marshals—all to receive fees for their services, and all these private parties to be litigants at the public expense.

I venture to say whatever may be said of its other characteristics that

I venture to say whatever may be said of its other characteristics that this bill is entirely original. As it has no precedent, let it be none. Like

Melchisedec without parentage, let it die without progeny!

I am willing to concede that arbitration, the peaceful solution of these troubles, is much to be desired, and is a beneficent step in the right direction. I do not oppose the principle, but the means by which it is to be made operative. Let the States take charge of these arbitrations. This Government has now more to do than it does or can do well. To amplify its authority is to paralyze its efficiency. Within its constitutional limits it has ample field for laudable and useful ambition. By reaching out to do more, it fails to do what its duty requires, and loads its calendars with the unfinished business of the people. It seeks to do what it ought not to do, and thus fails to do what it ought to do.

But I deprecate this measure because it is the beginning of an unseen ending. If this usurped power is to furnish a precedent, all the labor troubles of railroads and the fields, on the sea and the land, will be dealt with here-dealt with inefficiently and, therefore, with injustice to the parties.

I believe the courts, State and Federal, are or may be clothed with ample power to settle these strifes. We can prevent them by tinkering less with industries, and currency, and the relations of men, all of which move under the impulse of laws too subtle and inscrutable for human intervention to do any good, or to do anything but harm by its unwis-

The body-politic is a much-to-be-pitied patient. The doctors have brought him to a low state, and would kill him but for the inherent and irrepressible vitality of the young giant Republic, which only asks to be free in order to be great and vigorous and powerful. "Throw physic to the dogs." Let the country be rid of your panaceas and your quacks. Let labor get its fair share of profits by being partner in the business which makes them; lessen taxation and you will enforce business which makes them; lessen taxation, and you will enforce economy and lighten burdens; quit your legislation which enables a few men to heap up ill-gotten gains, wrung from the hard earnings of the unsuspecting many; above all, cling to the Constitution as the mariner to the plank in the shipwreck, the tabula in naufragio, and, my word for it, the courts and Congress and the President and the governments of the States under our admirably balanced system of government, strictly adhered to, will achieve all of possible good to all men, to all classes, to all sections of our Union, without resort to doubtful expedients and to unauthorized legislation, which impair and will destroy this republic f republics by overthrowing the Constitution, without which it can not survive, but under which its life will be perpetuated as a glory and blessing to mankind.

The Protection of American Labor.

SPEECH

HON. NELSON DINGLEY.

OF MAINE,

IN THE HOUSE OF REPRESENTATIVES,

Friday, April 2, 1886,

On the bill (H. R. 7479) to provide for the speedy settlement of controversies and differences between common carriers engaged in interstate and Territorial transportation of property or passengers and their employés.

Mr. DINGLEY said:

Mr. CHAIRMAN: This bill is reported by the Committee on Labor for the purpose of promoting friendly conference and arbitration as a means of settling differences between employers and employes. It applies only to interstate railroads over which Congress has jurisdiction. But the committee inform us, however, that their hope is that such an expression by Congress in favor of arbitration will result in similar legislation by States, and especially in directing public attention to friendly methods of settling labor disputes.

This bill provides a statutory method by which a board of arbitrators may be designated—one member by each side, and a third by the first two—who are to investigate the facts, and lay the results of the investigation before the parties concerned and the public, with their conclu-

sions as to what ought to be done.

Neither the appointment of arbitrators nor the acceptance of the award is to be compulsory. The Committee on Labor inform us that they have found it impracticable to devise means to enforce either the submission to arbitration or the acceptance of any award by penalties, because of the fact that it would be so impossible to do this in cases where thousands of work-men are concerned, who could not and ought not to be compelled to do anything which they were not willing to do, and so difficult to do it where employers resisted its enforcement. The committee, therefore, have proceeded on the assumption that all that can be done is to provide a stat utory method of creating boards of arbitration, and to leave public sentiment to operate to bring both parties in a dispute to accept this amicable method of solving differences between such railroads as are within the jurisdiction of Congress, where the parties themselves can not adjust

Unquestionably the moral effect of such an enactment will be in the right direction. I have great faith in the power of public opinion to bring about a settlement of differences between employers and employes when all the facts are publicly known and the responsibility of each clearly established. Whenever this responsibility is fixed beyond serious dispute, and whenever it is made clear what justice demands in such controversies, public sentiment will usually bring about the right result. This is not mere theory, but has been proved in a multitude of cases. Massachusetts and several other States have for many years authorized their railroad commissioners to investigate and make public report on differences between railroads and shippers of freight, without any power

to enforce their awards. Yet in every instance thus far, an award of the commissioners has been accepted by both railroads and shippers, because public sentiment demanded it.

This bill provides by statute a practicable tribunal for the investiga-tion of disputed facts and the fixing of responsibility. I look with satisfaction upon the tendency to substitute amicable conference and arbitration to bring about the settlement of labor disputes, for strikes and lockouts, too often accompanied with strife and disorder, cause great injury to both capital and labor. When peaceful methods of solving differences are substituted for strikes and lockouts mischievous men who thrive only when there is a state of antagonism between employers and employes, and whose object is to create and keep up bitter feeling between labor and capital, will find their occupation gone. While I recognize the fact that those moral and educational influ-

ences and economic laws which control social and business affairs, must be mainly relied upon to remedy the difficulties in the way of the right solution of the labor problem, yet there are many directions in which wise laws can co-operate with and aid these influences, and ameliorate the condition of that large proportion of our population who depend upon wages for a livelihood. Wherever experience shall show that legislation can aid in promoting the welfare of the wage-worker it should be had. As under our system of government local affairs are under the jurisdiction of State Legislatures, the larger part of such legislation is committed to them. There are, however, some directions in which Congress may legislate so as to create conditions favorable to maintaining liberal wages.

IMPORTANCE OF LIBERAL WAGES.

I take it for granted that all right-minded persons concede that it is the duty of the American Republic to legislate in such a way as to exercise the most favorable influence on the maintenance of liberal wages This should be done for the reason that the greatest in this country. prosperity of all our people is best attained when our wage-workers receive the highest practicable wages. According to the census of 1880, there were at that time 17,392,099 persons engaged in occupations in the United States. Of this number 7,907,605 were engaged in agriculture, 4,074,238 in personal or professional services, 1,810,256 in trade and transportation, and 3,837,112 in manufacturing and mechanical

At least three million of the last division, one million of the persons engaged in transportation and trade, three million of those engaged in Federal services, and two million of those engaged in agriculture in all, nine million of persons-were wage-workers. In other words, at least half of the persons engaged in occupations in this country, making, with their families, twenty-five million of inhabitants, or half the population of the country, were dependent mainly upon their daily

wages for the means of support.

It will be seen, Mr. Chairman, that when the amount of wages received by half our population absolutely determines their ability to purchase the products of the farm, the mill, and the workshop, every industry in the country is directly interested in having wages mainthe avenues of employment are widening, demand for products from wage-workers is large and increasing, and every interest in the community feels the tide of prosperity. On the other hand, when wages are reduced and the avenues of employment are narrowing, this demand declines, underconsumption ensues, a glut of products and falling prices follow, and hard times are felt in every direction. Hence a general reduction of wages always increases business distress, and, instead of affording relief from so-called overproduction, only intensifies the stagnation by diminishing the purchases and consumption of half

But this is not the highest reason for the maintenance of liberal wages We have established on this continent a form of government designed to make the most of every citizen—a government in which every man participates through the ballot-box. Now, in order to succeed in these objects, it is essential that wage-workers should receive wages which will enable them to live comfortably, provide their families with all those surroundings that elevate and improve, and especially to educate their children. The low wages which the laborer earns in European countries makes it almost impossible for the wage-workers of those countries to rise to the standard of manhood essential to the maintenance

of a government of and by the people.

Therefore, Mr. Chairman, I say to you and to this House that the problem of maintaining liberal wages in this country by every expedient that can be devised is one which lies at the foundation of not only our national well-being, but also of the preservation of our institutions.

Mr. Chairman, what I have said brings me to the question of the injurious influence of the competition of convicts and imported contract labor with the honest, sturdy, and industrious wage-workers who compase one-half of our people, a subject with which a bill introduced by myself and favorably reported by the Labor Committee attempts to

I do not wish to be understood as taking the ground that convicts in our prisons and jails should be maintained in idleness at public expense.

The intelligent exponents of the wage-workers of the country favor nothing of this kind. They know that the ends of imprisonment and the public interests forbid this. But they ask, and they ask with justice, that convict labor shall be employed in such a way as not to diminish wages and not to interfere with the employment of honest citizens in a greater degree than the labor of the same men would if they were outside of prison walls.

There is no difficulty in doing this by having prison labor employed within prison walls by the State or Government in the making of articles to be sold in open market at the full prices required for similar articles made by free labor outside. But when convict labor is let at low rates to contractors (and the rates must be low when the labor of the convicts is let to outsiders) these contractors are enabled to injuriously compete with other persons employing honest labor outside. One inevitable tendency of such competition is not only to take away from honest labor work which would otherwise go to it, but also and most

injuriously to reduce wages.

For the Government, whose very existence depends upon the maintenance of a high standard of citizenship attainable only through liberal wages, to allow contractors employing convict labor at starvation wages to compete for Government work, is grave injustice; nay, more, it is suicide. I am sure that every true citizen felt that a grave wrong had been done the honest, hard-working granite-cutters of the country when they learned a few months ago that contracts for public buildings at Peoria and Buffalo had been given to contractors who proposed to do their stone work with prison convicts costing them but 60 cents a day. Congress can not too soon make a repetition of this wrong im-possible by passing the bill forbidding the consideration of a proposal from a contractor employing convict or imported labor, as well as the bill prohibiting such use of convicts under United States laws.

IMPORTED CONTRACT LABOR.

Mr. Chairman, while it has been the policy of the Government from its foundation to the present time to welcome industrious immigrants who come here to improve their condition, to make a home among our who come here to improve their condition, to make a home among our people and adapt themselves to American conditions, and demand and receive American wages, a policy already carried further than public safety justifies, yet this policy does not by any means imply that we are to receive the outcasts and paupers of other nations or allow the importation of cheap contract labor. The inevitable effect of such importations, no matter of what nationality, is to introduce into our country men unfit to become citizens, men who do not come here to adapt themselves to our conditions, but mere serfs bound by contracts made themselves to our conditions, but mere serfs bound by contracts made in foreign countries at foreign wages and under foreign conditions, and to degrade American labor.

When the bill to prohibit the importation of contract labor was under consideration in the House June 19, 1884, in advocating its pas-

sage I said:

der consideration in the House June 19, 1834, in advocating its passage I said:

While many of the provisions of this bill as it now stands are imperfect, yet the evil against which it is aimed is, to my mind, one which demands legislation. Voluntary immigration of foreigners, who come here to improve their condition and make this country their permanent home, immigration of men who land on our shores as freemen, at liberty to avail themselves of American opportunities and American wages, has always been considered acceptable. Such immigration does not interfere with our protective system, which is designed to discourage the importation of the products of the cheaper labor of Europe and protect American industry and labor, because whenever a voluntary immigrant comes here free to make his own engagements on arrival and to become American in everything, he accepts not European but American wages and becomes identified with American interests.

The evil against which this measure is directed is not voluntary immigration, but the importation of foreign laborers, usually in large companies, on contracts entered into abroad underforeign conditions and at foreign wages. It is the importation of men who come here without freedom of action after they land, to serve under overseers who control their movements for a definite job or time, without an expectation of making a home here, and generally without wife or family.

Such an importation of contract labor is contrary to a sound public policy, contrary to our ideas of freedom, and contrary to the best interests of our country. Into the State which I have the honor to represent in part on this floor there was imported last year several hundred Italian laborers to construct a railroad, at wages far below the American standard. They came not to become citizens, not to live as American laborers live, not to add their carnings to the wealth of the country, but they came as Italians, lived as Italian laborers of the lower sort, disturbed the peace and quiet of our State duri

Observation has only strengthened my conviction of the wisdom of the law to prohibit the importation of contract labor, and of the importance of making its provisions and penalties so strong that no one can import into this country such cheap labor to compete with our own wage-workers. Without such legislation, the constant struggle going on between producers and manufacturers in this country to secure a larger market for their products by cheapening the cost of production will lead some to take advantage of the cheap labor which unprincipled

contractors are ready to send over here at European wages.

Mr. Chairman, no thoughtful citizen can desire to see the wageworkers of the United States brought to the condition that starvation wages have brought such workers in Europe. I have myself seen in the country districts of France ragged women performing the most menial and laborious work in the fields for from 10 cents to 20 cents per

I have seen skilled workmen in French and Belgian mills laboring for 40 cents per day. Even in England I have seen operatives in woolen, cotton, and iron industries working for from half to two-thirds what they obtain in this country. And all this, too, when the cost of living as a whole, provided the same scale of living existed, was only 6 per cent. more in this country than in Europe. I have seen hardy peasants in Ireland laboring in the fields from early morn till dewy eve for 25 cents per day.

How scanty must be the food and clothing of such men! How destitute the hovels in which they live! How narrow their opportunities for improving themselves and educating their children! How unfitted to exercise the duties and take upon themselves the responsibilities of self-government! How inconsiderable the home market created by wage-workers who have so little to spend!

Oh, no! We must not allow such a condition of things to creep into this country; for if it should, then indeed would free government be in grave danger.

A PROTECTIVE TARIFF NECESSARY TO MAINTAIN WAGES.

It must be obvious, however, that no restrictions on pauper immigration, no prohibition of the importation of contract labor, no organization of labor to prevent competition between laborers from forcing down wages, no plan of arbitration, no plan of co-operation or profit-sharing—none nor all of these desirable things can prevent the decline of wages in this country to European starvation wages, if we admit the products of this labor, manufactured on European soil and under

the products of this labor, manufactured on European soil and under European conditions, to the markets of this country free of duty, or at so low rates of duty as to fail to bridge over the difference of cost in the two countries arising mainly from our higher wages.

I need not, Mr. Chairman, dwell on this proposition. Nothing can be clearer than that the possibility of long maintaining much higher wages in this country than in Europe depends upon whether we protect our own industries and labor by imposing a duty upon the imported products of similar European industries. The chief element in the cost of any manufactured article is the labor which has entered into it allows the line from the materials in a state of nature to the completed along the line from the materials in a state of nature to the completed product. Take iron for example. The ore in the ground is of very little value. It is labor in digging the ore, labor in converting the ore into pig-iron, and labor in converting the pig-iron into bar-iron and steel, which make the cost. Nothing in it is really raw material except the ore before it was taken from the ground. What makes this iron or steel cost more in this country than in England is almost entirely due to the fact that the same quantity of labor applied to digging the ore, making the ore into pig, and the pig into bar iron and steel, costs from 60 to 100 per cent. more in this country than in Eng-

Is it not obvious that if English iron is admitted to this country free of duty or at a low rate of duty that it must take the place of American iron in our markets, unless American manufacturers can obtain their

labor as low as the English manufacturers?

Take any other manufacturing industry, cotton, leather, or wood, and the same result would follow if protective duties should be removed. The manufacturer has no other fund from which to pay wages than the amount for which he can sell his product. If the selling price of his product is reduced 25 per cent. by the admission of similar foreignmade goods at a lower rate of duty, then his fund from which to pay wages is reduced 25 per cent. and he must pay so much the less wages, or else give up his business and let the foreign manufacturer take our market, simply because no one will continue an industry at a loss. long as there is a profit then there is an opportunity for labor to make use of every legitimate means to secure its fair share of that profit. When the profit vanishes the opportunity for labor to increase its earnings is gone.

No one has more clearly stated the economic truth that a protective tariff is indispensable to maintain wages at a higher standard in the United States than in Europe than did Hon. ABRAM S. HEWITT in his oft-quoted letter of January 27, 1870. In this letter Mr. HEWITT said:

oft-quoted letter of January 27, 1870. In this letter Mr. HEWITT said:

The only reason why we pay more for American rails is because we pay a higher rate for the labor which is required for their manufacture, but for no greater quantity of labor. Free trade will simply reduce the wages of labor to the foreign standard, which will enable us to sell our rails in competition with foreign rails. But as a matter of course, the ability of the laborer to consume will be reduced, and a serious loss will be inflicted on commerce, general industry, and the business of the railways especially. The only reason why a tariff is necessary is to supply the laborer with such wages as will enable him to travel and consume not merely the necessaries, but some of the luxuries of modern civilization. Besides, if we have free trade, we can not expect to procure our supplies from abroad by increased shipments of grain, for already the European markets take from us all that they require, and no amount of purchase of goods from them will induce them to buy more food than they need, and which they now take as a matter of necessity.

Faithfully, yours,

ABRAM S. HEWITT.

Although Mr. Hewitt has changed his attitude on this question, yet he has never successfully answered the arguments presented in this

In a newspaper report of recent arguments made by a delegation of laborers, mainly Knights of Labor, who appeared before the Ways and Means Committee of this House to protest against the bill to place manufactured lumber, potatoes, hay, &c., on the free-list, and to reduce

duties on manufactured articles, I find the case clearly stated as fol-

duties on manufactured articles, I find the case clearly stated as follows:

Roger Evans, a sturdy iron-worker of Ohio, was the first speaker. He said that even with the present duties iron of the value of \$33,010,008 was imported last year. If this iron had been made in this country there would have been work for fifty thousand more laborers. Reduce that duty as proposed by Mr. Monkrison and iron of the value of more than \$100,000,000 would be imported, and this would take away employment from more than fifty thousand iron-workers now having employment, and would reduce the wages of all engaged in iron industries. What is wanted, hesaid, ish higher rather than a lower tarlif, and this would take away employment from more than fifty thousand iron-workers now having employment, and would reduce the wages of all engaged in ricon industries. What and reduce their wages.

If, added Mr. Evans, it were not desirable to maintain higher wages here than the starvation rates which prevail in Europe, then we could admit foreign-made goods free. But the American laborer should live better and have means to improve himself and educate his children. If there were no duties imposed on making of such goods here, unless our wages should be cut down to the foreign standard. The tarlif question, asid Mr. Evans, is emphatically a labor question, and intelligent workingmen understand it and will snow under Congressmen who vote to reduce duties and thereby benefit foreign producers. Men may here and there favor a reduction of duties or free trade and claim at the same time to be friends of labor, but the great body of the workingmen can not be deceived, are striving to pass a tariff law that will make it unnecessary for your employers to import pauper labor."

"Yes," replied Mr. Evans, 4" understand that you are trying to frame a law that will flood our markets with the products of the pauper labor of Europe, and thus make paupers of us. Foreign-made goods and beinported in any quantity at any time, at little cost, except so far as

who make or produce those articles, and subjects them to direct Canadian competition.

But it is also proposed to reduce the duties on almost all other manufactured goods, and just to the extent that duties are reduced the importation of foreign-made goods is increased, our own manufactures curtailed, and the wages and opportunities of labor reduced in this country. There can be no doubt of this. If with the present duties foreign manufacturers were last year able to send to and sell in this country iron goods to the value of thirty-four millions, leather and leather manufactures to the value of the millions, glass manufactures to the value of six millions, hats, &c., to the value of four and a half millions, cotton manufactures to the value of the millions, woolen manufactures to the value of thirty-flve millions, and manufactures of wood to the value of nine millions, it is evident that the duties on these goods are already dangerously low, and ought to be higher instead of lower; and that any considerable reduction of them, as proposed, will double the importations and displace American labor and reduce our wages.

If, said Mr. Jarrett, we had made in this country the manufactured goods imported from abroad last year, five hundred thousand of our laborers who were out of employment would have had remunerative work.

To further reduce wages, as proposed by the bill proposed, would add another corps to the army of unemployed and further reduce wages.

Senator FRYE, of Maine, recently received a letter from a friend who was appointed a consul in a European city a few months ago, and who went abroad tinctured with the idea prevalent with his political associates that our tariff duties should be abolished or largely reduced, and that wages abroad, estimated by purchasing power, are nearly as large as in this country. This gentleman, after investigating the actual situation abroad, frankly writes to Senator FRYE:

Since coming here I have examined and studied the tariff question carefully, and have come to the conclusion all honest men must come to who will come here with eyes open willing to see and learn, and that is, we should have a higher instead of a lower tariff. Labor here [where the consul is located] is fearfully degraded, and the people work for nothing and board themselves. You can

hire men for 24 cents a day to do what would cost \$1 per day in the States. We keep house, hire a good cook for \$4.80 a month, a nurse who takes care of the children night and day, makes beds, sweeps, &c., for 24 cents a day and boards herself, a very smart man, who speaks German and English well, works hard from early morning till late at night for 48 cents per day and boards himself.

In Italy and Austria labor is still less. In a manufacturing business with which I am familiar, and into which labor largely enters, as you know, the cost here is from 60 to 75 per cent. less than in the United States. There is a concern near me employing two thousand people in the manufacture of corsets, all of which are exported to the United States, who pay their help almost nothing, not nearly one-half as much as we pay in the United States. The policy in our country with many seems to be to reduce the tariff, while here and in Austria it is sought to increase it. England is suffering terribly from the low price of German goods, and will have to make tariff laws soon to protect her labor. I know many of my party friends favor free trade, or an approach of it. I can never agree with them, and when I go home shall sound the alarm as best I can. Free trade, or close to it, will ruin the industries the reduction strikes.

The majority of the Shinning Committee have reported to the House

The majority of the Shipping Committee have reported to the House a bill to allow the importation and American registry of completed foreign-built vessels free of duty. The majority report admits that the object of this is to have our vessels built in British yards because they can be built cheaper there; and the only reason that they can be built cheaper there is that the labor which digs the ore, makes the iron, and transforms it into a ship commands lower wages in England than

If such a bill should become a law the thousands of mechanics who have found employment in our ship-yards would have no work to do unless they were prepared to labor at the diminished wages obtained in the ship yards of Great Britain. Can there be any doubt in this case that the protection now given to American ship-building furnishes employment to thousands of skilled workmen at much higher wages than are paid in England? Of what use would any plans of co-operation, profit-sharing, or labor organization be to skilled workmen in ship-yards

if the bill to admit foreign-built ships free of duty should pass?

The majority of the Ways and Means Committee has agreed to report a bill allowing the importation of all kinds of Canadian fish free of duty. Is there any person interested in fishing vessels, is there any fisherman who does not see that the passage of that bill would be a se-

The, same committee has agreed to report a bill to admit foreign-grown wool and Canadian manufactured lumber free of duty. Is there any farmer or any farm laborer or any employé in lumber-mills who can not see that the abrogation of the present duties on imported wool and Canadian manufactured lumber will affect them injuriously?

The same committee has reported a bill to reduce the duties on cotton and woolen goods. Can any one fail to see that such reductions of duty will give an opportunity for increased importations of foreign-made goods to take the place of goods made in this country by our own laborers, and thus diminish the avenues of employment here and tend

Can any laboring man fail to see that a protective tariff is essential if we would maintain wages in this country at a higher standard than in Europe?

It must be borne in mind that notwithstanding some occupations, like carpenters, masons, &c., are protected against direct European competition by the fact that foreign-built houses can not be imported, and some other occupations are protected by other natural conditions, yet the tariff protection of such occupations as would be subjected to direct competition from imported goods if a sufficient duty were not imposed upon such articles, is as necessary to maintain wages in the former employments as in the latter. Wages in any community will equalize themselves in all pursuits with reference to the skill required in each employment, for the reason that workmen easily pass from one occupation to another. When manufacturing industries are not carried on to a considerable extent in any country, workingmen crowd into agriculture, building trades, and other occupations, and force down wages in these pursuits. Wherever manufacturing industries thrive the farmer finds the best market and highest prices, and the mechanic the widest employment and most liberal wages

Investigation will develop the fact that the wages of not only mechanics, but also of farm laborers, are lowest in those States in which there are few manufacturing industries; and that wages rise as such industries are established and developed.

Mr. Dodge, the Statistician of the Department of Agriculture, shows in the content of the Union which ways

in a recent report that in those States of the Union in which manufacturing industries have been most extended the wages of farm laborers average \$25 per month, including board; in the States where these industries are much less extended the wages of farm laborers average \$19.50 per month; and in the six States which are destitute of manufacturing industries the wages of farm laborers average only \$13.20 per month. And it is noticeable also that in these three classes of States the wages of mechanics and all other wage-workers show substantially the same relative differences.

These facts show that the wages of mechanics and even of farm la-borers are increased by the establishment, or kept down by the absence, of manufacturing industries, and therefore that the protective policy which encourages such industries tends to improve wages in all occupa-

Mr. Chairman, regarding, as I do, the maintenance of the highest practicable wages essential to the prosperity of all interests in this coun-

try and indispensable to the preservation of our free institutions, I earnestly favor the maintenance of such a protective tariff as will hold American markets for the products of our own industries and prevent the reduction of wages which must follow the free admission of the products of the cheaper labor of Europe. To this should be added the prohibition of imported contract labor by such penalties as may be necessary to accomplish the purpose. Then every acre of the public land should be reserved for settlement under the homestead law by bona fide settlers who desire to make homes for themselves and their families. Whatever other measures may tend to maintain liberal wages should also be enacted, for the highest prosperity of the nation can be secured only as the best interests of the wage-workers of the country are justly protected.



HON. WILLIAM C. OATES,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES.

Saturday, March 20, 1886,

On the bill (H. R. 5690) for the free coinage of silver, and for other purposes.

Mr. OATES said:

Mr. SPEAKER: The discussion of silver coinage and its incidents has been so extensive and has taken such a wide range that there is but little if anything of interest to be added. I shall not, sir, attempt to enter the domain of speculation or prophecy or the equally fertile and uncertain field of statistics, in either of which our casuistical statesmen find full authority for diametrically opposite conclusions on this or al-

most any other complicated question. My purpose is merely to give expression to the result of my study and reflection upon a subject about which so much has been said. I believe that the existing silver coinage act, known as the Bland law, is a most unscientific and illogical measure, and never could have been intended to be permanent, but a temporary expedient only. It was necessary and a good measure when passed; it has and is now subserving a good purpose, though it is clear to my mind that at no very distant day other legislation will be substituted for it. I am a bimetallist, Mr. Speaker, and would regard it as a cruel injustice, if not a crime, against the debtor class of the people of the United States to demonetize silver, and I am glad, sir, to believe that very few, if any, of the members of this House

would sanction it. I believe that 'egislation is necessary to give silver a fair chance and maintain it as good, honest money. I will not, however, vote to repeal or suspend the Bland law until such legislation as meets my approval is secured. We have gold coin, silver coin, gold certificates, silver certificates, greenbacks, and national-bank notes—six different kinds of money. All should be maintained at an equal standard of value. All should have an equal purchasing power.

A difference in the purchasing power—the debt-paying capacity—ought not to exist, and while it does not exist at present, notwithstanding the difference in bullion value of a gold dollar and a silver dollar, how long will this enforced equality continue? How long can this continue with the existing difference in the bullion value of a gold dollar and a silver dollar? The statutes of the most powerful nations can suspend only for a limited time the laws of trade. They will, like the

suppressed forces of nature, soon resume their sway.

The free coinage of metal is per se right, but the bill under considertion continues the standard at 412½ grains of silver to the dollar and gives the present large profits of the Government or seigniorage to the bullion-owner, while there is no security against an influx of foreign silver bullion. Looking also to the attitude of the Latin Union upon silver, I do not think that we can take the risk of free coinage at present, and I shall therefore vote against it.

But why should we have any trouble about our coinage? There is no necessity for a continuance of the coinage of standard silver dollars. Provide for the issuance of bullion certificates based on both gold and silver bullion at their actual value, not in New York alone, but in London, in Paris, in the markets of the world, to be ascertained from the average market value during a given period within each year, and let the issue run from one dollar upward. Why would not such a currency, redeemable in either gold or silver at the option of the Government, be the best in the world? None could be more honest, more convenient, or on a firmer basis.

The distinction between gold and silver money so far as the people are concerned would be stricken down. It would be not only good money this year and the next, but twenty years hence it would largely take the place of our national-bank circulation, which can not subsist longer than the date of redemption of the 4 per cent. bonds, which mature in 1907.

I believe, sir, that by wise legislation and faithful administration we

can by that date pay all of the national debt, the national banking system can be dispensed with, and an ample amount of currency be secured based upon deposited bullion, the coined money we now have, with such additions as the necessities of the Government may require of subsidiary coin, without producing any stringency on the one hand or plethora on the other, or in any wise disturbing the business interests of the country. I would not disturb the present legal-tender quality of silver dollars already coined, but would declare the trade-dollar, which contains 7½ cents more of pure silver but is at a discount, to be a legal tender. The last section in such a bill should repeal or suspend the existing silver-dollar coinage law. But, sir, I will not vote for such repeal or suspension unless it is preceded or accompanied by some such legislation as I have indicated.

I am not an inflationist. I do not believe in flat money. I have no respect for the absurd dogma of the Supreme Court that Congress has respect for the absurd dogma of the Supreme court that Congress has power to make anything a legal tender because not prohibited by the Constitution from so doing. I believe in gold and silver, the money of the Constitution, and paper convertible on demand of the holder. I desire to see the volume of money increased to meet the annually increasing population and commerce of the country, but no irredeemable issues. I want nothing but good, honest money. Paper money I want in great abundance, but convertible into coin, or its equivalent in bullion, on demand of the holder. If any loss should be sustained on the bullion in consequence of the fluctuation in price, the Government can stand it better than the poor laboring people of the country.

For the Silver Dollar and its Free Coinage.

SPEECH

HON. JOHN W. DANIEL,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 7, 1886.

The House having under consideration the bill (H. R. 5690) for the free coinage of silver, and for other purposes— $\,$

Mr. DANIEL said:

Mr. DANIEL said:
Mr. SPEAKER: Before me is a silver legal-tender dollar of the United States. It contains 371½ grains of pure silver, or 412½ grains of standard silver. On one side is the head of the Goddess of Liberty, the national motto, "E pluribus unum," and the thirteen stars. On the other side is the spread Eagle of America with the legend at its head, "In God We Trust," and at its feet the words "one dollar."

This coin bears the image and superscription of the United States, and it is by law a legal tender for taxes and for all public and private

To the eye of the beholder it has an honest face, and upon that face is engraven the national faith and honor in pledge of the fact that it is just what it claims to be "one dollar;" while in the statute law be-hind it are the fully expressed pledges of our national faith and honor that our Government shall receive it for taxes; that our creditors shall receive it for payments; that our pensioners shall receive it for bounties; that our public servants shall receive it for wages; and that, as between man and man, whosoever becomes its possessor may with it absolve himself to another whom he owes to the extent of one dollar of his debt.

A DOLLAR OF THE CONSTITUTION.

This silver dollar is one of the bimetallic coins of a bimetallic constitution, which provides that Congress shall have power to "coin money, regulate the value thereof, and of foreign coins," and that no State shall "make anything but gold and silver coin a tender in payment of

THE OLDEST DOLLAR.

It is the oldest of all our dollar pieces, emanating from the Mint in 1794, under the act of 1792, whereas the gold dollar piece was never coined, or authorized to be coined, until 1849, although larger gold pieces were provided for in 1792 at the ratio of value to the silver pieces of 1 pound of gold to 15 of silver.

THE UNVARYING DOLLAR.

The silver dollar, as originally created, contained 3711 grains of pure metal. It contains exactly that amount of pure silver now. But the gold dollar has changed. In 1834, when Europe had drained our gold and silver had become nearly if not quite our sole metallic circulation, Congress fixed a new ratio between the two metallic moneys of 1 pound of gold to 16 of silver by reducing the gold dollar from 24% to 23% grains of pure gold.

CO-UNIT OF VALUE WITH THE GOLD DOLLAR,

This dollar is co-unit with the gold dollar as denominator or standard of value. All estimates and appropriations, all assessments and appraisements, whether of the Federal Congress, the State Legislatures,

or of business men, are made with reference to the whole volume of money to be dealt with, and (save in rare cases) not with reference to any particular kind of money. In this manner "the dollar" simply, regardless of its material, is used throughout America as unit of value. True it is that when silver coinage was discontinued in 1873 gold was declared to be the unit of value; but when silver was rehabilitated as legal tender and coinage of it was provided for in 1878 the silver dollar was fully restored as co-unit of value, for it is absurd to say that you can measure the amount of a debt, or the value of what it buys, by anything else

than the wherewithal of payment.

The act of 1873 making the gold dollar sole unit of value was effectually repealed by the act of 1878 restoring silver (albeit in limited supply) to the same uses as gold, not indeed in so many words, but by inevitable implication. Things equal to the same thing are equal to each other; and when the law made the gold and silver dollars equal to each other, it made each equal to the same thing-the unit of value.

ONE OF THE PILLARS OF OUR MONETARY SYSTEM,

This silver dollar is one of the pillars of our monetary system. system is like an arch of which the national debt is the keystone. side of the arch is our greenback currency and the other side is the national-bank currency, and the two pillars upholding the arch arc the gold and silver dollars. When the debt was contracted, and when the greenback and national-bank notes were emitted, the people of the United States had upon their statute-books the expressed liberty to coin freely as many gold dollars and as many silver dollars as they pleased to redeem those obligations. The bondholders knew this, for there were the open statutes; and when they renewed their bonds in 1870 still were those statutes there. As to the medium of payment of outstanding bonds there can be no question.

Upon every 5 per cent. bond it is engraven, so that every one may

read:

This bond is issued in accordance with the provisions of an act of Congress entitled "An act to authorize the refunding of the national debt, approved July 14, 1870, amended by an act approved January 20, 1871," and is redeemable at the pleasure of the United States after the 1st day of May A, D. 1881, in coin of the standard value of the United States on said July 14, 1870, with interest in such coin from the day of the date hereof, at the rate of 5 per cent, per annum, payable quarterly on the 1st day of February, May, August, and November, in each year. The principal and interest are exempt from the payment of all taxes and duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority.

And upon every 4 per cent. is engraven:

And upon every 4 per cent. Is engraven:

This bond is issued in accordance with the provisions of an act of Congress entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, amended by an act approved January 20, 1871, and is redeemable at the pleasure of the United States after the 1st day of July, A. D. 1907, in coin of the standard value of the United States on said July 14, 1870, with interest in such coin from the day of the date hereof at the rate of 4 per cent. per annum, payable quarterly on the 1st day of October, January, April, and Julyin each year. The principal and interest are exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority.

And as all of the interest-bearing coin obligations of the Government were issued under the act of July 14, 1870, except the 3 percents issued in 1881, all of them are payable "in coin of the standard value of the United States" as of the 14th July, 1870. No man is so bold as to deny this. If he did refutation is before him. Both Houses of Congress have declared it in the well known Mathews resolutions of 1878, which, after reciting the facts, read as follows:

Resolved by the Senate (the House of Representatives concurring therein), That all the bonds of the United States issued, or authorized to be issued, under said acts of Congress hereinbefore recited, are payable, principal and interest, at the option of the Government of the United States, in silver dollars, of the coinage of the United States, containing 412½ grains each of standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith, nor in derogation of the rights of the public creditor.

And setting at rest, if doubt there could be, what the coined dollar means, the Supreme Court of the United States long ago told us that—

The coined dollar was a piece of gold or silver of a prescribed degree of purity, weighing a prescribed number of grains. The note dollar was a promise to pay a coined dollar. (Bronson vs. Rodes, 7 Wallace, 251.)

PUBLIC DEBTS PAYABLE IN SILVER COIN.

So that our \$346,000,000 of note dollars, our \$1,700,000,000 in round numbers of bonded and other debt, in all some twenty thousand millions of national obligations, all rest upon the pieces of silver like this of prescribed purity and quantity, and upon pieces of gold of prescribed purity and quantity, each called, and in each, in fact, a dollar. The national-bank notes amounting to \$315,000,000, and State, municipal, corporate, and individual debts of prodigious volume, all rest at last upon these two foundations.

Those who would shake these foundations are engaged in a perilous undertaking. And many are the arts of speech with which they seek to sap and mine them.

Pleas are put in which might have been wisely considered before the vast superstructure of debt arose on these foundations which now are inadmissible to the sense of justice, and to the sense of expediency as well. The casual separation of the two metals, silver and gold, in bullion value was a thing contemplated when the double standard was adopted. It was a danger inherent in the very nature of a double standard. But the double standard was adopted by our Constitution; it has prevailed (with a slight and partial suspension) from 1792 to 1886, and to assail it now, either directly or by side thrusts, is to aim a blow at interests which can only be expressed in dollars by the thousand million; is to increase the burden of debt, and to abbreviate the means of payment.

We must meet the skirmish line of monometallism as it comes, in whatsover guise of fallacy or sophism it adopts. When it has been repelled, then let us advance for the full restoration of the people's money.

THE SILVER DOLLAR IS REAL MONEY

But the silver dollar is not real money, we are told by the able gentleman from South Carolina [Mr. HEMPHILL], who says:

That alone is real money which does not depend for its value on law but on the precious metal that is in it, so that its real value is equal to its legal value, and whether minted into money or melted into bullion it is worth the same thing.

If the gentleman is right the Constitution is wrong; and Congress has been wrong from 1792 to 1886. When the Constitution gave power to Congress to "coin money" it ought to have stopped there, the gentle-Congress to "coin money" it ought to have stopped there, the gentle-man would have us believe; for if bullion value alone was to regulate the value of the coin, the constitutional prerogative "to regulate the value thereof" would have been worse than surplusage. The Consti-tution was wiser than some of our learned colleagues. It knew, for the experience and practice of mankind had taught its makers, that the law and the law alone can regulate the value of money, at least in so law and the law alone can regulate the value of money, at least in so far as money is a medium for payment of debts. Enforced payment can only exist by law, and law alone can regulate the medium of pay-

THE SILVER DOLLAR NO MORE "FIAT" THAN IS THE GOLD DOLLAR OR THE NATIONAL DEST.

Neither is the silver dollar any more a fiat dollar than is the gold dollar, nor than is the national debt a flat debt. Indeed there can not be either dollar or debt without fiat. If it be meant that nothing but fiat is in this dollar, it is obvious error. If it be meant that 80 per cent. or present bullion value is real money and the residue of 20 per cent. is flat, I can understand the idea though to my mind it does not import the intended argument. Many of the national bonds were originally given at the rate of \$100 of promise for \$60 of money. Their obligation has 60 per cent. of substantial consideration and 40 per cent. of mere "fiat" promise.

But does not moral and legal obligation alike permeate the whole hundred per cent. of promise? Undoubtedly. And in like manner, as I conceive, whether this dollar in its utility is 20 per cent., or 40 per cent. of fiat, the Government has no more right to repudiate any part of the people's means of payment than it has to repudiate their obligation of payment. Its flat of obligation to pay, and its flat of obligation to provide the silver dollar as it is, as one of the means of pay-

ment, were correlatives of each other.

WHO IS RESPONSIBLE FOR SEPARATION OF LEGAL-TENDER AND BULLION VALUE? And if indeed the legal-tender and bullion value of this silver dollar have parted, at whose instance was the act done that parted them? Was it not the bondholding class that obtained the demonetization of silver? It was done clandestinely. The people did not ask it, and did not know it. Did not the money-power policy bring about the very evil for whose cure it is sought to make the people pay?

CONTINUOUS PRESERVATION OF BULLION AND LEGAL-TENDER VALUES IMPOSSIBLE.

And if my honorable friend from South Carolina be right in claiming that nothing is money unless its intrinsic and legal value be equivalents, is it not plain that he must seek some other than this mundane sphere for the material thereof-for some unfound substance not subject to skyey influences" of change; or otherwise abolish the world's system of finance of which the basis is a fixity of legal-tender valuation?

Bullion value and legal-tender value have ever varied, and must ever vary, largely in proportion as metal is most in demand for money or for other uses. Metal money goes to the smelting-pot when money is overplentiful, and turns itself to other uses. Bullion, even in polished and artistic forms, rushes to the mint when money is rare and dear. And as the market most needs money, or the raw material, so must ever fluctuate the relations between bullion and legal-tender values. Alexander Baring stated to a parliamentary committee in England, where gold was sole legal tender, that during the crisis of 1847 it was impossible to borrow a guinea of gold on £60,000 sterling of silver. And on the other hand it is authentically related that in Calcutta, where silver was sole legal tender, the owner of £20,000 sterling of gold was obliged in the crisis of 1884 to declare himself a bankrupt because he could not borrow a single rupee upon it.

This shows that intrinsic and legal-tender valuations must often separate, however delicately adjusted. It shows, too, that the fixed debtpaying attribute of money imparts not only one of its highest, but often-times its very highest and most important function. And it illustrates the correctness of Cernuschi's definition of real money, which is very different from that given by the school of which the gentleman from South Carolina is the spokesman. Says the clear-headed Frenchman:

"Money is a value created by law to be a scale of valuation and a valid tender for debts."

This, as I conceive, is a perfect definition. It fences in everything

that is money, and fences out everything that is not money. And its author very lucidly explains it.

Certainly

He continues-

He continues—

Certainly every one understands that as regards paper money the value is created by law, but it is perhaps not easy for every one to admit that with regard to metallic money also the value is created by law. It is, however, the fact. If you suppose that gold is not money, is not legal tender, if you suppose that silver is not money, is not legal tender, the value of gold, the value of silver, is lost. * * If England, France, Germany, and the United States renounced the use of gold money, if everywhere only silver money is adopted and gold money abandoned, all the gold will remain without value; all the shareholders of the gold mines will be ruined, because the value of their shares depends upon the legal fact that the metal extracted is legal tender. I do not say that some of the mines will not remain open. I would illustrate my meaning by citing the probable consequence to follow with reference to the opium of India.

If China should make a law forbidding the use of opium, or if the great temperance societies whose object was to restrain the use of opium should become popular in China, what then would become of the poppy cultivated in India? The culture would be abandoned. Yet opium, nevertheless, would not disappear entirely. The opium of Smyrna, on the Mediterranean, would still be cultivated as a medicine. The same process of reasoning applies with reference to gold and silver. This fact that money is a value created by law is one of great importance, and I can cite you the hightest authorities in proof that what I say is true.

How plain it is, if we would but pause to notice it, that it is use that makes value. What would be the value of cotton if you could not make cloth of it? What the value of cloth if the law forbade the making of clothes with it? What the value of cotton clothes if the law said we should not wear them? Gold, if denied money use, would be just like cotton denied these uses. The living fruit-bearing reproductive tree, and dead dry lumber are not more different than are the metal made into legal-tender money and the metal to which that money func-tion is denied. And if silver has lost 20 per cent. of its bullion value, its disfranchisement as money tells the reason why.

THE SILVER DOLLAR IS A HUNDRED-CENT DOLLAR.

The "flat-money" argument renews itself in another form; "the silver dollar" is but an "80-cent dollar," cry its enemies. This is simply saying that gold makes the only dollar, for the "cent" is a mathematical expression, and signifies no more and no less than the hundredth part of anything that is a dollar. It is a denial of dollar-hood to that "piece of silver of a prescribed degree of purity weighing a prescribed number of grains," which the Supreme Court has defined to be a coined dollar, and which all our statutes, all our people, and all of our administrations since 1878 have fixed to be, and used, treated, and circulated as a coined dollar. If a bushel of wheat were worth a dollar, and a bushel of corn 80 cents, he would be looked upon as "gone clean lar, and bushel of corn 80 cents, he would be looked upon as "gone clean daft" who declared that the bushel of corn was but eight-tenths of a bushel, and the degree of his derangement could only be surpassed by that of another who declared that the bushel of corn was but eight-tenths of a bushel, at a time when the corn and the wheat when so certified by official measurement were each worth, and would be paid for under Government contract, at the rate of a dollar. The obliquity or obscurity of vision on the part of the latter patient would be just that of the silverphobist who calls the silver coin an 80-cent dollar; for it has ever maintained, and to-day maintains, its parity with the gold dollar under a raking fire of disparagement from the trained batteries of imperial money-greed in two continents.

THE SILVER DOLLAR MAINTAINS ITS PARITY WITH THE GOLD DOLLAR.

Dismissed from free coinage, and almost any manner of coinage, by England in 1816 even silver bullion maintained parity with gold bull-ion in England for half a century afterward, as well authenticated tables attest. And is it not probable that if in that long tract of time England had treated it according to its natural relations it would have gotten ahead of gold? At any rate the bullion silver held its own until King William and Bismarck defeated France, founded the German Empire, and sought to build a golden throne with the thousand millions of gold with which the French bought peace. Away went silverdemonetized by wholesale. Think of what a downward plunge was given it when in 1876 3,200 tons of disused German silver coins were flung into the market stripped of every monetary function.

Think of the depression given when America closed her Mint in 1873, Think of the depression given when America closed her Mint in 1873, and when later even silver-loving France had to follow her example. But with all this the over two thousand millions of silver money in Europe keeps its parity with gold money, and here in America the silver dollar, even though it fights for dear life, like Winkelried, with its breast to the spears, it holds up its head at par, and in this grand transcontinental "bimetallic Union," as it has been happily termed, of thirty-eight States and eight Territories, it keeps even step with its golden brother in nothing defective to fulfill its mission as money. What vitality is there that can live in such a storm!

What vitality is there that can live in such a storm!

THE SILVER DOLLAR MAINTAINS ITS RELATIVE VALUE TO GOLD BULLION.

Value is not a substance; it is a mere market relation between two things. As to all things, and even as to gold bullion, the silver dollar maintains as high a relation as the gold. Red tape and official statement carry conviction to some who refuse conviction from their own This statement, which I obtained from the Bureau of the Mint. senses concludes the question:

One hundred dollars in silver dollars will now purchase in the United States s legal-tender money as much gold bullion as \$100 in gold coin-will, namely,

4.837 pure ounces; but in foreign markets \$100 in United States silver dollars will now purchase 3.860 ounces of pure gold.—*Letter of E. O. Leech*, computer of bullion, of March 19, 1886.

Yes, gentlemen, the people know, for they daily test it, that whether there is wanted a silk dress or a loaf of bread, a horse-shoe or a marriage license, a diamond necklace or a carpenter's plane, a tax-receipt or a marble palace, a postage-stamp or a herd of cattle, a negotiable note or a circus ticket, the silver dollar will go just as far in getting it or paying for it as a gold dollar; and that whether it be the President or the school-boy, the millionaire or the tramp that passes it or receives it, he touches it unconscious of any infirmity in it, and finds

The pleasure is as great Of being cheated as to cheat.

THE SILVER DOLLAR WILL READILY CIRCULATE.

"But it will not circulate," shouts the monometallist. circulate! As well tell me that water will not run down hill, or that the sparks will not fly upward in the gale. Will not circulate! Sixty millions of people—minus the allied banks—have their hands up and open to receive it; and they—the banks—want it just as bad as the rest of American humanity, provided only they can not compel the two-wheeled cart of the double standard to tilt over by pulling off one wheel and pour its contents into their wide-spread laps. Their object plainly was to increase the value of gold and compel payment of their securities in gold. Who ever refused a silver dollar save the gold-gorged bank comgold. Who ever refused a silver dollar save the gold-gorged bank com-bination that acted with such selfish purpose that the slow-moving law at last reminded them that they were nominally at least its creatures? Silver will circulate; and it is only by a tightly-fastened ligature, whose coils have sunk for lo! these many years into the flesh, that free circulation through every artery and vein of the body-politic has been pre-

It is piled up in Treasury vaults and will not get out, we are told. Softly! Softly!

LARGER PROPORTION OF SILVER THAN GOLD IN GENERAL CIRCULATION.

On January 15, 1886, there were forty millions less of hoarded silver in the Treasury than there were of gold. Of our total sum of five hundred and fifty-three millions of gold coins there were then but two hundred and ninety millions in other hands than those of the Treasury, the national banks, and the State banks-a fraction over a half in general circulation; whereas of our total two hundred and ninety-three millions of silver coins (which includes the subsidiary coins), there were one hundred and eighty-three millions in general circulation-either in coin form or as represented by silver tax-paying certificates (see appended table A). Will not circulate! Behold the fact that two-thirds of our silver does move in general circulation, and but half of our gold. Will not circulate! Our expenditures for the fiscal year 1885 were three hundred and five millions—of which fifty-one millions were for interest, fifty-six millions for pensions, forty-two for the military establishment, fifty-four for miscellanies, forty-five for the sinking fund, sixteen for the navy, and twenty-three for civil expenses. Where was the trouble in getting the silver out on any of these accounts

And if all of our silver, instead of only about a third of it, were in the Treasury to-day there would be no more legal or practical difficulty about getting it out than there is in taking a pen and drawing a check

on any other deposit.

THE BULKINESS OF SILVER AN OBSOLETE OBJECTION.

"Ah! but it is so bulky," still cries the anti-silverite. This is the gasp of the Bourbon, and an obsolete objection. The anti-fat medicine has effected a perfect cure of the corpulency of silver. For any sum of ten dollars or upward you can get a silver certificate, and while the bulky coin abides safely in the Treasury vaults the certificate moves nimbly on its mission. Convenience and safety are alike subserved. Lightness is substituted for weight. Cost of transportation is saved. Abrasion and clipping are prevented. And gold itself, bowing in homage to the winged silver, taps at the Treasury door to the extent of eighty millions, and doffing its yellow robe prays to be arrayed in the silvery certificate vestment. Will not circulate! Gold itself has denied the imputation made by its own blind worshipers!

THE SILVER DOLLAR AS THE PRODUCT OF THE GREATEST SILVER AND GOLD PRODUCING NATION.

This silver dollar is for the most part the product of our own country, and we produce more silver and more gold than any other nation. Our mines turn out about 42 per cent. of the silver of the world, and about 33 per cent of the gold. Of the one hundred and fifteen millions of silver mined in 1884 the United States produced forty-eight millions, Of the one hundred and fifteen millions of and of the ninety-eight millions of gold it produced thirty-two. Australia and Russia, producing in 1884 twenty-one millions and twentyeight millions of gold, respectively, are our only gold rivals; and Mexico, producing twenty-seven millions of silver, just a little over half of our output, is the only country that can be thought of as our rival in silver. England produces neither silver nor gold, and France but little silver and The German gold product is insignificant, and its silver product is only about 20 per cent. of our own. But read the appended table and ponder it. It shows that we are van leaders in producing both silver and gold. (See Table B.)

FREE-TRADERS AND PROTECTIONISTS SHOULD ALIKE SUPPORT SILVER

What fatuity is it that would induce us to deny the gifts which the gods have so liberally provided? "America, do you need money? Then knock at the door of the mine, and it shall be opened unto you;" such

Ah! But the cry comes, "You want to protect silver." Not so; we only want to give it the fair show that the fathers gave it. We only want to let it have the fair play that it had ere the man "of blood and iron" struck it down, and ere his American copyists followed his example, at a time when this dollar was at a premium of 3 per cent. over We only want to let our nation help itself to the riches which a bountiful Heaven has showered upon us. Free-traders, how can you vote against this bill? Free-money coinage is the very bed-rock principle of your creed; free-money is the life-blood of free trade. Protectionist of American industry, of American labor, how can you vote against it? Your protection passes with your adverse vote to the money of monarchs, to the crowns of kings, to the greed of avarice; it passes away from the American laborer, from the American debtor, from the American mine, to fill the tills of the creditor nations of Eu-

THE SILVER DOLLAR THE ONLY BARRIER BETWEEN THE MONOPOLISTS, THE CONTRACTIONISTS, AND THE PEOPLE.

This silver dollar stands to-day as the only barrier between the people and monopoly and contraction.

Our greenback currency is at a fixed volume of \$346,681,016.

Our national-bank currency, which was \$362,727,747 in 1882, is now only \$315,847,168, and it is rapidly withdrawing. It decreased \$8,284,017 in 1883, \$24,170,676 in 1884, and \$15,545,-

461 in 1885—nearly fifty millions in three years.

And where is our gold? Does the laborer ever see its color? Not. Is it moving among the people? Not so. Here is where it is:

OWNERSHIP IN UNITED STATES OF GOLD COIN AND BULLION

Treasury National banks State banks, trust companies, and savings-banks Other banks and private hands	\$148, 358, 100 156, 353, 592 31, 255, 789 290, 766, 388
Total	626, 733, 869

The national banks have a fourth of it. The Treasury has a fourth

of it. State banks and trust companies have 5 per cent. of it.

The lesser half remains in "other banks and private hands," but the number of "private hands" is not stated. Fifty-five millions of it is represented by gold certificates in sums of \$10,000 cash—what chance there for these big lumps to circulate among the people?

Yes, the banks control their own circulation and are contracting it.

The Government controls the greenbacks, and successive Secretaries of the Treasury have urged their retirement.

The banks and the Government together control the bulk of the gold

and are alike hoarding it.

The world's production of gold is diminishing. In 1850 it was one hundred and fifty-one millions; in 1881 it was one hundred and three millions, while it is now about ninety-five millions. Our domestic production of gold is also diminishing, having fallen from fifty-one millions in 1878 to thirty-two millions in 1882, and to thirty millions in 1883

Silver, and silver alone, remains as the hope of the people, and only by its coinage can they hold their hands upon their metallic circulation and regulate its volume.

CALHOUN'S EXPLANATION OF THE BELATIONS BETWEEN THE VOLUME OF MONEY AND THE VALUES OF PROPERTY.

And here let me quote John C. Calhoun, of South Carolina. He originally opposed the United States Bank, but when its continuance was opposed his love for popular interests overrode all other considerations, and he insisted on its prolongation. I commend his words to the statesmen of his own State as well as to other colleagues. Says Calhoun:

men of his own State as well as to other colleagues. Says Calhoun:

If we turn our attention to the laws which govern the circulation, we shall find one of the most important to be, that as the circulation is increased or diminished, the rest of the property will be decreased or increased in value exactly in the same proportion. To illustrate: If a community should have an aggregate amount of property of \$33,000,000, of which one million constitutes its currency, and that one million should be reduced one-tenth part, the value of the rest will be reduced in like manner one-tenth part. And here a very important fact discloses itself, which explains why the currency should be touched with such delicacy, and why stability and uniformity are such essential qualities; I mean that a small absolute reduction of the currency makes a great absolute reduction of the value of the entire property of the community, as we see in the case supposed where a reduction of \$100,000 in the currency reduces the aggregate value of the property \$3,000,000 - a sum thirty times greater than the value of the property. From this results an important consideration.

If we suppose the entire currency to be in the hands of one portion of the community, and the property in the hands of the other portion, the former, by having the currency under their exclusive control, might control the value of all the property in the community, and possess themselves of it at their pleasure.

(See volume 2, Calhoun's Works.)

(See volume 2, Calhoun's Works.)

John Locke enunciated the same general principle, Cernuschi lays it down as a fundamental truth, and political economists recognize it.

The danger which Calhoun prefigured is now before us, and, seeing that the banded owners of gold are seeking to force the evil realization, well might Judge Hughes, in the American Dollar, compare them to a set of ill-mannered guests who, coming to the table and finding game and bacon and greens upon it, quietly ate the game, and then considering that bacon and greens were not wholesome threw them to the dogs, leaving the rest of the company dinnerless. They have got the gold themselves, and now they insist that the people must not use their own silver.

A PLENTY OF MONEY IN THE BANKS.

In this situation we are told that we do not need more money, and that "there is a plenty of money in the banks." I answer, first, that if this be so free-money coinage will not give us more money, for if there be no demand there will be no stimulus to supply. The illogical status of compulsory coinage lies in the fact that it makes money whether it be wanted or not. But how is it shown that we do not need more money? One representative tells us that the abundance of money in the country is "practically demonstrated by the fact that millions are lying idle to-day with no prospect of early employment." another says:

At times during the past year there has been a surplus of \$64,000,000 over legal reserve in the national banks in New York alone, and frequently call loans were made as low as 2½ per cent., and that money can be had on good collateral from 1 to 3 per cent. interest.

The facts are truly stated, but I read very differently their demonstra-Idle money, greedy for investment in this fresh young Republic, tion. Idle money, greedy for investment in this fresh young Republic, and finding no temptation; idle miners yearning for the pick and spade; idle workshops; idle manufactories; idle acres sunning themselves under the smiling heavens; idle bread and meat stored up without market suffering with so-called overproduction; idle workmen or half-paid workmen eager to toil or toiling with little recompense, and frenzied into almost revolutionary outbursts. Yes, capital idle, and labor idle. But, "All's well," cries the sentinel; "there's a plenty of money in the banks!" The doctor who finds his patient with cold, motionless limbs, and a bursting, apoplectic brain, might as well say, "All's well; there's a plenty of blood in the head." The farmer, looking on parched fields, might as well be comforted by the assurance, "There's a plenty of water in the ocean." in the ocean."

Yes, there is a plenty of idle dollars in the banks, and a plenty of fish in the sea, but how to get them out—that is the question. us good security and you can get it—surely you do not want it for nothing," says the banker. Yes, truly, well said; and I do not blame the banker for saying it. But here is the rub; by that contraction of the currency which followed war, by that contraction of the currency which occurred through European and American demonetization of silver, the prices of agricultural produce and of manufactured merchandise are greatly reduced, the price of labor is held down, the price of property is held down, every thing is pressed downwards but debt. We are upon a reduced and falling market. The paradox is before us of a hungry world in the presence of so-called overproduction. Capital will not invest because it expects to buy cheaper after a while, and timidly shrinking from its own venture prefers to ride on somebody else's venture at almost any rate of interest.

FALL IN PRICES AND VALUES IN THE UNITED STATES.

Mulhall, writing in London in 1885, says:

It may be said that £4 now will buy as much as £5 in 1866, the fall of prices being about 30 per cent., but as regards the United States in particular we find a fall of 46 per cent., namely: from 170 to 91, which is greater than has occurred in any other country. (Mulhall on Prices, page 6.)

Let free money stimulate prices, and rising prices stimulate enterprise and investment, and money will no longer hide in bank vaults. It is not rain in the clouds that refreshes the earth but the rain descending in fertilizing showers. It is not money in the banks that will renew industry but money flowing freely into the channels of commerce and agriculture.

THE SILVER DOLLAR WILL NOT CHEAT THE LABORER BUT GIVE HIM WORK TO DO-

"You will cheat the laborer by paying him a cheap silver dollar," says the gold advocate. Ah! how the monopolists labor to drag in the laborer to plead their cause. Verily, if Dives were among them now we might expect to hear him proclaim that he had always been the best friend of Lazarus. Silver has never hurt the laborer. When the prices of produce are high the labor that produces it is high. Cheap produce, cheap labor, is a proverb. When money is scarce produce is low. When money is plentiful produce is high. Therefore, to increase the price of produce plentiful money is essential; and with plentiful money comes increased price of labor and the employment of more labor.

When did ever a laborer see the color of gold? It is the money of the rich, and it has free coinage. Silver is now the money of the poor; why not stop its coinage? The laborer gets the silver dollar now. What he wants is a chance to get more silver dollars, and he can not

get them unless we allow them to be made.

SILVER IN FELLOWSHIP WITH GOLD MAKES A MORE STABLE CURRENCY THAN EITHER METAL ALONE.

"We want a stable currency, and gold alone is the most stable," is another sophism. The silver dollar in conjunction with the gold dollar makes a more stable currency than either metal alone. They are like coterminous foundations, each giving lateral support to the other. They are like two wheels of a cart keeping the body level, and monometallism is like the bicycle, easily losing balance. In commodities we see the same principle illustrated as in the two moneys. If the crop of tea is

small and that of coffee abundant people use coffee and keep down the exorbitant price of tea. If wheat is scarce and corn abundant people make bread of corn and reduce extravagant demands for wheat. If silver is scarce and gold abundant, where both may become legal-tender money, the latter prevents stringency in the money market. And rice versa now, with gold diminishing in production, and going more largely into the arts than silver, silver is ready to replace it and to keep down

Take away silver as legal tender, and up goes the value of gold. Take away legal-tender capacity from gold, and down goes gold value and up goes silver value. Give the same legal-tender quality to both, and both are attracted to the equatorial line of the legal-tender function.

Of the two metals, Cernuschi thinks silver less fluctuating than gold in value. Jevons says that between 1809 and 1849 gold rose in intrinsic value 145 per cent. Then came the discoveries of gold in California and Australia; gold value fell, and Germany and Belgium demonetized gold. Then again, in later years apprehension of vast silver products in America caused war upon silver, and it was demonetized and declined in value. So it is that each metal is subject to fluctuation, and the greater stability is found in the balancing powers of the two together. This was the view of Rothschild and Baring; this the view of Hamilton and Jefferson; this the principle of our Constitution, and this is the fundamental idea of bimetallism.

THE SILVER DOLLAR THE MOST HONEST OF ALL THE DOLLAR FAMILY.

And now I undertake to say that the silver legal-tender dollar is not And now I undertake to say that the silver legal-tender dollar is not only an honest dollar, but, tried by the creeds wrongfully applied to condemn it, has been the only invariably honest dollar, and is now the most honest dollar of all the dollar family. The greenback note is a fiat dollar, pure and simple—the original American rag-baby. The national-bank note is the grandchild of the rag-baby, for it is a paper promise to pay a paper dollar, secured by a paper bond, which bond was originally payable in paper, and is now payable in either silver or gold. The trade-dollar is an impecunious tramp—a Japhet in search of a father; and the father is puzzled when thinking of his disinherited offspring to tell why it is that the interesting youth containing 378 grains of pure metal in his constitution is ever cut out by his legal-tender grains of pure metal in his constitution is ever cut out by his legal-tender brother of feebler build in a society that teaches that bullion value is the thing, not legal-tender. And the gold dollar is after all a clipped dollar, shorn of its original proportions in 1834, and yet looking down derisively on the silver dollar and calling it "dishonest." Startled when the love-mad Moor muttered his foul suspicion that

she was not "honest," the gentle Desdemona turned toward him her innocent face, amazed, and said: "Honest, my lord! What's honest?"

I pray you, gentlemen, what is honest if this be not an honest dollar?

Conceived in the Constitution, brought forth by the fathers of the Republic, older by nearly three-score years and ten than its golden twin, and older still than the national-bank note or the greenback, counit of our valuations and copillar of our monetary system, nominated in our bonds and the legal redeemer of our paper circulation, real good, hard, shining money fashioned of a metal that has been money ever since dawning civilization learned the mechanism of exchange, and which beat gold in the race of value by 3 per cent. until it was denied its birthright, the same unvarying dollar to-day that it was at its creation, suggested by Jefferson, recommended by Hamilton, approved by Washington, and now, even now, holding up its head at par with gold and circulating as the money of the people—where in this wicked world can honesty be found if not within this circle of 3711 grains of pure silver stamped with the emblems of our national faith and bearing pledge to all the millions that thirst for its possession that it is in absolute verity one dollar.

WHY NOT HAVE FREE COINAGE OF THE SILVER DOLLAR.

The case is prima facie in favor of the free coinage of silver. Why not allow it? What reasons are there against it?

(1) That it will put gold to a premium; (2) that it will contract the currency; (3) that it will drive gold out of the country; (4) that it will subject us to a silver deluge; (5) that it will put us to the use of silver alone as currency; (6) and that it will arrest the movement for an international agreement for coinage at a common ratio-these are the chief reasons assigned. Are they points well taken?

(1) WILL FREE SILVER COINAGE DRIVE GOLD TO A PREMIUM?

First. Will free silver coinage drive gold to a premium? When the right of free coinage is given to silver bullion the value of the bullion will quickly rise to, or approximately to, the value of the dollar inte which it can be freely turned. Why? Because a new free use worth a dollar will be made for silver, and with the new use arises the new value which that use imparts.

The Supreme Court of the United States well understood this principle when it declared in the legal-tender cases, 12 Wallace, 543, that "it needed no argument to show that the value of things is in proportion to the uses to which they may be applied." And this is conceded in the strong anti-silver speech of the gentleman from Illinois [Mr. ADAMS],

who acknowledges that-

The law of unlimited coinage would, by the creation of a new and highly prof. itable use for silver bullion, raise its gold price in this country and in Europe. When what is now 80 cents in silver bullion can freely turn to a dollar at the Mint the bullion will be worth the dollar minus the cost of traffic and transportation. As silver bullion tends upward toward the value of gold bullion the latter will tend downward, because the two metals will share equally in that privilege of free coinage which now being enjoyed by gold alone has given it the value which always follows monopoly and makes monopoly desired. The immediate tendency of free silver coinage is therefore to bring the two metals in closer relations, to abbreviate the 20 per cent. gap between them; and as gold can nowhere in Europe become money at a cheaper rate than it can in America, it is not likely it would be driven to premium, unless indeed spasmodically and briefly.

(2) WILL FREE SILVER COINAGE CONTRACT THE CURRENCY?

In the changed condition of free silver coinage contraction of our currency is not one of the results to be seriously apprehended; and queer it is that the advocates of gold should claim in the same breath that we would lessen our volume of currency by contraction, and at the same time produce a cheap 80-cent dollar. This is a contradiction, for the very evil to be apprehended from contraction is the evil of the dear dollar, low prices, and cheap labor.

The gentleman from South Carolina [Mr. HEMPHILL] is alarmed lest we displace our six hundred millions of gold and have nothing but our less than three hundred millions of silver to go upon.

In such an event-

Says he-

In such an event what is to become of the great debtor class of the country? Has any plan been suggested by which they can make one dollar do the work of four? Gentlemen should pause and reflect on this unless they intend to grind the face of the poor and crush these people to the dust of the earth.

Within these lines is a confession. If the silver dollar will be a cheaper dollar than the gold, will the gentleman from South Carolina explain thow it will be harder for the poor debtor class to get it? Does he really think that it will be harder to get a cheap thing than a dear one? Does he really think it will be harder to get eighty cents than a hundred? No, indeed. He abandons his cheap dollar, fiat dollar, and 80-cent dollar argument. He abandons all the outcry that silver will not circulate. And, answering the first half of his own speech by the other half, he changes front to rear and assails free-silver coinage from the standpoint that the silver dollar will be so dear that it will crush the debtor to

Here is the patent fallacy of the arguments against silver. It is forgotten that if gold should in any event pass from circulation it will be just in proportion as silver comes in, and on account of its coming in. It is forgotten that the increasing silver volume is the very thing that will drive away gold, if it be driven away. It is forgotten that if gold goes abroad and the price of silver bullion remains at 80 cents every eight goes abroad and the price of silver bullion remains at 80 cents every eight gold dollars that go will bring back the material of ten silver dollars. It is forgotten that if silver bullion and gold bullion go to par the gold dollars loses temptation to depart, and that if it goes every gold dollar will be replaced by a silver dollar. And that if any discrepancy remains in the value of the two metals, it will be a discrepancy that will in any event replace every retiring gold dollar with more than one incoming dollar of silver. It is forgotten that in no event can contraction of the currency energy unless grassmodically and briefly at worst; and while the currency ensue, unless spasmodically and briefly at worst; and while the gentleman from South Carolina is apprehending a drought, he forgets that the chief staple of the argument of his associates is that great silvery waves of "teapots, spoons, and tankards" will break upon our shores and produce a freshet. And it is equally remarkable that while South Carolina is proving one day that the decrease of the money volume and the increase of the purchasing power of money will ruin the poor, Massachusetts the next day proves with equal clearness that such a thing is their salvation; and that both want to put down silver—the one because it will in his opinion contract the currency, and the other because he thinks it would indefinitely expand it.

The fact is, the gold men are not a happy family. They answer each other's speeches, and often answer their own before they get through with them. The gentleman from Illinois [Mr. ADAMS], on April 3, proved that high prices would win the labour. proved that high prices would ruin the laborer; while the gentleman from South Carolina [Mr. HEMPHILL] had a little while before proved that it was gold alone that would keep up or create high prices for wheat

and cotton-for the things the laborer eats and wears.

(3) WILL SILVER COINAGE DRIVE GOLD OUT OF THE COUNTRY?

Third. It is urged that free silver coinage will drive gold out of the country. We must take this prophecy with some grains of distrust. It is an old customer—a second edition of the old story that limited coinage would drive out gold. In 1878, when the Bland act was proposed for coining at least two millions' worth of silver per month, the wise men of the counting-room and the forum were in hysterics. The business men, whom the able gentleman from New York [Mr. JAMES] considers the best guides, wrung their hands in trepidation. Bankers raised the danger-signal and cried "ruin ahead." Senator Howe related that a Western town was black-listed and refused a loan because its people held silver meetings. A colleague [Mr. BYNUM, of Indiana] reminds me that Senator Wadleigh declared that the cheap silver would drive away dear gold "to other and more enlightened nations and leave us the debased and bulky metal which every progressive nation in Eu-

rope has ceased to coin, and which supplies the few and degraded wants of the poor, ignorant millions of Russia, China, India, and Mexico," and that Senator Matthews said "it would keep out of circulation gold coinage as effectually as if gold were prohibited by law."

Such were the prophecies. While yet fresh on the prophets' lips they

were refuted in many forms.

THE RESULT OF THE BLAND ACT RESULTING THE PROPHECIES AND THE LESSON OF EXPERIENCE.

The Bland act passed in February, 1878—behold the result!

1. We have coined since then \$406,821,813.50 of gold right alongside with \$222,885,261 of silver-nearly twice as much of gold as of silver,

2. We have imported since then \$183,508,431 of gold in excess of

our exports.

3. We have exported since then \$68,230,256 of silver in excess of our imports, it being silver that has left us, not gold—the good money driving away what it pleases some to call bad money.

Gold to the extent of eighty millions has gladly swapped itself for silver certificates, and was anxious to continue the swap until the

Treasury Department stopped the proces

5. The silver dollar has kept at par with the gold dollar even in the purchase of gold bullion.

6. Our present situation contrasted with that of 1878 shows this result in the volume of our metallic currency:

	Gold.	Silver.	Total.
January 1, 1886	\$553, 810, 148 247, 429, 570	\$293, 293, 872 80, 352, 328	\$847, 104, 020 327, 781, 898
	306, 380, 578	212, 941, 544	519, 322, 122

Showing a net gain of \$306,380,578 gold, \$212,941,544 of silver, and a total of \$519,322,122 in metallic circulation, whereas during the six years preceding the Bland act (in five of which silver was ostracised)

years preceding the Bland act (in five of which silver was ostracised) our country had lost by exportation \$123,754,210 of gold and \$109,-010,360 of silver. (Tables C and D, appended.)

Secretary Sherman in the fall of 1878 urged that soon as our silver coinage should reach \$50,000,000 it should be stopped. (Report of 1878, page 17.) But we did not stop. On flowed the silver from the Mint; in flowed the gold from abroad; and now, with \$553,810,148 of gold, and \$212,941,328 of silver, and a considerable subsidiary coinage, we have the President candidly conceding that—

There is certainly not enough silver now in circulation to cause uneasiness; and the whole amount coined and now on hand might, after a time, be absorbed by the people without apprehension; but it is a ceaseless stream that threatens to overflow the land which causes fear and uncertainty.

THE OVERTHROW OF THE PROFESSIONAL ECONOMISTS AND THE PROPHETS.

These results, so utterly contradicting the theories of professional political economists, of our official guides, of financial experts and teachers, and of political leaders who represented a large school of thinkers, at least warns us that the learned and great who strive for monopoly of gold have not yet gotten a patent right to monopoly of wisdom. Many of them, I doubt not, were sincere and honest in their predictions; but whatever their animus there must be some great currents of influence at work that escaped their detection, some laws that they did not recognize, some facts not embraced in the scope of their vision. Be this as it may, we can not look for guidance to the prolific parents of so many and of such prodigious errors. Of necessity we must think out and act out our own salvation, for the sign-boards are all down, the divining rods are broken, and we must blaze our own paths in this wilderness of contention, remembering that-

Knowledge and wisdom, far from being one, Have oftimes no connection. Knowledge dwells In minds replete with thoughts of other men, Wisdom in minds attentive to their own.

WHAT IF BALANCE OF TRADE AGAINST US TAKE GOLD AWAY FROM US?

The gentleman from Maryland [Mr. FINDLAY] is alarmed lest if we coin silver freely gold should flow away from us "on the ebb tide of failing exchange." Undoubtedly gold will leave us if we lose the favorable balance of trade with gold-standard nations; but this must inevitably happen whether we coin silver or not. It is an independent fact which suspension of silver coinage could not prevent, and which free silver coinage can not produce. The balance of trade with China is \$10,000,000 per annum against us, and, China being a silver nation, silver can pay that balance. But if our balances with England and Germany, which are gold-using nations, should be in their favor nothing could keep our gold from going away to pay them.

ADVERSE BALANCE OF TRADE TOOK GOLD FROM US FROM 1820 TO 1834.

And here let me call attention to the fact that it was an adverse trade and here let me can attention to the fact that I was an adverse that balance with England, which had just adopted the single gold standard, that took gold away from us from 1820 to 1834; not the Gresham law, as the gold monometallists have argued. I can find no recognition of this fact by even so able an author as Laughlin; and the failure to remark it shows how political economists overlook sometimes the true causes of events. I have obtained from the Bureau of Statistics a table

which demonstrates my assertion, and I commend it to the perusal of

Statement showing the exports from and the imports into the United States to and from Great Britain and Ireland during the years ending September 30, 1821 to 1834, inclusive.

MERCHANDISE

Year end- ing Sep-	The The Fi	Exports.	The sell	Townsto	Excess of—		
tember 30—	Domestic.	Foreign.	Total.	Imports.	Exports.	Imports.	
1821	\$18,634,134	\$209, 488	\$18,843,622	\$24, 438, 896		\$5,595,274	
1822	23, 458, 136	243, 993	23, 702, 129	34, 698, 398		10, 996, 269	
1823	20, 840, 717	660, 590	21,501,307	27, 644, 894		6, 143, 58	
1824	20, 328, 592	979, 475	21, 308, 067	27, 937, 315		6, 629, 248	
1825	35, 043, 466	1, 756, 246	36, 799, 712	36, 626, 958	\$172,754		
1826	20, 287, 674	1,006,126	21, 293, 800	26, 009, 753		4, 715, 953	
1827	25, 477, 710	714, 495	26, 192, 205	30, 252, 502		4, 060, 29	
1828	19, 549, 237	659, 223	20, 208, 460	32, 790, 238		12, 581, 77	
1829	22,504,377	1, 173, 483	23, 677, 860	25, 239, 663		1,561,800	
1830	25, 479, 764	717, 205	26, 196, 969	24, 374, 983	1,821,986		
1831	29, 990, 795	757, 363	30, 748, 158	43, 962, 887		13, 214, 72	
1832	27, 034, 398	1,787,823	28, 822, 221	36, 837, 626		8, 015, 40	
1833	30, 889, 624	1,473,582	32, 363, 206	37, 813, 421		5, 450, 21	
1834	41, 208, 393	3, 003, 434	44, 211, 827	41, 433, 294	2,778,533	0, 200, 21	

GOLD AND SILVER COIN AND BULLION.

1821		\$1,933,858	\$1,933,858	\$648, 212	\$1, 285, 646	
1822		796, 218	796, 218	107,889	688, 329	
1823		365, 632	365, 632	290, 247	75, 385	
1824		312, 112	312, 112	151,002	161,110	
1825		303, 266	303, 266	86, 288	216, 978	
1826	\$125,542	572, 533	698, 075	122, 216	575, 859	
1827	10,000	190, 101	200, 101	34, 611	165, 490	
1828	542, 434	2,309,775	2, 852, 209	20,972	2, 831, 237	
1829		613, 833	613, 833	39, 826	574,007	
1830	20, 154	112, 229	132, 383	144, 231		11,848
1831	625, 718	1, 615, 643	2, 241, 361	130, 830	2, 110, 531	
1832	876, 481	1, 112, 293	1,988,774	83, 639	1,905,135	100000000000000000000000000000000000000
1833		244	244	32, 403	1,000	32, 159
1834		270	270	5, 809, 513		5, 809, 243

WHAT WILL FILL THE GAP IF ADVERSE TRADE BALANCE TAKES GOLD FROM US?

More important is it to inquire now what will fill the gap if "the ebb

tide of failing exchange" takes gold from us?

With the greenbacks at a fixed volume, and with the national-bank currency already on the ebb tide of retirement, what would follow if there be nothing to fill it? A tight money market, a contracted currency, a wreck of industry, the protest of debts, panie, bankruptcy, ruin.

In such event of balances of trade against us there would arise the very contingency in which the double standard gives stability to currency. In such event silver, and silver alone, could come to the rescue and save the land from scenes of destitution; perhaps from scenes the like of which were not long since witnessed in Pittsburgh, and are now threatening in Kansas, Arkansas, Texas, and Missouri.

THE GRESHAM LAW AND SOME OTHER LAWS—CENTRIFUGAL AND CENTRIPETAL FORCES OPERATING ON MONEY.

Suppose, however, that the balance of foreign trade continues in our favor, what then will take gold away from us? Certainly it will not go gratuitously. Perhaps it may be hoarded. To some extent it is already hoarded. But hearded money is not lost money. It is like a reserve corps on a field of battle, ever ready to come into action if necessity arises. The hoarded money of the French peasant saved France from the German grip.

But the Gresham law, so called, will carry it off, it is said. What is the Gresham law? Nothing but the tendency, explained by Sir Thomas Gresham, founder of the royal exchange, of bad money to drive out good money; of the inferior to expel the superior currency. Gentlemen speak of it here as if it were the one inexorable and inflexible law in which finance lives, moves, and has its being. But it is a mere tendency, subject to the counteracting influences of other tendencies, subject to be repelled by countervailing forces. It was a saying of Jean Jacques Rousseau that "we seldom observe once things which happen many times daily."

Many times daily he that hath eyes to see can see that the Gresham law is now in our own country countervailed and intercepted from operation upon four different species of currency. Gold is our best money, that I concede, and here is gold to the extent of over five hundred millions in circulation at par, while the inferior moneys—(1) silver of 371½ grains to the extent of over two hundred millions, (2) greenbacks of no grains to the extent of three hundred and forty-six millions, (3) nationalbank notes of no grains to the extent of three hundred and fifteen millions, and (4) subsidiary coinage of 359.6 grains to the extent of seventy-five millions, in all nearly one thousand millions of inferior money—are not driving the superior gold away but attracting it in a continuous stream to our shores. Where is your Gresham law? Evidently its force is negative and counteracted by some superior force. Evidently the centripetal tendency of the superior money to seek retirement or a for-

eign market under the Gresham law has some centripetal and stronger power overwhelming it. Evidently there are other laws than those promulgated by Gresham. What are they? Are there not laws of

That it tends to the place which offers safest investment at highest profit.

2. That legal-tender equality of moneys tends to keep the different kinds at par.

That as long as the volume of taxation by which the inferior species may be used as effectually as the superior, and the volume of debt which the inferior may pay, are sufficient to keep money in high demand for tax and debt payment, the difference in intrinsic values is submerged in tax and debt paying equality.

These are laws of money, and they have buried the Gresham law out

of sight in the United States, and in France also.

FORCES THAT TEND TO KEEP ALL OUR MONEY AT HOME AND AT PAR.

We have a powerful centripetal force in this country so far overlooked or little noticed in this debate, a home-keeping money force that holds on to money as the loadstone to the metallic particles that touch it, and a par-making money force that lifts even the worthless paper, valueless in itself as "the sere and yellow leaf" of autumn, up to the value-level of the yellow gold. Gentlemen in this debate have regarded money in its two functions as (1) standard of valuations and (2) medium of exchange as if this brief analysis exhausted its functions. function-legal-tender capacity to pay debts and taxes.

LEGAL-TENDER CAPACITY THE ONLY ABSOLUTE VALUE OF MONEY.

This third function gives to money its only absolute value. Without it money has only relative value. That is to say, without it what out it money has only relative value. That is to say, without it what can you do with a dollar? You can not eat it or drink it or wear it, nor can you get anything for it unless somebody else consents to part with their property or labor for it. As standard of value it can not help you by your will alone. As medium of exchange it can not help you by your will alone, for even as to gold it takes two to make a bargain. But there is one thing that you can do with it by your will alone—you can pay a dollar of debt with a dollar, you can extinguish a dollar of taxes with it, and this is money's sole absolute value.

There follows this principle that the whole you me of debt and taxes

There follows this principle that the whole volume of debt and taxes in any country constitutes a redemption agency for every dollar, and every tax-gatherer and every creditor is a redemption agent.

We pay annually to the Federal Government in taxes some \$300,-000,000, and over that amount to the States and their municipal subdivisions. In 1880 the aggregate tax of every man, woman, and child in the United States was \$12.59, and in 1885 it was \$11.45 per capita. The following table tells its own story:

Statement showing the amount of taxation, State and Federal, in the United States in the year ended June, 1880; also the average tax per head of the population in that year.

Sources.	Amount of receipts or tax- ation.	Per capita.	Popula-	Per cent- age to the whole.
Federal: Customs receipts	\$186, 522, 064 124, 009, 374 8, 162, 871	\$3 72 2 48 6	50, 155, 783	
TotalState, municipal, &c	318, 694, 309 312, 750, 721	6 36 6 23		50, 52 49, 48
Total	631, 445, 030	12 59		100.00

TAXATION IN YEAR ENDED JUNE, 1885.

Federal—from all sources State and municipal, estimated,	\$298, 192, 693	\$5 22	*57, 093, 000	45, 59
per capita (same as in 1880)		6 23		54.41
Total		11 45		100.00

* Estimated.

PROFESSOR LAUGHLIN'S THEORY AND ITS PROPER SCOPE.

And I shall refer to a distinguished authority to explain the significance this table possesses. Professor Laughlin, of Harvard University, has written a very able work on bimetallism. It is recognized as such, and its author is not an advocate of free silver coinage. But he gives his views clearly and strongly, and here is what he says as to the Bland

Another fact which maintains the silver dollar at par with gold, and which is of considerable importance, arises from the provision of the act which authorizes the issue of silver certificates. Any person having not less than ten of the Bland dollars may deposit them with any assistant treasurer and receive therefor a certificate which, in size and appearance, closely resembles a United States note. The important consideration, however (and, to my mind, one of the most important provisions of the act), is that these certificates, in the words of the statute, "shall be receivable for customs, taxes, and all public dues."

This is a species of daily redemption of the silver dollar; for as gold has hitherto been required (as it was during and since the war) in payment of customs now that silver dollars are receivable equally with gold for that purpose they must remain at par with gold until there is forced upon the circulation more

than is necessary for such uses. If silver dollars alone had been made receiva-ble for customs and taxes their weight and inconvenience in large payments would have restricted their use, but the silver certificates remove all objections based merely on their weight.

So long; therefore

Significantly he adds:

So long, therefore, as the silver dollars which get out of the United State Treasury are in quantity sufficient to satisfy only the needs caused by the absence of small notes, and the sums demanded to pay customs and taxes, there is no feason why they should depreciate in value any more than the silver subsidiary coins should depreciate.—Bimetallism, by Laughlin, page 206.

The Professor is not quite broad enough in his view. He should have added that private debt-paying is just as efficient a redemption of the dollar to its holder as public debt-paying, for therein the holder gets

its par value.

And it follows on his own principle that as long as the silver dollars are in quantity sufficient to satisfy only the needs caused by the absence of small notes, and the sums demanded to pay customs, Federal taxes, State taxes, municipal taxes, and public and private debts outstanding, there is no reason why they should depreciate in value.

THE LESSON TAUGHT BY FRANCE.

France realizes this to-day with her nine hundred millions of gold and her six hundred millions of silver at 15½ ratio, all at par—the gold kept at home and the silver kept at par by the vast French debts. And here is America, with a greater population and greater resources, and eighteen times more territory, shivering with solicitude with not half as much 16-ratio silver in circulation, and with not two-thirds the amount of gold. France has taught us another lesson. Germany stripped her of one thousand millions of gold and went to a gold standard. France had little but silver to stick to, and stuck to it. With what result? Germany has now but \$342,000 of gold to the nine hundred millions of France, and but \$214,000,000 of silver to France's \$600,000,000. So it will be seen that the French silver has drained Germany even of her gold. And Gresham is as much out in the cold in France as he is here.

4. ARE WE IN DANGER OF A SILVER DELUGE? AND DID EVER A COUNTRY PER-ISH OR PINE FROM INUNDATION OF EITHER OF THE PRECIOUS METALS?

Fourth. Some gentlemen apprehend a silver deluge if we coin silver

In the long list of nations bankrupted, revolutionized, or ruined, I search history in vain for the name of one that was drowned in an in-undation of either of the precious metals. Has anybody here ever heard of such a nation? The Roman Empire, as Alison thinks, went down for the want of them, but where was the land, empire, or republic that was ruined by either a gold or a silver deluge? I heard one gentleman deriding the poor old confederate note the other day and comparing it to the silver dollar. It made me prick my ears, for my reminiscences had led me to believe that it was the remoteness of that note from the hope of ever getting in sight of a solid dollar that remitted it to the "tomb of the Capulets," and not its similitude thereto. And it was also my impression that a certain "fiat" dollar, commonly called greenback, had something to do with it. But let it rest. There was not enough silver in the confederacy to tinge its edges-

NO INUNDATING FOUNTAIN OF SILVER LIKELY TO SPRING FROM THE MINES.

But where, let me ask, is the silver deluge to come from? Silver does not grow on trees or fall upon the earth from cloudland. It descends not mysteriously, like manna, nor have we anywhere a Moses to smite, or a Horeb's rock to be smitten, for its gushing fountains. Brain and brawn must delve for it; in the sweat of man's brow and in

the toil of his hands it comes forth from earth's recesses.

The world's output of silver in 1884 was \$115,147,878, of which \$90,039,443 was coined. Of gold there was produced \$95,292,369, and

\$99,459,240 of gold was coined.

It is estimated at the Mint that thirty-five millions of silver and ninety-five millions of gold are annually consumed in the arts. So that out of the annual product there is no gold left to sustain the world's coinage of one hundred millions; and but eighty millions of silver left to sustain a coinage of ninety millions.

THE WORLD OUTSIDE OF AMERICA NOW DRAWING ON ITS SILVER RESERVES,

There can then be no fountains of silver in the earth yet found which are likely to inundate us; and obviously too the world outside of America is even now drawing on its silver reserves in whatever form they exist. Our danger does not threaten in the form of a silver freshet, but in the form of a gold drought. While we sent abroad last year to meet the demands of foreign markets seventeen millions of silver in excess of imdemands of foreign markets seventeen millions of silver in excess of imports, our neighbor, Mexico, produced twenty-nine millions, coined twenty millions, and exported thirty-one millions (see report of the Director of the Mint, page 46), while she imported practically no silver, showing the tendency of the silver stream eastward. Nor was this an exceptional tendency. During a period of twenty-three years India and China absorbed three hundred and eighty millions of silver, or sixteen and a half millions per annum, say 42,000 tons in twenty-three years. In the same interval the world produced 44,000 tons, from which deduct-In the same interval the world produced 44,000 tons in twenty-three years. In the same interval the world produced 44,000 tons, from which, deducting 3,000 for wear and tear, the net product was 41,000 tons. Thus it appears (as calculated by Mulhall) that India and China alone have

taken since 1860 more than the total product of the mines. And the absorption still continues.

NO INUNDATION OF SILVER LIKELY TO COME FROM THE COINED SILVER OF OTHER NATIONS.

It is not at all likely that silver will flow to us from the coined silver of other nations for the simple reason that it would have to pay a premium to convert itself into our dollars. It requires more silver to make money in the United States than in any country of Europe, and those who call our coin "light weight" forget that it is heavier weight than the silver legal-tender gold-par coin of any European or Eastern nation. British India has \$1,125,000 of legal-tender silver, and Euro-pean nations have \$954,880,000 of legal-tender silver; and Great Britain has nearly a hundred million of subsidiary silver coin. This vast bulk of over two thousand millions of silver is coined at a ratio to gold less than that of our own silver dollar. The total silver money of the world in 1883 was \$2,754,611,080, as reported by the Director of the Mint, and since then over \$200,000,000 has been coined, Mexico alone coins it at a higher ratio to gold than the United States.

The Latin Union has in legal-tender silver coin: France, \$520,567,-800; Belgium, \$51,378,200; Italy, \$36,837,200; Switzerland, \$9,694,000, and Greece (estimated), \$2,000,000—over six hundred millions—all coined at the ratio of 15½ to 1 of gold. Germany coined in marks the equivalent of \$114,319,000, in 1884, at lower rates than ours—1 to 13. Great Britain had in circulation in 1885 \$96,731,420, coined at the ratio (As to ratios of coinage see appended Table E.)

The \$954,000,000 of European silver coin could not convert itself into our silver dollar without a loss of about 3 per cent. in monetary value, or of about \$29,000,000. The silver deluge is not likely then to come upon us from this quarter.

WHERE MAY THE SILVER DELUGE COME FROM?

Where, then, let us ask, is the silver deluge to come from? The German "dump" is ended, the demonetized silver has been scattered, the depressing power is well-nigh done. It must come from the world's old stock of silver, if at all—from the "old teapots, spoons, and tankards" which figured in the evil forebodings of the gentleman from Massachusetts [Governor Long] as if they were "gorgons, hydras, and chimeras dire." In 1850 the world's stock of silver was thirty times the weight of its stock of gold, whereas it is now but nineteen times. And while no one can say that the terrible "teapots, spoons, and tankards" will not invade us, is it not reasonable to calculate that while the world outside of America is now and has long been using up the old silver stock there is not such a vast basin or reservoir anywhere on tap as to break forth upon us in fatal and uncontrollable waves.

Undoubtedly there would be a great tendency of foreign silver to America if silver bullion in London remained at 80 per cent. discount. But with the price raised in America it would rise everywhere; and with the rising price there would be a changed condition, tending to check rather than to stimulate the stream in this direction. Certainly, however, we would be with free-silver coinage open to the vast increase of our silver money. We might coin fifty millions, perhaps more, per annum. Gold might, and probably would, in considerable amounts go abroad to purchase silver; our American mines would be stimulated, flush silver times would come, we might in a few years have one thousand millions of silver dollars, and in anticipation we must squarely face the problem. What then?

(5) WILL WE BE THROWN UPON A SILVER SCHEDULE? IF SO, WHAT THEN?

With a flush stream of silver money these are the natural results to be anticipated:

Rising prices of commodities, and of all products of agriculture and manufacture.

2. The utility of silver as one of the resources for the redemption of our prodigious sum of public and private debts being established, its value would be permanently lifted to the par of the dollar.

3. Gold would not command a premium if operated upon only by

domestic influences. We produce but thirty millions of gold per annum and a third more of silver, and part of the gold would probably continue to go into coinage side by side with silver as it does now.

4. There would probably be a foreign demand for gold to purchase

silver bullion, and some gold would go away on that mission; but with stimulated enterprise and industry in America and rising prices much would stay to buy silver bullion here and for investments, and to meet gold obligations of individuals and corporations to their creditors.

 Gold would not be likely to go abroad for coinage purposes in any considerable amounts, because gold can be made money in America at a cheaper rate than at any European mint. But as no European mint is freely open to silver, and many mints are freely open to gold, silver has not the free competition with gold abroad as it would have here. Hence some gold might go abroad for coinage purposes.

6. If the United States conclude to pay its creditors in silver coin,

as we have unquestionable right to do, there is not a bond that would not get a better medium in payment than the original contract called for, nor one that could by any reasonable possibility fall below par value. Therefore public credit could not suffer either in name or substance. I have no sympathy with that pseudo and pharisaical morality that in the name of public credit would pay more than is due to the powerful, and deny what is their due to the masses. It is unmanly and unrepublican.

If the "United States preferred to continue to pay its bondholders in gold we could better afford to do it, even paying a premium for the gold, than to deny to this silver-producing and debt-ridden people the right to coin silver for their general uses. The disadvantage of refusal to let silver become money is greater than that of paying the few millions that would at the worst be needful to pay the bonds in gold.

These seem to me to be reasonable speculations. But the fate of the financial prophets of this generation warns me against dogmatism. Prophecy is not one of the exact sciences. It is the unexpected that happens in financial politics as well as in all other phases of political

happens in financial politics as well as in all other phases of political projection. And as we must forecast the worst, the worst anticipation of the enemies of silver is that the United States would become the user of but one metal as money, and that metal would be silver. Hence it is said that we who uphold free silver coinage are at heart silver monometallists.

WHAT IF WE BECOME THE USER OF SILVER AS OUR SOLE METAL MONEY?—NO DANGER OF MONOMETALLISM.

Confronting the possibility of being thrown to the use of silver as our sole metal money, we ask what then? First it may be replied that First it may be replied that were this to happen it would not make the United States a monometal-lic nation, nor those of us who are for free silver monometallists. Bi-metallism consists in the freedom of coinage of both metals and the free use of either or both as money, as circumstances dictate. The transient use of one only does not eliminate bimetallism nor destroy its benefits; nor is it by any means the frightful evil which some would have us believe.

With free coinage laws the United States was on the sole-silver schedule from 1820 to 1834; and thereafter for a while on the sole gold schedule.

During neither period did we retrograde as a nation. By far the largest portion of the world's inhabitants are to-day operating on the silver basis-no less than some eight hundred millions of people. let no one suppose that if we were to run temporarily on silver alone we would suffer the stringency and instability of monometallism. mint would be open to free coinage of gold; our mines to free digging for gold; our ports to free entry of gold. The first touch of stringency would start mine, mint, and incoming ship to give us gold. The gold reserves would rush to the re-enforcement of silver. With free bimetallic laws upon our statute-books, we would remain within the pale of bimetallic forces and bimetallic beneficence.

THE SILVER DELUGE A BUGBEAR.

The upshot of it is, that if we prospered with gold and silver in easy relations gold would stay with us, and if, at the worst, gold went away silver would more than replace it, in an appreciated form, and gold would return if there were need for it. The silver-deluge delusion then should have no terrors for us. Would indeed that such a deluge could come, and would come quickly; that the fountains of the silver deep would break upon us, and that the windows of the silver heavens would open! How the parched debt-ridden earth would drink the refreshing Find us the showers! How nature would clap her hands with joy! land that was ever submerged in such a deluge, and methinks you will find the graves of men who were choked to death with butter. It is a bugbear—this silver deluge—"to fright the souls of fearful adversaries;" no more.

THE COINAGE OF SILVER NECESSARY TO MEASURE RELATIVE VALUES OF GOLD AND SILVER,

At the least it may be claimed indisputably that the free coinage of silver by the United States will disclose the true relations of the And if it be true that there is a gap between their bullion values at the present ratio of 16 to 1, free coinage will show how broad that gap is. It is folly now to talk of bringing gold and silver bullion in perfect parity by putting more silver in the dollar, because you measure the gold bullion as appreciated by the free coinage of leading nations, and measure silver while denied a status on the same plane. A dwarf and measure silver while denied a status on the same plane. A dwarf on the shoulders of a giant may be higher than the giant himself. The two metals must stand as nearly as we can make them stand on the same level before their relative measurement can be made. And the first step to the restoration of bimetallism is to admit silver to free coinage and then deal with the discrepancies in bullion values, if such discrepancies still appear.

(6) WILL FREE SILVER COINAGE IN THE UNITED STATES RETARD AN INTERNA-TIONAL AGREEMENT FOR COINAGE AT A COMMON RATIO WITH GOLD?

The great objective point of sincere bimetallists is to secure the free coinage of silver by leading nations at a common ratio with gold, thus restoring silver to its place in the money kingdon. Some of them argue that if the United States continues to coin compulsorily under the Bland act it will retard progress to the end in view, and that if free chiand act it will retard progress to the end in view, and that if free coinage is authorized it will be fatal to the hoped-for international agreement. Such men as Cernuschi, in France, and S. Dana Horton, in the United States, thus argue; and the theory of this view was recently presented to us with conspicuous ability by the gentleman from New York [Mr. James]. His speech, I am frank to say, contains a powerful argument against this bill; but I do not think the reasons set forth are by any means unanswerable.

The gist of it is that sentiment in Europe is crystallizing for the resration of silver; that the agriculturists of Germany are moving for it; that statesmen and thinkers in England, France, and other countries, as well as the industrial classes, are doing likewise; and that if we continue to coin at 16 to 1 while the European ratio is 15½ to 1 we will retard international agreement in two ways: First, by giving Europe a market for surplus silver, and, second, by increasing the body of metal money which is on a different scale from that fixed in France and other countries. If, it is contended, we will stop coining and wait for a "hands all round" silver movement, a European glut of silver bullion will be created; it will find no outlet, and a money drought will ere long force Europe to terms. All this is plausible, I may say cogent, but I think it is outweighed by many momentous considerations.

(1) SUSPENSION OF COINAGE WILL FURTHER DEPRECIATE SILVER.

If we stop silver coinage silver will be further depreciated. So Mulhall thinks, and so think the best minds that have dealt with this subject. So, also, experience teaches. Defeat silver here, and while the practical effect will be to lower its price the moral effect will be to discourage bimetallism and give a victory to the gold monometallists the world over. Whatever appreciates silver tends to its remonetization. Is it not more likely that if we appreciate it by free coinage other nations will follow our example than if we follow their example in demonetizing and kicking it out? The gold monometallists see this and they are all for suspension of silver coinage.

(2) INTERNATIONAL AGREEMENT TOO VAGUE AND INDEFINITE

The hope of international agreement is too vague, indefinite, and distant. Great bodies move slowly. To move groups of nations without affinities requires tremendous leverage, and must be the work of years. Their jealousies and rivalries impede all efforts at unanimity.

(3) INTERNATIONAL CONFERENCES HAVE TWICE FAILED.

We had an international conference in Paris in 1878 to promote an international agreement—a conference recommended by the Bland bill—and were ably represented by Reuben E. Fenton of New York, William S. Groesbeck of Ohio, Francis A. Walker of Massachusetts, and S. Dana Horton of Ohio. It accumulated much learning on the subject; it deleted like the House of Representatives in Committee of the Whole of bated like the House of Representatives in Committee of the Whole on the state of the Union, and it ended in discussion.

There was another international conference in Paris for the same purpose in 1881, and we were there represented by William M. Evarts, Allen G. Thurman, Timothy O. Howe, and S. Dana Horton; and the

second conference was, in effect, the duplicate of the first.

Eight years have rolled by, and now we are told to wait and have another conference. What other nations are asking for it? Who is working for it here? When will it come about? What guarantee is there of its success? Meanwhile our interests are suffering. And while it is true that sentiment is increasing in favor of silver it is also true that popular sentiment never was against it, and that the money monarchs of Europe and America are adepts in repressing sentiment and postponing its re-

(4) THE DIFFICULTY NOT LESSENED BY DELAY.

But, it is answered, the European ratio is generally 15½ to 1, while ours is 16 to 1; and if we keep making dollars at our ratio we will find it so much more difficult to get to a common ratio. It can not become any more difficult than it is now. We have tried it twice without free coinage, why not try it once with free coinage? If we come to an international agreement it is generally argued that we must adopt the prevailing European ratio of 15½ to 1.

This being so, let me ask is it likely that when our adversaries in the United States are insisting on putting more silver in the dollar they will come to us when we propose in conjunction with others to put less and turn our dollar of 371.25 grains into a light-weight dollar of 359.91 grains? Were that proposition made, we might anticipate a cry from the gold men that would rival the voice of Bedlam. Nor would it be without an element of justice. We would have to cheapen the silver dollar and give our creditors less than that piece of silver of a prescribed quantity and quality that we contracted to pay them. Nothing but necessity could justify such an act. Furthermore, if we are waiting to get down to the European silver ratio, we are waiting for an event that will be more likely to precipitate silver to us than will coinage at our present ratio. present ratio. European coins could then turn into American coins without loss, and without cost save that of transportation, whereas now they must pay that cost and pad themselves with 3 per cent. more of silver.

(5) NO SUCH THING AS INTERNATIONAL MONEY; WE CAN NOT AFFORD TO WAIT FOR IT OR ITS APPROXIMATE.

We can not afford to wait until "to-morrow, and to-morrow, and to-

morrow, creeps in its petty pace from day to day," from year to year, from decade to decade, from generation to generation, for that new departure which involves many complexities, disturbs local customs, and is confronted with many difficulties. Civilization has as yet evolved no international money, and the coins of one nation circulate but little in another; and international agreement has no existence save among small groups of nations. English gold coin is 916 fine; Egyptian, 875; Austrian, 986; French, German, and American, 900. When international agreement comes it will be far-reaching, and in the fullness of time I

doubt not it will come. And I believe that the universal coin will become the first link in the formation of that universal coin will become the first link in the formation of that universal nation that has been dreamed of by the dreamers of great dreams. But we can not wait for it or its germ, and I fear that to do so would imitate somewhat the example of the swain who sat by the side of the stream waiting for it to flow by.

NOW IS THE OPPORTUNITY OF THE UNITED STATES.

Here and now is the opportunity of the United States. While Europe is wrestling over gold, suffering from the banishment of silver, and far more seriously threatened than we are by labor dissensions, strikes, anarchism, and revolution; while standing armies are as ever eating at her vitals, and the spirit of money caste is, as it supposes, fortifying it-self behind gold monometallism, ours is the opportunity to seize upon the artificially depreciated silver, and by commanding it in such free and unlimited quantities as we desire to restore its value and appropriate to ourselves the greater part of that value so restored. Leading European nations rejecting silver when it was at a premium above gold made "a corner" in gold. We, reversing their example, may make "a corner" in silver and at the same time protect ourselves from the reactionary evils of monometallism which they suffered by preserving in full force our bimetallic laws for the free coinage of gold as well as

Let us not be deterred by the appeal to vain pride that we will rank ourselves with "India and the heathen Chinee." This movement can not be belittled by such rhetoric. The heathen Chinee, nearly four hundred million strong, is at least able with his sole silver basis to draw an annual tribute of \$10,000,000 from our boasted so-called "gold unit" an annual tribute of \$10,000,000 from our boasted so-called "gold unit" enlightenment. The balance of trade is to that extent in his favor; and "the heathen Chinee" is quietly putting our money in his purse while we are boasting of our superior enlightenment, and of our superior knowledge of the game "he does not understand." India, with her silver rupees, is building railroads, opening new cotton and wheat fields, and the men of the South and of the great grain-growing West behold her girgatic shed by already leaving the state.

her gigantic shadow already looming up over their Eastern markets.

We should copy England's independence, not her special acts fitted to her own condition. Nor let us fancy that we would be doing a great thing in imitating, as some would have us do, such foremost nations as England with their finances based on gold. England is acting according to her situation and the genius of her institutions. Let us consider ours. England founds her prosperity on money caste and conquest, on monopoly and the bayonet. We seek to establish ours on liberty, equality, and fraternity—lifting up, not repressing, the popular interests and aspirations. England is a creditor nation, drawing into her coffers annually \$500,000,000 from her carrying trade and from foreign

Ours is a debtor nation in the reverse attitude. England does not produce silver, while we produce more each year than all the nations of Europe put together. Think you if England were situated as we are she would listen to such pleas as we have made to us; that she would spurn the money metal stored in her own mines and pay tribute to other nations in copying their schemes of self-aggrandizement? No; she would rather make herself a silver monometallist nation and bring other nations to her silver footstool. The independence of her statesmanship, its bold, self-reliant, self-assertive, far-reaching spirit—this has made her great. And this is what I would have the United States to imitate; not the shapes of policy which subserve English interests, but which would be futile if not fatal if pursued as to our own. And as the courage of America are equal to its successful issue.

England is commended to us by some of our friends on the other side of the House, I am tempted to ask, What England do they refer to? When I studied geography there was but one England, but in this debate at least two Englands have come in view. To which do they refer; the England whose people are withering, and whose papper labor, as they paint it, isstarving, dying, rotting and rioting under "the curses of free trade," or the merry England happy and prosperous as in "the spacious days of Queen Elizabeth" enrobed in yellow gold? Imitate England? Indeed! Behold a new song is in the mouth of New England, which would have us protect everything she manufactures against land, which would have us protect everything she manufactures against free-trade Old England, but would have us also imitate that same Old England in sticking close to gold albeit we do not thereby "protect," but throw to the dogs those bounteous provisions of silver which Providence has stored up for us.

AN AMERICAN POLICY AND FREE SILVER MONEY NEEDED.

England boldly launched forth in 1816, alone among the great nations, upon the single gold standard. She did not say "wait," but acted. We may with greater safety and conservatism preserve our freegold coinage, and launch forth, without waiting for others, upon freesilver coinage.

Nothing but the combined greed and timidity of capital restrains the experiment. But if Columbus had been a great capitalist he would never have discovered America; and if we listen solely to the voices of

great capitalists we will never save it from monopoly and money rule.

England has an English policy. What we need is an American policy equally independent. Macaulay has said in a fine essay that the way for governments to treat peoples struggling for liberty is to give them more liberty. It is with the moneys of peoples in some respects as with themselves.

Restrictions create false conditions, which defy analysis, refute prophecy, and confound the wisdom of the wise. Restrictions upon silver coinage are now by almost universal acknowledgment the most potent causes of financial perturbations in Europe and America alike. To give free play to natural laws, to give greater liberty to money, is the first step of the renovating and remolding process. I am, therefore, for the free coinage of silver, and for the application of the philosophical principle which Jevons enunciates in the conclusion of his able work on the Mechanism of Exchange, by saying:

The only method of regulating the amount of the currency is to leave it at perfect freedom to regulate itself. Money must find its own level like water, and flow in and out of a country according to fluctuations of commerce, which no government can foresee or prevent.

That we will encounter difficulties in carrying out this great movement I do not question. When great wrongs have been done and great errors committed there is always difficulty in righting them. But with free coinage of silver established we will know how to measure the diffi-culty and how to deal with it. When we were but three millions of feeble folk, with little store of iron, lead, silver, or gold, we did not hesi-tate to grapple with British power, with a result of which the world has taken notice. Nowthat we are nearly sixty millions of the strongest and richest and most hopeful and high-spirited of all the peoples of the earth, I for one do not feel that we should shrink from the contest with England and her allies for the restoration and ascendancy of that metal with which our interests are identified. I would welcome the encounter, not evade it, and I have confidence that the resources, the genius, and

APPENDIX.

TABLE B .- Showing the world's annual product of silver and gold.

	1	882.	1883,		1884.	
Countries.	Gold.	Silver.	Gold.	Silver.	Gold.	Silver.
United States Russia Australia Mexico Germany Austria-Hungary Sweden Norway Italy Spain Furkey Argentine Republic Colombia Bolivia Chili Brazil Japan Africa Venezuela Dominion of Canada France Peru	23, 867, 935 28, 943, 217 936, 223 249, 890 1, 050, 068 11, 298 72, 375 6, 646 78, 546 3, 856, 000 72, 375 163, 000 741, 694 632, 520 1, 993, 800 2, 595, 077 1, 094, 926	17, 949 3, 096, 220 89, 916 420, 225 760, 000 11, 000, 000 5, 325, 000 877, 772	9 900 050	\$46, 200, 000 323, 427 89, 418 29, 568, 589, 300 2, 024, 645 17, 919 3, 096, 220 89, 916 420, 225 760, 000 16, 000, 000 5, 325, 000 877, 772 68, 205 264, 275 1, 908, 000	170, 270 1, 993, 800	\$48, 800, 000 388, 000 115, 966 27, 257, 888 10, 311, 656 2, 054, 077 265, 499 17, 941 148, 000 89, 911 420, 222 760, 000 5, 325, 000 877, 772 68, 205 264, 275 1, 908, 000, 000,
Total	98, 948, 840	111, 821, 623	94, 197, 341	116, 923, 373	95, 292, 569	113, 147, 878

Table A.—Statement of the Director of the Mint showing ownership and amount of gold and silver coin and bullion in the United States, January 1, 1886.

THE REPORT OF THE PROPERTY OF THE	Bullion.			Coin.			Bullion and coin.		
Ownership.	Gold.	Silver.	Total.	Gold.	Silver.	Total.	Gold.	Silver.	Total.
TreasuryNational banks	\$72,923,721	\$4,611,078	\$77,534,799	\$75, 434, 379 156, 353, 592	\$100, 335, 155 9, 000, 705	\$175, 769, 534 165, 354, 397	\$148, 358, 100 156, 353, 592	\$104, 946, 233 9, 000, 805	\$253, 304, 333 165, 354, 397
State banks, trust companies, and sav- ings-banks Other banks and private hands				31, 255, 789 290, 766, 388	183, 957, 912	31, 255, 789 474, 724, 300	31, 255, 789 290, 766, 388	183, 957, 912	31, 255, 789 474, 724, 300
Total.	72, 923, 721	4, 611, 078	77, 534, 799	553, 810, 148	293, 293, 872	847, 104, 020	626, 733, 869	297, 904, 950	924, 638, 819

TABLE C .- Showing our coinage in and since 1878, the year the Bland act | Relative values of gold and silver in the coinage systems of countries of the passed.

· Control to the control	Silver.	Gold.	Minor coin.	Total,
1878	\$27, 529, 934 50 27, 227, 837 50 27, 940, 862 50 27, 646, 271 25 27, 780, 881 25 28, 117, 958 25 28, 108, 227 50 28, 533, 288 25	\$52,798,980 00 40,986,912 00 56,167,735 00 78,733,864 00 89,413,447 50 35,936,927 50 27,932,824 00 24,861,123 50	\$760, 891 00 45 00 1,575 00 3,695 50 2,507 50 717,511 90 665,160 30 315,671 40	\$81, 089, 805 50 58, 214, 794 50 84, 100, 172 50 106, 383, 830 75 117, 196, 836 25 64, 772, 397 65 56, 706, 211 80 53, 710, 083 15
To Share Built	222, 885, 261 00	406, 821, 813 50	2,467,057 60	632, 174, 132 10

TABLE D .- Showing our imports and exports of gold and silver from 1873 to 1886.

UNITED STATES.

AND A SHEET	Gold coin ar	nd bullion.	Silver coin and bullion.		
Fiscal years.	Imports.	Exports.	Imports.	. Exports.	
1873	\$8, 682, 447	\$44, 856, 715	\$12,798,490	\$39, 751, 859	
1874	19,503,137	34, 042, 420	8, 951, 769	32, 587, 985	
1875	13, 696, 793	66, 980, 977	7, 203, 924	25, 151, 165	
1876	7, 992, 709	31, 177, 050	7, 943, 972	25, 329, 252	
1877	26, 246, 414	26, 590, 374	14, 528, 180	29, 571, 863	
1878	12, 976, 281	9, 204, 455	16, 491, 099	24, 535, 670	
Total	89, 097, 781	212, 851, 991	67, 917, 434	176, 927, 794	
1879	5, 624, 948	4,587,614	14,671,052	20, 409, 827	
1880	80, 758, 396	3, 639, 025	12, 275, 914	13, 503, 894	
1881	100, 031, 259	2,565,132	10, 544, 238	16, 841, 715	
1882	34, 377, 054	32,587,880	8,095,336	16, 829, 599	
1883	17, 734, 149	11,600,888	10, 755, 242	20, 219, 445	
1884	22, 831, 317	41,081,957	15, 504, 777	29, 868, 748	
1885	26, 691, 696	8, 477, 892	16, 550, 627	33, 753, 633	
Total	288, 048, 819	104, 540, 388	88, 397, 186	151, 426, 861	

TABLE E.—Showing relative values of gold and silver in the coinage systems of countries of the gold standard.

[From Fawcett on Gold and Debt, page 144.]

C	Relative	e coins.	Pure n	Relative	
Country,	Gold.	Silver.	Gold.	Silver.	value.
Bogota	Peso Pound Pound Mark 1,000 reis Crown Dollar	Half-peso. Piaster Shilling Mark 500 reis Crown Dollar	Grains. 22, 49 115, 5 113, 001 5, 531 25, 087 6, 225	Grains. 141.009 14.298 80.727 77.16 176.824 92.392 371.25	1 to 12½ 1 to 12.3 1 to 14.2 1 to 13 1 to 14 1 to 14.8 †1 to 15.98

^{*}Mr. Fawcett gave the trade-dollar valuation. We give the standard dollar. †Commonly stated as 16,

Relative values of gold and silver in the coinage systems of countries of the silver standard.

Country.	Relative	e coins.	Pure	Relative	
Country.	Gold.	Silver.	Gold,	Silver.	value,
Austria*	Gulden Peso Gulden 5 rubles	Florin Peso Florin Ruble	Grains. 11, 2006 22, 8477 9, 3332 92, 5713	Grains, 171, 466 377, 1718 145, 8324 277, 7158	1 to 15½ 1 to 16½ 1 to 15½ 1 to 14‡

^{*}These countries issue a gold coin for commercial or trade purposes.

double standard.

Country	Relativ	e coin.	Pure n	Relative		
Country.	Gold.	Silver.	Gold.	Silver.	value.	
Latin Union (includes Belgium, France, Italy, and Switzerland)	5 francs	5 francs	22, 4012	347.22	1 to 151	

The "Latin Monetary Union" mentioned in the foregoing table was a convention ratified at Paris, December 23, 1865, between the governments named. Greece was added in 1867.



Silver not a Local Issue.

SPEECH

OF

HON. DARWIN R. JAMES.

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, April 2, 1886,

On the bill (H. R. 5690) for the free coinage of silver, and for other purposes.

Mr. JAMES said:

Mr. Speaker: I desire to add the following extracts to my remarks of March 20, 1886.

The following lines are a part of the platform of the Republican convention of the State of New York, adopted at Saratoga, September 23,

The restoration of silver to its former position through equality with gold before the law in a majority of commercial-nations must remain, until accomplished, the chief aim of our monetary policy.

The platform adopted by the Democratic convention at Saratoga, September 25, contains recognition of the same idea:

But we will welcome any practical measure of agreement with other nations by which the ratio of value between gold and silver may be made less fluctuating.

[From annual report of the Secretary of the Treasury (Mr. Sherman) on the state of the finances for the year 1879.]

The Secretary can not too strongly urge the importance of adjusting the coinage ratio of the two metals by treaties with commercial nations, and, until this can be done, of limiting the coinage of the silver dollar to such a sum as, in the opinion of Congress, would enable the Department to readily maintain the standard dollars of gold and silver at par with each other.

[From annual report of the Secretary of the Treasury (Mr. Sherman) on the state of the finances for the year 1880.]

It may be better for Congress at the present time to confine its action to the suspension of the coinage of the silver dollar, and to await negotiations with foreign powers for the adoption of an international ratio.

[From annual report of the Secretary of the Treasury (Mr. Folger) on the state of the finances for the year 1881.]

of the finances for the year ISSL.]

The most potential means of bringing about any concert of action among different nations would appear to be for the United States to suspend, for the present, the further coinage of silver dollars. This is the decided opinion, in both France and America, of the highest authorities on bimetallism, and of those who wish to bring silver into general use and raise its value; and it is believed that a cessation of coinage would, at a very early day, bring about a satisfactory consideration of the whole subject among the chief commercial nations.

The recommendations of the Secretary were repeated by reference in his reports for 1882 and for 1883.

[From annual report of the Secretary of the Treasury (Mr. McCulloch) on the state of the finances for the year 1884.]

The United States is one of the most powerful nations—its credit is high, resources limitless; but it can not prevent a depreciation of silver unless its efforts are aided by leading nations in Europe. If the coinage of silver is continued in despite of the action of Germany in demonetizing it and the limita-

tion of its coinage by what are known as the Latin nations, there can be but one result: silver will practically become the standard of value. * * *

The European nations which hold large amounts of silver must sooner or later come to its rescue, and the suspension of coinage in the United States would do much to bring about, on their part, action in its favor.

[From annual report of the Secretary of the Treasury (Mr. Manning) on the state of the financies for the year 1885.]

The choice before Congress is not between silver monometallism and gold monometallism. Both are inadmissible. The choice before Congress is not between bimetallism and either gold or silver monometallism. The latter are not admissible, and bimetallism is only possible with the co-operation of other nations, which is not now to be had. For, although France holds the same friendly attitude, and would be followed by some of her associates of the Latin Union, England now, as in 1878 and 1881, is willing to depart from her mintage of gold alone into coins of unlimited legal tender, and Germany now, as in 1881, regards the concurrence of England in an international bimetallic union as a sine qua non.

The only choice before Congress, therefore, is the choice between one-metal-lism and two-metallism. The silver dollar can not be kept in equivalence with the gold dollar if the coinage of silver continues. The gold dollar can not be kept in full domestic circulation if the silver dollar is suffered to fall. Coining more necessitates its fall. Doubtless some may hope that more silver dollars can be coined, and yet their equivalence with the monetary unit not be lost. It is respectfully submitted that there is no compensation for that risk, and that a judgment so accordant of the great business classes who carry on the exchanges of the country must be accepted as a final estimate of that risk.

Nor should it be forgotten that every silver dollar coined hereafter at our present ratio would be, as the coining of every silver dollar since 1878 has been, a direct hindrance to the international bimetallic union then avowed as the object of our legislative policy.

[Extract from House Executive Document No. 100, Forty-ninth Congress, first session. Letter from the Secretary of the Treasury to the Speaker of the House of Representatives in response to a resolution of the House, &c., March 2, 1886.]

session. Letter from the Secretary of the Treasury to the Speaker of the House of Representatives in response to a resolution of the House, &c., March 2, 1886.]

It is now become plain, to all who take comprehensive and practical views of public policy, that the United States can do no better than return at the earliest possible date to a bimetallic unit of value. By this I mean—

1. The monetary unit embodied in coins, both of silver and of gold.

2. The monetary unit of value embodied in the silver coin to be made and kept in that successive and simultaneous equivalence with the present and prior unit of value which has been our honorable distinction ever since the Constitution was framed.

3. Open mints for the free coinage of gold and silver at a fixed ratio to every citizen of the United States bringing either metal, and the right to have his coins received in every sale and payment as full legal-tender dollars.

Nothing less than this is bimetallism. It is not bimetallism that we are having now. All our silver coinage is but excessive subsidiary coinage of Treasury purchases of silver for a fletitious Treasury profit. We lack an indispensable part of bimetallism. We lack the free coinage of everybody's silver, to an amount unlimited by Government, into coins of full legal tender.

It is the facts of our present situation, I would respectfully reassert, that constrain us toward bimetallism as our goal.

Our \$550,000,000 coined gold, our \$220,000,000 coined silver, now make any policy save ultimate bimetallism for the United States practically and politically a Utopian policy.

Stopping the coinage of Treasury purchases of silver is not a policy in which we can rest and be thankful. It is merely the first and indispensable step to ultimate bimetallism. It is also the only step to ultimate bimetallism. No intelligent expert on either side of the Atlantic has proposed or attempted to defend any other step to ultimate himetallism.

It is a wise step in the interest of industries jeoparded by doubt, to end the increasing risk of expelling our gold. But it is a step necessary in the interest of silver-owners, because continued silver-dollar coinage, after long trial, neither betters the price of silver nor narrows its fluctuations, and tends to prevent rather than promote that international context which have treated as the property of the ns inctuations, and tends to prevent rather than promote that international concert which, by restoring open mints for silver in three or more great commercial nations, can alone restore its price. No mint in the world which gives free coinage to gold now gives free coinage to silver. Except our own, no mint in the world which gives free coinage to gold now coins full legal-tender silver. We alone heap up the load. The sure outcome is silver monometallism for us. Meanwhile what gold heap sight record her silver monometallism for us.

good has eight years of it done the silver-owners? Not a dollar of their coin or bullion crosses the sea and there brings its former price. But silver monometallism in the United States will not restore silver to its old price any more than the silver monometallism of India, China, and Mexico do. It will not even tend to restore silver to its old price, and so is condemned as an incapable, unprofitable monetary policy. In that respect it is worse than our present limited coinage of Treasury purchases prior to the day of their outcome in silver monometallism. It is even worse for the ultimate price of silver than if we stopped such coinage and held on so indefinitely. The reason is plain. Silver monometallism in the United States, in due time, and finally, will release to Europe the bulk of our \$550,000,000 gold, and assist every once bi-metallic nation there to follow Great Britain and the Scandinavian states in becoming and remaining a gold monometallic nation, with but token silver for small change.

Silver monometallism in the United States, in due time and finally, will release the depreciated full legal-tender silver of European bimetallic nations to compete with the product of our own mines for a passage through our mints. Assume that we could exclude it by stringent laws-though it is a strange assumption-foreign silver would distance ours in the race for the Orient, with which we trade mostly through Europe now, and with which we have so little trade, but Europe so much.

The transfer and exchange of a part of Europe's silver stock for the

bulk of the United States gold stock might be indirect in part, but it would be unavoidable. The open mint for silver in France was all that Germany used or needed to effect the substitution of her silver for the gold of France. That is what silver monometallism in the United States would at last come to, undeniably—the exchange of European silver against American gold; and that could not raise the ratio of silver to its old level, but would fasten it down finally.

Even were this indirect but ultimate exchange of our gold for European silver hindered by any present tendency of coin balances to continue in our favor, it is still but an affair of time. There are other arguments, too complex to be met incidentally; but whatever their force, the disuse of gold by the United States would be compensated by its the disuse of gold by the United States would be compensated by as increased use in Europe, and thus prevent its loss of purchasing power. So our increased use of silver, tending to enhance its purchasing power, would be countervailed, without benefit to the United States, by its diminished use in European nations, thus preventing its gain of purchasing power, whether their legal-tender silver stocks were drained off to the West or East. The bimetallic theory of an ever-balancing approximation of the two metals to a fixed ratio, whatever the variations in the natural increase from mines of either metal, has no application to the case of substitution here supposed, any more than it had to the substitution which Germany effected at the expense of France. The emigration of our gold to Europe would not restore the price of silver.

There is one way, and only one, by which silver can be restored to its old ratio and value, namely, an international concert upon a common ratio with open mints to both metals at that ratio.

A concert of European powers without the concurrence of the United States is impossible, for this reason: The ratio of gold at which most of the European silver stocks have coined is 15.5 to 1. Our ratio is 16 to 1. A merely European concert of nations would make profitable the export of all our silver, and we should be drained of the metal as we were, by the same difference of ratios, from 1834 onward, when our loss induced in 1853 our first subsidiary coinage of fractional silver.

A concert of the European powers together with the United States, until we stop coining silver, is impossible for the same and another reason. It is impossible while ratios differ, and while we persist in that which is not only different, but which would both drain us of all except fractional silver, and inundate them with our coined \$220,000,000 and whole future annual product. But, moreover, the step is one which no European nation now loaded with a depreciated but full-tender silver coinage will consent to take while the direct or indirect substitution of European silver for the United States gold seems a possibility, even a remote one. It is perceived to be a near possibility under the continuing operation of our present laws by those who control with firm hand the monetary policy of foreign powers.

So long as we do not stop, and stop unconditionally, our coinage of full legal-tender silver, we can not destroy foreign hopes of enlarging their stock of gold at our expense. But I am equally well assured, that when we do stop, and stop unconditionally, and destroy such hopes, such an international concert as I have described will then become possible. The situation of bimetallic European nations will then be no better than ours, and for the first time since the full in replace of their better than ours, and, for the first time since the fall in value of their full legal-tender silver, will offer no other remedy or outcome than an agreement, with suitable precautions, upon open mints at a fixed and common ratio, to which the assent of the United States would be indispensable.

Silver Coinage.

The American policy should be to enhance the value of silver and to uphold the manhood and defend the rights of the working people of this country.

SPEECH

HON. JOSEPH WHEELER.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES, Wednesday, April 7, 1886.

The House having under consideration the bill (H. R. 5690) for the free coinage of silver, and for other purposes—

Mr. WHEELER said:

Mr. SPEAKER: There have always been creditors and debtors; but prior to 1861, owing to the beneficence of our laws and the prosperity and appiness of our people, there was not in this free country such a marked distinction as to attract attention.

During the last twenty-five years, however, they have gradually grown into two widely separated classes with distinct, if not antagonistic, interests: the debtor class struggling by labor and economy to relieve itself of its burdens, while the efforts of the creditor class have been to

secure legislation which would add to its wealth, and of necessity increase the load which the debtor class must bear.

When the Government bonds were issued, a quarter of a century ago, they contained the provision that the interest was to be paid in ago, they contained the provision that the interest was to be paid in coin, but there was no such provision or exclusiveness regarding the principal, and the bonds were accepted by the purchaser with the full understanding that they were to be paid at maturity in the lawful money of the United States.

As these bonds were payable in greenbacks and this money was terribly depreciated the creditors of the Government were enabled to purchase them as low as 40 cents on the dollar, but before their maturity the holders of these bonds induced a party whose power was almost always exerted to advance the interests of capital, and whose legislation was nearly always oppressive to labor, to change the contract so as to make both principal and interest payable in coin. This was a vio-lation of the Constitution, as it impaired the obligations of a contract; and this violation of the contract was in the interest of those who least needed and least deserved it, and against those who should have been most carefully shielded from any injustice or any legislation which increased their burdens. Many of the

VICTIMS OF THIS INJUSTICE

were men who had fought as private soldiers during four years of war' receiving for their services \$13 a month in the very currency which the

receiving for their services \$13 a month in the very currency which the party in power declared was not good enough for the bondholder.

The original law of 1862, under which the bonds were issued, provided that they should be a debt due by the Government, with no provisions that they should be paid otherwise than all other indebtedness. They stood on precisely the same basis as all other debts. There was nothing in the law, there was nothing on the face of the bond, indicating that they were to be paid in anything but Government notes.

Mr. Thaddeus Stevens was, more than any one else, instrumental in preparing, maturing, and reporting the bill, and he knew more of its scope and meaning than any other man, in or out of Congress. Yet this centleman, extreme Republican as he was, made a speech in Con-

this gentleman, extreme Republican as he was, made a speech in Congress—one of the last he ever made—in which he denounced the proposition to pay these bonds in coin.

Mr. Stevens said:

I would vote for no such swindle on the tax-payers of the country. If I knew there was such a platform and such a determination on the part of my own party, I would, with Frank Blair and all, vote with the other party.

Mr. JOHN SHERMAN expressed the same emphatic views in his celebrated Mann letter, dated March 29, 1868, in speaking of the effort to have these bonds paid in coin, and said:

My construction of the law is the result of careful examination, and I feel quite sure an impartial court would confirm it if the case could be tried before court. I send you my views as fully stated in a speech. Your idea is that we propose to repudiate or violate a promise when we offer to redeem the principal in legal-tenders. I think the bondholder violates his promise when he refuses to take the same kind of money he paid for the bonds. If the case is to be tested by the law, I am right; if it is to be tested by Jay Cooke's advertisements, I am wrong. I hate repudiation or anything like it; but we ought not to be deterred from doing what is right by fear of undeserved epithets.

Despite these and numerous other admissions of prominent Republican leaders that under the law these bonds were payable in legal-tender lican leaders that under the law these bonds were payable in legal-tender. Treasury notes, on March 18, 1869, a Republican Congress enacted a law that obligations of the Government should be paid in coin which under the contract should have been paid in legal-tender notes. The law was in these words:

An act to strengthen the public credit.

An act to strengthen the public credit.

Be it enacted, &c., That in order to remove any doubt as to the purpose of the Government to discharge all just obligations to the public creditors, and to settle conflicting questions and interpretations of the laws by virtue of which such obligations have been contracted, it is hereby provided and declared that the faith of the United States is solemly pledged to the payment in coin or its equivalent of all the obligations of the United States not bearing interest, known as United States notes, and of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of any such obligation has expressly provided that the same may be paid in lawful money or other currency than gold and silver.

As to the effect of this enactment Mr. Morrill, afterward Secretary of the Treasury, said:

The 5-20 6 per cent, bonds, then selling at 88 cents on the dollar, soon rose to par in gold coin, and have since borne the average premium of 5 per cent, at home and abroad.

This law wrested from the laboring people nearly \$1,000,000,000, which was presented as a gift to the rich man who did not labor. It was this legislation and kindred laws which disgrace the statute-books of that corrupt period, that planted the germ from which has sprung the present baleful crop of dissension and antagonism between labor and capital.

For years prior to 1870 silver was relatively

MORE VALUABLE THAN GOLD,

and therefore the public creditors were more than willing to receive it in payment of the Government obligations in their hands. The table which I will read shows that for a period of forty years the silver dollar of 412½ grains was more valuable than its gold equivalent, at our ratio of 1 to 16; and it further shows that after the demonetization of silver in 1873 its relative value become in 1873 its relative value became less.

Table showing fifty years' prices of silver, measured by gold. [From tables prepared at the Mint of the United States.]

	vei	of pur per c Londo	unce	er, per gold.	andard lar, 4124 gold.	alue of diver.
	Lowest.	Highest.	Average.	Average price of pure silver, per ounce, in gold.	Value of standard silver dollar, 4121 grains, in gold.	Relative value of gold to silver.
1834	59	602	5918	131.3	101.62	1:15.73
1835	591	60	5911	130.8	101.20	1:15.80
1836	59	60%	60	131.5	101.72	1:15.72
837	59	601	5976	130.5	100.98	1:15.8
1838	591	601	594	130.4	100,88	1:15.8
1839	60	60%	60%	132.3	102, 36	1:15.6
840	601	603	60#	132.3	102, 36	1:15.63
841	591	60	604	131.6	101, 83	1:15.70
842	59 59	594	5916	130.3	100.77	1:15.87
1843 1844	591	591	5916	129.7 130.4	100.34 100.88	1:15.8
845	581	594	591	129.8	100. 68	1:15.9
846	59	60	59.5	130.0	100.56	1:15.9
847	581	60#	5976 5918	130.8	101, 20	1:15.8
1848	581	60	591	130.4	100, 88	1:15.8
1849	59	60	591	130.9	101,30	1:15.7
1850	591	611	60%	131.6	101, 83	1:15.7
1851	60	614	61	133.1	103, 42	1:15.4
852	597	60%	601	132.6	102.57	1:15.5
853	60%	62	611	134.1	104.26	1:15.8
1854	613	617	614	134.8	104.26	1:15.8
1855	61	615	61,5	134.4	103, 95	1:15.3
1856	60½	621	61 16	134, 4	103.95	1:15.3
1857	61	627	61#	135.3	104.69	1:15.2
1858	601	617	61,5	134.4	103.95	1:15.8
1859	613	624	6218	136.0	105.22	1:15,1
1860	601	628	62 16 61 14 60 13	135.2	104.58	1:15.2
	61	621	61.7	133.3 134.6	103.10	1:15.3
1862	61	611	6116	134.5	104.16	1:15.3
864	604	624	613	134.5	104.06	1:15.3
1865	601	614	6116	133.8	103.52	1:15.4
866	601	621	611	133.9	103, 63	1:15.4
1867	603	614	60,2	132.8	102, 67	1:15.5
1868	60L	611	60i	132.6	102.57	1:15.5
1869	60	61	60,7g	132,5	102.47	1:15.6
1870	601	617	60 0	132.8	102.67	1:15.5
871	60,3	61	60	132.6	102.57	1:15.5
872	591	611	60,5	132.2	102.25	1:15.6
873	57#	5915	594	129.8	100, 46	1:15.9
874	571	591	5816	127.8	98.86	1:16.1
1875	551 461	55%	567	124.6 115.6	96, 43 89, 22	1:16.6
1876	531	581		120.1	92.88	1:17.7
1877 1878	491	551	5413 5278	115.2	89.10	1:17.9
1879	487	533	511	112.3	86, 85	1:18.3
1880	515	527	521	114.5	88,55	1:18.0
1881	501	527	5114	113.8	88.01	1:18.2
1882	50	524	514	113.6	87.86	1:18.2
1883	50	51,3	50,8	111.8	86, 47	1:18.6
1884	491	511	50	111.3	86,08	1:18.5
1885	46%	50	484	108.0	83,53	1:18.9

Hundreds of years ago, before the discovery of the silver of Mexico and South America, and when

Afric's sunny fountains rolled down their golden sand,

the ratio of gold and silver had been fixed as low as 1 to 10. As it is a matter of interest I will read a table which shows the relative value of silver and gold from the discovery of America to the present time:

Period.	Years.	No. of years.	Ratio.
	(1493-1520	28	11.3:1
	1521-1544	24	11,2:1
108 years (1:11.5)	1545-1560	16	11.3:1
	1561-1580	20	11.7:1
	1581-1600	20	11.9:1
	1601-1620	20	13.0:1
	1621-1640	20	13,4:1
100 years (1: 14.0)	1641-1660	20	13.8:1
	1661-1680	20	14.7:1
	1681-1700	20	15,0:1
	(1701-1720	20	15.2:1
	1721-1740	20	15.1:1
100 years (1:15.0)	1741-1760	20	14.8:1
too years (c. 10.0)	1761-1780	20	14.8:1
	1781-1800	20	15.1:1
	1801-1810	10	15.6:1
	1811-1820	10	15.5:1
50 years (1:15.7)	1821-1830	10	15.8:1
30 years (1:15.1)	1831-1840	10	15.7:1
	1841-1850	10	15.8:1
	1851-1855	5	15.4:1
	1856-1860	5	15.3:1
00 /1 TH OF	1861-1865	5	15.4:1
29 years (1:15.85)	1866-1870	5	15.6:1
	1871-1875	5	16.0:1
	(1876-1880	5	17.9:1
10 years (1:18.2)	1881-1885	5	18.5:1

By the procurement of the bondholder the law of 1870-'71 was en-acted, which provided for the refunding of the national debt.

This law again repudiated our paper currency as one of the kinds of money with which the debt could be paid to the bondholder, and provided that coin, i, e., gold and silver only (the latter being at that time relatively the most valuable), should satisfy these obligations.

The language of the amended contract, is found upon the face of the bonds issued in pursuance of this law. On the face of the United States 4 per cent. bond it is:

This bond is issued in accordance with the provisions of an act of Congress entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, amended by an act approved January 20, 1871, and is redeemable at the pleasure of the United States after the 1st day of July, A. D. 1997, in coin of the standard value of the United States on said July 14, 1870, with interest in such coin from the day of the date hereof at the rate of 4 per cent, per annum, payable quarterly on the 1st day of October, January, April, and July in each year. The principal and interest are exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority.

The contract on the 5 per cent. bond is in these words:

This bond is issued in accordance with the provisions of an act of Congress entitled "An act to authorize the refunding of the national debt," approved July 14,1870, amended by an act approved January 20,1871; and is redeemable at the pleasure of the United States after the 1st day of May, A. D., 1881, in coin of the standard value of the United States on said July 14,1870, with interest in such coin from the day of the date hereof, at the rate of 5 per cent. per annum, payable quarterly on the 1st day of February, May, August, and November in each year. The principal and interest are exempt from the payment of all taxes and duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority.

In 1873, the creditor class, finding that because of its growing scarcity gold had appreciated, surreptitiously procured the demonstration of silver.

By this means they attained two objects:

First. They

INCREASED THEIR WEALTH,

because the law provided that their bonds should be paid in a single coin which became the more valuable of the two coins mentioned in their contract. It would be the same thing, in effect, as if a landlord had rented a piece of land to a tenant upon the agreement that the tenant should pay 1,000 pounds of cotton and 1,000 pounds of corn, and after the tenant had worked for a year under this contract the law-making power should, in obedience to the demands of the landlord, deprive the tenant of the right to pay any corn and require him to pay 2,000 pounds of cotton.

Second. The law demonetizing silver increased the purchasing power of the coin, which thus became the measure of all values, whether of labor or the products of labor. It changed the measure of values to the detriment of the laborer, and was in keeping with the new demand of the bondholder that if we pay him silver we must add one-fourth more silver to each dollar than was required by the law when the con-

tract with the bondholder was made.

To illustrate: It was the same thing in effect as though an employer had entered into a contract with his laborers to give them in part payment of their year's service so many pounds of meat of 16 ounces per pound and so many yards of cloth of 3 feet to the yard, and then the law-making power should intervene to change the weight and measure and declare that the employer fulfilled his contract by the delivery of the stipulated number of pounds of meat of only 10 ounces each and the stipulated number of yards of cloth of only 2 feet.

Take another illustration: This law changing the measure of values was no more iniquitous than it would be to make an arbitrary alteration of the number of onness in a pound of cotton, under the opera-tion of which a landlord who had leased a piece of ground to a tenant for 3 bales of cotton of 500 pounds each, each pound to contain 16 ounces, by a subsequent change in the law should be empowered to exact from his tenant 3 bales of cotton of 500 pounds each, but each pound to contain 32 ounces, thus doubling the consideration which the tenant had agreed to give for the use of the land. Wicked, outrageous, and and agreed to give for the use of the land. Wicked, outrageous, and unconstitutional as such a law would be, it would not be nearly so bad as the laws which I have referred to, namely, the law of March 18, 1869, the practical operation of which compelled the people to pay the bondholder nearly \$1,000,000,000 more than they owed him, and the act of February 12, 1873, which sought to again rob the people by another change in the contract, which still further

ENRICHED THE BONDHOLDER

at the expense of the tax-payer and laborer.

The trying financial ordeal through which our country passed from 1873 to 1878 necessitated the passage of the law remonetizing silver and providing for its coinage. To-day the bondholder seeks to repeat the iniquity of 1873 by destroying the monetary function of silver, because gold is relatively more valuable than silver, and now he comes knocking at the door of Congress asking that the contract be changed again, and that once more he shall be empowered to demand the most valuable of these coins in payment of the interest on his bond, and at its maturity the principal. If gold had depreciated and silver become

relatively worth more than gold his demand would have been for silver, and he would have told us that unless we enacted a law which would give him the more valuable metal a terrible catastrophe would certainly befallour country. He would say, "Unless you do this, silver will leave our country, and this fair land will become the 'dumping ground' for the gold of the world."

The real purpose of the creditor class is this: If they could induce Congress to stop silver coinage it would leave just so much less money in the United States, and therefore just to that extent the burdens of the wage-worker and tax-payer would be increased, and the bounty

given to the bondholder would be augmented.

The creditor class insists that silver has decreased in value. Silver is more valuable to-day than it has been in years. The annual silver product, like most other products in the United States, has been gradually increasing, as is shown by the statistics re-lating to the production of silver and other staples for the years 1866, 1870, and 1880, which I will read:

	1866.	1870.	1880.
Silver	\$10,000,000 2,193,987 41,000	\$16,000,000 3,154,946 144,881 760,944,449	\$38, 450, 000 5, 757, 397 218, 314 1, 754, 861, 535
Wheat Oats Barley	CONTRACTOR OF THE PROPERTY OF	287,745,626 282,107,157 29,761,305	459, 479, 505 407, 858, 999 44, 113, 495

Our production of pig-iron was 2,093,236 tons in 1876, and in 1880 it was 4,295,414 tons. The fair way to estimate the value of silver is to measure it by those articles the production of which, like silver, has kept step with the growth in population and the accompanying increase of energy of our people. And measured in that way we find that a silver dollar will now buy more of each of these articles than at any previous period.

I might carry this further, and by a careful investigation of the market price of between one hundred and two hundred of the leading com-modities, the production of which has increased and which enter into daily consumption, we would find that, as compared with these com-modities, the value of silver has not declined since 1874, but on the con-

The enemies of silver, in their efforts to depreciate it, pass by all these commodities and seek for some article the production of which has decreased, and taking that as the standard of value they place a false argument before the country.

These gentlemen find that the production of gold was, in—

ı	1853	\$65,000,000
ı	1860	46,000,000
١	1870	50, 000, 000
ı	1880	36, 000, 000
ı	1883	30,000,000

We, therefore, see that when our population was but 25,000,000 we produced gold to the amount of \$65,000,000, and that with a population of 55,000,000 we only produced \$30,000,000 of gold. In other words, in 1853 the United States produced gold to the amount of \$2.60 to each inhabitant, and in 1885 the gold product of this country was but 50 cents to each inhabitant.

With this continually increasing demand and steadily diminishing supply the value of gold has been and will inevitably continue to be en-

hanced, and the

MODEST CREDITORS

of the people and the Government come and demand that we shall enact laws the effect of which will be to require that they be paid in the scarcest and dearest money. Not only do they demand this, but they threaten that unless we comply with this unjust requirement they will precipitate a financial catastrophe.

They also threaten to inaugurate measures which will prevent the

employment of labor.

What is this substance called gold, and how much is there of it, which these enemies of silver and enemies of the people seek to make the measure of all values? It has been estimated and asserted by scientists that all the gold in the world could be compressed into a square block 29 feet long, 29 feet wide, and 29 feet high, about the size of a large room.

This small amount of metal is owned, controlled, and manipulated by a few, and they demand that by this alone shall we measure the value of the wage-earner's daily labor, and the product of the husband-man's yearly toil. To grant them this power would be to place in their hands a lever wherewith to crush the honest toiler in the dust while elevating the money-king to a practical sovereignty.

A great deal has been said to lead our people to believe that the rest of the world has adopted the gold standard, and that therefore it is necessary for us to follow their example. The error in these statements is quite as great as the fallacies of the gold advocates upon other points.

According to the report of the silver commission the countries which

still adhere to gold and silver as their currency, and are therefore designated double-standard countries, have populations as follows:

Greece	4,000,000 2,900,000 1,600,000 1,900,000 400,000		36, 200, 000 5, 100, 000 2, 700, 000 26, 800, 000 16, 400, 000 50, 000, 000
Paraguay Japan Holland		Total	187, 300, 000

The population of those countries which still adhere to the silver

	36,000,000	Peru	3, 400, 000 400, 000, 000 237, 144, 456
Central America		Total	768, 944, 456

And the following are the only gold-standard countries:

Great Britain	Norway	1,700,000 4,300,000
Germany	Total	87,000,000

The demand for the suspension of our silver coinage professes to rest upon the fear that its continuance must result in the gradual withdrawal of all gold from circulation as one of the coins of our monetary system. Those who make this demand claim that possibly the two metals may circulate side by side if the existing volume of the two metals be left where it is now. At least they would prohibit any increase in the volume of silver, holding that the natural laws of trade may safely be relied upon to prevent any evil result from the possible relative increase in the volume of gold. This profession is not merely disingenuous, it is a willful, deliberate deception-a snare

It is only the initial step in the conspiracy to make gold-or paper

redeemable in gold—the only money of the country.

Should they succeed in their present efforts, and I, for one, am confident they will not be allowed to succeed, after they have constrained Congress to suspend the coinage of the silver dollar the next step will

be to repeat the iniquity of 1873.

The silver dollar will be deprived of its legal-tender function. silver dollars, which, by the retirement of small Treasury notes and bills, have been made the only money of the people, will still be left in the hands of the people, but the destruction of their quality as money will be compassed in some way. They will be left us, but left to us not as money, but merchandise, the value of which is to be measured by the gold standard. They would reduce to practice their pet theory that the dollar of the people is in fact only 80 cents. They would then

ROB THE HOLDERS

of the \$150,000,000 in silver dollars and silver certificates of \$30,000,-000, which would be added to the already vast and inordinate gains of the creditor class, who seek to substitute a plutocracy for the democracy, which is, theoretically at least, our present form of government. If this change in our actual government can be effected under the forms of law, I submit it will not be long before we shall be deprived of the name as well as of the thing represented by the name. It will not do to say that my prediction as to the ultimate intentions of the monometallists is not warranted by any known facts-that it is a conjecture, a presumption, and nothing more. The demonetization of the silver dollar, that is, the destruction of its legal-tender function, is the legitimate and logical result of the present effort to suspend its coinage. And these adversaries of the people are always logical in the pursuit of their selfish aims and interests.

Their argument now is that the continued coinage of these dollars, which they say are worth only 80 cents, produces financial distrust, disturbs values, and unsettles all commercial transactions, and therefore no more of them must be coined. Will those who yield to this argument now tell me how and on what grounds they propose to meet and resist the next step in the argument that the circulation of one hundred and fifty millions of these silver dollars constitutes a perpetual source of distrust, disturbance, and uncertainty in financial, commercial, and industrial affairs, and that the only way to restore confidence and stability

is to convert them into commodities instead of dollars.

The acceptance of the last proposition follows the admission of the first, by logical and unavoidable consequence. Once admit the proposition that the silver dollar represents only 80 cents of actual value, and act upon the theory that so dishonest a coin is an element of financial and commercial disturbance, and you can not logically tolerate the continued circulation of one hundred and fifty millions of such dollars any more than you can honestly authorize their continued coinage. If it be a commercial evil to make them it must be an evil to have them. If they be an an evil, to stop making them will not remedy but only mitigate the evil; to uproot it entirely you must stop having them. But, say the monometallists—and I use the term here to indicate those

who advocate the single gold standard—the continuance of the silver coinage will inevitably destroy any chance of making this a bimetallic country; it will make us monometallists and our single coin will be silver. This is apparently one of their most formidable strongholds,

at least one would judge so from the persistency with which the idea is advanced, upheld, defended, iterated and reiterated, in every im-They start out with aginable form.

GRESHAM'S LAW

as the foundation, and upon this they rear a superstructure of misrepresentation, misstatement and false deduction designed to bewilder the minds of those who are honestly seeking to learn the truth and to understand the facts relative to the issue in controversy.

Concisely stated, the much quoted Gresham's law is this: two metals of unequal value can not circulate side by side, for the more valuable will be hoarded or carried elsewhere by the operation of that inexorable law which draws every commodity to the market in which it has the greatest purchasing power. Under the operation of this inexorable law, say the enemies of the silver dollar, the effect of the effort commonical tain bimetallism without the concurrence of the great commercial peoples of Europe will be to drive gold out of the country, and attract silver to it until we shall have no gold at all, and silver will be comparatively worthless.

The ablest advocates of the single gold standard have laid special

stress upon this point.

In opposing the remonetization of silver in 1878, Senator Wadleigh said:

The cheaper metal will drive away the dearer. The success of this measure (the monetization of silver) will drive it (gold) to other enlightened and commercial nations, and leave to us the debased and bulky money which nearly every progressive nation in Europe has eeased to coin, and which supplies the few and degraded wants of the poor and ignorant millions of Russia, China, India, and Mexico.

Senator Sargent maintained that the remonetization of silver would "banish gold from the country." He said:

A piece of gold coin will not be seen in use in any part of the country, even in the Pacific States, unless it is held by our specific contract act.

During the discussion Senator Matthews said:

It will * * * expel from circulation and permanantly keep out of circulation all gold coinage as effectually as if gold were expressly prohibited by law.

That these distinguished Senators were in error in their gloomy forebodings has been clearly demonstrated by the actual occurrences since the passage of the measure they so vigorously opposed. In the warmth of their zealous antipathy to silver they were betrayed into the mistake of assuming that the "Gresham law" was universal in its application and invariable in its operation. In fact it is applicable to and operative in only those countries which suffer from a plethora of money. Where there is no more money than is needed for the purpose of trade it is wholly inoperative. It never commences to act, and therefore does not exist, until the volume of the circulating medium becomes excess-

As an illustration we might refer to the condition of trade from 1865 to 1869. We had just emerged from a stupendous struggle in which thousands of millions of dollars' worth of property were absolutely destroyed—not consumed, but extinguished, leaving nothing whatever to indicate that it had ever existed. We were burdened with a colossal debt which the most sanguine friends of this country doubted could ever be paid. We had

NO COIN IN CIRCULATION.

Yet we were the most productive country in the world. Our lawful money was depreciated to about two-thirds the value of gold, and the purchasing power of that coin was, to that extent, greater than our standard currency.

At this very time, Germany and France held not less than \$700,000,-000 in silver coinage, which, although only $15\frac{1}{2}$ to 1, circulated at par with gold. They needed and they took millions upon millions of our products, but they did not pay for them in either gold or silver. They gave us instead their own merchandise, and it required millions of American gold and silver to settle the balances against us.

To fully illustrate what has occurred regarding the movement of gold and silver to and from our country, I beg to call attention to the following instructive table. [For table see opposite page.]

It will be observed that when our own currency fell to its worst con-

dition our exports of the precious metals were the greatest.

It has been and is now maintained by those opposed to our silver coinage that by the operation of the act of 1878, adding a minimum of \$2,000,000 of silver to our supply of money each month, there is great danger that our currency will become redundant, and that as a result of this process of "inflation" there must be a corresponding advance

in prices.

Well, Mr. Speaker, I for one believe that prices should advance. It will require something more effective and more tangible than the most ingenious array of figures ever compiled, or the most eloquent argument ever advanced, to convince me that any policy which promises to enable a laborer to earn two dollars instead of one, that is likely to give the farmer \$1.50 a bushel for wheat instead of \$1, or 15 cents a pound for cotton instead of 10 cents, is not a desirable policy for us to pursue.

While I may and do dissent from many of the theories advanced by

the monometallists, I heartily and cordially agree with the proposition that abundant money means high prices, and I am most emphatically in favor of high prices. I want to see the American workingman earn-

Value of gold and silver coin and bullion imported into and exported from the United States from 1861 to 1885, inclusive.

Year ending June		Domestic exports.				Foreign exports.				Imports.				
	Silver.		Gold.		Silver.		Gold.		Silver.		Gold.			
	Bullion.	Coin.	Bullion.	Coin.	Bullion.	Coin.	Bullion.	Coin.	Bullion.	Coin,	Bullion.	Coin.		
1861	*\$13, 311, 280	*\$10, 488, 590	(†)	(†)	\$42,826	\$2, 324, 281	\$6,700	\$3,617,403	\$1,014,893	\$3,032,788	\$3,343,282	\$38, 948, 648		
1862	(1)	(1)	\$13, 267, 739	\$17,776,912	40,092	1, 407, 645		4, 395, 252	249,608	2, 258, 433	1,409,728	12, 497, 28		
1863	*11, 385, 033	*44, 608, 529	(†)	(†)	550	1, 993, 223		6, 169, 276	49,536	4,004,031	1,879,222	3,651,31		
1864	836, 387	2, 502, 551	10, 985, 703	86, 148, 921	1,145	1,394,824	33,449.	3, 493, 561	66, 716	1,872,127	2, 512, 635	8, 664, 13		
1865	6, 311, 986	1,747,432	21, 145, 055	35, 413, 651		1, 202, 775	1,900	1, 820, 427	1,476,838	1,835,006	1,392,760	5, 105, 46		
1866	10, 832, 849	1,683,059	20, 731, 473	49, 395, 993	75, 825	2, 255, 529	32,854	1,036,989	43,654	2, 460, 177	972, 769	7, 223, 49		
1867	15, 853, 530	2, 892, 900	13, 867, 641	22, 362, 035	18,939	3, 076, 286		2, 796, 951	61,998	4, 983, 611	1, 971, 645	15, 053, 22		
1868	12, 978, 311	2,536,506	23, 841, 155	44, 390, 003	169,068	5, 703, 873	94,508	4,070,678	90,410	5, 360, 515	1,784,536	6, 952, 90		
1869	13, 573, 427	899, 763	13, 584, 407	14, 858, 369	233, 174	6, 428, 518	19,146	7,541,576	55, 142	5, 620, 166	890, 930	13, 241, 63		
1870	11,748,864	3, 554, 329	15, 812, 108	12, 768, 501	2,682	9, 213, 829	39,778	5, 015, 575	162, 432	14, 199, 797	680,760	11, 376, 19		
1871	17, 285, 916	2,535,765	9, 089, 959	55, 491, 719		11, 934, 099		2, 104, 530	105, 836	14, 280, 627	1,177,387	5, 706, 17		
1872	22, 729, 657	1,691,081	7, 986, 145	40, 391, 357	164, 033	5, 744, 003	4,780	1, 166, 478	380, 909	4, 645, 322	1,372,207	7, 345, 25		
1873	27, 759, 066	1,674,442	8, 810, 175	35, 661, 863	85,795	10, 232, 556		384,677	471,715	12, 326, 775	1,542,593	7, 139, 85		
1874	22, 498, 782	4, 555, 418	3, 878, 543	28, 766, 942	25,000	5, 508, 785		1,396,934	837, 683	8, 114, 086	1,614,669	17, 888, 46		
1875	17, 197, 914	5, 115, 670	2, 233, 775	59, 309, 770	11,835	2, 825, 746	3,696	5, 433, 736	1, 295, 754	5, 908, 170	1,581,638	12, 115, 15		
1876	15, 210, 344	5, 366, 590	1,838,896	27, 542, 861	15, 995	4, 706, 323	11,600	1,733,693	1,058,177	6, 885, 795	1, 204, 965	6, 787, 74		
1877	11,482,894	9, 292, 743	1,084,536	21, 274, 565	334, 167	8, 462, 059	67,511	4, 163, 762	4, 693, 253	9, 834, 927	2, 119, 570	24, 126, 66		
1878	15, 035, 045	5, 394, 270	205, 319	6, 427, 251	55, 570	3, 550, 785	1,450	2, 570, 435	6, 971, 849	9,519,250	1,972,662	11, 357, 55		
1879	11, 883, 064	1,526,886	24,774	4, 120, 311	1, 483, 614	5, 516, 263	6,255	436, 274	2, 447, 888	12, 223, 164	1, 297, 244	4, 327, 70		
1880	6, 912, 864	659, 990	87,086	1,687,973	321,509	5, 606, 531	104, 204	1,759,782	1, 981, 425	10, 294, 489	20, 337, 445	60, 420, 93		
1881	11, 852, 995	547, 642	84, 943	1,741,354	65, 560	4, 375, 518	2,157	736, 668	2, 303, 472	8, 240, 766	30, 998, 919	69, 032, 31		
1882	11, 653, 547	423, 099	1,598,336	29, 805, 289	78, 793	4, 674, 160	2,100	1,182,155	2, 121, 733	5, 973, 603	9, 406, 653	24, 971, 00		
1883	12,551,378	150, 894	4, 118, 455	4, 802, 451	319, 900	7, 197, 273		2,679,979	2, 475, 968	8, 279, 274	3, 334, 708	14, 399, 44		
1884	14, 241, 050	690, 381	23, 052, 183	12, 242, 021	491, 240	10, 625, 755	2,400	5, 785, 353	2, 910, 451	11,684,494	4,997,571	17, 833, 74		
1885	20, 422, 924	1, 211, 627	395, 750	2, 345, 809	58,470	12,060,612	***************************************	5,736,333	4,530,384	12, 020, 243	8,849,237	17, 842, 42		

* Including gold.

† Included in silver.

† No transactions.

ing high wages that he may be able to pay the farmer a fair profit on | what he produces. It is from these two elements of the body-politic that all the real wealth of a country comes. If they be prosperous and happy, the country will be prosperous. If they live amidst plenty, they will live peacefully and contentedly, and there will be no "strikes," no eager and exasperating struggle for supremacy between thousands of employés banded together for mutual protection against the oppressive exactions of degrees of employers united for the purpose of enforcing ive exactions of dozens of employers united for the purpose of enforcing compliance with unjust requirements. In this commercial and practical age

MONEY IS THE GREAT LEVER for which Archimedes longed as the instrument by which the world might be moved. A dearth, or even a scarcity, of money means silent factories, cold furnaces, unrevolving spindles, deserted mines, empty cars, and an idle and therefore suffering people. Abundant money means just the reverse of this, and therefore it is our duty to adopt those measures which seem best calculated to secure the blessing of an abundant currency for our people. I say an abundant currency, and I mean just what I say—not a redundant currency. I would not, if I had the power this minute, put into circulation one dollar more than is absolutely necessary to start and keep moving, without retarding friction, the mighty machine which is composed of the industrial, commercial, and financial interests of this great people. But I would and I will do whatever lays in my power to secure for the people a currency which shall be adequate to the requirements of their welfare. The volume of the currency I would like to secure is exactly that deep The volume of the currency I would like to secure is exactly that designated by John Adams in his letter to the Count de Vergennes in 1780, an extract from which was read by my friend from New Jersey [Mr. Buchanan] in his speech on this question last Saturday, a portion of which I will read:

A certain sum of money is necessary to circulate among the society in order to carry on their business. You may emit paper or any other currency within this rule, and it will not depreciate.

Is the volume of our currency at present equal to the requirements of the industrial and commercial interests of the country? If it is not, it should be made so. If it is in excess of such requirements, it should be curtailed. To determine this important question of the adequacy be curtailed. To determine this important question of the adequacy of the volume of our money in circulation, let us compare our condition financially with that of other countries. To do this, I will read the following table, certified to be correct by the Director of the Mint: [For table see next page.]

In this table I have assumed that the population of the United States at this time is at least 60,000,000, and have computed the per capita of our circulation upon this basis, for the reason that if there has been any change in the volume of the circulation that change has been in the direction of contraction consequent upon the retirement of national-bank

This table puts the total paper currency of the United States at \$873,-426,755. This has decreased because the reports show that at this time there are but \$346,000,000 of United States notes and \$318,000,000 of national-bank notes. Silver, however, has increased according to the latest reports about \$21,000,000. The varying dates at which reports are made accounts for the small differences. I believe the theory and the facts upon which I have proceeded in making this computation to

be perfectly justifiable and in strict consonance with the present condition of the country

Taking the results thus ascertained from the table, we find that France readily absorbs and uses a per capita circulation of \$52.85, while the circulation in the United States amounts to but \$29.09 per capita. France to-day is recognized as possessing the soundest financial system of any country in the world. Compared with her neighbors in Europe, her people are more prosperous and more contented than any of them. No industry is crippled and no enterprise is strangled by lack of means for their successful prosecution, while in Germany, which has but \$18.24 per capita of circulation, the condition is just the reverse; to use the language of the condition of the condition is successful prosecution. per capita of circulation, the condition is just the reverse; to use the language of a distinguished financier, "Frenchmen are all busy, Germans are all idle."

I wish it to be distinctly understood that I do not advocate the expansion of our currency until it equals the per capita of France; but to show how far we are behind that country I will state that with 60,000,-000 of population at \$52.85 per capita, the total circulation of the country would be \$3,171,000,000, and to secure this would require an addition to the present volume of our currency of \$1,425,073,245, or an increase of 81.6 per cent. of the circulating medium which we now have.

One argument against silver is the oft repeated assertion that it remains locked up in the Treasury and will not circulate. The reason why there is not more silver in circulation is because since 1879, during the administrations of Hayes, Garfield, and Arthur, the Treasury Department has been conducted in a manner to prevent its circulation.

I have already quoted from the law of March 18, 1869. It is now section 3693 and 3694 of the Revised Statutes. The first two lines of

section 3693, read as follows:

The faith of the United States is solemnly pledged to the payment in coin or its equivalent of all the obligations of the United States.

This was specially for the benefit of the bondholder, and the law has been rigidly enforced. Section 3694 reads:

The coin paid for duties on imported goods shall be set apart as a special fund, and shall be applied as follows:

First. To the payment of interest in coin on the bonds and notes of the United

States.

States.

Second. To the purchase or payment of 1 per cent. of the entire indebtedness of the United States to be made within each fiscal year, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt as the Secretary shall from time to time direct.

Third, The residue to be paid into the Treasury.

This provision has not been complied with in the spirit intended. The law makes no discrimination against silver. For sixteen years it has been the duty of the Secretary of the Treasury to indiscriminately pay out silver and gold under the provisions of this act, but in viola-tion of the plain intent of the law no silver has been used for any of

the objects or purposes contemplated by the law.

Millions of silver have been received in payment for duties on imported goods, but until recently none of the silver so received has been used by the Government to pay the obligations recited in the law I

have read.

To illustrate, take the figures of the last year of Republican administration. For that year the interest on the public debt was \$51,386,-256.27, and the bonds to be purchased for the sinking fund required

Table showing the total circulating medium, gold, silver, and paper, of the several countries.

Countries.	Population. 491 u ojtu		Population.		Paper.		Spec	ele.		aper cur-	Per ca	pita.
	Year.	Latest.	Date for a circulati stated.		Gold.	Silver, full legal tender.	Silver, lim- ited tender.	Total.	Total pape rency specie.	Paper.	Specie.	
United States	1886 1881	60,000,000 35,246,562	Oct. 1,1883 July 23,1884	\$873, 426, 755 a197, 818, 139	\$610, 500, 000 \$583, 500, 000	\$187,000,000	\$75,000,000 95,000,000	\$872,500,000 678,500,000	\$1,745,926,755 876,318,139	\$14 55 5 61	\$14 54 19 25	
foundland British India	1881 1881	4,506,563 252,541,210	June 30, 1884 Dec. 31, 1883	c45, 770, 084 d62, 383, 126		e1, 037, 000, 000		13, 826, 000 1, 037, 000, 000	59, 596, 084 1, 099, 383, 126	10 15 24	3 0	
Australia, Tasmania, and New Zealand	1881	2,758,166 2,798,898	Dec. 31, 1883 Dec. 31, 1883	d1, 563, 300 d26, 010, 722	d65,000,000	d772,000	d5, 000, 000	772,000	2, 335, 300 96, 010, 722	9 03	25 0	
Cape of Good Hope	1880 1881	780, 757 37, 672, 048	Dec. 31, 1883 Sept. 18, 1884	\$5,637,000 \$548,061,912	d30, 000, 000 b848, 000, 000	δ537, 000, 000	THE RESERVE OF THE PARTY OF THE	32, 441, 000 1, 442, 900, 000	38, 078, 000	7 22 14 55	41 5 38 30	
Algiers	1877 1878 1881	2, 867, 626 185, 460 5, 585, 846	Dec. 31, 1883 Dec. 31, 1883 Sept. 11, 1884	d12, 352, 000 965, 750 f 62, 826, 515	d9, 300, 000 381, 000 b64, 000, 000	45, 915, 000 281, 000 553, 000, 000	6, 500, 000		27, 567, 000 1, 627, 750	4 30 5 21	5 30 23 53 11 83	
Switzerland	1880 1881	2, 846, 102 28, 452, 639	Sept. 6, 1884 June 30, 1884	f 21, 480, 731 g321, 548, 521	b17, 000, 000 h140, 000, 000	b10,000,000 h38,000,000	4, 700, 000 h34, 000, 000	31, 700, 000 212, 000, 000	186, 326, 515 53, 180, 731 533, 548, 521	12 11 7 55 11 30	7 1	
GreeceSpain	1882	1, 979, 423 16, 625, 860	Dec. 31, 1883 Aug. 30, 1884	d23, 739, 000 i70, 812, 440	d2,702,000 130,000,000	d2, 702, 000 40, 000, 000	30, 000, 000	5, 404, 000 200, 000, 000	29, 143, 000 270, 812, 440	12 00 4 32	12 7 22 0	
Cuba Luzon Portugal, including Azores	1877 1880	1, 394, 516 4, 450, 191	Dec. 31, 1883 Dec. 31, 1883	d44, 862, 543 d1, 200, 000	d28, 181, 000 d762, 000	d2, 236, 000		28, 181, 000 2, 998, 000	73, 043, 543 4, 198, 000	32 17 27	6	
and MadeiraGermany	1878 1880	4, 550, 699 45, 235, 061	Dec. 31, 1883 Dec. 31, 1883	6, 367, 680 279, 573, 023	d30, 000, 000 b334, 420, 000		d10,000,000 b102,000,000	40, 000, 000 545, 900, 000	46, 367, 680 825, 473, 023	1 40 6 18	8 7 12 0	
Austria-Hungary Sweden and Norway Danish Kingdom	1880 1880 1880	35, 839, 428 6, 479, 168 2, 096, 400	Sept. 15, 1884 Dec. 31, 1883 Dec. 31, 1883	f 311, 646, 314 23, 623, 292 20, 334, 000	645,000,000 14,296,783 13,936,000	675, 000, 000		120, 000, 000 19, 435, 151 18, 894, 000	431, 646, 314 43, 058, 443 39, 228, 000	8 69 3 65 9 70	3 3 0 9 0	
Netherlands Russia.	1883 1880	4, 172, 921 98, 323, 000	Sept. 13, 1884 Aug. 13, 1884	f78, 847, 949 g522, 423, 641	\$28,000,000 \$124,008,153	657, 000, 000		85, 000, 000 124, 008, 153	163, 847, 949 646, 431, 794	14 10 5 31	20 3	
TurkeyRoumania.	1880 1881 1880	21, 987, 000 5, 376, 000 9, 787, 629	Dec. 31, 1883 Dec. 31, 1883 June 30, 1883	8,515,976 d15,822,383 k2,048,529	d39, 600, 000 163, 000 j10, 000, 000	35, 200, 000 d11, 387, 000 d40, 000, 000			83, 315, 976 27, 372, 383	2 94	3 0 2 1 5 2	
Mexico Central America Argentine Republic	1881 1880	2, 891, 600 2, 540, 000	Dec. 31, 1883 Dec. 31, 1883	d2, 009, 861 50, 651, 850	#2,318,000 110,000,000	d374, 000 m9, 000, 000	m1, 720, 000		52, 048, 529 4, 701, 861 71, 371, 850	21 06 19 94	81	
ColombiaBrazil	1881 1882	3,000,000 11,881,326	Dec. 31, 1883 Dec. 31, 1883	1,097,830 139,871,255			\$1,000,000	4,000,000	5,097,830 139,871,255	36 11 82	1 3	
PeruVenezuelaChili	1876 1881 1876	3, 050, 000 2, 075, 245 2, 420, 500	Dec. 31, 1883 Dec. 31, 1883 Dec. 31, 1883	d13, 098, 820 559, 700 d26, 555, 341	d62,000 m2,000,000	d1, 820, 000 d6, 000, 000	m123,000	1,882,000 2,123,000 6,000,000	14, 980, 820 2, 682, 700 32, 555, 341	4 29 27 10 97	1024	
Bolivia Uruguay	1876 1880	2, 325, 000 438, 245	Dec. 31, 1883 Dec. 31, 1883	1,508,533 d5,986,000	d4, 601, 000	d5, 400, 000 d1, 000, 000		5, 400, 000 5, 601, 000	6, 908, 533 11, 587, 000	65 13 66	23	
Hayti Japan Hawaiian Islands	1877 1883 1882	572,000 36,700,110 66,895	Dec. 31, 1883 Dec. 31, 1883 Dec. 31, 1883	112,411,093 335,000	44,000,000 92,000,000 549,900	d780,000 44,333,712	950,000	4,780,000 136,333,712 1,499,900	4,780,000 248,744,805 1,834,900	3 06 5 01	3 7	
			Dec. 51, 1005		3, 293, 606, 836	2, 310, 680, 712	443, 930, 368	6, 048, 217, 916	9, 991, 964, 524	3 01		

a London Bankers' Magazine for September, 1884. b Estimate of last year, with net imports added, deducting consumption. c New York Chronicle, August 2, 1884. d Estimate in last report. c Estimate of last year, adding coinage and deducting consumption. f London Economist, September 20, 1884. g London Economist, August 30, 1884. b 'Wahrung's Politik,'' 1884, by Ottomar Haupt. i London Economist, September 13, 1884. j Bank reserve only. k London Economist, September 15, 1833. l New coinago, \$3,000,000; foreign gold, estimated, \$1,000,000. m Estimated from total specie circulation reported by United States minister.

the additional outlay of \$45,588,150, making an aggregate compulsory expenditure by the Treasury Department of \$96,974,406.27.

The total receipts of the Government for customs duties during that year were \$181,471,939.34, a large proportion of which, the report of the Secretary of the Treasury informs us, was paid in silver, but none of this silver was paid out for interest on the debt, or for the bonds redeemed. Is it any wonder silver does not circulate?

The devices of the adversaries of the wage-worker and tax-payer are numerous.

They employ the highest talent to argue, support, and enforce their specious views, and theories, and so plausible have they been that many of the best and purest officials have doubted the feasibility of any course other than to yield to their demands.

But all their various and ingeniously contrived assaults upon the

But all their various and ingeniously contrived assaults upon the MONEY OF THE PEOPLE

have but one single purpose, and that purpose is to augment the wealth of the holders of money and to increase the weight of the burdens now resting upon the creators of wealth—the laborer, the mechanic, the artisan, and the farmer.

One of the most favored of these various devices to accomplish this purpose is the demand that as the present silver dollar is actually worth but 80 cents in gold, we should—if we insist upon having two kinds of coin as money, and propose to be honest in our coinage—add enough silver to the dollar to make the metal in the dollar absolutely worth 100 cents in gold. That is, instead of coining dollars containing only 412½ grains of silver, nine-tenths fine, we must coin dollars containing 515.62½ grains of silver of the present standard of fineness. They would have us add one-fourth more silver, but limit the new coin to the same monetary value it now possesses.

monetary value it now possesses.

To say nothing of the manifest injustice of this proposal, which I shall discuss presently, let us see what would be the effect of this change upon us as a people in relation to our creditors, the bondholders. Nearly every bond now outstanding, whether of the Government, a State, a municipality, a railroad, a telegraph, or any incorporated association of capital, every mortgage, every individual promissory note—in short, every contract to pay money, whether public or private—is a contract subject to the laws in force in 1870–'71. It is a contract to pay money

under the laws as they now stand. Suppose we should yield to this demand, and enact a law requiring that silver dollars shall contain 515\(\frac{5}{2}\) grains of silver nine-tenths fine, and that such dollars, when coined, shall be full legal tender for the payment of sil debts, publicand private.

shall be full legal tender for the payment of all debts, public and private. Suppose we should do this, I say, what is to prevent the creditor, public or private, from refusing to receive these dollars and still demanding gold? He would maintain that he had a right to so refuse under the law. He would contend that he could rightfully and lawfully urge that the law at the time the contract was entered into provided that the dollars should contain only 412½ grains of silver nine-tenths fine, and that he could not be forced to accept a different coin. It would be vain to urge that he was tendered the 412½ grains and 103½ additional. He would reply he did not care what the change was, there had been a change in the coin since the contract was entered into, and he could not be compelled to accept any coin but the one provided by law at the time of the contract. If he could maintain this position, and it would be as tenable as many of the arguments of the monometallists, we would have conceded the demand for additional bullion in the dollar without any advantage to our silver coinage. The relative advantage of gold would have been maintained, and so maintaining it must of necessity again raise its comparative value. By indirect means the goldmongers would have gained their object—we would be a monometallic country, and gold would practically be the only coin available for the payment of debts.

But now let us consider the wrong, the FLAGRANT WRONG

which such a course must be to the people who did not own gold. As the law stood in 1870-'71, as it stands now, every debtor could and can discharge his obligations with dollars containing 412½ grains of silver of the standard fineness. To accede to this demand of the gold worshipers would be to add one-fourth to every debt owing in the country, whether it be public or private, and this addition to the debts of the country would be a present, a bounty, to the comparatively few men who own the accumulated wealth of the country.

Let me illustrate the hardship of which a debtor would be the victim

Let me illustrate the hardship of which a debtor would be the victim if we yielded to this demand to increase the quantity of silver in the standard dollar.

Under the old law any citizen could carry gold or silver bullion to the Mint and have it coined into money, and practically the same con-dition of things exists to-day. Suppose the accumulated wealth of a man in the far-off Territories is \$100,000 of silver bullion. Delays in transportation and delays at the Mint prevent its speedy coinage. He borrows \$100,000, which, under the law, can be paid with the hundred thousand silver dollars he will eventually get at the Mint. Before his silver can be coined Congress intervenes and provides that a silver dollar must contain 515\(\frac{1}{5} \) grains of silver—nine-tenths fine—to make the metal in the dollar equal in value to the gold dollar, and he finds that his silver, instead of being sufficient to coin \(\frac{1}{5}100,000, \) is equal under the new law to only \(\frac{8}{5}0,000. \) "But," he would plead, "I am in debt \(\frac{1}{5}100,000 \) are the finds that his silver, instead of being sufficient to coin \(\frac{1}{5}100,000, \) is equal under the new law to only \(\frac{8}{5}0,000. \) "But," he would plead, "I am in debt \(\frac{1}{5}100,000 \) is equal under the new law to only \(\frac{8}{5}0,000. \) "But," he would plead, "I am in debt \(\frac{1}{5}100,000 \) is equal under the new law to only \(\frac{8}{5}0,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in debt \(\frac{8}{5}100,000. \) "But," he would plead, "I am in new law to only \$80,000. "But," he would plead, "I am in debt \$100,000, and this silver is all the money I have with which to pay my debt. Besides, when I contracted the debt the law provided that my silver should be converted into \$100,000."

"But your silver was not money until it was coined," would be the reply, "and the law now says your silver can not make more than \$80,000. reply, "and the law now says your silver can not make more than \$80,000. It is a very hard case, undoubtedly, but the law has been changed through the influence of your creditor and his associates, and the law must be obeyed," and the unfortunate debtor would be compelled to submit to a clear loss of \$20,000, and for this \$20,000 he would have received no consideration whatever. It would be simply a loss imposed by the operation of a law the enactment of which had been procured

by his creditor.

But the evil of such a change in the law, oppressive and burdensome as it would be in the hypothetical case I have used as an illustration, is comparatively insignificant when we come to consider the effects of

such a change upon the whole country.

From Mr. Spofford's American Almanac we learn that the General Government, State, county, municipal, and railroad debt of the United

States is as follows:

United States, 1885	\$1, 438, 542, 995 00 262, 175, 245 00 179, 178 00 123, 877, 668 00 698, 270, 199 00 3, 669, 115, 772 00
Total	6, 192, 161, 057 00
To this should be added the individual mortgages, which the minority estimate at	6,000,000,000 00

Giving a total indebtedness of..... .. 12.192.161.057 00 Every dollar of this enormous aggregate can be paid under the pres-Every dollar of this enormous aggregate can be paid under the present law with silver dollars or silver certificates, each dollar containing 412½ grains of silver nine-tenths fine. But if the demand to increase the amount of bullion in the dollar to make it equal to gold, according to the gold measure of values, be conceded, we must add to this total one-fourth of its sum; for if the present silver dollar of 412½ grains be actually worth only 80 cents in gold it will take 515½ grains—one-fourth more than 412½ grains—to be worth 100 cents in gold. The result then will be this:

sult then will be this: Aggregate indebtedness ... Add 25 per cent..... \$12, 192, 161, 057 00 3, 048, 040, 264 25

Swelling the aggregate indebtedness to Assuming the population of the United States to be 60,000,000 souls at the present time, the moderate request of these modest gentlemen is that Congress, by the mere exercise of the "power to coin money and regulate the value thereof," shall add a fraction over \$50 to the indebtedness of every man, woman, and child in the United States; and mark you, for this oppressive addition to the

INDEBTEDNESS OF EACH INDIVIDUAL

in the country, there will have been given no equivalent or consideration of any kind whatsoever.

According to the last census there were in the United States 9,945,-916 families; making about five persons to each family. Adopting the same ratio and assuming our population at this time to be 60,000,000, we now have 12,000,000 families, and by consenting to the demand to increase the amount of bullion in the silver dollar, Congress would impose an additional indebtedness of \$254 upon the head of each of these families; would arbitrarily and wantonly add \$254 to the burden now borne by the bread-winner of the family, who must provide for four others besides himself.

Why, sir, if Congress should lend itself to the perpetration of this enormity it would impose upon the labor of the United States a penalty three times as great as that imposed by victorious Germany upon

conquered France.

If it be so important to have the value of the metal in the gold and silver dollars exectly equal, the honest way to attain this would be to reduce the amount of metal in the gold dollar, as I have shown that the difference in the value of the two metals has been caused by the enhancement in the value of gold, and not by any depreciation in the value of silver.

It may be, Mr. Speaker, that this bill is destined to defeat; that in

this instance the dictation of London money-changers and the demands of our own few possessors of the accumulated wealth of the country shall be more potent than the appeals of our overburdened tax-payers, than the cry for relief of our unemployed laborers, mechanics, and artisans, and of our impoverished farmers.

But while its defeat may be one of the possibilities of the present, its ultimate passage is one of the certainties of the future. It may not be now, but it is to come, and it requires no more of the gift of prophecy to foresee its adoption than is called for in predicting the precession of the equinoxes.

The free coinage of silver is essential to our protection, to the preservation of our ability to continue the profitable production of the two great staples, wheat and cotton; and as self-preservation is the first law of nature some bill providing for the free coinage of silver must eventually become a law. How long it may be deferred and how great must be the sufferings of the people before they obtain at once justice and relief I shall not pretend to say. I am satisfied to know that while this much-needed measure of relief may be postponed, that postponement must have a limit of time in the not very distant future. Relief must come in this or some other form. If other adequate measures be devised or changed circumstances improve our condition this particular measure may not be necessary.

The low price of silver bullion in London has so affected the price of

sterling exchange with India as to enable English importers of

INDIA WHEAT

to place that staple product in the markets of Europe at prices so low as to measurably exclude the American producer as a competitor. exportation of wheat from India was only 94,000 bushels in 1873, when we demonetized silver, and since that time it has increased so rapidly that it reached the enormous amount of 45,500,000 bushels in 1885. The official publications of British India, furnished me by the Bureau of Statistics, show that five-sixths of this wheat was sent to Great Britain, France, Italy, and Belgium, and every bushel of this Indian wheat marketed under these circumstances may be regarded as having displaced a bushel of American wheat, which might have been sold had not England bushel of American wheat, which might have been sold had not England been able to dictate our financial policy, whereby she purchased the silver product of this and other countries at a depreciation of 20 per cent. as compared with gold. Silver is the only legal tender in India, and so long as England shall be empowered by us, or at least with our sanction, to use 80 cents for a dollar in the production of India wheat, and the value of our wheat is measured by a gold dollar of 100 cents, just so long will she undersell us in the markets of the world.

The exports of wheat from British India during the ten years ending March 31, 1885, are as follows:

Year.	Quantities.	Value.
1876. cwts. 1877. do. 1878. do. 1879. do. 1880. do. 1881. do. 1882. do. 1883. do. 1884. do. 1883. do. 1884. do.	2,510,768 5,586,604 6,373,168 1,056,720 2,201,515 7,444,375 19,863,520 14,144,407 20,956,495	\$4, 410, 660 9, 526, 855 13, 985, 177 2, 531, 252 5, 471, 245 15, 952, 105 41, 871, 765 29, 534, 467 43, 202, 651

To England cheap silver means cheap wheat and cheap cotton, and it is in this fact that we find the true explanation of her resolute hostility to any international encouragement of bimetallism. If we should yield to the demand for demonetization, or even for suspension of the limited-coinage act of 1878, the price of silver bullion would fall still lower and coinage act of 1878, the price of silver bullion would fall still lower and she would doubtless be able in a very short time to buy it at 60 cents, where she now pays 80 cents. But even at the present price of silver measured by the gold standard of value she possesses an incontestable advantage over us or any other country in the production of wheat and cotton. She can now buy silver at a discount of 20 per cent. and ship it to India, with its 253,000,000 population using only silver money, coin it into rupees and sycee, with which to pay the ryots who work for 8 cents a day, and buy her whole supply of wheat—formerly furnished by America—and lay it down in London and Liverpool at prices which must drive the American farmer absolutely from the market. which must drive the American farmer absolutely from the market.

The extent of the supply of India wheat is simply a question of irrigating canals to water her arid soil and railroads to carry the product of those fields to the ports. England's possessions in India embrace an area equal to the United States from the Rocky Mountains to the eastern point of Maine and from the lakes to the Gulf, with a population nearly five times as great as ours, steeped in poverty and ignorance. To provide the irrigating canals and railroads there have been already appropriated this year some \$30,000,000, and her leaders announce their intention to continue these works till all the wheat and cotton fields have been brought under cultivation.

Continue to supply England with cheap silver wherewith to pay her ryots in India their 8 cents a day to cultivate wheat and cotton, and it will not be many years before she will be selling. India wheat in New York at from 60 to 70 cents a bushel. The wheat-grower of the North-

west would

LOSE HIS BEST MARKET,

steamers on the lakes and the great railroads would lose much of their

freight and of necessity many employés would be discharged.

Besides this, India will use her 8-cents-a-day laborers to supply England with all the short-staple cotton she can use, and all our low-grade

cotton will be left on our hands, while all other grades will be reduced

below the point of profitable production.

Worse than that. We now manufacture We now manufacture coarse cotton cloths as low as two-thirds of the cost of such goods in England, but India mills, with cheap labor and cheap silver, are becoming dangerous competitors, and the large increase in India of this class of manufactures is a matter we should seriously consider.

It was only a few years ago that England began developing the manufacture of cotton cloth in India. I have not the details of this manufacture prior to 1879, but the table which I will read shows the prog-

ress since that date.

COTTON MILLS OF BRITISH INDIA.

Statement showing the cotton mills worked by steam which existed in the lower provinces of Bengal, the presidencies of Madras and Bombay, the northwestern provinces, the Hyderabad assigned districts, and Central India, on the 31st of March of each year, 1879 to 1884, inclusive.

[From official publications of British India.]

Year.	No. of mills.	Number of looms.	Number of spindles.
1879	58	12, 983	1, 436, 464
1880	58	13, 307	1, 470, 830
1881	58	13, 283	1, 471, 730
1882	62	14, 386	1, 550, 944
1882	62	15, 116	1, 654, 108
1883	74	16, 251	1, 895, 284

Does any one say these are the gloomy and impossible prognostications of an alarmist?

If there be any who regard the picture I have endeavored to present of the future course of our wheat and cotton trade as an impossible contingency, I beg their earnest and most thoughtful attention to the following views on this very subject of Mr. Henry R. Grenfell, an eminent English financier and a director of the Bank of England, which have been recently published.

"Whatif the United States," I said, "should go the length of demonetizing

"Whatif the United States," I said, "should go the length of demonetizing silver?"

"That step," replied Mr. Grenfell, "I believe to be quite out of the question. What could you do with your silver? Not only would every silver mine in America be closed, but it would be absolutely impossible for you to sell the \$200,000,000 of silver which you have coined. It would be impossible for you to sell this coin—I will not say without a loss, but at all. Where could it go? Who would buy it? For what produce of India could you exchange it? Europe certainly will not buy a dollar of it. Selling presupposes buying. Before you can sell any commodity you must find a buyer for it. Again if you could demonetize silver in the United States, the price of silver would fall, and as the price of silver fell the trade exports from India to Europe would be stimulated in competition with your exports. On account of the fall in the exchange value of silver, India now has to pay her \$85,000,000 of annual debt charge to England not in silver but in wheat or in cotion.

"Thus it is really the price of silver which decides whether the wheat-farmer in the content of the fall in the exchange value of silver but in wheat or in cotion.

or in cotton.

"Thus it is really the price of silver which decides whether the wheat-farmer in Dakota shall get a remunerative price for his wheat and whether the cotton-planter in Texas shall be undersold in the English markets by the Indian ryot. The less support, therefore, the United States affords silver the keener will be the competition you must meet, and the lower will be the prices at which your staple export of wheat and cotton will be sold, on account of the inevitable concomitant increase in the Oriental exports of these commodities to Europe.

"Does it not follow from all this that you do not think the Bland bill ought

"Does it not follow from all this that you do not think the Bland bill ought to be repealed?"

"As to that, if I were speaking from the point of view not of a director of the Bank of England, but of a philosopher, I might say that M. Cernuschi's position, that the bill ought to be repealed, is logically unassailable. But the world is not governed by logic. If the Bland bill were unconditionally repealed and if silver were demonetized in the United States, the tremendous collapse in trade which would follow that legislation would no doubt most effectually awake not the United States alone but the whole world to understand the importance of maintaining a sufficiency of the circulating medium and of assuring the stability of the international exchange ratio of the two precious metals.

"It all the circulations and importance of the declaration that as the

Mark the significance and importance of the declaration, that as the price of silver falls the exports from India to Europe will be stimulated in competition with our exports. Engrave it indelibly upon your minds that a director of the Bank of England has stated it to be an immediate and direct consequence of the decline in the price of silver which has already taken place, that India now "pays her annual debt charge of \$85,000,000 to England, not in money, but in wheat or in cotton," and then say I have overdrawn or exaggerated the future prospects of our wheat and cotton trade, if you can, and vote against this bill if you wish to hasten and insure the calamitous result I foresee, and you must

recognize as inevitable.

"But," I am asked, "granting all you say to be true, how will the passage of this bill prevent the disaster to our wheat and cotton trade?" I do not claim, Mr. Speaker, that the passage of this bill will certainly prevent the calamity, but I do maintain that it will tend to the accomplishment of that desirable result.

By making provision for the free and unlimited coinage of all the silver that may be presented at our mints we can at least

DEPRIVE ENGLAND

of the advantage of cheap silver in stimulating and fostering the pro-

ductions of India in competition with us.

The American policy should be to enhance the value of silver. By raising the value of silver so that our present silver dollar shall have in all the markets of the world a purchasing power equal to gold, we can at least add 25 per cent. to the cost of the vast system of internal improvements in India which she now contemplates; we can add 25 per cent. to the cost of the agricultural products of India; we can add one-fourth to the cost of transporting these products to the distant sea-coast and the still more distant European market. Deprive England of the immense advantage she now has in cheap silver and we may hope that the higher intelligence and superior skill of our farmers, supplemented and assisted by our greater proximity to market, will go very far to offset the advantages of her 8 cents a day ryots and her comparatively valueless lands.

Force England to pay 100 cents for everything she now gets for 80 cents, and the inequality of the terms upon which we now compete with her Indian products in the markets of the world will certainly be mod-

ified, and may be destroyed altogether.

"But," again interrupts my former querists "how can we be satisfied that the free coinage of silver in the United States will deprive England of her cheap silver?" In reply to this inquiry, I would say that the world's production of silver for the three years 1882, 1883, and 1884 aggregated \$343,892,874, and the world's coinage of silver during the same three years is shown by the table to which I now ask attention.

Coinage of various countries.

[Compiled from	omeiai statis	tics,]		100 B M T			
Countries.		382.	18	883.	1884.		
Countries.	Gold.	Silver.	Gold.	Silver.	Gold.	Silver.	
United States	452,590	\$27, 972, 035 25, 146, 260 1, 684, 865	\$29, 241, 990 407, 600 4, 530, 210	\$29, 245, 989 24, 083, 921 *1, 600, 000 1, 715, 445		\$28,534,866 25,377,378	
Argentine Republic. Great Britain. Australia.		1,021,381	6, 831, 169 19, 903, 722	6, 201, 517	11,309,819	3, 204, 824	
India Germany Austria-Hungary France Belgium	170, 543 3, 167, 085 2, 829, 590 722, 206	29, 386, 322 6, 407, 157 3, 122, 819 223, 853	67,044 21,002,897 2,154,390	24, 927, 400 594, 564 5, 552, 191	13,723,494 1,244,975	13, 847, 656 114, 319 3, 390, 163 23, 160	
Italy		608, 312	785, 027. 192, 708		62,165	2, 121, 953 182, 910	
NorwaySwedenSpain	39, 876 1, 996, 310	17,707 10,671,842	436, 619 3, 327, 235 217, 080	250, 468 10, 523, 421	1,022,420 4,983,004	132,784 6,738,971	
Japan Brazil	565, 645 25, 508	4, 367, 393 9, 994	544, 290 52, 801 12, 793, 575	3, 120, 892 23, 589	569, 415	3,088,724 1,020,786	
Russia. Turkey Colombia	2,960,056		1,344,640	44,000 699,114		1,020,100	
Switzerland		76,314	965,000				
Persia. Peru Sandwich Islands.						700,000	
China						160,000	
Total.	. 99,697,170	110,785,934	194, 845, 114	109, 306, 705	99, 459, 240	90, 039, 443	

From these figures it will be seen that the average annual production of silver of the whole world for the three years specified was \$114,630,958; and that the average silver coinage of the whole world during the same period was \$103,377,361, leaving an average annual amount of only \$11,253,597 worth of silver bullion available for the arts and manufactures. During the same three years, 1882, 1883, and 1884, the silver product of the United States was as follows:

In 1882	\$46, 800, 000 46, 200, 000 48, 800, 000
Total	141, 800, 000

Giving an annual average of \$47,266,666.66.

During the same period the silver coinage in the United States was

as follows:	states was
In 1882	\$27, 972, 035 29, 245, 989 28, 534, 866
(Potal	85 752 890

Giving an annual average of \$28,584,296.66. Deduct our average annual coinage from our average annual product, and we have in the United States an average annual amount of \$18,682,370 worth of silver bullion available for our arts and manufactures and for export.

If the United States produced an average annual amount of \$18,682,-370 worth of silver in excess of its average annual coinage, and the excess of the world's product over the world's coinage was only \$11,253,-597, it follows necessarily that \$7,428,773 worth of our silver product must have been coined abroad and entered into the silver-money circulation of foreign countries.

From this table of the world's silver coinage—and I wish to call particular attention to this point—we learn that during the three years, 1882, 1883, and 1884, the coinage of silver in India was as follows:

In 1882	\$29, 386, 322
In 1883	24, 927, 400
In 1884	13,847,656

giving an annual average of \$22,720,459; and during these three years I see by the official report of the Director of the Mint that India is not credited with the production of one single dollar's worth of silver

credited with the production of one single dollar's worth of silver.

It will be noticed in this connection that the average annual coinage of silver in India was \$4,038,089 greater than the average annual excess of the silver production over the silver coinage in the United States. Of course I do not say that England bought and had coined in India the whole of our silver product that we did not coin, but I do insist that she must have bought from this or some other country every dollar's worth of silver that was coined in India during these three years. I do insist also that if the free and unlimited coinage of silver be permitted in the United States we shall have no

SILVER BULLION TO EXPORT

for melting and recoining in foreign countries, and that the supply being diminished without any decrease in the demand an increase in the value of silver would follow by natural and unavoidable consequence. And I insist further that within two years after the authorization of free and unlimited silver coinage in this country England would be unable to buy silver bullion for 80 cents on the 100. Every one must see that this would be inevitable, for every one must realize the absurdity of supposing that any owner of silver will sell 412½ grains of that metal in England for less than it will bring in the United States.

If any one objects that it will also inevitably result from free coinage that we will have all the silver in the world brought to our mints, I reply that such a result is not only not inevitable, but it is absolutely impossible. We have seen that the world's average annual silver coinage is \$103,000,000, while the total product of silver is but \$114,000,000. Admit that the world can get along with thirty millions less silver money—and certainly no one will have the hardihood to maintain that this is not a liberal, an extravagant reduction, and that every dollar of this silver would be annually added to our money of account—we should still be very far from having all the silver in the world, and would not have one dollar more than could be advantageously and legitimately used in our trade. Add these thirty millions of silver dollars to our circulation each year for fifty years, and though there were no increase whatever in our population in the mean time, at the expiration of the fifty years we would only have the same circulation per capita that France has now.

I think I have shown, Mr. Speaker, that we can only hope to compete successfully with the wheat and cotton of India by depriving England of cheap silver, and that the only means within our own control to accomplish this result is to provide for free and unlimited, unrestricted coinage. I think I have shown also that by adopting this policy we shall infallibly force England to pay a large per cent. increase on the cost of everything she now gets in India, and that we shall thus be enabled to compete with India wheat and cotton in the markets of the world upon comparatively equal terms. I have shown also that the restoration of this equality in competition is indispensable to our profitable export of wheat and cotton to European markets.

restoration of this equality in competition is indispensable to our prolitable export of wheat and cotton to European markets.

Having shown this, I feel justified in saying that I have also shown that, though this particular bill may be defeated, the ultimate passage of a kindred measure is as certain as that the American people possess the intelligence and the power to protect themselves.

It is possible that the great energy and industry of our people, the fertility of our soil, our unparalleled mineral wealth, may so relieve the distress of our toiling millions that they will not demand this particular measure of relief—but some relief they must and will have.

As it is an interesting and instructive study I will submit to the House this table, showing the stock of gold and silver coin and bullion held by the principal countries in the world.

Stock of gold and silver coin and bullion in the principal countries of the world.

Countries.	Population.	Gold.	Silver.	Total.	Per capita.			
	r opunation.	Gord.	Silver.	Total.	Gold.	Silver.	Total.	
United States.	58, 900, 000	\$609,000,000	\$283,000,000	\$892,000,000	\$10 50	\$4.88	\$15 38	
Great Britain and Ireland	35, 246, 562	583, 500, 000	95, 000, 000	678, 500, 000	16 56	2 69	19 25	
Dominion of Canada, including Manitoba and Newfoundland	4, 506, 563	9, 326, 000	4,500,000	13, 826, 000	2 07	1 00	3 07	
British India.	252, 541, 210	2,020,000		1, 037, 000, 000	4770.75	4 10	4 10	
Ceylon	2, 758, 166			772,000		28	25	
Australia, Tasmania, and New Zealand	2,798,898	65, 000, 000	5,000,000	70,000,000	23 22	1 79	25 01	
Cape of Good Hope	780,757	30, 000, 000				3 12	41 5	
			2,441,000	32, 441, 000	38 42			
France	37, 672, 048	848, 000, 000	594, 900, 000	1, 442, 900, 000	22 51	15 79	38 30	
Algiers	2, 867, 626	9, 300, 600	5, 915, 000	15, 215, 000	8 24	2 06	5 30	
Guadeloupe	185, 460	381,000	281,000	662,000	3 02	1 52	3 58	
Belgium	5, 585, 846	64,000,000	59, 500, 000	123,500,000	11 46	10 56	22 15	
Switzerland	2,846,102	17,000,000	14,700,000	31,700,000	5 97	5 16	11 13	
Italy	28, 452, 639	140,000,000	72,000,000	†212,000,000	4 92	2 53	7 43	
Greece	1, 979, 423	2,702,000	2, 702, 000	5, 404, 000	1 36	1 36	2 75	
Spain	16, 625, 860	130,000,000	70,000,000	200, 000, 000	7 82	4 21	12 0	
Cuba.	1, 394, 516	28, 181, 000		28, 181, 000	20 20		20 20	
Luzon	4, 450, 191	762,000	2,236,000	2, 998, 000	17	50	67	
Portugal, including Azores and Madeira	4, 550, 669	30,000,000	10,000,000	40, 000, 000	6 59	2 20	8 79	
Germany	45, 235, 061	334, 420, 000	211, 480, 000	545, 900, 000	7 39	4 67	12 00	
Austria-Hungary	35, 839, 428	45,000,000	75,000,000	120,000,000	1 26	2 09	3 3	
Sweden and Norway	6, 479, 168	14, 296, 783	5, 138, 368	19, 435, 151	2 21	79	3 00	
Danish Kingdom	2,096,400	13, 936, 000	4, 958, 000	18, 894, 000	6.64	2 36	9 00	
Netherlands	4, 172, 921	28, 000, 000	57, 000, 000	85, 000, 000	6 71	13 66	20 37	
Russia	98, 323, 000	1124,008,153		124, 008, 153	1 26		1 26	
Turkey	24, 987, 000	39, 600, 000	35, 200, 000	74, 800, 000	1 59	1 41	300	
Roumania	5, 376, 000	163,000	11, 387, 000	11, 550, 000	03	2 12	2 1	
Marian	9,787,629	10,000,000	40,000,000	50, 000, 000	1 02	4 09	5 11	
Mexico								
Central America	2,891,600	2,318,000	374,000	2, 692, 000	80	13	90	
Argentine Republic	2,540,000	10,000,000	10,720,000	20,720,000	3 93	4 22	8 15	
Colombia	3,000,000		4,000,000	4,000,000		1 33	1 3	
Peru	3,050,000	62,000	1,820,000	1,882,000	02	60	65	
Venezuela	2,075,245	2,000,000	123,000	2, 123, 000	96	1 06	1 00	
Chili	2, 420, 500		6,000,000	6,000,000		2 47	2 47	
Bolivia	2, 325, 000		5,400,000	5, 400, 000		2.32	2 32	
Uruguay	438, 245	4,601,000	1,000,000	5, 601, 000	10 49	2 28	12 77	
Hayti	572,000	4,000,000	780,000	4,780,000	7 00	1 36	8 36	
Japan	36, 700, 100	92,000,000	44, 333, 712	36, 333, 712	2 50	1 21	3 71	
Hawaiian Islands	66, 895	549, 900	950,000	1,499,900	8 20	14 21	22 41	
Total		3, 292, 106, 836	2,775,611,080	6, 067, 717, 916				

As a reply to the argument that the continuation of silver coinage will drive gold out of the country, let us take a lesson from

GERMANY AND FRANCE.

France, like the United States, adheres to the gold and silver standard, but Germany, like England, has adopted the gold standard. In 1873 France paid Germany \$1,000,000,000 in gold; but France, while maintaining the double standard, has already got so much of that gold back that to-day she has \$848,000,000 of gold and \$595,000,000 of silvers while Germany \$1,000,000 of gold and \$595,000,000 of silvers while Germany \$1,000,000 of gold and \$595,000,000 of silvers while Germany \$1,000,000 of silvers while Germany \$1,000,000 of gold and \$595,000,000 of silvers while Germany \$1,000,000 of gold and \$595,000,000 of silvers while Germany \$1,000,000 of gold and \$1,000,000 of silvers while Germany \$1,000,000 of gold and \$1,000,000 of silvers while Germany \$1,000,000 of gold and \$1,000,000 of silvers while \$1,000,000,000 of gold and \$1,000,000 of gold and \$1 ver, while Germany, attempting to enforce the gold standard, has but \$334,000,000 in gold and \$211,000,000 in silver.

As an additional proof of how diametrically opposed to the facts were

the predictions that gold would leave the country, which were so confidently indulged in by those who opposed the act of 1878 which remonetized silver, I will mention the fact that at the time this act was passed the amount of gold in the country was less than \$200,000,000. The last report of the Comptroller of the Currency states that the amount of gold in the country has increased, as I will read:

January, 1879.

November, 1882.

November, 1888.

November, 1884.

November, 1885. \$278, 310, 126 547, 256, 262 581, 970, 254 585, 611, 872

It is estimated now that the United States has \$609,000,000 in gold coin and bullion, and therefore has more than any gold-standard coun-

try, and more than any country in the world except France.

This shows conclusively that our present system does not drive gold away from us, but, on the contrary, draws it to us, for it will be observed that, while our production of gold has been steadily diminish-

ing, our stock of gold has been steadily increasing.

The table which I will now read, giving our imports and exports or gold and silver during the past year, will explain how this addition to our stock of gold has been secured:

Imports and exports of gold during 1885.

Gold coin imported last year	17, 842, 459
Total imports of gold	29, 064, 305
Gold bullion exported	395, 750 8, 082, 142
Total gold exported	8,477,892 29,064,305
Excess of imports over exports	20, 586, 413
Exports and imports of silver during 1885.	
Silver bullion exported	\$13, 272, 239 20, 422, 924
Total silver exported	33, 695, 163
Silver bullion imported	4,530,384 12,020,243

Silver and gold are governed by the laws of trade, and, like everything else, will seek the highest market. Gold will purchase more silver here than it will in Austria, Russia, Germany, Portugal, and the Latin or Scandinavian states and Great Britain. Silver will

Total silver imported.....

Excess of exports over imports.....

PURCHASE MORE GOLD

in each of these countries than here, and with this fact staring them in the face, and the further fact that we import more gold than we export and export more silver than we import, the opponents of silver coinage keep up the false cry that unless we stop the coinage the United States will become the dumping-ground of all the silver in the world, and that our gold will be absorbed by the gold-standard countries of

I think I have shown, Mr. Speaker, that every theory of the gold-standard advocates has been proven to be without foundation, and that every anticipation of the friends of silver coinage has been verified. With this experience we advocate the bill now under consideration, which is in these words:

That from and after the passage of this act all holders of silver bullion of the value of \$50 or more, standard fineness, shall be entitled to have the same coined into standard silver dollars of 412½ grains troy of standard silver to the dollar, upon like terms and conditions as gold is now coined for private holders; that the standard silver dollar heretofore coined and herein provided for shall be the unit of account and standard of value in like manner as now provided for the gold dollar, and shall be a legal tender for all debts, public and private, except where otherwise stipulated.

SEC. 2. That so much of the provisions of the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar and restore its legal tender character," as provides for issuing certificates on the deposit of silver dollars, shall be applicable to the coin herein named; and so much of the said act of February 28, 1878, as provides for the purchase of silver bullion to be coined monthly into standard silver dollars be, and the same is hereby, repealed.

SEC. 3. That the Secretary of the Treasury is hereby authorized to adopt such rules and regulations as may be necessary to enforce the provisions of this act.

No one has yet given a satisfactory reason why we should restrict the

coinage of silver any more than we should the coinage of gold, and I shall vote for this bill, Mr. Speaker, because it is right and because it is in the interest of the people.

It is a principle which no one will deny, that to increase the value of an article you must find uses for it. I will read a table stating our production of gold and silver for the last forty years:

roduction of gold and silver in the United States, annually, from 1845 to 1884, estimated by R. W. Raymond from 1845 to 1873, inclusive, and by the Director of the Mint since.

	Estimated product.				
Years.	Gold.	Silver.	Total.		
1045	00 000 007		£1 000 00#		
1845	\$2,008,327		\$1,008,327		
1846	1,139,357		1,139,357		
1847	889, 085		889, 085		
1848	10,000,000	ero 000	10,000,000		
1849	40,000,000	\$50,000	40,050,000		
1850	50,000,000	50,000	50, 050, 000		
1851	55, 000, 000	50,000	55, 650, 000		
1852	60,000,000	50,000	60,050,000		
1853	65, 000, 000	50,000	65, 050, 000		
1854	60,000,000	50,000	60, 050, 000		
1855	55, 000, 000	50,000	55, 050, 000		
1856	55,000,000	50,000	55, 050, 000		
1857	55, 000, 000	50,000	55, 050, 000		
1858	50,000,000	500,000	50, 500, 000		
1859	50,000,000	100,000	50, 100, 000		
1860	46,000,000	150,000	46, 150, 000		
1861	43, 000, 000	2,000,000	45, 000, 000		
1862	39, 200, 000	4,500,000	43, 700, 000		
1863	40,000,000	8, 500, 000	48, 500, 000		
1864	46, 100, 000	11,000,000	57, 100, 000		
1865	53, 225, 000	11, 250, 000	64, 475, 000		
1866	53, 500, 000	10,000,000	63, 500, 000		
1867	41, 725, 000	13,500,000	65, 225, 000		
1868	48, 000, 000	12,000,000	60,000,000		
	49, 500, 000	12,000,000	61,500,000		
1869		16,000,000	66, 000, 000		
1870	50,000,000				
1871	43,500,000	23,000,000	66, 500, 000		
1872	36,000,000	28,750,000	64, 750, 000		
1873	36,000,000	35, 750, 000	71, 750, 000		
1874	33, 500, 000	37, 300, 000	70,800,000		
1875	33, 400, 000	31,700,000	65, 100, 000		
1876	39, 990, 000	38, 800, 000	78,700,000		
1877	46, 900, 000	39, 800, 000	86,700,000		
1878	51, 200, 000	45, 200, 000	96, 400, 000		
1879	. 38,900,000	40, 800, 000	79, 700, 000		
1880*	36,000,000	39, 200, 000	75, 200, 000		
1881*	34,700,000	43,000,000	77, 700, 000		
1882*	32,500,000	46, 800, 000	79, 300, 000		
1883*	30,000,000	46, 200, 000	76, 200, 000		
1884*	30, 800, 000	48, 800, 000	79, 600, 000		
Total	1, 651, 568, 769	647, 050, 000	2, 298, 636, 769		

*Calendar year.

It will be seen that the greatest amount of silver we have ever produced in one year was \$48,800,000. This bill only proposes to coin that portion of the annual product which is not called for in the arts, and not needed for export, and this law would therefore provide a use for all our silver and none would be hunting a market under adverse conditions, necessarily a prey of those who are interested in depreciating its value.

The surprise is that silver has not depreciated, relatively to gold, more than it has. If any product becomes the subject of unfriendly legislation it will of necessity depreciate, and if any product be specially fostered it will by a like necessity become comparatively more

Gold has been favored by legislation. Its free coinage is provided for by law, and this assists in enhancing its value.

If this bill should pass the coinage of silver would not be increased to the extent claimed by the opponents of the measure.

The coinage of silver since its remonetization in 1878 has been as

follows:

27, 942, 437 1884	\$29, 245, 989 28, 534, 866 28, 648, 959
27, 649, 966 1885 27, 972, 035	

Last year we produced \$30,800,000 of gold, and the excess of our

imports of gold bullion over our exports was \$10,826,096, giving total gold bullion available for coinage and the arts of \$41,626,096, and coined but \$23,724,879, slightly more than one-half.

I have shown that during 1885 we exported \$8,741,855 more of silver bullion more than we imported, and deducting this from our total production in 1884 would leave but \$40,058,145 for our arts and coince and compared that the presenting of sciences of free silver would age, and assuming that the proportion of coinage of free silver would age, and assuming that the proportion of coinage of free silver would not exceed the proportion of coinage of free gold, it would only amount to \$22,793,885, which is even less than the amount which, under the present law, is compelled to be coined.

This shows that no great increase of coinage of silver would result from the passage of the bill, and that the effort to alarm the country with predictions of a deluge of silver are groundless.

I do not wish to be understood as insisting that this is all that would

be coined under a free-coinage law. I readily admit that in all probability, under free-coinage, a portion of the silver that would otherwise be exported would be coined at our mints.

I admit that under such a law the imports of silver might increase, and that much of the imported silver might be coined at our mints.

But so long as our ratio is 1 to 16, and the ratio of France is 1 to 151, and so long as England requires millions of silver annually for India,

there can be but little danger that our coinage would be excessive.

A prominent gold-standard advocate has asked me if it would not be possible, under a free-coinage law, for all the surplus silver of the world to be brought to the United States, coined at our mints, and used to

PURCHASE THE LANDS

of our people. I think there could be no injury result to us from this. It would bring us a good population; it would add millions of dollars in coin to our circulating medium of exchange; the value of all our land would be enhanced, and the products of the land and of labor of every kind would necessarily increase in value.

If this would be one of the results threatened by silver opponents I

insist it is a strong argument in favor of free-coinage.

Taking all in all, the facts developed since the passage of the coinage bill in 1878 have positively contradicted all the theories advanced by the advocates of the single gold-standard, and when they are confronted with the antagonism between their speculative theories and the actual facts they can only exclaim, So much the worse for the facts!

There is another reason why we should repeal the restrictive feature of the coinage law of 1878. It requires that at least \$2,000,000 and not more than \$4,000,000 of silver be coined each month. It might be convenient and economical, and consistent with the best interests to coin very largely during some months, and again there might be good reasons why it would be best not to coin any silver at all during certain other months.

The question is asked, what interest have the national banks in de-

monetizing silver?

I will endeavor to state some facts which will make their interest in

this matter more apparent.
On July 1, 1885, the amount of gold in the country was \$542,174,633. At that date the banks owned in-

Gold coin Gold certificates Legal-tenders, redeemable in gold Gold clearing-house certificates United States certificates	\$65, 559, 947 72, 986, 340 69, 738, 759 23, 614, 000 18, 000, 000
Total	249, 899, 046

It will be seen that the banks hold substantially one-half of the entire stock of gold in the country. It is plain that if the coinage of silver was stopped this gold would be increased in value and the banks

would be correspondingly enriched.

To show what little interest the banks have in silver let me call attention to the fact that of the \$278,000,000 of silver in the United States the banks, on July 1, 1885, owned only \$11,400,000; and, as a proof that I am correct in my statement that the stoppage of the silver coinage would increase the value of the gold held by the banks, I cite the fact that since Germany stopped the coinage of silver and adopted the single gold standard, gold in that country will purchase 25 per cent. more of the products of labor than it would prior to that action.

I am glad to say, however, that we have at least one national banker

who can rise superior to the temptation to swell his gains at the expense of the whole body of the people. I do not pretend to say that we have but one such patriotic and honest banker, but I assert that Mr. John Thompson, the president of the Chase National Bank, of New York, is the only gentleman occupying that position whose published utterances, so far as they have fallen under my notice, are in positive and earnest opposition to the persistent efforts of the banks and money-monarchs of this country to impose the single gold standard upon us

OBVIOUS DETRIMENT

of the interests of the tax-payers, and to the equally manifest benefit of the creditor class, the holders of bonds, mortgages, promissory notes,

and other evidences of debt, public and private.

I will read a few extracts from this gentleman's remarks upon the silver question, made before the Bankers' Association at Chicago last

* * Following the lead of Germany; Sweden, Denmark, Norway, and this country demonetized silver; France, Belgium, Spain, and Italy stopped coing it, and in July, 1876, \$4 of gold was equal in the London bullion market to \$5 in silver. * * *

ing it, and in July, 1876, \$4 of gold was equal in the London bullion market to so in silver. * * * *

The debtor class is 10 to 1 of the creditor class; the mortgageors are numerous as compared with the mortgagees. The debtor knows full well that the conversion of silver into merchandise, instead of being monetized, will fully double the burden of his debt. * * *

I regret the necessity of this plain talk and do sincerely hope that some measure can be adopted to perpetuate the double or bimetallic standard. The equities as between debtor and creditor should not be violated. The wheels of prosperity should not be blocked by the conversion of one-half of the basis of our currency and credit into mere property. The extra liability of suspending specie payments should not be incurred.

The most active financial minds of Europe are discussing the "hard times," much of which is attributable to the demonetization of silver. * *

A most natural question arises, if the silver dollar and its paper equivalent

(silver certificates) become our current money, what will be the premium on

gold?

So long as European exchanges are in our favor and so long as our exports and imports run about equal, gold will be at but a nominal premium; but should our foreign trade run disastrously against us, involving large shipments of gold, the premium will be equal to the difference between gold and silver in the London bullion market. * * *

The laborer is appealed to to help repudiate silver. I would like to see the laborer who has discovered that a gold dollar buys more bread and butter than a silver or paper dollar. He wants prosperity and employment that he may get the dollar.

Every principle of monetary and economic science for which the advocates of free silver coinage have contended is sanctioned, indorsed, and advocated by this intelligent, sagacious, and honorable bank president, whose selfish interest is presumably identical with that of the great majority of his brother bankers who so clamorously demand the demone-

tization of silver and the establishment of the single gold standard. He attributes the existing (relative) depreciation of silver to the same cause that we do. He, like ourselves, recognizes and appreciates the significance and important bearing upon this question of the relative numbers of debtors and creditors in our country whose immediate and remote prosperity is to be affected by the action which we as legislators may take upon this bill. He concedes the truth of the proposition which we have endeavored to emphasize, that the "conversion of silver into merchandise" by depriving it of its legal-tender function will double the burden now borne by the debtor, and regrets, as we do, the necessity that the utterance of plain and homely truths upon the subect should have been rendered necessary by the apparent inclination of some to "violate the equities between debtor and creditor."

If this honorable, high-minded bank president, whose many years of experience have given him a practical familiarity with the subject which we can hardly hope to acquire, can withstand the proffered temptation to augment his wealth at the expense of the great body of the people, what answer shall we, their chosen and trusted representatives, make to them when called on to explain why this grievous wrong was

not prevented?

These may be upon this floor gentlemen whose constituencies are composed wholly of the creditors of less fortunate localities, though I have never visited or read of any such district. Still it is possible, but not at all probable, that there may be somewhere in this country a Congressional district in which the creditors outnumber the debtors. That such a representative, intrusted by so exceptionally favored a constituency with the duty of protecting and promoting the individual in-terests of his people, should feel it to be his duty to oppose this bill and thereby swell the tribute which the rest of the community must pay to their more fortunate brethren I can readily understand.

But even under this almost inconceivable condition of affairs I should feel that such an opponent of the bill was mistaken in his ideas of the duty which his position entailed. I should still entertain the belief, the conviction, that the duty of an American representative should not be limited or bounded by the lines of his own immediate district, but that the obligations of his office required him to do all that lay in his

power to guard, shield, and

PROTECT THE PEOPLE

of the whole Union from any and every attempted wrong and injustice-For a long period the laws of England sought only to pander to every whim and wish of the nobility, but her sagacious statesmen finally saw that the trade of England was her glory, and for years it has received the first consideration of Parliament, and this accounts for her greatly increasing prosperity.

Let America stop legislating for our moneyed nobility, and devote its wisdom to the resuscitation of our prostrate trade and commerce, and we will be able to successfully compete with England in all the mar-

kets of the world.

For my own part, Mr. Speaker, whatever opinions others may hold as to their duty to their own immediate constituency and to the people of the whole United States, it is not possible for me to be doubtful regarding my individual duty on this question. The great body of the people the district I have the honor to represent on this floor are not bondholders and creditors who "toil not, neither do they spin." They are honest, industrious, tax-paying, producing people; and the labor of such people pays every dollar of the expense of our Government, national, State, county, and municipal, together with every dollar of interest and principal of the bonds issued by the Government, by States, by counties, and by cities.

Impoverished but not disheartened, deprived of property amounting to a vast sum by the war and its results, but still retaining their courage and fortitude, they have uncomplainingly submitted to exactions they felt to be inequitable, have patiently, if not smilingly, endured hardships and privations both bitter and mortifying, animated and sustained by an unfailing confidence in their own industry, economy, and self-denial to rehabilitate their fallen fortunes. Relying upon their own sturdy arms, and supported by an unfaltering trust in the justice of the American people, they have toiled and wrought and delved on their farms and in their workshops, hoping and expecting that each succeeding year would bring with it that quickened conscience, that reviving sense of justice in the American Congress which must inevitably lighten their burdens and increase the rewards of their labor, REPRESENTING SUCH A PEOPLE,

and chosen to represent them because of my life-long devotion to the principles of that political party which is the special champion and defender of the poor and lowly—of the people, I should be false to every trust with which they have honored me, recreant to every obligation the acceptance of those trusts imposed, did I not seek by all honorable and legitimate means to secure the success of this and every kindred measure designed to sweeten the toil of the laborer by increasing the gains which should follow his industry, and to equalize the burdens laid upon the tax-payer by enforcing their more equitable distribution.

I want the laboring men upheld in their manhood, grand, glorious

manhood. They are the heroes and the reliance of a republic. They create everything that makes a country great. To them we owe everything which makes a people happy. They brave the winter's cold and toil without a murmur under the scorching summer's sun. Without their honest hands the palatial cities, the railroads, the telegraphs, the steamers, and the teeming farms which now make our country the wonder and the envy of the world could not exist. In the front of battle der and the envy of the world could not exist. In the front of battle they bear aloft the banners of our country. They bare their breasts to the terrible assault, and in the deadliest carnage they lead the charge which gives victory to our columns.

God bless the workingmen of America, and may it be the first duty

of Congress to provide for their protection and defense.

Silver Coinage.

SPEECH

JOHN HON. R. EDEN.

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 20, 1886,

On the bill (H. R. 5690) for the free coinage of silver, and for other purposes.

Mr. EDEN said:

Mr. SPEAKER: I do not propose to discuss the silver question or do more than give the reasons for my vote on the pending bill and proposed amendments. I am in favor of bimetallism, and will give no vote which I believe will tend to prevent the use of both gold and silver as the basis of a circulating medium. I am of opinion that the business depression now prevailing and that has prevailed for several years, both in Europe and America, is due largely to the attempt which has in recent years been made, with partial success, to make gold the sole standard of value and the only money metal of the world. Our legislation should all be directed to the restoration of silver to its old place, and no backward step should be taken until that object shall have been accomplished.

Under existing laws the Secretary of the Treasury is required to cause to be coined not less than two million nor more than four million of silver into standard silver dollars each month, and said coin is on or silver into standard silver dollars each month, and said coin is a full legal tender in the payment of debts. The silver bullion to be coined under this act (act of February 28, 1878) is purchased by the Secretary of the Treasury at its market price as required for purposes of coinage. During the fiscal year ending June 30, 1885, \$28,528,552 of standard silver dollars were coined under the act referred to. The seigniorage to the Government upon this coinage was over 18 per cent, or in round numbers about \$4,500,000, which was covered into the

Treasury

In other words, upon the purchase of silver by the Treasury during the last fiscal year for the coinage of standard silver dollars the bullion value of the silver purchased was on an average 18 per cent. below the coin value thereof, and the profit or seigniorage was paid into the Treasury. According to the report of the Director of the Mint the pro-Treasury. According to the report of the Director of the Mint the production of silver from the mines of the United States for the calendar year 1884 was in round numbers \$48,000,000. Using that amount as year 1884 was in round numbers \$48,000,000. Using that amount as an estimate for the production during the fiscal year ending June 30, 1885, it will be seen (leaving out minor coins) that \$28,000,000 of the production was coined into standard silver dollars, and according to the report of the Director of the Mint \$20,000,000 of silver bullion was exported. This statement substantially disposes of the domestic production of silver for the year.

There will be two propositions presented to be voted on by the House, as I understand, when final action is taken on the pending bill. The first will be in the form of a substitute providing that after a given day, unless an international agreement shall be reached, the coinage of the

I shall vote against this proposition for the reason that I believe the coinage under existing laws has been and will continue to be beneficial to the people, and for the further reason that to suspend the coinage would be a step backward in the march toward the restoration of silver to its old and honored place as one of the money metals.

The other proposition may be best stated in the language of the pend-

That from and after the passage of this act all holders of silver bullion of the value of \$50 or more, standard fineness, shall be entitled to have the same coined into standard silver dollars of 412½ grains troy of standard silver to the dollar, upon like terms and conditions as gold is now coined for private holders; that the standard silver dollar heretofore coined and herein provided for shall be the unit of account and standard of value in like manner as now provided for the gold dollar, &c.

Now, this proposition looks fair; but is it fair? We have nearly \$3 of gold coin in this country to \$1 of silver coin. There is a difference of about 18 cents in the value of the bullion in a silver dollar and that in a gold dollar. When the Government coins a silver dollar there is, by the act of the Government in giving it a legal-tender quality, 18 cents added to its value for purposes of domestic circulation. It is of no more value as bullion, or for exportation, or to pay a foreign debt than it was before it went to the Mint. Hence, under this bill, the bonanza king who owns a silver mine and has on hand \$1,000,000 of silver bullion has added to his wealth \$180,000; and supposing that the owners of silver mines now have on hand \$10,000,000 silver bullion, the passage of this act will add to their property nearly \$2,000,000, which, under the present law, would go into the Treasury. But this is not the worst feature of the Government is not limited to our own people.

This bounty of the Government is not limited to our own people. Under the operations of this bill the holders of silver bullion the world over may be able to bring it to our mints and have it coined at our expense into standard silver dollars, and exchange the silver coin for our gold coin and export it to England, Germany, or France, where not a dollar of silver is allowed to be coined as full legal tender. This bill opens a way for Germany to get rid of her stock of silver, for which she has been seeking a market ever since her attempted establishment of the single gold standard, and have it coined into legal-tender dollars, which may be exchanged at par with our gold coins and transported to Germany. I can conceive of no better method of insuring the success of the European nations in permanently establishing gold monometallism than by the passage of this bill.

Mr. Speaker, I ask this House to consider the effect the passage of this bill will have on the coinage of gold in the United States. I pre-sume the most ardent friend of the bill does not expect its passage to result in appreciating the value of silver so that our silver dollar will be equal in value to our gold dollar in the markets of the world. Then why should the holder of gold bullion take it to our mints for coinage at a valuation much below that of silver, when the coin value of the gold dollar will be no more than the coin value of the silver dollar? He can exchange his gold bullion for purposes of exportation for silver bullion for purposes of coinage, at a profit of 18 per cent. at present prices. Hence, if this bill passes, the silver bullion will all be coined and the gold bullion will all be exported.

I know that we have in the course of this debate been reminded of the fact that a large amount of silver bullion has been exported since the passage of what is called the Bland act. That is very true, and will so continue as long as the United States Government is a purchaser at its market value of a limited amount of silver bullion. The value of its market value of a limited amount of silver bullion. silver bullion at our mints is measured by its commercial value. What our Government does not want for coinage and our people do not purchase for other uses will go abroad where people do want it. If we by an arbitrary law give an artificial value to silver bullion over its value in the markets of the world, it will as naturally come here as the waters of the Mississippi flow into the Gulf of Mexico. If, on the other hand, we exclude gold bullion from our mints by undervaluing it from 10 to 20 per cent., it will naturally flow out of the country in search of a more friendly purchaser. friendly purchaser.

Silver monometallism would prove even more disastrous to the country than gold monometallism. This bill discriminates against gold in such a manner and to such an extent as will surely drive it from our mints. It will find its way to the mints of Europe, where it is esti-

mated at its real value.

This objection to the passage of the bill might be obviated by an amendment providing that the Government, "in adjusting the account of gold and silver bullion coined under the provisions of this act, shall retain for the United States the difference at the date of coinage between the commercial value of bullion so coined and the coin value thereof, and the sums so retained in coined money shall be from time to time covered into the Treasury." I understand the gentleman from to time covered into the Treasury." I understand the gentleman from Indiana [Mr. Holman] will, if he can get the floor for that purpose, offer an amendment to the bill such as I have indicated. The adoption of such an amendment would open the mints and make them free to all holders of both gold and silver bullion upon equal terms, with no discrimination against either.

The Government would retain the profit on the coinage of both gold and silver, and there would be no premium offered to the people of foreign governments to send their silver to our mints for coinage. It is true the millionaire mine owners would by the adoption of this amendment be cut off from their millions of profits this bill, should it become a law, will divert from the Treasury and bestow upon them. To give some idea of the enormous amount there is in this bill for the benefit of the owners of silver bullion, I refer to the fact that during seven years, beginning at the passage of the Bland law in 1878, the profits on the coinage of the standard silver dollar amounted to over \$25,000,000, every farthing of which went into the Treasury.

Under the operation of this bill, should it become a law, every farthing of the profit on the coinage of the standard silver dollar will in the future go into the pockets of the holders of silver bullion. Without amendment I will vote against the bill. I voted for the Bland act as it now stands and I will not vote to repeal or change it unless we can get something better. If we by our legislation exclude either gold or silver from our mints, we thereby strike a fatal blow at bimetallism. I shall vote against this bill because, in my opinion, under its operation gold will be excluded from our mints and silver monometallism will speedily follow in this country. I can not foresee all the evil consequences that would ensue, and will not undertake to point them out. That all values would be unsettled and all business operations would be thrown into confusion seem to be the natural consequences that would follow such a radical change in our monetary system.

Forfeiture of Railroad Land Grants.

SPEECH

HON. WILKINSON CALL.

OF FLORIDA,

IN THE BENATE OF THE UNITED STATES,

Wednesday, April 7, 1886.

Weanesaay, April 7, 1886.

The Senate having under consideration the following resolution, submitted by Mr. CALL January 23, 1885:

"Resolved, That all railroad land grants heretofore made where the land was not earned by the completion of the line of railroad and the performance of the conditions required by the granting act within the time required therein, and where the time has not been extended by an act of Congress, or shall not hereafter be extended, shall be declared forfeited and opened to homestead entry and cash entry in small bodies, securing to actual settlers the preferred right in all cases to make entries of their homes to the extent of 160 acres, and confirming to all purchasers of town sites, where lots have been sold and improvements made, their title to the same.

"And the Committee on Public Lands is hereby instructed to report a bill to this effect to the Senate"—

Mr. CALL said:

Mr. CALL said:

Mr. PRESIDENT: The United States have granted over 150,000,000 acres of the public lands for the construction of railroads, an area more than five times as great as the State of Florida, which is one of the largest States in area in the Union. It is not my purpose to argue the policy of making these grants. A great public object has been accomplished by it. Perhaps it might have been done much better for the interests of the country than in the manner in which it has been done. No doubt there should have been reserved to the United States some portion of the receipts of these properties created out of a donation of the public land, something to contribute to the cause of education,

something to relieve the burdens of taxation. But it is not in regard to the general relations of this subject to the whole Union that I propose to address the Senate to-day. It is in reference to some of the grants made to the State of Florida, and their relations to the people of that State and to the development of the State. The area of land in the State of Florida is 59,268 square miles-35, 715,600 acres, by survey and estimation. For school purposes the United States granted by the act of 1845 908,503 acres, and for a university 92,000 acres by the act of March 3, 1845. The swamp and overflowed land grant to the State had selected from 1850 to 1880 15,626,859.23 To that amount there has been added since that time 2,000,000 of the remaining public land, and under the grant of 1856 2,275,570,53 There remained unsurveyed in the area of the State in 1880, by the report of the Interior Department as contained in the History of the Public Domain, an official document published by that Department in 1883, 7,756,493 acres, surposed to be largely covered by the swamp and overflowed land grant to the State. This leaves from the entire area of the State 7,056,680 acres out of the 35,000,000 acres in the entire area of the State for private settlement under cash entries and the various land sales which have been made by the United States. The sum of 7,056,680 acres only out of 35,000,000 acres, the entire area of the State, remains ungranted to the State under the swamp and overflowed landgrant act and under the acts granting aid to the State for the construction of railroads, and for other purposes, being less than one-third of the en-tire area of the State, which cost the Government of the United States between \$6,000,000 and \$7,000,000 in actual expenditure, that have been and are available for purposes of entry under cash entry and homestead entry in the State.

The United States granted by an act approved the 17th of May, 1856, The United States granted by an accapproved the Irith May, 1050, "to the State of Florida, for the purpose of aiding in the construction of railroads from Saint John's River, at Jacksonville, to the waters of Escambia Bay, at or near Pensacola; and from Amelia Island, on the Atlantic, to the waters of Tampa Bay, with a branch to Cedar Keys,

on the Gulf of Mexico; and also a railroad from Pensacola to the State line of Alabama, in the direction of Montgomery, every alternate section of land designated by odd numbers for six sections in width on each side of each of said roads and branch. * * * And if any or each side of each of said roads and branch. * * And if any or either of said roads or branch is not completed within ten years no further sales shall be made, and the lands unsold shall revert to the United States." That is the language of the act. It is an imperative command, an exercise of the sovereign legislative will, and I have not been able to perceive by what process of reasoning any court had authority or power to veto this positive and absolute command of the law, this expression of the sovereign legislative will of the people in Congres sembled. Under this act several railroad companies were provided for, namely, the Florida Railroad Company, the name of which has been changed successively to the Atlantic and West India Transit Company, and then to the Florida Navigation and Railway Company; also the Pensacola and Georgia Railroad Company; also the Florida, Atlantic and Gulf Railroad Company; and in 1866 the roads were not completed, and the road from Waldo to Tampa is not completed at this time.

The land granted, under this act beyond the point to which these

The land granted, under this act beyond the point to which these roads were completed at the expiration of the ten years when it expired, is now proposed by the bill which has been referred to the Committee on Public Lands to be forfeited, because the act contained within it a provision that if not completed to Tampa Bay on the one side and to Pensacola on the other, within ten years from the date of the passage of that act, the land should revert to the United States.

I call attention to an extract from the Public Domain, an official document published by Congress, a statement which I will print in an appendix to my remarks marked "A."

The road to Tampa is not even now, thirty years from the time of the grant, completed, and the road to Pensacola was completed by a new and different company, commencing in 1881, fifteen years after the grant expired. It is my intention now to present to the Senate, to the country, and to the people of Florida the peculiar condition in which this grant stands to the interests of the whole people and to the law. In 1856 railroad corporations were organized in the State of Florida under acts of the Legislature of Florida, which accepted and became bound by an act of the Legislature known as the internal-improvement act, the sections of which, important to this subject, will be found in the appendix marked "B.

I also read the first section of an act to amend "An act incorporating

the Florida Railroad Company."

That the act incorporating the Florida Railroad Company, approved the 8th day of January, A. D. 1853, is hereby amended so that the said company shall have power to construct the railroad from Amelia Island, on the Atlantic, to the waters of Tampa Bay, in South Florida, with an extension to Cedar Key, in East Florida, under the provisions of an act to provide for and encourage a liberal system of internal improvements in this State, approved the 6th day of January, A. D. 1855.

There had been a previous charter granted by the State to construct the road to the Gulf of Mexico, with the following provisions:

the road to the Gulf of Mexico, with the following provisions:

SEC. 2. Be it further enacted, That the said railroad shall commence in East Florida, upon some tributary of the Atlantic Ocean, within the limits of the State of Florida, having a sufficient outlet to the ocean to admit of the passage of sea steamers, and shall run through the eastern and southern part of the State, in the most eligible direction, to some point, bay, arm, ortributary of the Gulf of Mexico, in South Florida, south of the Suwanee River, having a sufficient outlet for sea steamers, to be determined by a competent engineer, with the approval of a majority of the directors of said company.

SEC. 3. Be it further enacted, That the capital stock of said company shall be \$1,000,000, divided into shares of \$100 each. * * Each subscriber shall, at the time of his subscription, pay to said commissioners \$1 on each share subscribed for, and the books of subscription at each of the above-mentioned places shall be kept open for the space of sixty days, at the expiration of which time they shall be closed.

The act provided that upon the subscription of 1 per cent. of the total amount of \$1,000,000 of capital stock the railroad should become a corporation and authorized to construct the road. The \$1,000,000 was subscribed, the 1 per cent. nominally paid, immediately returned to the stockholders, and from that time to this it remains unpaid. The stock subscription has never been paid; but the State of Florida under the provisions of that act, through the internal-improvement fund, paid out of the proceeds of these sales of the public lands granted by the United States to the State under the swamp and overflowed land grant and the internal-improvement land grant \$90,000, being the only paid-up stockholder that existed in the road from the beginning to the end.

Under that existed in the road from the beginning to the end.

Under that condition of things, which is verified by the answers that I read from the testimony taken in a cause pending in the circuit court of the United States at Jacksoville, it is abundantly proved that here was a railroad corporation with its stock subscribed for and never paid, held chiefly by two individuals, and from that day to this remaining unpaid. I read from the testimony of Joseph Finnegan, a witness in that case, on the one hundred and thirty-first page of the record of the circuit court of the United States, in the case of Robert H. Johnson against the Florida Railroad Company:

I was the receiver or person to whom the money was to be paid, and there was no money paid on this subscription. There was no payment ever made in money on the capital stock subscribed for as above stated by the association, but at a meeting of the above stockholders, held immediately after the books were closed at the Buffington House, the following board of directors were elected: D. L. Yulee, George W. Call, J. H. Bronson, Philip Dell, George R. Fairbanks, A. H. Cole, Thomas O. Holmes, and John Parsons, and myself, the

board of directors electing D. L. Yulee as president, and George W. Call as sec-

board of directors electing D. L. Yulee as president, and George W. Call as secretary and treasurer.

At a meeting of the directors \$2,000 salary was allowed the president and \$1,500 to me as treasurer, \$1,500 to George W. Call as secretary; this amount was credited as a payment on our stock.

There was no other payment on the subscriptions for stock made as above stated, except \$20,000, which was the estimated value of the land purchased from George Law and referred to in the preceding testimony, until it was transferred to the Florida Railroad Company.

The proceeds of that sale were credited on the stock of the associates.

No other payment was ever made in money on the stock subscribed for by the associates, as I have before stated, tluring my connection with the Florida Railroad Company.

associates, as I have before stated, during my content when a contract cont

Upon this assurance and guarantee of Mr. Yulee that Mose Taylor and Marshall O. Roberts, of New York, were the real parties with whom I was dealing, and that they were responsible for and would make good the engagements of Mr. Dickerson in the contract, and would pay all the debts of Finnegan & Co., and would return our notes, and the additional assurance that they would put large capital into the enterprise and put a line of steamers at both ends of the road immediately on completion, the contract was executed with Mr. Dickinson. In pursuance of the obligations of that contract Finnegan & Co. transferred to David L. Yulee all their bonds and stock to be held by him in trust, to secure the performance of the contract by said Edward N. Dickerson, and a written agreement to that effect was signed by the said Dickerson, Finnegan, and Cole, and witnessed by said Yulee, and the said trust accepted by the said D. L. Yulee.

Mr. Dickerson never did carry out the contract or agreement with Finegan & Co. He failed to take up some of the notes of Finegan & Co., and I had to pay them myself. In fact, all the engagements of Finegan & Co. which were performed after that date and all the outstandinging debts were taken up by the Florida Railroad Company in its corporate capacity. [Note.—Complainant's counsel here offers in evidence memorandum of agreement marked Exhibit C in the bill of Yulee vs. Vose, and is hereto attached as Exhibit B, by consent of defendants' counsel, in lieu of the original on file in this court.] In reality, after I gave up the contract the Florida Railroad Company finished the road to Cedar Key.

If the powers contained in the two trust deeds creating the trust and the provisions contained in the second deed of trust for the protection of the free-land bonds, requiring an assessment of the stock & per cent. semi-annually, had been faithfully carried into effect the trustees would then have had ample means to have paid the interest and expenses and protected the trust. This provision for a sinking fund by assessment of the stock was never carried into effect by the trustees. It required the trustees to take possession of the road and its franchises upon the failure of the company to pay the 1 per cent. annually assessed to the stock of the trustees.

The internal improvement fund owned more than \$90,000 in paid-up stock in the Florida Railroad Company.

Mr. Dickinson and Mr. Yulee held a large majority of the unpaid stock. The 32,000 bonds alluded to by me in the preceding as paid in Ed. M. Dickerson for purchase-money are numbered as follows: 1042, 1045, 1044, 1037, 1033, 1039, 1032, 1034, 724, 723, 1048, 1035, 1033, 1046, 725, 1036, 1047, 891, and 890, 1233, 1246, 1247, 1248, 1249, 1251, 1257, 1257, 1258, 1261, 1263, 1267, 1253.

On the 14th November, '59, I sent to New York a check on Riggs & Co., New York, \$1,135, to take up the notes of Finegan & Co. Afterward Mr. Yulee gave me three internal improvement bonds as security for this amount.

JOSEPH FINEGAN.

It is agreed between Joseph Finegan & Co. and Edwin N. Dickerson, that the various bonds and certificates of stock conveyed by Joseph Finegan & Co. to Edwin N. Dickerson, under an agreement dated May 24, 1858, shall be held by David L. Yulee to secure the performance of the said contract by said Edwin N. Dickerson, and that the said Yulee shall release and deliver to said Dickerson the said bonds and stock as he satisfies the debts contracted to be paid by him for said Finegan & Co., and in proportion to the amounts discharged and raid

Dated May 29, 1859.

EDW'D N. DICKERSON. JOSEPH FINEGAN. A. H. COLE.

I know that \$32,000 of the bonds paid in by Edward N. Dickerson as the purchase-money for the town sites of Fernandina and Cedar Key to John McRae, trustee, were the same bonds which I had paid in for lots bought from trustees, and which were required to be canceled under the trust deed.

I have compared the numbers of these bonds with the numbers which John McRae received for the town sites, and I know that they are the same. Mr. Yulee was not a man of large property, and what he possessed was, I think, encumbered by mortgages.

Further on Mr. Yulee testifies that this money was a loan; and I read from his testimony:

from his testimony:

But I will now say, further, that it was not expected that the gentlemen composing what was called "The Association" could furnish the means to build the road. It was known they could not.

I procured also the passage of the "internal-improvement act" by the State, whereby a good bonded security for \$10,000 per mile, to iron and equip the road, and a grant of alternate sections of State lands were obtained. I also procured a grant of alternate sections of State lands were obtained. I also procured a grant of alternate sections of public lands from the United States. These assets seemed sufficient for the construction of the road. They were all put into the treasury of the corporation and devoted to the uses of the enterprise. They were all by mortgages made, primarily, appropriate to construction. The means for construction were obtained upon the credit of this property and of the road to be constructed, and not upon the credit of the stock. The only benefit the stockholders could derive would be in dividends of earnings after the construction and maintenance of the road was fully paid.

D.L. Yulee to George W. Call:

"But how stands the matter? We call for the restoration of the first 1 per cent, which was loaned to the subscribers till called for (I have faithfully regarded this as a loan, and have held myself in law and honor bound for the whole sum to the company, being myself responsible for it), and we also call for something further."

I do not know if the bonds specified by witness were paid in by Mr. Dickerson to the trustees. It is quite possible they were. The bonds he enumerates were in the hands of Mr. Soutter, one of the trustees.

* *

In pursuance of a resolution of the board of directors a stock dividend is de-

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I find that he credits cash and charges himself with \$245,526,98, derived mostly from four installments of 1 per cent. each, and two installments of 10 per cent. each, and further credits stock on account of land and interest dividends with \$119,395.81, making altogether, up to September, 1859, at which date the entries in this book cease, a credit on stock of \$334,922.79.

Mr. Yulee testifies further:

The contractors furnished the collaterals, paid for fastenings, duties, expenses of transportation, expense of laying, &c., themselves. The company did nothing but give their notes for the material secured by the bonds and subject to the risk of the inadequacy of the bonds to cover the debt. The bonds placed as collateral were always sufficient to cover the debt at a valuation of 80 per cent.

The fact then appears abundantly established in this record and consented to by all parties that here was a railroad company, with the great majority of its stock unpaid, on which no considerable amount was ever paid, and held by parties who paid little or nothing for it, while the State through the internal-improvement fund had become a cash stockholder to the extent of \$90,000. Under an alleged authority contained in the internal-improvement act in 1866 this road was sold by the provisional trustees of the State of Florida, the officers of the provisional government, the governor, comptroller, the attorney-genprovisional government, the governor, comptroller, the attorney-general, and treasurer of the State being ex officio under the law trustees for the State of this property. The act provided that the road should not be sold until after completion for any default in the payment of the interest or principal upon the bonds that had been issued; but without reference to that, without any judicial proceedings, this property was sold, and it was bought by a person who owned the unpaid subscriptions for stock of the railroad company, and who was obligated to pay them. It was bought with the statutory bonds of the road, which had them. It was bought with the statutory bonds of the road, which had twenty years to run, at an estimated value of 20 cents on the dollar—a very extraordinary proceeding, to pay for a property with its unmatured obligations having twenty years to run. The parties purchasing this road had become connected with its unpaid stock by assuming to pay the debts of the contractors who had built the road, as appears in this

I said I thought it advisable to specify the debts owing by this company to parties residing in the United States (now at war with this Government), which were contracted on account and in behalf of the contractors, Edward N. Diekerson & Co. The obligations of this company (Florida railroad) were given, but the collateral security, in every case large, was furnished to the company by the contractors, to be placed with the notes as security to the company, as well as the creditors.

the creditors.

The convenience of the company name in these cases was afforded to the contractors for reasons useful to the object of the company, but without any agreed pecuniary considerations.

The notes given by the company in the place of the contractors under this arrangement were as follows:

Table showing the amount and kind of collaterals.

Name of payees.	Amount.	Free-land bonds.	Internal improvement bonds.
Vose, Livingston & Co	\$156, 201 62		\$195,000 00
Ebbavale & Co	298, 370 29		388,000 00
Riggs & Co	59, 999 99	\$106,000 00	56,000 00
Elisha Riggs	9,999 99	14,000 00	12,000 00
Gelpke, Kentzen & Rechart	47,600 00	56,000 00	49,000 00
Harlan & Hollingsworth Taunton Locomotive Manufacturing	2, 942 31	4,000 00	2,000 00
Company	7,756 03	14,000 00	
M. C. Jessup & Co	1,609 00	2,000 00	
Corydon Wyneh	3, 363 28	9,000 00	
George E. Dascomb	1,068 56	2,000 00	
Danforth, Cook & Co	16, 155 10		27,000 00
James Tinker	25, 779 08		*35,000 00
Total	630, 845 23	207,000 00	764,000 00

* About.

D. L. YULEE.

Sworn to and subscribed before me, at Fernandina, this 16th day of February,
A. D. 1880.

[SEAL.] CHARLES W. LEWIS, CHARLES W. LEWIS, United States Commissioner for the Northern District of Florida,

It is that with which we have principally to deal now. This obligation was that of Mr. Dickerson, who became the con ractor and the assignee of the preceding contractors and obligated himself to pay this note. It was not paid. It ran up into the large sum of \$1,000,000, including costs and expenses. For that obligation the State paid 4,000,000 acres of the public land, netting the amount of \$1,000,000. The school fund of the State, the proceeds of these 900,000 acres, was sold under an order of Mr. Justice Woods, then of the circuit court of the United States, to pay this debt.

Thus it was that the school fund of the State, and a million dollars of roceeds of the sales of the public lands, were paid to make good the default of this purchaser of the railroad company who then and now retains that property, or did until a short period ago.

We have then a railroad the entire cash stock of which is paid for by

the State and the unpaid stock subscribed for and never paid, being an obligation resting upon the subscribers and those who assumed the obligation in place of them. We have a sale of the road and a purchase of it by its non-paying stockholder and its non-paying contractor.

have the school fund of the State sold and a million dollars of the public money of the State, the result of the proceeds of the sales of public lands sold to pay this debt.

Whatever denials are made in general terms, whatever elaborate and ingenious explanations and statements are made in the record which contains these statements, it remains true that the 1 per cent. required to be paid on the organization of the company was only nominally paid and then returned to the subscribing stockholders, and never thereafter paid; that the majority of its stock was never paid.

That they had acquired the stock by an obligation to pay the debts of this road, which obligation they had never performed; but they had been paid by substituting the notes of the railroad company, in which the State was the only cash stockholder, through its internal improvement fund, for the obligations of the preceding contractors. The spectacle was thus presented of a road built out of the lands donated by the United States to the State of Florida, without any payment upon its stock subscription, and by the substitution of the notes of the railroad company for the notes of its contractors which had been obligated to be paid by the persons who made the purchase, and a purchase of the property by the non-paying contractors and payment for it with the obligations which

Had their default in payment not been made the debts of the road would have been paid entirely by the persons who held its unpaid stock. Among the obligations thus assumed was an obligation of Vose, Liv-

ingston & Co. of which Mr. Yulee testifies as follows:

Ingston & Co. of which Mr. Yulee testifies as follows:

I had added to the obligations of the company my own individual indorsements in the case of Vose, Livingston & Co., and in several other instances where it was required to satisfy creditors. The bonds of the company had become much depreciated in the market from various causes, but I knew the internal-improvement bonds to be intrinsically worth par and that their face value was certainly realizable at some time from the internal-improvement fund and the road, and relied upon them for my security. I will add that similar support was given to the contractors before the transfer to E. N. Dickerson and without as good security to the company—notably in the cases of the contract with Drane and Singletary in 1857, and of three contracts with McDowell and Callahan in 1858. In the Drane and Singletary case, at a meeting of the board of directors on the 12th of December, 1857, Finegan & Co. being contractors, the officers of the company were authorized to execute a bond to Drane and Singletary as surety for the due performance of a contract with said Drane and Singletary on the 12th November, 1837, for the performance of certain work on the railroad.

Thus it appears that the internal-improvement fund was a paid up stockholder to the amount of \$90,000; that the subsequent purchaser of the road and its franchise at the alleged trustees' sale (Mr. E. N. Dickerson) was the owner and holder of this unpaid stock and subject to all the obligations of its original subscribers under a contract with Finegan & Co. to assume and pay their debts and obligations as contractors; that among these debts was that of Vose, Livingston & Co.; that the note of the Florida Railroad Company was given for this debt; that Mr. Dickerson and his associates did not pay this debt, but the people of Florida through the internal-improvement fund did pay it by the sale of the securities of the school fund by Judge Wood of the United States circuit court, and by the sale of 4,000,000 acres of the swamp and overflowed and the internal-improvement land grant for \$1,000,000 in 1881; that these facts are proved by the testimony of all the witnesses in the record who testify on the subject. The result of this state of facts was that the railroad and its franchise and whatever rights, if any, existed to the land grant of 1856 from Waldo to Tampa were claimed to be the property of Mr. E. N. Dickerson and associates, the purchaser at the alleged trustees' sale in 1866, the non-paying stockholders, the assignee of the contract of Finegan & Co., whose contract was performed by the railroad company and whose obligations the people of the State paid, while the internal-improvement fund of the State, the only paid-up stockholder, had nothing but the right of losing the State's money and her school fund and paying the debts of the railroad company and the non-paying stockholders and contractors, who thus became the corporation, and after the lapse of fourteen years from that time and from the expiration of the time at which the act commanded that the lands should revert to the people of the United States, to be appropriated under the laws of the United States to the use of actual settlers and to homesteaders, these persons as a corporation and their successors claim the 576,000 acres of this grant from Waldo to Tampa as their property, and at the same time that they make this claim they are in the United States court by their trustee swearing that they are an insolvent corporation, and we are now required to decide whether these persons have either or equitable claim to this 576,000 acres of land, and whether it shall now be a gift by the United States to them or shall be declared forfeited and subject it to the use of the people for homes for actual settlers.

I propose to investigate this question and to prove that this grant of land has not been applied and is not intended to be applied to the construction of a railroad from Waldo to Tampa, but that it has been and is to be used and has already been conveyed to the owners of the un-paid stock of the Florida, Atlantic and West India Transit Company as their individual property and for their personal use. I propose, further, to prove that this corporation is an insolvent corporation, and has become insolvent not by the use of its credit in the improvement of the property, but by the pretended issue of bonds and securities of the corporate property for some other use, and presumably for and in the

interest of and still held by the same parties who were interested in the alleged purchase at the trustees' sale of 1866, who have not only received the whole of this great property, but also the securities issued by it, without applying any part of it to the preservation and improvement of the great highways of commerce required by the charter to be created and kent up for the heavily of the property.

reated and kept up for the benefit of the people.

I propose further to prove that 5, 10, and 25 per cent. of this grant instead of being applied twenty years after its expiration to the building of the railroad to Tampa has been contracted to be paid by these pretended owners of this property as a consideration in part according to the sworn statements of their agent in a cause pending in the courts of the United States for depriving actual settlers on the public domain of their homes and settlements to the extent of at least 20,000 acres, and this was an offense against both the criminal and civil laws of the United States. I propose to prove also by their own statements that fifteen years after this grant expired these persons, in defiance of the Secretary of the Interior, have openly advertised and sold this land of the United States, and dispossessed without law the settlers who were

guaranteed in their rights by the laws of the United States.

I have here a record from the United States circuit court for the State of Florida. That record consists of a bill filed by one Sidney I. Wailes, being the agent of this company. I should remark, however, that these transactions occurred in the year 1866, immediately succeeding the close of the war; that in the year 1876, Mr. Zachariah Chandler being the Secretary of the Interior, and there never having been any part of the road from Waldo to Tampa Bay constructed or commenced to be constructed, and by the terms of the act it having expired in 1866, the ten years then being out, an application was made to Mr. Chandler in the year 1878 to reserve this grant, consisting of 576,000 acres of public lands, from public entry and settlement. He denied the application upon the ground that the act had expired by its own limitation, that no location of the road had been made, and he opened these lands to public settlement and homestead entry. In the year 1880-'81 a new company commenced the construction of this road, and an application was made to Mr. Schurz to make the reservation which had been refused by Mr. Chandler under the act which, by its terms, had expired in 1866. Schurz granted that application, and reserved this 576,000 acres of land from public entry for purposes of the railroad, and it has remained re-served from that time to this. In the mean time this company proceeded to construct the line from Ocala to Tampa Bay and have now completed about two-thirds of it.

This record by Mr. Wailes exhibits the fact that these 576,000 acres, being the portion belonging to the line from Waldo to Tampa Bay, have not been applied to the construction of this road; that every portion of it has been conveyed to the stockholders and contractors, who never paid for their stock, with whom the State was the only cash stockholder; and that every acre of this grant of 576,000 acres has been conveyed to Mr. E. N. Dickerson by a deed from this company as a security and in part payment of the purchase-money of the road built and completed

before the war.

It is the most extraordinary thing that has ever occurred in the history of this country, and exhibits with what audacity and impunity the Congress of the United States, the courts of the United States, and the Executive Departments of the United States are used in the interests of those who have no equitable claim, no legal claim, nothing but the most audacious assertion of rights which have no foundation in the action of

Congress or in the decision of the courts.

This is a record of the circuit court of the United States for the district of Florida, and will develop another very extraordinary proceeding; and I desire to call the attention of the Judiciary Committee of the Senate and of those elsewhere who are charged with the duty and power of seeing that the laws are faithfully administered and applied and executed to the condition of law which permits such an outrage upon justice and right, such an outrage upon honesty and upon the interests of the people. It is not creditable to us who hold the legislative power in this country that the condition of the law should be allowed to be such as to permit the existence of evils such as I have been depicting here.

Mr. Wailes states as follows in the bill of complaint to which he has made oath in the cause now pending in the circuit court of the United States for the northern district of Florida:

States for the northern district of Florida:

Your orator avers that disregarding the premises and the rights of your orator hereinbefore stated, the said company recently, to wit, on or about the 9th day of June, A. D. 1885, obtained a loan of about \$140,000 and secured the payment of the same by encumbering or conveying about \$5,000 acres of its most valuable lands situate south of Panasoffkee aforesaid, by executing to defendant, J. A. Johnson, trustee, an instrument in writing, of which a copy is hereto annexed or filed herewith marked Exhibit E, and which your orator prays may be taken as a part of this bill, and applied said moneys, to wit, said \$140,000 to the payment of several years of arrears of taxes due the State of Florida and assessed upon its constructed road and property appurtenant thereto, not including, however, the said \$5,000 acres of land.

Your orator avers that since the said Atlantic, Gulf and West Indies Transit Company entered into the said contract with your orator the said company, or some one or more of its successors or assigns, but which of them your orator does not know, conveyed to the defendant, Edward N. Dickerson, all of the lands included in said granting acts of Congress, embracing all lists of selections thereof which had been approved by the Secretary of the Interior, if any, at the date of such conveyance and unsold, as well as all other lands within said granting acts, lists of which have been filed with and in the General Land Office, or had not been made; that such conveyance was made in trust to said Dickerson to secure to him the payment of large sums of money which some one or

more persons, whose names are now to your orator unknown, but who, when discovered, your orator prays may be made parties defendant to this bill, had contracted to pay said Dickerson, as your orator is informed and believes and upon information and belief alleges, as a consideration for the shares of stock held by the said Dickerson in the said Atlantic, Gulf and West Indies Transit Company, or in one of the successors or assigns of the said company, and which said person or persons had purchased from the said Dickerson.

Your orator avers on like information, and believes it to be the truth, that said Dickerson did own or control a large portion of the capital stock of said last-named company, and some time about the year A. D. 1882 did sell his said stock in said company, or in one of the said companies which became the successor and assignee of the said Atlantic, Gulf and West India Transit Company, for a large sum of money, and said deed of trust was executed to said Dickerson to secure the payment of the said moneys. That the existence of said deed of trust was not known to your orator, and your orator avers that he had no knowledge of the existence of said deed, nor any information with respect to same until about May, A. D., 1884, when he became land commissioner.

That about the —— day of May, A. D. 1884, the said Dickerson reconveyed to defendant company a large body of said land, including the 85,000, acres, on the credit of which the said \$140,000 was borrowed or obtained as aforesaid; the said Dickerson being amply secured for the balance of the said moneys due him for stock sold as aforesaid by the portion thereof remaining in said Dickerson under said deed of trust to him.

Your orator avers that said defendant Dickerson has sold through Charles W. Lewis, an agent of said company, and conveyed some of the indemnity lands for which he has received the sum of about ten or twelve thousand dollars, of which sum your orator is entitled to have 25 per cent. under said defendant company or the said Dicke

Think of such compensation for obtaining lands which, if there had been any foundation for the claim, the legislation of the Congress of the United States had granted. What was there to do? It is very difficult to see what proper influences or efforts could be used by an agent or attorney to induce the then Secretary of the Interior to perform an act which if there had been any subsisting grant would have been imperative on him, which justified the allowance of 5, 10, or 25 per cent., being in some cases a quarter of the grant of 576,000 acres to an individual for services when there were no services to be performed!

It seems that this land grant given by Congress to construct a line of road to Tampa Bay has been applied to paying the taxes upon a road completed before the year 1866, completed before the war in fact, and to giving an agent 5, 10, 25 per cent., and for the payment to Mr. Dickerson for the road built and paid for by the State out of United States land grants before the war, and that for these purposes the actual settlers, guaranteed by the laws of the United States in their right to the public domain, have been dispossessed and their land, which was given them by the Government, sold to them at prices from three to five dollars an

I desire to call the attention of the country and the Senate to the fact that here was a grant made in 1856 for the construction of a road that by its imperative terms it was required should revert to the United States in 1866 if the road was not built; that the road was not built and is not to-day built; that fifteen years after that, when the Secretary of the Interior had refused to recognize the grant, certain parties without equity and without right, who had never paid for their stock, whose debts the State had paid, the road being constructed as appears in this record entirely from the donations of the public land of the United States, applied for this reservation and it was set aside; that these same parties sold the franchise of the road, and that the purchasers conveyed every acre of this inchoate grant to the owners and vendors of the property constructed in 1860, and that they are now selling the land, depriving the actual settlers of the opportunity of homestead and purchase.

The honorable Senator from Vermont who is not now in his seat has

had some correspondence which I have before me with the Secretary of the Interior, in which he calls attention to the flagrant wrong of this act. The honorable Secretary of the Interior, Mr. Teller, at my instance wrote a letter which was published giving notice to these people that they had no right to sell this land, that they had no title to it, that it awaited the action of the Congress of the United States; and yet they did proceed to sell, and they have embarrassed the people of that country and the receiver of the United States court, who I have no reason to doubt is a capable and honorable man—a court which has sold this road twice since I have been in the Senate of the United States—as stated in the letter which I have here, is now threatening that the insolvent company will take the iron up and leave the people without the road unless the people petition and Congress will give them this 576,000 acres of land. I call the attention of the Judiciary Committee to this foul wrong by which a judge of the United States court, without proof or knowledge of the facts, without contest, upon an application made by certain parties professing to hold securities without investigation of how those securities were issued, what consideration was given for them, without any controversy whatever, appoints a receiver and imports him from another State, irresponsible to the people of the State, suspending the charter contract between the State and the parties holding the franchise, coming into the court and asking of the court to take possession of the public lands of the United States for an insolvent corporation on the public lands of the United States for an insolvent corporation under a grant which expired twenty years ago, lands devoted to home-stead settlement by actual settlers, take possession of those lands and intimidate the people of the country into besieging Congress with petitions to confirm a grant which is only a donation to an individual and not being applied to the construction of the road or carrying out the charter given by the State.

Mr. President, if this thing is to be allowed, if the will of Congress,

the interests of the people, the homes of settlers are to be made the plaything of the United States courts, it is time that some inquiry was made as to those who are participants in such transactions. ord involving millions of property states that this road has become subject to a debt of about \$4,000,000, and yet the iron never has been re-

Why, Mr. President, what are we here for as legislators, and what have the Judiciary Committee of this body to do but to devise such legislation as will protect the people of the country and prevent the courts of the United States from being made instruments of fraud and

imposition upon the people?

These are facts that appear in these records and can not be denieda railroad built without the payment of its subscription by its stock-holders, a railroad in which the public, the State, and the people through the internal-improvement fund were the only cash stockhold-ers; sold in violation of the terms of the act without judicial proceeding and judicial investigation; sold really because of a default of the payment by its stockholders of their subscription and their assumption of the debt of the contractors; sold to the very stockholders and contractors who had failed to make the payment, the State having paid a million dollars of the proceeds of the swamp and overflowed lands, and the internal-improvement lands granted by the United States for purposes of reclamation, drainage, and actual settlement for this debt thus assumed to be paid by these stockholders, who became the purchasers and owners of this property.

Now, when twenty years nearly had elapsed before they commenced the construction of the road after the expiration of the act, it turns out that about \$4,000,000 of debt has been created on the road, and yet no improvement upon and no completion of the road has been made. deponent swears that the iron had never been renewed, and then in the midst of this state of facts they come before a court of the United States and without the name of a stockholder in their bill, without disclosing who are the stockholders, who are the creditors, how the debts were created, they have a receiver appointed and borrow \$1,500,000 more, and yet they claim 576,000 acres of the public land of the United States, testified by this agent of theirs to be worth \$3 an acre, or \$1,725,600, and at the same time they appear in the court testifying that they have obtained \$4,000,000 on this property without applying any part of it to the improvement of the property. The best and greater part of the remaining public lands in the south of Florida subject to settlement and cultivation are included in this grant, and the question is whether the Congress of the United States will dedicate them to homesteads for the poor, to the settlement of the country by actual settlers, the poor, hard-toiling people of the country, or whether they will donate them as a gift to these parties who have stood in these relations to the improvement of the State of Florida.

I here insert extracts from the report of receiver H. R. Duval in the cause of W. Bayard Cutting vs. The Florida Railway and Navigation Company, and I take pleasure in stating that while I think the facts in this record demand in the interests of the people an inquiry by the House of Representatives I am informed that this receiver is a man of character, unconnected with these acts, and that he is improving the

property:

I found upon taking the property into my charge its condition to be one of exceeding dilapidation; its road-bed in bad order; its ties and structure in like bad condition, and much of its rail, which is iron, rotten, a large portion of it having been in use from fifteen to twenty-five years; its sidings totally inadequate, its switches primitive and dilapidated, and the road-bed and track being in such a condition of decay that it is impossible to conduct its service-without excessive cost and constant danger to the lives of its passengers and employés, and danger of loss and destruction to its property, rolling-stock and motive-power, and merchandise which it undertakes to transport. No regularity in service can be maintained or proper dispatch given to passengers, mails, or freights. Its motive-power, which consists of forty engines of all ages and patterns, one-third of which is totally unfit for service, and the balance of which needs repairs to a greater or less extent, which the road does not possess shops or materials to make or means to provide for, is therefore totally inadequate for the purpose. for the purpose.

The lack of traffic earnings by the property has not in my judgment been the occasion of its depletion in the past few years. The books of the company show earnings annually of about \$1,000,000 gross, and its operating expenses, if the road was put in proper condition, should not exceed 65 per cent. of this amount

road was put in proper condition, should not exceed 65 per cent. of this amount annually.

I respectfully submit to the court, that I be allowed to make an issue of receiver's certificates upon the entire line of said railroad and its properties, not exceeding in the aggregate \$500,000, but with leave to apply at a further day for the issue of an additional \$500,000 of certificates, to be in sums of \$1,000 each, to run for two years, unless sooner redeemed, to bear interest at the rate of 7 per cent. per annum, to be made payable in the city of New York on the 1st day of January and July in each year; the principal should be paid also in New York, unless said sum and interest as aforesaid is sooner paid by me out of the moneys coming into my hands from time to time applicable thereto, or the moneys therefor upon sale of property in my hands.

coming into my hands from time to time applicable thereto, or the moneys therefor upon sale of property in my hands.

It is supplied with passenger and freight cars totally insufficient to the performance of even the present demands of its business. The business of both itself and its patrons is suffering for the need of a proper track and of sufficient motive power and cars. It can not perform its duties as a public carrier, and without great improvement immediately the operation of many parts of it will have to be suspended. And its owners, through their failure to supply the necessary money to economically maintain and conduct their property, are in danger of suffering a much further shrinkage in its value.

I find the property without one single yard of new rail to replace the many removals, which, through the natural breakage of rotter rails, are daily required; and without new fastenings of any kind, so that rails and fastenings which have been condemned two and three times must be culled over, to be used as substitutes for those which can not possibly be used any more. From these causes are constantly occurring accidents, as yet not resulting in the loss of

human life, but attended with some injuries to passengers and with great loss and destruction of property. The property is without necessary facilities for the handling and dispatch of its business at its stations and termini, and sadly needs an immediate enlargement of all of these, as well also the construction of many new station-houses, and the building of almost an entire lot of section-houses.

I found the property in this condition, without any money, with no credit, in debt to its connections for traffic balances, to its supply merchants for material consumed, to locomotive and car builders for equipment, which it had already materially worn before making payments thereon, and for divers other such obligations, all of which are insignificant in importance to the additional fact that its pay-rolls for its employés and laborers are behind in partial payment, exceeding 50 per cent, of same on each month's rolls, for a period of six months prior to my appointment, from which cause has resulted dissatisfaction, disloyalty, and desertion, and inability to maintain proper discipline among the employés, to the extent that it is impossible to obtain labor of good quality or sufficient of the bad to maintain the property in serviceable condition, and this bad labor is one-third more expensive than good service if we were in a position to employ the latter. In support of this, the result of my observations as to the condition of the property, I submit herewith the report, under oath, of D. E. Maxwell, the general superintendent, who has been connected with the road in this capacity for several years, and with it continuously for twenty years.

I also insert an extract from the bill in conitive in the same court filed.

I also insert an extract from the bill in equity in the same court filed by Louis H. Myer, trustee, against the Florida Railway and Navigation Company:

by Louis H. Alyer, trustee, against the Florida Kallway and Navigation Company:

Your orator further shows unto your honors that the consolidated defendan rallway company is insolvent, and that it has no funds to pay the amount of said interest in arrears; that besides its liability upon its bonds secured by the said deed of trust dated May 10, 1881, amounting to \$1,000,000, it is further liable to pay its so-called first consolidated mortgage bonds, amounting in the aggregate to \$3,782,000, and is also liable to pay other bonds secured by several other mortgages upon different parts and sections of its line of railroad and railroad property, which, before the consolidation of the said constituent corporations into the Florida Railway and Navigation Company, belonging to thee respectively, that is to say: Upon the line of railroad theretofore belonging to the Peninsular Railroad of Florida it is liable to pay mortgage liens amounting to \$250,000; upon the line of railroad theretofore belonging to the Florida Central and Western Railroad Company it is liable to pay mortgage liens amounting to the sum of \$2,508,000; upon a line of railroad theretofore belonging to the Fernandina and Jacksonville Railroad Company it is liable to pay mortgage liens amounting to the sum of \$35,000; upon a line of railroad theretofore belonging to the Fernandina and Jacksonville Railroad Company it is liable to pay mortgage liens amounting to the sum of \$35,000; upon a line of railroad theretofore belonging to the Fernandina and Jacksonville Railroad Company it is liable to pay mortgage liens amounting to the sum of \$35,000; that the aggregate of all said-bonded-indebtedness is upward of \$8,190,000.

That the said consolidated defendant railway company is liable to pay upon all its bonded indebtedness as aforesaid for interest charges the sum of upward of \$1,600,000, which it is totally unable to pay; that it is indebted in certain promissory notes made and delivered by it for property essential for the maintenance and construction o

It is hardly necessary to say that the court granted the order asked r. This would make the sum of about \$5,500,000 raised on the part of the property known as the Old Florida Railroad Company, the cor-

poration for whose benefit this grant was made thirty years ago.

I commend it to the consideration of the Judiciary Committee of the Senate, and of others having power and standing in the like position, as a model proceeding which might be adopted by rule or statute for the use of the United States judges to make title to great public propertics to unknown persons whose names and interests are not disclosed in the record, of whom and as to whom no inquiry is made and nothing shown and no proof demanded, to the detriment and in denial of the right of domestic creditors, in violation of the charter contract with the State for the honest and faithful construction of a great highway of transportation for the use of the people of the State. Not content with this \$5,500,000 of securities held by them on a property built by the State and the United States with public lands, and the proceeds of their sales, under a contract with the State for its completion in eight years and with the United States in ten years, this grant of 576,000 acres, with the homes of settlers, is claimed, and it is stated in a letter of Doctor Strainger, a highly respectable gentleman of Brooksville, that the persons circulating the petition for confirmation of the grant stated that the receiver threatens to take up the iron from the road unless the people petition Congress to confirm this expired grant. What a commentary do these facts make on the administration, not of law, but on the exercise of judicial power by your courts! Is it beyond the power of the Judiciary Committees of Congress, of both judges and legislators, to find some means by which a charter contract to which the people of a State and here are the same recognition in the courts and by corporations are parties can have some recognition in the courts and by the judges of the United States?

Do not these facts demand an inquiry and investigation by those who are charged with this duty and invested with power to redress this public evil, and to whom alone the judicial power is responsible for its proper and just exercise in the application of the law and the exercise of their functions? I have introduced a bill which I hope will receive the favorable consideration of the Senate, and which if passed by Congress will require the courts of the United States to apply the earnings of this property to the completion of the road to Tampa under the charter contract with the State. There can be no doubt that this grant expired in 1866; that every ground of public policy demands its forfeiture, and

that the title to actual settlers to the extent of 160 acres, be confirmed and patents be granted to them and to the owners of town sites on which improvements have been made and the remainder of the grant opened to actual settlement under the homestead laws. The earnings of this property are ample for the immediate completion of the road, as the people and the State have a right to have it completed under the charter granted by the State.

No higher duty rests on this Congress than that of so legislating as to require the courts of the United States to perform their plain and mani-

require the courts of the United States to perform their plain and manifest duty in all such cases to the people of the States where such franchiess exist in all cases where they take possession of the property.

And now, Mr. President, as to the Pensacola and Georgia road, the other beneficiary of this grant. This road was built to Quincy before the war, leaving a large part of its line to Pensacola not built. To this road 1,275,579.52 acres were approved for the whole 307 miles, more by 96 779 52 acres than the grant allowed. In 1881 a new commany was 96,779.52 acres than the grant allowed. In 1881 a new company was chartered by the State, under the name of the Pensacola and Atlantic Railroad Company, and 20,000 acres to the mile was granted by the State out of the swamp and overflowed and the internal improvement land grants made to the State by the United States. This road was built without delay, and is a most excellent road, but there can be no question that the grant made by the State of 20,000 acres to the mile was ample. It is also very clear that there is no particle of either legal or equitable right to this grant of 1856.

In order that this railroad company should have the full benefit of having their claim made known to Congress I publish herewith a letter of Mr. W. D. Chipley, vice-president and land commissioner of this railroad company, censuring my conduct in supporting a bill for the for-

feiture of this grant:

PENSACOLA, FLA., April 1, 1886.

feiture of this grant:

PENSACOLA, FLA., April 1, 1886.

DEAR SIR: Yours of 3d ultimo was received at Pensacola and forwarded to Atlanta. It arrived there after I had left that city, and laid there for some time. Since its receipt here I have been so engaged by more important matters that I have not found time to write. In fact upon reading your communication I do not know that it really requires reply. But I will say this: You refer to letters from a large number of citizens and settlers. If they governed you in a public act as a servant of the State, I can safely conclude that these letters have been made a part of the public record. If so, can I get a copy of these papers? I mean those from any citizens, and especially "settlers," in West Florida. If not, I must believe that you refer to other portions of the State, or else that people who write you are ashamed of a position into which you have allowed them to lead you. I also note you desire not to be misunderstood. I do not misunderstand you. Your letters asking your men in West Florida to send on petitions to sustain you in a bill already introduced was entirely clear. I did not refer to any advice you may have given.

I refer to your requests for petitions addressed to parties who cared no more about your bill than the "man in the moon," and who signed petition to comply with your requests. If you need any more I can send you several, as several parties on reflection became so ashamed of the matter that they sent the petitions to me. Your idea that no act of Congress can affect our rights is a novel one, coming from one who isintroducing the bill. I believe your are right as far as the law in the premises is concerned, but it is strange that a Senator, the representative alike of the railroad property as well as other interests in the Commonwealth, would be willing to put the burden of litigation upon us to get rid of the embarrassment of your bill should it pass, and force us to test our rights before courts at great expense and utter suspension of deve

HON. W. CALL, Washington, D. C.

It is my misfortune to differ with Mr. Chipley entirely. I regard the grant of a railroad franchise when a road is built as of great value, and when 20,000 acres to the mile are given as a gratuity to those who build the road, as a very large compensation. I consider the public policy now well established of appropriating the public lands of the United States to homestead settlement. That this land is a part of the public domain of the United States there can be no doubt.

I do not agree that the ruling of the Supreme Court in Schulenberg rs. Harrimen, 21 Wall., 44, is in any respect defensible. The acts of Congress making grants are laws. A law is always mandatory and compulsory. It is an exercise of power; what it commands must be done, and the only power of a court is to apply it according to its plain and manifest meaning. If this is not true, then one man holding office for life as a judge, or five men out of nine justices of the Supreme Court of the United States, with no responsibilty to the people, non-elective, and with a life tenure, have a supervisory power over the law-making power, and can themselves make and unmake laws. If this be true this is not a Government of the people, but is the most autocratic of all governments. The terms "shall revert to the United States" are very plain; they are The terms "shall revert to the United States" are very plain; they are either law or not law. But the Supreme Court say they shall not be law until a subsequent Congress shall give effect to them. But the Constitution says the Congress that makes the law shall have power to make it, and its will constitutionally expressed shall be the law and binding on all men and all courts. And its plain and manifest meaning can not be construed away in its application to individual cases. There is not the least analogy between a grant by an individual and a law the words of which are plain and imperative.

But the decisions of the court, while not binding on Congress in any respect or to any extent as to the exercise of their functions, do not in any way deny the power and duty of Congress to declare a forfeiture of grants, the conditions of which have not been complied with.

In Farnsworth et al. vs. Minnesota and Pacific Railroad Company

(2 Otto, S. C. Reports), the court says:

The forfeiture is maintainable on strictly equitable grounds. It was the express contract of the parties based upon a good, valuable, and adequate consideration. Respecting the State, the company was a mere donee. It received a most liberal grant of franchises and lands and a loan of the credit of the State upon the sole condition that it should proceed with the construction and completion of the road with the dispatch agreed by the Territorial and State govern ments. This it undertook to do. Such completion within the time prescribed was not a collateral or incidental, but the exclusive, purpose of the amendment. Any default in this respect admitted neither compensation nor restoration of the status in quo.

Mr. President, I am the friend of associated effort, whether it be of capital or of labor. I believe that corporations may be made, when restrained by law, great instruments of civilization in our time; but the courts must be required to do their duty and not be the instruments of them. They must not be the mere tools to accomplish fraudulent pur-

In this case, as I have said, I state nothing but what is sworn to upon the records of the circuit court of the United States in cases now pending there, and these most extraordinary facts are presented of a corporation created under a charter requiring the payment in money of a million dollars in stock, in consideration of State aid, in these grants made to them, paying nothing but pretending that as they sold these lands they might convert them into the stock which they had agreed to pay money for, and then these stockholders with the unpaid stock becoming the purchasers of the property and paying for it with bonds which had twenty years to run, and then failing to pay the debt for the construction of the road which they had assumed and agreed to pay, and then the school fund of the State sold to make good their obligation to pay these unpaid debts, and then a million of dollars of the public lands of the State appropriated to pay this very debt which these people had agreed and assumed to pay, and then twenty years after the expiration of this grant when Mr. Chandler had refused to make the reservation and declared it open to public settlement and entry, obtaining from Mr. Schurz a withdrawal of it upon the pretense that a map had been sent before the war of the location to the office but without the signature of the governor, and had been returned because the governor was required to sign it, and then selling this property and the franchise and the inchoate grant and right, whatever there might be in it, for a sum alleged to be several million dollars to other parties, and then the execution of a deed to the vendors of these 576,000 acres of the most valuable land in the peninsula of Florida, and then petition after petition coming here for its forfeiture and being met and counteracted by the receiver of the United States court, as is stated by Dr. Stringer, a highly respectable gentleman, of Brooksville, Fla., in a letter before me, stating that this company would take up the iron off its road unless these people petitioned Congress to make good this donation of 576,000 acres of public land to these individuals.

Every consideration of the public interests demands the forfeiture of this grant and an investigation by the proper committees of the two Houses of the facts disclosed in the records from which I have read. While the records of the United States circuit court which I have read show that this corporation is insolvent, and that this grant and everything else it possesses or claims to possess is claimed by its creditors and by Mr. E. N. Dickerson, Congress is asked to confirm it (a grant which expired twenty years ago) for the benefit of the creditors of the corporation, and the people of the State are deluded with the pretense that the confirmation is for the construction of a railroad to Tampa.

What has been done with the proceeds of the \$8,000,000 of debt for which its securities have been issued? What has been and is to be done with the \$1,500,000 of money just authorized to be borrowed; what with the earnings of the road? Has not this sum been sufficient, and is it not sufficient now, to build the road to Tampa? If money or land is given to an insolvent corporation will it not immediately become subject to its creditors, and pass to them and inure to their benefit to pay debts already contracted, and is it not in evidence here that this is the condition of this corporation? Is it not further proved by the statement under oath of their agent, Mr. Wailes, that the whole grant has been conveyed to Mr. Dickerson as a security for the payment of his stock or interest in the Atlantic and West Indies Railroad, built before the war, and that \$140,000 of it has already been applied to the payment of the taxes on the road built before 1860, and another part to Mr. Dickerson's personal use, and another part to pay Mr. Wailes his 5, 10, and 25 per cent.? And yet there are citizens of great respectability, whose requests I would gladly comply with if in my power, who write requesting me to advocate an extension of time for this insolvent corporation, according to the sworn statement of its trustee and its alleged creditors, to complete the road to Tampa, and to give to them the title to this 576,000 acres of the public land of the United States, which, by the public law and the public policy of this Government, has been dedicated to the use of actual settlers, and to which both of the great polit-

ical parties of this country are pledged, and especially the Democratic

Mr. President, in the presence of the evidence presented in the records I have read that this grant has not been and is not to be used for the construction of a railroad to Tampa, but is to be used for the personal benefit of a few individuals, with a knowledge of the fact that it needs only that those who are charged more directly with the powers and duty of protecting the State and her people in this matter shall require the earnings of this road and the proceeds of the State lands do-nated to it to be applied to the completion of the road to Tampa, as required by their charter; to have it completed, or forfeit the franchise granted by the State and confer it upon others. With my knowledge of these facts I can not reconcile it to my sense of public duty to lend my vote and aid toward depriving the citizens of the State of their right to enter and homestead the 576,000 acres of this expired grant in the southern part of the State, or that part of the grant in the western part of the State which was not earned before the grant expired in 1866.

It is no answer to this objection that the condition of the grant is the completion of the road to Tampa. This has been so for the last thirty years, and yet it has not secured its completion.

The inchoate grant has only been used as a basis of credit to obtain money (if the sworn statements of the record I have read are true) for the use of individuals and to accumulate great fortunes for them. But however this may be, the day for concentrating in the hands of a few persons vast quantities of land has passed even in England, powerful and aristocratic as she is. Public opinion demands that the land shall be opened to settlement, occupation, and ownership by the people. If I were to advocate a donation of this 576,009 acres of land, or of its equivalent in money, \$1,728,000, which is the same, to be paid out of the Federal Treasury for the building of a railroad, I should certainly be in favor of giving it to citizens of the State, and of that part of the State where the road is to be built, instead of to strangers and non-residents who have already grown rich from donations by the State and the United States, without performing the conditions on which they were granted, and who now, at this very time, are in the courts of the United States declaring their insolvency and preparing for another sale of the property and their franchises and all rights possessed or claimed by them.

Mr. President, in concluding these remarks I do not wish to be understood as casting any reflections on the railroad corporations of the State of Florida. There are several other great companies in the State to some of whom the State has made extensive grants of State land from the swamp and overflowed land grant and the internal-improvement grant. These companies have honorably performed all their obligations to the State, they have paid the money for the construction of their lines of road through unoccupied portions of the State, and have contributed largely to that great progress and prosperity which, with her climate and soil, is rapidly making the State of Florida one of the most beautiful and desirable countries in the world. They are prosperous, and deserve to be so and to receive a liberal compensa-tion for their investments. These companies are the Jacksonville, Key West and Tampa Railroad Company, the Florida Southern Railway Company, the Florida, Savannah and Western Railroad Company, known as the Plant Investment Company, the Pacific and Atlantic Railroad Company, the Jacksonville, Saint Augustine and Halifax Railroad Company, the Saint John's Railroad Company, the Tavares and Orlando Railroad Company, and the South Florida Railroad Company, and probably many others. Neither do I wish Mr. President to care and probably many others. Neither do I wish, Mr. President, to cast any reflection or disparage the future of the Florida Railway and Navigation Company and its widespread and consolidated lines which are destined in the future to be profitable and important lines of travel. My references to it have been and are only in connection with the facts stated and sworn to in the records, and can not of course affect any perpersons newly connected with it; and I cheerfully here state that the information I receive from the State is to the effect that Mr. Duval, the present receiver of the road, is doing much to place this corpora-tion in a condition where it will perform an important part in the State's future.

Mr. President, I have exhausted the time which I agreed to occupy. I will not trespass further upon the attention of the Senate. It was my purpose to present these facts. I trust Senators will bear them in mind. The people of this country will not and ought not long to endure such a perversion of the powers of government as will permit such things to occur without redress. We need legislation. We need a law that requires the courts of the United States when they take possession of railroad and corporate property to carry out the charter, the contract between the State and the people to whom the franchise is granted by the completion of the road, and not that it shall stand for years as it has done, tossed about from hand to hand, the instrument of fraud and

injury to the people of the United States and of the State.

Mr. President, it would take a volume to contain all the letters I have received from actual settlers asking to homestead these lands, stating the wrongs and outrages committeed on them and their families in the attempt to deprive them of their homes for the benefit of the rich men who live abroad and who have given no compensation for it; and the strangest fact is that their agent should appear before the judges of the United States, who are appointed, sworn, and paid to administer and faithfully apply the laws of the United States for the protection of the people and of their homes and families, and claim compensation from the court for depriving the settlers on the public land of the United States, seeking to obtain homestead rights, of 20,000 acres of a land grant which expired twenty years ago.

The proceedings contained in these records are a travesty on law, on the decisions and orderly proceedings of courts, on the rights of the people, on the plain intent and meaning of the statutes. If they shall be sustained, or pass without inquiry, investigation, and condemnation, it will be evident that the judicial and legislative powers of this Government are in the hands of those who use them to enrich the few and impoverish and oppress the great body of the people.

APPENDIX A. .

ATLANTIC, GULF AND WEST INDIA TRANSIT, FORMERLY FLORIDA RAILROAD.

ATLANTIC, GULF AND WEST INDIA TRANSIT, FORMERLY FLORIDA RAILROAD. This road was authorized by that portion of the act which provides for a road "from Amelia Island, on the Atlantic, to the waters of Tampa Bay, with a branch to Cedar Key on the Gulf of Mexico." The lands falling within the probable limits of the road (main line and branch) were withdrawn from sale and location, by telegram, on the 17th May, 1856, and by Notice 568, September 9, 1856. On the 22d September, 1857, a map of definite location of that portion of the road from Fernandina to Cedar Keys, 155 miles in length, was filed in this office. Eighty-four miles of the road so located was on the main line, and 71 miles (from Waldo to Cedar Key) was the branch line complete. The whole of said 155 miles was completed in 1860, entitling the State to, say, 595, 200 acres for the benefit of the road. Up to the present time but 290,123.28 acres have been approved to the State under this grant. Said lands were approved prior to January 7, 1860.

miles (from Waldo to Cedar Key) was the branch line complete. The whole of said 155 miles was completed in 1860, entitlling the State to, say, 595,200 acres for the benefit of the road. Up to the present time but 290,123.28 acres have been approved to the State under this grant. Said lands were approved prior to January 7, 1860.

The reservation of lands on that part of the main line from Waldo to Tampa Bay, 150 miles in length, was not respected by this office after May 17, 1866, entries being permitted of all lands (unless otherwise reserved) outside and south of the 15-mile indemnity limits of the company, Mr. Yulee, transmitted at and showing the proposed route of the company, Mr. Yulee, transmitted a map showing the proposed route of the main line from Waldo to Tampa, and saked that the lands along the said line and within the limits prescribed by the act of May 16, 1856, be withdrawn for the benefit of the road. The map and accompanying papers were submitted to Secretary Chandler, who declined to receive or approve the map, and directed, by letter of April 27, 1876, that it be returned to Mr. Yulee. Secretary Chandler says in said letter that he does not question the principle established in the case of Schulenberg vs. Harriman; that the title which vested in the State by the grant and definite location of the road so located within the time fixed by the act, but that he finds nothing in that case to sustain the doctrine that the State retains the right for an indefinite period and long after the date fixed for the completion of the road to designate its route and thus give effect to the grant. He also held that failure to locate the road so located within the time fixed for the completion of the road should be regarded as evidence of abandonment of the grant.

On October 29, 1879, the company, through its attorney, filed in this office the map rejected by Secretary Chandler, and saked that it might, together with new and material evidence bearing upon the original location of the road, which accompanied

PENSACOLA AND GEORGIA.

This road was authorized by that portion of the act which provides for a rail-road "from Saint John's River at Jacksonville to the waters of Escambia Bay, at or near Pensacole."

road "from Saint John's River at Jacksonville to the waters of Escambia Bay, at or near Pensacola."

The Pensacola and Georgia Railroad Company was organized to construct that portion of the road running from Lake City to Pensacola, and the grant for that portion of the road conferred upon them by the State. Said company filed maps of definite location for said portion, which covered about 307 miles of road, prior to May 30, 1858. The lands falling within the probable limits of this road were withdrawn by telegram and letter of May 17, 1856, and May 23, 1856, by Notice 558.

Notice 558.

No evidence of the construction of any portion of this road has been filed in this office, but the road is believed to be constructed and in operation from Lake City to Chattahooche River, a distance of, say, 150 miles. Had the whole length of road located (307 miles) been constructed, the State would have been entitled to 1,178,890 acres of land, provided so much vacant and unappropriated land could have been found within the limits of the grant. Prior to October 30, 1890, 1,275,799.52 acres were approved to the State for the benefit of this road. It will be observed that said amount exceeds by 96,779.52 acres the entire amount that the State would have been entitled to had the whole length of road (307 miles) been constructed; also, that it exceeds by 639,579.52 acres the amount the State could properly receive and sell upon evidence of the construction of 150 miles of road. It should be stated, however, that, although the 1,275,579.52 acres lie opposite that portion of the road from Lake City to Pensacola, which was to be constructed by the Pensacola and Georgia Railroad Company, the whole quantity hadn's River, at Jacksonville, to the waters of Escambia Bay, at or near Pensacola."

Whether the State conferred any portion of the said 1,275,579.52 acres upon the

Florida, Atlantic and Gulf Central Railroad Company (below referred to), which constructed that portion of the road from Jacksonville to Lake City, is not known to this office; but it is not probable that such action was taken, as the last-named road would only be entitled to a portion of the indemnity lands so certified. The vacant, unimproved, and unselected lands in odd sections within the limits of the withdrawal for this road have not been restored to market for sale or entry.

FLORIDA, ATLANTIC AND GULF CENTRAL.

The company bearing the above name was authorized by the State to construct that portion of the road "from Saint John's River at Jacksonsville to the waters of Escambia Bay, at or near Pensacola," which was located from Jacksonville to Lake City, a distance of 59 miles. Said road is believed to be constructed and in operation, but no evidence to that effect is on file in this office or department. The construction of 59 miles of road within the proper period would entitle the State to 226,560 acres of land. Prior to October 6, 1860, 29,384.18 acres were approved to the State for the benefit of this road. No further approvals have been made for the benefit of said road; neither have the unselected or unimproved vacant odd sections within the limits of the grant been restored to sale or entry.

APPENDIX B.

or unimproved vacant odd sections within the limits of the grant been restored to sale or entry.

APPENDIX B.

Section 1. Be it enacted by the senate and house of representatives of the State of Florida in General Assembly convened, That so much of the 500,000 acres of land granted to this State for internal-improvement purposes by an act of Congress passed the 3d day of March, A. D. 1845, as remains unsold, and the proceeds of the sales of such of said lands heretofore sold as now remain on hand and unappropriated, and all proceeds that may hereafter accrue from the sales of said lands; also all the swamp land or lands subject to overflow granted to this State by an act of Congress approved September 28, A. D. 1850, together with all the proceeds that have accrued or may hereafter accrue to the State from the sale of said lands, are hereby set apart and declared a distinct and separate fund, to be called the internal-improvement fund of the State of Florida, and are to be strictly applied according to the provisions of this act.

SEC 2. Be it further enacted, * * * said lands and all the funds arising from the sale thereof, after paying the necessary expenses of selection, management, and sale, are hereby irrevocably vested in five trustees; to wit, in the governor of this State, the comptroller of public accounts, the State treasurer, and the attorney-general, and register of public lands, and their successors in office, to hold the same in trust for the uses and purposes hereinafter provided, with the power to sell and transfer said lands to the purchasers and receive payment for the same; * * * also to receive and demand, semi-annually, the sum of one-half of 1 per cent. (after each separate line of railroad is completed) on the entire amount of the bonds issued by said railroad company, and invest the same in stocks of the United States, or State securities, or in the bonds herein provided to be issued by said company, and aliminated provisions of this act, and that the internal-improvement fund, for which

continue the payment of one-half of 1 per cent. semi-annually to the sinking fund until all the outstanding bonds are discharged, under the penalty of an annulment of the contract of purchase, and the forfeiture of the purchase money paid in.

SEC. 4. Be it further enacted, That a line of railroad from Saint John's River, at Jacksonville, and the waters of Escambia Bay, with an extension from suitable points on said line to Saint Mark's River or Crooked River, at White Bluff, on Apalachicola Bay, in Middle Florida, and to the waters of Saint Andrew's Bay, in West Florida, and a line from Amelia Island, on the Atlantic, to the waters of Tampa Bay, in South Florida, with an extension to Cedar Keys, in East Florida; also a canal from the waters of Saint John's River, on Lake Harney, to the waters of Indian River, are proper improvements to be aided from the internal-improvement fund, in a manner as hereinafter provided.

SEC. 12. Be it further enacted. That every railroad company accepting the provisions of this act shall, after the completion of the road, pay to the trustees of the internal-improvement fund at least one-half of 1 per cent. on the amount of indebtedness or bond account, every six months, as a sinking fund, to be invested by them in the class of securities named in section 2, or to be applied to the purchase of the outstanding bonds of the company; but it shall be distinctly understood that the purchase of said bonds shall not relieve the company from paying the interest on the same, they being held by the trustees as an investment on account of the sinking fund.

SEC. 13. Be it further enacted. That if on completion of any of the roads indicated in section 4, the net earnings should be less than 6 per cent. on the capital stock paid in and bonded debt of said company, first deducting the 1 per cent, per annum paid in to the sinking fund, it shall be divided pro rata between the stock account paid in and bonded debt, and the internal-improvement fund shall pay the deficiency due on account of inter

necessary to fully secure the grant of land to said railroad companies, subject to all the conditions and restrictions of the act of Congress making such grant.

SEC. 27. Be it further enacted. That after the railroad companies indicated by the provisions of this act shall for five consecutive years pay 6 per cent. on the capital stock paid in and the interest on the bonded debt, and apply the sum of 1 per cent, yearly to a sinking fund on said debt, then the trustees of the internal-improvement fund may apply under the direction of the Legislature the annual income arising from said fund to other purposes of internal improvement, or to the support of schools, so long as the said company shall continue to pay the same. But should any of said railroad companies thereafter fail to provide the interest upon their bonded debt, and 1 per cent, annually as a sinking fund, then said fund shall pay the deficiency on the interest account from time to time as it may arise.

WAILES'S BILL OF COMPLAINT.

said final shall pay the deficiency on the interest account from time to time as it may arise.

APPENDIX C.

WALLES'S BILL OF COMPLAINT.

Eirst. That by an act of Congress approved May the 17th, 1856 (2 Staintes, page 15), there was granted to the State of Florida, toad in the sonstruction of a railroad "from Amelia Island on the Atlantic to the waters of Tampa Bay, with a branch to Cedar Keys on the Gulf of Mexico," certain lands within prescribed limits on each side of the road and branch, with indemnity for lands lost within said limits to be taken within larger limits. That by an act of the Legislature of the State of Florida passed prior to and in anticipation of such an act of Congress, the Florida Railroad Company duly organized under the laws of the said Congress agreead.

Fourth. That there was a limitation in the said granting act that if the road was not completed within ten years no further sales of land should be made, and that the lands which remained unsold should revert to the United States that said road not having been completed within or at the expiration of said ten grants and the lands which remained unsold should revert to the United States that said road not having been completed within or at the expiration of said ten unsold had become forfeited to the grantor without any further legislation of Congress, or any action on the part of the General Land Office other than ordering such unsold hads on the market for sale, pre-emption, and homestead entries. That such question and contention did not become fully settled and determined until recently to wit, January or the grant without any further legislation of Congress, or any action on the part of the General Land Office other than ordering such unsold hads on the market for sale, pre-emption, and homestead entries. That such question and contention did not become fully settled and determined until recently to wit, January or the part of the General Land Office with a view to prevent a forfeiture of said grant or other action hostile to or a

wamp and overnowed ands, of which your orator is elastice to to per cent. ander another contract with said defendant company entered into November—

A. D. 1884. That heretofore to wit on the ——day of May, A. D. 1884, the said defendant company and devolved upon your orator the duty of listing and selling the lands of the company acquired under the said grant, and as such commissioner and agent of the defendant company your orator on or about the ——day of May, A. D. 1884, opened an office in Jacksonville, Duval -County, Florida.

Your orator avers that he made special and extraordinary efforts to sell said lands, not only to advance his own interests but the interests of the said company; that as fast as the road was extended south the said company, under the terms of the said granting act, would acquire or have the right to acquire, the alternate odd sections within the 6-mile limit and the said indemnity for land lost therein; and your orator became entitled to have, under his said contract, 10 per cent. of all lands so acquired by the extension of said road; that your orator's said interest in having said road constructed southwarf furnishes your orator's chief reason for being willing to accept his percentage of cash sales, and for not insisting in every instance upon a division of the land and his percentage conveved to him.

Your orator avers that such an appropriation of said money to the payment

Your orator avers that such an appropriation of said money to the payment of arrears of taxes was a violation of its contract with the State of Florida and the United States, and a breach of said contract with your orator, and an invasion of the rights of your orator thereunder; that your orator was entitled to receive a conveyance from said company to 10 per cent. of said lands of average quality, and, in any event, in case the said lands were sold and proceeds prop-

erly applied your orator would be entitled to 10 per cent. of the proceeds thereof; and your orator avers and respectfully insists that said \$5,000 acres of land could have been and could now be sold within a reasonable time for the average price of \$3 per acre; and that your orator is in danger of losing his part of said lands or a great portion thereof.

Your orator avers that defendant Dickerson, if he did not have actual notice of the contract aforesaid between your orator and the said company, the Atlantic, Gulf and West India Transit Company, which, on information and belief, your orator avers he, Dickerson, did have, had constructive notice of said contract, and has since fully recognized your orator's rights under said contract, which will hereinafter more clearly appear.

which will hereinafter more clearly appear.

That after your orator became such fand commissioner, the said defendant company placed in your orator's hands and control for sale as such commissioner not only the lands reconveyed by said Dickerson to said company, but all the lands not so reconveyed, which were conveyed to said Dickerson as aforesaid for the purposes aforesaid, and that your orator sold as such commissioner the land of the latter class, to wit, the Dickerson lands, treating and regarding them as the lands of defendant company, reported such sales to said company, and of the proceeds of the sale of said Dickerson's land your orator retained his percentage, to which he was entitled under his said contract in lieu of lands, with the full knowledge and approval of and without objection from said defendant Dickerson; the balance of such proceeds, after deducting your orator's share, was paid over to Dickerson by said company, and thereupon said Dickerson's lands ever since your orator was appointed such commissioner; but your orator avers that his contract business and dealings have been with the said company and not with the said Dickerson in any respect, and that whatever if any rights the said Dickerson has acquired they are subordinate to your orator's and acquired subject thereto.

But your orator respectfully alleges that the appropriation of said lands or the proceeds thereof by the said company to pay the said Dickerson the price of said stock sold by him is a violation of its contract and charter with the State, and laws under which said lands were granted and acquired and a breach of the said comtract with your orator, and destructive of his just rights acquired there-under as hereinbefore set forth.

That apart from the services rendered by your orator and his personal expenses incurred to secure the lands to said railroad companies and prevent a decision of forfeiture thereof by the said Scoretary of the Interior, your orator, relying on the benefit and compensation to accrue to your orato

That upon assuming the duties of such commissioner your orator found that there existed among the people and settlers in the country south of Waldo through which the road runs, and especially in that portion thereof embracing the projected but unconstructed line of road, an intensely hostile and bitter feeling toward the said company, arising from the failure to construct the road, the misappropriation of money received for that purpose, and from controversies with settlers upon lands owned by the company.

That it became necessary to aliay such hostility on the part of the people in order to promote the sale of lands, and your orator did by direction of said company, by his tact and management, allay such feeling, which involved the expenditure of much time and considerable expense on his part.

That such services were no part of his duty as such commissioner.

That such services were no part of his duty as such commissioner.

Your orator avers that he has in his possession and control a considerable sum of money arising from the sale of the lands aforesaid as land commissioner, including both the lands which have been conveyed to said Dickerson and not reconveyed, as well as lands which have been reconveyed as aforesaid.

Your orator avers that the entire constructed line of said railroad, road-bed, rolling-stock, equipments, and depots and property appurtenant thereto, not including said lands owned by defendant company, are encumbered with a first lien to secure the payment of its mortgage bonds issued thereon and outstanding to the amount of \$13,000 per mile, and the interest accruing thereon at the rate of 6 per cent. per annum, payable semi-annually; that the earnings of said road are not more than sufficient to meet the interest accruing on said bonds, its running expenses, repairs, and renewals, salaries of its officers, payment of employés, if indeed such earnings are sufficient for those purposes.

As hereinbefore averred said company was unable to pay assessed taxes on its property and was constrained under threat of sale of its property to misappropriate \$140,000 raised upon the credit of its said lands to pay said taxes.

Your orator avers that said company has allowed extensive portions of its road, especially on that portion between Fernandina and Cedar Keys, to become in a dilapidated and unsafe condition, its iron rails on many miles of track not having been renewed since the road was first constructed; that said company is generally largely in arrears to its employées, and it is a fact and a notorious fact that the said company is now indebted to said employée for about four months' pay, such last named indebtedness amounting to the sum of over\$100,000.

In short, your orator avers that said company is utterly insolvent and unable to meet from the earnings of its road and property its current expenses and liabilities.

to meet from the earnings of its road and property its current expenses and liabilities.

APPENDIX D.

In the circuit court of the United States, fifth circuit, northern district of Florida. W. Bayard Cutting vs. Florida Railway and Navigation Company.

To the honorable the judges of said court:

H. R. Duval, who was heretofore, to wit, on the 26th day of October, A. D. 1885, by order of Mr. Justice Woods, circuit justice of this honorable court, duly appointed receiver of the defendant, The Florida Railway and Navigation Company, and of all of the lines of railroad owned or operated by it, and of all of its property as described in said order, and who was thereby empowered to run and operate the railroad and other property and franchises of said railroad company, and to preserve the property and maintain it in a proper condition and repair, so that it might be advantageously used, and to discharge other duties specified in said order as to the custody and eare thereof, hereby respectfully submits this report, and asks the direction of this honorable court.

That as soon as he had given the bond required under said order of the 26th October last, and to wit, on the 31st day of October, 1885, he took into his possession the entire lines of railroad owned or operated by said defendant company, and which consist of a line of railroad from Chattahoochee to Jacksonville, with branches to Monticello and Saint Marks, designated as the Western Division, 23% imles; Fernandina to Cedar Keys, known as the Central Division, 155 miles; Waldo to Tavares, 99 miles; Wildwood to Withlachochee, known as the Southern Division, 23 miles; Hart's Road to Jacksonville, 22 miles; making a total of 532† miles of railroad wholly within the jurisdiction of this honorable court, and took also into my possession the other property of said company.

Its capacity for increase in earnings upon like favorable condition is, in my judgment, 100 per cent. on its present gross earnings, and in this estimate I am

sustained by the opinions of some of the best expert traffic agents and railroad managers in the country, several of whom have considered the situation of the property and the development of the country tributary to it, agreeing with me that I do not overestimate its earning capacity.

I find the property encumbered with mortgage liens to the following extent:

NOVEMBER 20, 1885.

APPENDIX E.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE, Washington, D. C., April 5, 1886.

SIR: I am in receipt of your letter of the 29th ultimo, and in reply thereto have to state as follows:

The estimated number of acres in the land surface in the State of Florida

West Florida 5,718,080
East Florida 29,995,520

Under the swamp land grants the area claimed by the State of Florida to June 30, 1885, was 18,181,345.64 acres, of which there has been patented to the State 15,881,101.89 acres.

The area patented to the State for internal improvements under the act of September 4, 1841, embraced 484,184 acres.

Under the act of May 17, 1856, the following named railroads have received patents for the area herein given, under the act of May 17, 1856:

Acres.

... 290, 183, 28 ... 165, 688, 00 ... 1, 275, 579, 52 Atlantic, Gulf and West India Transit, formerly Florida Railroad...
Florida and Alabama.
Pensacola and Georgia......
Florida, Atlantic and Gulf Central....

Total approved to railroads..... ... 1,760,834,98

Very respectfully, S. M. STOCKSLAGER, Assistant Commissioner.

Hon. WILKINSON CALL, United States Senate.

Silver Coinage.

SPEECH

HON. GEORGE G. SYMES.

OF COLORADO.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 7, 1886.

The House having under consideration the bill (H. R. 5690) for the free coinage of silver, and for other purposes—

Mr. SYMES said:

Mr. SPEAKER: The debate on the silver question has been actively proceeding in both Houses of Congress during the past four months. A very large number of speeches have been made. About twenty-five speeches have been delivered in the Senate and about fifty speeches have been delivered from time to time in this House on this most important question. It is about time that some of the results of this very voluminous debate should be summed up and stated. It must be admitted there has been about the same proportion of repetition throughout a large number of these speeches generally found in the numerous speeches delivered during an important political campaign.

delivered during an important political campaign.

One thing at least has been accomplished by this debate. The gold men at last admit that all the knowledge and all the acquirements upon monetary questions no longer remain with their exclusive few. I was surprised a few days ago to hear one of the most distinguished and oldest members of this House say earnestly to the advocates of silver coinage that he wanted to remind them they did not have an entire monopoly of all the learning and arguments upon the monetary question. In view of the continued dogmatic statements of the leading coursels of the country of the self-myoclaimed leading accompany to the journals of the country, of the self-proclaimed leading economists of the country, the self-assertions of the so-called leading financial statesmen of the country, during the past ten years to the effect that the silver advocates did not know what they were talking about, and did not even comprehend the monetary question or the result sure to follow either the limited or free coinage of silver; that they were inflationists, silver lunatics, &c., this statement may at least be considered as a great concession on the part of the gold-bugs and their advocates.

Mr. Speaker, the advocates of silver coinage and true bimetallism have maintained during this debate several important positions which the gold-standard men and those urging suspension of coinage must over-

throw, or admit their arguments and assumptions fail.

The silver men have stated and proved there was not gold coin enough in the world with which to do the business of the commercial countries and communities; that there is not enough to form a safe basis for the units or measures of value, and to form the reserves for a sufficient active circulating medium of paper money to answer the demands of trade and commerce; that during the past decade nearly, if not quite, all the prod-uct of the gold mines has been absorbed and consumed in the arts for ornamentation and manufactures, thus leaving no gold whatever, out of the current product, to repair the waste, loss, or abrasion of coin, or to expand the volume of money to keep pace with the increasing popula-tion, the enlarging commerce, and the expansion of trade and exchanges throughout the world.

It has been shown that the product of the gold mines has fallen off from one hundred and thirty-four millions a year during the decade ending with 1860; that it fell to one hundred and twenty-five millions during the decade ending with 1870, to one hundred and thirteen millions during the decade ending with 1880; that in 1880 it was one hundred and one millions, and in 1884 it was only from ninety-three to ninety-five millions. It has been further shown that the production of the gold mines will continue to decrease, and that the demand for use in the arts, for ornamentation, and for manufactures will continue to increase. So that in a few years at best not only will all the product of the gold mines be used in the arts and manufactures, but in addition to that a large amount of gold coin will be melted annually to supply this demand.

Mr. Speaker, how have these facts and arguments, urged and advanced by the silver men, been met, answered, or overthrown by the advocates of monometallism and the suspension of silver coinage. have not denied the increasing scarcity of gold, the consumption of nearly all the product of the mines in the arts and for ornamentation, nor the probable increase of this scarcity and the probable increase of the consumption. They do not deny the great and continued increase in population, wealth, and commerce and the increased currency demand

arising out of it.

The only argument advanced against the necessity of remonetizing silver because of the admitted scarcity of gold for coinage is that this scarcity can be supplied by an extended system of credit documents, such as checks, bills of exchange, and bank currency. This is a pernicious argument. Here the gold men unequivocally advocate real inflation. It is hardly necessary to state that at the base of all sound business transactions there must be a certain amount of an easy exchangeable equivalent of value, which the commercial world from time out of mind has always recognized as best represented by gold and silver reserves. Whenever there is a suspicion "noised abroad" that bank notes of issue have not a sufficient supply of current coin to redeem them, or that a commercial firm has drawn more bills of exchange than they have the legal-tender money to pay, such notes and such bills are immediately at a discount, the discount continues to increase, and soon confidence is lost and such bills or notes are refused in payment.

On this certain amount of reserve in legal-tender coin all commercial, bankable, and credit transactions rely for their stability. The cheap and fascinating idea of issuing paper currency on credit alone or on too small a reserve in coin has invariably resulted in panics and collapses. No genius has as yet put into practical operation a "crédit foncier" system which has not ended in disaster and calamity. We did not suppose the gold-bugs, who arrogate to themselves all the financial honesty, purity, and stability in this country, would be found advancing this unadulterated inflation doctrine. It shows the desperate straits to which they are driven when confronted by the scarcity of gold, the increase in its price, the falling off in prices of all other commodities, the depression of trade, and their attempts to escape from the necessity of supplying this admitted scarcity by silver coinage.

the depression of trade, and their attempts to escape from the necessity of supplying this admitted scarcity by silver coinage.

Another assumption and attempted argument of the gold advocates is that continued silver coinage will drive all of the gold out of circulation and out of the country. Although there was less than two hundred millions of gold in this country at the time of the passage of the Bland bill in 1878, and although there is over six hundred millions of gold in the country to-day, it has been continually reiterated that the coining of two millions of silver per month would drive all the gold out. These gold advocates are forced to admit that all their propher is have proved untrue; still like the false prophets of old, their producis

have proved untrue; still, like the false prophets of old, their ardor is not at all dampened, and they continue to repeat that if silver coinage is not suspended the gold soon will pass from circulation and leave the country.

Some of the speeches upon this subject deserve a passing notice on account of the eminent character of the gentlemen who made them. The distinguished gentlemen from Massachusetts [Mr. Long], with his usual ability, keenly appreciating this, attempts to answer the arguments presented by the silver men regarding the increase of gold in this country by a very classical figure of speech. He says:

We are told that under our present policy gold is accumulating instead of diminishing, and that therefore such fears are unfounded. Once upon a time a certain frog, whose vanity had made his story immortal, began to swell. I doubt not some prudent observer suggested to him that the ultimate result of that process would be an explosion. I doubt not that the frog replied by pointing to his fair enlargement and plumper figure. But the result was none the less that he burst, and the places that had known him knew him no more.

The gentleman admits that his figurative silver frog has been prospering and growing beautiful in its rounded proportions on account of being fed two millions of silver coin per month since 1878, and that the increasing proportions of this silver frog has attracted to this country hundreds of millions of gold; that this silver batrachian reptile is larger and more prosperous at the present time than it has ever been since the honorable member from Missouri [Mr. Bland] nursed it into life; but nevertheless the distinguished gentleman prophesies that in a very short time this silver frog is sure to "go on a bust".

very short time this silver frog is sure to "go on a bust."

This frog argument is undoubtedly intended by the distinguished gentleman to show that because the business of the country has absorbed two millions of silver a month for the last eight years that is no reason why it will continue so to absorb two millions a month in the future. The gentleman seems to forget, or he ignores the admitted facts, that the population increases in this country at the rate of over 3 per cent. per annum; that exchange trade and commerce increase in a much greater ratio; that there is no increase in the circulating medium provided for except by silver coinage; that the present circulating medium of this country is over fifteen hundred millions; and that an increase of 3 per cent. in the volume of the present circulating medium in this country would be between forty-five and fifty millions per annum—twice as much as the Bland bill requires to be coined, and more than can be supplied by all the silver mines in the country for coinage at the mints under a free-coinage law.

Mr. Speaker, another encouraging feature of the progress that has been made by the silver debate is that all the gold men now claim to be bimetallists. However radical their views against silver coinage, and however eloquent their arguments to show that by laws more unchangeable than those which any legislative tribunal can pass, gold must necessarily be the sole standard and unit of value throughout the commercial world, and must and will form the true basis of all important financial transactions and business, still they assert that they are bimetallists.

The brilliant gentleman from Maryland [Mr. FINDLAY] would apparently favor true bimetallism, that is the free coinage of silver on an equality with gold. In the first portion of his speech he said in classic language:

I say then to the advocates of silver, follow your leaders and boldly repudiate the false position in which you have been placed by the Bland bill for the last eight years. Trample under foot the delusion that one of the great money metals of the world, coequal in use, dignity, and power with its helpmeet, can be degraded into servitude or sent like Hagar into the wilderness. Take the stand

which logic, experience, and all the associations which spring out of a venerable antiquity, reaching back to the cradle of the race, require and demand for silver its instant, full, and complete rehabilitation.

Mr. Speaker, this is just where the silver men propose to take their stand. The free coinage of silver is the only logical and true position they can take. It will cut the Gordian knot of the inequality between gold and silver, and close the war of the standards and destroy the power for harm of the gold monometallists as surely as the star of Napoleon went down with the sun on the field of Waterloo.

Still it is contended by this gentleman that limited silver coinage or free coinage is impracticable at this time. He avows himself a great friend of the laboring man and for that reason would suspend silver coinage. The gentleman says gold can protect itself against any law and needs no law for its protection. Well, Mr. Speaker, if that is the case why is it insisted that silver shall not be placed, at least, on an equality with gold before the law? It is the free coinage of gold which makes its bullion value equal to its nominal value when coined the world, over. The free coinage of silver would in a short time make its bullion value equal or near its coin value.

This eloquent gentleman finds fault with what he calls the limping, humpbacked silver standard created by the Bland bill. He says that free coinage is the only true and logical position to assume. He insists that it is impossible to keep the cheaper metal, silver, in circulation in the country and that it immediately returns to the Treasury after being paid out. Still he asserts that gold can not be kept in circulation with silver much longer. He closes his brilliant oratorical effort in behalf of the gold-bugs by an extravagant figure of speech, in which he builds a sort of mythological god to the different metals, the head of which is gold, and closes his special plea in behalf of a gold plutocracy as follows:

piutocracy as follows:

It may be that there is yet to be a stone cut out of the mountain side by which this old money metal will be shattered into pieces and ground into powder, and gold, as the last perfected state in the progress of its development, disappear with the baser elements that compose the structure; but u.t. i that day comes no forcible inversion of parts, no violent subordination of function can change the eternal law by which the head fitly crowns and dominates the body. Gold, in my opinion, in spite of all your laws by virtue of a law of its own will still be king.

The inconsistencies of this brilliant speech, which attempts to erect gold into a king to govern the finances of this country, are not to be wondered at, because the brilliant gentleman had to pass through blizzards and cyclones to reach this conclusion. He says:

But instead of the blizzard distribution of the buzzard dollar suppose you undertake the more usual and less violent and perhaps more regular mode of getting silver into circulation by calling in and paying off the Government threes in silver, would you be in a better condition?

It is not surprising that when a speaker attempts to make an oratorical path through a blizzard, with buzzards flying around his head, that he loses his way and finally arrives at his goal in inextricable confusion.

Mr. Speaker, the efforts of the monomentallists to create and perpetuate the power of gold-financial kings in this country will prove as transient and futile as the persistent efforts to perpetuate the rule of the slavery and cotton kings of ante-bellum days. This plutocratic and pernicious power will go down before the sovereign will of the American people, just as slavery was compelled to yield to the irresistible force of public opinion.

The gold men insist, with much apparent gravity, that they are better bimetallists than those who advocate silver coinage, and they claim that the way to restore bimetallism is to suspend coinage. I have not time to review the history of the leaders of the gold party who clandestinely demonetized silver in 1873, and gave as a reason for it that the bullion value of the silver dollar was so much greater than the bullion value of the gold dollar that it was practically kept out of circulation, because exported or purchased and put into the melting pot.

bullion value of the gold dollar that it was practically kept out of circulation, because exported or purchased and put into the melting pot. I can not at present review the history of the debate which resulted in the passage of the Bland bill in 1878, when the same parties said they were afraid to remonetize the silver dollar because its bullion value was less than the gold dollar, and show what this school of money economists stated at that time. It would take a large volume to contain the untrue assertions, the false prophecies, and the misrepresentations of these same gentlemen, and those from whom they take their economic ideas all published and pronounced to the world, first to bring about the demonetization of silver, next to keep it from being even partially remonetized, and then to bring about the suspension of silver coinage.

Any one who is familiar with the history of this subject from 1871 to

Any one who is familiar with the history of this subject from 1871 to the present time is driven to the conclusion that a harder struggle has never been made by any party at any time to accomplish an object than by this gold plutocracy to permanently demonetize silver. Not an assertion, argument, prophecy, or illustration is to be found in the books upon this general subject, or in the journalistic literature of the times, written by professed gold monometallists, that has not been used repeatedly and revamped to show that gold monometallism was the only true and correct policy of money economy, and that silver must necessarily, in the progress of events, take a subordinate place and be used only for a subsidiary or fractional currency. No economic ideas, no statements of fact, no illustrations drawn from the practical history of the times, none of the prophecies or warnings, of such able economists as De Laveleye,

Wolowski, Fruen, Ernest Seyd, Haupt, and several other economists who prophesied the stagnation and commercial depression which the demonetization of silver in Germany and this country, if followed by other countries, would bring about has ever been referred to or cited by any of these gentlemen who now say they are bimetallists and are in favor of bimetallism.

During this silver debate not one of these gentlemen who favor suspension but claim to be bimetallists has ever pronounced one word of criticism or censure against the demonetization of silver in 1873, although they pretend they desire to return to the double standard. They say they would be in favor of the coinage of the silver dollar if its bullion value was only equal to the gold dollar; but the first important thing to do is by some national or international policy to create a silver dollar which shall have a bullion value equal to that of the gold dollar.

The silver men heartily join with them in this desire; but in the name of common sense, aside from any theories of money economists, how can it be determined what is the proper ratio of coinage between gold and silver until both metals are given an equal chance before the law. When the silver dollar had an equal chance before the law with the gold dollar by free coinage it was worth from 3 to 5 per cent. more than the gold dollar for many years previous to demonetization. No one will deny that it was demonetization that artificially depreciated the bullion value of the silver dollar and artificially appreciated the bullion value of the gold dollar.

If, then, these gentlemen are in good faith in their desire for bimetallism and an equality of bullion value between gold and silver dollars, why do they refuse to give the silver dollar an equal chance be-fore the law? It can then soon be determined whether the ratio should

Use is the foundation of all value. When there is an indefinite demand for the use of an article it must become valuable. When the demand for that use ceases the article must depreciate in value. demand for coined money, which is made a legal tender under the law, is one of the insatiable desires of man, and will remain so. There has been an insatiable demand for gold bullion as well as gold coin, because there has been free coinage of gold in the wealthy and leading nations. There was an insatiable demand for silver bullion when there was free coinage of silver among the leading and wealthy nations, and that in-satiable demand for silver bullion would again exist on the remonetization of that metal. Give silver an equal race with gold before the law by free coinage in this country, and the problem is solved.

What do these self-proclaimed bimetallists propose for the purpose of bringing about an equivalent in value between the gold and silver dollar, or bimetallism on that basis, which they pretend to desire? The only thing they seem to rely upon is an international bimetallic conference which shall fix the ratio of free coinage throughout the commercial world. They certainly know that this is impossible within any reasonable time. The only way to bring this about is for the nations desiring it to immediately establish the free coinage of silver, so that silver bullion will become scarce in the markets of the world, and thus show to the other nations that if they propose to obtain their share of the white metal for the purpose of increasing their circulation in the future they must give it free coinage at their mints. For the nations or people who desire bimetallism to close their mints against free coinage, which results in causing a surplus of silver bullion to be thrown into the market so that every nation can get all it wants at a depreciated price, and thereby to force such nations to an international acquiescence in the free coinage of silver, is, it seems to me, unreasonable and absurd.

When some of these gentlemen are pressed upon this subject they say they are international bimetallists. Here we have the solution of their true meaning and desire. They are bimetallists on condition that the monarchs of Europe allow them to be so. I am unable to appreciate the patriotic sentiments of American statesmen who propose to pursue one course or another on this most important question to the future welfare and material prosperity of this great country according as the statesmen and politicians of the monarchies of Europe may pursue one or the other policy upon the same question. When European statesmen find out what our policy and desire is, history universally shows that they try to thwart our wishes and desires. Their sympathy and encouragement in the enforcement of our policies we never can expect. But by pursuing our own course, guided by our own judgment and dictated to by our own interests, patriotism, and a desire for the wel-fare of our own people, we often force the statesmen and politicians of these monarchies to adopt policies against their wishes by the rigid and bold enforcement of our own.

An American international bimetallist is to me about the same kind of a heterogeneous combination as an international American highprotective tariffite. If I was a free-trader I should think I was consistent in saying that I was an international protective tariffite; but as I am and always have been in favor of a protective tariff candor compels me to say that I shall advocate a protective tariff notwithstanding the policies of all the nations of the commercial world may be in favor of tree trade.

THE GRESHAM LAW AGAIN.

One of the most curious features of this debate by those in favor of suspension is their position with reference to the operation of the Gresham law. In my speech in the early part of the session I attempted to show the rules which govern the operations of this law. I have not the time to elaborate them here. The gold men have repeatedly said in their speeches that by the operation of the Gresham law all of the dearer metal gold, would be driven out of circulation and the cheaper metal, the silver dollars, would be substituted therefor. They will not even admit this to be a matter of arms. not even admit this to be a matter of argument. They tell us it is as certain as the laws of gravitation that if we do not suspend silver coinage soon we shall have nothing but the cheap silver currency in this country.

The next assertion they make is that this cheap silver will not circulate among the people; that the people of this country refuse to accept silver and it is impossible to pay it out from the vaults of the Treasury; that if a small portion of it is paid out it returns so quickly that the Treasury officials have become discouraged in their efforts to keep any considerable quantity of it in circulation, although their efforts in this behalf have been persistent, indefatigable, and herculean. Every report of every Secretary of the Treasury and Treasury official dwells upon this and says that the people will not have the cheap silver.

The distinguished gentleman from South Carolina [Mr. HEMPHILL] undertakes to show that cheap silver will not circulate. upon this with the usual assertions and arguments. He then invokes the Gresham law to show that cheap silver will circulate so extensively that it will drive out gold and exclude all other money. Many other speeches take the same position in effect; but this one presents the in-consistency in a clearer and more forcible way than some others, and hence I have referred to it in illustration of the positions assumed in this debate.

Why this Gresham law, which is so unerring in its operation has increased the stock and circulation of the dearer metal in this country more than four hundred millions since the coinage of cheap silver began in 1878, and why this cheap silver money has not circulated and will not circulate among the people since the coinage of it began in 1878, to the exclusion of gold, we are left to conjecture. Perhaps some speech is to be made which will explain this inconsistency and confusion, but as yet it has not been done.

THE UNIT OF VALUE.

Mr. Speaker, the gold advocates do not deny that the financial policy of the Government, through its Secretaries of the Treasury, since the passage of the Bland bill making the silver dollar a legal tender, has kept the country practically upon a gold basis; that the business transactions at the Treasury, and in the country generally, are measured by the gold dollar. The Secretary of the Treasury in his reply to the reso-lution of the House regarding his policy in not paying out a proper proportion of silver dollars for the indebtedness of the Government gives as his excuse that under the statutes of the United States 25.8 grains of gold constitute the only unit and measure of value, and hence every dollar of indebtedness must be paid in the gold dollar or its equivalent in value. This remarkable document, which admits upon its face a continued and inexcusable violation of the United States Statutes which provide for the coinage of the silver dollar and makes it a legal tender in payment of all debts public and private, justifies his course by arguing upon the basis of this technical quibble that the gold dollar is the only unit standard or measure of value.

The first and only unit and measure of value in this country was the silver dollar, established as such on the recommendation of Alexander Hamilton when the United States Mint was created. It continued to be, technically, the only unit of value until 1873, and then 25.8 grains of gold or a gold dollar was substituted for it. But the Bland bill practically made the silver dollar as much a unit and measure of value in this country as it had been from the foundation of the Government to 1873; and it occupies with reference to that subject exactly the same position in law as the gold dollar occupied from the foundation of the Government to 1873.

Sir, I was surprised to see the satisfaction with which intelligent gentlemen in this House viewed the so-called argument of the Secretary of the Treasury to show that 25.8 of gold is the only unit and measure of value and the only legal tender in payment of a debt in this country. What would have been thought of a Secretary of the Treasury if he had taken the same position, made the same argument, and conducted the finances of the T reasury upon the basis of it before 1873 with reference to the gold dollar? Before that time the gold dollar tested by the same technical quibble and frivolous argument was not a unit of value in this country. The silver dollar was the only unit of value, and hence the Secretary of the Treasury for many years before 1873 was not justified in paying any creditor of the Government in gold dollars at their nominal value but was bound to pay everything in silver dollars or the equivalent of the bullion value of 412½ grains of silver, which was worth from 3 to 5 cents more than 25.8 grains of gold in the gold dollar. These same gentlemen would have scoffed and sneered at such an argument and position at that time.

When the statute of 1878 fixed the number of grains of standard sil-

ver in the silver dollar at 412½ grains, and provided that it should be a legal tender for all debts public and private, it made it practically a unit and measure of value co-equal with the gold dollar. I have heretofore advocated that the statutes should be amended so as to make tofore advocated that the statutes should be amended so as to make 412½ grains of silver equally with 25.8 of gold a unit and measure of value in this country, not because it is not by the Bland bill made such a unit and measure of value, but because I find many people are deceived by the specious and disingenuous arguments of the gold men upon this question. Such an argument would be more appropriate by a justice's court lawyer when defending a pawnbroker for overreaching his victim, than by a Secretary of the Treasury, or his advocates, upon important questions of economic policy. upon important questions of economic policy.

FREE COINAGE WILL NOT MAKE THIS COUNTRY A DUMPING GROUND FOR FOREIGN SILVER.

The alleged insuperable obstacle against free coinage of silver is that it will make this country a dumping ground for foreign silver, flood the American mints, and result in the exclusive circulation of silver. Many people who really desire free coinage think it impracticable at this time because they are led to believe, from the exaggerated statements and misrepresentations of the gold men, that it will make this country a great dumping ground or reservoir into which all the silver of foreign countries will be piled in indefinite amounts.

This assumption and argument justifies deliberate investigation and answer. Characteristic of all thestatements and arguments of the gold men, no facts or figures are produced to show where this great deluge of silver is to come from. We are not informed where, in any foreign country, is piled up any amount of silver bullion waiting to be dumped upon our shores when free coinage is established. They give us no facts or figures regarding the annual product of the silver mines of the world, the amount used in the arts, manufactures for chemical purposes They do not attempt to show or even argue what and for coinage. foreign countries are going to demonetize silver and melt their coin into bullion for export, because they know that all the evidences from the discussions and agitation of the subject throughout the commercial world to-day point as unerringly as the needle to the pole that remonetization and not demonetization is the watch-word of the times.

Mr. Speaker, the expensive, sad, and bitter experience of Germany in her efforts to establish gold monometallism, and the financial troubles, depressions, and panies that it is now admitted to have been the greatest cause in bringing about, has taught a lesson that will not soon be forgotten. And while the Latin Union and other nations of Europe may not return to the free coinage of silver within a very short time, there can be little doubt that they will resume whenever the free coinage of it, added to the demand for silver bullion in India, China, Russia, Aus-

tria, and other single-standard countries, appreciates the price of silver to something near what it was before the demonetization of 1873.

Silver is coined in Europe at 15½ to 1, and in this country at 16 to 1.

It is coined at about the same ratio in India; that is, the nominal value of silver coin in Europe and India is 3 per cent. over that of the United States. If the legal-tender silver coin of Europe, which is over one thousand millions, was melted and recoined at the ratio of coinage in the United States the loss would be over thirty millions.

There is no danger of the importation of any considerable amount of silver coin from Europe to be melted and recoined at our mints. When the balance of trade is against us it is as a general rule paid in gold, because gold is coined at as high a nominal value in this country as it is in Europe. If silver coin will not be melted and dumped upon our shores, is there any considerable quantity of silver bullion piled up in any foreign country to be sent to our mints and recoined? We have to any foreign country to be sent to our mints and recoined? combat the oft-repeated oracular statements and dogmatic assertions not borne out by any investigation of the facts. The demonetization of silver in Germany and the melting down of a portion of the silver coin into bullion and putting it upon the market caused a great depreciation in the price of silver bullion. Shortly after this the Latin Union, fearing this deluge of German silver, closed their mints to the free coinsilver, and the United States demonetized it at the same time. The three acts combined, it is now admitted, constituted and will be known in history as the great financial misdemeanors and blunders of the nineteenth century.

When the future economist and historian of these times shall undertake to explain the paramount cause of the great and continued depression of all kinds of business in Europe, the limited production of the manufactories, the stagnation in all kinds of productive and useful industries, the suffering and strikes among the great laboring populations, and the sufferings even among the former thrifty agricultural classes of Germany, England, United States, and other countries, this history, when investigated in the light of philosophy, teaching by example, will result in a verdict that it was the demonstration of silver by Germany and the United States in 1873, causing the belief that other nations would follow the example, and the closing of the mints of the Latin Union against the free coinage of silver, that brought about these industrial

trial and commercial calamities

Mr. Speaker, let us inquire, where is this stock of silver bullion in any foreign country that can be dumped into our mints? According to the best information obtained by the United States minister at Berlin in 1880 the quantity of silver then remaining in Germany to be sold

amounted to about \$74,000,000. The coinage of eight other nations outside of the United States, Russia, Mexico, and Germany, during the year 1880 amounted to \$54,541,648.

The Director of the United States Mint in his report for 1880 states:

It can hardly be said that there is any stock of silver bullion in the United Kingdom, the imports and exports being about equal.

India alone coined about forty millions during the year 1880. This must have been derived from a portion of the remaining German bullion and from American imported bullion. It did not come from Mexico, the next largest silver producer to the United States. Her product was about \$25,000,000 for that year, \$22,000,000 of which was coined. More than the balance was used in the arts and manufactures. It has been shown that the net export of silver from London to India and China for the years 1880 and 1881 was over \$56,000,000. "Asia is a China for the years 1880 and 1881 was over \$56,000,000. bourne from whence no silver returns."

All statistics agree in showing that much more silver has been coined in Europe and Asia during the past few years than has been exported from North and South America. Where, then, is this mysterious quantity of silver bullion deposited, waiting to be dumped into the America.

can mints when free coinage is again inaugurated?

It is said there is a large quantity of silver plate in Europe that will be melted into bullion for coinage. If we admit there is, which we do not, no considerable quantity of that plate in Europe would be melted down and sent to this country to be coined at the ratio of 16 to 1. There will be a great demand for it in India to be coined at the ratio of 15½ to 1 after free coinage shall have absorbed the greater portion of our product at the United States mints. It is simply ridiculous to say that the manufactured silver of Europe would be melted for export to Amer-ica after the supplies of cheap bullion from this country have been cut

off by free coinage.

It has been estimated that over fifteen millions of silver per annum is consumed for manufactures and ornamentation in Europe. Where is this fifteen million to come from in addition to the amounts required for coinage? To say that European bullion-brokers will buy expensive silver plate, melt it down, and export it to America to be coined at the ratio of 16 to 1, instead of having it coined in Europe or India at 15½ to 1, or instead of selling it to the silversmiths for remanufacture, is, like most of the assertions and arguments of the gold monometallists, without foundation in reason or experience. Mr. Buchanan, in his Plea for Silver Coinage, has made a very thorough presentation of this sub-ject, and conclusively shows that the "dangers of the dump" are purely

imaginary.

If there is no bullion in foreign countries to be exported to our mints, if no silver plate will be melted and dumped upon us, and if no nations of Europe propose to demonetize silver, melt their coin, and sell it, we have nothing left to deal with but the production of the mines in an-

ticipating free coinage.

Mr. Speaker, in my former speech early in the session I attempted to show the production of the mines and the demand for coinage. I do not desire to go extensively into that question again. I then said:

do not desire to go extensively into that question again. I then said:

The best estimates place the annual production of the world outside of America at \$10,000,000. The production of Mexico and the countries in South America has been growing less. These countries from 1852 to 1868 produced about \$30,000,000 per annum. From 1868 to 1.875 the production was about \$25,000,000 per annum, a falling off of about \$5,000,000 per annum, and it has been decreasing since 1875, with no probability of an increase. In 1877 and 1878 the yield of the Comstock mines decreased rapidly, and has been decreasing ever since, until it is now inconsiderable.

The celebrated carbonate deposits of Leadville have partially taken the place of the Comstock lode, and fortunately have kept up the silver product of our country. The great exaggeration regarding the actual and probable output of the silver mines had a great effect in depreciating the price of silver, and they were all made in aid of the same combination and conspiracy to demonetize silver.

Mr. Mulhall, in his Dictionary of Statistics, gives estimates of the production and consumption of silver in the world for fifty years, from 1830 to 1880, and the respective amounts used for coinage, manufacturing, and for exportation to the East. These estimates show that during this period the mines of the world produced 57,270 tons of silver, valued at \$2,475,000,000. There was consumed 62,500 tons, valued at \$2,725,000,000, or a consumption of \$250,000,000 more than the production. The same authority estimates that 5,230 tons of old silver candlesticks, &c., in the temples of Europe and the East were melted down by the world to supply the deficiency between the production of the mines and the demand for current uses.

The average of the different estimates shows the product of the silver mines of the world for the past four years, from 1881 to 1884, inclusive, to be from one hundred to one hundred and ten millions per annum.

A very large amount of silver is annually consumed in the arts, converted into plate, and used for personal ornament and for chemical purposes. A large portion of the silver consumed in the arts can never be recovered or again used. When it is used for electro-plating, or beat into thin leaves for different purposes, a very small proportion, if any, can be collected or converted into bullion. The whole is practically

The question as to the amount of the consumption of the precious metals in the arts and manufactures has been attracting much attention of late years. After thorough investigations by Dr. Sætbeer, of Germany, and by the Director of the United States Mint, extending over a period of several years, it is estimated that about thirty-five millions of silver per annum is consumed in the arts and for manufacture, orna-

mentation, and chemical purposes.

A late English writer upon this subject has shown that these estimates include only the nations of Europe and the United States and India. He shows that the precious metals are largely used in the simicivilized nations of Asia, Africa, and elsewhere for those purposes, and he concludes that not less than £8,000,000, or about \$40,000,000, is an-

nually consumed in the world in this way.

Many estimates have been made as to the loss by wear and tear, called abrasion, of the circulating coin, and by casualties, such as fires, sinking of ships, &c. In 1858 McCulloch estimated the annual diminution of the then existing stock of the world's coin through abrasion by wear and losses by casualties at \$37,500,000. Other estimates have been made, extending to near the present time, which indicate that it would take something like fifty millions of the precious metals perannum to supply the loss by abrasion and casualties. It is probably fair to say that this loss is about one-half gold and one-half silver, making twenty-five millions of silver annually lost by abrasion and casualties.

The estimates are somewhat unreliable and perhaps exaggerated. But we are not called upon to rely strictly upon them in arriving at a conclusion as to the annual requirements of the precious metals for use in the arts and manufactures, to supply the loss by abrasion and casualties, and for coinage. We now have accurate statistics of the actual annual coinage of the world. These statistics show that the amount of coinage is more than the product of all the mines in the world, leaving none for consumption in the arts and manufactures, or to supply the loss by abrasion and casualties. This of course must be accounted for by the fact that much old coin is recoined.

From a careful statement of a reliable American author it is estimated that during the five years from 1877 to 1881 inclusive there was coined and used in the arts \$670,682,516, which exceeded by \$213,907,-206 the total products of all the mines of the world during the same period; and that this excess is to be accounted for by the recoinage of the same metal in different years, and by the use of some coin in the

arts

A late writer in England, who has examined this subject, concludes that the amount of recoinage about equals the amount of loss by abrasion and casualties. Much of the recoinage arises from the fact that the old coins have become so abraded they are no longer a legal tender, and, consequently, they are sent back to the mints for recoinage. So we may estimate the amount consumed in the arts and for manufacture, ornamentation, and chemical purposes, and the amounts used for coinage as constituting the amount of silver which has actu-ally been consumed in the world during the past few years, provided we estimate the amount of recoinage to be equal to the amount lost by abrasion and casualties.

During the past ten years, from 1875 to 1884 inclusive, the silver coinage of a number of the principal countries, the largest portion of which for the last eight years was executed by India, Mexico, and the

United States, is as follows:

Years.	No. of countries.	Amount.
1875 1876 1877	18 15 16	\$119, 105, 467 126, 577, 164 114, 359, 332
1878	15 10 11	161, 191, 913 104, 888, 313 82, 397, 154
1881 1882 1883	14 12 20	108, 473, 624 107, 997, 952 113, 769, 901
Total	20	*110,000,000 1,148,760 820

*About.

It will be seen that the annual average coinage of silver in the world, since the demonetization and suspension of coinage in so many countries, has averaged about \$114,000,000 per annum. So, with silver demon-etized in Germany and England, and in the Scandinavian countries of Norway, Sweden, and Denmark; with coinage practically suspended in the Latin Union and Holland, and with a limited coinage in the United States, still the annual requirement for coinage is over one hundred mill-Add to this the amount used in the arts and manufactures, and we have an actual current consumption of silver of between one hundred and forty and one hundred and fifty million dollars per annum.

The average annual product of all the silver mines of the world, as

herein above shown, for the past four years has been from one hundred to one hundred and ten million. This shows an actual current demand for between forty and fifty million dollars of silver per annum more than all the mines produce. Then where is this imaginary silver dump

The advocates of the gold standard, in their long speeches, have not attempted to refute any of these estimates or the conclusions drawn from them. Those who have attempted to frighten the people against free coinage because they said it would make this country a great dumping ground for surplus silver have not deigned to show us where

it is to come from. These learned anti-bimetallic gentlemen assert that even gold is not becoming scarce, and that silver is such a glut on the market and accumulating so rapidly that free coinage would literally

deluge our country with cheap silver.

Mr. Speaker, these gentlemen have only re-echoed and revamped the wise predictions, the prognostications, and the sad divinations of the capitalists, the gold-bugs, and the money-kings of this country and of Europe during the past fifteen years. The time has passed when their oft-reiterated statements have much effect, for the day of their influence is fast passing away. The people of this country and even of the countries of Europe are becoming informed, and will no longer receive as true the money theories, the dogmatic assertions, the false prophecies, and the inexcusable misrepresentations that have characterized all the writings and speeches of this gold plutocracy during the demonetization epoch.

The product of the mines in the United States during the past ten years has averaged about forty-two millions per annum. The average coinage in the United States since the passage of the Bland bill in 1878 has been about twenty-eight millions per annum. The estimated amount consumed in the arts and manufactures and for chemical purposes in the United States is about \$5,000,000 per annum. This makes poses in the United States of \$33,000,-a total annual average consumption in the United States of \$33,000,-000, leaving a surplus product of \$9,000,000 per annum, not counting any amount for loss by abrasion and casualties. So if our mints were thrown open to free coinage and no silver was exported from this country, there might be an increase of coinage of \$10,000,000, or a total silver coinage of \$38,000,000 per annum.

We have shown that the monetary requirements of this country necessary to keep the per capita circulating meduim on its present basis is over \$40,000,000 per annum; and yet people allow themselves to be frightened at the prospect of an addition of \$10,000,000 a year to the

It can not be expected that the import of gold will exceed the export during the next few years as it has in the past. While this will in a great measure depend upon the balance of trade, as we showed in our former speech, nevertheless, according to all late accounts and discussions of the subject in Europe, gold is becoming so scarce there, on account of the demonetization of silver, that every effort will be made to draw back some of the gold we have imported from that country. India and other Eastern countries have absorbed a large amount of gold during the past half-century. The best estimates show that during the past half-century India and the East have absorbed not less than fifteen or twenty millions of gold per annum. This seems not to have been taken into account by several economists in making their estimates of the production and consumption of gold in the world and its increasing

Prices are falling so fast in Europe on account of the scarcity of gold and the precious metals, both gold and silver, that European economists and statesman are afraid there will be a repetition of the panics, disasters, and even of the revolutions that occurred between 1820 and 1850

before the discovery of gold in California and Australia relieved the commercial world of the great dearth of the precious metals.

The gold product of the United States is continually falling off. It has fallen from \$51,200,000 in 1878 to \$30,800,000 in 1884, a decrease of more than twenty million in eight years, and the probability is that it will continue to decrease. The Director of the Mint estimates that more than ten millions of gold per annum is used in the arts for manufacture and ornamentation in the United States. The average gold coinage at the mints of this country for the last eight years has been about \$60,000,000 per annum. In 1881 it was seventy-eight millions, in 1882 it was eighty-nine millions, and in 1884 it was only twenty-seven millions. What is to supply the place of the great falling off in the production of gold and gold coinage except silver?

The monometallists and those opposing the free coinage of silver

fail to give us any information upon this important topic, which bears so directly upon the future material prosperity of this country and the well-being of society.

Mr. Speaker, a great source of alarm to the gold monometallists and those who oppose free coinage of silver is that it will drive the gold out of the country. A conclusion drawn from all the estimates and statistics, when considered in connection with the past history of the exports and imports of gold, shows that no fear can be reasonably en-tertained upon this subject. Statistics and predictions, however, often fail. Estimates and conclusions drawn from them upon the subject of money economy may be approximately correct, provided the trade and commerce of the world and the material and political prosperity of the different nations remain the same in the near future as they have been in the immediate past. But this can not be.

Great wars to maintain the so-called balance of power in Europe, to

aggrandize dynasties and nations; a rainy season or drought around the Baltic and in the wheat-growing regions of Europe, and famines in India and Asia may entirely change all calculations regarding the balance of trade, and with it the movements, or exports and imports, of the precious metals from one nation to another. A great European war, or a war between Russia and England for the possession of the provinces of Asia, would cause such a demand for that class of our productions called cereals and provisions as would enable us to continue to draw large imports of gold from Europe. On the other hand, peace, good crops, and material prosperity among the nations of Europe, and droughts, hard times, and internal commotions on this side of the Atlantic, would cause the balance of trade to turn against us, and a portion of the large amount of gold accumulated during the past few years would inevitably pass to the other side of the Atlantic.

The remonetization and the resumption of coinage of silver in Europe would give such a stimulus to all productive industries as to surely cut off a large amount of the exports of manufactured articles from this country. These things, generally somewhat temporary in their character, no human foresight or states manship can prevent. The best that can be done is to provide for such contingencies and to alleviate the

distress resulting from them.

It is now conceded by most of the leading political and money economists of Europe that the demonetization of silver and the contraction of the circulating medium arising therefrom, and in particular the great and continued increase in the scarcity of gold, has had a most depressing and disastrous effect on the production and trade of the leading nations of that continent. This was sternly and dogmatically denied by the gold monometallists until within the last two or three years. The great falling off in prices, the great depression in trade, and the great falling off in the exports from England and Germany is now conceded to have had its paramount cause in the demonetization of silver and the scarcity of gold.

It is the duty of statesmen in this country, when the whole world is struggling for the few hundred millions of gold that exist, instead of demonetizing its sister metal, which has been since the dawn of civilization co-ordinate with it as a money metal, to restore it by free coinage to an equality with gold before the law. Then, if through unfortunate combinations of circumstances we lose a portion of our gold, we have a money-metal reserve as a basis for a convertible circulating medium of paper which will, in part, answer every purpose of our wonder-

ful and enlarging internal trade and commerce

But if we can not increase our stock of gold, and if we lose quite a portion of our present stock, will some gold monometallist or those opposing free coinage inform us what is to supply this deficiency?

Mr. Speaker, I can not conceive of a worse or more disastrous contest for my country to enter into with the creditor nations and the moneykings of the commercial world than a desperate struggle for the largest proportion of the world's stock of gold. I appeal to the economic history of the different nations of the world to show that when the struggle for gold becomes the order of the day, as it has been in Europe during the past fifteen years, the result is its accumulation in vast quantities in the leading money centers and by the millionaires. In such a struggle all productive property depreciates; the industries, trade, and commerce become stagnant and depressed; millions of laboring people are seeking employment and asking the privilege of earning bread; labor strikes and communistic agitations become the order of the day, and the rich grow richer and the poor poorer.

In proof of this it is only necessary to glance at the economic and industrial history of Germany, England, France, and the other nations of Europe since the demonetization of silver and the suspension of coinage

in 1873 and 1875.

As Emile De Laveleye says:

Observe what confusion has been introduced into the business affairs of the whole world by the unfortunate attempt of Germany to reduce herself to the exclusive use of gold money.

In order to procure two hundred millions of gold, Germany disturbed and embarrassed the money market of Europe for years. It raised the rate of discount on gold coin in the government banks of Europe. The sale of her silver after it was melted into bullion depreciated the price of silver about 10 per cent. Within three years after her demonetization she had coined \$312,611,380 in gold. But the government dared not put these new gold coins in circulation to relieve the wants of trade and commerce in the place of the silver coin she had demonetized and melted, because these gold coins would flow back to England and France, from which countries the metal had been forcibly withdrawn in viola-

tion of commercial laws.

The balance of trade from the time of demonetization has been against Germany. It greatly decreased the products of her industries and trade. It was estimated a few years ago that more than one-third of the new gold coin which Germany had made such a sacrifice to secure had left the country never to return. She has retained the bal-ance of her gold only by locking it up in the banks and in the public Treasury, and by keeping the rate of interest very high. Her domestic trade and industries are half ruined, her circulating medium very much contracted, and \$134,819,104 of gold which was known to have been coined by the different states of the Germanic confederation before the demonetization of silver, which were attempted to be withdrawn from circulation to be substituted by the new gold pieces coined after 1873, only \$24,663,050 were ever presented to the mints or banks to be exchanged for the new gold coins, although they were no longer a legal tender.

The German officials said they were at a loss to account for the balance of \$110,156,099 in gold which were known to have been coined before 1873 which were never offered in exchange for the new coin. as stated by an economist of Europe, the mystery is easily explained. These old gold coins had gone to other countries to be recoined and only the abraded coins which were too light to yield a profit on exportation remained in the country. The governor of the Bank of France a few years ago said that Germany had been paying her balance of trade and

exchange to France by sending back French gold.

The Bank of England raised its rate of discount from time to time during this period to keep Germany from importing her gold. It is admitted that the money market of the British Empire was thrown into confusion. Nothing but the great commercial superiority and wealth of England enabled her to retain her stock of gold. Trade, commerce and the industries of England from this time became depressed. Many English economists who up to a few years ago denied that the struggle for and the scarcity of gold had anything to do with the great depression in her productive industries and material prosperity now admit that it has been the leading cause of it.

The only leading commercial and industrial nation of Europe which escaped the calamitous consequences of this craze for the demonetization of silver and the struggle for gold was France. She retained her bimetallic standard. Her more than five hundred millions of legaltender silver coin distributed among her people, and held as a legal-tender reserve for her paper circulating medium, quickened and vitalized all her productive industries, increased her exports, and enabled her to retain without sacrifice or effort on the part of the Government or the people all the gold that Germany left her after she had been conquered and impoverished by the war tribute; and it has enabled her to gradually draw back the gold from Germany which was forcibly wrested from her.

In my former speech at this session against the suspension of silver coinage I dwelt upon the advantages that have accrued to France from

her bimetallic currency, and do not desire to repeat it here.

I say to the members of this House, beware how you commit this country to the accursed policy which overtook some of the monarchies of Europe after the first Paris monetary conference of 1867 in a craze for establishing a monometallic gold standard, and entering upon a struggle for the largest share of that metal. It will be a sad day for our country and our people when the plutocracy of America are allowed to enter upon such a contest with the plutocracy of Europe.

Mr. Speaker, if any country or people have ever been injured by having too large a quantity of silver or gold coin in circulation we have no account of it. If the free coinage of silver or gold has ever worked an injury to the national prosperity, the trade, or productive industries of any nations or communities, those economists who urged the demone-tization of gold from 1850 to 1860, and, after 1867, the demonetization of silver, have never pointed them. T always approaching, but which never arrive. These are imaginary evils.

Mr. Speaker, I am not an inflationist. I am not seeking to greatly increase the circulating medium of this county. I am only urging that it shall keep pace with our increasing population and our advancing trade, commerce, and civilization, so as to prevent depression, shrinkage in values, a fall in prices, and particularly a reduction in the wages of laboring men, which must inevitably result if we do not check the increasing scarcity of gold by restoring silver, as a co-ordinate money metal, to free coinage.

HISTORY OF THE PRECIOUS METALS.

Mr. Speaker, to those who have studied the history of the increase and decrease of the precious metals in the civilized world, the predictions of trouble, panics, and confusion to arise from any increase in the product or in the coinage and circulation of either gold or silver, seem to be at war with the facts and results of actual experience.

The history of the production of the precious metals, and their effect upon the industry, trade, commerce, and general well-being of society, may be conveniently divided into four epochs: The first, from the beginning of civilized society to the discovery of America in the latter part of the fifteenth century, which may be called the pre-trade or pre-commerce age:—the second, from the discovery of America to the discovery of gold in California and Australia in 1849–'52, which may be called the silver age:—the third, from the discovery of gold in California and Australia to the demonetization of silver in Germany and the United States in 1872-'73, which may be called the golden age:—and the fourth, from the demonstization of silver in Germany and the United States to

The first period, which was be called the age of demonetization.

The first period, which we have called the pre-commerce or pre-trade age, is only interesting from a purely historical standpoint. The pros-perity of nations and the movements of the precious metals from one country to another during this period were governed more by wars and conquests than by the natural laws of trade, manufactures, industry, or commerce. Writers have attributed the fall of the Roman Empire to the collapse of the mines in Greece and Spain. It is said that money was then so contracted and congested in the hands of the few that no business was profitable, capital was debarred from investment, and the plutocracy gave itself over to debauchery and vice until the most imposing empire the world has ever known fell to pieces

A late writer has shown how money was transferred from one ancient

state to another by wars and conquests, how millions of treasure have been at different eras wrested by conquest from India, and how it has But this is too antiquated for gradually found its way back again.

our present purpose.

When America was discovered in 1492 it is estimated the whole stock of gold and silver coin then existing in Europe amounted to about \$200,-000,000, and the annual supply and product of the mines was only \$500,-000. For about thirty years after the discovery of the New World the new supply of specie did not average more than \$250,000 per annum. From 1520 to 1545 the annual supply was about \$\(\xi_{3},000,000,\) six times as large as it had been prior to 1492.

In 1545 the celebrated mines of the Potosi Mountains in Bolivia were discovered, and after that the annual supply averaged about ten millions per annum until the close of the century (A. D. 1600). A late writer shows that in A. D. 1600 the annual supply was more than twenty times and the stock of coin in Europe nearly four times as large

as they had been one hundred years before.

About the year A. D. 1650 the annual supply had risen to about thirteen millions per annum, and the stock of coin in Europe was estimated at twelve hundred millions. At this time (A. D. 1650) the stock of coin in Europe was six times greater than it was at the time of the discovery of the Western Continent, and the annual product of the mines was twenty-seven times as great, while prices had increased, according to Adam Smith and Jacob, only three and one-half times

Here the rise of prices stopped, although the yearly product of the mines continued largely to increase. Before the close of the seventeenth century the product of the mines amounted to \$20,000,000 per annum.

Throughout the eighteenth century the annual output averaged \$35,-000,000, and during the first years of the present century, up to 1810, the annual product of the mines amounted to fifty million. This is one the annual product of the mines amounted to fifty million. the annual product of the mines amounted to fitty million. This is one hundred times as great as it was in 1492, and four times as large as it was in 1640 when prices ceased to rise. The existing stock of coin in Europe and America in 1810 was about nineteen hundred millions, about ten times as large as it was in 1492 and about double what it was in 1650. Yet the best authorities show there was no rise in prices or fall in the value of money after 1640, even though in the interval the product of the mines had quadrupled and amounted in the aggregate

This shows that the production of the precious metals increased in a steady and uniform ratio during the three centuries which followed the discovery of America. The annual supply and the existing stock of coin in Europe and America during a century and a half after 1492, and after the opening of the l'otosi mines, bore a greater ratio to the previous stock than was the case in subsequent centuries; yet there was no rise

These facts and this long experience shows the correctness of the principles laid down by different writers, Jevon and others, that any new annual supply of the precious metals produces its greatest effect upon the value of money in the early years after it commences, because during this time it bears a greater proportion to the existing stock than

any equal supply can bear in subsequent years.

The facts and experience of this portion of the silver age, from the discovery of America to 1810, more than three hundred years, demonstrates the great influence of the ordinary growth of population and trade upon the value of money. As population steadily increases, if this increased population is to be maintained even in its previous condition, industry, trade, commerce, and the profits thereof must increase in proportion. If the modes of life and the social condition of mankind are to progress and improve there must be an increase of the circulating medium per capita, and there must necessarily be a great increase of profitable employments and exchangeable property. All these things create increased monetary requirements.

This accounts for the fact that although there was a large and everincreasing stock of precious metals from 1492 to 1640, and a still greater increase thereafter up to 1810, yet there was no rise in prices and no increase in the value of money from the middle of the seventeenth century (1650) to the early part of the nineteenth century (1810), although the annual increase of the precious metals after 1640 was four times as much per annum as it had been before that time.

The actual results drawn from the experience of this portion of the silver age may be studied to great advantage by those so-called bimetallists who are afraid that free coinage will result in a deluge of silver coin, or cause an inflation of the circulating medium in this country or

an undue rise in prices.

After 1810 there occurred a great falling off in the yield of the gold and silver mines. In 1815 the product was about the lowest during the present century; and still the product during that year equaled in amount the yield in 1640, when prices reached the highest point. Between 1810 and 1830 Jacob estimates the annual product at \$25,000,000, more than double what it was in 1640, when prices ceased to rise. as shown, and now admitted, there was a great dearth of money and a great falling off in prices between 1810 and 1830.

This monetary scarcity went on increasing for the next twenty years from 1830 to 1850, although the annual production of precious metals increased before 1848 to sixteen million on account of the product of

the new Russian gold mines in the Ural Mountains.

These facts show that between 1840 and 1850 a yield of ninety millions of the precious metals per annum did less for the wants of the commercial world than ten millions had done prior to 1810, and, as said, less than two millions had done three centuries before. 1850 was the close of the silver age; the mines of California were discovered in 1849.

Mr. Speaker, had the monometallic school of money economists carefully studied and appreciated the facts and lessons of these three centuries of monetary experience they would have been better prepared to meet in the proper spirit, and aid in alleviating, the distress and panics which have been laying so heavily upon the commercial world and our own country during the past ten years, arising from the ac-cursed and short-sighted policy of the demonetization of silver.

We have not time to review and point out the great benefits derived from and the progress made in civilization, trade, commerce, and the well-being of society consequent upon the discovery and yield of the precious metals in the western continent from 1492 to 1800. The yield of the mines in the new continent did more to lift the world out of the darkness that had settled upon it during the Middle Ages and advance it again on the path of civilization and progress than all else combined. It is fortunate for the human race that no dogmatic theorist had influence enough during this silver age to cause any of the nations to demonetize the white metal,

The discovery of gold in California and Australia marks the begin-

ning of the golden age. The production of the precious metals, mostly gold, was much larger than in the previous period. It was largest during the first ten years. The greater portion of the gold was taken from the placer mines, which are easily worked without capital and are exhausted in a short time. The yield of gold in the world in 1851 amounted to \$80,000,000, and in 1852 and 1853 to \$165,000,000 per annum. During the next six years it amounted to more than \$130,000,000 per annum.

In 1860 the yield of silver began to increase on account of the discovery of the mines in Nevada. The silver supply began to increase about the time the gold product fell off, and sufficed to maintain the production of the precious metals at from one hundred and seventy-five to two hundred millions per annum. It is unnecessary to dwell upon the wonderful increase of trade and commerce, the growth or manufactures, and the wonderful advance in the material prosperity and welfare of man consequent upon the great yield of gold from the mines of California and Australia during the third quarter of the present century. They are fresh in the minds of many persons now living.

It was during this period that the American Republic grew in material prosperity until it overshadowed all other countries in the world. Thousands of enterprising merchants, manufacturers, and men of com-merce throughout the commercial world, many of whom have been impoverished by the period of demonetization, look back upon this era

as the brightest of their generation and hope for its return.

Mr. Speaker, is there a money or a political economist who will to-day stand up before the people of his country and say that the demonetiza-tion of gold, or its limited coinage, during this period would not have been a curse to the people of his race and country? But, sir, during this golden age many of the so-called money economists of Europe were urging the demonetization of gold and prophesying all manner of evils if their advice was not heeded. And what seems passing strange is that to-day some of these same economists and their followers are treated as authority by the so-called monomentallists and those who are urging the suspension of the silver coinage and who are predicting all manner of evil to grow out of the rebabilitation of silver by free coinage.

The agitation of demonetization commenced in 1867 at the first Paris monetary conference. The success attending the formation of the Latin Union in 1865 caused the gold monometallist party to call the conference of 1867 and to recommend to different nations the establishment

of an international gold standard.

Short-sighted politicians and economists attributed the wealth and commercial superiority of England to her having adopted the gold standard in 1816; although England's own greatest statesman has said that the gold standard in England was not the cause, but the result of her

commercial superiority and wealth.

In 1871 the unfortunate war between France and Germany broke out. Germany wrested one thousand millions of war tribute from France and consolidated the German Empire. She thought she was then in a condition to assume the same position of commercial superiority, and to follow the example of England by establishing a gold standard herein shown the sad results of her experiment. She is to-day commercially and industrially a prostrate victim before the shrine of silver demonetization.

Mr. Speaker, like all misfortunes Germany's experience has produced at least one good result. It has effectually cured the disease of demonetization among the people and nations of Europe. I say to those who claim to be himetallists and who oppose the free coinage of silver, between the company of the contraction of cause, as they say, they are afraid that some nations of Europe will melt down their silver coin into bullion and export it to this country, that they have no intelligent conception of the feeling throughout the commercial world to-day upon this question.

Even the gold monometallists of England, the gold monometallists

of the Latin Union and France who urged demonetization a few years ago, and many of the Germans who favored the imperial policy, now with one accord admit that it has been a great mistake; and the only question now discussed among them is how shall we remonetize instead of demonetize silver.

A few years after the great production of gold in California and Australia, Michel Chevalier and a number of economists of his school in Europe urged the demonetization of gold on the ground that money was becoming so cheap, and property appreciating so much in value, the creditor classes would specially suffer and the inflation of the cur-

rency would produce confusion and result in panics.

The fact that Professor Jevon and others had shown that between 1809 and the discovery of gold in California and Australia there had been a great appreciation in the value of money and a great deprecia tion in the value of all productive property, and that the prices of all commodities had fallen from 25 to 50 per cent., was ignored by this school of economists. Although it was pointed out that fixed incomes had more than doubled in value between 1810 and 1840 on account of the great falling off in the product of the mines and the decrease in imports of silver from South America and Mexico, and although the yield of gold for some time could only supply a pre-existing want instead of inflating the currency, still they insisted on its demonetiza-

The same school of economists, after the increase in the production of the silver mines in the United States, commencing about 1870, began to agitate the demonetization of silver. Although there were panies and trade depressions in 1873, and the yield of gold in this country had fallen from fifty-three million in 1866 to thirty-six million in 1873, and the silver product was only thirty-five million in that year; although the increase in the product of silver did not equal the falling off in the product of gold; and although it had been indisputably shown that gold had risen in value from 20 to 25 per cent., that prices had fallen in the same ratio, that silver had not depreciated in value even when considered with reference to its bullion value in its relation to all other commodities except gold, nevertheless this same school of economists insisted upon the demonetization of silver and advanced the same dogmatic theories and assertions which they had before repeated, from 1850 to 1860, in favor of the demonetization of gold.

Suppose the different nations had listened to this school of economists thirty years ago, and by demonetization sent the gold of California and Australia into banishment, it would not have rendered to the commercial world the great service which it is admitted to have actually performed; we should have had only silver money, now admitted to have been very scarce at that time, and insufficient to meet the de-

mands of industry, trade, and commerce.

As shown by a learned European economist, no more imprudent measure could be conceived of, at a time when many circumstances were conspiring to increase the use of metallic money, than the general demonetization of silver. The commerce of civilized nations is increasing in an unexampled measure. During about the last twenty-five years since accurate statistics of foreign commerce can be obtained it has increased in England over 100 per cent.; in France over 150 per cent.; in Belgium over 250 per cent.; in Russia over 250 per cent.; in Austria over 200 per cent.; and in Italy, as some attempt to show, over 500 per cent. The commerce of Europe has more than trebled; it has more than doubled upon the entire globe and there is nothing to show that it will not continue to increase.

These enormous commercial transactions are no doubt largely carried on by bills of exchange; but there must be a certain amount of coined money which forms the reserve and foundation of all well regulated and stable business and credit. International trade will therefore con-

tinue to demand more money.

In the United States the increase of trade and commerce has been marvelous. I said in my former speech:

marvelous. I said in my former speech:

The increase in the accumulation and value of property has been, and is, immense, and the continued increase in population and in the volume of exchange, trade, and commerce is almost beyond computation. During the twenty years from 1860 to 1880 the value of property in the United States increased 214 per cent. at the rate of 10.7 per cent. per annum. The foreign commerce of this country from 1860 to 1880 amounted to 40 per cent. more than all the commerce of this country from 1860 to 1880 amounted to 40 per cent. more than all the commerce of the United States from the Revolution to 1860.

The internal commerce of this country has passed all precedent, and almost conjecture. It is estimated to be twenty times greater in amount than our foreign commerce. When we contemplate that this commerce is aided by the operation of over 100,000 miles of railroad, more than exist in all other parts of the world, and nearly all constructed during the last forty years; that it is aided by internal navigation upon thousands of miles of the greatest lakes and rivers in the world; that it is enlarged by the production of the greatest crops of cereals in the Western and Southern States the world ever saw, to be exchanged for the immense quantities of manufactured articles produced in the Middle and Eastern States, figures and statistics are set at naught and the mind staggered in its efforts to comprehend its immensity.

To carry on this great commerce and trade we imperatively need, as one of the mediums of exchange and measures of value, the coinage of all the silver dollars our mines can produce. The amount of silver coined into money from 1875 to 1883 ranged from one hundred to one hundred and sixty-one millions per annum. This coinage among the larger states was as follows: The United States, twenty-seven millions; Mexico, twenty-five millions; The United States, twenty-seven millions; the total during the past ten years a great deal more silver has been coined in the word than all th

Mr. Speaker, I have tried to discuss this subject according to the his-

toric and inductive method. I have endeavored to throw aside the old deductive method of treating the subject by assuming dogmatic principles and theories and then proceeding to argue that certain things are so because they must be so or they would not be in harmony with the assumptions and dogmas laid down.

There are now two distinct schools of political economy. One may be called the old orthodox school. Those who differ with the dogmas and vagaries of this school are regarded as heretics. The late school has been called the historical and inductive, or the realistic. It seeks by inquiry and investigation to find out the true facts and results of the workings of economic policies among communities and nations, and to draw lessons of wisdom from their experience. The paramount object of this school has been well stated by De Laveleye as follows:

The object to be attained, as I think all the world will now admit, is to ameliorate the condition of the laboring classes in such manner that each person may enjoy a measure of well-being proportioned to the part which he has taken in production; or to sum the matter up in a single word, to realize in the economic world that formula of justice to each according to his works."

This is the language of an economist now recognized as one of the foremost advocates of the free coinage of silver throughout Europe. He made this grand statement in an address delivered before the Economy Club of London. I have read and heard of nothing that I would so earnestly commend to the serious consideration of that class of capitalists and gold-bugs now designated as the plutocracy of America

The prominent members of the historic school of economists in both Europe and America are true bimetallists and demand the free and unlimited coinage of silver on an equality with gold. They demand this because the economic history of the world shows by undisputed facts that during the periods when there was an increase of the product of the mines, and a consequent increase of the circulating medium, the people advanced in material prosperity and social well-being; and that whenever the yield of the mines has fallen off, or other cause, resulted in the contraction of the currency depression and stagnation in all productive industries has been the result. During such periods money has accumulated in the hands of the few and at the money centers. It has advanced in value without being invested or loaned for interest and the people generally, particularly the laboring classes, have suffered.

The old orthodox school are always ready to explain that it is not the

contraction of the currency that brings about depression of trade. They always say at such times that money is not scarce but is plenty and cheap because it can be borrowed at a low rate of interest. This false cheap because it can be borrowed at a low rate of interest. This false deduction regarding low interest has always been made and repeated to show that money was not scarce. One of the very characteristics of depressed or "hard times" is that money can always be borrowed at a very low rate of interest. At such times prices are always falling; money is rising in value and everything else depreciating. Every person is afraid to invest money in any productive enterprise, or even in real estate. A small amount of property changes hands at such times, except at forced mortgage sales and upon the auction block. Few manufactories are operated few religeads are heilt the laboring means and the second contents of the second contents. factories are operated, few railroads are built, the laboring men are thrown out of employment and asking the privilege of working for bread, and yet the orthodox economists say that money is cheap and plenty because you can go to the money centers and obtain it at a low rate of interest, and that you are mistaken when you say "times are hard" and you can not obtain work to earn a living for your families.

Mr. Speaker, I have heard since the opening of Congress railroad

millionaires, the gold-bugs, and their advocates in speeches on this floor eloquently describe how the poor laboring man was suffering and would suffer from being paid in cheap silver dollars; and stating how they sympathized with the laboring man when he was compelled to take a silver dollar worth 20 cents less than the gold dollar. How gratifying it must be to the thousands of laboring men who are out of employment, awaiting the result of strikes and hoping for the privilege of earning food and clothing for their families, to be told that they will suffer from having to receive in payment for labor cheap silver dollars. The particular character of the dollar in the London market interests them but little. Their struggle is for the privilege of obtaining any kind of a dollar that will purchase the necessaries of life.

Mr. Speaker, I have heard many gentlemen upon the floor of this House contend that money was not scarce but was plenty and cheap, and to prove this assertion state that it could be borrowed in New York, Boston, or Philadelphia at less than 3 per cent. They do not seem to understand that money has two kinds of value, one for the purpose of loan and the other for the purpose of purchase and investment. They do not comprehend that low prices, hard times, and low interest go todo not comprehend that low prices, hard times, and low interest go together, and that high prices, productive prosperity, and high interest go together. A review of the history of the different periods of what are commonly called "good times" and "hard times" shows that this is the absolute truth. When prices are good and rising, money seeks investment in the productive industries and all the avenues of trade and employment are active. When prices are low and falling, as they have been for the past few years, capital becomes timid and will loan its money at a nominal rate of interest rather than invest it in any enterprise or productive industry.

It is now conceded that gold has risen in value over 25 per cent, during the past ten years. So the owner of a quantity of gold could have locked it in a vault ten years ago and refused to invest it in any

of the productive industries for the benefit of the people or community, and still his wealth would have greatly increased. No future contracts such as stimulate enterprise are entered into. Real estate can not be sold or rented because it is continually falling. The British Parliament undertook to fix the rent rate for Irish tenants a few years ago, and now they are unable to pay them on account of the great falling off in prices and the rise in money. There is actual distress throughout the agricultural regions where the laboring classes have generally been most

prosperous and happy.

The same state of things existed for a long time after the final establishment of the gold standard by England in 1820. The distress and depression that has followed demonetization of silver in Germany is almost a complete repetition of the experience of the British Empire when she established her gold standard. But the orthodox monometal-lists seem to have learned nothing from these historical facts and teachings. They absolutely ignore them. There is but one way to explain why so intelligent a class of men continually strive to ignore these facts and lessons and close their eyes to the existing condition of things arising out of the demonetization of silver. It is that the object of their school of economy is the opposite from the historic school, and always have been to promote and encourage the accountation of promotes. has been to promote and encourage the accumulation of permanent wealth in the hands of the few.

This school of money economists in Europe up to a few years ago had not denied that this was their object. The welfare of their government and the prosperity of their nation, according to their theory, depended upon this. There is consistency in the position of these European economists of the orthodox school. But the mystery remains unexplained how American statesmen can adopt the theories and dogmas of

this school and still claim they are advocates of laws and policies which have for their object "the greatest good of the greatest number."

Mr. Speaker, these are practical questions in their application to our industries and the condition of the laboring people of this country. As so well said by Leon Say, the president of the monetary conference of 1878, "monetary questions are without exception practical questions, and should in my opinion not only not be decided but not even approached and discussed except after a study of the facts and their relations." No intelligent and unprejudiced man can diligently study the history of the facts and relations that have governed the production of the precious metals in past periods, in connection with the history of the demonetization of silver in 1873 and since, and come to any other conclusion than that the full rehabilitation of silver by free coinage will carry out the policy of "the greatest good to the greatest number

in this country.

Mr. Speaker, I can congratulate the people of this country upon the fact that very great progress has been made in the direction of the free coinage of silver during the past few months. A large number of the coinage of silver during the past lew months. A large number of the people of this country supposed, and the balance were afraid, that the influence of the administration and the money power of the East would be sufficient to bring about the suspension of silver coinage shortly after the meeting of the Forty-ninth Congress. Now, sir, I venture the assertion that the proposition to suspend silver coinage will be voted down in this House by more than two-thirds majority; and if the free-coinage will be sufficiently as the present session it will not be age bill does not pass this House at the present session, it will not be long before the people of this country will elect a majority of repre-

sentatives who will pass a free-coinage bill.

A very encouraging feature of the money question in this country is that the people everywhere are beginning to discuss it. school and the gold-bugs have heretofore contended it was a question the people knew nothing about and had no right even to discuss or agitate. But, sir, the people are discussing it all over this country and even in Europe. There is no doubt the laboring men begin to see that this money question is one which greatly affects their wages. The mo-nometallists of England have lately frankly admitted that if gold continues so scarce and prices continue to fall wages must fall also

The agitation throughout Germany in favor of the free coinage of silver is such that Bismarck, with all his power, can not much longer resist it. This great man said not long ago "gold is becoming like too scanty a blanket which everybody struggles for, and which makes people squabble."

Mr. Speaker, there will be a great squabble on the part of the politicians who represent the monometallists and oppose the free coinage of silver when they hereafter desire to become representatives of the people.

FREE COINAGE WILL RAISE THE PRICE OF SILVER.

Mr. Speaker, it is even contended that free coinage will not advance the price of silver. Here again all the facts of history have to be ignored to support such a statement. The free coinage of silver in France from 1806 to the time of suspension of coinage by the Latin Union controlled the price of silver in London and kept it at about 60 pence per ounce, or at the ratio of $15\frac{1}{2}$ to 1 of gold. Mr. Ernest Seyd has proved by indisputable figures that the variations in the value of silver quoted at London during this period were governed by the monetary value of it in Paris and elsewhere in Europe.

It is said that money is nothing but a commodity, or merchandise, and law can not change the value of it. But money or money metal must not be confounded in value with other merchandise; it essentially differs from them; it has a peculiar nature and character arising out of free coinage; it is endowed with a certain fixed debt-paying power and a market value at the national banks and mints throughout the commercial world where free coinage exists. The price of gold bullion is practically invariable because there is free coinage of that metal. gold dollar can be obtained for every 25.8 grains of standard gold, and hence the bullion price of gold is at that rate. When the free coinage of silver is established every 412½ grains of standard silver will be worth a dollar, because the holder of it can take it to a mint and obtain When free coinage of the money metals exists their quantity is limited not by law but by nature, as it should be.

We have herein shown, by the history of the production of the precious metals, that the whole product of all the mines in the world at the present time, of both silver and gold, is not sufficient to keep the circulating medium, per capita, what it has been during the past quarter of a century; and that instead of the free coinage of silver causing an imaginary dump in this country, there is no probability that all the silver that can be obtained for coinage will increase the circulating medium in proportion to the increase of population and trade. The history of the output of the precious metals and their effect upon the material prosperity and well-being of society shows that such an increase would be a blessing indeed, but there is no reasonable hope of it.

Sir Roderick Murchison, of whom it has been said that he was the

greatest geologist that ever lived, after he had examined the gold mines in the Ural Mountains and Australia and inquired into the probable output of gold in the future, said:

The quantities of gold and silver procurable will prove no more than sufficient to meet the exchanges of an enormously increased population and an augmenting commerce and industry. Providence seems to have originally adjusted the relative values of the precious metals, and the fact that their relations have remained the same for ages, will survive all theories.

As was well stated by the German economist, Ottomar Haupt, regarding the effect of free coinage upon the price of silver:

Why the effect would be precisely the same as with gold; that is to say, the mint pars and bullion points would work out exactly—let it be well understood, exactly—at the same figures as those before us. * * * The term gold point would, in fact, henceforth cease; at least that of silver point would just as much be employed for specie movements, and in any case be fully at par with it.

I do not claim to be able to state just how soon this entire parity of value between gold and silver will be brought about by free coinage. It may bring about a few jostles that can not be foretold correctly at The great curse of demonetization has brought radical changes into the money markets, and if it takes a few slight jostles and reactions to bring about the readjustment they are necessary to cure a great evil and cause a return to sound principles.

Silver Coinage.

SPEECH

HON. JOHN B. STORM,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 20, 1886,

On the bill (H. R. 5690) for the free coinage of silver, and for other purposes, Mr. STORM said:

Mr. SPEAKER: The currency of a nation is a matter of supreme importance. A sound currency is essential to national well-being. Commerce and trade can not prosper under an unsound, false, or vicious system of finance. It is now generally admitted that gold or silver or both, must be the foundation of a sound currency. While paper money may be preferred as an actual circulating medium, yet that currency must have a metallic basis of either coin or bullion. The attempt to maintain an irredeemable paper currency has so often and uniformly failed that no modern economic writer of good standing defends it.

The Greenback party, which favored an unlimited issue of paper promises, has had its day. Of the three hundred and twenty-five members composing this body my colleague from the Schuylkill district [Mr. BRUMM] is the only one, so far as I know, who is willing to write himself down as a Greenbacker. The contest is no longer between a paper currency and a metallic one. The issue as now made up is one between

gold and silver, or monometallism against bimetallism.

But what do these terms mean when applied to the question now being discussed? The primary and etymological meaning of monometallism is a belief in one metal, as bimetallism is a belief in the use of two metals. But the discussions of the last twenty years have evolved another meaning of these terms, whereby monometallism is made to mean a preference for gold as the sole unit of value with an unlimited legal-tender capacity, together with silver as a subsidiary coin with a limited legal-tender capacity; and bimetallism is a preference for gold and silver, each being a standard of value, and each possessing a full legal-tender capacity.

In this latter sense I am a monometallist. I believe that gold alone

should be the unit of value, and endowed with a full debt-paying quality, with silver for smaller change, with a limited debt-paying capa-

Mr. Speaker, if mankind were limited in its choice as to which of the metals, gold and silver, it would prefer for its currency, it would always select gold. This preference seems almost instinctive. It is true that in the early stages of society, when exchanges were few and commerce very limited, silver and even copper answered very well. But in our day when exchanges are many and great, and the affairs of life require agreatly increased use of a circulating medium as the measure of values, copper and silver are found to be too clumsy and burdensome for use as an instrument of exchange, and gold is naturally and universally preferred to them.

The events which have taken place in the world during the last quarter of a century, resulting in the demonetization of silver and the adoption of a single gold standard by nearly all the commercial states of Europe, bring us face to face with this question: which of the two precious metals will we adopt for our standard of value? If we can not keep both in circulation, which will we give up, and which will we keep? As our gold circulation is over \$625,000,000 against about \$262,000,000 of silver the matter of chairs in matter of the circulation.

silver the matter of choice is not difficult.

It is denied I know that we are reduced to such a necessity of choice. I shall endeavor to show that we are. I shall try to prove that, if we wish to maintain our gold circulation, we must cease the coinage of standard silver dollars as provided in the act of February 28, 1878. It is admitted that there is no absolute, unvarying standard of value. Gold and silver fluctuate in value, but not to the same extent. Like all commodities which are bought and sold in the market, the law of supply and demand influences to a certain extent the market value of

silver and gold bullion.

The great increase in silver between 1780 and 1820 depressed the market value of that metal. Again, the great increase in the production of gold in Australia and California in 1850 had a like effect on the value of gold. Again, in 1876, a remarkable fall in the value of silver took place, caused by the great yield of our mines and the vast quantity of it thrown upon the markets of the world by the demonetization of silver in Europe. Yet these metals do not vary like the common commodities of life. They are not dependent on climate, soil, and seasons. By an arrangement of an all-wise Providence they are so widely spread through the earth, mixed with baser materials, and the amount of labor required to mine and purify them is so constant, that the annual pro-

duction is generally even and uniform.

While it is true that there is no absolute standard of value in the sense that we have an absolute standard of length, it is also true that the difficulty is greatly increased by attempting to maintain two standards of value. The skill of the mechanic has enabled him to produce a compensating pendulum which will maintain the same length through all the days of the year. But human ingenuity has not been able to produce two clocks which will keep company in their beats during the whole year. It is essential to the welfare of the people that the least changeable unit of value shall be adopted. When A loans to B \$100 to be paid back at some future period, the former has a moral right to have returned to him not only the same number of dollars, but also of the same value they possessed when he parted with them. And B has a moral right to insist that in the payment of his debt he shall not be called on to pay more dollars, or dollars of a greater value, than those he received. But with two fluctuating standards of value, A may be compelled to receive less than he loaned, and B may be compelled to pay back more than he received.

The advocates of the continued coinage of standard silver dollars have indulged in a great deal of talk about the debtor and creditor classes in this country, and represent that this is a fight of the creditor class against the debtor class. It is evident that such is not the case. From the illustration I have just given it is manifest that the debtor class is just as likely to suffer from a fluctuating standard of value as the creditor class. In fact it is well known that they suffer more.

Mr. Speaker, I regret very much to believe that some motive of this kind underlies much of the opposition to the stoppage of the coinage of standard silver dollars. It has cropped out in this debate, and can easily be read between the lines of many of the silver speeches on this floor. It has been argued here that the eastern part of our country is the creditor portion; that they are the bloated "bondholders;" that a gold standard is only intended to benefit Wall street, stock-gamblers, and so on. To speak more plainly, they believe by the continued coinage of silver dollars, under the act of 1878, with 412½ grains of standard silver, they can scale down that debt 20 cents on the dollar, or, in other words, repudiate 20 per-cent. of an honest debt. I have no doubt that this accounts for the strong support unlimited silver coinage receives from that section of the country which now prefers to style itself the debtor part of the United States.

Suppose such a division of the country into a debtor and a creditor class be correct, is this principle of indirect repudiation an honest one? I deny, however, such a classification by territory. The debtor and the creditor are to be found in all sections of the land, and in every State and Territory of the Union. The principle of repudiation implied in these silver speeches is a two-edged sword, and cuts both ways.

It is a poisoned chalice which may be commended to the debtor's lips

at no very distant day.

When the Government placed its bonds on the market for sale every citizen had a right to buy if he felt inclined. If some had more faith in the Government's inclination or ability to pay than others, and thereby secured a desirable investment, are they to be denounced as robbers and thieves and "bloated bondholders?" In point of fact, these bonds are held for a large class of deserving people. They are owned by savings-banks and trust companies for the benefit of widows, minor children, and orphans, and for depositors of wages and small earnings

But the most absurd of all statements is the one that Wall street stockgamblers and the Jay Goulds are benefited by and interested in a sole gold standard. The gentleman who can make such a statement on this floor is entirely too innocent even to be a "lamb." Wall street stockgamblers and the Jay Goulds interested in maintaining a steady standard of value! Why, this is the very class of people who live and thrive by fluctuations in value. They deal entirely in margins. What they make or lose is done in the rise or fall of value. Look over the list of stocks which are daily kicked about in the markets like a football; you will find they are the watered stocks of some railroad or telegraph company, of some mismanaged corporation of doubtful solvency. stocks of well-managed and honest corporations are never speculative. Stock speculators never deal with them. If they are bought and sold in the markets it is for the purpose of bona fide investment.

Mr. Speaker, I repeat we must make our choice between gold and

air. Speaker, I repeat we must make our choice between got and silver. Both can not circulate part passu when both are invested with a universal debt-paying capacity. There is no economic truth better established than the so-called Gresham law. That law briefly stated is, that an inferior coin will drive from circulation a superior one. It is based upon a universal principle of human nature, which is that the owner of any product, whether grain or bullion, will sell it to the person who will give him the largest sum of money. If gold is worth more in its bullion state than when coined the owner will not carry it to the mint to be coined. If the owner of silver bullion finds that he can get more for it at the mint he will take it there and get it back coined into dollars. This law has been demonstrated over and over for more than two hundred years in the financial experience of Europe and America. And what is the answer which has been made to the operation of this law? That it has not yet produced any such result; that we have coined silver since 1878 at the rate of two millions per month and gold has increased rather than decreased.

In the language of Holy Writ, "because sentence against an evil work

is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil." Because the predictions of our President uttered over a year ago have not been fulfilled, he is denounced as a false prophet, and our silver friends want to repeal all laws limiting the prophet, and our silver friends want to repeat at laws filling the coinage of silver. The laws governing human society are more recondite and difficult to investigate and understand than those governing the material world. They are infinitely more complex than physical laws. While under certain conditions we can always predict even in social science that certain events must and will take place, yet owing to the presence of unseen influences which we can not satisfactorily determine the happening of the event may be hastened or retarded.

Several satisfactory reasons may be assigned for the fact that silver has not yet expelled gold under the operations of the Gresham law, or why it may not do so for several years to come. One reason is, that a favorable balance of trade has not made it necessary to ship coin or bullion abroad to adjust an unfavorable balance. Another is the restrictions placed in the act of 1878 limiting the coinage to not less than two millions nor more than four millions per month. And still another reason is to be found in the action of the present Secretary of the Treasury in trying to force silver into circulation. In his very able answer to the House resolution of recent date he sets forth what he has done in this respect. Among other things he says:

Meanwhile the silver-dollar circulation has been enlarged from March 4, 1885, to date, from about \$40,000,000 to about \$51,500,000. I have labored to promote the circulation of silver with unremitting energy. I have pressed its circulation at a constant expense to the Treasury when other forms of lawful money could have been circulated without such cost. I have pressed its circulation at the expense of the United States notes (ones and twos), which as fast as redeemed have been reissued only in larger denominations. I have pressed its circulation at the expense of the circulation of national-bank notes. I have upheld its value by never compelling its receipt by any creditor of the Government and never failing to provide by exchange or transfers whatever currency might be preferred.

The railing accusations brought against the Secretary of the Treasury that he is trying to prevent the silver dollar from going into circulation are fully answered in this very able document. But with all these favoring circumstances the Gresham law will sooner or later produce its legitimate results, and the inevitable day must come when gold will cease to be a part of our circulation.

The very basis of inductive science is experience. We say those effects which have uniformly followed a given combination of circum-

stances in the past will under like circumstances be repeated in the future. In every case in our own history where we have had two currencies, and one was undervalued in the ratio of equivalence, the undervalued one (which is the same as the more valuable coin) has ceased

In 1792 Congress enacted the first coinage law. Hamilton, the greatest financier of his day, was then Secretary of the Treasury. By that act the proportional value of gold to silver was fixed at the ratio of 15 to 1. In this very first coinage law gold was slightly undervalued. The market ratio was then 15.6 to 1, and was in the process of increasing. By the year 1810 the gradual decrease in the gold circulation was noticeable, and was commented on by the public men of the day. The coinage of silver in 1812 was \$814,029.50 against a gold coinage of \$290,435. By the year 1820 silver had practically driven gold out of

the country.

In 1834 Congress recognized the operation of the Gresham law, and it was not slow in applying what it then supposed was the remedy. It saw that gold was undervalued, and instead of going into the meltingpot it was sold at a profit as bullion. What was done? The ratio of equivalence was readjusted, and raised from 15 to 1 to 16 to 1, and the number of grains of pure gold in each dollar was reduced from 24.75 to 23.2. But in avoiding one extreme the statesmen of that day fell into They had now undervalued silver, and the Gresham law was another. They had now undervalued silver, and the Gresham law was reversed. Silver began to disappear and gold reappeared. So marked was the operation of the act of 1834, although not approved until the 28th day of June, 1834, that the gold coinage for the balance of that year was \$3,954,270, as against \$978,550 of the previous year. The large production of gold in California, Australia, and Russia by 1852 helped very much to aggravate the evils of the undervaluation of silver in 1834. Gold was thus reduced in value and increased in circulation, while silver Gold was thus reduced in value and increased in circulation, while silver was correspondingly increased in value, but decreased in circulation. In fact, silver practically ceased to be a part of our circulation, and we were deprived even of our small silver coin necessary for change in retail transactions; for under the acts of 1792 and 1834 the half and quarter dollars, dimes, and half-dimes had the same proportional amount of pure silver as the silver dollar. To remedy this evil Congress in 1853 practically abandoned the attempt to maintain silver dollars in circulation; but in order to keep in circulation a sufficient quantity of sublation; but in order to keep in circulation a sufficient quantity of subsidiary coins it resorted to a device which proved effectual. It debased the smaller coin in order to free it from the evil effects of fluctuations between the gold and silver standard. When the coinage act of 1853 was passed the silver half-dollar contained 2061 grains of standard fine

was passed the sheer han-donar contained 2007 grains of standard file silver, just one-half the number contained in the silver dollar.

The act of February 21, 1853, provided that after the 1st day of June, 1853, the weight of the half-dollar, or piece of 50 cents, should be 192 grains, and the quarter-dollar, dime, and half-dime respectively one-half, one-fifth, and one-tenth of the weight of the half-dollar. Another important provision of this act was that these subsidiary silver coins were made a legal tender in the payment of debts for all sums not exceeding \$5. This act showed a better knowledge on the part of Congress of the true principles which underlie a sound system of finance than any of its predecessors had. It was the first statutory recogni-tion of the fact that gold and silver could not be kept in circulation for any great length of time when both were endowed with full and un-

any great tength of time when both were endowed with fair and dillimited debt-paying power.

Whereas in 1852 only \$999,300 of subsidiary coins were struck at the mints, the next year, under the impulse of the act of 1853, \$9,077,571 were coined—a ninefold increase. This act is justly claimed by approved writers as the one that really demonetized the silver dollar, and not the act of 1873, which but formally declared what had been accomplished twenty years before; for the "dollar of our fathers," about which we have heard so much, cuts but a-sorry figure in our financial system.

From 1793 to 1853, a period of sixty years, 2,507,732 only system. From 1793 to 1853, a period of sixty years, 2,507,732 only were coined; and from 1853 to 1878, a period of twenty-five years, only 5,539,948 were coined; making in all a little over eight millions in eightyfive years. How many remained in circulation in this country in 1873 no one can tell. But surely the act of 1873, formally demonetizing the silver dollar, was not such a serious crime as the gentleman from Iowa [Mr. WEAVER] would have us believe.

But why multiply instances to prove the correctness of the Gresham law? We had abundant corroborative evidence in the Revolutionary war and in the recent war, and the experience of the continental nations of Europe is to the same effect. From my study of the question, bi-metallism in the sense it is used by the advocates of the unlimited coinage of silver dollars is as impossible as perpetual motion. Under the existing state of affairs here and in Europe it is as wild and chimerical as the search for the philosopher's stone or the fountain of perpetual as the search for the philosopher's stone of the foundain of perpetual youth. It is an *ignis fatuus*—a dream impossible of realization. To complete the proof of my proposition, that we must select which of the two precious metals we will retain for our standard of value and which we will use for subsidiary coinage, I will present the following tables to show, first, the fluctuations of the market value of silver itself; then the fluctuations in the value of the standard silver dollar of 412½ grains; and lastly the fluctuations in the relative value of gold to silver from 1834. lastly, the fluctuations in the relative value of gold to silver from 1834 to 1885; these were prepared at the Mint of the United States, and are official.

The tables read like the annual register of the thermometer in the Signal Service Bureau. They show that silver is entirely too changeable to form a standard of value. A yard-stick, 36 inches long to-day *Estimated by Dr. A. Soetbeers, in his Edelmetall-Produktur, Gotha, 1879.

and 29 inches long to-morrow, would be a fair illustration of the movement of silver and the silver dollar for the last half century.

Table showing fifty years' prices of silver, measured by gold. [From tables prepared at the Mint of the United States.]

	Price of pure sil- ver per ounce in London.*		Price of pure sil- ver per ounce in London.*		andard lar, 412 gold.	value of silver.
	Lowest.	Highest.	Average.	Average pric pure silver, ounce, in go	Value of standard silver dollar, 412 grains, in gold.	Relative value of gold to silver.
1834	59	60¥	5918	131.3	101, 62	1:15.73
1835	591	60	5911	130.8	101.20	1:15.80
1836	59	60%	60	131.5	101.72	1:15.72
1837	59	60}	59.2	130.5	100.98	1:15.83
1638 1839	59½ 60	60±	59½ 60¾	130. 4 132. 3	100, 88 102, 36	1:15.85
1840	601	603	601	132.3	102, 36	1:15.62
1841	591	60	601	131.6	101, 83	1:15.70
842	59	60	59.7	130.3	100.77	1:15.87
813	59	591	5918 5918	129.7	100, 34	1:15.98
1844	591	594 .	59	130.4	100, 88	1:15.85
1845	587	597	591	129.8	.100.46	1:15.92
1846	59	60	5918 5918	130.0	100.56	1:15.90
1847	587	601	5915	130.8	101.20	1:15.80
1848	581	60	591	130.4	100,88	1:15.85
849	59 591	614	59‡ 60¼	130.9 131.6	101,30 101,83	1:15.78
1851	60	614	61	133, 1	103, 42	1:15.46
1852	597	607	604 -	132, 6	102.57	1:15.59
1853	601	62	614	134.1	104, 26	1:15.38
1854	611	617	614	134.8	104, 26	1:15.33
1855	61	614	61 5	134.4	103, 95	1:15.38
1856	601	624	61 6	131.4	103, 95	1:15.38
1857	61	62%	61#	135.3	104.69	1:15.27
1858	601	61#	61 16	134.4	103.95	1:15.38
1859	613	623	6216 6116 6018	136.0	105.22	1:15,19
860	611	622	6111	135.2	104.58	1:15.29
1861	601	614	6013	133.3	103.10	1:15.20
1862	61	621	61 13	134.6	104.16	1:15.3
1863 1864	604	624	612	134.5 134.5	104.06 104.06	1:15.37
1865	601	613	6118	133.8	103.52	1:15.4
1866.	601	621	611	133, 9	103.63	1:15.48
1867	601	611	60,2	132.8	102, 67	1:15.57
868	601	611	60	132.6	102.57	1:15.59
1869	60	61	60 7g	132.5	102.47	1:15.60
870	601	611	6016	132.8	102, 67	1:15.57
1871	60,3	61	604	132.6	102.57	1:15.57
1872	591	611	60 A	132.2	102.25	1: 15.65
1873	577	5918	594	129.8	100.46	1:15.92
1874	57‡	59	58 fe 56	127.8	98.86	1:16.17
1875	551	55%		124.6	96.43	1:16.62
1876	461 531	581	522	115.6	89, 22	1:17.77
1877 1878	491	551	5413	120.1 115.2	92.88 89.10	1:17.22
1879	487	531	5216	112.3	86, 85	1:17.92
1880	514	521	521	114.5	88,55	1:18.06
1881	501	521	5111	113.8	88.01	1:18.24
1882	50	524	511	113.6	87.86	1:18,27
1883	50	5178	50%	111.8	86, 47	1:18.64
1884 ,	491	51	50%	111.3	86.08	1:18.58
1885	46%	50	484	108.0	83,53	1:18.91

*In pence.

The following tables, taken from the famous work on Edelmetall-Produktion, by Dr. Sötbeer, cover a larger period of time and show a still greater fluctuation in the relative value of silver to gold:

Relative value of silver to gold, by periods, 1493-1885.*

Period.	Years.	No. of years.	Ratio.	
	[1493-1520	28 24	11.3:1	
108 years (1:11.5)	1521-1544	24	11.2:1	
106 years (1:11.5)	1561-1580	16 20	11.3:1	
	1581-1600	20	11.9:1	
	1601-1620	20	13.0:1	
	1621-1640	20	13.4:1	
100 years (1: 14.0)		20	13.8:1	
	1661-1680	20	14.7:1	
	1681-1700	20	15.0:1	
	[1701-1720	20	15.2:1	
	1721-1740	20	15.1:1	
100 years (1:15.0)	1741-1760	20	14.8:1	
	1701-1780	20	14.8:1	
	1781-1800	20	15,1:1	
	1801-1810	10	15.6:1	
50 years (1:15.7)	1811-1820	10	15.5:1	
00 years (1: 10.7)		10	15.8:1	
	1831-1840	10	15.7:1	
	1841-1850	10 5	15.8:1 15.4:1	
	1856-1860	5	15.3:1	
29 years (1:15.85)	1861-1865	5	15.4:1	
25 y cars (1 : 10:00/	1866-1870	5	15.6:1	
	1871-1875	5	16.0:1	
A CANADA SAN PARA PARA PARA PARA PARA PARA PARA PA	1876-1880	5	17.9:1	
10 years (1:18.2)	1881-1885	5	18.5:1	

Mr. Speaker, about the year 1876 a most remarkable revolution took place in the financial world; it was the sudden fall in the market value of silver. Many reasons have been assigned for it. Some attribute it to a world-wide desire for a gold standard of value; that prior to 1876 that desire could not be gratified because of the world's limited supply of gold. But that between the years 1850 and 1875 there was added to the supply of gold about \$3,000,000,000. Silver was crowded out in Europe.

The vast supply of silver from the rich mines of Nevada, the demonetization of silver in Germany and the Scandinavian states, the suspension of its coinage by the Latin Union, comprising France, Belgium, Switzerland, Italy, and Greece, and the greatly diminished demand for silver in the East, especially in India, all aided in the movement against silver and made its dethronement complete. A vast quantity of silver was by this movement thrown upon the market when it was no longer desired for coinage. All the great commercial states of Europe had it for sale, and none wanted to buy.

From these potent influences at work all over the civilized world it will be manifest that the demonetization of \$8,000,000 in 1873 was a very insignificant factor in the problem. It is not to the purpose to say these nations entered into a conspiracy to commit a great crime against silver; that most of these are despotic in their forms of government, and that we ought not to go to Germany or Bismarck for lessons This is all nice talk, but we can not help ourselves. are one of the members in the great family of commercial nations. can not isolate ourselves from the other nations; we can not ignore our national environments; and true statesmanship is the effort to bring a nation into harmony with its environments. We must have trade, commerce, and intercourse with other states. We must, to some extent, conform our financial laws to meet the changes which events have so re-cently cast upon us. When they with almost one voice decide against a double standard of value we will find it hardto maintain such a double standard single-handed and alone. They have decided to have no silver in their standard of value; we can not afford to say we will have it in ours. Such an attempt must result in our gold going to them and their silver coming to us.

In my judgment there is but one way to keep the two metals afloat on the same footing of debt-paying qualities; and that is by an agree-ment with the leading commercial nations of the world upon a given ratio at which the two metals shall be coined. But our coinage of standard silver dollars will not aid in bringing to pass such a desirable consummation. Shall we go on in our folly or madness till disaster overtakes us? Shall the Government go on purchasing silver bullion at the rate of \$24,000,000 a year for the purpose of coining it into dollars which can not be coaxed into circulation, and which no one wants except for small change? Why are our overburdened taxpayers, for whom the gentleman from Texas [Mr. REAGAN] is so solicitous, compelled to pay \$24,000,000 annually into the Treasury, to be coined into dollars worth only 79 cents? Simply to supply the silver bullion producer with a market for his production. It is said the Treasury has the silver in its vaults. Silver in the Government vaults is not silver in circulation. It might as well be hid in the earth or hoarded by the miser. But it is said its representative, the silver certificate, is in circulation. Why coin it into dollars? Why not deposit the bullion in the Treasury and issue a bullion certificate, based upon the market value of that metal? Why go to the expense of coining it? While I do not indorse to its full extent this latter plan, it is much better than the present system.

There is another feature of this question which I shall briefly allude to; that is the labor question. It has been said in this debate that the laboring man is benefited by the coinage of a short-weight dollar. Against this I place the statement of every writer on finance or political economy in this country of any note. Sumner, Walker, Perry, Wayland, and Laughlin all concur in the statement that the laboring man suffers more than any other class in the community from the fluctuations of value, or from an unsound currency. He lives, so to speak, from "hand to mouth;" he needs his wages daily or weekly for his support. He can not speculate on the rise and fall of gold or silver, for he has nothing to speculate with. He is always the first to suffer by a fall and the last to be benefited by a rise.

Webster fifty years ago declared that of all the devices the ingenuity of man had invented to cheat the laboring man an irredeemable paper currency had been most successful. Had he lived to see this day when we are forcing into circulation two standards of value, one of which is

worth a dollar and the other 79 cents, he would repeat that denuncia-

It seems to me that our silver friends have gone mad. They pursue their suicidal course against the experience of the past and the teaching of the present. The sound policy of a wise and patriotic President is ignored. The recommendations of a most efficient and able Secretary of the Treasury, who has sacrificed his health to his sense of duty, are scorned and treated with contempt.

Had I not, sir, the welfare of my country at heart; had I no concern in the success of my party, I should be pleased to see the gentleman from Missouri [Mr. BLAND] have his way in this contention. For with the unlimited coinage of silver with a full legal-tender capacity the wide breach now existing between these two metals would increase;

gold would disappear, silver would become the sole standard of value, inflation of prices would follow, and then a collapse which will cast nto the shade every preceding crisis which has cursed our land



Rivers and Harbors.

SPEECH

HON. NEWTON C. BLANCHARD,

OF LOUISIANA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, April 15, 1886,

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BLANCHARD said:

Mr. CHAIRMAN: The gentleman from Iowa [Mr. Hefburn] and the gentleman from Maine [Mr. Reed] in their speeches on this bill have indulged in the usual assertions, periodically heard on this floor, of the failure of the work of improvement on the Mississippi River as inaugu-

rated and prosecuted by the river commission.

Great bodies of representative men of the Valley of the Mississippi in convention assembled last year at the cities of New Orleans, Saint Paul, and Kansas City, known as the western water ways conven-tions, expressed no doubts of the system of improvement adopted by the convention. On the contrary, they demanded the carrying forward of these works rapidly and vigorously, and called upon Congress to meet the expectations of the country by making large appropriations for the Mississippi and the Missouri.

The river convention, which met at New Orleans on April 7, 1885, composed of delegates from Arkansas, Dakota, Iowa, Indiana, Kentucky, Kansas, Illinois, Louisiana, Mississippi, Minnesota, Pennsylvania, Tennessee, and West Virginia, adopted among its series of reso-

lutions the following:

That this convention reaffirms its confidence in the general plan of the river improvement adopted by Congress in the act of June 8, 1879, and points with satisfaction and approval to the results obtained.

This resolution voices the sentiment generally of the people in the valley—eye-witnesses of the work of improvement and participants in its benefits.

But, as giving a comprehensive idea of the work of the commission, what it has accomplished and what may be looked for, I will cause to be read the very admirable speech delivered by Hon. Robert S. Taylor, of Indiana, a member of the Mississippi River Commission, before the water ways convention held in New Orleans in April of last year.

ADDRESS OF JUDGE TAYLOR.

water ways convention held in New Orleans in April of last year.

ADDRESS OF JUDGE TAYLOR.

MR. CHAIRMAN AND GENTLEMEN OF THE CONVENTION: Four years ago I stood before a convention like this, assembled at the heart, as we are at the foot, of the Mississippi Valley, to consider the great subject of the improvement of the Western water ways. Our work then lay all before us; we meet to-day with four years of it behind us. It is the misfortune of a body like the Mississippi River Commission that while its plans and proceedings are freely discussed, as they should be, in the public press and elsewhere, it has itself no means of communication with the people except through its official reports to Congress. And all means of keeping information from the public I know of none more effective than that. Gentlemen, there is one of our reports, clothed in the regulation black of a Government document. I have no doubt it looks dry at hundred feet range, and, in fact, it is not a book which you could not lay down without finishing. Four years ago I thought I would contribute to the spread of intelligence by a generous distribution of these documents, and I sent a number around to my friends. Several of those people died within a year.

There is a part of the work which was by law intrusted to the commission, of which little public notice is taken, but of which I wish to speak a moment. It comprises the surveys, observations, and examinations necessary to the complete study of the physical facts pertaining to the life and flow of the river. For live years that work has been in progress, and as part of the results of it I am gratified to exhibit to you the first complete map of the Lower Mississippi, made from actual surveys, which you ever saw. Upon this map, Il feet long as you see it, is presented, upon a scale of 5 miles to the inch, the entire river from Cairo to the Gulf, with the lands adjacent, and subject to overflow.

The surveys from which this map has been made have been most painstaking and thorough. And in these r

of all subsequent work may depend. The next step is to induce the river to flow in the path thus prepared for it, which is accomplished by the closure of all expenditures of the path thus prepared for it, which is accomplished by the closure of all expenditures of the path thus prepared for it, which is accomplished by the closure of all expenditures of the path thus prepared for it, which is accomplished by the closure of the closure of

it will sweep out of its path at such a place depends entirely on what is put in. It is a mere question of supply.

It is impossible to say how much sediment the Mississippi River can carry. Actual measurements have shown as little as 1 part to 3,452 parts of water, and as much as 1 part to 610, at the same point in the river at different times. And the heavier of these is nothing to some mixtures that I have noticed, and which you may have noticed if you have seen a hydraulic grader at work. This machine is a luge force-pump mounted on a boat, and is used to grade caving banks to a flat slope before putting on the upper revetment. As the foreman of the hose gang turns the nozzle on a mass of earth before him and cuts it through and through with the piercing stream, it yields, crumbles, dissolves, and at last flows down the bank to the river. It is thick as mush; yet it flows. It is just such a mixture as that in the river, except that it contains more sediment and less water to the cubic inch. It wants only the further dilution which it soon receives to take its place in the grand sweep seaward of the main river, as orthodox Mississippi water—that is to say, water which is totally depraved by nature. And I give it to you as my opinion that the engineer who thinks he hears the voice of the Mississippi singing, in the words of the good old hymn—

"Feed me till I want no more,"

"Feed me till I want no more,"

receives to take its place in the grand sweep seaward of the main river, as orthook Mississippi water—that is to say, water which is totally depraved by nature. And I give it to you as my opinion that the engineer who thinks he hears the voice of the Mississippi sing; in the words of the good old hymm—vive of the Mississippi sing; in the words of the good old hymm—who was the same of the good of the grand of the good of the grand of the good of the grand o

bring the lower and uneven parts to the grade of the highest parts. To contract the channel on a bad bar to a width no less than that found on bars above and below, where the navigation is good, is no violent change. And to revet a bend, so that the river shall flow around it without eaving it away is but asking the river to do what it already does of its own volition in many bends above and below. The hope of improvement rests on the expectation that upon the modification of the conditions surrounding the river in its bad reaches, in imitation of those existing by nature in the good reaches, the river will alter its behavior accordingly, and afford as good navigation in the places where it is now obstructed as it affords now in its best reaches. In short, it is an attempt to reform the river by its own good example—an appeal from Cæsar drunk to Cæsar sober.

assage user revers on on wast is a survey. Once on the convention in many bends the modification of the conditions surrounding the river in its bad reaches, in imitation of those existing by nature in the good reaches, the river will alter its behavior ascordingly, and after a good and any station in the places where it is behavior ascordingly, and after a good and any station in the places where it is behavior ascordingly consumed your time beyond all reasonable limits, but there is to be form the river by lis own good example—an appeal from Cresar crunk to be a contract topic of such great concern to this city and the people of the lower river in particular that I must allude to it for a moment. I refer to the situation at the head of the Atchafalaya River. I may be said, in general terms, that the great of the activation of the activation of the property of the commission over since its organization. We have visited the ground in person twice a year; have had repeated surveys made; and last fail examined by duplight the whole course of the Atchafalaya, from head to foot. I would be a survey of the commission over since its organization. We have visited the ground in person twice a year; have had repeated surveys made; and last fail examined by duplight the whole course of the Atchafalaya, from head to foot. I have been apprehension the large possibility even of such changes at the head the best of the surveys of the property of

tion in the midst of which we sit, shall embrace the widest range possible of things useful to supply the wants of its citizens. And I believe it to be no less the interest than the duty of the United States to make common cause with you in the great work of reclaiming the alluvial valley.

But, gentlemen, it rests with you who live in it to inaugurate the measures that shall inaugurate the work. You must devise, propose, and justify the plan. No one else will do it for you. You must put into the hands and before the eyes of the American people the facts—of which they are, in the main, ignorant to-day—of the nature, extent, feasibility, and value of the work. You must by patient, persistent, wise, and united effort—let me emphasize that word—united effort, appeal to the intelligence, the patriotism, the justice of the whole people. Your appeal may go unheeded for a day, but I firmly believe that it wants but the time and the means to inform the public truly and fully of the necessity, the utility, the economy, and the national profit of the work to bring to its co-operative aid the strong arm of the Government of the United States. You have held the river at bay through many a hard fight, unaided and alone; re-enforced by the whole contingent of the Union, fifty million strong, your victory will be easy and complete; the Mississippi will submit to its rightful sovereign, man; and the land of the valley of waste will be transformed into the garden of the Republic.

Flint, Oconce, and Ocmulgee Rivers.

SPEECH

HON. CHARLES F. CRISP.

OF GEORGIA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 15, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. CHAIRMAN: I desire to say a few words on the amendments I have proposed to this bill. I shall ask the indulgence of the committee but a short time, and I would not say anything but that I am fully impressed with the importance, the national importance, of the enter prises that I seek to aid, and I think I can convince this committee, if it will only listen to me, of that fact. I do not wish, sir, to be understood as reflecting upon or criticising the action of the Committee on Rivers and Harbors. On the contrary, I feel indebted to them for the increase they have recommended in the appropriations for the rivers to which I specially refer, the Flint, the Ocmulgee, and the Oconee. The recommendations of the committee as to the two latter rivers are much more than double what they have been in the recent past; but still, sir, in my opinion the proposed appropriations are not large enough. Let me call attention to each of these rivers in its turn, the character of country through which they pass, and the necessity for a speedy and complete opening of all of them in order that the vast amount of supplies of all kinds that are now locked up for want of transportation may be opened to the commerce of the world. The Flint River rises in western Georgia, near the city of Atlanta. It flows past Montezuma, Drayton, Albany, Newton, and other smaller places to Chattahoochee, Fla., where it unites with the Chattahoochee to form the Apalachicola River. This portion of Georgia, Mr. Chairman, is not excelled in fertility or in the industry and intelligence of its resolution part of the treet.

in the industry and intelligence of its people in any part of that great State, and the opening of this river to commerce would not only be an inestimable blessing to the people of the counties through which it passes, but it would open to the world, at much cheaper rates, the large amount of cotton and other products which now for want of cheap transportation find no profitable market. I am specially interested in it because I immediately represent the people living upon that portion of this river between Albany and Montezuma. The present project is to give them high-water navigation. The distance between these two

points is about 100 miles.

points is about 100 miles.

Montezuma, in the county of Macon, is situated on a railroad, and is the head of navigation now. It is a thriving, prosperous little city; its inhabitants are among the most substantial, intelligent, and enterprising of our State. With river competition, with the lower rates of freight that would follow the establishment of a regular line of boats on the river, industries that now languish would flourish, and general prosperity would follow. There is now upon the river a boat built by the enterprising citizens of this little city, and the freight carried by it indicates clearly the great advantage that would result from placing the river in a condition for navigation at all seasons of the year and giving an outlet to the sea. giving an outlet to the sea.

This river flows between the counties of Dooly and Sumter, both large and fertile. The finest cotton-producing lands in the State are to be found here, and in Lee County, just below. Lee County and Sumter County are pierced by railroads, and thus have some mode of transportation to the markets of the world. The county of Dooly, containing an enterprising, industrious, and intelligent people, embracing some of the best cotton-producing lands in the State or in the South, is absolutely without transportation facilities. All the productions of this fertile county must be hauled weary miles to reach a market, and

then must pay such rates of freight as monopolies charge, thus increasing the cost to the producer to such an extent that production has ceased to be profitable. The opening of this river would afford to this people an easy and cheap mode of transportation, and thus increase not only the value of what they produce, but also the value of all property they now own. This is true of Sumter; it is true of Lee; it is true of all the counties along the line of the river.

There has been expended upon this river since 1873 \$84,373.76, and this has resulted in obtaining a completed high-water channel from its mouth up to Albany; a completed low-water channel of the projected width and depth from its mouth up to Ferguson's shoals, a distance of 88 miles, and a partially completed high-water channel over that portion of the river between Albany and Montezuma. The estimated amount required for the completion of the improvement is \$110,000, amount required for the completion of the improvement is \$110,000, and the amount asked for this year by the engineer in charge is \$20,000. The committee has recommended that sum; but, Mr. Chairman, last year the engineer estimated that \$75,000 could be profitably expended. If that was true, and no one disputes it, why is so little required this year? The unexpended balance of last year's appropriation is only \$12,626.24; added to the \$20,000 proposed to be appropriated, it makes only \$32,626.24. I ask, therefore, that the appropriation be increased from \$20,000 to \$40,000, so that we may have \$52,626.24 this year, and

thus enable us to have a more speedy opening of the river.

In November last, Mr. Chairman, I had the pleasure of attending at the city of Darien, in the State of Georgia, a convention of the counties interested in the improvement of the Oconee, the Ocmulgee, and the Altamaha Rivers in that State. That convention was largely attended and the delegrates would compare most fovorable with own hold. tended, and the delegates would compare most favorably with any body of men I ever saw assembled. They were in earnest; they felt the need of national aid in developing their great water ways, and they left their homes and went many miles, some of them, for the purpose of having united action that might aid in the accomplishment of their object. A committee appointed by that convention prepared a memorial for submission to this body. I had the honor of presenting it here some months since. I have furnished each member of the committee with a copy, and also some other members of the House. But, sir, perhaps all have not seen it, and so clearly and succinctly does it set forth the importance of and necessity for the improvement of these great rivers that I here and now present it in full. It is as follows:

The undersigned, a memorial committee appointed by a convention assembled at Darien, Ga., on November 4, 1885, for and in behalf of the citizens of twenty-one counties in the State of Georgia, bordering on the Altamaha River and its confluents and tributaries, and the port of Darien, respectfully repre-

bled at Darien, Ga., on November 4, 1885, for and in behalf of the citizens of twenty-one counties in the State of Georgia, bordering on the Altamaha River and its confluents and tributaries, and the port of Darien, respectfully represent:

That the people in the counties of Appling, Baldwin, Bibb, Coffee, Dodge, Emanuel, Glynn, Houston, Irwin, Johnson, Laurens, Liberty, McIntosh (including the city of Darien), Montgomery, Pulaski, Tattnall, Telfair, Twiggs, Wayne, Wilcox, and Wilkinson, are greatly interested in the improvement of the Altamaha and its tributaries, and anxiously look to the General Government for just and equitable appropriations for its speedy accomplishment.

The Great Altamaha, with its confluents, the Oemulgee and the Oeonee, and its tributary, the Ohoopee, is the largest and most important water highway in the State of Georgia. The Oemulgee and the Oeonee, rising at the foot of the Blue Ridge Mountains, flow for several hundred miles through the heart of the State, and by their confluence form the Altamaha, which, enforced by its tributary, the Ohoopee, continues its course for 200 miles until it debouches into the Altamatic 12 miles below the city of Darien. At a good stage of water the Oemulgee is navigable for 250 miles, from the junction to the city of Miledgeville, and the Atamaha for 200 miles, from the same point to the city of Miledgeville, and the Atamaha for 200 miles, from the junction to the ocean—making altogether 675 miles of water way through the great cotton, timber, and rice belt of the State The Altamaha, at a good stage of water, averages 500 feet in width, with a mendepth of 8 feet. This average is reduced at a low stage of water to 300 feet in width and 4 feet in depth.

Your memorialists would further state that the commerce of Darien is of such magnitude as to make it a port of national importance. The quantity of lumber shipped to various ports in Europe, South America, and the West Indies, as well as our own ports, will not fall short of 100,000,000 feet annually.

and otherwise improving this water way these great resources can not be de-

and otherwise improving a veloped.

Wherefore your memorialists pray that surveys of the Altamaha and its tributaries, the Ocmulgee, the Oconee, and the Ohoopee, and the outlet to the sea may be ordered, and such appropriations granted as will, when judiciously expended, render this great water way navigable at all seasons of the year.

Your memorialists ask this in behalf of a territory comprising 13,000 square

miles occupied by 200,000 people who are, in a great measure, dependent for transportation upon the great Altamaha.

They ask it in behalf of a great natural highway and an important scaport which have hitherto received but little aid from the General Government.

And your memorialists will ever pray, &c.

S. D. BRADWELL, And others, Of Liberty County.

This leaves very little to be said, and I shall occupy but a short time In leaves very little to be said, and I shall occupy but a short time longer. So important are these rivers to the people of Georgia that during the first half of this century the State appropriated \$60,000 for the improvement of the Oconee. The Ocmulgee and \$35,000 for the improvement of the Oconee. The Ocmulgee flows past Macon, Hawkinsville, and other smaller places, and unites with the Oconee River a few miles below Lumber City to form the Altamaha. The Oconee flows past Milledgeville, the old capital of the State, Dublin, the county seat of Laurens County, and other smaller places, and unites with the Ocmulgee as I County, and other smaller places, and unites with the Ocmulgee as I have said.

You will see in the memorial I have read the counties through which these rivers flow. With many of them I am well acquainted. Nine of them I have the honor to represent. Most of them are in the heart of the great timber region of Georgia. The finest pine in the world The lands when cleared produce abundant crops. The people are well informed, industrious, and thrifty, and need only some mode of cheap transportation to be among the most prosperous in the State. If these rivers are opened, as they should be, they will have it. The project for the improvement of the Ocmulgee contemplates the removal of obstructions from the channel and cutting through rock shoals, so as to obtain a navigable channel 60 feet wide and 4 feet deep at low water from Macon to the Oconee. Assistant Engineer Locke says:

Macon to the Oconee. Assistant Engineer Locke says:

The work done up to the present time under the adopted plan of improvement has resulted in securing navigation of the river at a stage from 2 to 3 feet lower than was practicable before the commencement of the improvement, enabling boats to run during seasons in which they were formerly tied up.

During the past fiscal year the snag-boat belonging to this improvement was thoroughly repaired, but was kept at work until the 15th of June on the Oconee River in connection with the snag-boat for that river. The appropriation for each of these rivers being so small, it was thought best to concentrate the working plant of both rivers upon each in succession in order to reduce the cost of engineering, superintendence, and contingencies. On June 15 operations were commenced at Big Eddy, near Jacksonville, securing at that point a channel 80 feet wide by 10 feet deep at low water, where formerly existed one of the most troublesome places to navigation on this portion of the river. The Cornee boat will be sent to join the Ocmulgee boat in the latter part of July, so that the two may be worked together during the low-water season on the Oculgee River, as was done last season on the Oconee.

The balance of appropriation remaining on hand, together with appropriation asked for, can be profitably expended in continuing the work of improving the river channel.

The amount required to complete the improvement is \$30,000; the amount that can be profitably expended this year is \$15,000. In the last bill the House appropriated \$3,000 only for this river; this year the committee recommend \$7,500, more than twice as much as before. I thank them for this; I am glad to have been able to induce them to give me this increase, but, Mr. Chairman, I shall ask this House to increase it still further and give this river the full amount of the estimate, \$15,000. I think it only right that this should be done. I give the commercial statistics of the river for the past fiscal year:

The following-named steamboats have been employed in the navigation of this river during the past fiscal year:

	Tons.
Ida	
Colville	83
Mary Jeter	60
Wadley	
Mary Cooper	
North State	
Cumberland	275

These boats have carried about 6,800 barrels turpentine, 28,000 barrels rosin, and about 3,200 tons of cotton, provisions, &c. In addition to this, about 30,000,000 feet of lumber (B. M.) has been rafted down the river.

The plan of improvement of the Oconee River contemplates the removal of obstructions from the channel and blasting through rock reefs where necessary in order to secure a depth of 3 feet at low water from Milledgeville to the Ocmulgee River. The work done up to this time has resulted in enabling steamboats to navigate the river at a stage of water 4 feet lower than that at which navigation was practicable before the improvement was commenced. During the past fiscal year the work done consisted in cutting a channel through the rock reefs at Cheney's Shoal, near the river's mouth, and removing obstructions between that point and a point 15 miles above Dublin. Engineer Locke

The limited appropriation available was supplemented by a donation from the Oconee River Steamboat Company of \$300, which enabled the work to be recommenced and prosecuted for a short time this summer; otherwise the cost of the very extensive repairs required by the snag-boat would have prevented any work this season. This boat is old and rapidly becoming useless, and unless liberal appropriations are made at once the working plant for this river will have been worn out without peforming adequate service, because of inadequate appropriations heretofore.

The removal of obstructions from McLeod's Cut-down, a distance of 28 miles, has given about 2 feetgreater depth of channel where these obstructions existed.

The last river bill carried an appropriation of \$3,000 for this river; the present bill appropriates \$9,000. I thank the committee for this increase, but ask the House to still further increase it to \$15,000. It

will only require \$30,000 to complete the work; and if you give us \$15,000 now, in two years it can be finished.

I give the commercial statistics of this river for the past fiscal year:

The following steamboats are employed on the river:

	Tons.
Laurens	180
Wadley	190
AGB	250
Mary Cooper North State.	150
North State	180

These boats have carried during the past year about 4,400 barrels turpentine, 17,000 barrels resin, and about 6,000 tons cotton, merchandise, provisions, &c., besides which about 20,000,000 feet of lumber have been rafted down the river.

Now, Mr. Chairman, I think I have said enough to show the importance of these river improvements; enough to show that the general com-merce of the country will be largely benefited by their being opened. The large quantities of turpentine and rosin and cotton and lumber that now use them for an outlet to the sea are insignificant compared with the amounts that will be shipped when these rivers are open to safe navigation. I feel a deep personal interest in this subject. My great object as a member of this House is to represent the wants and the wishes of the people whose commission I bear. They are in earnest about this matter, and as their representative I feel it my duty, in season and out of season, to strive for the accomplishment of that which will benefit them so much and at the same time advance the interests of commerce generally.

Mr. Chairman, while on this subject permit me to suggest for the consideration of the House the propriety of changing the method of conducting river improvements. I believe, sir, that persons living along the water courses to be improved, persons familiar with the obstruc-tions, the needs, and the wants of the rivers—persons who know the dangers and difficulties of their navigation-should have charge of their improvement. Now, sir, living along these rivers are men perfectly familiar with all these things, men of character and honesty and capacity, men who have a personal interest in the success of the project, who could be employed for a reasonable sum to take charge of, manage, and control the matter, and, with due respect for those now in charge, I believe such a system would produce better results than the present plan. I hope the committee will look with favor upon this suggestion and give it a trial.

Now, sir, I leave the subject. I know, when so many rivers and harbors are to be improved, we can not appropriate all to each that they require; but I present these as exceptional cases and ask an increase. I am not confident of getting it, still I shall try, and keep trying, while I remain a member of this House, believing that in the end, if not now, success will crown my efforts.

Silver Coinage.

SPEECH

HON. CHARLES N. BRUMM.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 7, 1886.

The House having under consideration the bill (H. R. 5690) for the free coinage of silver, and for other purposes—

Mr. BRUMM said:

Mr. SPEAKER: Absolute barter and barbarism are inseparable twins. The birth of one creates the other, and both exist by feeding upon each other. Just in the proportion that you eliminate the one you destroy the other. Take from barbarism that which it feeds upon and it dies. The farther you get away from barter the nearer you approach civilization. Therefore, barter and civilization are as antagonistic as free-

dom and slavery.

Barter, or the interchange of value for value, is the unfathomable quagmire that has impeded the progress of ages, while purchase, or the interchange of value by a conventional representative of value, is the firm, progressive highway of commerce over which the masses must pass to a higher, a grander, a nobler civilization. Sir, just in proportion as you weigh down a medium of exchange with the value of the article or commodity out of which that medium is made, you impede the progress of exchange and you enter the quagmire of value for value, Therefore I insist that before you can elevate the masses to that high civilization which is so desirable, you must facilitate the interchange of commodities by a representative or measure of value, and not clog it by barter. That is, money should be a modium of exchange, not an article of exchange.

But the interested financier or the superficial statesman says: "Oh, this is fiat money;" and then he exposes his ignorance by crying aloud that it is the nonsensical theory of dreamers which never has been and

never can be reduced to practice. Yet I challenge you to show me any money that is not flat money; for if it is not flat money it is only an evidence of indebtedness and carries the obligation of redemption by its author; while every dollar that is created by the sovereign power of a government, issued or paid out for value, and made a legal tender, not redeemable, but receivable for taxes or other dues to the government that issued it, is a fiat dollar, and that regardless of the nature or value of the commodity out of which it is made. Therefore our gold dollar is a fiat dollar. So is our silver dollar a fiat dollar, for, as money, both have the same attributes and will perform exactly the same functions; and so is our copper cent the one hundredth part of a fiat dollar, because it has, to a limited extent, the same attribute and function as a gold dollar; yet there is no parity of value in the articles out of which they are respectively made. So you see the flat dollar is, of itself, not such a terrible thing after all.

Therefore if, in this discussion, you will eliminate the value or barter element from the dollar and treat that, separate and distinct, as a commodity, and then treat the money element, separate and distinct, as a medium of exchange, you will simplify this question very much; for the great error of the monometallist is in the confusion of these two

elements or attributes of the commodity dollar.

I believe that money should have no commodity or barter value per se, but should be purely a representative of all value, based, through the Government right of taxation, on all commodities within its jurisdiction, and limited in volume only by the needs of commerce; and that it should not be confined in volume to any one commodity or to several commodities. Neither should it in the slightest degree be affected by the value of any commodity, and more especially when that commodity, like gold, is so rigid and limited in its supply as to put it absolutely within the power of a few gold bouncers to juggle with its value by manipulating its volume. And as I know that this Government will not, and I frankly confess can not, at once throw off this yoke of barbarism, but must for a while longer foster the dishonest barter dollar and thus keep commerce bouncing around on stilts, I will do all in my power to give her at least two pegs to travel on, and not force her to hop around and try to balance herself on one. [Laughter and applause.] Therefore I am for the present in favor of unlimited coinage of silver and gold. This will double its base and give at least two bearings for the superstructure to rest upon, and make it less susceptible to manipulation than if it were pivoted on a single basis. "But," says the gold bouncer, "you must have a standard of value, and therefore you must limit yourself to one thing, and as gold is the money of the world, that one thing or standard is or must be gold, because," says, "it is the least variable, and always represents the fixed value of the labor involved in its production."

This, sir, is the premise upon which the whole monometal argument rests; and as this involves five separate, distinct, and palpable errors, all conclusions drawn from them must also be errors. First, it assumes that there is and must be a money of the world; second, that that money is gold; third, that there is and must be a standard of value; fourth, that that standard must have value per se, and therefore must be a specific commodity by which the value of all other commodities is gauged and regulated; fifth, that as gold is the least variable and always represents a fixed amount of value or labor in its production, it is and must be our standard. I shall consider these ridiculous fallacies in the order

in which they are named.

First, that there is and must be a money of the world. Sir, there is not and never can be a money of the world until you establish a world government to create it. As money is a creature of law it must be the creature of some government that makes the law, and therefore it has powers as money only within the jurisdiction of the government that makes it. Hence money is never used in commerce between nations. You settle your international balances with bullion; you settle them with the commodity value or commodity element of bullion, and not with money; even if coin is used it is not counted, but is put in the scales and weighed and its alloy deducted in calculating its value as bullion.

Second, "the money of the word is gold." Since it is true, as I have shown, that there is no money of the world, this is already answered in the international or world sense; but even if it is contended that in a national sense it is the money of the world, this is also false, for gold of itself is never money, although money is often made of gold; yet there is not one nation in the world that makes all its money out of gold, while every nation makes some, and a majority of nations make all their

money out of silver.

Third, that there is and must be a standard of value and that standard must be gold. Sir, no commodity can be a standard of value. values depend upon usefulness. Therefore, any article or franchise that is just as useful or will perform the same function or answer the same purpose as any other article or franchise will be just as valuable, no matter what material either is made of. Although the cost of a thing generally represents the labor required to produce it, yet the intrinsic value of a thing still depends upon its usefulness, while the price of it depends upon supply and demand and is usually called the market

Therefore as the cost, the intrinsic value, and market value of all

commodities depend upon all the local as well as the general conditions, circumstances, and changes incident thereto, there can be no fixed value or standard nor relative value for any commodity in any locality for any length of time; for there is no commodity that maintains the same relative, intrinsic or market value at all times in the same place, nor at the same time in different places, no matter what material it may be made of or what its nature, whether it be diamonds or a right of way, a physician's prescription or a dignity, a druggist's emetic or gold, silver, or paper, iron or a railway pass, a serpent's tooth or a tax receipt, law-yer's advice or copper, cockle-shells or a priest's absolution, fiat paper money or a right of piscary. All, all are as unsettled and shifting as

If, then, you can not fix the cost, intrinsic value, relative value, or market value of any commodity for any time in any locality, sir, how infinitely do the possibilities multiply when you attempt to create even an approximate standard for all commodities at all times in all local-

ities of this heterogeneous world.

But even if an approximate standard could be established, the most unfit article for that standard, next to diamonds, would be gold, for if there is any one article which more than any other article fails to represent the amount of labor in its production by its value it is gold; because it is an original element that cannot be manufactured, grown, or cause it is an original element that cannot be manufactured, grown, or produced by any combination of elements or manipulation of man. It is a hidden element, most uncertain in quantity, locality, and conditions. It is a very limited element, wherefore its supply can not be accommodated to the demand, thus making its value depend almost entirely on

the manipulation of its owners. It is not an article of prime necessity, nor a substitute therefor, being neither food nor medicine for the mind or body; nor does it clothe, shelter, convey, or preserve man, beast, or any commodity, and outside of the gratification of the savage passion for personal decoration, it adds very little to the comfort of man; and were it not for the great value and power given to it by making money out of it by conventional laws, it would play but a very insignificant part in the affairs of men. you tell us that you can not add value to anything by law, no matter how useful the law may make it, but that all values depend upon the amount of labor it takes to produce them, no matter whether the value be intrinsic, relative, or market. If that be so, then God help the la-borer; for I think it is time that he should get at least a visible share of the value of his product. That is, you mean to say, that if you demonetize gold by law all over the world, and thus destroy its usefulness, it would still retain its value because it represents a certain or fixed average amount of labor in its production.

Upon the same principle, I suppose, you would hold that to remone-tize silver by law, and thus increase its usefulness, you would not enhance the value of silver, because its value is fixed also by the amount

of labor represented in its production.

But, again, how can gold alone represent the cost of its production when it is produced almost always with silver or copper, or with both, or with some still baser metal, in combination with it? By what rule of mathematics do you calculate the mammon value of the shattered limbs and the health and lives lost in its production? And if you had a rule, how would you apply it to each specific case or degree? Where have you the statistics of the number engaged in gold mining, with the hours of labor and the energy expended by the eager searcher for gold? And how will you ascertain the amount expended in the production of gold and how much should be charged to its companions, silver and other metals? other metals?

Moreover, gold under the commodity or barter-money system is of all things the most variable and uncertain, because it is not only subject to all the incidents of fluctuation that any other commodity is, but by reason of its limited supply it is absolutely under the control of the gold juggler on the one hand, while on the other hand its monetary uses subject it to all the whims ignorance, avarice, and corruption of every national law-making power in existence. Therefore in proportion as you keep it isolated and allow it to monopolize these attributes you in that proportion intensify and magnify these functions, until by its unlimited power it becomes the hellish dynamite of tyranny and oppression in the hands of the few all over the world. Whereas, if you separate these functions and impart to silver an equal share of this power, you will at one blow strip gold of more than half of its power for evil, and to that extent at least, by easing up the in-terchange of commodities, steadying values, and liberating com-merce, bring relief and blessings to all humanity. [Applause.] For we must not forget that the price or value of a commodity in an untrammeled state of commerce will fluctuate on its own basis--that is to say, will be affected by causes wholly incident to itself and its component parts, modified by effects upon its substitutes—and will not materially affect other commodities. But where all commodities are transferred by a medium of exchange, all such commodities are subject to the additional fluctuations incident to such medium. Therefore, if that medium is gold alone, which is so absolutely within the power of the few, then these few will control all money and thereby control everything that money will buy; that is to say, by cornering this very small basis or commodity medium, aided by the credit based thereon, you simply play foot-ball with all values, and by bouncing them ad libitum

you at times impart a sudden and often violent impetus to production by enlarging its basis and inflating its credit. So that when the commercial fruit is ripening for the purpose of gathering in the harvest yourself you lower its value and thus lower its consumption, and consequently by impeding the interchange of commodities you find every producer with too much of his own commodity on hand and not enough of anybody else's. Then the subsidized press, the fossil statesman, and the superficial pulpit orator, like Beecher and Cook, will join the money-bouncer, and pointing to the undistributed products will say, Behold the dire result of overproduction." [Applause.] Sir, it is for this reason that these bouncers adhere so tenaciously to Behold the dire result of overproduction."

this false doctrine of standard of value, for they know full well no commodity can be a standard, as a standard means something fixed, stable, and unalterable, as a yard, quart, pound, &c., and that is just what they do not want, for like all speculators and gamblers they live on uncertainties that may be fluctuated, manipulated, and contaminated.

Would to God that under our present system gold was a standard of value. Then, sir, parties to this controversy would be reversed; we would sustain it, while its present advocates would be its worst enemies and would demand its immediate demonetization. Sir, it would then no longer answer their purpose. They want no stability, no standard, no solid, honest basis, for just in proportion as the basis is widened and made firm you prevent manipulation and secure a more equal distribu-tion of the products of labor, while just as you contract the basis to gold alone, it becomes the artful dodger of commerce that enriches the few and impoverishes the masses.

Although no article or commodity can ever be a standard of value, yet there may be an approximate parity or ratio of values maintained between two or more commodities that serve similar purposes or can be substituted for each other; e. g., anthracite and bituminous coal. Increase the demand for anthracite by making it more useful you soon raise its price, and as its price advances bituminous will be substituted; this substitution of bituminous increases its usefulness and raises its value, while it decreases the usefulness of anthracite, and relatively decrease its value until the parity is again reached, and is in this way very approximately maintained. So it is with wheat and rye, gold and silver, oats and corn, the different kinds of meat, the different kinds of wood,

But if Congress had jurisdiction over commodities as she has over money, and would allow an unlimited or free use of one commodity and would restrict the use of any or all substitutes, she would soon destroy the parity or ratio, especially if the favored commodity was very limited in its supply as gold is.

As the paramount object in commodity money is the maintenance of parity of value in the various commodities out of which the coins are made, the present discrepancy in the commodity value of our gold and silver dollar is the strongest argument (from monometallists' point) against the limitation on our silver coinage—for unlimited coinage of silver would increase its value, while it would decrease the value of gold and thus bring both metals to the money or coinage ratio, namely, 16 to 1; because no metal can ever be above the coinage value and stay in circulation.

By the unlimited coinage of silver the bullion becomes more useful, and therefore more valuable, while gold is to that extent displaced, it becomes less useful and therefore less valuable, thus bringing them closer together until their parity is reached by an easy process that will do injustice to none, but will add unbounded blessings to millions. But, says the goldite, this country can not do this alone; we must wait until we get England and Germany to join us. Sir, I deny this, for England never will join us until we force her to, as it is her interest to widen the breach between the commodity values of gold and silver, as I shall show hereafter. Moreover, so long as we follow the British system we will be subject to their financial and commercial control, whereas if we adopt a system of our own we will be masters of the situation.

Therefore let us adopt unlimited coinage of gold and silver. hold the balance of power between the conflicting monometallic nations of the world, and maintain the parity of value between the pre-cious metals, for we produce over half of all the precious metals; therefore the civilized world is largely dependent on us not only for the metal supply butfor food, cotton, oils, and many other products, while we are absolutely independent of them.

Sir, by a proper protective and monetary system we could be as isolated commercially and financially as we are geographically. If gentlemen would have a clearer appreciation of the greatness of our country a better knowledge of its unbounded resources and infinite possibilities, with a proper realization of the eminently independent position this nation could occupy; if they would only have the courage and self-reliance to stand with us and declare ourselves financially and commercially independent, as our fathers declared themselves politically and socially independent, we could, and ought to have, the commercial world under our control more absolutely than England has ever held it. We could then utilize our powers for the honor and greatness of our Republic and the elevation of all mankind.

But I said I would show that England would never join us until we force her, and why? Because she with Germany are the two great creditor nations of the world, while we are a great debtor nation; hence it is to their interest to shrink the basis and contract the currency by monometallism, so that we and all other debtors must pay them in a commodity coin upon which there is a premium and thus increase the value

or purhcasing power of their assets at least twofold.

But while England seems to have suspended the coinage of silver, she really coins silver every year; in fact the charter of the Bank of England calls for a certain amount of silver reserve in her vaults, yet practically she is a monometallic country, as in England proper, gold is the standard of payment while in the rest of the British Empire silver is standard of payment, i. e., all payments to her must be in the higherpriced metal, gold, while most all payments by her are in the lowerpriced metal, or silver.

By the present disparagement in the ratio and market value of gold and silver England robs from the treasury of India £17,000,000 annually on the single item "loss on exchange," and this is only the bonus on the taxes she exacts from her India slaves. Imagine, then, is you can, the unmerciful robbery she commits on the productive induf-tries of India by the London bills drawn on Bombay, Calcutta, and Madras for the difference in the metal value of the India silver rupee and the English gold pound for all of their interexchanged products. By this process she deprives us of the foreign market for our wheat and low grade of cotton. Henry Carey Baird says:

grade of cotton. Henry Carey Baird says:

The real and the most immediate "silver danger" is that which impends over the American farmer, and grows out of the competition of the wheat of India, now looming up in the near future. Stop the coinage of the silver dollar, and the price of silver immediately and rapidly falls, and with it the rupee of India in sterling exchange. The normal price of the rupee in sterling is 1s, 10\ddotd, or 45 cents; but the average per rupee produced by the government bills drawn in London on India for four months, ending August 15, was but 1s. 6\ddotd, or 3s cents, indicating a discount of 15 per cent. This is just 15 per cent. premium on the export of Indian wheat, and precisely this same disadvantage to the American farmer. Let those who consider themselves as not "hopelessly ignorant of ordinary economic laws" drive the price of silver down still further, under the impression that they are damaging no one but "those who are interested in selling silver to the government," and this premium or bounty may be increased to 30 per cent.

That this is not an imaginary danger will be made more manifest when it is

ing silver to the government, and the property of the property

Mr. William H. Oliver, of North Carolina, says:

When England buys wheat and cotton from the United States she pays gold or its equivalent for it, when she buys it from India she pays for it in silver. Her preferences are all in favor of India, and although the expenses of transportation are much heavier, yet the difference in paying for it in low-priced silver.

ver makes up for it.

The interest of England and the United States is diametrically opposite.

England produces no silver and wants it at ruinously low prices, hence she

demonetized.

England on a gold basis wants to buy silver cheap, and with that silver buy wheat and cotton from her own dependencies and thereby cut off the United States from the sales of those articles which her necessities compel her to buy; and strange to say, in this country is found a class of our own people willing to assist England in this movement.

Then I ask again whether it is not high time for us to tear ourselves away from this barbaric English system, if not for the protection of ourselves at least let us no longer be accessories to the hellish crimes of Great Britain against her subjects and slaves. [Applause.]

Sir, with free coinage of both metals, a distinctive American system of finance and protective tariffs, we can tear the commercial jaw of the British lion, and so lubricate the wheels of progress that all the world

will share its blessings.

But it is said that free coinage of silver would drive gold out of the country, under the operation of the Gresham law; but this is an error, because the Gresham law is applicable only to those countries where the balance of trade is against them, and where they are not gold-producing countries, as we are; moreover, the following circular from Moore & Schley proves the contrary:

[Moore & Schley (John G. Moore, W. K. Kitchen, Grant B. Schley), bankers and brokers, 26 Broad street, New York; 114 South Third street, Philadelphia; 1419 F street, Washington; Irving A. Evans & Co., Boston, Mass.; E. L. Brewster & Co., Chicago, Ill.; Hubbard & Farmer, Hartford, Conn. Connections by private wire.]

NEW YORK, February 17, 1886. While it is conceded that the controlling factors in the financial and business situation favor a higher range of values on the stock exchange, there is a very general apprehension here at the East that some action by Congress on the silver question may affect the market adversely. It would be well, therefore, to consider this matter from a common-sense point of view, so that dealers in securities may know what to do if Congress should follow one of several possible

curities may know what to do if Congress should follow one of several possible courses.

The prevalent belief among those who are best posted is that the present Congress will not suspend the coinage of the silver dollar, and that matters will go on for another year as they have for the past eight years; that is, that every month \$2,000,000 of silver bullion will be coined into standard dollars. Assuming that this will be the case, what effect will it have upon the market? The advocates of silver coinage claim that we can only judge by the experience of the last eight years, which they say has been favorable not only to the value of securities, but all values, because since that time we have been steadily adding to our stores of gold, without very largely increasing our silver reserve. The fact is emphasized that from 1873 to 1878 inclusive, a period of six years, the exports of gold exceeded the imports by \$123,754,210, an average of \$20,625,000 a year.

Since the passage of the silver bill in 1878, the imports of gold have exceeded the exports by \$20,856,031; this, too, in addition to retaining in the country all the gold we mined. In 1877 we had in the United States less than \$200,000,000 of

gold. The Financial Chronicle estimates it at \$175,000,000, but the Mint authorities say \$193,000,000. The Director of the Mint, in his report just issued, estimates the total stock of gold on January 1, 1886, at \$626,733,869, showing an addition to our gold reserve of \$433,000,000 since the passage of the silver coinage act in 1878. Guriously enough the excess of our exports of silver over imports since 1878 has been about \$16,000,000 per annum. According to the Mint authorities, our total stock of silver is \$297,904,950, considerably less than half our stock of gold. Every year since the silver coinage act was passed has seen our store of gold increase, relatively to our store of silver. These facts are curiously at variance with the belief so generally entertained that the silver coinage, under what is known as the Gresham law, is driving gold out of the country. Bimetallic France has had similar experience. With 20,000,000 berso population than the United States, it has a coinage of nearly 600,000,000 5-franc pieces, the equivalent of our silver dollars, or some \$380,000,000 more than our total silver coinage. At the same time France holds more gold than any nation on earth. Its gold reserve, while that of England and Germany, the gold-mint countries, remains stationary. The Bank of France, at present, holds \$30,000,000 more and gold than the banks of England and Germany combined. According to the silver advocates, were we to continue coining silver dollars at the rate of two million per month we would not have as many as France, relatively, until a good way into the twentieth century; and yet the French 5-franc pieces, with 3 per cent. less silver than the American standard dollars, circulates on a par with gold.

But there are other facts which seem to show that silver coinage has not proved detrimental. The following comparison of the condition of the national banks in 1877 and 1885 shows that they, at least, have lost nothing by the silver coinage:

	October 30, 1877.	October 30, 1885.
Capital stock Undivided profits and surplus funds Specie Deposits	\$479, 500, 000 167, 300, 000 22, 700, 000 630, 400, 000	\$527, 500, 000 206, 500, 000 174, 900, 000 1, 120, 100, 000

Then the deposits in savings banks in 1883 show that they were \$200,000,000 greater than in 1881. The figures for 1877 are not available, or they would show a still larger increase.

The fact that exchange is near the gold experting point, and that some of the yellow metal has been shipped since January I, has led to the fear that we will lose a great deal of gold in the near future. But, as the Evening Post and other anti-silver publications have shown, this does not seem at all credible while the balance of trade is in our favor. The exports and imports of the United States, as reported by the Bureau of Statistics, for six successive years are instructive on this point. The values of the merchandise exports and imports for the entire year have been in millions of dollars:

	1880.	1881.	1882.	1883.	1884.	1885.
ExportsImports	889.7 696.8	883.5 670.2	768.0 752.9	795. 2 687. 1	749. 4 629. 3	688.8 587.5
Excess of exports	192.9	163, 3	15.1	108.1	120.1	101.3

Then the current stock speculation is attracting European money for investment this side of the water.

True, our exports have fallen off in money value; we are shipping some gold, and may continue for a time to do so, but we have plenty of the yellow metal to

and may continue for a time to do so, but we have plenty of the yellow metal to spare.

But suppose the extremists should succeed in committing the Government to as free a coinage of silver as of gold, what would happen? The silver men claim that even then there would be no premium on gold until the proportion of the silver to gold would be greater than it now is in France. With 20,000,000 more population we have only \$220,000,000 in silver, less than \$4 per capita, while france has \$600,000,000, or about \$14. Our gold reserve is about \$11 per capita, while that of France is about \$23. At this rate we could coin \$1,000,000,000 in silver without excluding gold from circulation. What the silver men themselves claim for free coinage is perhaps best expressed in one of the resolutions passed at the Metropolitan Hotel silver meeting.

"Resolved, That in the event of free coinage being enacted the United States need not fear either an export of her gold or a very large increase of her silver; for if other nations send their silver to our mints to be coined in larger quantities than now, they must do so either to distribute it here in payment for merchandise which they have not hitherto been buying, in which case they would increase our exports and quicken and stimulate our production; or they must do so in order to exchange it in this country when coined for gold; but in such case, if gold is at a premium, its holders here will get the premium and the country will lose nothing, and if gold is not at a premium here in silver, then the inducement to send the silver here will have disappeared and it will not come."

White tree coinage might be carried in the House of Representatives, it would

the inducement to send the silver here will have disappeared and it will not come."

While free coinage might be carried in the House of Represenatives, it would hardly go through the Senate, and if it did it would be promptly vetoed by President Cleveland. It is not improbable that Congress will authorize the issue of one and two dollar certificates in place of the greenbacks of similar denominations. This will practically add forty to fifty million more dollars to the hundred and forty million now in circulation. This will end the accumulation of silver, except as against certificates, which would be reassuring to the speculative public. In a general way it may be laid down as an axiom that every addition to the currency of the country enhances values, and that when either gold, silver, or their paper representatives are withdrawn their prices fall off.

It is now to be considered what would occur were the silver coinage to be suspended. The impression is universal at the West and South that there would be an immediate break in prices of all kinds. The price of silver has already fallen from 51d, to 45\frac{1}{2}d, per ounce. It would probably take a slump to 35d. If this one metal only was affected it would be a comparatively trifling matter; but in the shrinkage of values which has taken place since bimetallism was set aside by the commercial world, silver has proved to be the best measurer of values; that is to say, silver to-day will buy as much of any product of land or labor as it did before it was demonetized in Europe in 1872. The real plenomenon is that the purchasing power of gold has increased from 20 to 30 per cent. Were the American support of the silver market withdrawn the purchasing power of gold would be enormously enhanced, which fact would show itself in an unprecedented crash in prices. This view would not be the correct one, but every operator in the West would sell the market right and left, and there would be plenty here at the East to follow their example. Indeed, the main argument of

exclusive currency, and its depreciation makes exchange so high as to turn trade profits into losses.

Probably this reasoning of the anti-silver coinage advocates is correct; but as we are having a revival of business and a buoyant feeling, not only on the stock exchange but in all departments of trade, it does not seem probable that an American Congress would care to do evil that possible good may come, and thus voluntarily bring about the same distrustful condition of things which exists in England and Germany, the two leading gold-unit countries. Demonstrations by mobs of unemployed workmen, such as have been seen in London and the manufacturing districts in England, are not experiences such as the American public will care to go through.

In the above the silver side of this controversy is presented for the reason that the anti-silver newspapers and financial authorities of the East have had the ear of our public almost exclusively. Those who deal in securities should have all the data for forming correct judgments of their own.

Yours, respectfully,

MOORE & SCHLEY.

But, it is said, we have too much silver already; it will not circulate. Sir, there is no danger of too much silver as long as our per capita is below that of France, as shown by Moore & Schley, for the nearer we get to that of France, as shown by Moore & Schley, for the nearer we get to the French per capita the further we get from our miserable, uncertain, blood-sucking credit system, which is the mother of panics and hard times; and the nearer we get to a cash basis. Of course, as long as our President and Secretary of the Treasury remain the willing tools of the gold bouncers and act as their turn-key in locking up the silver, it can not circulate even as much as the felon in his cell; but, if like honest officials, they would execute the letter and spirit of the law, and issue their call for bonds to the full extent of the surplus hoarded in the Treasury, and pay only half in silver then pay half the pensions, half Treasury, and pay only half in silver, then pay half the pensions, half the amount due the Government officials and employés and other creditors, in silver, do you suppose any one would refuse it? would all take it, for we all know that it is, and always has been, a legal tender for all debts, and that a refusal to take it would cancel the debt pending such refusal.

But they say as soon as we pay it out it comes right back again. Well, what of that? Can not you pay it right out again? And thus it will circulate more actively than any other kind of money. But that

will circulate more actively than any other kind of money. But that is just what these bouncers do not want, for by that process the debt will be paid too soon and bank circulation withdrawn, and I hope greenbacks substituted for them. Then when the debt is paid wipe out the cursed internal-revenue system, and by a high protective tariff reduce the receipts to the current expenses of the Government.

But you say free coinage will decrease the purchasing power of a dollar, and therefore will deprive the poor workmen, and the widows and orphans of their savings; but this can only affect those whose assets are in money, while upon all other assets it will have the opposite effect. But even if true, it is no good argument, as the same reasoning would apply to the stockholders of a railroad who might object to the building of a competing line because their stock would depreciate by building of a competing line because their stock would depreciate by reason of the division of traffic with the additional road. But why is it the President, the Secretary of the Treasury, and my colleague [Mr. SCOTT] are so very solicitous about the few poor workmen and the widows and orphans who are creditors, and have no care for the millions of poor who are debtors, for if free coinage will injure the creditor then suspension of coinage will injure the debtor, and our debts, national, State, county, municipal, corporate, and private, are in excess of our taxable assets; therefore to demonetize silver or gold would double our debts and decrease the value of all property (except money assets or their equivalents) about one-half.

But, say these gentlemen, the silver dollar is a dishonest dollar; it is only worth 80 cents. I deny this, as you can not get a silver dollar anywhere, even at a discount of 1 per cent. It will buy just as much anywhere, even at a discount of I per cent. It will buy just as much as a gold dollar and will pay just as much of a debt. But they say silver has fallen in value. This is also false, as silver has not depreciated in value, for it holds its own value with other commodities, all of which are lower, if measured by gold value, and if I had time would more clearly show, but as others have fully established this point it is unnecessary. Hence it is plain that gold has appreciated in value and is therefore the dishonest, robber dollar.

But to me the most sickening feature of this discussion is in the attitude that these bouncers assume toward the workingmen, especially

tude that these bouncers assume toward the workingmen, especially my millionaire colleague, Mr. Scott. He takes such a fatherly interest in them that he prays to God in their behalf, and beseeches us not to pay them in the dishonest silver dollar, for he says on page 5 of his printed speech, as follows:

And, sir, I make bold to state another theory, that if there be in circulation a good dollar and a poor dollar the rich man will always get the good dollar and the poor man the poor dollar. If public policy required that all dollars should be poor in order to rob the creditor class of our people in favor of the debtor, I appeal to this House to in some way protect the man who earns his bread and supports his family by his daily labor, and when he asks for bread not to give him a stone. How this can be done in any better way than by giving the rich and poor allke a good dollar I do not know; but protect, in God's name, the poor man. The rich man can take care of himself. He needs no sympathy, nor is he entitled to any.

Brave words these. But see how he trifles with the subject, for he devotes nearly all of page 10 and part of page 11 to show that there ought to be two kinds of metallic money. The one should be what he calls the world money (or gold) to be used by the rich, for large transactions and for foreign exchange, and the other should be silver for the poor man in smaller transactions, and for purely home use. The world's

money or rich man's money should be made of better stuff and have greater value than the poor man's home money, so that the poor man's money would not leave the country, neither should the poor man's money (or silver) be redeemable in the rich man's gold money, yet on page 4 he justifies the United States Treasurer for not paying the bondholder in silver, because the bondholder should be allowed to choose between what he here calls the rich and poor man's money.

Yet he agrees, in another place with the President that if you pay the poor workingman with the silver dollar you cheat him, because it is

worth less than the gold dollar.

Sir, if labor was paid in the commodity value of the silver dollar or its representative, then labor would lose; but being paid in its legal or money value it gets just as much as if paid in gold, as both have the same purchasing and paying power. But again, they say if you remonetize silver you depreciate the money value of the silver dollar. This is true; but by it you also depreciate the money value of the gold dollar relatively, and as the workingman as a rule has no considerable number of dollars of any kind on hand he need not be alarmed at their depreciation, especially when the depreciation of the value of the dollar will relatively appreciate, or raise the value of all his other commodities, whether they be labor or any other assets. Hence I say that the fatherly care these gentlemen have for the poor workman is the kind that the wolf gives to the lamb.

But let it be admitted that whether it be suspension or free coinage, wrong must be done either to the creditor or debtor. Then as the debtors are largely in the majority it is better to wrong the minority than the majority, for all producers, property-owners, stockholders, and tax-payers are debtors. Therefore the only ones that are not more or less benefited by the free coinage of the honest silver dollar are those who live on usury, or at least to the extent that their income is interest on money loaned. Therefore I want to legislate in the interest of the Therefore. I want to legislate in the interest of the honest debtor. I want our debts paid whether they be public, corpo-

ration, or individual.

But, sir, it is not only a question as to the number or proportion that are to be injured or benefited by our legislation, but the degree of injury or blessing to those to be affected will always be considered by the honest statesmen. I contend that to impoverish the people is a greater crime than to tax the wealthy. The widow's mite was a greater sacrifice to her than all the contributions of the rich.

It is not so hard to take from the few a small, or even a large portion of their superabundance as it is to rob the poor of any of their necessaries. If wrong must be done, I would rather wrong the strong than the weak. I would rather have less gold for the rich than no bread for the I would rather tax the luxurious surplus of the few than lay tribute on the sweat and blood of the masses. [Applause.]

Silver Coinage.

SPEECH

HON. JAMES M. RIGGS.

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES.

Saturday, March 20, 1886.

On the bill (H. R. 5600) for the free coinage of silver, and for other purposes.

Mr. RIGGS said:

Mr. Speaker: The importance of the question of silver coinage is conceded by all gentlemen here, and the people of the country fully appreciate that importance. For some time it has been the chief subject among them. And when we review the history of the last few years in regard to it all surprise at the interest manifested by the masses ought to disappear.

A few years ago we had as legal-tender money among us gold coins, silver coins (including the silver dollar), and greenbacks. While these were in circulation as legal tender a large amount of indebtedness was contracted. Included in this indebtedness was the large bonded obligation of the United States-some of it payable in any of the legaltender dollars of the country, and some of it payable in any kind of

legal-tender coin dollars.

After these obligations had been issued by the Government and bought by the money lenders and paid for in greenbacks a Republican Congress conceived the notion that the public credit needed strengthening. Just why it needed it at that time may be difficult for an ordinary mortal to understand. The Government had already contracted its public debt. The bonds had been sold, the proceeds received and expended, and we were not wanting to sell any more bonds or borrow any more money. On the contrary, we were getting ready to pay our debt. In private affairs the credit of the individual needs strengthening, if at all, during the borrowing or debt-contracting period, and not after that has been safely passed and the paying period has been successfully entered upon.

But so impressed was Congress with the notion that the public needed strengthening that it passed laws the real effect of which was to pro-vide that the obligations of the Government which were payable in

greenbacks should be payable in legal-tender coin only.

Not satisfied with this success those benefited by it secured, a little later, the demonetization of the silver dollar, which of course had the effect to make coin obligations of the Government payable in gold coin only. This legislation solely in the interest of the bondholding and creditor classes, and at the expense and to the disadvantage of the many, soon aroused the people; and Congress found it necessary to restore the silver dollar to our stock of legal-tender money, which was done in 1878, but with a limitation upon the amount of monthly coin-

Lately those who profited by that unfair legislation have discovered that the coinage of the silver dollar ought to be suspended, their real object being no doubt to demonetize it again. The reason assigned, in brief, is that the relative values of our gold and silver coin have diverged and to continue the coinage of the standard dollar will endanger the business interests of the country. The whole field of statistics is put under contribution the world over in the attempt to convince Congress that the country is in danger from the continued coinage of this dollar. We are told that we are powerless in this matter because England and Germany choose monometallism; that our remedy is to follow their example and adopt a gold standard only. That is to say, we must yield to the mistaken or avaricious notions of European royalty and aristocracy and reduce the volume of our circulating medium, thereby adding to the difficulties and burdens of the toiling millions in this country.

I must be permitted to deny the necessity or the wisdom of such a course. We are a nation, and I will not quarrel with those who choose to spell it with a big "N." It is our duty to legislate for our own people, not to please the rulers of the imperial governments of Europe. Instead of yielding to the notions of those governments we should consider and, as wisely as possible, provide for the welfare of the American

I do not believe there can be a gentleman found on this floor who will sincerely contend that a reduction of the volume of our money at the present time will—can by any possibility—be beneficial to the masses of our people. It seems to me that all must admit such a course would

add to the present distressing stringency in business affairs.

Of course, a contraction would be individually beneficial in a money point of view to the very wealthy, the lenders, the rich corporations, the plethoric bankers, the millionaires. But these constitute numerthe piethoric bankers, the minionaires. But these constitute numerically only a small part of our population, and the larger part, the laborers, the mechanics, the farmers, the small manufacturers, in short, the mass of our people all over the country, would be materially injured by a suspension of silver coinage and many of them would be financially ruined by its demonetization.

I am sorry to say I believe such a result would be looked upon placidly and with pleasure by the very wealthy in the money centers. They have toyed with the poverty of the poor and fattened on the misfortunes of their fellow-men. They have grown so wealthy while the masses have been oppressed and growing poor that they have come to regard their good fortune, growing out of such a state of affairs, as their birthright, and want to see this state of affairs continued and intensified. They have built and enjoyed their yachts and their palaces, while the masses who work and make the wealth of the country have struggled, and struggled hard, to keep the wolf from the door, not always with success.

By means of unfair legislation and unfair administration the wealthy

have grown very wealthy and the poor have grown very poor.

Now, I do not want any one to misunderstand me. I have no sympathy with the lawless spirit which would disregard property rights; no sympathy whatever with anything in the nature of communism. When a man, by industry and economy, has acquired property, he should be protected in his possession. But he should not be permitted to oppress those who are less fortunate; and, more than that, he should not be assisted by legislation in crushing to earth those who have little or nothing

I would not improperly deprive any man of property or money properly acquired, no matter how much he may have.

But I have long felt, and still feel, that a millionaire is a curse to a Republic, and I firmly believe we would be better off if we had none. The poor and those of moderate means are the real support of the Government. I do not wish the millionaires any harm. If I were going to make a wish in regard to them I would wish them in heaven. If I were going to make a wish in regard to them I would wish them in heaven. It hink the country would be much better off if a kind Providence should find need for all of them beyond "the shadowy valley." "They toil not, neither do they spin," yet "Solomon in all his glory was not arrayed like one of these." With their yachts, their palaces, their pleasure cottages, their liveried equipages, and, what is infinitely worse, their rigidal providers of height for the same providers of height for the same providers. vicious notions of legislation and governmental policy, they constitute an element which is of no good use in a republic.

It is different under an imperial form of government. Their royalty and nobility must be maintained at all hazards, even though in maintaining it the subject be bowed to the earth. If a scion of royalty, or a descendant of a house of long and noble lineage, meet with mishap a descendant of a noise of long and noise incage, income the gaming-table or race-course, or otherwise, he must be provided for from the public treasury, so that by no means shall the line of distinction which separates him from the people be permitted to disappear. And the people furnish the money. We want none of that. Yet pear. And the people furnish the money. We want none of that. Yet we are asked to follow the example of the two great imperial governments of Europe on this money question. And who asks this? Are the farmers asking it? Are the mechanics asking it? Are the laborers asking it? Are the small traders asking it. Are the poor or those in asking it? Are the small traders asking it. But these classes constitute moderate circumstances asking it? No. But these classes constitute the real body of our population—nineteen-twentieths, probably ninety-nine hundredths. If legislative wisdom can not devise legislation on the subject which will benefit all, then it should consider the interests of the many even at the expense of the few, especially when the few are opulent while the many are poor.

But to return to the immediate subject. Who is urging the suspension of silver coinage and the demonetization of the silver dollar? all know: The millionaire, the rich corporations, the plethoric bankers of the money-centers. Those who have been in the habit of playing "hocus-pocus" with the country's finances. I am aware that this may be called denunciation. Gentlemen on this floor who have championed the cause of these monometalists have charged that the friends of the silver dollar are denunciatory—that they seem to expect to settle the question by heaping abuse on their opponents. Mr. Speaker, the abuse and denunciation have not all been on one side. The advocates of the suspension of coinage and the demonetization have for a long time industriously denounced the friends of the silver dollar as "silver lunatics;" they have denounced the Government as dishonest. Here is a sample from a leading New York weekly, which assumes to

be the spiritual teacher of its readers:

be the spiritual teacher of its readers;

We can not expect the people of this country to be very distinguished for their morality while the Government, by its laws and practices, is directly teaching immorality.

A man who passes a counterfeit coin composed in part of silver or gold and the balance of it in some inferior metal is called a swindler, and is very unceremoniously hustled off to prison. The Government of the United States, however, may cheat in that direction, and force the people to take millions of 79-cent dollars, and then claim that such counterfeit morality deserves the name of honesty. It proposes still to do, in the future, as it is now doing, an act even worse than this—it proposes not only to cheat the people by compelling them to take these 79-cent dollars, but to lie about them also by calling them dollars. It now says to the world that these swindling 79-cent coins shall be called, each and every one of them, "one dollar" and be so stamped on the face of every one of them. By this monumental immorality the Government of the United States of America is now, in the judgment of all honest men, the world over, entitled to the high rank of being called the chief counterfeiter and champion liar among all civilized and uncivilized nations. This is, to be sure, very plain talk; but it is nevertheless the solemn truth.

The organs of the capitalists and lenders have been and still are filled with such denunciation as the foregoing. It would serve no good purpose to occupy time and space in the RECORD by reproducing other Gentlemen who have advocated the cause of the monometallists on this floor have taken up the refrain, and called our dollar "a fraud and a cheat," "a dishonest dollar," "a 79-cent dollar," &c. Why does any one so designate the silver dollar? Why charge the Government with dishonesty for making it? If the Government had made and put into circulation a new metallic dollar, containing less intrinsic value than had before been employed, and had made it a legal tender for all dues, I can understand why the creditor class might complain of being compelled to take it in payment of debts contracted before it was made.

But what is the fact in regard to the real, intrinsic value of our standard silver dollar? The truth is, it contains just the same quantity of pure silver contained in our silver dollar from the foundation of the Government to the present time. In 1792 the first act was passed regulating the coinage of the United States. It provided that the silver dollar should contain 3711 grains of pure silver. The act of 1837 provided for a dollar containing the same quantity of pure silver; and the act of 1878, sometimes called "the Bland act," now in force, provides for exactly the same quantity of silver. So that the standard dollar of to-day, denounced as "a fraud and a cheat" on this floor, has precisely the same quantity of silver in it as has been contained in our silver dollar ever since we began to coin money. This being true, I should like for some one to point out particularly the dishonesty in paying our debts with it. Is it dishonest for me to pay my debts in the same money which was current and a legal-tender when they were contracted? It certainly is not. If I contract a debt at a time when there are two kinds of legal-tender dollars in circulation, and afterward one of those legal-tenders enhances in relative value, shall it be said I must pay in

Talk about dishonesty! Those who would thus impose on the creditor class, or require the tax-ridden masses of this country to furnish from their scant earnings the means to thus pay public obligations, have

peculiar notions of honesty.

In the discussions which this subject has provoked throughout the country, in the newspapers, on the rostrum, and elsewhere, we have had many apostrophes and appeals to "honesty" and "patriotism" from those who desire the demonetization of silver, and the consequent

establishment of gold monometallism.

I never have known an experienced operator to go about a legislative body with a view of procuring legal sanction for a plan to rob somebody but that he went clad in the garments either of piety or patriotism, or It is really trying to witness the apparent evidences of pain depicted on the faces of some of these gold men when they contemplate and speak of the moral obliquity of the American people as manifested in their desire to pay their debts in the same kind of legal-tender money that was in circulation when the debts were contracted.

We are told that the business men of the country demand a suspen-We are told that the business men of the country demand a suspension of the silver coinage. Do all the business men demand it? Certainly no one will have the effrontery to assert the affirmative of this question. Then, what business men? As before stated, they are the greatlenders, the managers of rich corporations, the very wealthy. And there are reasons satisfactory to them based on the purest selfishness, in my judgment, why they demand it. A reduction in the volume of our money would enhance the relative value of their possessions. Many of them held obligations of the Government soon to become payable of them hold obligations of the Government soon to become payable which may be discharged in legal-tender coin, and a demonetization of silver, toward which suspension of coinage would be a long step, would make them payable in gold coin only and thereby further add to the gratification of their rapacity. It would no doubt be of financial benefit to the creditor class.

In looking over the many opinions of bankers which have been published to establish the necessity and desirability of suspending silver coinage, I felt refreshed when I found one that plainly and frankly stated the real facts in regard to the controversy. It is the address before the bankers' convention at Chicago last fall by Mr. John Thompson, president of the Chase National Bank of New York, and the following

is a quotation:

The warfare over the two precious metals is a contest between debtor and creditor. The advocates of the gold standard commenced the trouble. In 1873, Germany, having obtained a thousand millions of gold from France (indemnity money), undertook to substitute gold for silver. At the commencement of this movement silver was at a premium, but the natural effect of supply and demand soon followed. The German silver overstocked the London bullion market; this, together with the absorption of gold, caused a violent parting of the market value of the two metals. Following the lead of Germany, Sweden, Denmark, Norway, and this country demonetized silver; France, Belgium, Spain, and Italy stopped coining it; and in July, 1876, four dollars of gold was equal in the London bullion market to five dollars of silver.

Gold as money is practically unknown by the people; they handle silver and paper money only. If the paper money is redeemable in coin, then it is equal to coin, and is more satisfactory than the coin itself.

The debtor class is ten to one of the creditor class; the mortgageors are numerous as compared with the mortgagees. The debtor knows full well that the conversion of silver into merchandise, instead of being monetized, will fully double the burden of his debt.

Having stated only a few of the indisputable facts involved in the currency discussion, I will venture a prediction at the risk of being called a false prophet. Congress will not demonetize silver. It always has been and will continue to be money.

Finally, if the determination to demonetize silver is persisted in, silver will be the standard and gold will be merchandise.

I regret the necessity of this plain talk, and do sincerely hope that some measure can be adopted to perpetuate the double, or bimetallic, standard. The equities, as between debtor and creditor, should not be violated. The wheels of prosperity should not be blocked by the conversion of one-half of the basis of our currency and credit into mere property. The extra liability of suspending specie payments should not be incurred.

The most active financial minds of Europe are discussing the "hard times," much of which is attributable to the demonetization of silver.

This gentleman evidently is intelligent. He correctly states the situation. His statement may be briefly summarized, changing to some

His statement may be briefly summarized, changing to some extent his order of arrangement.

First. The warfare over the two precious metals is a contest between

the debtor and the creditor.

Second. The debtor class is ten to one of the creditor class. lieve the debtor class is greater in proportion to the creditor class than he states.

Third. The demonetization of silver will double the burden of the debtor.

Fourth. Congress will not demonetize silver.

Fifth, Silver will continue to be money.
Sixth. The wheels of prosperity would be blocked by converting silver into mere merchandise

Seventh. The equity between debtor and creditor should not be violated by the demonetization of silver.

Eighth. Much of the hard times in Europe is attributable to the demonetization of silver.

Ninth. The advocates of the gold standard commenced the trouble. Mr. J. K. Upton, late Assistant Secretary of the Treasury, and not a friend to the silver dollar, in his book entitled Money in Politics, makes a statement which is also interesting in this connection. Speaking of the demonetization of silver in 1873 he says:

Had the silver dollar not been discontinued, its coinage at the mint for purposes of circulation would have been resumed upon the fall in the price of silver bullion, and resumption of specie payments would have occurred in 1876 upon a silver basis 20 per cent. below that of gold. Public, State, municipal, corporate, and private indebtedness, contracted prior to the change of standard and payable in coin, would then have been satisfied by the payment of silver dollars, these coins having had a legal if not an actual existence at the time the obliga-

tions were contracted. Nor would the debtor have had, in such an event, any just ground of complaint. No one had ever alleged of either metal an immutability of value, and the obligee to a contract calling for coin took a risk, which he was presumed to know, of being paid in the cheaper metal.

The discontinuance of the silver dollar, however, took from the obligor the powers, if not the right, to satisfy his coin obligations by payment in silver coin. The number of private contracts affected by the discontinuance of the silver dollar in the country was probably not great, nor their amount excessive; but a large amount of corporate, municipal, and State indebtedness existed, payable in coin, and contracted previously to 1873, and this could now be paid only in gold.

The entire bonded debt and the circulating medium of the United States was affected by the discontinuance. A large portion of the debt contracted during the rebellion called only for "dollars," and not without reason there had arisen in the country a considerable demand that these obligations should be satisfied with United States notes, those being the kind of dollars the Government received for the obligations.

This is a rescondably fair statement of what were the rights of the

This is a reasonably fair statement of what were the rights of the debtor class when the silver dollar was discontinued and what the legal effect of the discontinuance was. Coming from an enemy of the silver dollar and from one who seeks to justify the crime perpetrated against the people in the interest of the bondholders by legislation requiring our bonds to be paid in gold, including the demonetization of silver, it is worthy of the reproduction I have given it here.

To return to the charge that the silver dollar is a dishonest coin, a To return to the charge that the silver dollar is a dishonest coin, a 79-cent dollar, let me ask who refuses to take it at par? All over this country the laborer takes it and is glad to get it. The mechanic takes it. The farmer takes it. The professional man takes it. All of them are glad to get it, and they never think, when it is offered in payment for a dollar's worth of work or commodity, of suggesting that it is only a 79-cent dollar. It will buy as much labor and as much of the necessaries of life anywhere in this land as a gold dollar. This is admitted by the gold men. The gentleman from Pennsylvania [Mr. Scott], in the same speech in which he characterized it as "a fraud and a cheat," nees also the following language: uses also the following language:

Sir, no gold monometallist denies that the purchasing power of the present standard silver dollar of 412; grains is to-day equal to a gold dollar

True, he follows this statement with an attempted explanation in this

But we do deny, sir, that this state of affairs grows out of the fact that the Government has stamped it a dollar and makes it a legal tender as such. This condition of affairs arises solely from the fact that the Government receives it as the equivalent of a gold dollar; and if the Government should stamp 412½ grains of copper and receive it as the equivalent of a gold dollar, its purchasing power would equal the present gold or silver dollar so long as we are on a bimetallic

The attempted explanation is not altogether satisfactory, and leaves the fact in existence, and also concedes more to the fiat-money theory than I would have supposed a gold man would be willing to grant.

But they tell us if we continue the coinage of this dollar we will drive the gold out of the country. That cry has gone up so often that it has ceased to be alarming. We have heard that for years. We have heard it from the gold men, from their organs, from Secretaries of the Treasury, from Presidents, and in one instance-a monumental instancefrom a President-elect.

But while the gold prophets and the Treasury prophets and other prophets have been assuring us that the gold would certainly all go out of the country, what have the facts—those stubborn things—been establishing? Simply this: that during the time which has elapsed since the passage of the Bland act, beginning with the year 1879, the gold imported into this country has exceeded that exported from it by over \$183,000,000. In the same period of time the exports of silver have nearly doubled the imports.

The following table, compiled from official sources and believed to be accurate, exhibits by years during the period named the imports

and exports of both metals:

	Gold	d.	Silver.		
Year.	Imports.	Exports.	Imports.	Exports.	
1879 1880 1881 1882 1883 1883 1884 1885	\$5,624,948 80,758,396 100,031,259 34,377,054 17,734,149 22,831,317 26,691,696	\$4,587,614 3,639,025 2,565,132 32,587,880 11,600,888 41,081,957 8,477,892	\$14, 671, 052 12, 275, 914 10, 544, 238 8, 095, 336 10, 755, 242 15, 504, 777 16, 550, 627	\$20, 409, 827 13, 503, 894 16, 841, 715 16, 829, 599 20, 219, 445 29, 868, 749 33, 753, 633	
Total	288, 048, 819	104, 540, 388	88, 397, 186	151, 426, 861	

This table discloses that in every fiscal year since the coinage of the standard dollar began under the Bland act, except one, more gold has been brought into the country than has been shipped out of it. In 1884 the balance was against us, but in 1885 there was a large balance, over sixteen million, in our favor. And thus, while the gold men have been year after year playing the rôle of alarmists and trying to scare the country into the belief that all our gold was going or would soon certainly go out of the country, the facts of history have been constantly accumulating against them and giving daily contradiction to their dire predictions. But still the predictions continue.

Now, Mr. Speaker, what has occurred in the past, under a certain state of circumstances, may be presumed to be of at least probable occurrence, in the future, under the same circumstances. The facts conclusively show that in the past, with the coinage and circulation of the silver dollar progressing, gold has not been driven out of the country, but on the contrary it has been constantly coming to us from abroad in greater quantities than have been going away. We have a right to judge the future by the past. So judging it we may properly conclude that the balance will continue to be in our favor so far as the importation and exportation of gold are concerned, and the prophesied danger from that source is not imminent.

The bill under consideration proposes not only to continue the coinage of silver, but to put its coinage on an equal footing with gold by making it free; and I am in favor of it. From the organization of our Government, or more accurately speaking, from 1792 when our first coinage act was passed, down to 1874, the coinage of silver was free, and I do not perceive any good reason why it should not be so. From time immergial both these precious metals have been used as more. immemorial both these precious metals have been used as money. Constitution of our country recognizes them both, and, I believe, makes them both legal tender and forbids the demonetization of either. This opinion has been entertained by eminent men in all periods of our his-I will quote the opinion of one gentleman, quite prominent in our late history, who ought to be accepted as authority, at least, on one side of this House. I refer to Mr. Blaine, who in 1878 said:

I believe gold and silver coin to be the money of the Constitution, indeed the money of the American people anterior to the Constitution, which the great organic law recognized as quite independent of its own existence. No power was conferred on Congress to declare either metal should not be money. Congress has therefore, in my judgment, no power to demonetize either any more than to demonetize both. * * * 1f, therefore, silver has been demonetized, I am in favor of remonetizing it. If its coinage has been prohibited, I am in favor of ordering it to be resumed. If it has been restricted, I am in favor of having it

But we are told the silver dollars accumulate in the Treasury and do not circulate. The accumulation, to a large extent at least, is due I believe to administrative discrimination against this coin. Let the Treasury officials pay the maturing obligations of the Government in standard dollars wherever not bound by previous legislative crime to pay them in gold, and the Treasury will be relieved of its burden, at any rate to some extent.

And now, in conclusion, let me say the Democracy of the country and the people in general demand and expect of this Congress, and are entitled to have, action which shall be in the interests of the people generally, and not solely in the interests of the few and the wealthy who are in condition to take care of themselves. All over the country there is business stagnation, and legislation which intensifies the mal-ady, or a failure to legislate for the general relief, may prove disastrous to the party in power.

diced men, if I may say so, could not help bringing in a verdict for the defendant. I can not see how they could do otherwise.

It is a deplorable situation, Mr. Speaker, that there are so many people who entertain the idea that in questions of this kind men are incapable of being just and fair-minded, but are entirely guided by partisan bias, and that the only requisite for a party to a contest to be successful is to belong to the party having the organization of the respective political body.

This popular impression, Mr. Speaker, is a sad commentary upon the sense of fairness and justice which should govern our actions; but while I admit that there has been in the past some cause for such an errone-ous opinion, I know that it is not altogether so; that something more substantial is required to be established than to belong to the party in

the majority. I rejoice, sir, that the world does move, and especially that it moves in the right direction. I am glad that the old Latin saying, "Let justice be done, even though the heavens fall," is gaining ground to some extent even in election cases in a Democratic House. It is a progressive step which entitles the committee to the plaudits of every

patriotic citizen of the Republic. But, Mr. Speaker, all this I would gladly have left to other gentlemen to say or not to say; I would have kept silent, had it not been for a certain article which was published in one of the leading Democratic newspapers of the country. Had it appeared in a paper of less prominence than the Louisville Courier-Journal, had it been less industriously circulated, had it not borne upon its face the stamp of inspiration from a certain source, had it not been written for the very purpose of prejudicing the cause of the contestee, had it not shamefully and maliciously attacked the honorable conduct of my friend, Mr. Romeis, and wantonly and brutally insulted the nationality to which he and I belong, I would not have taxed your patience and asked you to listen to me

even for a few minutes. This article, sir, is unworthy of a great American newspaper. The sickening adulation of the contestant and the unjustifiable, vulgar, and infamous slandering of the contestee ought to consign its author or authors to the condemnation of every righteous citizen. Of all assassins, he who stabs at the character is the most despicable. The tone of the article recalls the bygone days of the Knownothing movement, of the bloody days of Louisville in 1854 or 1855, and in other American cities, where Germans and Irishmen were killed like dogs. I will read the

Frank Hurd—The great tariff-reformer as he appears to a small tariff-reformer— His accomplishments as a man, a statesman, and an orator—The Dutchman whose seat he is contesting, and who must go—Thoughts upon men and things.

[Special correspondence of the Courier-Journal.]

"He reads much; He is a great observer, and he looks Quite through the deeds of men."

WASHINGTON, February 21.

Hurd vs. Romeis.

SPEECH

OF

HON. RICHARD GUENTHER,

OF WISCONSIN.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 14, 1886.

In The House having under consideration the contested-election case of Hurd ex.

Romeis—

Mr. SPEAKER: I have listened with great interest to the speech of the contestant. I presume that he addressed the Committee on Elections with the same burning eloquence; in fact, I have no doubt that he did not be sufficient to assure every fair-minded and unprejudiced gentlems that he was elected. How poor, then, must his case be. That fact alone ought to be sufficient to assure every fair-minded and unprejudiced gentlems that he was not elected.

The dispersion of the contestant, is an unmitigated farce.

Mr. Speaker, the case is so clear and the majority report of the committee on Elections in his closing speech showed conclusively that the contestant is an unmitigated farce.

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Mr. Speaker, the case is so clear and the majority report of the committee on Elections alone disposes of the claim of the contestant so horoughly that it would be superfluous for me, especially after while the produced no evidence whatever in support of his charges, nothing the analysis of the contestant is an unmitigated farce.

Mr. Speaker, the case is so clear and the majority report of the committee on Elections alone disposes of the claim of the contestant so horoughly that the contestant is an unmitigated farce.

Mr. Speaker, the case is so clear and the majority report of the committee on Elec

the people is little heeded. One day the legions of Marius are victorious, the next the hosts of Sylla are in the ascendant. Thurman has been retired, Pendleton exiled, Ward invalided, and Hurd betrayed, while Warner, Le Fevre, and Geddes are becoming high priests at the altar of protection.

Mr. Hurd is one of the most finished orators in America. He has a sweetly modulated voice, and his enunciation is without blemish. His command of language is perfect, and his words are carefully chosen and uttered without hesitation. He is never dull, but always interesting and instructive. In the discussion of dry questions of law he can retain the attention of layman and professional alike.

I was present last week when he closed the debate upon his election contest before the committee of Congress to whom it was referred. General Eppa Hunton had just ceased to speak for the contestee when Mr. Hurd arose, and the chairman announced that he had one and a half hours to speak. The members of the committee, the attorneys, the contestant and the contestee, one other gentleman and myself, together with the elerk of the committee, were all that were present. I had heard him before when he had a brilliant and a critical audience in the House of Representatives, whose attention he held from the opening sentence to the closing word, and had been delighted with his speech. On the present occasion, however, there were not a score of persons in the room. The question was one of dry legal detail in the main, with an incidental one of fact, but he had not been speaking five minutes before he had the closest attention of every one in the room. His language was so chaste and elegant, his reasoning so logical and forcible, his illustrations so pertinent and complete, and his conclusions so inevitable, that the merest tyro in the law could follow his line of thought.

He alluded to the question of agency. He advanced some theories that were combated by two members of the committee. I could see at a glance that, while

thought.

He alluded to the question of agency. He advanced some theories that were combated by two members of the committee. I could see at a glance that, while they were good lawyers, they had not read Warren, or Trollope, or Disraeli. An expression of impatience came over Mr. Hurd's countenance, for he saw that much of his time must be occupied in explaining to the committee the distinctions between the ordinary agency in business transactions and the election agency as settled in the English decisions, but he did it to the satisfaction of every one. When his time expired all were astonished, for though the clock had struck twice during the argument no one in the room heard it. As he uttered copious streams of beautiful sentences, I could but repeat to myself the words of Dryden in allusion to one of the most accomplished men of any age:

"Of pleasing wit and pregnant thought,
Endowed by nature and by learning taught
To move assembly."

The contestee, Romeis, was present, a Thersites to Achilles, Tittlebatt Tit-

The contestee, Romeis, was present, a Thersites to Achilles, Tittlebatt Titmouse to Edmund Burke, Quirk to Lord Mansfield. Once or twice he put in a word, but was promptly squelched by his counsel, though not until he showed that in his make-up

"Every inch that is not fool is rogue."

"Every inch that is not fool is rogue."

Practically he admitted that he had bribed voters and seemed astonished that Mr. Hurd should object to it. He is a native of Bavaria, a crout-eating, pretzel-stuffing, beer-swilling Dutchman, who has about as much conception of the spirit of our institutions as a pickaninny on the Congo of the philosophy expounded in the Novum Organum. I have no idea that he could name the Presidents of the United States, even out of their order of service, or that he could tell the nationality of Alexander Hamilton, and would be willing to give odds that he does not know which of them first lived in this sinful world, George Washington or Julius Cæsar. Indeed, he is about as fitto representan American constituency in the American Congress as a nigger field-hand to deliver a lecture on the Pragmatic Sanction and the campaigns of Frederick the Great. But he will have to go. If he lived in Kentucky and were a Democrat of the most pronounced type, he could no more attain a seat in Congress than he could discover the philosopher's stone. As yet we are not for sale, but when "progress" strikes us and we become Yankeefied, which will be in the not distant future, we will send just such men to Congress.

When Mr. Hurd was a member of the House he was rarely on the floor except when a vote was to be taken or he expected to deliver a speech. He was usually to be found in the room of the Judiciary Committee absorbed in a book or discussing some great question with some such man as Cox, Frye, Knott, Tucker, or Garfield. He left the mere details of legislation to less cunning hands. When his party was to be convinced, then it was that he appeared on the scene, and then it was that he showed himself to be the peer of any man in the body. I well remember what a howl of satisfaction went up from every protectionist throat in the country when it was announced that he was defeated. He fought the Republican party in Ohio, the manufacturers of Pennsylvania, the national Republican committee, and notwithsta

It is true, Mr. Speaker, that Mr. Romeis was born in Bavaria. That is about the only truth contained in this article. He was born there but it was involuntary on his part. He had no control over that affair. Could he have had, he might, perhaps, have selected some other part of this globe for his debut. He came to this country with his parents when a little more than eleven years of age. He became an American citizen; and, sir, in everything that goes to make a true and upright one, he is the peer of the contestant or of any member of this House. His people know him and have confidence in him. He has been honored repeatedly by the citizens of his home, the city of Toledo. Several times an alderman, he was elected president of the board and three times mayor of the city, and was then elected to Congress by the people of his district, and he never sought any office. Every position he has held he filled with honor to himself and to the satisfaction of his constituents. Besides he has always reflected credit upon his German fellow-citizens.

The German-Americans take a great pride in having one of their nationality filling a responsible position ably and honorably. The German-American citizens take great pride in their citizenship. They are willing to bear all its burdens without complaint. They consider themselves above everything citizens of this Republic, and as such believe

themselves entitled to share to some extent in the government of their adopted country. They despise those low, narrow-minded, and contemptible creatures who want to breed strife, prejudice, and hatred on account of foreign birth. They love their adopted country, they espouse

account of foreign birth. They love their adopted country, they espouse its cause, they glory in its free institutions, and strive to be good citizens. They want to live in harmony and peace with all the rest of the American people of whatever descent. They want to stand side by side with the citizen of Scotch, Celtic, English, or Scandinavian stock, and with the three noble sons of Switzerland, who, standing upon the peak of the Ruetli, with hands uplifted to the heavens above, registered that solemn vow-with them we say to all the citizens of this country:

> Wir wouen frei und einig sein, Ein einig Volk von Bruedern. We want to be united, free, A union of brethren.

To this class belongs your German-American fellow citizen. To this class belongs my friend, Mr. Romeis, and I stand where he does.

He is an American in the best sense of the word. He will continue to be a worthy, useful, and respected member of this House. But, Mr. Speaker, I would not for a moment try and defend his claim to a seat in this House were I not fully convinced that he was as fairly and as honestly elected as you, sir, I, or any other member of this body.

Rivers and Harbors.

SPEECH .

JOHN M. GLOVER,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES, .

Thursday, April 15, 1886.

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. GLOVER said:

HON.

Mr. CHAIRMAN: The gentleman from Maine [Mr. REED] conjures up the specter of unnumbered millions to be used in leveeing the Mis-These shadows are but the apparitions of his own mind. Does the gentleman know the difference, I would ask him, between a tariff for protection and a tariff for revenue with incidental protection? If so, he knows the difference between levees as an object and levees as an incident. The former is expressly excluded, the latter must necessarily be permitted in this or in any bill on this subject.

The gentleman from Maine professes to be of the opinion that the money of the Government has been wasted in these improvements, and there has been no adequate return therefor. This, sir, is the apocryphal gospel of economy, and has no more to do with the genuine article than pharisaical cant has to do with true piety.

When the Government of the United States appeared to the railroads

of this country like another Jupiter, descending in showers and streams of gold, the voice of the gentleman from Maine was not heard in the land, but upon the beggarly two or three millions per annum which the main trunk of the Mississippi has received, not always with regularity, he concentrates his eloquent and undivided attention.

Mr. Chairman, that man or that class of men who undertake to say that the improvement of the Mississippi River has not passed from the region of experiment to that of accomplished fact, only illustrate the

prejudice that is too often founded on the wishes alone.

The course of the American Congress toward the Mississippi River, so far from being a course of unbounded, overflowing generosity, as the gentleman would paint it, has been, all things considered, the most parsimonious and the most beggarly ever displayed by a civilized nation in the world. The time has come, when if that improvement is to be starved, it must no longer be done in the name and under the protestation of overflowing liberality. Moreover, that wretched outlay has been repaid with a usury beyond the dreams of avarice.

That other nations, less able to expend, have bestowed upon projects with inferior possibilities for good a hundred millions where we have spent ten, so completely appears from the figures given by the chairman of the committee that I shall waste no time upon the first proposition, but prove the second by a demonstration as undeniable as a proposition in Euclid.

I shall begin with the text furnished me by the gentleman from Maine, who builded wiser than he knew when he gave those figures to this House. Said he: "The result of this mercantile [railroad] system under a great law of nature is that men, day after day, are obtaining at the least cost the products of the whole world. Look at the result upon one single railroad. I noticed the other day in the report of the Chicago, Milwaukee and Saint Paul Railroad some simple figures, to

which I ask the attention of the committee. In 1865 every ton per mile cost 4.11 cents; in 1875 every ton per mile cost 2.10 cents; in 1885 it cost 1.28 cents. There is a law here visible which is working inevitably to the benefit of the consumer, working without the cognizance and apparently without the knowledge of Congress, if one could judge from the speeches of members. These great laws of trade keep on without us, and we need not attempt here by this bill to make a change in them, because the result will be in this Mississippi part that we shall be only throwing away our money, not in a change, but in a futile attempt to make a change."

The gentleman would have us believe that the natural operation of

railroad development is reducing the tonnage per mile to the figure stated, and that if we would only wait long enough we would have all our

goods carried for nothing.

Sir, if it were not for the influence of cheap water transportation in this country, direct and indirect, the railroads would still be taking, as they have taken in the past, two-thirds of the product as the price of carrying the other one-third to market, and then standing, like Warren Hastings in India, "astonished at their own moderation."

The figures of the gentleman simply prove the influence of the great anti-monopoly highway to the sea. For its pools the railroads have no use; its stock they do not care to water. It is the one parallel line with which they can not consolidate. Statutes have been of little avail to prevent combinations for the purpose of extortion, parallel lines in violation of law, extortionate tariffs, pooling, discriminations, and the thousand other abuses practiced by these corporations, almost worse than those ills which our fathers once fled into the wilderness to avoid. It is believed that all these abuses can be better prevented by the competition of water traffic than by the enactment of statutes. By forcing By forcing down the rates of parallel railroad lines cheap water routes have forced

down those of the whole country.

In 1865 at the close of the war, it is true, every ton per mile by rail cost 4.11 cents. We had but little in the way of river improvement at that time, but in 1875 much had been accomplished, and the tonnage had accordingly fallen to 2.10 cents, and in 1885, when the agricultural products of this country had begun to flow cheaply to the sea, it had been reduced to 1.28 cents per mile. In other words, as the improvement of the water ways goes up the extortionate charges of the railroads

I do not intend to deal in exact statistics. This House has been wearied with the iteration of them. But I take it for granted that if the gentleman from Maine could increase the material wealth of this country by one hundred millions of dollars for every fifteen millions expended by the National Government, he would be contented to make that expenditure. The internal commerce of this country amounts to more than thirty billions annually. It is moved by the railroads and by the water courses. The cost of transportation is a mere tax, a pure burden, and its removal or reduction adds that much to the value of the product; and as you add to the value, the actual value, of the wheat or the corn or the cotton crop, you add that much to the material

wealth of the country.

To illustrate this point: The internal commerce of the United States amounts to \$30,000,000,000 per annum; upon \$30,000,000,000 in value, if you reduce the cost of transportation 1 per cent. of the value, you increase the total wealth of the country \$300,000,000 per annum. The cost has been reduced over 1 per cent. since the mouth of the Mississippi

was opened to the commerce of the world.

The production of grain of all kinds in 1882 was about 2,000,000,000 With cheap transportation to the sea our foreign market will become practically unlimited, as the present production of the Missis-sippi Valley is a mere bagatelle compared to its amazing possibilities.

It has been computed by competent authority that with bulky articles, such as the agricultural products of this country, the ratio of cheap transportation between the Mississippi River and the railroads at their best is as 18 to 1 in favor of the cheap water route. Such is the condition when the railroads are in their best state, but the recent disorders which have occurred upon these lines indicate the necessity of including in our calculations a possibility of long interruptions of service, a lesson never more forcibly inculcated than by the present condition of affairs where labor and capital employed upon the Southwestern system are joined in an exhausting struggle "like two spent swimmers that do cling together and choke their art."

Sir, the figures which I have given represent the profits of the investment of which the gentleman from Maine complains. That profit has changed the balance of trade; it has made us a creditor instead of a debtor among nations. Previous to 1874, except in occasional years, the balance of trade was against us. In 1873 we paid to foreign countries over \$119,000,000 more than we received, but since that time, except for the year 1875, the balance of trade has been in our favor, and for the year 1883 alone we have received over \$100,000,000 more than we paid. This change was effected by the water route that lowered the rate on a bushel of wheat from 26.6 cents in 1872 to 14.2 cents in 1874 and 9.16 cents in 1883. These facts are known to all the world. They are imprinted on the economic history of this country and on the minds and memories of men as plainly as the signs of the zodiac appear

in the heavens; and although now nearly everybody is willing to admit that "the earth do move," the gentleman from Maine wants more divi-dends on his investments, and ranges himself with Mrs. Partington and King Canute in a vain effort to "stop this transaction."

Mr. Chairman, the enemies of these improvements lag behind the age—they lag superfluous; the country has gone far, far beyond them. The question which they are desirous of debating has been decided, and the only question now before the people of this great country is how fast, how far, by what means and by what appliances they shall push that work to completion; and that is what the people expect of

the National Legislature.

"There is the East, there is India," said Benton as he pointed toward the grain fields of the Mississippi Valley. "The discovery of America," as has been finely said, "called into existence a new world to redress the balance of the old." But, sir, while Congress halts the mercantile genius and the unlimited treasure of England have resurrected the Old World to overturn the balance of the New; and Indian wheat threatens the markets in Europe which we now hold. petitor of the American farmer is found on the banks of the Ganges and the Bosporus, and the price of his wheat is fixed at Liverpool. not go into particulars with which every member of this House is familiar; it is enough to say there is a visible danger, and no cause therefor but the obstructive tactics of the enemies of cheap water transportation.

Mr. Speaker, this need is so crying and so just that it has become stereotyped in both our party platforms, and among our people it is as familiar as the precepts of the common-prayer books, and almost as sacred. It has created a literature of its own, so fine as to excel the best productions of the world on an economic question from the revival

of letters until this day.

What nobler question ever engaged the attention of man than that of cheapening the bread of the world? Compared with it the tariff dispute is as empty as the crackling of thorns under the pot. In the light of the immense gain to be derived by the material interests of the country from cheap water transportation it could say both to the Illinois Cobden and to the gentleman from Pennsylvania who stands like a tower for protection to American industry, "A plague of both your houses." The profits of the Mississippi River improvement could pay the duties about which you dispute without feeling the deduction from the sum total.

Mr. Chairman, our Navy may disappear as before the breath from heaven that destroyed the Armada, our Army may be dissolved like wreaths of snow before the sun, and the country still move on in prosperity. But close the mouth of the Mississippi River and we will be a miserable insolvent and a bankrupt among nations. Sir, I shall never forget the fine comparison of Governor Winthrop, uttered from the eloquent lips of the gentleman from Massachusetts [Mr. Long], who said that when the States became "dissevered, discordant, belligerent" the rise of the monument to the Father of his Country was stayed, but when they united again it began a second time to shoot toward the skies; and I could not help feeling the other day when I saw file round the Capitol that phantom army, relic of the Grand Army of the Republic who sleep on the brow of yonder hill, that the States, "dissevered, discordant, belligerent," had ever found in a common interest in this mighty stream a never-failing argument for Federal Union, and that in the project to cement that bond were to be found the anchors and the cables of the surest statecraft.

Mr. Chairman, I hear the voice of monopoly crying on this floor that "commerce is beyond the control of the Government of the United States;" that "commerce takes its own way," and "that way is from

east to west, and by railroads."

Sir, the Government of the United States created the railroads of the sir, the Government of the United States created the railroads of the country as God did the earth—out of nothing. They are the spoiled children of the Republic. We have kissed away kingdoms and provinces to them, filled their wishes to the brim with principalities, rained down gold upon them, sold them our birth-right for a mess of pottage, and the voice which echoes in the cry that I have quoted is demanding the fulfillment of that shameful bargain. It is monopoly cryping behind the mask of public spirit. the hand is the hand of Esau. The voice is the voice of Jacob, but

To me it appears to be immaterial whether the internal commerce of this valley amounts to one-half or to the total of that of the whole country; whether the amount of money expended by the National Government on improving the water ways of the valley is equal to onehalf, to one-fourth, or to any portion of that to which they are entitled; whether this is the granary of the world or whether it is a desert, that opposition which springs from a well-defined interest sets its face against these improvements as a rock against a storm. I say that it is this interest we have to meet and to do battle with and to overcome.

I do not believe that the people of this great valley use their political power as they should use it. I do not believe that they hold to responsibility the men who should be devoted to their interests. It seems to me that every man, no matter for what cause, who finds it is necessary to antagonize those interests should see above his head, erect and frowning, the tutelary genius of the Mississippi Valley with her hand upon the wheel of his political fortune until the sight has terrified him into submission

Mr. Chairman, if the monopolies of this country continue to stand in the way of this improvement they will light such a flame of indig-nation throughout the length and breadth of that great valley as will

consume their franchises like the stubble in the field.

Mr. Chairman, if the end we have in view in pushing to completion the improvement of the water courses of this country is accomplished we shall see no longer the very creatures of the people going among their creators like Persian despots and demanding earth and water of every legitimate enterprise as the price of life; we shall hear again the doctrine that corporations are the servants of the people—a doctrine which will sound to the American people as there sounds to a stranger in a far-off land the dimly remembered accents of his mother tongue.

Remove Unnecessary Pilotage Fees from American Coastwise Sailing Vessels.

SPEECH

HON. NELSON DINGLEY, JR.,

OF MAINE.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 15, 1886.

The House being in Committee of the Whole on the state of the Union on the bill (H,R,7480) making appropriations for improvement of rivers and harbors—

Mr. DINGLEY said:

Mr. CHAIRMAN: The large expenditures authorized by the pending and previous river and harbor bills and by the bills annually passed for the erection of light-houses and the placing of buoys at the entrance of our harbors ought to relieve American vessels from the burdensome compulsory pilotage fees imposed at a time when our harbors were neither improved nor marked. The Committee on Shipping have reported a pilotage bill which ought to be passed. This bill simply places American sailing vessels engaged in the coastwise trade (which includes the great lakes and all the internal waters of the United States, as well as the Atlantic, Pacific, and Gulf ports), on the same basis as to pilotage that American steam-vessels in this trade have been placed

The justice and necessity of removing the discrimination which eleven States are now permitted to make against American sailing vessels will be recognized when the facts are understood. Pilotage, as an instrumentality of commerce, is under the control of Crongress. The first Congress which assembled after the formation of the Constitution, being pressed by multiplicity of duties, enacted that "until further provision" by that body pilots shall continue to be regulated by State laws. The necessity for a more uniform pilotage system became so apparent as our merchant marine increased and interstate communication by water developed that in 1852 Congress took up the subject and enacted a national pilotage law for American steam-vessels in the

coastwise trade.

This law provided for the establishment of inspection districts throughout the United States, each covering the ports of a single State wherever these ports were within reasonable distance of each other, with a board of United States inspectors for each district. These district inspectors were authorized to examine and license the masters or mates of coastwise steam-vessels, to pilot their vessels into and out of the ports of such district, when such officers were found competent, and exempted the vessel so piloted from the obligation to pay a second pilot under

the vessel so piloted from the obligation to pay a second pilot under State authority when the services of such State pilots were not employed, an exemption made necessary by the fact that the pilotage laws of many States compelled every vessel to pay State pilots, whether used or not. This law was confined to steam-vessels, because on account of the opposition of the influential State pilotage associations it was found impossible at that time to also include sailing vessels. Even as it was the pilots strenuously insisted that the law would destroy the efficiency of pilotage and ruin their business. This law, covering steam-vessels, has been in force thirty-four years. It has proved of incalculable service to the country; has done much to promote the interests of the steam ice to the country; has done much to promote the interests of the steam marine of the country, and has afforded more efficient pilotage than ever before. No voice is anywhere raised for its repeal. While it has rendered the services of a smaller number of State pilots necessary, yet those pilots whose services were not needed in their former employment have found kindred employment on steamships or tugs. A demand has still existed for State pilots for vessels in the foreign trade, and this demand has been abundantly supplied.

The great success of this national system of pilotage for coastwise

steam-vessels induced those States which had considerable tonnage to inaugurate the policy of also relieving American coastwise sailing vessels entering or leaving their ports from the obligation to pay a State pilot whose services were declined. All the States bordering on the great lakes, namely, Vermont, New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, and Wisconsin, have relieved sailing vessels from the obligation to pay State pilots whose services were not used, the national act of 1852 having done this for steam-vessels. Maine, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, and Delaware, and Connecticut and Pennsylvania in part, on the Atlantic coast, and California, Oregon, and Washington Territory, on the Pacific coast, have also similarly relieved sailing vessels in the coastwise trade also similarly relieved sailing vessels in the coastwise trade.

Thus, as there are no sailing vessels on the waters of the ten interior States, all their marine being steam-vessels, all the coastwise sailing as well as steam vessels of twenty-seven States of the Union are reas well as steam vessels of twenty-seven States of the Union are relieved from the unjust burden of paying pilots whom they do not use. But eleven States, to wit, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, with Pennsylvania in part, while obliged by United States laws to relieve coasting steamers, still insist on compelling coastwise sailing vessels to pay fees to State pilots, when these vessels are piloted by their own masters or are towed by a steam-tug under the charge of a United

States pilot.

This bill simply puts American coastwise sailing vessels entering and leaving the ports of these eleven States on the same basis as to pilotage as steam-vessels, and on the same basis as coastwise sailing ves-

sels in the other twenty-seven States of the Union.

It removes a discrimination against our sailing vessels in the ports of eleven States which Congress can not in justice allow to continue. Coastwise steam-vessels can enter and leave any port in the Union without being compelled to pay a State pilot whose services are not used. Coastwise sailing vessels owned in Maryland and nine other Southern Atlantic and Gulf States may also enter the ports of either of the other States without being obliged to pay a pilot whose services are not employed; but a sailing vessel owned in Maine, or in either of the twentyeven States referred to, can not enter the ports of the ten States named without paying fees to State pilots not used. Though such vessels are piloted by their own masters or mates, or towed by a steam-tug under the charge of a United States pilot, yet in entering and leaving the ports of thirteen States they are required to pay these unused State pilots

The peculiar injustice of the pilotage laws of these Stotes, which this bill, if it becomes a law, will place on the same basis as other States, is illustrated by the following statement of the master of a Maine ves_ sel which recently visited Savannah and Charleston. The master writes.

I was bound from Boston to Savannah, Ga. We arrived off Savannah bar February 18, 1884; was spoken 10 miles NE. of bar and compelled to take a pilot. On arriving within 5 miles of bar was spoken by tug (wind light and ahead). This tug put us at our dock for \$45. Now, our pilotage was \$67.55, and the pilot on board of us was of no advantage, as we had only to follow the tug. On leaving Savannah for Charleston, in ballast, our pilotage was \$21.60—another sum thrown away, as we had a tug that took us to sea for \$20. I am now ready to leave Charleston and find myself obliged to pay a pilot \$67 more, as I dare not risk crossing the bar without a tug. This is also unnecessary expense. I have a tug engaged that will take us to sea for \$35. This makes our pilotage, which we did not need nor use, on this trip alone, 5 per cent. of our gross stock, and at rate of freights at the present time vessels can not stand such exorbitant charges. Hoping that attempts for our relief may prove successful,

I remain, respectfully, yours,

W. C. THOMPSON,

W. C. THOMPSON, Round Pond, Lincoln County, Maine, Master of schooner Jonathan Bourn

The Commerce Committee of the House of Representatives of the Forty-fourth Congress, after a careful examination of the subject of pilotpresented an able and well-considered report, drawn by Hon. H. L. Pierce, of Massachusetts, in which they said:

L. Pierce, of Massachusetts, in which they said:

One witness who appeared before your committee stated that he represented twenty-three vessels, which made about seven hundred passages in the course of a year; they had never taken a pilot and had never yet sustained damages to the extent of a hundred dollars. The captains, he said were much more competent to handle the vessel than the pilots, for the reason that, while possessing an equal familiarity with the channels and harbors which they frequented, they had a better knowledge than the pilots could have as to the working of the vessels. It is stated that the average capacity of vessels engaged in the coastwise trade is about 550 tons. On that basis the charges for pilotage would be from \$20 to \$45 each time a vessel enters or leaves a harbor. It is a tax which, in the present depressed condition of the shipping interests, bears heavily upon a class of people who are specially deserving of consideration and encouragement; and it is sufficient in many cases to change the adventure from one furnishing a moderate return to one in which there is a positive loss. Two statements of actual voyages by coasting vessels are appended, showing the amount paid for pilot fees. In the case of the schooner E. T. Cottinghan, with a cargo of coal, from Philadelphia to Savannah, and a cargo of lumber from Jacksonville to Baltimore, the pilot fees amounted to \$\frac{3}{2}\$ per cent, of the total amount received for freight. On that voyage the captain lost \$100 over and above his share of the

Inasmuch as the ten Southern States which retain such oppressive pilotage laws have very few sailing vessels, it seems probable that because of the slight local interest in a merchant marine the pilots are allowed to dictate the State pilotage laws solely in their interest. The sail tonnage of the United States is 2,331,970 tons, of which only 214,345 tons is owned in the ten States that alone maintain laws compelling all coastwise sailing vessels, piloted by their own masters or towed by a steam-tug under the charge of a United States pilot, to pay

a second and unused pilot under State authority.

Some of these States, notably Georgia, exempt from the payment of compulsory pilotage fees vessels trading between the ports of such State, but impose this burden on vessels trading between the ports of such State and the ports of other States. It is time that Congress should put an end to such discriminations in a matter under Federal control and place all American vessels in the coastwise trade, whether sail or steam, on the same basis as to pilotage in every State of the Union.

What objections are urged to a measure of so evident justice? I will allow the pilots, who maintain a close and powerful association to maintain laws in their interest and who appeared personally and by attorney to oppose this bill, to answer for themselves. In a circular sent to labor organizations the New York Pilots' Association says:

organizations the New York Pilots' Association says:

It is for the protection of vessels * * * that the [pilot] service must be maintained, and that is impossible if every master of a vessel is left free to take or reject the pilot. * * * The bill is in the interest of foreign vessels. * * * We would ask you, Is the interest of foreign steamship companies to be considered by the legislative power of America before the "life, liberty, and the pursuit of happiness" of those who are American citizens? * * * In the name of fraternity we ask you for sympathy in our effort to maintain the integrity and dignity of our trade and calling. * * We request all our brothers to use their influence on all present members of Congress and all aspiring candidates, and induce them to pledge themselves to oppose the present pilot bill and all future bills.

As this circular was generally sent to labor organizations in sections of the country unfamiliar with the subject, it is not surprising that some of these bodies were misled into taking action in opposition to the bill. It is suggestive that not a single labor organization in which seafaring men were members raised its voice against the bill. Some which at first took action against it rescinded their vote on ascertaining the facts. And undoubtedly all would do so on a full understanding of the situation, for a fundamental idea of all such organizations is opposition to monopoly by law, which is the essence of the compul-

sory pilot-fee system.

I call the attention of the House to the misleading character of the circular sent out by the New York pilots. The circular charges that "the bill is in the interest of foreign vessels." It does not affect a single foreign vessel, but leaves such vessels to be regulated by existing

laws. It simply relieves American coastwise sailing vessels and the masters, mates, and seamen who sail them.

The circular presents the picture of a pilot boarding a vessel, and asks if men who brave the dangers of the ocean in such service ought not to be considered by Congress, and protected in their hazardous calling. But are not the masters, mates, and seamen who sail our vessels, and who are almost constantly exposed to the buffetings of the deep, entitled to as much consideration as the pilots who are far less exposed? These hardy seamen are not supported by laws which compel any one to pay them for services not rendered. Why should the pilots alone be favored with such legislation? The workingmen of the country have no laws compelling men to pay them wages when they do not perform services. Why should the pilots ask workingmen to aid in maintaining laws compelling seafaring men to pay for pilotage they do

They circulate appeals for help "to maintain the integrity and dignity" of pilotage by compelling vessels to pay pilots when they are not used. But other people maintain "the integrity and dignity" of their business by obtaining pay only when they perform a service. Why do the pilots seek for legislation which no workingman ever thought of in

The circular conveys the impression that the New York pilots are wageworkers who need laws enforcing the payment of fees by those who do not use them, in order to exist. The report of their earnings for the past not use them, in order to exist. The report of their earnings for the past year show that one hundred and thirty-three New York pilots earned last year \$378,763 in fees, nearly \$3,000 each. Even after deducting their own estimates for expenses, profit on capital invested, &c., there remained \$1,435, or nearly \$5 per day, to each pilot for personal services, besides the profit of their capital. And no one can get into this favored class except by appointment of a board of commissioners, consisting of three persons appointed by the Chamber of Commerce and two by the marine insurance companies. For such a close monopoly as the New York Pilots' Association to appeal to wage-workers receiving an aver-York Pilots' Association to appeal to wage-workers receiving an average of \$1.50 per day for sympathy and support in maintaining laws in their interest such as no wage-worker ever dreamed of for himself, is a strange proceeding. There is not a seaman, not a mate, not a master strange proceeding. There is not a seaman, not a mate, not a master of a vessel, not one of the well-nigh impoverished owners of our coasters, who has earned from his venture on the ocean the past year as much as the average New York pilot that appeals to labor organizations "to influence members of Congress and aspiring candidates and pledge them" to favor laws which compel the impoverished masters and owners of

coasters to pay pilots for services they do not need nor use.

The circular alleges that unless the laws compel all vessels to pay fees to State pilots "the pilot service can not be maintained," and vessels to pay fees to State pilots "the pilot service can not be maintained," sels and lives will cease to have proper protection. It would seem as if the owners of American vessels and the masters, mates, and seamen, who have their own property and lives at stake, ought to be judges of what is best for them. If they are satisfied that they can pilot their own vessels and that exemption from the payment of pilots whom they do not

use will not detract from the efficiency of their pilotage service, why

need the pilots trouble themselves?

All experience shows that where any service is demanded or needed the supply is sure to follow. This is the principle on which all other business is successfully carried on; and why not pilotage? Skillful physicians are as necessary to the health of a community as pilots to the security of navigation. But no one comes forward as the pilots do and argues for a law to compel well persons to pay fees to physicians on the plea that this is necessary to maintain an efficient medical corps. The demand for medical services for the sick insures a sufficient supply of skillful physicians. So the demand for pilotage by foreign vessels and vessels in the foreign trade, and by such coastwise vessels as need other pilot service than their own masters, will secure a sufficient supply of

But we can appeal to experience in this matter of pilotage. In 1852, when Congress passed the law relieving coastwise steam-vessels from the obligation to pay State pilots not used, it was predicted that this would destroy the pilotage system, but it has done nothing of the kind. It has made fewer pilots necessary, but a sufficient number of skillful pilots are always ready to meet the demand. When Maine, Massachusetts, and all the other Northern States bordering on the Atlantic and Pacific and the great lakes abolished their laws requiring coastwise sailing vessels to pay fees to pilots not used, the pilots contended that it would destroy the pilotage system and increase shipwrecks; but the result has been far otherwise. In not one of these States has the efficiency of pilotage been diminished or shipwrecks increased. The assertion of the pilots that it is impossible to maintain an efficient pilotage system if masters of coastwise sailing vessels are left free to take and pay a pilot or not, is disproved by the fact that every State in the Union but eleven has done this without impairing in the least the efficiency of their pilotage. Indeed, the result has been to increase the efficiency of the pilotage system by rendering it necessary for pilots to seek vessels as far out at sea as possible in order to secure employment, whereas, under the system of compulsory fees the pay is secured without service.

It is contended that the ten Southern States, whose laws still main-

tain compulsory pilotage fees, have not sufficient foreign trade to maintain pilots if coastwise sailing vessels are exempted. The facts prove otherwise. Maine and New Hampshire, which have abolished compulsory pilotage fees as to all vessels, and Rhode Island, New Jersey, and Delaware, which have abolished compulsory fees as to all coastwise vessels, have less foreign trade than any Southern Atlantic or Gulf State; and yet their pilotage systems are as afficient as those of anything and yet their pilotage systems are as efficient as those of any other

States

Much has been made by the pilots of the fact that the New York marine insurance companies have in the past protested against the change proposed in pilotage. But when it is borne in mind that these insur-ance companies are officially connected with the pilot commissioners their protest becomes of little value, especially when these same New York companies insure a vessel trading with ports which have abolished compulsory pilot fees as cheaply as they do vessels trading with ports making the fees compulsory. The fact that all the Boston marine insurance companies, located at a port where the system proposed by this bill has been tried for many years, unite in a petition for the passage of this measure is a sufficient answer to all suggestions that the system

proposed will in any manner lessen the protection to vessels.

Indeed, it should be observed that this bill does not take away from any coastwise sailing vessel any existing obligation to secure competent pilotage. It simply authorizes the licensing of a master or mate to pilot his own sailing vessel where he is found competent to do so (just as the master of a steam-vessel may), and exempts a coastwise vessel so piloted and one towed by a steam-tug under the charge of a United States pilot from the obligation to pay a second pilot under State au-

thority when he is not needed nor used.

There is nothing in the conditions surrounding sailing vessels in the coastwise trade which justifies withholding from them the pilotage privileges granted to steam-vessels in the same trade. If any preference should be given it ought to be extended to our coasting sailing vessels, for they are generally owned by individuals of small means and are much smaller than the steam-vessels in the same trade and therefore much better able to enter and leave our ports with the pilotage of their own licensed masters when the wind and tide are favorable, or under the tow of a steam-tug in charge of a United States pilot when the conditions are unfavorable. It should be remembered also that the same inspection board which successfully examines and licenses the master or mate of a steam-vessel carrying passengers to pilot his own craft in the ports of such district is equally competent to examine and license the master or mate of a sailing vessel which carries no passengers.

The suggestion has been made that it is unwise to modify a system of compulsory pilotage fees which has been so long in force for presumably good reasons. But it should be borne in mind that a change in ably good reasons. But it should be borne in mind that a change in pilotage has been going on until now compulsory fees as to coastwise steam-vessels have been abolished by Congress in all the States of the Union, and as to coastwise sailing vessels in twenty-seven States of the Union. The rule is voluntary fees; the exception in only eleven States of the Union is compulsory fees, and that only as to sailing vessels. Is it not time that the same rule as to pilotage fees as an instrumentality of commerce should prevail for all the States? Over thirty years ago England abolished compulsory pilotage fees as to vessels in her coast-

Presumably this change from compulsory to voluntary pilotage fees where a vessel is piloted by its own licensed master or by a steam-tug under the charge of a licensed United States pilot has been made for substantial reasons. When the First Congress met under the Constitution few of our harbors were marked, and there was a necessity for guidance of every vessel by local pilots which does not now exist. Millions of dollars have been expended by the Government in improving our harbors, erecting light-houses and monuments, placing buoys and fog-bells, deepening channels, surveying harbors, and publishing charts, until now the masters or mates of any of our small coasting vessels can enter and leave the ports which they are accustomed to visit as safely as any local pilot. If they are found competent by United States inspectors to pilot their own vessels, or if they enter or leave a harbor by means of a steam-tug under the charge of a United States pilot—as three-fourths of our coastwise sailing vessels do—why should where a vessel is piloted by its own licensed master or by a steam-tug pilot-as three-fourths of our coastwise sailing vessels do-why should they be obliged to pay a second pilot under State authority whom they do not use?

Mr. Chairman, the justice of this bill is so evident that there ought to be no hesitation in passing it. It is asked for by the vessel-owners, masters, mates, and seamen of the country. From all parts of the country where shipping is owned to any considerable extent there have come up petitions for its passage. It was recommended by the House Shipping Committee of the Forty-eighth Congress. It was recommended by the late Secretary Folger, who said in a letter dated December 26, 1883:

Inasmuch as the bill puts sailing vessels of the United States upon the same footing, as regards pilots, as steam vessels of the United States, I approve of the bill. There is no reasonable ground for discriminating against sail vessels in the matter of pilotage by conceding greater privileges to steam vessels.

It is recommended by the Bureau of Navigation. It is recommended

by the shipping committee of the present House.

More than a million of dollars was paid by our shipping in the last fiscal year for pilotage, much of it unnecessarily. This is the heaviest burden remaining on our merchant marine. In seeking measures to encourage and revive our shipping interests, we shall fail to do what is within our reach if we refuse to give our coastwise tonnage the relief offered by this bill.

Rivers and Harbors.

REMARKS

HON. JOHN SWOPE, A.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 15, 1886,

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SWOPE said:

Mr. CHAIRMAN: It is not the province of this Government to interfere in the business of any individual, and by its paternal aid to help him conduct it. Nor, as I regard it, is it any part of its duty to assist any number of people of any particular locality to cheap transportation when it is done at the expense of many who have no special interest to many their share of the expense.

terest in it, except to pay their share of the expense.

Mr. Chairman, I am of the opinion that it is a monstrous perversion of the provisions of the Constitution to pry around mountain rivulets and sluggish lagoons to ascertain whether they contain a sufficiency of water to entitle them to an application of this much-abused clause. I fail to see any special virtue in water in such small quantity that it requires a dam to collect it in sufficient quantity to float a flat-boat, and then leave the question in doubt as to whether it was worth a dam. I believe that water has a special virtue in church ordinances for purposes of baptism or immersion. I concede that it has special properties when judiciously mixed with the staple product of Kentucky—say in the proportion of half and half. But I utterly fail to see why there is anything in the composition of the aqueous fluid that takes it out of the category and gives it special properties and attributes of its own. I can readily understand why the important harbors of the country should be fitted for the commerce which comes to them either for refuge or to unload the commodities brought there from other countries. I can also or others which flow through many States, should be put in navigable order at the public expense. But to prospect around to find a stream on which through some pretext a certain amount of the public money can be expended is entirely outside of public policy and against the general welfare. see, though not so readily, that certain rivers which drain a continent.

The first step in the process seems to be to discover the water, and the next to get an engineer's report thereon. Now, put a thoroughly trained and well-equipped engineer to work to make a report on any stream whatever and you may rely upon it that he, with the aid of those interested in that particular locality, will make a very readable report thereon and demonstrate the entire feasibility and absolute necesseem, for given a few inches of water measured at the flood, with timber fitted for the saw-mill and an undergrowth of scrub suitable for hoop poles and barrel staves, and the necessity for the imprevement is absolutely and beyond all peradventure clearly demonstrated.

When you add to all this wealth lying unused for the want of a water way to the sea the immense and almost incomprehensible pro-

duction of eggs and butter, the former of which become addled and only fit for hotel use scrambled, and the latter rancid, and all because of the want of facilities for transportation, the absolute necessity for the improvement becomes at once apparent. It seems hard indeed that that particular outlying part of creation should any longer be allowed to pine and languish on account of the niggardly refusal of Congress to appropriate a few thousand or a few million dollars. The reports of engineers, which fill several ponderous volumes, are a study which will richly repay a close examination on a rainy day at an outlying railroad station in the absence of the weekly newspaper, the Shorter Catechism, or Baxter's Saint's Rest.

It is interesting to observe the cautious and extremely prudent man-

ner in which the adventurous engineer approaches the intricate survey, the exactness with which he designates the depths of waterat 8 inches at low water which develops into a roaring flood of 4 feet 2½ inches after a two-weeks rain, and the demonstrable certainty that if this superabundance could be held in absolutely water-tight dams and dealt out economically the needs of a prostrate commerce could be subserved and the waning prospects of the member from the district promoted. Commerce in those far-off regions could be still further promoted by the payment of a liberal subsidy to flatboats and dugouts carrying the United States mail.

I quote a few extracts from an engineer's report which one could scarcely believe to be in solid earnest did they not appear in good company among the valuable collection of reports. Speaking of a certain river, which shall be nameless lest a full knowledge of its extraordinary merits should at once entitle it to a first place among the big rivers of the country with a corresponding increase of appropriation, he says:

Its course is tortuous, as is shown by the fact that the distance is 54 miles in a straight line and 100 miles by the windings of the stream.

Evidently, Mr. Chairman, there is nothing mean about that stream; it gives good measure as to length, but not "running over," as will appear farther on in the report:

The pools vary in depth from 3 to 10 feet and are separated by shoals of cob-ble-stones and gravel, on which there has been at low seasons a depth of but a few inches of water.

Could a stronger appeal than this be made to the tender sensibilities and sympathetic feelings of this House? Think of it, Mr. Chairman, so vast in its beginnings and reduced probably by its own liberality in the way of length and by cobble-stones to the low ebb of a few inches

The approved project of improvements has been the removal of rocks, snags, overhanging trees, &c., and the cutting of narrow sluices.

We are then told that the principal interests to be served are those of lumbering, but also much country produce is carried down in small boats. The cost of the improvement is estimated at the insignificant sum of \$100,000. Ogreat and roaring Kanawha! Oshade of the mighty Kiskiminetas! So small a sum for so great a river!

In the report on another river the navigation is represented as being "tortuous and dangerous." As it is proposed to deepen the channel to two feet it is easy to understand how the navigation of this river on foot should be described as "dangerous," for it is apparent that if any one were to attempt to cross it with low-cut overshoes there would be serious danger of wet feet, with all the evils resulting therefrom, even to the total wreck of the constitution. Mr. Chairman, the whole business of improving these so-called navigable rivers would seem like a huge jest were it not that it has been seriously proposed in this House

to expend millions of the people's money on just such projects.

The key-note to the situation is given by the repeated and ever-recurring attempts to have the appropriations increased in almost every instance where the river runs through a member's own district. Evidently the idea is that it will be water on his mill, however scarce it may be for all purposes of navigation. But, sir, the eyes of the tax-payers of the country are well open to the iniquity of this bill. They will not submit patiently to such a monstrous perversion of the true intent and meaning of that clause of the Constitution authorizing, or rather intimating, the right for Congress to spend money in this direction. Nor does the evil end with the useless expenditure of large sums

of the people's money.

Aside from the evils always resulting from profligate expenditure there remains the certainty that sooner or later the Treasury of the country will be emptied and the pretext afforded for further taxation, and the encouragement of monopolies which have already consumed the life-

blood of the people. The sword is double-edged and cuts both ways. It proposes, in connection with other projects of like character, to exhaust the so-called surplus and to create the necessity for a recurrence to war tariff and war taxation, or at the very best to fasten the present incubus firmly upon our shoulders. And this it is proposed to do in the name of and in the interest of the laborer. Every measure involving expenditure is claimed to be chiefly in the line of his interests and his prosperity, and to be in opposition to railroad monopoly, and the name of the great Architect of the universe has been appealed to to prove that the highways created by His hands could never be per-

verted to the base uses of human greed.

But, sir, though the water ways may be free to all, how long would it be before their navigation would fall into the hands of the worst kind of monopolists in the shape of navigation companies with capital large enough to relegate to the back-waters all the flatboats, scows, and dugouts in the country. Capital and combination are alike powerful on the water as on the land, and will make their influence felt everywhere, alike in the bowels of the earth as on its surface; on the "deep resounding sea" or on the placid bosom of an inland lake, ay, even on that poetic dream of the imagination, that Miltonian creation of the bard whose "eyes in fine frenzy rolling" beheld a Hennepin. You can not get away from their influence. They are all-persuading and all-

When these improvements have been completed, when the dams hold every drop of the precious fluid except that which is parsimoniously dealt out through locks duly made and provided as per plan and specification, it is to be supposed that the work is completed and the dwellers upon the shores of the loud-resounding sea can rest in peaceful content, satisfied that their products can now be shipped to the remotest bounds of the earth. But lay not this flattering unction to your souls. River and harbor bills contain a clause for continuing improvements, which means, being interpreted, that when once a work of this kind is begun it must be continued ad infinitum. The more money that is spent the stronger reason why more should go in the same direction. A river once down in the bill for an appropriation is sure to make its annual appearance thereafter.

The gentleman from Missouri in pressing upon the attention of this House the superior claims of his special river for a large addition to the amount allowed by the committee, urged as in argument the vast number of bushels of corn, I think he said 413,000,000, and said that at home it brought only 19 cents, while in New York it was selling for 40 cents; claimed that the difference was paid to railroad companies in extortionate freight charges. Land is comparatively cheap-in that country, the soil fertile, and the expense of growing a crop so small that Eastern farmers, even adding the freight, which the gentleman calls extortionate, are no longer able to compete with their Western

The extortion they claim is on them, and that living near to market they are assessed by the railroad companies and compelled to help pay the freight of farmers shipping great distances. For instance, the cost of shipping a barrel of flour from my place, which is within 50 miles of tide water, is just as high, or I believe a little higher, than it is from Chicago, which is 850 miles from the same tide-water point. So that it may opinion the account works altoesthe in the characteristics. that, in my opinion, the argument works altogether in the other direction. The people in my section of the country ought not to be asked to help cheapen the freight of their competitors. It is too much

like kissing the rod that scourges them.

Mr. Chairman, in this as in all other respects, every branch of industry, whether it be agriculture or manufactures, should stand on its own basis and let the fittest survive. In the East proximity to market should be an offset to dearness of land and increased cost of cultivation. In the West, on the contrary, increased freights are more than made up by the cheapness of the land, its unexhausted fertility and other advantages so apparent that they suggest themselves to every mind, and in fact account for the astonishing growth in population, and I may add in wealth, of that land of Goshen, flowing with milk and honey. I submit that the equitable way to reduce the freights is to move a thousand or fifteen hundred miles nearer to the markets of the world or else to wait patiently until they have a market at home which will surely save them the abhorred necessity of paying freight.

It may be out of place in the discussion of a bill of this character to say a good word for the railroads. It has, I think, been too much the

fashion to hold them up as horrible and terrible monsters of insatiate greed, which swallow whole provinces, and, like Smike in Dotheboys Hall, still cry for more. And yet our almost miraculous growth in population and in wealth is due largely to them. Villages, towns, and cities have sprung up like magic wherever they have extended, and without their aid many of the flourishing States now represented on this floor would at this day remain almost unknown and their praises unsung or

unspoken here.

But it is claimed that we want river navigation to act as a check on railroads, and the whole country is asked this year to contribute \$15,-000,000 to establish this check, and will be asked to pay millions more every year to keep in good working order the old checks and to estab-lish new in the shape of canals where there is no sign of their having been attempted by nature; or as it has been put on this floor, by an

overruling and beneficent Providence as a check on railroad monopoly. And I suppose that it is this idea which has led so many to attribute the special and peculiar property to water already alluded to. On any other theory I fail to see why the Government for the reasons assigned should not also be asked to build railroads and run them free.

Think of it, Mr. Chairman, a railroad to every Congressional district in the land, with free passes not only to the member but to each and every one of his happy constituents! But this would be the millennium of transportation, and in the mean while we must be content to be benevolent in spots and streaks and restrict our benevolence to those who,

as it were, have been sanctified by water.

The fight between river transportation and railroad is an unequal one, and in my opinion sooner or later will end in the victory of the latter. The engineer's estimates and the amount carried in this bill indicate that the contest can not be continued for many years at the cost and charges of a large portion of the tax-payers of this country who have no direct interest in it. The work requires to be constantly renewed at an ever-recurring cost, and when it has been completed a single spring flood may undo the whole of it and render a new plan, new estimates, and renewed discussion here necessary; and so the mat-

ter goes on ad infinitum.

As already stated, I am not opposed to the expenditure of a reasonable amount of money in the direction indicated in this bill, but not a cent should go with my consent to rivers which are so only in name, and whose improvement serves only limited and local interests. Neither am I willing to expend vast sums—and they are vast when compared with the results which have been thus far attained—on uncertain improvements, whose merit can not be demonstrated by any actual and practical results. The problem of the improvement of the Lower Mississippi is one of the most uncertain, least understood, and most problem of the improvement of the Lower Mississippi is one of the most uncertain, least understood, and most problem of the most uncertain. lematical of any on this bill The experiment is costly in the extreme, and the results so uncertain that a return for the money invested in this is about as improbable as it would be to cast it into the rushing flood, and then to dredge for its recovery from the source to the mouth of the great river.

Before I close, Mr. Chairman, I wish to repeat so plainly that it can not be misunderstood, that I do not object to the improvement of rivers whose claims to recognition as national water ways are, and have been for years, fully recognized. But even in the improvement of these we should "hasten slowly" on well-matured plans cautiously tested at every step. In short, we should act precisely like every prudent busines man does in the enterprises in which he embarks his own funds. W should ascertain what it is that we desire to accomplish, what its cost, and see well to it that we are not drawn unconsciously into expenditure undreamed of at the start. Let us not follow in the footsteps of the well-intentioned spendthrift who, having an inherited income to spend, proceeds to scatter it lavishly among all who ask a share of his patrimony. He may every now and then help the meritorious, but the bulk of his estate will be yielded to the clamorous importunity of the un-

deserving.

I do not entertain a doubt but that the Committee on Rivers and Harbors have given this bill their closest scrutiny and that they have kept out of it everything that in their opinion should have no place in it. But it has nevertheless grown to the vast sum of fifteen millions or more. If that large amount were expended in strictest accordance with the requirements of the bill I very much doubt whether river navigation would be largely benefited thereby. The mistake is in endeavoring to do too much in the attempt to comply with the idea prevalent here, and frequently hinted at on this floor, that the amount carried by the bill should be divided as evenly as possible among the different sections and

This is a grave error, impossible to be practically carried out. theory of expenditure would be a serious hardship to those districts which, while they may be required to pay their full share of the cost, have not a sufficiency of water within their borders to entitle them to the benediction of the committee and a place on the bill. Mr. Chairman, after many days of tedious debate we reached on Friday evening a portion of the bill in which I, for one, thought there would be plain sailing to the end of the voyage and our deferred dinners. No hidden rocks nor treacherous quicksands, no caving levees nor dangerous snags were longer to be dreaded or avoided by amendments. Mistaken con-

That portion of the bill simply requested the Secretary of War, in the exercise of his own discretion, to have certain rivers surveyed, and these seemed to be pretty evenly divided among various States. While I suppose everybody felt assured that the good judgment of the Secretary would induce him to let the most of them severely alone, and without the advertisement of an engineer's report, yet still a flood of without the advertisement of an engineer's report, yet still a flood of amendments straightway poured in upon the exhausted clerk. It was proposed to add to the list, among many others, "Cassity Bayou," "Noxubee River," to "ascertain whether it could be made continuously navigable by a system of locks and dams." This last was amended by inserting after the word "dam" or "otherwise."

This last amendment, Mr. Chairman, seems to me to open a wide field for speculation. If a dam will not do the business and close it up satisfactorily, then what will be the potency of the "otherwise?"

Will it be constitutional and will it be in strict compliance with the requirements of the Christian religion? These numerous amendments so freely offered and so readily accepted reminded me forcibly of com-mencement day at a school which I attended in my youth. On that eventful day premiums were pretty lavishly distributed. We had first premiums and second premiums and premiums ex eequo, which were neither first nor second, but had the merit of including a good many boys in its comprehensive grade. In addition we had what was termed "honorable mention." This last grade included about all the boys in the school "not otherwise provided for." When well-mouthed and ore rotundo it sounded well and pleased the anxious parents and interested friends. This is, I suppose, pretty much the state of the case with respect to some of these forlorn rivers with the hard names. They come in for "honorable mention," and their names on the bill will please the people who dwell upon their banks.

please the people who dwell upon their banks.

It will be observed, Mr. Chairman, that during these remarks I have not referred to statistics nor quoted figures, nor asked to have them published in the RECORD. There was a period in my life when I, too, thought that figures could not lie, and when I had an immense respect for statistics. But one of the reports issued by the Reading Railroad Company (previous to its becoming insolvent and going into the hands of a receiver), utterly and forever destroyed my faith in that kind of mathematics which goes to the making of a report. Sir, they are a delusion and a snare for unwary feet. Nothing can be made to lie like figures when ingeniously banded.

figures when ingeniously handed.

I do not, Mr. Chairman, claim the sole merit of this discovery. The unreliability of balance sheets was discovered years ago by a Scotch merchant, whose confidential book-keeper led him into unwarranted merchant, whose confidential book-keeper led him into unwarranted expenditure by simply adding the year of our Lord to the credit side of the year's accounts. There may, however, be an honest difference of opinion as to the value of statistics and books of estimates" and "reports," and recognizing the possibility of this, I with the kindest motives, but with great misgivings as to the effect on their mental and physical health, respectfully refer the members of this committee to the statistics as printed in the RECORD during the progress of this debate, and I advise them in the language of Captain Cuttle, "when found to turn down the page and make a note of it."

found to turn down the page and make a note of it."

The exceeding gravity of that subject might seem to demand a more ponderous treatment than I have thought proper to accord it. Undoubtedly, sir, it is a weighty and exceedingly difficult problem—one concerning which a great diversity of opinion exists at present and the difference will become greater from year to year in exact proportion as the scope of the bill is attempted to be widened and its provisions en-larged. The "other purposes" of the bill may mean a crevasse, small in its beginning, but ever widening until a river pours through in a flood and devastates the country. Let it be our effort to close these dangerous and wasteful openings in the levees which have been erected for our protection, and let us substitute for them flood-gates, if you will, which will be controlled by the needs of commerce and regulated by the necessities of the people.

Rivers and Harbors.

SPEECH

HON. PRESLEY T. GLASS.

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 15, 1886.

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. GLASS said:

Mr. CHAIRMAN: Fifteen millions of dollars is a large sum to be appropriated for the improvement of our rivers and harbors. it is considered that there was no appropriation made for this purpose by the Forty-eighth Congress, and this is an appropriation for two years, it will appear to be quite reasonable. Production, distribution, and exchange are the three great economic questions that address themselves to us as legislators, and we should meet them in a broad and liberal spirit. No parsimonious policy will ever secure to us the highest development of our industrial pursuits. Of all the world's great arteries of commerce none bear upon their bosom a tonnage equal to that carried upon the Mississippi and its tributaries.

The navigable streams of this system of rivers have a mileage of 15,640, there being forty-three that have been declared navigable, draining twenty-one States and Territories, and the twenty-one States and Territories contain 51 per cent. of the nation's area, and 58 per cent. of the population—the most productive country of equal area on the face of the globe. And it is to this great valley of unsurpassed fertility that the country must look in all time to come for its meats, its

breadstuffs, and its clothing. It is the duty of our Government to take hold of these great thoroughfares provided by nature, and so utilize and improve them as to put them in the best condition for the safe and cheap transportation of the products of the country to market, especially the farm products, that are always bulky and heavy in proportion to their value. Much the larger portion of these farm products must have cheap transportation, or their values will be consumed in the charges it takes to get them to the market. They are compelled to seek distant markets, and furnish more than 75 per cent. of our foreign exports. How important, then, that they should have cheap outlets to the ocean.

The jettles at the mouth of the Mississippi have already proved a success, and constitute the grandest achievement of hydraulic engineering of this age. Prior to their construction there had passed out through the mouths of the Mississippi River about 4,400,000 bushels of wheat. Since that time there have gone out more than 48,700,000 bushels. Continue this and other proper improvements all the way to Cairo and along the forty-three tributaries, giving to the farmers and manufacturers and miners the free navigation to the Gulf, and when in the course of time the isthmus shall be canalled by private enterprise, the Gulf will become the western Mediterranean and the commerce of the world will be focused upon it. And as commerce upon the ocean had its birth upon the ancient Mediterranean, it is destined to reach its highest development and greatest magnitude in this our western Mediterranean.

Invention, discovery, and the developments of science have directed the attention of the world to our progress and rapid accumulation of wealth. And the time is not far distant when the commerce of the world will pass through the Gulf of Mexico and be distributed from that point to every civilized quarter of the globe. When Vasco Da Gama discovered a new route from the Mediterranean to the East, by way of the paths of the ocean, he revolutionized the trade and commerce of the East and concentrated commerce upon the Mediterranean; and so will the commerce, not of the East alone but of the world, be centered in the Gulf when Eads and De Lesseps shall have triumphed over nat-ure's obstacles and united the two oceans by rail and water. The teas, the spices, and the silks of the far East, and the fabrics of the shop and the loom of Europe will be brought to the cities now around the Gulf and those that will spring up hereafter, to be exchanged for the cotton, carcals, and meets, as well as the manufactured fabrics of our country. cereals, and meats, as well as the manufactured fabrics of our country, and also the cabinet and dyewoods and tropical fruits of Mexico, Central and South America. Then we will enjoy real prosperity, and dictate the financial and commercial policies of the world.

Hence I say improve our Western water ways, and more especially the Mississippi, in order that this happy event may be hastened. The amount asked for is not large when we consider that the Government is collecting from the people daily in the way of taxes a million and a quarter of dollars. These taxes can be applied to no better purpose than to improve and increase the facilities for transporting the products

of the country to the markets of the world.

The Mississippi River washes the western border of the district which I have the honor to represent on this floor, and the work done on the Plum Point reach is on the border of the county in which I And I know from personal inspection and observation that the navigation at this reach has been very greatly improved. During the low-water season, in the summer and autumn, prior to the beginning of the work, it was not at all unusual to see one or more steamboats

hard aground on the bars, there being scant 6 feet of water across them.

Often these boats would remain stuck on the bars for days at a time, with the water spread over the surface a mile and a half in width. Since the contraction and revetment work has been in an advanced state of progress. There has been no boat aground at that place that has kept in the channel, the water being from 10 to 12 feet in depth across the bars all the year round. The expenditures, though large, have been in the interest of commerce, and will bring in tenfold greater returns to the people than the work will cost to complete it, and it gives every promise of being entirely successful.

I give an extract from an address made at Saint Louis by Hon. R. S. Taylor, of Indiana, a member of the Mississippi River Commission, who made personal inspection of the work at Plum Point:

who made personal inspection of the work at Plum Point:

Plum Point reach is 20 miles long, and in some parts nearly 2 miles wide. It embraces eleven bars, some of them, heretofore, among the worst on the river; it contains five chutes, which are to be closed, varying from 600 to 3,400 feet in width. Its complete improvement will require the revetment of six caving banks, of which the shortest is half a mile and the longest 4 miles in length. Permeable dikes have been constructed across four of the chutes to be closed. No work has been done on the fifth, known as Yankee Bar Chute, because it is hoped that the influence of the works above it will suffice to close it. The effect produced by these structures has exceeded all anticipations. The quantity of earth which has been deposited by means of them is enormous. The deepest fill in any one place is 30 vertical feet.

In Elmot Chute there has been an average fill of 6; feet distributed over an area of 500 acres; in Upper Oscoola Chute, an average of 5; feet distributed over 240 acres; and in Bullerton 7 feet, distributed over 250 acres. While the closure of the chutes is as yet only partially complete, it has produced a large concentration of water in the main channel, which has been followed by marked and gratifying results. The bars which formerly obstructed navigation have been cut down from 6 to 10 feet throughout the reach.

The last season was one of unusually low water, the lowest within ten years. In other parts of the river 5 and 6 feet depths were not uncommon. But here there was a 12-foot channel throughout the season. If every part of the river had been as good as Plum Point reach the J. M. White and the Natchez could have raced from New Orleans to Cairo in dead low water.

DIAGRAM AND EXPLANATION

SUBMITTED BY

HON. A. J. WARNER. ог онго.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 7, 1886.

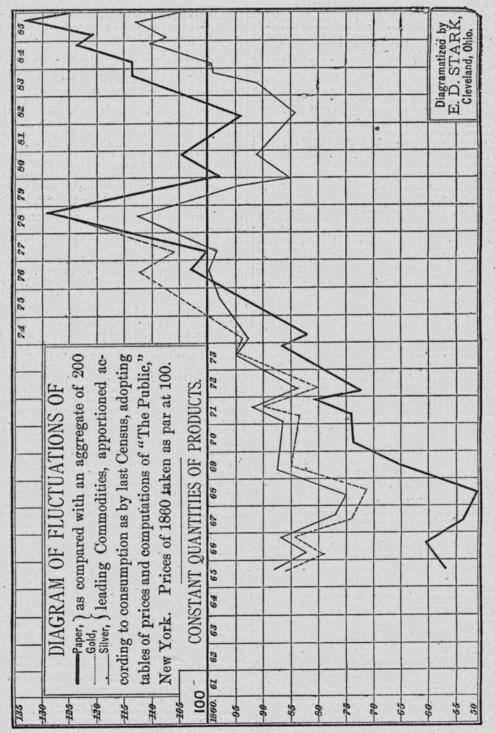
The House having under consideration the bill (H. R. 5690) for the free coinage of silver, and for other purposes—

Mr. WARNER, of Ohio, said:
Mr. Speaker: I ask leave to insert in the Record a diagram showing the variation in value of gold and silver as compared with commodities, prepared by Mr. E. D. Stark, of Cleveland, Ohio, with a brief explanatory statement.

The SPEAKER pro tempore. Without objection the leave will be granted.

There was no objection, and it was so ordered.

Mr. WARNER, of Ohio. If from two vessels at sea, A and B, observations were taken, first from A on B, which showed that B was drifting eastward, and then from B on A which showed that A was drifting westward it would be necessary in order to determine which vessel had moved or whether both had not changed positions to refer to some object relatively fixed, or to the stars. So in the following diagram two hundred commodities in the proportions in which they enter into consumption per capita are taken as such standard. Tested by this, the best possible standard, it appears that both metals have changed, that both since 1876 have risen above the level of 1860, but that gold has risen much more than silver. Tested by this scale silver bullion has not fallen, but since 1883 has risen 12½ per cent. above the price-level of commodities for 1860. This diagram has been carefully prepared by a close and accurate student of the subject, and is worthy of careful study.



This diagram has been constructed for the purpose of showing graphically what has been the behavior of each of the three kinds of standards of money in use for the last twenty-five years, as to each other but more especially as to com-

This diagram has been constructed for the purpose of showing graphically what has been the behavior of each of the three kinds of standards of money in use for the last twenty-five years, as to each other but more especially as to commodities.

In a standard, Happity on this point there is perfect unantinity. Everybody says we want a standard that has stability and uniformity in value. By that is meant that a definite weight or quantity of the metal adopted as the monetary unit shall have approximately the same value through long periods and shall not be apt to take on sudden and violent changes of value. This money unit must buy, not indeed the same quantity of cach product—that would make it impossible for commodities to vary among themseves—but that in the large agreement of the commodities to vary among themseves—but that in the large agreement of the commodities of value. That is what is meant by stability in value.

In order to make a careful comparison we need a commodity unit made up of representative articles used in every-day life. The heavy media line in the cut-called "constant quantities of products," represents such a composite or aggregate unit. It is composed of two hundred leading products, such as wheat and shall be compared to the commodities of products, and the commodities of the co

Yellow-Fever Investigation.



SPEECH

HON. NEWTON C. BLANCHARD,

OF LOUISIANA.

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 3, 1886,

On the hill (H. R. 5542) providing for the appointment of a commission to investigate the truth of alleged discoveries of the specific cause of yellow fever and of a method of preventing that disease by inoculation, and to obtain all information possible as to the cause and prevention of that disease.

Mr. BLANCHARD said:

Mr. CHAIRMAN: No question more nearly concerns the commerce of the South Atlantic and Gulf cities and the Lower Mississippi Valley than the prevention of the yellow-fever scourge. Hence, under the "commercial clause," as it is called, of the Constitution we find abundant warrant in the fundamental law of our land for the appropriation contemplated by this bill.

If there are reasonable grounds for believing that the investigation will tend to the development and establishment of truth in the great field of public health, then this measure is one demanded by every con-

sideration of public good.

The originator of the idea of this investigation is Dr. Joseph Holt, president of the State board of health of Louisiana. His views and plans relative to same have been adopted by the American Public Health Association and by medical associations and authorities all over the

The most eminent medical officers of the Government, such as Surgeon-General Hamilton, Drs. Billings and Sternberg, and others, appeared with Dr. Holt before the committees of both Houses of Congress indorsing the reported discoveries of Drs. Freire and Carmona to the extent at least of joining Dr. Holt in asking the creation of a commission to investigate the subject.

If it be true that this discovery of the prevention of the fever has been made, it marks a great advance in medical science—ay, in civilization and progress—and ranks by the side of the discovery of the circulation of the blood by Harvey, and the great discovery by Jenner of the prevention of small-pox by the process of inoculation.

Mr. Chairman, in 1770 the most dreadful malady afflicting the hu-

man race was small-pox. It had been growing apace for decades, numbering its victims by tens of thousands, and bid fair to depopulate the most favored portions of the world. Like a great, gloomy pall, pregnant with suffering and death, it hung over the human race threatening its destruction.

In the providence of God, Jenner appeared upon the scene; and his genius conceived the idea, and his patience and industry worked out the details of the great discovery of inoculation, with which his name is linked and before which the gaunt specter of pestilence fled in dis-

From a great plague, upas-like, fatally destructive to all within the radius of its sphere, and aggressive and virulent in its malign progress, small-pox, throttled by the preventive measures of medical science,

became comparatively a harmless disease, easily handled and stamped out by proper care and attention.

Mr. Chairman, the diseases to-day upon the earth the most dreaded, the most destructive of human life, are yellow fever and cholera. They are twin scourges, compassing the death annually of thousands of human beings, and against whose encroachments and attacks the best medical skill of the world has proved unavailing. They have become the pests of the race. No antidote for their attacks has been found, and unless Freire, in Brazil, and Carmona, in Mexico, as respects yellow fever, have solved the problem, no process of prevention has yet been

It is natural, sir, that those throughout the world who live in the regions of country which constitute the habitat of yellow fever should be looking with hopeful anticipation to the tidings of success which come up to us from those countries of the South. Many millions of our own countrymen live within the belt liable to visitations of yellow fever, and oft-recurring epidemics have but too forcibly recalled the fact to the attention of the American mind.

Yellow fever has prevailed periodically to a terrible extent at points on our Southern seaboard, and has even, at intervals, penetrated the interior, spreading over the entire country south of the Ohio. These ravages have done incredible injury. Commerce has been paralyzed, hundreds of thousands of lives destroyed, values depressed, and suffering and misery beyond all computation entailed.

One single yellow-fever epidemic alone—that of 1878 in New Or-

cost that city, it is estimated, eleven and a half millions of dol-

Great epidemics, it has been said, like that of 1878, ramify far beyond the areas of the disease itself. The derangement of business over such vast districts inevitably affect the rest. The commercial currents can not be checked at one point without injury and disaster following at others.

The prospect, therefore, of discovering a preventive of yellow fever at Galveston, New Orleans, Memphis, Charleston, Mobile, Savannah, Pensacola, Vicksburg, and Shreveport is interesting and important to New York, Boston, Cincinnati, Saint Louis, and Chicago. Epidemics which destroy the market can not fail to prostrate the sources of supply.

The investigation provided for in this bill-

Says a recent writer-

offers a hope, and a brilliant one, of putting into the hands of our people the means of self-protection. The plan offers the possible emancipation of the American people from the dominion of a pestilence which has cost tens of thousands of human lives and hundreds of millions of dollars.

The experiments and methods of Freire and Carmona attack the yellow-fever problem in a direction heretofore untried, but in line with in-oculation and vaccination against small-pox and Pasteur's method for protection against hydrophobia. These discoveries have challenged the attention of the enlightened medical world. It is better to prevent dis-ease than to cure it. That medical man is greater, who, like Jenner, points out to his fellow-man the way to immunity from contagious disease, than the one whose skill cures thousands upon whom the disease has fastened.

The Brazilian and Mexican Governments have given to the discoveries of Freire and Carmona the sanction of their indorsement.

By this bill Congress is asked to create and equip a scientific commission for the investigation of these discoveries and for the exploration of the sources of yellow fever contagion. As some one has stated it, "it is proposed to lighten up the hidden, germinating recesses of pestilence with the torch of scientific inquiry, and to stifle the potent poison in the nursery of its engendering beds."

I submit, sir, it is entirely proper and legitimate for the Government to engage in this work. Did not the German Government send Dr. Koch to India to study the cause of cholera?

to India to study the cause of cholera?

Has not the British Government also set on foot investigations into

the origin of cholera?

In our own country, sir, you will recall that in 1814 Congress appropriated \$320,000 to enable Robert Fulton to construct, test, try, prove, and complete the first war steamboat that was ever launched, and thereby "recognized and encouraged, and brought to the attention of the people the great worth and measureless value of the use of steam."

It will also be remembered that in 1843 Congress appropriated \$30,000 to enable Morse to test, prove, and perfect the first line of electric tele-

graph that was ever built.

Why not now equip a commission to investigate a subject which involves the social, industrial, and commercial prosperity of an immense territory embracing some of the fairest and richest portions of the

If this reported discovery be true, we can not get hold of it too soon. We can not be too swift to ascertain it, to know what it is, to learn its principles, processes, and methods, and apply them to the amelioration of the condition of our own people by giving them immunity against liability to the attacks of this dreaded yellow scourge.

If a foreign human foe were to invade our country millions would be freely spent with patriotic zeal to repel his attacks. Can not we spend a few thousand to prevent the invasion of this enemy—disease? One of the most distinguished of living Americans, now residing in dignified retirement on the beautiful banks of the Hudson, in a letter to the eminent gentleman who fills the chair of this House, some months since called attention to our great need of coast defenses and urged large appropriations by this Congress for that purpose. Out of the millions which might be well spent in this direction can not a few thousand be spared to test the merits of an alleged discovery, which, if true, is a great boon to the human race and a long stride in the progress of civilization?

I believe so, sir, and hence give to this bill my cordial support.

Rivers and Harbors.

SPEECH

HON. EDMUND N. MORRILL, OF KANSAS.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 28, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. MORRILL said:

Mr. CHAIRMAN: I desire to occupy the brief time allowed to me in Mr. CHAIRMAN: I desire to occupy the brief time allowed to me in speaking in favor of the amendment offered by the gentleman from Missouri [Mr. Dockery]. His amendment proposes to increase the amountappropriated for the improvement of the Missouri River \$120,000, and to expend this amount in improving the river and protecting the banks at Saint Joseph, Fort Leavenworth, and Kansas City the sum of \$40,000 at each point. I have only time to give briefly some urgent reasons why the improvement should be made and made at once at Fort Leavenworth.

The Government years ago set apart a large reservation at this point for a military post, and has since expended large sums of money in improving it for military purposes, until now it is the largest and most important post in the whole country. It will doubtless continue to be the center for all military operations of the West. Millions of dollars have already been expended there, and large annual appropriations are made to continue the improvements already made and to inaugurate new ones. The Missouri River runs through this reservation, the fort having been established on a beautiful and commanding eminence on the west bank, secure from any possible encroachments of the river. On the eastern bank the river has for years been making serious inroads, having in the past twenty years cut away more than half a mile of the reservation lying in Missouri. It now threatens, unless immediate steps are taken to arrest its progress, to cut a new channel.

If this is done the width of the river will be largely increased, the

depth of water will be correspondingly lessened, and it will at some fut-

ure time require a much larger outlay to secure the river within reasonable limits. The expenditure of the sum asked for now if made at once would accomplish more in improving the navigation of the river than able limits. five times the amount would a few years hence when the new channel is made. It seems inevitable, judging from the rapid encroachment the river has made the past year, that this result will soon follow. If it does follow the interests of the Government will suffer materially. A large amount of land owned by the Government will be destroyed and the valuable improvements at the fort will be left more than a mile from the main channel of the river.

Mr. CUTCHEON. Does not the gentleman think the Missouri River Commission can be depended upon to expend that money properly?

Mr. MORRILL. Judging the action of that commission for the future from its policy and action in the past I see little to hope for in that direction. For some reason, perhaps from the fact that the appropriations for that river have always been inadequate to carry on the work as it should be done, and perhaps partly from the pressure brought to bear upon the commission for similar expenditures at many other points, they have refused to deviate from their policy of confining all expendi-

tures to the lower portion of the river.

Mr. GIBSON. The milk in that cocoanut is the railroad bridge there.

Mr. MORRILL. The engineer at Fort Leavenworth has, under the direction of General Miles, who until recently has been in command of that post, prepared an accurate and quite elaborate map showing the full reservation and the course of the river through it, and the changes in the channel since 1839. The commanding officer at the post recommends that this work be done with the least possible delay. This recommendation is heartily indorsed by Major-General Schofield, commendation is heartily indorsed by the heartily indorsed by the heartily indorsed by the heartily indorsed by the hea ommendation is nearthly indused by major-deneral schollest, com-manding the Department of the Missouri, and warmly approved by the present able Secretary of War, who a few months since made a personal inspection of the river at this point.

No prudent business man with the large interests at stake which the

Government has would hesitate for a moment to make the improvements asked for. While it would confine the channel to its present limit and thus be a valuable improvement to the navigation of the river, it would at the same time protect the Government property from seri-

ous and lasting injury.

The CHAIRMAN. The gentleman's time has expired.

Mr. MORRILL. Then I ask unanimous consent to have the accompanying documents and map printed in the RECORD.

No objection being made, it was accordingly ordered.

The papers are as follows:

WAR DEPARTMENT, Washington City, April 5, 1886.

WAR DEPARTMENT, Washington City, April 5, 1886.

The Secretary of War has the honor to transmit to the House of Representatives a copy of a report of the 11th of February last, and map, from the Chief Engineer of the Department of the Missouri, showing the encroachments of the Missouri River, opposite Fort Leavenworth, Kans., from 1839 to 1885; and also a copy of a communication of the 16th ultimo from the department commander, from which it appears that if the river should force its way through an old channel as indicated on the map herewith, the facilities for moving troops and supplies to the Missouri River, and crossing the same by the railroad bridge now spanning its waters, would be lost, and that the utility of the military depots, garrison, school of application, and prison at Fort Leavenworth depend largely upon these facilities.

The commanding general of the Department of the Missouri earnestly recommends that a sufficient appropriation be made to meet the necessities of this case, and his recommendation is concurred in by this Department.

It may be added that a communication, on the same subject, was transmitted to the House of Representatives on the 9th ultimo.

WM. C. ENDICOTT, Secretary of War.

The Speaker of the House of Representatives.

Headquarters Department of the Missouri, Office of the Chief Engineer, Fort Leavenworth, Kans., February 11, 1886.

Fort Leavenworth, Kans., February 11, 1886.

Sir: In accordance with verbal instructions from the department commander. I have the honor to forward herewith a map showing the encroachiments of the Missouri River opposite Fort Leavenworth, Kans., since 1839, with the following brief report on the same.

The map has been compiled from data on file in this office. The latest survey having been made in February, 1885, under the direction of Capt. J. E. Greer, Ordanace Department, acting engineer officer, practically represents the position of the channel as it at present exists.

The Chicago, Rock Island and Pacific Railroad Company have riprapped something over 1,300 feet of the bank most threatened, to protect their road-bed.

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The main road to Weston has been cut off and now follows the railroad to Beverly Station as shown on the map. The west bank opposite the encroachments as shown in 1839 is still practically the west bank proper of the river, while between it and the present channel extensive sand flats, interspersed with sloughs and lakes, exist.

These flats are ordinarily uncovered, but during the periodical rises they are submerged, the river then running full between its banks proper.

Owing to the position of Duck Lake, immediately south of the greatest encroachment and the low dividing ground between it and the present channel, a rise by no means improbable would be attended by serious consequences.

Very respectfully, your obedient servant,

H. L. RIPLEY.

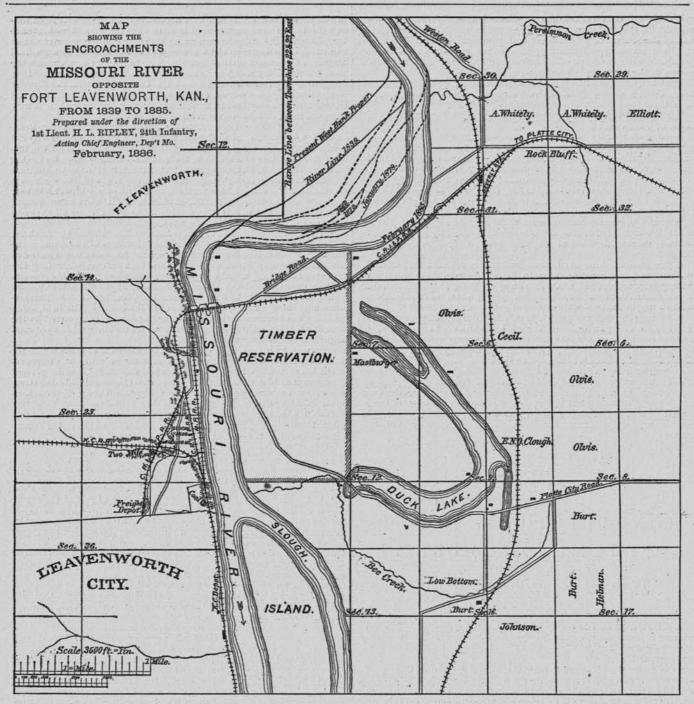
H. L. RIPLEY,
First Lieutenant Twenty-fourth Infantry, Acting Engineer Officer.

The Assistant Adjutant General, Department of the Missouri, Fort Leavenworth, Kans.

· [First indorsement.] HEADQUARTERS DEPARTMENT OF MISSOURI, Fort Leavenworth, Kans., March 16, 1886.

Respectfully forwarded through Headquarters, Division of the Missouri, to the Adjutant-General of the Army.

In view of the very great interest the Government has in retaining the Missouri River in its present or original channel, I recommend that this matter may



be laid before the Committee on River and Harbor Improvements during the present session of Congress.

The utility of the military depots and garrison of infantry, artillery, and cavalry, department headquarters, school of application, and military prison located at Fort Leavenworth depend largely upon the facility for moving troops and supplies by the Missouri River, and crossing the same by the expensive railroad bridge now spanning its waters. Should the river force its way through an old channel, as indicated on the accompanying map, all of the above-mentioned facilities now so valuable to the Government would be lost and the only bridge between Atchison and Kansas City, Mo., a distance of 47 miles, becomes useless.

HEADGIARTERS DEPARTMENT OF THE MISSOURI.

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First Lieutenant Twenty-fourth Infantry, Acting Engineer Officer.

The Assistant Adjutant-General,
Department of the Missouri, Fort Leavenworth, Kans.

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would be lost, and the only bridge between Atchison and Kansas City, Mo., a
distance of 47 miles, becomes useless. Again, should the channel of the river be

changed, and a great slough of stagnant water be left near this military post and garrison, the present drainage and sewerage system would be destroyed.

I carnestly recommend that a sufficient special appropriation be made to meet the necessities of this case.

NELSON A. MILES, Brigadier-General, Commanding.

CHIEF ENGINEER OF THE DIVISION.

[Third indorsement.]

HEADQUARTERS DIVISION OF THE MISSOURI, Engineer's Office, Chicago, Ill., March 22, 1886.

Respectfully returned to the adjutant-general Division of the Missouri, with the suggestion that this matter be referred, though the proper channels, to the Missouri River Commission, which by law is charged with all works of improvement affecting the navigation of the Missouri River.

In the office of that commission there are numerous maps and data relating to this very point.

THOS. H. HANDBURY, Major Corps of Engineers, U.S. A., Engineer Officer, Division of Missouri.

[Fourth indorsement.]

HEADQUARTERS DIVISION OF THE MISSOURI, Chicago, March 23, 1886.

Respectfully forwarded to the Adjutant-General of the Army.

This is a very important matter and deserves serious consideration.

J. M. SCHOFIELD,

Major-General, Commanding.

Leavenworth Board of Trade Rooms, Leavenworth, Kans., March 18, 1885.

DEAR SIR: At a meeting of our board of trade to-day, the great importance of securing the necessary appropriation for the protection of the Missouri River bank at Fort Leavenworth was discussed.

We were requested by the board to call your attention to this matter, and to say that unless prompt action is taken to prevent the further erosion of the banks a new channel will be forced through the reservation on the east side of the river. This new channel would of course be east of the present railroad bridge at Fort Leavenworth, and would cut off the communication between Fort Leavenworth and the roads on the east side of the river, and would deprive the post and possibly the city of Leavenworth of whatever advantage they may now enjoy by a location on the river bank. Our people fully appreciate your carnest zeal in this behalf, and most cordially desire to stay up your hands in this good begun work, and earnestly hope and trust you will succeed the present session.

Very truly yours,

A. CALDWELL,

A. CALDWELL,
President Leavenworth Board of Trade,
H. MILES MOORE,
Secretary Leavenworth Board of Trade.

Hon. E. N. Morrill, House of Representatives, Washington, D. C.

· Post-Office Appropriation Bill.

SPEECH

HON. PRESTON B. PLUMB,

OF KANSAS.

IN THE SENATE OF THE UNITED STATES,

Tuesday, May 4, 1886.

In concluding the debate on the amendment of the Committee on Appropria-tions to the Post-Office Appropriation bill (H. R. 5887) providing for ocean mail—

Mr. PLUMB said:

Mr. President: The theory upon which the committee acted in reporting this amendment, I think I can safely say, was not that it was a subsidy according to any proper use of that term, but that it was applying to the transportation of the foreign mails of the United States precisely the same rule of compensation and the same rule of proprecisely the same rule of compensation and the same rule of procedure as is now applied as it has been for years to the transportation of the inland mails of the United States. A great deal has been said about the fact that there is to be no competition, and I presume that in many of the cases and perhaps in most of the cases in which we shall transport our foreign mails by means of American steamships there will be no competition; but neither is there competition in the railroad carriage of the inland mails of the United States. Neither is there competition on most of the steamboat lines by which the mails there competition on most of the steamboat lines by which the mails are carried on the inland waters of the United States. The Government in other words in regard to transportation of this kind fixes what is a fair compensation and pays it without requiring competition.

I call the attention of the Senate to section 4002 of the Revised Stat-

utes fixing the rate of pay upon railroads for carrying the mails, furnishing, as I think, a complete illustration of the rule which the committee sought to have applied to the carrying of foreign mails. That section

provides the rate of pay as follows: That the pay per mile per annum shall not exceed the following rates, namely: On routes carrying their whole length an average weight of mails per day of 200 pounds, \$50; 500 pounds, \$75; 1,000 pounds, \$100; 1,500 pounds, \$125; 2,000 pounds, \$150; 3,500 pounds, \$175; 5,000 pounds, \$200, and \$25 additional for every additional 2,000 pounds, the average weight to be ascertained, in every case—

according to the plan named in the succeeding portion of the section. Under the practice of the Post-Office Department the lowest price paid to any railroad now is forty-two dollars and a half a mile per annum, no matter how small an amount of mail is carried, the rates hav-

ing been reduced somewhat by a succeeding statute. The price that is paid for carrying on the smaller routes has no relation whatever to the postage received on the mail carried. There is no comparison sought the postage received on the main carried. There is no comparison sought to be instituted between the amount paid to the railroad company and the amount received by the Government. In point of fact, on all these routes which carry 200 pounds of mail or less the amount received by the railroad company is in excess of the entire receipts of the Government as postage on the mail thus carried.

When we come to deal with the carriage on railroads like the Pennsylvania and the New York Central, which carry the great mails leaving the city of New York, we pay only one-half for carrying 2,000 pounds what we pay for carrying 200 pounds or less on the smaller roads. In other words, where the carriage is very large, and where a very large carriage at a small rate of pay can be made profitable to the railroad company, the Government reduces the rate; but when it is dealing with the railroads in the interior portion of the country, where the carriage is small, it fixes a price totally different without reference to the weight or value of the mail carried. It is fixed at a rate deemed fair, and it is fixed without competition. The question of competition has never entered into the relations of the United States to the railroads

in reference to the carriage of the mails.

The carriage of the mails upon the inland waters of the country, in-The carriage of the mails upon the miand waters of the country, including the coast-line service, as the Senator from Iowa reminds me, is almost wholly without competition. It is a service, too, which carries very little mail and at a very high figure. This service costs nearly \$600,000 per annum, and is paid for at the least price attainable. No doubt the form of bidding is gone through with, but in a majority of cases only one person bids, for on most of the rivers not more than one suitable steamer runs. Practically no element of competition enters into this service, and the cost of it is out of all proportion to the revenue it yields. It is far more a subsidized service than the foreign-mail service will be in case this amendment is enacted into law.

Now, we seek to apply precisely this same rule to the carriage of mails between the United States ports and foreign ports. As the Senator from Louisiana [Mr. Eustis] well said yesterday, the law itself recognizes a distinction already, and always has made a distinction in favor of American steamships and a discrimination against foreign steamships, because in section 4009 of the Revised Statutes it is provided that vided that

For transporting the mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, the Postmaster-General may allow as compensation, if by a United States steamship, any sum not exceeding the sea and United States inland postage; and if by a foreign steamship or by a sailing vessel, any sum not exceeding the sea postage, on the mail so transported.

The difference between sea postage and sea and inland postage is about as 2 to 5. In other words, the law now provides as part of the settled policy of the Government that American steamships which carry the United States mails may have more than twice the amount authorized to be paid to foreign steamships for the same service. That has not proven be paid to foreign steamships for the same service. That has not proven sufficient, and the committee seeks in proposing this amendment to further extend this principle, already applicable generally in our foreignmail service, to the carrying of our foreign mails with a view to encourage greater frequency, speed, and security.

There is no authority given to the Postmaster-General to pay extravagant prices. No one has risen in his place here to say that \$1 a

nautical mile for the outward trip is too great a price to be paid. take it, therefore, that there is no dispute as to the reasonableness of the price proposed to be paid; that if we are to favor American steamships the price named in the amendment is a fair one, or at all events that it is not

excessive and will not be burdensome upon the Government.

A great deal has been said about our obligations to the tax-payer, and that in matters of this kind any dollar we take from them which is not absolutely necessary is robbery. Mr. President, I agree to that; but what is necessary must be left to a wise discretion to be exercised by Congress. The same Senators who have spoken so carnestly more by Congress. The same Senators who have spoken so earnestly upon this subject and who have characterized this proposition to pay \$800,000 as robbery are here consenting to the proposition that we shall pay to a railroad mail line running from New York to Jacksonville, Fla., \$291,000, more in proportion than we pay to any other mail line in the United States, in order that the communities along that line and the communities beyond the terminal point of that line, to wit, at Key West and the foreign community at Havana, may have a more speedy and more frequent delivery and distribution of the mails than they would have if we applied to that line the general rule which we apply to all other railroad lines in the United States. If that is the exercise of a wise discretion, wherein is the payment of \$800,000 to produce a similar result in the carriage of our mails between our ports and foreign ports robbery?

The United States receives each year a large sum of money from its foreign mail service beyond the cost of that service. I believe the net results to have been during the last year over a million and a half of dollars, because we appropriated only \$375,000 for the service and received \$2,078,000 from it. But whatever the sum may be, there is no one who has addressed himself to the question but says there is a profit. Why should we not apply that profit to the extension of this useful and

necessary service?

When we come to deal with what is known as the free-delivery service we find that it is established in one hundred and seventy-six of the cities of the United States. The service taken altogether yields a profit, but every single one of the cities in which that service is rendered, except seventeen, shows a deficiency. That is to say, only seventeen yield a profit, all the rest of them returning a deficit, yet the whole service results in a net profit to the Government, and the Postmaster-General has proposed in his last report that it shall be further extendedextended to still smaller cities than now, to entail a still greater loss of revenue-and he puts it upon the ground that this can be afforded because the seventeen cities yield profit enough to pay not only the deficiency now existing but also that which will be created by extension to other places. Therefore he proposes to take from New York, Philadelphia, Boston, Cincinnati, Chicago, Louisville, Saint Louis, and so on, the net revenue which they give to the Department for the purpose of extending the service to towns where that service will be carried on the local description. ried on at a loss. I do not complain of this; but why is it that we may do all these things with reference to our inland mail service, everything of this kind within our discretion at home, but the very moment we seek to apply any of these rules, conceded to be useful and proper and necessary internally, to our foreign mail service, we are met with this great cry about the robbery that is involved?

Mr. President, it would seem as though upon this statement, which can not be gainsaid—it does not rest upon my authority; it stands upon the law and the universal practice of the Department under it—that there ought to be nothing here to contend about in regard to this appropriation of \$800,000 to give greater and better mail facilities between this country and South America and the other countries whose trade

we are seeking.

I have wondered why it was that when we come to this particular branch of the question, all at once we divide and get into the most earnest and anxious contention in regard to what is proper to be done. I think it is because for now nearly or quite a generation we have devoted our-selves so exclusively to the internal affairs of this country, to the de-velopment of its internal commerce, to the extension of its lines of railway, to the settlement of new communities in the far West, to cultivating home trade for our manufactures, and all the other things which have led to the enormous growth and development of the country, that we have to come to exclude ourselves wholly from the consideration of

those things which pertain to our relations with foreign peoples and to our trade with them.

Great Britain furnishes an example of exactly the opposite character. In generations her policy has been wholly external. Her statesmen know the by-ways of international affairs better than they know the highways of home affairs, and she gives foremost attention to what concerns her subjects in foreign lands, including the establishment of the swiftest possible communication with them. This external policy has been so consistently and always pursued as, while developing her trade enormously, to also draw her statesmen from the consideration of do-mestic affairs to such an extent when she is confronted, as she is now, with a very serious matter of domestic concern, she is as much at sea as to the treatment to be accorded to it as we are when we come to consider questions that relate to the extension of our foreign intercourse and trade. What reason can be suggested why the United States should not have adequate mail communication with South and Central America and with other countries with whom we desire to have better trade relations? And why should we not be willing to give as adequate compensation for our foreign as for our domestic mail service, in order that it may grow better in speed, in frequency, and safety? Are not there essentials in the domestic service as well as elements

What section of the country will derive the greatest benefit from this What section of the country will derive the greatest benefit from this appropriation if made? The greatest and most direct benefit will come, if it is to yield any benefit at all, to the Southern States. It is conceded that if we are to have foreign trade of any very great proportions, the most sure field for its development is in South and Central America. The mouths with which we shall speak to those countries are the harbors and the cities upon the Gulf of Mexico—Galveston, New Orleans, Mobile, Pensacola, Tampa—and on the South Atlantic—Savannah, Charleston, and Wilmington—not only because of the less distance between them and the countries to be reached, but because the South is in a particularly favorable natural and industrial condition to meet tween them and the countries to be reached, but because the South is in a particularly favorable natural and industrial condition to meet the wants of the people in South and Central America. It is making to-day cheap cotton goods successfully, the goods with the greatest amount of material for the smallest amount of labor, and which by reason of this fact are the most attractive to the people whose necessities and tastes require them, the class of goods of American manufacture which are to-day sold in Manchester, the seat of England's cotton manufacture and class in India. ufacture, and also in India.

which make the mails a better instrumentality of trade?

If we can sell in these markets in competition with Manchester's own mills we can do the same if we have proper means of communica-tion in South and Central America. The Southern States not only manufacture each year an increasing quantity of this class of cotton goods, but also an increasing quantity of a better article of cotton goods. The South is to be, if the natural law of development is to

work out its perfect work, the seat of the great cotton manufacture of United States. More than all that, it has within its limits, within easy reach of tide water and connected with tide water by streams that are always open, great deposits of coal and of iron, with which the com-merce of the Gulf of Mexico and the Caribbean Sea and the South Atlantic can and will be supplied, if there shall be established frequent and certain and safe steam communication.

One would think that with these facts it would be the Southern members on this floor, and not the Northern, who were proposing, defending, and maintaining amendments of this character. amendment in any event will get but a handful of votes from among those who represent the Southern States on this floor. In speaking and voting against this and similar measures they do not represent modern progress, commerce, or civilization. To-day the South in power in the National Government and as represented in this Chamber is the South of Calhoun, of Yancey, of Jefferson Davis.

Mr. MORGAN. Mr. President—

The PRESIDING OFFICER (Mr. ALDRICH in the chair). Does the

Senator from Kansas yield?

Mr. PLUMB. Certainly.
Mr. MORGAN, I would say to the Senator from Kansas that it would have been very fair in him to have made his announcement earlier in the debate, and not to have waited until the conclusion; and that I think it is extremely unfair that he should take the opportunity of concluding the debate to bring up accusations against Southern men to

which they have no chance to reply.

Mr. PLUMB. Mr. President, I think the Senator from Alabama knows me well enough to know that I would not deprive any one of a chance to reply to anything that I might utter here or elsewhere; and so far as I am concerned, if there is anything which I shall say in connection with the pending question that calls for reply, he can have my vote, and I have no doubt the vote of a majority at least on this side of the Chamber, for all the time for debate that may be desired.

I said what I now recent that the South of tender in reticular on the contract of the chamber.

I said what I now repeat, that the South of to-day in national control responds to the wishes and to the principles inculcated by Mr. Calhoun, enforced by Mr. Yancey, and illustrated by Jefferson Davis. I do not mean this as in any sense personally offensive; nor do I speak of it as in any sense qualifying the perfect sincerity of all the men who utter the sentiments to which I refer.

Mr. MORGAN. I beg to say to the Senator from Kansas that no such impeachments or accusations have the slightest personal offense toward me. Every name that he has mentioned is consecrated in my memory as the name of an honorable and a great man. I hope that the State of Kansas may some time or other produce some such character

as Mr. Calhoun, Mr. Davis, or Mr. Yancey.
Mr. PLUMB. Mr. President, the Senator from Alabama has that aspiration for Kansas all to himself; not that I would take one leaf from the chaplet of any one of these men as an honorable, sincere, and earnest and able man, but it is the South of slavery, of an institution which did not want and would not have free labor either in field or in shop; and so the South takes up to-day the burden of its old song where it left off in 1861, yielding to the same disposition and the same

where it left off in 1861, yielding to the same disposition and the same determination against free labor.

Why, Mr. President, there would have been no contention about this matter if it had not been for the words "American ships" found in this paragraph. The Senator from Kentucky [Mr. Beck], with all his great ability, found no fault with it except that it did not recognize the doctrine of the right of British ships to render this service as well as American ships. The Senator from Misseneric Int. Senator from Misseneric Int. American ships. The Senator from Missouri [Mr. Vest] said he was in favor of the largest mail pay, and had voted for the repeal of a provision of the statute which compelled vessels to carry the mails for the price of sea and inland postage—what the Postmaster-General now of-fers—thereby admitting that the present compensation is too small; but he opposes this provision because we do not open the service to foreign ships; and he said in the same breath that American ships could not compete, and we never could build ships on this continent that could compete for the world's commerce, because we could not build them compete for the world's commerce, because we could not build them cheap enough; and the Senator from Alabama [Mr. Morgan], representing a State with more natural ability to build ships than Pennsylvania even, proposes an amendment which he intends to indicate to the Senate his view, and that which will satisfy him in this connection, to open this whole \$800,000 to the service of foreign ships.

Mr. President, it is not because this is a subsidy, so called, nor because the amount is large—large enough to add to the cost of the coat of the Senator from Missouri—that it encounters the opposition of these Senators and their associates. It is the fact that in this amendment is a recognition of American vessels, of steamships to be made out of American material, dug out of American soil by American laborers, and fashioned afterward into the plates and all the things that go to make the thing of life known as a steamship by American mechanics in American ship-yards. There is where the shoe pinches. If this money were provided to go to foreign ships there would be no complaint. There are no voices raised on this floor for the Birmingham of Alabama, but there is a score of them to be heard in favor of the Birmingham of England; encouragement for the ship-yards on the Clyde, but none for

those at Chester, Philadelphia, and Wilmington. And yet the South, if it were free from its old distrust and hatred of intelligent and free labor, would rejoice over aids given to American shipping, for Birmingham in Alabama is the seat of iron manufacture designed, if the system of protection is not broken down, to excel that of any other portion of the country. The iron and coal deposits of Alabama are in close proximity and are reached by water transportation leading to the Gulf of Mexico, at a short distance, on whose shores there ought to be erected a great naval establishment as well as private ship-yards. But this interest, great now and to become infinitely greater in the near future, if not injured by unfriendly legislation, finds no advocate on this floor except from some distant State.

Something has been said, in fact a great deal has been said, about the interests of labor in this connection. The voice was the voice of Jacob, but the hands were the hands of Esau. Mr. President, the argument against this amendment is simply the old and familiar argument of capital against labor. The capitalist with his coffers filled, and believcapital against labor. The capitalist with inscreaming in the law of supply and demand, applied to labor as well as everything else, says, "Give me the right to buy my ships where I please, give me the right to buy the products of the ship-yards of the Clyde and of Marseilles built by that foreign labor which is cheaper than American labor, and then give me the privilege of hoisting the American flag over it, and I do not care anything about American labor." That is the old cry of the South, in favor of capital—capital that owned labor and which contemned free labor and ostracised it, and rebelled in order to get rid of possible contact with it. And so long as the South clings to the old sentiment against free labor and against labor which demands what it has a right to have, equal share in the control of matters of State, it will never take its proper place in the race of progress, of industrial development, and of civilization.

John McLean, in advocating slavery in Kansas, in 1857, said, "I want a nigger to black my boots, because I can kick him without any danger of being kicked back." That was the spirit, the logic of slavery; a laborer at one end of the scale so weak, so ignorant, so lacking in spirit that the man at the other end, rich, owning all the land, educated, proud, could kick him without risk. The State, as prescribed by the law of slavery, consisted of these two classes alone—no small farmers; no "well-paid laborers, counting their task a play;" no manufacturers; no middle class, owning their own homes and their own bodies; no free speech-nothing but the subordination of labor to

capital, nothing but the dreary despotism of slavery.

As under this theory of the subordination of labor to capital manufactures were impossible, the South was compelled to seek outside markets for the manufactured goods it must needs have. Naturally it sought these in foreign countries, not desiring manufactories anywhere on American soil on account of the possible contagion, and so the South of those days favored free trade and free ships, and was wholly concerned about the foreign market in which it elected to both sell and It was expensive and exhaustive, but it was the price which had to be paid for the maintenance of slavery. The disastrous effect of this policy upon the South was emphasized in the result of the war of the rebellion. The armies of the South were skillfully commanded, they were composed of as brave men as those of the North, they were as large in proportion to what was required of them-but they failed of their purpose more because of the lack of the skilled labor which could make implements of warfare, means of transportation, and ships to sail the The dependence of the South on foreign countries for those essentials of modern warfare which the North had, the skilled labor to create on demand and in unlimited supply, was certainly a prime cause of its defeat. And yet such is the power of the spirit of slavery remain-ing after the institution itself is gone that the dominant influence of the South is still opposed to manufactures and to intelligent well-paid labor, and still bent on seeking a foreign market in which to both sell and buy. Hence its favor as expressed through its representatives in Congress, in favor of free trade against protection and a home market, in favor of free ships and a foreign market against American artisans and industry and in favor of labor on foreign shores.

It is said there is a new South interested in material development, anxious to get into the tide of advancing civilization, to profit by the development of the great natural resources of the South, ambitious to put it into line with the growth and progress of the age; but these aspirations find no expression in Congress, except in occasional instances and in minor degree. It is the reactionary free-trade, pro-capital, and anti-free labor ideas that are represented in public life, such as are now demanding that the foreign ship manufacturer shall have the right to American registry for and to fly the American flag over his ships in order to give him a more certain and profitable market for them, and which practically denies to the American manufacturer the same ad-This is neither the act of self-interest nor of statesmanship.

This debate has been made the occasion of an attack upon the principle and policy of protection, while only incidentally involved if at all. Still I do not object to the question being brought in.

I do not believe in all the provisions of the existing tariff law; I do

not believe in "protection for protection's sake," according to an expression often quoted; but I do believe that the money necessary to carry on this Government, to discharge its debts and other obligations,

may be most properly raised by duties imposed upon articles imported from foreign countries, and I do not believe in imposing any duty which shall result in bringing more money into the Treasury than is necessary for these purposes; but I do believe when we come to distribute the impositions and the burdens, if you please to call them so, of the tariff that, given the necessity of raising a particular sum and the determination to raise only that sum, the distribution of the burdens shall be such as to as adequately as possible protect American labor and build up upon American soil all the industries of every kind which the natural condition of things here warrants. I believe in this, because I believe it better and safer to deal with my own neighbors than to deal with a stranger and a foreigner. I believe in that, because I believe it is an element of national strength to manufacture at home as nearly as possible all that the necessities of our people require.

I know that a country which can support itself wholly from within so far as essentials are concerned, which can make its own arms and ammunition, its own ships and engines of destruction and defense, clothe itself and feed itself, needs no standing army, and can defy the world in arms. I know, too, that whatever the tariff may cost us in any of its irregularities or its unnecessary features, if there be such, is cheap by comparison with even the lowest possible cost of a free-trade policy which would compel us to buy abroad. I prefer to trade with my neighbor, as do the farmers of the West, because the neighbor is under the same law; and if by any misadventure he is permitted to exact more than he ought, if it is within the range of the law, the law can correct the wrong; but if he deals with a man across the sea, living under different laws and institutions, he is entirely and wholly without remedy. He must, besides, take his chances of what a war which dis-

turbs communication may bring.

But it will be in order to attack the tariff when some one shall show here that too much money is being realized from its operations. I have not discovered that when we come to appropriate the money which it brings into the Treasury those who claim that we are raising too much, although they do it in a very general way, are unwilling to take their aliquot part, and more. When it comes to that the catholicism that rises above all considerations of party, and is for "the old flag and an appro-

priation," is a sentiment that never disappears.

There are inequalities in the tariff. Circumstances so change as to make that unequal which was right when the duty was fixed. But on the whole it has worked well. The money necessary to carry on the Government and to discharge its manifold obligations growing out of the war has been raised in the easiest and cheapest way. Manufacturing has been stimulated, and each year the needs of the people in this direction are more fully supplied by the products of American shops, and the prices of manufactured goods have steadily declined. We are also each year sending an increasing quantity of manufactured goods into foreign markets, and with a fair chance at the markets of South and Central America through adequate means of transportation American manufacturers will in time dominate those markets.

I do not look to see the millennium of trade or communication brought about by an appropriation of \$800,000. But I believe that if it is expended as it can be and should be, that we shall multiply our communications with Brazil and the Argentine Republic twice, perhaps three times. I am willing to cast that much bread on the water. If nothing comes back, I shall at least have the satisfaction of having helped to try to do something in the right direction. And if it is lost, it will be only that much more added to other sums we have lost, such as the New Orleans Exposition and other things of that kind, the design of which was right, but we miscalculated; that is all. I do not beor which was right, but we instantiated, that is an interest or grudge that expenditure made at New Orleans. I thought that we should get more out of it than we did. I do not know, yet that we will not in time get all we hoped. No one can tell how much the good-will engendered in the minds of foreign people will aid in the future, nor how many orders to our manufacturers will come on account of the exhibit there made, but if New Orleans and the South generally are to have special benefit from it, it can only be brought about by the establishment of lines of communication whereby they can reach their neighbors of South and Central America. At least the expenditure was an honest and well-meant effort in the right direction. If we never spend money more unwisely than that was spent, we ought to go back to our constituents feeling that we have done well.

I believe that out of this will come, if properly expended, not only increased frequency and speed of communication between American ports and the ports of Brazil and the Argentine Republic, but I believe that we shall have better and more valuable communication with Venczuela, and I stop there to call the attention of the Senate to the fact that while an American line is now plying three times a month between New York and Venezuela, it will not and does not carry the United States mail because its owners believe that as a commercial speculation they can not afford to do it. They are not here asking for anything; and I may say further that I have neither seen nor heard since this proposition was broached a single word outside what has been said in discussion in committee and on this floor in favor of this proposition, nor of doing anything whatever to aid the American steamship lines. The companies have not been here to urge this appropriation; but it remains as a fact that an American line plying three times a month between New York and Venezuela decline to carry the mail for the compensation which the Postmaster-General feels authorized to give under the present law, because they say they could only carry it at a loss, and so the mails are sent by British vessels to Trinidad and from Trinidad by other British vessels to Venezuela. I am told on good authority also that under the present plan the mails are detained on an average of over two weeks longer in transit than they would be if sent by the American line.

I noticed with interest what my colleague [Mr. INGALLS] said yes terday about some of the barriers that stand between us and the South American trade. I have read the testimony. Undoubtedly there was a large measure of truth in it. The American manufacturers are in the habit of catering for the best markets of the world, for the most enlightened, intelligent, and civilized people under the shining sun. They have been constantly called on to make a better class of goods, and now the complaint is that they do not make goods that are poor enough for the South American market. I venture to say that the universal Yankee will avail himself of that hint, and hereafter South America can get goods of a poor enough quality to satisfy the leanest

purse and the poorest comprehension. Mr. President, trade is the result of many circumstances. It is the result, in the first place, of opportunity, means of communication. Where would the West be but for the railroads that connect it with New York and the other seaboard cities? When the railroads are first built and the keen-eyed man on the Atlantic coast goes out West seeking markets for his goods, undoubtedly he would rather have the Nebraska or Kansas merchant take something he has already made for somebody else, and if he can get him to take it he will do so; but if he does not, he will make something that the merchant wants for his trade, and by reason of the fact that every day a railroad train runs outward and inward carrying the mails and carrying the persons who are to be made the subjects of this negotiation there comes about one accord, and the style of the wagon, and the cut of the coat, and the pattern of the boot, and the character of the harness, and everything else that the Western man wants demands a reciprocal creation on the part of the man who wants to supply him. It does not come at once, but it comes.

Given lines of steamers plying between New York and any South American port once a week even, and more men will travel over that line; and the man who has an impulse to trade with South America, to look about for opportunities for speculation down there, can gratify that impulse on the instant, as it were, by going to the wharf and taking the outward-bound ship; and he would go, as he would not goperhaps if he had to wait a month. When he is there he will find some way of doing something that will pay expenses at least. A journey which could be made in three weeks would have attractions which one to oc-

cupy as many months would not.

I had a long and very interesting conversation with a glass manufacturer of Steubenville, Ohio, two or three years ago. I saw the patterns of goods he was sending to South America, to Mexico, to Australia, and even to France, and he told me how when he first sent his agent down to Brazil and to Central America looking for a market he thought he could persuade the people down there that the lighter, the cheaper, and the more graceful articles he furnished his American customers would suit them best; but he said he finally gave that up, and he made up his mind he would make for them what they wanted to buy, and he did so; and he showed to me the patterns of goods which he sold to the people of Mexico and South America, each different, according to the different tastes of the locality in which the goods were used, and he was doing a thriving trade, having learned how to avoid the difficulties that my colleague spoke of yesterday, and which are liable to occur in the beginning of all trade.

When we get along to the river and harbor bill my friend from Missouri [Mr. VEST] who is so much concerned about this appropriation will vote for all the millions that anybody will propose to improve the Mississippi River and likewise the Missouri, notwithstanding the fact that the most of it will be absolutely wasted, and notwithstanding the further fact that the commerce which should go down those rivers to New Orleans is now directed elsewhere by reason of the fact that it can not be sent to its foreign market from there on account of lack of means of transportation. Why spend money to improve the Mississippi River if when you get to its mouth you encounter a condition of things which makes the transit absolutely unavailing? We have put on an average ten or twelve million dollars a year into our rivers and into our harbors, and why do that unless we are prepared, as the Senator from Georgia [Mr. Brown] so well said; to take advantage of the road-bed and the track of the great sea that lies just beyond, to put on our ships and let them carry these products to the waiting foreign markets?

The transportation of mails, both foreign and domestic, is a national function-something to be provided for out of the national Treasury. And when the mails to be carried are those relating to our intercourse with foreign people or with our own people in foreign lands, they are in the line of our foreign commerce, which is also under the exclusive jurisdiction of the National Government. The States can not enter it, and individuals can only do so subject to the direction of the National Government. Whoever enters this field is entitled to the especial care

and protection of his government, which alone can guard his interests. He is out from under the protection of the laws of his country, and is only safe so long as he is the subject of the watchful care of his own government. He encounters the merchants and sailors of all nations. His chief contention is with those of the English, the French, and the German nations, and he finds them each backed by the good-will and the power of his government, keenly solicitous for his success, ready to make war if necessary for his interest. Is it proposed that this Government, finding this condition of things existing, shall do nothing for its own; that it shall surrender its own merchants and shipmasters and adventurous people bound hand and foot to this unequal competition? Burke, the greatest of English statesmen, said:

The stock of materials by which any nation is rendered flourishing and prosperous, are its industry, its knowledge or skill, its morals, its execution of justice, its courage, and the national union in directing these powers to one point and making them all center in the public benefit. Other than these I do not know, and scarcely can conceive any means by which a community may flourish.—

Burke's Works, volume 5, page 279.

Whether that is the parent of the much derided "general-welfare" clause of our Constitution I do not know; but I do know that the idea was never more exactly and truly stated than in this quotation. The American people have industry; they have knowledge; and they have skill; they have morals; they see to the execution of justice; they have They have a national union which can and should combine all these great attributes together for the national good and for the national welfare. Why not? Why should not our Government help its own people as much as other governments help theirs? If we are to carry on trade in foreign markets we must in some way meet the conditions imposed by what other people in the same markets are

Our home market is the best in the world. There are no sixty million people anywhere and no people who use so much of all the products of industry as the American people do. Great Britain would give a mortgage on India and all its foreign possessions if it could have even one corner of our blanket lifted so that it could put the goods of her manufacturers free of duty into our market. This market we chiefly supply with home production, and it keeps our manufacturers mainly busy, but it is to our interest to still further increase manufacturing and export the product rather than to continue to export food. need be no fear that if adequate communication is furnished with the foreign markets our manufacturers will not supply an increasing amount of products to those markets each year. The tide that has turned inward so long will with proper encouragement turn outward.

Let the National Government bring together all these faculties of which I have spoken and take the added one of the increasing disposition of our people to engage in foreign venture and see how quick in Central America and in South America there will be North American railroads, how quick in these places there will be American merchants and colonies that will not only use American goods themselves but will also establish and enlarge the markets for such goods among the native

people.

American manufacturers make the best goods made in the world in most lines. There is not a saw-mill in South America that is not the product of an American foundry machine-shop; and when last year I was in the State of Iowa I found that in the Senator from Iowa's own town, Dubuque, they had just sent three large saw-mills to Manitoba. American locomotives draw trains upon English railways in Australia; me make saws and hammers, the cheaper class of cotton goods, and a thousand things that illustrate the ingenuity and the ability, the great and overmastering skill of the American mechanic, enabling him to overcome the burden of higher wages paid, and compete even against the pauper wages of Europe. Give the Yankee a chance, a fair opportunity to get from his port to the port of the foreign people whom he seeks to serve, and he will find some way of furnishing them with that which they desire, taking what they have to give in return, and I am persuaded that the time is coming when the South will enter with success into this field of trade—nay, the time has come, for notwithstanding the way in which those interests are misrepresented here I know that Birmingham and Anniston, in Alabama, Nashville, Chattanooga, and Knoxville, in Tennessee, Atlanta and other places in the South are preparing to take possession of the markets for manufactured goods in which iron and cotton are staples to be found in the countries lying along the Gulf of Mexico and the South Atlantic.

I know that with a weekly line of steamers plying between New Orleans and Brazilian ports not only the manufactures of that section of the country, centered there, could find market in South America, but I know that the bacon and breadstuffs of Missouri and Kansas would by the same route find their way to the South American people. The Texas people urge us to appropriate money for the creation of a harbor at Galveston and they say if they had a harbor Kansas agricultural products would find their way to market by that route; but if there were ten times the harbor at Galveston there is, Kansas would not send its wheat, its corn, its bacon to market that way, because when it reaches Galveston it will not meet means of transportation to the nearest and

best foreign market.

Is it not a small thing to ask of the Government that it shall provide adequate mail facilities based upon the same principle of compensation applied to existing inland service upon the routes leading to our There can be no trade without corresponding mail foreign markets? facilities, and similarly there can be no mails without trade. tablishment of certain, frequent, and speedy mail service will increase trade, and by increasing trade increase the postal revenues, just as such a result follows the establishment of new lines of star-route service in the West

Is it seriously doubted that after a time, at least, there can be built in American ship-yards vessels which can, in all essentials, compete

with the products of foreign ship-yards?

American capital and American labor have been too busy building railroads and ministering to the wants of Americans in new fields at home to seriously and determinedly enter upon the construction of ships for the foreign trade. The last few years have been years of great depression in ocean transportation, and so the field has been less inviting than usual. But this depression will not last forever. The time is near at hand when the adventurous American, sighing for other worlds to conquer, will go abroad seeking a field for his enterprise. He naturally wants to go in an American-made ship and under the American flag. Such proof of the skill and power of his country will aid him in his business and minister to that pride and determination which will enable him better to maintain himself in competition with the citizens of other countries.

But the Senator from Kentucky [Mr. BECK] with a philosophy which is out of line with his patriotic impulses, and sadly at variance with the truth of recent history, says there is no sentiment about ships or flags; that the average American would just as soon sail a foreign vessel and under some other flag, and that at all events he would as soon fly the American flag over a vessel made in a foreign ship-yard by foreign labor as over one built in an American ship-yard by American labor. All of which means that the American is lacking in patriotism and in national pride-in the feeling that his country is worth fighting for and

Mr. President, I think whoever comes to meet this question in that great forum in which all national questions are settled, whoever comes finally to reach the imperial will of the people of the United States, will find that down in their hearts there is such a thing as a sentiment about the flag. He will find that there is a national pride, a pride in what this country is, in what it has accomplished, in the glorious future which all believe awaits it; in the triumphs of the courage and skill of its people, and in the flag which floats over and symbolizes it all.

If the Senator from Kentucky had been with me in attendance upon a soldiers' reunion in one of the frontier counties of Kansas last September, and had witnessed and heard what I did while there, I am sure that even he would have admitted that there was not only a sentiment but a strong and a wholesome sentiment in favor of the American flag, and that it was altogether too sacred a thing to be hoisted at random over anything that was not fully American. After the more formal exercises of the day a sort of "experience" meeting was held in the evening, and among those who told what he personally knew about service in the Union Army was one who had spent a year or more in Andersonville prison. Without any of the arts of speech he told how one bright day in April, 1865, the gates of that prison were for the first time swung outward and the victims of the incarceration, the particulars of which have been burned into the recollection of every one, stepped forth and started westward for the Union lines in the vicinity of Vicksburg. The strong walked when necessary, the weak rode in of Vicksburg. The strong walked when necessary, the weak rode in the cars, where Wilson had not broken up the track, and were carried over the broken places, and thus journeying they made their way slowly westward. During the period of their incarceration none of the prisoners had seen the flag which they had enlisted to serve under, but all had doubly proved their devotion to it by refusing to desert it when in the time of their greatest suffering and despair they had been offered release on condition that they would join the confederate armyan offer which they indignantly spurned. Finally they came to the Big Black River, a short distance east of Vicksburg, where was a Federal military outpost, consisting of a company or two, and over the camp floated the Stars and Stripes. When the flag came to the view of the men who had fought under it,

and whom hungerand disease could not tempt to desert it, such a scene occurred as I have never elsewhere heard of. Some shouted, others too weak to shout wept and fell on their knees and prayed and thanked God aloud amid their sobs that they had lived to once more see the old flag. The pathos of that recital exceeded anything I have ever heard, and I had no difficulty in then and there determining for myself that whatever others might do I would never vote to put the Stars and Stripes over any vessel which was not as thoroughly American in all its parts as the flag itself-that was not representative of the best skill of the free labor of American citizens exercised upon the products

of American mines and forests.

That, Mr. President, is the sentiment of nationality, which is not going to be satisfied now or hereafter with the purchase of English ships, or French ships, or German ships, out of which to make a so-called American navy or an American merchant marine over which shall float the emblem of American nationality.

It has been asserted that no matter what price we pay as compensa-tion for carrying the mails it will not affect the freight charge made

by the same vessels. Perhaps not. It will at least give us better and more frequent communication. But the Brazilian experience was such as to lead to the belief that lower freight charges may be counted on.

I quote from an official publication of the Empire of Brazil, being the report made by the commission sent by the Emperor to the New Orleans Exposition, in which the value of the establishment of new lines of steamers by means of a subsidy as realized in the experience of Brazil is set forth as follows:

Brazil is set forth as follows:

The Empire of Brazil does not profess a policy of protection, nevertheless, in consideration of the question of freights on coffee to the United States, it saw that the establishment of a line of steamers under the American flag, in competition with English steamers, would produce a reduction in freight rates, and therefore determined togrant a subsidy to a new line. The result justified the expectations of the government, and the rate of freights, which eight years ago was 75 cents to \$1 per bag of coffee by the English steamers, has fallen to an average of 40 cents, and cargoes have been brought as low as 10 and 15 cents, It has been said of such cargoes that it actually cost less to bring them from Rio de Janiero to New York than to transport them after their arrival from Brooklyn to the railroads in New York or Jersey City. The truth is that the expease of the subsidy has been a profitable one to Brazil since it brought about so marked a difference in the freight rates, a difference which more than balances the tax laid to pay the subsidy.

The Argentine Republic has proposed a subsidy for a line connecting

The Argentine Republic has proposed a subsidy for a line connecting that country with the United States. The Australian colonies are paying a subsidy now for a line of steamers to San Francisco. Have we less interest in this question than those countries? And can we not afford to pay our own steamers a decent sum for carrying the mails? And if we are willing to ignore entirely incidental benefits, let us try it as we try our star-route lines on the Western prairies and see whether it will not bring increased revenues to the Post-office Department, and in this way, if in no other, compensate us for the expenditure. Is it not better to do something than to do nothing? Certainly there is room for the exercise of statesmanship in the matter of our intercourse and trade with foreign nations. Standing still furnishes no remedy. will add but a few words for the purpose of introducing a table which was published in Executive Document No. 7, Forty-fifth Congress, third session, being incorporated in a message of the President of the United States, in which occurs a letter to the President by the then Secretary of State, now a Senator from New York [Mr. EVARTS], transmitting a reply to a resolution of the Senate adopted on the 5th of December, 1878, in which the Senate requested the President to send to it any information which might have been received by the Department concerning the postal and commercial intercourse between the United States and the South American countries, together with any recommendation desirable to be adopted for facilitating and improving such intercourse. The letter of the Secretary goes on to say, referring to the document which was transmitted in response to the resolution:

which was transmitted in response to the resolution:

I. It seems to be very evident that the provision of regular steam postal communication, by aid from government, has been the forerunner of the commercial predominance of Great Britain in the great marts of Central and South America, both on the Pacific and Atlantic coasts of the continent. It is no less apparent that the efforts of other European nations, Germany, France, and Italy, to share in this profitable trade have been successful in proportion with their adoption of regular steam postal communication with the several markets whose trade they sought.

II. These papers show, also, that the enterprise and sagacity thus shown by European nations have actually reversed the advantage which our geographical position gives us in relation to this extensive commerce of the American hemisphere. The commercial correspondence of our merchants with the trading points on the east and west coasts crosses the Atlantic twice to make a postal connection in a circuit of trade which has its beginning and its end on our own continent. The statistics of our limited trade, under this extraordinary disadvantage, show that the growing preference for our products in these South American markets insists upon being gratified, even at the cost of a circuit of importation which carries our merchandise to Europe and incorporates it as a contribution to the volume and profits of European South American trade. No stronger demonstration of the tendency of commerce to follow in the train of postal communication can be conceived than this vast and expensive circuit of importation resorted to in default of direct opportunities between the countries of demand and supply.

And more to the same effect: and in connection with that is an analogous demonstration of the same effect: and in connection with that is an analogous demonstration of the same effect: and in connection with that is an analogous demonstration of the same effect: and in connection with that is an analogous demonstration o

And more to the same effect; and in connection with that is an appendix showing the steam fleet of the Pacific Ocean sailing under the British flag—a fleet of British vessels all the way from 500 to 4,000 tons' burden, consisting of some forty-odd steamers. Following that is a statement of the Italian and German steamers engaged in the same traffic in a locality in which the American merchant marine is practically unknown, and which, as the Secretary of State says, has been built up largely by reason of the subsidies of the British Government granted for the establishment of postal communication.

Following the suggestions made by the Secretary of State, the Senate at that session of Congress inserted in the Post-Office appropriation bill by a large majority an amendment appropriating a large sum of money as mail pay for American steamers which ply between our own and South American ports; but it failed to pass the House for reasons very like those which inspire opposition to the amendment now pend-

ing.

The PRESIDENT pro tempore. The Senator from Kansas will take notice that the hour of 4 o'clock has arrived.

Mr. PLUMB. I will only take two or three minutes longer.

Of course, Mr. President, British steamers can bid for the carrying run between the ports from and to which the mails are to be carried; but that competition is merely a nominal one. Actually wherever an important British line exists it is a subsidized one (there are three such plying between Liverpool and New York now), and in view of the sub-

sidy it can not only carry the British mail for a nominal compensation if necessary, but it will also be glad to have the American mails at almost any price, not only because whatever the price may be it is that much added to their already ample compensation, but because by so doing they are thereby contributing to keep an American line off the same route.

I will ask to put these tables into the RECORD at the conclusion of my speech [see Appendix A] together with a table [see Appendix B], which I do not care to read, found on the nineteenth page of the report of the Central and South American Commission, being House Executive Document No. 226, second session Forty-eighth Congress, showing the subsidies paid by the British Government to its steamship lines from 1848 to 1882 inclusive, and with that I shall close my remarks.

APPENDIX A.

STEAMSHIP FLEET OF THE PACIFIC COAST OF SOUTH AMERICA.

The principal steamship service of the Pacific coast of South America is conducted by the Pacific Steam Navigation Company, English, which has on this immediate service, inclusive of its extension through the straits to Lisbon and to England, the following-named vessels:

Tons.		Tons.
Aconcaqua 4,106	John Elder	4, 151
Amazonas 2,020	Liguria	4,666
Araucania	Lima	
Arequipa 1,329	Lontue	1.648
Ayacucho	Lusitania	3, 825
Britannia 4, 128	Magellan	2,856
Bolivia 1,925	Oroya	1.596*
Callao	Pacific	2,008
Chili 1,750	Panama	
Chimborazo 3,846	Patagonia	2,866
Colombia 2,200	Payta	1,800
Coquimbo 1, 975	Peru	1,400
Cordillera 2,860	Potosi	4, 218
Cotopaxi 4,027	Quito	800
Cuzco 3,845	Santa Rosa	2,000
Galicia 3,829	Santiago	1.500
Garonne 3, 870	Sorata	
Guayaquil	Supe	
Huacho 449	Tabaquilla	
Iberia	Talca	
Illimani 4,023	Truxillo	1,500
Ilo	Valderia	1,975
Islay 1,588	Valparaiso	
		-

The largest of these vessels, including all of 3,800 tons capacity and over, are employed on a fortnightly line between Callao, Valparaiso, and Liverpool, sailing on every alternate Thursday from Callao and every alternate Wednesday from Valparaiso and Liverpool. On leaving the west coast, these steamers call at Punta Arenas, in the straits, and at Montevideo, Rio Janeiro, Bahia, Pernambuco, Lisbon, Vigo, in Spain, Bordeaux, and Liverpool.

The Callao and Valparaiso line runs semi-weekly, salling from each extremity every Wednesday and Saturday, calling at twenty intermediate ports, including the shipping ports for nitrate and guano in Bolivia and Southern Peru.

The Valparaiso, Callao, and Panama lines leave Valparaiso semi-weekly, and leave Callao for Panama, and Panama on return, weekly, calling at all important points in Ecuador and Northern Peru.

Through bills of lading and passenger-tickets are issued to and from the west coast and the United States, in connection with the Pacific Mail Steamship Company and the Panama Railroad Company; also in connection with the following companies to and from Europe and the west coast, via the Isthmus of Panama, namely: The Royal Mail Steam Packet Company; West India and Pacific Steamship Company; the Compagnie Générale Transatlantique; also to to Central American and Mexican ports and San Francisco on the west coast. The Atlas Steamship Company and Hamburg-American line connect with some of their vessels at Colon (Aspinwall) to carry the freights and passengers brought up the coast by the Pacific Steam Navigation Company.

The Compania Sud America de Vapores has the following vessels on the west coast:

	LO
Amazonas	1,
AAVOR	-

Rimal

These vessels run in connection with the Pacific Steam Navigation Company's vessels between Valparaiso and Callao.

STEAMSHIP FLEETS OF THE ATLANTIC COAST OF SOUTH AMERICA.

The Royal Mail Steam Packet Company (English), the oldest of these lines has the following-named vessels in this service:

Tons.	Tons.
Arno 757	Minhs 1,491
Belize 590	
Corsica 681	Moselle 1,093
Dei 1, 208	
Don 2,406	
Douro 1,785	Para 2,406
Ebro 853	Severn 1,119
Eider	
Elbe 1,773	
Esceguito 1,341	
Guadiana 1,597	Tyne 1, 207
Laone	

A considerable share of this fleet now runs in the trade of the West Indies, and does not extend to the Brazilian coast. These vessels are inferior in capacity and appointments to the newer lines.

The Compagnie des Chargeurs Réunis (French) has the following vessels in a line from Havre to the River Plate:

	Tons.		Ton
Belgrano	1,054	Villa de Bahia	. 8
Henry IV	963	Villa de Rio de Janeiro	. 8
Bigadaria	1.778	Villa dos Santos	. 8
San Martin			

The Bordes Line from Bordeaux (French) has fifteen steamers irregularly in

this trade, namely:	Tons.		Tons.
Aconagua	691 675 683	Pacifique	. 851

The Liverpool, Brazil, and River Plate Steam Navigation Company (English) has the following large fleet, chiefly in the trade of the east coast, but with some voyages to the west coast, and to the West Indies and Mexico:

Tons.	Tons.
Archimides 900	Humboldt 995
Biela 1, 401	Lalande 679
Calderon 660	Laplace 901
Camoens 660	Leibnitz 1,485
Canova 602	Masklyne 1,678
Cervantes 698	Memling 673
Delambre 998	Memmon 833
Donati 947	Newton 838
Euclid 995	Olbers 1,389
Galileo 1,446	Ptolemy 758
Gassendi 801	Rubens 1, 267
Halley 995	Thales 965
Helvetius 1, 682	Vandyke 1,008

This is usually known as Lamport & Holt's line, and it is more widely distributed than any other, but chiefly on the east coast.

The Hamburg American line, or lines, afford the following list of fine vessels, a few of which go to South America and the West Indies:

Tons.	Tons.
Alemania 1,766	Pomeramia 2,105
Cimbria 1,857	
Cyclops 783	
Franconia 2,111	
	Thuringia 1,886
	Vandalia 1,945
Herder 2,313	
Holsatia	
Lessing 2,360	
Lotharingia 715	

The West India and Pacific Steamship Company (English) has the following essels irregularly in the trade of the West Indies and South America:

American	1,375 1,699 1,577 1,287	Connecticut	845 1,400 1,227 1,691
Caribbean	1,186	West Indian	

The Messageries Maritimes (French) has a large fleet of fine vessels, a few of which are engaged in South American trade.

The Compagnie Générale Transatlantique (French) has a large fleet chiefly in trade with Atlantic ports of the United States and the West Indies.

The Companhia de Navigacio do Vapor de Pernambuco (Brazilian) has five small vessels in coastwise Brazilian trade.

The Amazon Steam Navigation Company (English) has a fleet of ten or twelve steamers, a part of which are for river navigation only, while a part run from Liverpool to Para.

APPENDIX B.

The following statement shows the amounts annually paid by England to steamship lines since her present system of subsidies was adopted:

Years.	Bounty or sub- sidy paid British ships by British Government.	Years.	Bounty or sub- sidy paid British ships by British Government.	Years.	Bounty or sub- sidy paid British ships by British Government.
1848 1849 1850	\$3,250,000 3,180,000 5,313,985	1860 1861 1862	\$4,349,760 4,703,285 4,105,353	1872 1873 1874	\$5,693,500 5,665,296 5,697,346
1851 1852 1853	5, 330, 000 5, 510, 635 5, 805, 400	1863 1864 1865	4, 188, 275 4, 503, 050 3, 981, 995	1875 1876 1877	4, 860, 000 4, 480, 261 3, 976, 580
1854 1855 1856 1857	5, 950, 559 5, 741, 633 5, 713, 485 5, 133, 485	1866 1867 1868	4, 227, 018 4, 079, 996 4, 047, 586 5, 481, 690	1878 1879 1880 1881	3, 914, 990 3, 768, 230 3, 873, 130 3, 601, 350
1858 1859	4, 679, 415 4, 740, 190	1870 1871	6, 107, 761 6, 070, 741	1882	3, 538, 835

The Silver Problem.

SPEECH

HON. SAMUEL DIBBLE,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 8, 1886,

The House having under consideration the bill (H. R. 5690) for the free coinage of silver, and for other purposes.

The SPEAKER. The bill, the title of which has just been read by the Clerk, is now in order for consideration and debate, and the gentleman from Pennsylvania [Mr. Scott] is recognized as entitled to the

I yield half of the time allotted to me, to the gentle-

man from South Carolina [Mr. DIBBLE].

Mr. DIBBLE. Mr. Speaker, I thank the gentleman from Pennsylvania for his courtesy.

I am opposed to the unlimited coinage of silver dollars, as proposed in the pending bill, not because I am opposed to silver, but from the position of a bimetallist—in favor of international bimetallism, if that can be obtained, and, if that be impracticable, then in favor of maintaining both gold and silver as legal tender in our own country. In my judgment, the cause of silver is imperiled by free coinage at pres-Before determining to open our mints to any one, who may desire to bring silver bullion, and have it coined into standard legal-tender dollars, it is but simple prudence for us to consider what stock of silver would flow into them for coinage. To arrive at this, let us make the best calculation we can, as to the quantity of silver bullion for sale, outside of our home supply from our own mines.

STOCK OF SILVER BULLION IN ENGLAND.

I have been unable to find any one, who is able to state, with any certainty, the stock of silver now piled up in the London market. It must, however, be very large, since in the period of about fifteen years, the price of silver bullion in that market has fallen over 20 per cent. I have been able to get some statistics, taken chiefly from the annual supplement to the London Economist, published February 21, 1885, supplement to the London Economist, published February 21, 1885, which throw some light upon this inquiry. In that able commercial periodical, I find that from 1867 to 1884, inclusive, a period of eighteen years, silver was imported into the United Kingdom to the value of £193,000,000, or \$950,000,000; while during the same period there was exported to the East, silver valued at £101,000,000, or \$500,000,000.

By the tables of the British mints, we find, that in the eighteen years we are considering, less than £10,000,000, say fifty million dollars' worth of silver, was coined; and this amount included some old silver received which was not expublish from importations.

recoined, which was not supplied from importations. The parliamentary commission to inquire into the causes of silver depreciation reported in 1876, that the annual British consumption of silver in the arts was of the value of £600,000, or nearly \$3,000,000—say \$50,000,000 for the eighteen years. From these figures we derive the following calculation:

Imports of silver into United Kingdom Exports of silver to the East.	
Stock remaining in England	450,000,000

Deductart consumption...... 50,000,000 100,000,000

Leaving unaccounted for, in eighteen years

Bear in mind, that in this calculation we have not taken into account the stock of silver bullion on hand in the London market at the beginning of the year 1867, nor the allowance to be made for recoinage of worn British coin at the mints. It is reasonable to suppose, that these two items will nearly, if not quite, counterbalance any further deductions, which should be made from the amount I have stated. And, while I do not claim that absolute accuracy can be attained in a calculation like this, yet, when coupled with the remarkable fall in the price of silver bullion, it brings to the attention of the House, that an enormous accumulation of silver has taken place at London in the last

STOCK OF SILVER FOR SALE IN GERMANY. In addition to the stock in London, we learn from the statement of Baron Von Theilmann, delegate of Germany at the international monetary conference of 1881, that Germany, after coining all the silver allowed by law, and reserving 115,000,000 marks for possible increase of silver circulation, would still have for sale "a mass of three hundred and thirty-seven to four hundred and twenty-seven millions of marks," or about \$100,000,000. This silver is still unsold, and in addition the German mines produced in three years, from 1882 to 1884 inclusive, silver of the value of \$28,835,611. It is reasonable to suppose, therefore, that Germany has still a silver stock for sale, besides her currency, of about \$125,000,000 in value.

We have, therefore, outside of and in addition to the coin in circulation a probable stock ready for sale in England and Germany of over \$400,000,000.

EFFECTS OF FREE COINAGE,

If we open our mints to every one who may bring silver, and coin it at the standard weight of 412½ grains, nine-tenths fine, when in the London market that weight of silver bullion is worth only 80 cents, we would offer so great an inducement for profit, that the silver bullion of Europe would be drawn to our shores. The European purchaser of our Europe would be drawn to our shores. The European purchaser of our exports, instead of paying for them with goods or gold, would send to London and buy silver bullion at 80 cents, and bring it across the ocean to our mints, have it coined into standard silver dollars, and with those dollars he would pay for our products. But when we import foreign commodities the seller of them will demand payment in gold. The consequence would be, that silver would flow in, and gold would flow out, and in a little while this country would become practically a silver nation, like Austria or Mexico, where gold is at a premium to-day. I have not yet heard any advocate of this bill discuss the consequences of such a condition of our currency; and for my own part, I am not prepared to take the risk of losing our gold, and resting our monetary system entirely upon silver. I know that the buyer in Liverpool of Southern cotton, or of Western wheat, can purchase for 80 cents in London, as much silver

bullion as will furnish the raw material, out of which a standard silver dollar can be coined, and if he could send it to our mints, and have it coined for his benefit into a dollar he could pay for our cotton or wheat with it, and there would be 20 per cent. extra profit for him in the transaction; while under our present system of allowing no coinage of silver, except on Government account, he can not make such a profit, and therefore pays us for our cotton or wheat in gold. Hence we find, under our present system, that our stock of gold has been steadily increasing for the last eight or ten years.

In case of free coinage of silver, our foreign exchanges would become complicated in the extreme. At present we import foreign goods, and pay for them with our exports, and settle the balance, one way or the other, either with our exports, and settle the balance, one way or the other, either with gold or silver, or by redeeming our bonds held abroad, when the balance is in our favor. But with open mints, and silver bullion in London 20 per cent. lower than silver legal-tender coin in this country, there would be two sets of exchanges going on. Many persons abroad, buying our goods, would send over silver to be coined into dollars to pay for the goods as I have explained; and such transactions would constitute one set of exchanges, where the accounts would bal-ance, leaving nothing open in favor of either buyer or seller. In another set of exchanges we would be required to send abroad our gold to pay for our imports, and, in addition, to send more gold to pay interest on national, State, and corporation bonds held by foreign creditors.

At present the coinage of twenty-eight million Bland dollars every year by the Government itself, does not prevent gold coming in from abroad in much larger quantities than go out, because our exports are much greater in amount than our imports, and the surplus comes back

to us either in our bonds or in gold.

I am willing to admit, that, with free coinage, the demand for silver, in order to make the profit here on the coinage into dollars, would cause-a rise in the price of silver in London, and after a time it would reach or approach our ratio of 1 to 16 as compared with gold; but here would arise, in my opinion, another complication.

We know that from 1871 to 1873, Germany, Sweden, Norway, and Denmark, which had been previously silver countries, adopted gold as the

basis of their currency and demonetized silver.

We are told also that France had previously contemplated a change from bimetallism to a gold standard, and Germany subsequently adopted this French idea after the Franco-Prussian war, assisted by the French indemnity of \$1,000,000,000, while France was unable to do likewise on account of her reverses. But, to-day, France has recovered her financial strength, and has three times as much gold and silver as Germany, possessing \$873,000,000 of gold and \$600,000,000 of silver currency. She would probably embrace the opportunity, as soon as the price of silver rose near to the ratio of 1 to 16, to sell one-half of her silver coins, and establish her currency, and that of the Latin Union, on the gold basis.

British India has over \$1,000,000,000 of coined silver, with scarcely any gold coinage, and has the single silver standard. It has been the fond dream of her statesmen for some time past to change to the gold standard, so as to have the same system as Great Britain, with whom her trade is carried on. In 1881, at the international monetary conference, Sir Louis Mallet, first delegate of British India, used these signifi-

cant words:

As to India, the great wish of the financial authorities in that country has been, if possible, to have a common monetary system with England. Silver being impossible, on account of the English system, they must choose between bimetallism or gold, and although for the present the latter solution would be too difficult, it is certain that if the depreciation of silver continues, and if by reason of the discovery of fresh deposits of gold, or from some other cause, the opportunity should offer itself, we should be only too ready to seize it, &c.

Russia, Austria, and Italy have already made preparations for a similar course from paper money to specie resumption in gold. Under these circumstances the free coinage of silver at our mints would give all of these nations the opportunity of parting with some of their silver, and, getting the gold which I have shown, would flee from our shores to Europe to pay the purchase-money for our imported goods and the interest we owe abroad.

Furthermore, Mr. Speaker, so long as the coinage of silver legal tender is under the exclusive control of the Government and no private person is permitted to share in any profit that may arise from the manufacture of the raw material into the finished coin, the Congress of the United States can effectually exercise its constitutional power "to coin money and regulate the value thereof." Nothing can abridge or diminish this power in such a case, except a very large over-issue beyond the needs of the people for a circulating medium. In order to disturb the parity of the silver dollar with the gold dollar in legal-tender value, there must be an inflation, not of silver bullion, but of silver coin in the country. Herein lies another danger in attracting the silver of Europe to open mints, for the silver would come to us expressly for the purpose of being coined into legal-tender money on private account, and would enter into our circulation, without governmental limitation or control. And while in ordinary times a nation coins for its citizens their gold and silver bullion, whenever presented, into money, yet the theory upon which this free coinage is based, is that the normal demand for certain coins is an indication, that they are needed for purposes of currency. But, in a crisis like the present, when some nations of Europe

are struggling for gold, and trying to repudiate silver, and therefore gold as a commodity rises in market value, on account of this demand of the nations, beyond the supply in existence, it becomes not only the prerogative of Congress under the Constitution, but its bounden duty, to control the coinage of both metals, and to regulate their value as money, so as to keep both of them in circulation at par with each other, as the "ready money of the merchant."

money, so as to keep both of them in circulation at par with each other, as the "ready money of the merchant."

In the next place, the rest of the world coins silver and gold at the ratio of 1 to 15½ or less, while the United States has at present the ratio of 1 to 16, thus putting 3 per cent. more of silver in our coins, than any other commercial nation. This disparity is one of the principal obstacles to an international monetary agreement. For example, France and the other states of the Latin Union have over \$600,000,000 worth of full legal-tender silver in circulation at par with gold; we have, say, two hundred and fifty millions. They will never unite with us in the free coinage of silver, unless we reduce the quantity of silver in our standard dollar, so as to conform to the ratio of 1 to 15½. Every dollar coined by us renders it more difficult for us to do this in the future; and free coinage by us now, in advance of an international agreement on the subject, would thus greatly embarrass any future arrangement with foreign nations. I believe that such an arrangement is becoming every year more and more attainable.

For these reasons, I am opposed to the free coinage of silver as proposed in the pending bill. I can not believe that it would be advantageous to the country, or to our silver currency.

AMERICAN COIN VS. BRITISH BULLION.

But, Mr. Speaker, while opposed to free coinage, I can not concur in the proposition, that the standard silver dollar is worth only 80 cents, and is "a fraud and a sham," as its foes assert. The value of silver bullion in British gold coin in the London market, is not the criterion of value of an American coin, possessing in our markets the same purchasing power as a gold dollar. I maintain, without hesitation or reserve, Mr. Speaker, that the silver dollar is worth 100 cents of our cur-

rency, in all the qualities that pertain to money.

If it were true that the standard silver dollar is "a fraud or a sham," If it were true that the standard silver dollar is "a fraud or a sham," then we should withdraw it from circulation. Upon this issue, there is no middle ground. If it is honest money, it should be sustained. If it is dishonest money, it should be replaced by honest money. And its fierce assailants are inconsistent, unless they insist that the amount now in circulation should be called in and melted down; but they have never taken that position. They seem willing that it should continue to pass from hand to hand as currency, provided the Government coins no more. In epithet, they attribute to it all the disgrace attached to counterfeit coin, but in epithet only, for they acquiesce in the continued circulation of those now in the hands of the people.

But they are still more inconsistent. They extol the wisdom of making light-weight halves and quarters, to avoid the operation of Gresham's law, and to keep them in circulation with legal-tender limit of \$5. It

law, and to keep them in circulation with legal-tender limit of \$5. is dishonest to issue a dollar, that has not a dollar's worth of bullion according to the London market, but it is commendable to make a halfdollar with less than half as much silver as the dollar they condemn! If one of them owes a creditor \$5, and pays him five standard silver dollars, weighing 2,062½ grains of standard silver, the creditor is really paid but \$4, and is defrauded of \$1, because, they say, each one of those dollars is worth only 80 cents; but if the same debt of \$5 is paid in ten silver half-dollars, weighing only 1,929 grains of standard silver, the creditor is paid in full, though he gets less weight of actual silver than in the former transaction! In other words, they contend that 1,929 grains of silver in token money is better than 2,062½ grains of 1,929 grains of silver in token money is better than 2,062½ grains of silver of the same fineness with full legal-tender functions!

The truth is, Mr. Speaker, those who seek after fine-spun specula-tions in economics, are apt to lose sight of the high and sovereign function, which the American people have bestowed upon the Congress, in the power "to coin money and regulate the value thereof." This power would be of little value to the people, who require as much certainty in their business transactions as possible, if the coinage of the United States is to be affected by every fluctuation of bullion in a foreign market, and if the British silver-broker is to regulate the value of our coins, instead of the Congress of the United States. If this power is not to be exercised in favor of a stable currency, there is no efficacy in establishing a monetary unit; for the idea of a monetary unit is inevitably allied with the weight and fineness of the metal which represents it, irrespective of the fluctuations in the value of the metal as bullion, and without regard even to the purchasing power of the coined monetary unit itself.

Hence we find that Great Britain, whose example has been eloquently

cited for our imitation, has in her currency to-day the silver crown, which is valued by British law at 5 shillings or 60 pence, and yet the bullion, which composes it, is worth to-day in her own markets only 44 pence, a difference of over 25 per cent. Some of our monometallists would call that silver crown "a fraud and a sham," "75 per cent. money and 25 per cent. fiat," and yet those skillful connoisseurs in trade, the British merchants, accept it cheerfully in their currency at par with gold. France and Belgium, Switzerland and Italy maintain for the 5-franc piece of silver full parity in value with the gold coinage of the several countries named, although the metal in it is worth less than

three-fourths of its valuation as money, and although France has about five hundred and fifty million dollars' worth in circulation, with full legal-tender functions.

STANDARDS OF VALUE, SO CALLED.

There is much learned discussion about "a fixed standard of value," but those who use the expression will find it difficult to define it. can be a fixed monetary unit, but, whether that unit be represented by a silver coin, or a gold coin, its purchasing power will vary, and the value of the bullion composing it will be subject to the law of supply and demand, like any other commodity. And gold bullion fluctuates in value, as well as silver bullion. Professor Laughlin, in his recent work, The History of Bimetallism in the United States, although he is an advocate of gold monometallism, says:

Monometallists do not, as is so often said, believe that gold remains absolutely stable in value. They hold that there is no such thing as "a standard of value" for future payments, which remains absolutely invariable, &c.

And again:

No commodity, not even gold, has any sacerdotal qualities, which keep its value invariable.

Mr. Jevons, in an able publication, proved clearly that after the discoveries of gold in California and Australia, its increased production caused a fall in its value of from 9 to 15 per cent. Chevalier, the great French economist who advocated so ably the adoption of the gold standard in France, then advised the silver standard, in consequence of the decrease of the value of gold. Several European nations were seized with a gold panic then, and took refuge in silver, in like manner as they have recently been anxious to flee from silver to gold. In fact, therefore, there is no absolute standard of value, and can not be, for the items that constitute value are changeable. Hence the fallacy of comparing gold to a yardstick, or a quart measure, and speaking of silver and gold bi-metallism as the using of two yard-sticks of different lengths, each called yard, or two quart measures of unequal capacities, each called a quart.

The answer is that if gold is adopted as a standard of value you have a yard-stick that is longer to-day and shorter to-morrow; or a quart measure that holds more at one time than it does at another. Currency of gold, or of silver, or of both, is simply a medium, by which to compare the relative values of commodities at any given time. And when money becomes the medium of credit transactions, its use involves an additional incident, which does not enter into spot transactions, and that is, that both the creditor and the debtor take the changes of the future purchasing power of the commodity, into which they resolve their bargain. Every credit is in one sense a speculative transaction, for the parties are not certain, that when the transaction is completed, the creditor, in getting principal and interest, will get as much purchasing power, or more, or less, than when he lent his money, or than the cash value of goods sold by him to his debtor. It is in view of this fact that Professor Laughlin says:

The highest justice is rendered by the state, when it exacts from the debtor, at the end of a contract, the same purchasing power which the creditor gave him at the beginning of the contract—no less, no more.

PRICE LEVELS

It is interesting to consider this subject in connection with the doctrine advanced by Mr. Mulhall, the eminent author of the History of Prices, published last year in England. He maintains, that the aggregate of the world's commercial transactions at any given time, compared with the prices of that particular time, will give the price level; and by applying to the same volume of transactions the prices of a different period, it is possible to ascertain whether prices have risen or fallen, and how much; and that the real standard of value would be the average of prices in the exchanges of the world at a given time, used as a standard of comparison with the prices at any other given time, Take the whole volume of exchanges during one year—say the exchanges of 1884—and compare prices with the prices of 1860, and make the inquiry: "What would the same quantities and kinds of goods as were exchanged in 1884 in the civilized world have brought, if the prices had been the same as they were in 1860?'

This is Mr. Mulhall's method of comparing prices. By taking the prices of 1860, and applying them in detail to the whole volume of the exchanges of 1884, and comparing the result with the aggregate of the actual prices of 1884, he ascertained whether prices have risen or have fallen, and how much. Now, in that comparison the average of prices of 1884 is, for the time being, the standard with which to compare the prices of 1860; or you can transpose the factors, and say that the prices of 1860 are the standard, with which to compare the values of 1884. The average of prices is the only standard of value, with which you can compare values at any other time.

We are told by mathematicians, that when the ocean is lashed into a storm, and the waves are rising and falling in madness and fury, there is, at every instant of the tempest, amid all these violent fluctuations, a general average level, to which the surface of the ocean conforms. That surface changes with every motion, but the general average level remains the same; and such a level as truly exists, as if the ocean were in a dead calm, and its surface were like a sea of glass. So is it with the average of prices at any given time. Prices fluctuate in the commotion of commercial exchanges, but, despite the rise of some and the fall of others, there exists a general average or level of prices, just as the sea has its level even in a storm, and that level of the current exchanges is the standard for the time being of prices and of values.

HAS SILVER FALLEN IN PRICE?

Now, Mr. Speaker, let us take silver and, measure it by this stand-In 1871, 100 cents' worth of silver bullion in the standard dollar coincided as a unit of currency with our gold dollar, whose metal was valued then at 97 cents. The quantity of silver in a standard dollar was then worth about 3 cents more than the gold in a gold dollar. Today, taking the London market (simply for the sake of the argument, without conceding that it should enter into the matter at all), we find the silver bullion in the standard dollar now, in that market, to be 20 cents less in market value, than the gold we put into a gold dollar. That makes a fall of 23 cents for silver, as compared with the gold

to institute. By examining his tables, and those of other distinguished to institute. By examining his tables, and those of other distinguished financial statisticians, we find that from 1871 to the present time the fall of prices has been between 23 and 25 per cent., taking the average in the manner I have indicated, and also by the old methods, previously adopted by political economists. So that the bullion in a silver dollar melted down to-day will buy of the commodities of the world just about the same amount, as the silver dollar melted down in 1871 would then have bought of those commodities.

No more striking illustration of this can be found, than is presented in the table prepared by Mr. Joseph H. Walker, a gold monometallist, and attached to his "Address on the perils of wage-workers in continued silver coinage," and referred to in the recent speech of the gentleman from Massachusetts [Mr. Long] on the silver question. I accept that table, from the enemies of silver, as showing the purchasing power of standard of England.

Mr. Mulhall is a British writer, and constructs all his tables on a gold basis; hence I take the London market for the comparison I am about the matter I am discussing.

Yearly cost of supplies of a family of four persons at the lowest point.

1		1868.		1869.		1870,		1871.		1872,		1873.		1874.		1875.		1876.	
Supplies,	Amount	Price.	Total.	Price.	Total.	Price.	Total.	Price.	Total.	Price.	Total.	Price.	Total,	Price.	Total.	Price.	Total.	Price.	Tota
Corn-meal Ibs If	60 60 60 60 60 60 60 60 60 60 60 60 60 6	112.00 .08 .17 .20 .15 .15 .22 .20 .095 1.75 .45 .17 9.00 1.25 2.25 .18 .17 .24 1.00 1.25	\$36. 00 12. 00 25. 50 40. 00 15. 00 5. 28 3. 20 9. 50 21. 00 36. 00 4. 00 6. 75 3. 60 1. 20 12. 00 60, 00	\$8.25 .045 .16 .16 .08 .17 .215 .10 1.50 .40 .40 .400 4.00 2.25 .18 .17 .24 .67 .68	24.00 32.00 8.00 17.00 5.04	\$8.00 .05½ .145 .17 .085 .16 .20 .22 .085 1.25 .40 10.00 3.00 .16 1.00 2.00 .15 .22 .625 5.00	\$24.00 7.87 21.75 34.00 8.50 16.00 4.80 3.52 8.50 10.00 3.00 1.60 40.00 3.00 1.10 7.50 60.00	\$8.00 .05 .14 .18 .09 .15 .18 .145 .07 1.00 .3.07 1.00 3.00 .16 .125 .22 .625 5.00	\$24.00 7.50 21.00 36.00 9.00 15.00 4.32 2.32 2.32 1.70 40.00 3.00 6.00 8.20 1.10 7.50 6.00	\$9,00 .04 .135 .16 .08 .15 .18 .15 .27 .875 .30 .3.50 .15 .8.50 .3.50 .12 .15 .22 .55 .50	\$27.00 6.00 20.25 32.00 15.00 4.82 2.40 7.00 10.50 22.50 34.00 3.00 15.00 6.00 3.00 1.10 6.60	\$9.00 .035 .125 .16 .08 .13 .19 .14 .05 .875 .37 .9.50 4.00 .15 .15 .14 .21 .500	\$27.00 5.25 18.75 32.00 8.00 13.00 4.56 2.24 5.00 10.50 27.75 1.70 38.00 4.00 6.00 3.00 6.00	\$8.00 .045 .125 .16 .08 .15 .21 .15 .07 .875 .37 .37 .37 .37 .37 .37 .37 .37 .37 .37	18.75 32.00 8.00 15.00 5.04 2.40 7.00	\$8.00 .04 .12 .16 .08 .75 .33 .15 9.00 3.00 1.85 .12 .11 .18	\$24.00 6.00 18.00 32.00 8.00 12.00 4.80 9.00 24.75 1.50 36.00 3.00 5.55 2.40 9.00 6.00 6.00	\$8.00 .035 .12 .16 .08 .12 .19 .155 .07 .75 .35 .30 .10 .1,75 .11 .10 .17 .45 .10	18. 00 8. 00 12. 00 4. 50 9. 00 26. 22 1. 50 29. 00 12. 00 5. 22 2. 22 2. 28 5. 4
Total	-	-	359.88		319. 25	-	311.34	5.00	304. 89	0.00	288.37	0.00	294.60	0.00	291.69	3,00	278.58	_	269.74
Rents in factory village		3.34 ,32	40.08 73.65	3.24	40.08	3.34	40.08 67.00	3.34	40.08 67.92	3.34	40. 08 68. 23	3.34	40.08 60.16	3, 34 , 15‡	40.08 58,40	3.34	40.08 59.50	3.34	40, 08 52, 64
Supplies,	mr.	1877.		1878.		1879.		1880.		1881.		1882.		1883,		1884.		1885.	
ouppines,	Amount	Price.	Total.	Price.	Total.	Price.	Total.	Price.	Total.	Price.	Total,	Price.	Total.	Price.	Total.	Price.	Total.	Price.	Tota
Dorn-meal 15s. 15 15 17 17 18 18 18 18 18 18	60 60 60 60 60 60 60 60 60 60 60 60 60 6	10. 25 .03 .125 .16 .10 .12 .105 .14 .08 .70 .27 .12 .6.50 .27 .17 .12 .05 .17 .14 .08 .09 .00 .00 .00 .00 .00 .00 .00 .00 .00	\$30,75 4,50 18,75 32,00 10,00 12,00 12,00 2,52 2,24 8,00 8,40 20,25 1,20 26,00 2,50 1,20 5,25 1,40 8,40 1,40 1,40 1,40 1,40 1,40 1,40 1,40 1	\$10.00 .03 .12 .12 .09 .08 .11 .10 .725 .13 .6.50 .875 1.65 .08 .07 .17 .40 .4.50	\$30.00 4.50 18.00 24.00 8.00 9.00 1.92 1.76 10.00 8.40 26.00 2.50 2.50 2.50 2.50 2.50 2.50 2.50 2	\$10.00 .03 .11 .13 .09 .08 .08 .11 .06 .70 .2.50 .625 1.65 .07 .17 .40 4.50	\$30.00 4.50 16.50 26.00 9.00 1.95 1.76 6.00 8.40 22.00 22.50 2.50 2.50 1.40 .85 1.40	\$9.25 .03 .105 .13 .09 .10 .11 .06 .65 .35 .16 7.00 .625 1.65 .075 .065 .15 .40	\$27.75 4.50 15.75 26.00 9.00 2.40 1.76 6.00 7.80 26.25 1.60 28.00 2.50 4.95 1.50 4.95 1.50 54.00	\$9.50 .025 .10 .13 .09 .125 .125 .125 .06 .65 .145 .7.00 3.00 .075 .065 .140 .075 .065	\$28.50 3.75 15.00 26.00 9.00 12.50 3.00 2.00 6.00 7.80 26.25 28.00 3.00 13.20 4.80 1.30 1.30 4.80 1.30 4.80 4.80 4.80 4.80 4.80	\$10.00 .025 .105 .17 .12 .12 .145 .135 .155 .08 .55 .35 .36 .7.00 3.00 3.00 1.60 .075 .065 .15		\$9.00 .025 .10 .15 .105 .105 .105 .105 .105 .35 .37 .175 6.75 3.00 .75 1.60 .07 .06 .140 .440 .4.00	15.00 30.00 10.50 10.50 10.50 2.16 8.00 6.60 26,25	\$8.00 .025 .09 .15 .11 .10 .10 .08 .55 .27 .16 .7.00 .80 .1.60 .90 .90 .1.37 .37 .4.00	\$24.00 3.75 13.50 30.00 11.00 2.40 2.00 6.60 28.00 3.00 28.00 3.00 4.80 1.40 1.20 .65 4.50 48.00	\$7.00 .025 .075 .12 .10 .10 .115 .08 .55 .23 .14 .6.50 .80 .1.50 .065 .055 .125 .375 4.00	3.78 11.22 24.00 10.00 10.00 2.40 1.84 8.00 6.60 17.22 1.40 26.00 3.00 9.60 4.50 1.30 1.30
Total		-	254, 51		242.23		239. 43		243, 11		246, 60		262, 47		243, 93		234. 25		216.1
Rents in factory village		3.34	40.08	3.34	40.08	3, 34	40.08	3.34	40.08	3, 34	40.08	3.34	40.08	3, 34	40,08	3, 34	40.08	3.34	40.08

This table shows the yearly cost of supplies for a family of four persons at the lowest point. Computing provisions, clothing, rent, and all the supplies of a family by the market prices of 1871, it took at that time \$304.89, at the lowest point, to supply a family of four persons with the necessaries of life. In 1885, exactly the same quantities of the necessaries of life could be obtained for \$216.11, a fall of 30 per cent. in our prices in fourteen years. We can take two hundred and sixteen that deliberates and have the second to the property of the in our prices in fourteen years. We can take two hundred and sixteen standard dollars now, and buy those articles, which it would have required three hundred and four standard dollars to have purchased in

But suppose we submit this matter to the "fire test," as some gen-

tlemen have called it, as if the Bland dollar was to be melted by fire in the pockets of the people, or in the fire-proof safes of the country. Take the three hundred and four standard dollars, that purchased the supply of life's necessaries in 1871; take them out of the pockets of the people, and melt them down, and make bullion of them; send that bullion to London and sell it at 80 cents on the dollar, and bring back the proceeds of sale to this country, in gold, if you please. There will be \$240+; and it takes only \$216 to buy the same amount and kind of products, which the three hundred and four standard dollars, in their original coined state, would have bought in 1871, so that you have now \$24 to spare.

I give this illustration, Mr. Speaker, to show that silver bullion has not fallen, in comparison with the price level of the world; and that in purchasing power—the true criterion of the value of metallic currency—it has not depreciated. And I have already cited one of the most distinguished monometallists of the day, to show the recognition of the doctrine, that purchasing power is the true criterion of the value of money; and upon that basis there can be but one conclusion, that silver has not depreciated, but that gold has appreciated in value.

WHY HAS GOLD RISEN IN PRICE?

What have been the causes of this disparity between the two metals? For my part, Mr. Speaker, I believe it to be a temporary disparity, and that it has no element of permanency about it. It has resulted from a temporary abnormal demand upon the gold market, which I trace in

We find that, at the close of the Franco-Prussian war, France required 5,000,000,000 francs (\$1,000,000,000) to pay the German indem-The statistics of the transaction show that she paid \$58,000,000 of that amount in gold, coined at the French mint; that she had to use her credit, and borrow from England and her neighbors another portion of the amount, and if I remember rightly, the only portion paid in silver, was a small part of the indemnity drawn on the Belgian Bank. The rest of it was settled in gold, or by drafts on the basis of gold, and the payment of such large amounts necessarily created a stringency in the money markets of Europe. What followed? Germany, while the money markets of Europe were straitened by this heavy drain upon their resources, determined to abolish the local coinage of the several states, based on silver, and to adopt instead an imperial coinage on a gold basis. In order to accomplish this result, Germany offered for sale over 11,000,000 pounds of silver, and actually sold over 7,000,000 pounds from 1873 to 1879 inclusive, while she coined, up to the end of 1880, imperial gold coins amounting to 1,747,237,095 marks, withdrawing during the same time 1,080,486,138 marks of old coins of the several states, and therefore purchasing to the amount of about 700,-000,000 marks, or \$170,000,000 worth of gold for the purpose.

The SPEAKER pro tempore (Mr. Hammond). The time of the gentleman from South Carolina has expired. Does the gentleman from

Pennsylvania [Mr. Scott] desire to yield further time?

Mr. SCOTT. The gentleman from Texas [Mr. LANHAM] proposes to give the gentleman from South Carolina [Mr. DIBBLE] ten minutes of his time.

Mr. LANHAM. I am entitled to the next hour; and it is my pur-Mr. LANHAM. I am entitled to the next hour; and it is my purpose to yield ten minutes of my time to the gentleman from South Carolina. After that, I believe the gentleman from Pennsylvania will occupy the residue of his time, and then I shall have fifty minutes.

The SPEAKER pro tempore. The gentleman from South Carolina will proceed for ten minutes longer.

Mr. DIBBLE. Thanks to my friend from Texas for his kindness.

I have been discussing, Mr. Speaker, the causes of the appreciation of gold bullion in the money market, and have mentioned two of the agencies producing that effect:

agencies producing that effect:
First. The drain upon the monetary resources of Europe, in order to

supply France with the means to pay to Germany the indemnity of 5,000,000,000 francs, or \$1,000,000,000.

Secondly. The consumption of \$170,000,000 worth of gold by Germany, in addition to old gold coinage, in establishing an imperial cur-

rency under the laws of 1871 and 1873.

The third cause is found in the action of Denmark, Norway, and Sweden, who formed the Scandinavian monetary union, by treaties made from a silver to a gold basis, and selling silver and buying gold.

Fourthly, the action of the United States from 1873 to 1879 in hostility to silver, and our resumption of specie payments practically in

gold, rather than in gold and silver, exercised a much greater influence in disturbing the parity of gold and silver than is usually supposed. And, in order to appreciate this fully, let us briefly review the position

of the silver dollar in our currency.

The standard silver dollar of 412½ grains, nine-tenths fine, contains 3714 grains of pure silver; the rest is alloy. It was first coined in 1792, and from that time to the present, the quantity of pure silver in it has never been changed. The weight was reduced from 416 grains to 412½ grains by act of January 18, 1837, by reducing the alloy, a matter not affecting its intrinsic value, but simply rendering it more convenient as currency. Until 1849, it was the sole coin representative of our monetary unit, and our gold coins were multiples in value of that unit. In 1849, one-dollar gold coins were authorized for the first time.

Up to 1834, by reason of having fixed the ratio of silver to gold in our coins at 1 to 15, when the bullion market ratio of silver to gold in our coins at 1 to 15, when the bullion market ratio, and the European coin ratio also, was 1 to 15½, the bullion in our gold coins exceeded slightly in value the coins themselves. To remedy this the Congress (in 1834) reduced the quantity of gold in our eagles and other gold coins about 6 per cent., thus establishing the present ratio of 1 to 16 between the two metals. From the first enactment our coin basis was bimetallic, with the dollar as the monetary unit, containing $371\frac{1}{4}$ grains of pure silver, its equivalent in gold coinage being estimated at first at $24\frac{3}{4}$ grains of pure gold to the dollar, and after 1834 at $23\frac{1}{4}$ grains, at

which last rate one-dollar gold pieces have been coined in small quantities since 1849. The weights I have given are exclusive of alloy.

This condition of our coinage continued until 1873, when the coinage of standard silver dollars was suspended; and in 1874, in the codification of the United States laws, the legal-tender quality of all silver coins was limited to \$5; and thus, through inadvertence, Congress impaired the legal-tender function of the standard silver dollars then in circulation. In 1878 the full legal-tender function was restored and the coinage of standard silver dollars was resumed under the law usually called the Bland act; but which came from a bill of Mr. Kelley, of Pennsylvania, in 1876, providing for free coinage of silver, which was then passed by the House, but was not taken up in the Senate; and in the next Congress Mr. BLAND, of Missouri, renewed the proposition. It was again passed by the House, but was modified in the Senate by the amendments of Senator ALLISON, of Iowa, striking out free coinage, confining the coinage to Government account and directing the purchase of not less than two million nor more than four million dollars' worth of silver bullion per month for the purpose. Silver is now coined under this law.

Having thus briefly sketched the history of the silver dollar in our currency, it will be noticed that in 1873, when the actual circulating medium of this country was paper money entirely, the act was passed demonetizing the silver dollar, and establishing the gold monometallic basis in our currency. And although in our own country it was unnoticed for several years, and had no appreciable effect on our home circulation, since at that time gold and silver were both at a premium, and not used as currency, yet to foreign nations, who, as we have seen, were just at the same time grasping for more gold, and changing from silver to gold, it was an indication of a new demand for gold in the future, whenever the United States should resume a specie basis. Hence it is reasonable to suppose, that the act of 1873 had an important influence in London, in raising the price of gold. And when, in 1875, the resumption act was passed, providing for the specie basis on and after January 1, 1879, another blow was struck at silver, in my judgment still more hurtful than the act of 1873. This act provided that on and after January 1, 1879, the Secretary of the Treasury should "redeem in coin," at the New York subtreasury, the greenbacks in

sums of not less than \$50.

Now, it will be observed that silver coins by the act of 1873 and the Revised Statutes of 1874 were, at the time of the passage of the resumption act, legal tender only to the amount of \$5; therefore the resumption act was really a provision for resumption on a gold basis in 1879. It appears to me, Mr. Speaker, that nothing could have been more unwise and unbusinesslike, than such a provision. Our country was involved in the meshes of a paper currency, with the precious metals at a premium, and with only a small quantity of gold in the Treasury, and it was regarded as very doubtful whether, in the short time provided in the act, the United States would be able to meet the demand for specie on the day named for resumption, without embar-rassing the Treasury or producing financial disturbance in the trade of the country. And yet, with a large home production of both silver and gold, and therefore having the resources of two metals, ready at hand in that emergency, the act virtually provided for resumption without the assistance of silver at all. And although, prior to the date fixed for resumption, the act of 1878 was passed, restoring the full legal-tender function to the standard silver dollar, and providing for its coinage, yet the executive department of the Government, in carrying out the directions of the resumption act, ignored silver and made use of gold only. Hence we can easily see that the acquisition and storing of gold in the Treasury of the United States from 1875 until and after resumption had begun must have had a very great influence toward increasing its market value, both at home and abroad, as compared with silver, which failed to receive equal recognition as a money metal from those who administered our finances.

While these events were transpiring, the silver mines of Nevada and the surrounding Territories gave promise of unlimited production. The Comstock lode became of world-wide fame. The prospect of immense fortunes to be made in silver-mining stocks urged the speculators and stock jobbers to represent every vein of silver as of priceless value, and while dishonesty salted the mines, skillful financiering bulled the stocks. The consequence was, that the commercial world took a panic about silver, and the nations hastened to get under the shelter of gold, very much as had happened earlier in the century, when, during the Californian and Australian gold fevers, they had rushed into silver.

At that time France, having the largest metallic stock in the world,

threw herself into the breach and arrested the panic by her free coinage

of both silver and gold on the basis of 1 to 151.

But at the time of this silver panic we have seen that France was being drained of five thousand million francs of her metallic currency, in the German indemnity, and she was, therefore, powerless; and our United States financiers themselves seem to have partaken of the panic; and besides, the United States was then struggling under the disadvantages of a paper currency. Hence came the rapid appreciation in the value of gold bullion as compared with the prices of all other commodities, silver bullion included.

But let us look at the situation calmly, and we will observe that the prospects are favorable to a restoration of the par of the metals. France has recovered her gold, and is the strongest nation of the world in the supply of both metals; Germany is no longer selling her silver, and a strong party is now urging the adoption of bimetallism, and the coinage of the surplus she now has on hand; and the annual production of our silver mines has become known to the world through official statistics. There are no new or continuing causes in operation tending to depress silver, which are likely to have any effect upon the markets, excepting, perhaps, the sensational attacks of a few newspapers upon it, and these will die away, as soon as we come to a conclusion upon this question in Congress. And, in my judgment, the conclusion ought to be a compromise between the extreme positions taken by the gold monometallists and the silver monometallists. There is room here for wise legislation; and I regret that this bill is to be considered under the operation of the previous question, for it should be open to the utmost freedom of amendment permitted by parliamentary usage.

The advocates of the passage of this bill, in view of what I have said,

may cite the example of France when she arrested the gold panic of thirty years ago by free coinage of both metals, as a precedent for similar action now on our part. But our monetary condition is not such as that of France was at that time, nor even is it such as that of France It is possible that France and the United States, with the other States of the Latin Union, might to-day bring complete relief to the situation by open mints, provided that our ratio of silver to gold was the same; but the fact is, that France and the Latin Union have closed their mints to silver, and no one at all informed on the subject need be reminded, that the United States has not sufficient resources to attempt single-handed the feat of regulating the metallic circulation of the world.

When France accomplished this, she was, as she is to-day, the strongest of all the nations of the earth in metallic currency, and could endure any drain upon either of her metals from the surrounding nations without exhaustion, while the United States is weak in gold and silver, considering our immense territory and rapidly increasing population. France is compact, and with a dense, settled population, changing but little, and onservative, rather than speculative, in their habits, while we have large areas now being opened to civilization, with a sparse population, so that money does not circulate rapidly, as in dense communities, and with a spirit of enterprising speculation in every part of the country.

But what is more than all this, France is a creditor nation, and receives money from other nations, while the United States is a debtor nation.

tion, and large amounts of our securities are in the hands of foreign creditors, in England, Holland, France, and Germany. If we had the same amount of gold and silver coin per capita as France, and were also a creditor nation, so that we would be receiving from the rest of the world instead of paying out, then our gold and silver coin would probably both be safe with free coinage; but as a debtor nation, and with a scant stock of gold and silver money, the effect of free coinage would be, as I have stated, to bring us to a silver basis. In this connection, it is well to consider that France has per capita over \$23 of gold, and over \$16 of silver money; while the United States has per capita less than \$17 of both gold and silver combined.

It is in realizing such facts as these, that the advantage of settling the money question by international agreement becomes apparent. And in spite of assertions of the friends of this bill to the contrary, I think that there is a great advance in public sentiment in Europe, in the direction of such a settlement. It is very manifest, when a com-parison is instituted between the conduct of the European nations in 1878 at the international conference of that year, and their action at the conference of 1881.

By the act of February 28, 1878, the President was directed to invite the nations of the Latin Union, and such other European nations as he deemed advisable, to join with us "in a conference to adopt a common ratio between gold and silver for the purpose of establishing internationally the use of bimetallic money, and securing fixity of relative value between those metals."

THE CONFERENCE OF 1878.

Commissioners were appointed to represent the United States, and the invitation extended to the commercial nations of Europe, was accepted by France, England, Holland, Belgium, Russia, Austria, the Scandinavian Union, Switzerland, and Italy. Of these nations, at that time, only Austria and Italy supported with energy the bimetallic propositions of the United States. Holland, though in favor of bimetallism, thought it would require agreement of France, England, and the United States, to make it practicable. Russia said she would offer no obstacles, if the others agreed. France, England, Belgium, Switzerland, and the Scandinavian Union were opposed to any international agreement on the subject. Germany refused to accept the invitation of the United States, and also declined a subsequent invitation from the conference itself, after it had assembled, to take part in its proceedings. At the close of the conference, the European delegates joined in reply to the American proposition, in these terms:

1. That it is necessary to maintain the monetary rôle of silver in the world as well as that of gold, but that the choice between the employment of one or

other of the two metals, or the simultaneous employment of both, should be governed by the special situation of each state or group of states.

2. That the question of the limitation of the coinage of silver should also be left to the free decision of each state or group of states, according to the particular conditions in which they may be placed, and this the more so as the perturbations which have arisen of late years in the silver market have variously affected the monetary situation of the different countries.

3. That in view of the divergencies of opinion which have been manifested, and of the impossibility even for the states which have the double standard to make any engagement relative to the unlimited coinage of silver, there is no ground for discussing an international ratio of value to be established between he two metals.

In other words, the propositions of 1878 were declined by the European states, acting together, and their reply meant simply that each state would act for itself, and stand ready to profit by any mistake made by its neighbors. And thus the conference of 1878 terminated.

THE CONFERENCE OF 1881.

But public sentiment had greatly changed by 1881. In that year France and the United States simultaneously invited the other powers to reassemble in monetary conference at Paris. This invitation was accepted by all the nations which had been represented at the conference of 1878, and also by Germany, Greece, Spain, Portugal, British India, and Canada. This conference, after thirteen sessions, adopted as its opinion-

That there is ground for believing that an understanding may be established between the states which have taken part in the conference, but that it is expedient to suspend its meetings; that, in fact, the monetary situation may, as regards some states, call for the intervention of their governments, and that there is reason for giving an opportunity at present for diplomatic negotiations.

And it then adjourned for one year. Since then, France and the United States jointly proposed further adjournment, to which the other powers consented. It is interesting to note specially the suggestions submitted by England and Germany, after a full interchange of opinions among the delegates of the several states, for Germany and England are the two great powers which have the single gold standard.

The English proposition was, that if other countries adopted rules insuring certainty of conversion of gold into silver and silver into gold, the Bank of England would be willing to issue their notes for silver, at the ratio used by other nations, to the extent of one-fourth of its gold on hand in the issue department, and to redeem the notes on demand in gold.

The German declaration was made at the second session of the conference, and proposed (1) to abstain from all sales of silver for some years; (2) during another period, to be fixed, to sell annually only a small quantity, so as not to glut the market; (3) eventually to withdraw gold and paper money of the denomination of 5 marks (\$1.19 in United States currency), and replace them with silver pieces of 5 and 2

marks, taking as a basis the ratio of 1 to 15½.

Hence we find that at this conference Germany and England both favored the rehabilitation of silver to its proper place in the money of the world, and proposed to give it further recognition in their own monetary systems. The contrast is very great between this action and the course of these powers three years before. Then Germany refused even to attend, and England attended only to declare war upon silver and an international agreement, but in 1881 both earnestly declare a friendship for silver, and confess an anxiety that an international agreement may be consummated.

THE PRESENT.

Five years have elapsed, and what is the situation now? All of the agricultural interests in the German Empire are demanding the restoration of silver to full currency powers, and in the Reichstag the question is now in agitation, as is the case here to-day. England is inquiring whether bimetallism has not become with her a necessity of trade; and some of her ablest financiers, including two who have occupied the posi-tion of governors of the Bank of England, are pronounced bimetallists. A convention of delegates from her chambers of commerce has demanded parliamentary inquiry upon the subject. And it is significant to observe that it has been proposed that a British trade-dollar be coined, to take the place of the Mexican dollar in the Eastern trade; and in its issue of February 13, 1886, the London Economist editorially advocates its coinage. And in January of the present year the Latin Union, which maintains the full legal-tender power of both gold and silver at the ratio of 151 to 1, renewed their agreement to do so for five years longer.

AN INTERNATIONAL RATIO.

Such is the situation across the ocean, and it is auspicious for the renewal of negotiations to arrive at a common ratio, and to attain international recognition of gold and silver alike as legal tender at such ratio. At the last monetary conference, Mr. Evarts, on behalf of France and the United States, proposed the ratio of 1 to 15½, and as ninetenths of the legal-tender silver of the world is coined upon that ratio or a lower one, there is little doubt it would be the one adopted by com-

If such should be the case, it would settle in a satisfactory way several problems of financial policy, which are sources of constant difficulty and irritation. One of these problems is, how to avoid general contraction of the currency of the world to about three-fifths of its present metallic basis, by the universal demonetization of silver. Against such contraction, the common consent of the nations to a binding agreement for mutual international recognition of both gold and silver at a fixed

ratio, is the only certain safeguard.

In round numbers the coin currency of the world is estimated at about \$7,000,000,000, of which about one-half is gold, and the other half is silver. Should silver be demonetized, I estimate that, after a liberal allowance for the use of silver in small change, the volume of the coin circulation would be reduced to about 60 per cent. of its present aggregate, and all prices would gravitate downward, and we would have falling markets, until the new price-level was established to match the diminished circulation. Contemplate for a few moments the disasters which would arise from the constant decline of prices in all business transactions. The retail merchant would find that ere he could dispose of his goods the prices would have fallen below the wholesale rates he had paid for them. The debtor who had borrowed money, would find such scarcity in the gold, in which he would be required to pay, that he would be unable to meet his obligations, and bankruptey and black ruin would settle over commerce and credit like a pall. The holder of gold would cling to the yellow treasure, and by the process of hoarding, the circulation would be still further contracted, and the cry of the poor for bread would necessitate the issue of large volumes of paper money, without metallic support, to meet the exigency. No such convulsion has ever occurred in the history of trade, as we would experience, on the world's demonetization of either one of the standard money

To a debtor country like the United States, it would mean increased burdens of taxation, and injury to the public credit. Our volume of imported goods paying duty might be as large as at present, but the value would be little more than one-half, and all ad valorem duties would be reduced to correspond with the cheaper invoices. The revenues from customs duties would be constantly decreasing, and yet the interest and principal of the public debt would be on the same basis as at present. Hence our financial resources would be crippled, while our obligations would not be correspondingly diminished in their bur-

dens

In this connection it is well to observe that only the public creditor, the holder of United States bonds for instance, could derive any advantage from such a contraction of the world's currency. The circulating medium of trade being diminished in amount, its purchasing power would be greatly increased, and in obtaining from the Govern-ment his interest and principal, he would receive payment in a medium having much greater purchasing power than the money which he lent to the Government. But the private creditor would be ruined, for the general bankruptcy of the debtors of the land would cause him to lose his debt.

his debt.

If the private creditor could collect his debts he would be benefited in like manner as the public creditor; but, as I think I have shown, the debtor class would not be able to respond to their obligations, and but few private debts would be worth anything at all. This would but few private debts would be worth anything at all. This would destroy credit and faith in further commercial transactions absolutely, until the world's business had fully adjusted itself to the new state of

the circulation.

Speaking for my own constituency in the South, I present another consideration here. We feel that the silver monometallism of India is exceedingly injurious to the prices of our principal exportable product. The common farmer of that country, far removed from the intelligence conveyed by the railroad and the telegraph, and conservative, as Asiatics are, in his habits, receives cheerfully the same price per day for his labor, the same price per pound for his cotton, in silver, without for his labor, the same price per pound for his cotton, in silver, without regard to the depreciation in silver and Indian council bills in the London market. Hence the cotton buyer in England, paying for Indian cotton in silver, uses the depression of price thus secured, to depress the price of American cotton also. And when any one compares the present price of cotton with the prices of previous years, it will at once be realized how great an influence is thus exerted in lowering the price of the cotton crop of the South. In like manner, the wheat-fields of India effect the grain prices of the West. India affect the grain prices of the West.

Again, the Birmingham manufacturer of cotton goods finds the principal market for his sales in India and other silver-basis countries. But with exchange in England against those countries affected 20 per cent. by the departure of silver from its proper ratio with gold, their purchasing capacity is diminished 20 per cent.; and to meet this exigency, the manufacturer has to reduce correspondingly either his production or his prices. Hence he will either buy 20 per cent. less of cotton to be made into goods, or he will purchase the same quantity at prices lower by the same percentage; for in no other way can he secure his ordinary profit in his business.

Both of these evils will be cured when India and other silver-basis countries become bimetallists; for in commercial transactions between a gold-basis country on the one hand and a silver-basis country on the other, the difference of price of gold bullion and silver bullion affects the rate of exchange; but the case is different where one or both of the countries is on the double basis of gold and silver at a fixed ratio for coinage, for the coinage rate, as all experience shows, will control the bull-ion rate. For example, in France and the Latin Union, with both gold and silver coins at full legal-tender at the ratio of 15½ to 1, gold and silver

moneys are circulating at par with each other; while in Austria, which has only the silver basis, gold is at a premium of about 20 per cent.

Another reason why it is better for commerce that gold and silver

both should compose the currency and be recognized in international exchanges is, that there is less danger of disturbance of the purchasing power, from fluctuations in production or demand. That is, it is harder to affect seriously a volume of currency of \$7,000,000,000 in value by additions to it from the mines, or subtractions from it for the arts, or by destruction by fire or shipwreck, than if the entire volume were worth only \$4,000,000,000.

This proposition is so plain that I will not dwell upon it. Hence it is manifest that an international agreement, sustaining both gold and silver, will satisfy all the silver men except the extreme silver monometallist, will satisfy the debtor classes and nations, and will also satisfy the private creditor class, who depend upon the solveney of their debtors for the safety of their investments and other credits.

But I go further, and maintain that such an arrangement ought to be satisfactory to the public creditors, the holders of Government securities, for two reasons. The first is, that the holders of public securities are also largely the holders of claims against private individuals, or of stocks in corporations which owe large debts, and hence their in-

terest is not all in one direction.

What they might gain in the payment of their principal and interest of Government bonds in a medium which in its entire volume is only \$4,000,000,000 over a payment in a medium having a volume of \$7,000,-000,000 they would lose by the failure of their private debtors and the depreciation of their corporate stock investments. So that this class are really not to be benefited, unless it be such of them as have no

are really not to be benefited, unless it be such of them as have no other investment of their fortunes except Government bonds of prompt-paying governments, and even they may suffer by disturbance in the market value of their bonds in the general tumbling of prices.

But there is a second reason, why the public creditor in this country should favor an international agreement, if the ordinary ratio of the civilized world be adopted between silver and gold, the ratio of 1 to 15½, as proposed in 1881 by the American and French commissioners to the other delegates at the international conference. Under the exto the other delegates at the international conference. Under the express terms of the bonds of the United States, and by the express declaration of Congress, the interest on the bonds of the United States is payable in coin of the standard weight and fineness, which were lawful in July, 1870, at which time both gold and silver were unlimited legal tender—gold at the rate of 25.8 grains, nine-tenths fine, or 23\frac{1}{2} grains pure gold per dollar; and silver at the rate of 412\frac{1}{2} grains, nine-tenths fine, or 3711 grains pure silver per dollar. Hence the terms of the contract are satisfied by payment either in gold coin or in standard silver dollars of our present currency.

But if an international agreement be made, by which the ratio shall be adopted of 1 to 15½, instead of our American ratio of 1 to 16, then, in order to conform our silver coin to the new ratio, our dollar would have to be reduced to 400 grains, nine-tenths fine, or 360 grains, pure silver, to conform to the legal-tender silver of France and the Latin Union, and in fact to the silver currency of Great Britain, Germany, and all of the great nations. If this were done, it is easy to perceive that the United States could not pay her debt in the new silver coinage, for by the terms of her contract the coin must be of the weight and fineness of July, 1870. Hence the bondholders would be sure of payment of the interest and principal of their bonds in gold, while at present the Government would certainly exercise its option to pay in silver, if the stock of gold in the Treasury should be so diminished, as to be insufficient for current payments of interest on the debt. The bonds are payable, as expressed upon the face of them, both principal and interest, "in coin of the stand-

upon the face of them, both principal and interest, "in coin of the standard value of the United States on said July 14, 1870."

It is true that, at present, the interest of the bond debt of the United States is being paid in gold, and I am in favor of its being so paid; for there is no disparity between silver and gold coin, and so far as our bonds are body in Fraday and Comment which are gold tradered. bonds are held in England and Germany—which are gold-standard countries—it tends to strengthen our credit abroad, at no additional expense to the Government. In fact, so long as the volume of the circulation of the world is kept up at seven thousand millions, there is no difficulty in each nation maintaining the parity of silver and gold, provided both are given the functions of full legal-tender money. It is only a demonetization of either one of the metals, that can affect us in prices, and the result would be the same if we attempted to demonetize gold, and to rest upon silver. Monometallism, either of gold or of silver, would be equally disastrous to the commerce of the world; and the most perfect system, in my humble opinion, is bimetallism, with a ratio between the two money metals fixed by international treaty, and recognized by all the great commercial nations of the world.

Under the legislation already had, two international conferences have been held; and the conference of 1881 simply adjourned temporarily, and could be reassembled, in order to complete its work. It is probable that, if the conference were now invited to resume its labors, something definite could be agreed to, in settlement of the questions involved.

THE UNITED STATES

But we must also make provision for ourselves alone, in case we can not induce the world to agree to an international recognition of bimetallism; for some, who are familiar with this subject, do not think that there is any hope of an international agreement, on account of the policy heretofore pursued by the creditor nations of Europe. For instance, the New York Financial Review for 1885 has the following:

The nations of Europe are making the attempt to contract the medium of the world's exchanges, by forcing commerce on, to a single gold basis, and thereby rob it of one-half the currency it formerly used and needed.

And while I think that the creditor nations are now beginning to see that they can not so contract the medium of payments, and thus increase the value of their claims against debtor nations, yet at the same time it behooves the United States, as a debtor nation, to do what it can to keep the circulation of the world from contraction by the demonetization of one of the money metals, and therefore we must see what we can do single-handed to sustain silver, as well as gold, within our own territory. For there is no doubt, that the doctrine of Alexander Hamilton's report on the Mint in 1791 is just as applicable now as As between gold and silver, Hamilton proposed that-

No preference should be given to either, because in attaching the unit to either, the office of the other as money would be destroyed; it would become mere merchandise, thereby diminishing the quantity of circulating medium, and impairing the utility of one of the metals.

And in order to make proper calculations, let us consider the condi-

tion of our currency at present.

In the first place, owing to the redemption of United States bonds, some of which secured the notes of national banks, the volume of national-bank circulation has been reduced \$40,000,000 in four years, and of this reduction over twenty millions was in one year-from 1884 to

But this is not all. On November 1, 1882, the gold in the United States was, in Treasury and in banks, \$260,455,297, and on November 1, 1885, it was \$335,251,499, an increase of gold in the Treasury and in

bank reserves of about \$75,000,000.

In the hands of the people, there was in November, 1882, gold to the amount of \$306,650,159; and in November, 1885, the amount of \$251,-476,288, a decrease in gold in active circulation of \$55,000,000. In the same period the silver in the hands of the people increased from \$80,-912,634 on November 1, 1882, to \$107,914,611 on November 1, 1885—an increase of twenty-seven millions. And the paper circulation fell from \$548,828,288, in the hands of the people in 1882, to \$470,401,878 in 1885. Thus we have from 1882 to 1885 the following contraction of our circulating medium:

Gold, decrease	\$55,000,000 78,000,090
Total decrease	133, 000, 000 27, 000, 000
Balance	106, 000, 000

We therefore have a net decrease of our circulation, of over one hun-We therefore have a net decrease of our circulation, of over one hundred millions in three years. This has caused reduced prices, stagnation in business, strikes of the laboring classes, and general distress. And it is significant, that while our population is steadily increasing, and our circulation is steadily diminishing, about eighty-six millions of silver dollars remain as a surplus in the Treasury, and the country reuses to absorb that surplus, though needing money all the time. The reason of this strange state of affairs is, that there is really no appropriate place provided for silver dollars in our currency. Its proper sphere is usurped by the one-dollar and two-dollar greenbacks, which, as I have before stated, are redeemable only in amounts of fifty dollars. as I have before stated, are redeemable only in amounts of fifty dollars and upward, and are practically paper representatives of gold, and not

There is also the one-dollar gold piece, but that has no circulation or coinage of consequence. So inconvenient is it in size, that the most extreme monometallist, if tendered his choice between a gold dollar and a silver dollar, would select the silver dollar as more convenient for currency; and the small quantity of gold one-dollar pieces now coined is used mainly for trinkets and purposes of ornamentation. The three-dollar and two-and-a-half-dollar gold pieces are not numerous, but three-dollar and two-and-a-half-dollar gold pieces are not numerous, but there are enough of them in circulation to occupy quite an appreciable place in our currency. Where, then, is there a place for the standard silver dollar? We have shown that under five dollars the paper one-dollar and two-dollar greenbacks have a large circulation. It is now about \$47,000,000, although largely diminished in the last two years. The Congress has authorized the issue of silver certificates, but only in denominations of \$10 and upward, instead of issuing them in denominations of \$1, \$2, and \$5, where they would be just as convenient, and equally as popular as greenbacks. If this were done, and the one-dollar and two-dollar greenbacks were called in, and the amount reissued in larger denominations, say of \$5 and above, I am satisfied that all the surplus silver dollars in the Treasury would be represented in circulation by such silver certificates in less than twelve months.

Another anomalous condition of our currency, is in refusing redemption to greenbacks in amounts less than \$50, and only redeeming them at New York. A single greenback should be as readily convertible into coin as a large number of them; and they should be redeemable at convenient points. Another use for silver dollars would be found by making greenbacks thus redeemable in sums under \$50 in silver or silver or silver dollars. ver certificates, at the option of the person offering the greenbacks for

redemption; it would make no difference to the Government, since the silver certificate is simply the paper representative of actual dollars in the Treasury, held there for the owner of the certificate.

In this way there would be no surplus of silver dollars in the Treasury; and it is well to remember in this connection that it is mostly in the minor transactions of buying and selling that actual money is used. since larger purchases are usually paid for in checks or bills of exchange; so that in placing the silver certificates in the arena of small retail business, from which they have been studiously excluded, we will utilize our entire coinage of the white metal. This can be done by simply removing the present restriction, which limits the issue of silver certificates to denominations of \$10 and upward.

LEGISLATION PROPOSED.

Mr. Speaker, let me state in conclusion, at the expense of repetition, what I conceive to be the proper legislation for this period. Instead of providing for the immediate resumption of free coinage, we should provide for resumption at a time when the civilized nations shall have agreed upon a ratio and upon a plan of free coinage. In the mean time, we ought to suspend the coinage of the silver dollar in the interest of the silver dollar itself; not because it is worth but 80 cents, for, as I have said, I do not subscribe to that doctrine; but because we have enough

said, I do not subscribe to that doctrine; but because we have enough silver for the purposes of circulation at present.

I think our supply of silver stands in the same position as the stock of goods on the shelf of a merchant. When he has goods enough for the purposes of traffic, he does not decry and disparage the goods, because he does not sell them immediately, but he tries to get them out among his customers; and while he is trying to get them out, and has a full stock, he is not ordering any more. For the reason that we have enough silver for our purposes at home, and have no other field for it, leave supposed the coingree at least for a time. I would expend it for I say, suspend the coinage at least for a time. I would suspend it for a definite time, say for the period of one or two years; and I would at the same time provide means for circulating the \$86,000,000 we now have, unused in the Treasury. In order to do this let us remove from circulation every one and two dollar bill that is now circulating in this country. Without contracting the greenback currency, I would put it all in denominations of \$5 or upward. I would issue silver certificates in denominations of one and two dollars, to take the place of these one and two dollar greenbacks. I would take away the \$50 limit from the greenback, and make it convertible at all of the fiscal offices of the Government into silver certificates in any sum. I would go further and make these silver certificates, backed by the coin in the Treasury, dollar for dollar, legal tender in the same manner as the silver dollar is legal tender; in the same manner as the Bank of Hamburg in Germany in olden time passed its paper money; in the same manner as the Bank of England paper and the Bank of France paper circulate to-day. I

Mr. Speaker, this is really not making anything but the coin legal tender. As two merchants, in order to transfer goods, transfer the warehouse receipts, showing that certain commodities have been deposited, so these notes would be the warehouse receipts of the legal-tender coin, which any one could go and claim from the Government on demand,

would also make gold certificates legal tender.

the Government being its custodian.

And the people will save enough to build all of the vaults necessary to hold that money, in the saving of the abrasion of the currency in common use. It has been estimated that, in the course of a hundred years, mon use. silver coin in circulation loses 10 per cent. of its value by abrasion; and the Director of the Mint, I understand, has informed one of the committees of this House, that the money saved from the wear and tear of the silver in circulation will build, twice over, the vaults necessary for the Government to hold the coin, and put the silver certificates out in the

hands of the people.

By the use of these means, there would be no difficulty in circulations the size. ing the entire eighty-six millions in the Treasury, by the time the sus-

pension would terminate.

During that period, the President could call upon the nations to confer again, and agree upon a ratio for bimetallism. And then, when that ratio is established by international consent, I would have free coinage of gold and silver according to that ratio. As we have seen, the time is approaching, when the nations of the world will be ready to entertain this proposition. And in our own country the convention of the American Bankers' Association, held at Chicago in September last, expressed a similar readiness in the resolution adopted by it, as follows:

Resolved. That it is the sense of this convention that the coinage of silver dollars under the compulsory law of 1878 is detrimental to the best interests of the people and dangerous to the welfare of the Government, and that the law should be immediately suspended, and remain inoperative until an international agreement with leading commercial nations shall give substantial assurance as to the future relations of gold and silver as money.

If, therefore, we can not agree as a legislative body, either to immediate free coinage of silver on the one hand, as urged by the supporters of this bill, or to absolute suspension of the compulsory coinage of two millions' worth of silver per month, as others contend, let us compromise by suspending until we can place in circulation the silver dollars already coined, and make another attempt at international agreement, results which, in my judgment, can be attained in two years by prompt and decisive action.

Could this be attained, a great advance would be made in the interest of our commerce at home, and our traffic with the other nations of the world; credit and confidence would be restored; and financial dis-

tress would give place to plenty and prosperity.

All essential legislation tending to such a consummation can be easily enacted, by amending the bill now under discussion, in the manner I have suggested, or in such other way, in a similar spirit, as the combined wisdom of this House may determine, if the representatives of diverse views would meet each other half way, in a spirit of mutual concession for the common good.

Rivers and Harbors.

REMARKS



HON. WILLIAM L. WILSON.

OF WEST VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 6, 1886.

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other pur-

Mr. WILSON said:

Mr. CHAIRMAN: It is inevitable that a bill like this should be subject to criticism. It is perhaps hardly to be expected that any committee, no matter how careful and prudent, can prepare a general river and harbor bill for so large a country as the United States that will not contain some items that may be subject to just criticism. The area of our country is so immense, its seaboards are so extensive, and its interior water ways are so numerous as almost to defy exact knowledge on the part of any member of this House; but I believe that the annual river and harbor bill is one that ought generally to pass; that it contemplates improvements and expenditures that are in the main judicious and necessary, and that much of the criticism indulged in by the press of some sections of the country, and echoed in the debates on this floor, is unfounded and uninformed.

To provide as extensively as possible without wasteful expenditure abundant facilities for transportation, in the cheapest form in which transportation can exist, along our great water ways and even our smaller rivers, is to confer a boon on the great mass of the people of this country, who are engaged in producing its wealth and in the buy-ing or selling of its products. Not only does the improvement and opening to commerce of water ways afford these facilities of transporta-

opening to commerce of water ways afford these facilities of transportation, but, by its competition with the railroad lines of the country, it regulates and lessens the charges for freight and traffic upon them.

It is a great mistake to suppose, as certain gentlemen have contended in the course of this debate, and notably the gentleman from Iowa [Mr. Hepburn], that although the amounts appropriated in such a bill may be expended within the limits of individual States, such expenditures are entirely or chiefly for the benefit of the States within which they are made. I will take no other illustrations of the error of this argument than two appropriations in this bill for rivers in my own State. The \$121,000 proposed to be expended in completing the slack-water navigation of the Monongahela River, although expended within the limits of West Virginia, furnishes the sole link now missing in a stretch of more than a hundred miles of navigation on that river, scarcely more than a dozen of which are in West Virginia.

While it provides an outlet for the productions of the particular

than a dozen of which are in West Virginia.

While it provides an outlet for the productions of the particular regions in which the Government works are constructed, thus aiding immediately in their development, it also and especially furnishes a highway for the trade between the country bordering on the upper Monongahela and the lower sections of the riverto and fro as far as the city of Pittsburgh, and thence down the Ohio River, thus bringing into existence and stimulating mutual exchange of productions and mutual traffic, the benefits of which extend to several States.

Even in a greater degree is this true of the amount expended for the Great Kanawha River. While the locks and dams which have been placed upon that stream have during their construction given temporary employment to labor in West Virginia and have developed a line of magnificent collieries along that river, these improvements have also provided an outlet for the products of those mines and permanently cheapened coal to the dwellers along the Ohio and the Mississippi, and the few hundreds of thousands of dollars expended in this work, which, according to the gentleman from Iowa, is local, have thus extended

according to the gentleman from Iowa, is local, have thus extended their benefits to many surrounding States.

What is true of the Monongahela and of the Kanawha is also true of other wivers and even of some of the so-called insignificant streams, appropriations for which have called forth ridicule and opposition in these debates and in the public press. Any system of expenditure by the Govern-

ment which comes into conflict with the interests of great railroad corporations, and with their control and monopoly of the carrying trade of the country, by providing cheap and accessible competing lines, naturally provokes an opposition which has no difficulty in finding vigorous expression for itself in the press of great cities on the Eastern seaboard. This opposition, masking itself in virtuous protests against waste of the people's money and what it calls a scheme of log-rolling and an organized raid upon the Treasury, deceives many as to the real motive which prompts much of its outcry. The public is taught to believe that the appropriations contained in this bill and in similar bills are made upon the recommendation or by the scheming intrigue of members of this House; whereas it is a fact, that every intelligent man ought to know, that no dollar is recommended for expenditure in such a bill until competent officers of the Engineer Corps of the Army have made the necessary surveys and reported in favor of the expenditure, and until that report has been approved by the Chief of Engineers and transmitted to the House with the recommendation of the Secretary of War.

But, sir, I will not pursue this subject any further, and, indeed, I have made these remarks, not so much because there is any need to make them as because I desire to have read and printed in the RECORD, in connection with what I have said, a letter from a gentleman whom I am proud to call my friend and neighbor, a native and citizen of my own State and immediate neighborhood, whose ability to deal with these questions no one will dispute, and whose moderation of statement is only exceeded by the unsurpassed ability and unquestioned probity which he has long brought to the service of the Government. His letter was not one volunteered by himself, but was called forth by my personal

request, as will appear from its tenor.

UNITED STATES ENGINEER OFFICE Baltimore, Md., April 17, 1886.

UNITED STATES ENGINEER OFFICE,

Bullimore, Md., April 17, 1886.

My Dear Sie: I have just read in the Record the speech of Mr. Willis with
the appended report of the Committee on Rivers and Harbors which I have no
doubt he wrote, and it certainly seems to me that his views are those of a man
of ability and uprightness who has studied his subject, knows what he is talking
and writing about, and does both well. If I had the pleasure of knowing Mr.
Willis I would say so to him.

The truth is a river and harbor bill of that size is not unreasonably large for
such a country as ours, considering its immense extent, its rapid development,
and other circumstances. Though the sum, considered by itself without regard
to its object, seems a large one, it is actually small in view of real needs, and appears almost insignificant in comparison with the expenditures of other nations,
much of whose wealth and power come from the effects of just such works of
internal and coast improvement as such expenditures have allowed.

The river and harbor bill is usually the subject of much criticism in the newspapers, but most of this originates with the great dailies of New York city.
That great State, an empire in itself, has a comparatively small water front, and
consequently very few of the so-called "mud puddles," &c., of which we hear
so much, but of which there are really so few. Years ago she built the great Erie
Canal, which, by the way, has not only paid for itself, but has poured millions
more into the treasury of the State. This great artificial water way she has from
East to West. Then the Hudson River, a continuation of the Erie Canal and
running from north to south, feeds her great heart on the ocean. This river has
been made by nature one of the grandest in the world for navigable uses, and
can be kept so at comparatively small expense. With these and other great advantages she is in a position to be comparatively independent of the general
Treasury, though she never shows unwillingness to take what she can get for

would blot out the Eric Canal and the Hudson River and many others if they could.

Even the old Chesapeake and Ohio Canal, if it were kept out of the hands of those who make it a part of the machinery of politics of the lowest kind and were managed on business principles, would be a valuable property and pay well commercially and financially. Experience with it demonstrates that.

If river and harbor bills be analyzed, it will be found that the percentage of improper (if I may use such a qualifying word) items is very small. No bill, on any subject, is going to be perfect while men are legislators and so many diverse interests must be considered, if any legislation whatever is to be had.

I feel sure there is no money appropriated that goes more directly and honestly and economically to the objects for which it was intended. Our friends the civil engineers are many of them anxious to take a hand in the management of these rivers and harbors. This has always been the case in times of stagnation of their usual business, as now. Some, very few I believe, have other and personal and corrupt motives in their wish to "turn out" the Corps of Engineers. For my part, I heartily desire to see the best talent in the country available in the service of the country. While saying this I would wish the following consideratiods to be not lost-sight of:

No body of men in this country have so great an experience as the Corps of Engineers in the work of improving rivers and harbors, and among no people has so much been accomplished in that direction in the same time and at so small an expenditure of money. No body of men were ever connected with a greater variety of important public works in the past fifty years in any country, and none have acquitted themselves with greater ability, zeal, and faithfulness. Many millions of public money have passed through their hands, and the universal testimony is that it has been honestly and judiciously spent.

Every great nation of continental Europe has a corps of engineers supervising its

try.

If the great works of this country be taken from the control of the Corps of

Engineers, to whose shall they be given? The management of such works can not be properly arranged otherwise than according to some system; certainly not by a method of scramble among even competent engineers, nor by political

not by a method of scramble among even competent engineers, nor by political or a worse influence.

The graduates of technological schools may be, and in some cases are, well prepared in theory, but education by experience is more important than theory and very few of such graduates now have experience with rivers, harbors, lighthouses, &c. Their attention has been mainly directed to building railroads, bridges, works for municipalities, manufacturing corporations, &c., and to architecture, the more lucrative branches of the profession, from which officers of the Engineer Corps are mostly excluded.

Shall we drop the improvement of rivers and harbors as a work of the United States? The railroads would probably like to see that policy adopted to a very great extent. Shall it be turned over to the States? This is, the fundamental question.

states? The railroads would probably like to see that policy adopted to a very great extent. Shall it be turned over to the States? This is the fundamental question.

If the United States continues to work on rivers and harbors, shall such work be restricted to the great ones? If not, where will you draw the line? And when you have drawn your line, excluding perhaps the larger number, where are you going to get your votes for the money? These are practical points which probably have not occurred to some.

Shall we go to such a system as prevails in the Treasary Department as to the construction of public buildings, such as custom-houses, post-offices, &c.? That is a purely civil system. Is it any better than the military so far as the latter has touched rivers, &c.? Certainly it is no more popular with the civil class of engineers directly concerned, but who do not run it. I mean the architects of ability who can make more money outside. They sneer at it.

The honest truth is that the greatest engineers and architects of this and other countries are not willing to be tied down to the routine which must prevail in the machinery of a great government, no matter whether it be republican or monarchial. They can make a great deal more money and reputation in working for corporations, municipalities, and individuals than they possibly can in the government service.

Then there are those of the second grade, who are very willing to be in the

Then there are those of the second grade, who are very willing to be in the government service while otherwise disengaged, but want to get away when they can do better elsewhere and until they are again out of a job.

Then there is another class, who are not fit and never can be for principals. They must be assistants all the time, either for want of knowledge or ability or discretion. My plan, if the present one be dropped, would be to have an organized body to have charge of Government works. What titles they should have I

care not.

In addition I would have a board composed of men of the highest ability in the country who would be willing to serve for such salaries as the United States would pay, to be selected by the President or the proper Cabinet officer; this board having the right to call in as consulting experts any distinguished specialists and pay them the usual rates; he board to formulate plans without going into minute details; when the plan in any case is made, the board to submit its report with estimate in full for the information of Congress.

If Congress approves, then the execution to be turned over to the organized body referred to above. Boards and commissions are poor executive machines. You once asked me to give you some notes on rivers and harbors. Behold the result. I might write at much greater length, but spare you.

Respectfully and truly yours.

WM. P. CRAIGHILL.

Hon. W. L. Wilson, House of Representativ, s, Wash ngton, D. C.

Forked Deer River.

SPEECH

HON. PRESLEY T. GLASS.

OF TENNESSEE.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 22, 1886,

On the amendment to the river and harbor bill (II. R. 7480) proposed by himself, to appropriate \$10,000 for improving the North Forked Deer from Dyersburg to the junction of the South Forked Deer.

Mr. GLASS said:

Mr. GLASS said:

Mr. CHAIRMAN: The South Fork, though larger than the North Fork, and capable of being made navigable a greater distance, has not in fact furnished more than one-third of the business that has gone out to the Mississippi River. As many as three boats have at times been in the North Fork during one season, running to Memphis and Saint Louis. The North Fork traverses one of the best agricultural districts in West Tennessee, and much of the country is yet covered with forests of the finest timber, walnut, oak, ash, hickory, and cypress. The walnut is chiefly shipped in the log, and the others are converted into staves (which are generally exported to France) or sawed into lumber at Dyers-

These articles can not bear high rates for transportation without consuming the profits. And then, the railroad increases its tariff of freights so soon as navigation is suspended by low water. An appropriation so soon as navigation is suspended by low water. An appropriation that will be sufficient to clear the line of the river of logs, stumps, and other artificial obstructions will increase the navigable period of this river and enable the great bulk of these heavy articles to go out, to the great benefit of the country. One or more of the finest saw mills in the State have been in operation for many years in Dyersburg, the head of the proposed improvement, and also several large flouring mills turning out a high grade of patent flour, and much of this seeks a market through this river. The chambers of commerce of Memphis and Saint Louis each have asked for this appropriation and have urged upon Congress to make it. Their demand is a just one and should be granted. Contested Election-Hurd vs. Romeis.

SPEECH

HON. HENRY G. TURNER.

OF GEORGIA.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, April 14, 1886.

The House having under consideration the contested-election case of Hurds. Romeis—

Mr. TURNER said:

Mr. SPEAKER: In his great speech on the motion made to expel John Wilkes from the House of Commons, Mr. Grenville said that he proposed "to execute an office higher than any that the king could bestow, the honorable and noble office of speaking the truth and of doing impartial justice." I trust, sir, that it will not be regarded as presumption in me if I too should endeavor to choose that better part today. But I can re-enforce my courage with a more appropriate example of independence, because it is both American and democratic.

During the last Congress there was pending in the House the contested-election case of Wallace against McKinley from the State of Ohio. The contestant in this case, then, in defiance of party clamor, exerted his best efforts and his great abilities to maintain on this floor a Republican colleague against a Democratic contestant from his own State. And on that occasion, as now, he had the aid and co-operation of the gentleman from Kentucky [Mr. ROBERTSON]. Those who vainly opposed the contestant in that case exhibited courage rather than judicial propriety. The chief adversary of that contestant was the great man who has just stamped his foot upon the same arena in his own behalf. Ex pede Herculem! I give the phrase back to the gentleman from Kentucky.

Mr. Speaker, we are engaged in the performance of the highest func-tion devolving upon the House under the Constitution. It is our constitutional duty to act as judges in the determination of election cases. What would gentlemen here think who sit in this high court as judges if a man should appeal to them to decide this case according to private beliefs or arbitrary opinions? I propose, Mr. Speaker, so far as in me lies, to lay down the higher and better rule, that these cases shall be tried upon the facts alleged and proven according to law and the course of our proceedings.

You know, Mr. Speaker, that when this Congress first assembled it was my wish to avoid the responsibility imposed by the rules upon the members of the Committee on Elections. For some reason, I trust not dishonorable to me, certainly not to the Speaker, I was again assigned to that committee. I feel, sir, that if I should fail to do my duty in this case I should dishonor both myself and the House.

How does this case stand? The contestant himself, and those who support him in his contest, have put his case upon two precincts, Precinct B of ward 8, in the city of Teledo, and Kelly's Island. In considering these questions, I shall take it for granted that members have heard the statements of fact on both sides and have a fair conception of

the testimony

the testimony.

The gentlemm from Kentucky [Mr. BRECKINRIDGE], who so recently addressed the House in behalf the contestant, "after a most careful examination" of the case, admitted that if each fact forming a ground of contest be taken up by itself and isolated, "it would not be sufficient to base a verdict upon." And he ascribed the difference of opinion which exists between the majority and the minority of the committee to the fact that the majority looked at the facts in detail, while the minority looked at them as a whole. And he proceeded to state his conclusion based upon a reading of "all the papers, taken as a whole and concatenated as a series." But the contestant, who followed the gentleman from Kentucky in this discussion, did not rely on some of the matters on which that gentleman seemed to depend. Mr. some of the matters on which that gentleman seemed to depend. Mr. Hurd did not even allude to the fact that one of the judges of election at Precinct B of the eighth ward of Toledo did not reside within the precinct; and yet the gentleman from Kentucky laid large stress upon that circumstance. The statute of Ohio did not then require that the judges of election in the city of Toledo should reside in the precinct.

We have no right to supplement that statute.

Another link in the chain on which the gentleman from Kentucky dwelt with so much emphasis was the fact that the two clerks of that precinct belonged to the same party. And yet the contestant himself in presenting his case seems to have forgotten this circumstance. The reason for the omission is obvious. The law of Ohio requires that the reason for the omission is obvious. The law of Onio requires that the two clerks of election shall be of opposite politics. But the law also provides that in case of the failure of one of these clerks to act the bystanders have the right to fill the vacancy; and in that way both the clerks of the election may, under the law, have belonged to the same party. Two links are therefore stricken from the "concatenated series" on which my friend based his conclusions. Two parts of the whole on

which he relied disappear on examination.

I have not the time to expose the effect of Mr. Hurd's imagination upon details; but I will pursue briefly the material facts on which he bases his impeachment of the return from Precinct B, eighth ward. After the polls had closed the judges spread the tickets upon the table and counted them, to ascertain if the number of ballots would correspond with the number of names on the poll-list. The gentleman says that was wrong. I think so, too. But I venture the statement that in half the precincts of Ohio during that same election there were other and similar departures from the strict observance of the letter of the statute. I affirm that similar departures, more or less important, occur statute. I affirm that similar departures, more or less important, occur quite frequently at half the election precincts in the United States. Who that has stood around the polls has not observed these little irregularities to which I advert? But who cares for them if at the same time every bystander can see that there, in the presence of the appointed agents of the law, under the public view, with both parties as witnesses, there is absolute and perfect security of the ballots? In that case, who cares about the mere "leather and prunella" of the law?

If you establish the rule for which the contestant contends uncertaints will infect all popular elections.

tainty will infect all popular elections. What a facility it offers to raseality! If a mere irregularity without fraud can invalidate an election, how easy it will be to find the pretext. If honest inadvertence or an innocent and harmless mistake, or an accidental omission, not affecting the result, shall defeat or reverse an election, the resources of fraud will be infinitely multiplied. All the cases, whether decided by the courts or by parliamentary bodies, denounce such a doctrine.

Let it not be forgotten that there is no evidence of corruption at this precinct, and not even a suspicion of it can be entertained.

Shall we exclude the return from this precinct and thus substitute one will for that of the tenth Congressional district of Ohio? The only parallel for such a course can be found, not in the Congressional or ju-dicial precedents which have been set by another party which shall be nameless [laughter], but in the contrivances and pretexts by which the returning boards of that party appropriated the Presidency ten years ago. Shall we denounce that infamy on the stump and embalm it in our practice?

It is said also that there is uncertainty in this return, and it is upon that ground that the honorable contestant largely stakes his case. I ask where is the uncertainty? When you undertake to impeach official evidence for uncertainty you ought to do it by evidence which in itself is not uncertain or obscure. No witness swears that the preliminary counts were absolutely accurate, yet all the contention on the other side assumes that that was the case. Ignorant and unlettered men, sitting down to a hasty scrambling count of votes, some to be counted for one party, some for another, and some for a third, with a long list of candidates for State and county offices, and occasional scratching, is it not conceivable, is it not the charitable and the reasonable supposition, that those judges of election, differing as they did with each other in each result, simply made a mistake in the count?

Mr. Speaker, the whole truth of this matter, in my judgment, is that these unlettered men became confused in the count. It is probable that their last count, taken under the official regulations, was correct. But if there is uncertainty here, the evidence affords a measure of this uncertainty. Suppose you take the entire claim of the contestant, ranging if you please from 7 votes too many to 5 votes too few, as compared with the poll-list. This uncertainty involves only 12 votes. Can this contestant do more than claim on this view of the evidence that these 12 votes be apportioned between the candidates according to their relative number of votes in that precinct? But go further and deduct all of them from the majority of the sitting member; the final result is not affected.

In order to make the ballots returned equal to the number of names on the poll-list, or nearly so, the judges added two votes to each of the two leading candidates. This was an illegal device, but it was innocent and did not alter the majority. Each of these judges was sworn as to these facts, and then each of them was asked, "Did you not sign a false return?" Well, these judges, under the categorical examination to which they were subjected, answered in the affimative, and here arises all this clamor about the falseness of this return. But the evidence of the witnesses discloses all the facts.

The contestant, however, after putting the judges on the stand to im-The contestant, however, after putting the judges on the stand to impeach the return, says that they are not competent to support it! The analogy of the law of judicial findings would seem to allow the judges to support their return, but not to impeach it. The judges were honest; the clerks were honest. The public, the great tribunal that is at last to determine this issue, stood by. There is not one particle of evidence to attaint the fairness of a single man concerned in that count.

The contestant alleges "general bribery" against this precinct, and founds the charge upon the testimony of one Simon Gerstmann. The character, conduct, and credibility of Gerstmann have already been suf-

character, conduct, and credibility of Gerstmann have already been sufficiently discussed. This man says he went to Toledo some weeks before the election in the employ of the Republican party, and by conversations with strangers whom he met in the Polish and German quarter found "all for Hurd;" that he gave this information to Elkins, chairman of the Republican committee, and advised him that the sentiment for Mr. Hurd could be changed by the use of money; that Elkins refused to send the money by Gerstmann, but said it would be sent through

the regular channels; that a few weeks later the witness revisited the same quarter of Toledo and found all for Romeis, and Gerstmann added: "From the general conversations with Warnke and others living in that neighborhood, there was no doubt in my mind that money and other materials were furnished to defeat Mr. Hurd in that precinct." And, "Had it not been for the use of money and other considerations used in the political machinery Hurd would certainly have carried the precinct." This evidence, even if it came from a credible source, consists This evidence, even if it came from a credible source, consists of hearsay and conclusions and inferences drawn by the witness from the hearsay and from his own view of political morality. Such is the proof of the charge of "general bribery!" Not a dollar was shown to have been sent to the district, and it did not appear that any man received or paid out a dollar of the money. Such is the foundation for much of the eloquence expended on this case!

But it is further urged upon the testimony of another witness that Henry Gates, the vice-president of a Republican club in the precinct, paid nineteen ticket peddlers on the night of the election at a saloon from \$3 to \$10 apiece for their services. But the witness further said that all he knew about this matter was derived from what Gates said

after the election!

The contestant demands the rejection of the return from Kelly's Island on account of intimidation of his employés by a Republican, Norman Kelly. No evidence was taken to show whether these employés were Democrats or Republicans, free-traders or protectionists. It was not shown that any one of these employés failed to vote as he pleased. No effort was made to prove how any of these employes actually voted except one, and he swore that he voted the Democratic ticket.

But let us take out of the record a sample of the evidence on this

branch of the case.

A witness named Bristol was examined by Mr. Hurd himself, and testified as follows:

Q. Were you familiar and did you meet frequently the men engaged in his employment?

A. I was familiar with them, and I met them frequently every day.

Q. You may state what, if anything, the men employed by Mr. Kelly said to you that Mr. Kelly had said or done to them to influence their vote at the Congressional election held in October last.

A. He had told them that they should not vote for Mr. Hurd, or ought not to vote for Mr Hurd. The men told me this. I did not hear Mr. Kelly say this.

Q. You may state what he said to the men.

A. The men told me that Mr. Kelly said to them that they ought not to vote for Mr. Hurd, because he was a free-trader, and that free trade would ruin his business.

Another witness (Alford) was sworn to prove what Keliy said several months after the election about what he had said to his men before the

But taking the hearsay as true, and taking what Kelly himself said as a witness for the sitting member, but stripping off the coloring which eloquence has added, Kelly's statements to his men constituted argugument rather than attempted intimidation.

This branch of the case deserves no further notice.

In the last Congress, Mr. Hurd against a Democratic contestant contended for the admissibility of hearsay evidence, limited to the declaration of voters as to how they voted, made after the election. On a review of all the American cases, the House refused to sanction that doctrine, and by an overwhelming vote awarded the seat to the contestant, Mr. Wallace. On this case Mr. Hurd insists upon unlimited hearsay supplemented by the principle of presumption. It is a short step from bad evidence to no evidence at all. I appeal to lawyers and to that noble system of judicial precedents known as the common law. I ask any gentleman present whether he would risk any right of a client on such testimon? What court would allow a witness to swear what a third person told him? It would amount to an abilition of the cath In the last Congress, Mr. Hurd against a Democratic contestant cona third person told him? It would amount to an abolition of the oath by which evidence is guarded and sanctioned, and a denial of the great privilege of cross-examination.

But the English election cases have been cited in suppport of hearsay and presumption. Let us examine the character of these precedents. Lest I might be suspected of exaggeration, I beg leave to read a brief statement from May's Constitutional History of England:

statement from May's Constitutional History of England:

Scandalous as were the electoral abuses which law and custom formerly permitted, the conduct of the House of Commons in the trial of election petitions was more scandalous still. Boroughs were bought and sold; electors were notoriously bribed by wholesale and retail; returning officers were partial and corrupt. But, in defance of all justice and decency, the majority of the House of Commons connived at these practices when committed by their own party; and only condemmed them when their political opponents were put upon their trial. Dat venian corvis, vexat censura columbas.

The Commons having for the sake of their own independence insisted upon an exclusive jurisdiction in matter of elections were not ashamed to prostitute it to party. They were charged with a grave trust and abused it. They assumed a judicial office and dishonored it.

Mr. Speaker, the British cases belong to the necrology of the law; their proper place is the graveyard. They are the mummies of legal literature, preserved perhaps under Providence to repel us by a hideous aspect and a bad smell. [Laughter.]

But as a matter of justice to the British people it ought to be stated that an important element in their decision of bribery cases has been

strangely overlooked.

The North Durham case, to which the contestant has referred, decided in the year 1874, turned largely upon charges of bribery and corruption. Now in 1841, the Parliament on the motion of Lord John

Russell passed an act which distinctly directs the admission of hearsay evidence in such cases. (See chapter 57 of 5 Vict.) That statute not having been adopted in this country, the decisions based upon it can not apply to the determination of this case. And the fact that Parliament deemed it necessary to pass an act admitting evidence of this character is proof positive that the practice was to the contrary prior to the passage of the act.

But on the curious doctrine of presumption we are referred to the case of Donnelly vs. Washburn. That case was reported to the House with a seeming commendation of that principle; but it was on examination by the House recommitted to the committee, and never had the sanction of the House. This authority evaporates on exposure to the

The contestant, pursuing this doctrine of presumption, has eited also The contestant, pursuing this doctrine of presumption, has cited also the case of Platt vs. Goode. If I have not misread that case, the report stated that over six hundred men had been specially employed at the Norfolk navy-yard and made to vote against Mr. Goode. It was also stated that during the campaign the commandant of the navy-yard furnished to Mr. Platt's colored friends a steamboat, a brass cannon, and a brass band. This executive interference with a Congressional election was the ground of the decision in that case. It was a noble theme for the indignant eloquence of the gentleman from Virginia [Mr. Tucker] during the debate.

The SPEAKER. The time of the gentleman has expired. Mr. TURNER. I had five minutes in addition.

The SPEAKER. The Chair has allowed the gentleman those five

Mr. TURNER resumed his seat amid loud applause.

Mississippi River Improvement-Cotton, Sugar, and Wheat.

SPEECH

HON. FLOYD KING.

OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 6, 1886,

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. KING said:

Mr. CHAIRMAN: British East India's competition in the wheat, cotton, and sugar markets of the world is enormously increased by the rapid improvements of its water ways and construction of its railroads under the patronage of the Government of Great Britain.

According to British Official Reports, the export of the East India cotton increased from 332,255,728 pounds in the year 1879 to 691,049,-376 pounds in 1883, an increase of over 358,000,000 pounds, or more than 100 per cent. in four years, or an average of upward of 25 per

cent. per year increase

The export of British East India wheat, according to the same authority, increased from 95,000 bushels in 1874 to something over 43,-000,000 bushels in 1885. The exports of 1884 and 1885 amounted to 84,600,000 bushels, resulting in a loss to our farmers of over \$80,000,-000, and of nearly 4,000,000 tons of freight to our water routes and rail-

In 1883 we exported 106,385,000 bushels of wheat at \$1.12 per bushel. In 1885 our export of wheat was reduced by competition with British East India wheat to 84,500,000 bushels at 87 cents per bushel.

The shipment of wheat from San Francisco for the six months end-

ing December 31, 1884, was 12,447,000 bushels; for the corresponding months of 1885 only 5,850,000 bushels.

Our shipments of wheat to Great Britain during the last five months of the year 1884 were, stated in round numbers, 11,900,000 bushels; for the corresponding months of 1885, 4,500,000; showing a decrease of 7,400,000. During the same months the shipment of East India wheat to Great Britain amounted to 6,833,000 in 1884, and to 8,867,000 in

1885; showing an increase of 2,034,000.

The exports of British East India sugar was increased from 41,000,000 pounds in 1879 to 200,000,000 in 1884, the last year named being an increase of 159,000,000 pounds over the export of 1879.

These enormous exports of cotton, wheat, and sugar from British East India are only limited by lack of transportation to the seaboard, an obstacle that is rapidly disappearing by the improvements in the river, canal, and rail transportation routes by the British Government. The British East Indian "ryot," or farm laborer, the worst oppressed and most degraded of all human beings, lives on rice and millit seed, goes almost entirely without clothing all the year round, and works for about three "annas," or 8 or 9 cents per day.

It is estimated that there are 150,000 square miles of undeveloped

East Indian sugar, wheat, cotton, and rice lands yet to be put under cultivation.

Upward of \$400,000,000 have been expended in improving the water routes and building railroads from the cotton, wheat, rice, and sugar-producing regions of British East India to the seaboard since the year The earnings of the same in 1883 and 1884 amounted to \$62,-441,280.

There are remedies for all evils. The difficulties presented by British competition in the markets of the world will be removed when our producing interests are properly guarded by Congress. The chief cause of the stagnation of our cotton, wheat, rice, sugar, and other industries is the neglect of our water-transportation routes. There is another cause, beyond all question, that should be removed, and I shall call the atten-tion of the House to it at the proper time; but the improvement of water-transportation routes to our seaboard demands immediate atten-

In previous remarks during the discussion of this bill on this floor I have quoted facts that are incontrovertible, and that show the benefits of water transportation, and at that time I quoted the following startling figures from the remarks of Hon. Mark H. Dunnell, delegate from the Saint Paul convention, which was held in September last, before the Committee on Rivers and Harbors. I wish to call the attention of our Western friends particularly to this; it but foreshadows the result were the improvements on the Mississippi River alone carried to a final and successful consummation:

During the season of navigation of the Mississipi River the rate from Saint Louis to Liverpool, by rail to New York and by river to New Orleans has been as follows for the past three years:

1883.	Via railroad to New York, per bushel	23 to 17 to	
1850	Difference in favor of the river route	9 119	6
1881.	Via rail to New York, per bushel	15 to 11 to	
	Difference in favor of the river route	. 4 to	9
1885.	Via rail to New York, per bushel	14 to 13 to	
	Difference in favor of the river route	1 to	14

And this, it must be borne in mind, is done on a river which between the points mentioned, on account of numerous bars and bad channels. is not navigable for large boats during several months in the year.

In relation to the improvement effected by the jetties built by Eads at the mouth of the river, I quote from Mr. Converse, late president of the New Orleans Chamber of Commerce, who appeared before your River and Harbor Committee on the occasion above referred to. He states what might be called eight facts, each and all of which deserve the earnest consideration of this House. I quote him as follows:

earnest consideration of this House. I quote him as follows:

Before the jetties, the depth of water through the passes did not exceed 18½ feet under the most favorable conditions. Now 30 feet may be found, and a narrowest bottom width of 20 feet.

Before the jetties, the foreign steamship arrivals in 1873 numbered 83, with maggregate tonnage of 107,000 tons; in 1883 they numbered 402, with an aggregate tonnage of 553,000 tons.

Before the jetties, a vessel of 1,500 or 2,000 tons capacity was above the average in arrivals. Now vessels of 5,000 tons capacity are loaded at New Orleans.

Before the jetties, vessels were loaded to not over 14 feet of draught. Now vessels loaded to 26½ and 27 feet pass out to the sea.

Before the jetties, skillful pilotage and management were of no avail, for the channels were ever changing. Now, where a vessel is kept within the jetty channel, detentions are unknown.

Before the jetties, the towage on vessels was from \$1.25 to \$1.50 per ton. Now it can and has been had for 50 cents a ton, and a proportionate reduction in the rates of insurance on vessels and cargoes has also been made.

Before the jetties, the exports of grain were 5,750,000 bushels in a year. Now they are 14,250,000. The total exports were valued at \$68,000,000. Now they amount to \$94,000,000, an increase of 50 per cent.

Before the jetties, foreign freights were 18 to 24 cents per bushel. Now it is from 8 to 12 cents; and right here I will state that although there has been a reduction to some slight extent in the rates of river transportation, it is not nearly proportionate to the reduction in ocean freights, because, from the improved outlet to the sea, the largest of steamers can come and go at will, while upon the rivers the need of improved navigation prevents it.

This, Mr. Chairman, is the result of removing one bar and thereby opening the mouth of the Mississippi. What must be the result if we remove all the bars between Saint Louis and New Orleans and open the river to continuous and safe navigation the year round?

In this connection I will read the following telegram to the New York Times, dated Berlin, 11th ultimo:

The German River Shipping Association reports that within the last ten years the shipping of goods has doubled on the Rhine, tripled on the Elbe, near Hamburg, and quadrupled on the Oder, near Stettin.

These rivers have been improved under the supervision of the ablest engineers, civil and military, of Europe, and on a scale unknown on this side of the Atlantic.

With reference to the possible value of such work, I beg to quote to the committee an extract from the report of Hon. John Bigelow, delegated by the Chamber of Commerce of New York on the Panama Canal:

All of the estimates of the traffic that have been hazarded, even those made by experts, whether selected by our own and European Governments or by the canal company, must at best be largely conjectural.

I do not propose to add to their number, though I will venture to signalize the curious and remarkable fact, that the product of any new facility of trans-

portation, whether of passengers, merchandise, or intelligence, by rail, by steamships, by telegraph, or by telephone, has increased in a ratio far transcending the expectation of its most sanguine projectors.

The Suez Canal yielded a revenue from its transit tolls of less than \$900,000 the first year of its operation. In ten years it yielded eight times that sum, and is now yielding an annual income of more than \$12,000,000.

Now, Mr. Chairman, I have endeavored to show the possibilities of the Mississippi River as one of the streams the improvement of which is proposed in this bill. It has been shown before the Committee on Rivers and Harbors-and I hold in my hand the evidence-that the effect on freight by this river on the products of the West in grain alone results in a saving to the producers of more than twenty-one million dollars annually. The report, by the gentleman from Illinois [Mr. Thomas], of the select committee appointed by the Forty-seventh Congress to investigate the improvements of the Mississippi River, shows that these improvements as proposed by the commission will cost not exceeding \$50,000,000.

The plans proposed by the commission are indorsed almost unanimously by all the distinguished engineers who have had them under consideration; wherever they have been allowed anything like a fair trial they have proven successful. This is admitted by all who have examined the matter sufficiently to reach a correct conclusion. I think in the above I have given to every candid mind a satisfactory answer to the questions propounded by the gentleman from Maine [Mr. REED] in his speech on this subject made some days ago, and which, as I remember them, are about as follows: What is the value of this work? How much will it cost, and what are the merits of the plans proposed for its successful development? In what I have stated there is sufficient to satisfy any reasonable mind on these points. If he or this committee wish more I can and will most cordially supply it.

In conclusion, Mr. Chairman, I will say that the great question to the whole West is the improvement of the Mississippi River. If we are legislating to promote hostile interests it will be well to defeat the

bill now before us.

If, on the other hand, we have the interests of our country at heart, we shall pass it without material amendment.

Physical Effects of Alcohol and Narcotics.

SPEECH

HON. SETH L. MILLIKEN.

OF MAINE.

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 17, 1886,

On the bill (S.1405) to provide for the study of the nature of alcoholic drinks and narcotics and of their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, by the pupils in the public schools of the Territories and of the District of Columbia, and in the Military and Naval Academies, and Indian and colored schools in the Territories of the United States.

Mr. MILLIKEN said:

Mr. SPEAKER: I desire to say that this bill meets with my cordial

and unqualified approval.

There may be, indeed there are, we know, differences of opinion upon many of the methods of dealing with intemperance, and good men and women in all parts of the world have earnestly and anxiously consid-ered and reflected upon it, and suggested their different ways of arresting or at least decreasing it. Many laws have been enacted and enforced with more or less success, and certainly public sentiment upon the subject has improved wonderfully within my memory.

In my own State the sale of intoxicants has been driven out of all

the country towns by the prohibitory law, and by the same measure it has been very sensibly decreased in the cities. Temperance organizations have also done a great work. Drunkenness, which was a common thing in my boyhood in Maine, is now the rare exception. Where I could once stand in the country and see a dozen teams pass with a jug of rum on each cart and many of the drivers pretty full of what had been the contents, now you may watch for a year and see not one drunken man nor one jug of intoxicating liquor.

But whatever differences of opinion may exist as to particular measures, I can not see how any intelligent lover of his race can object to the passage of this bill. It seeks to teach the deleterious effects of intoxicating liquors in the schools which are within the jurisdiction of the General Government.

When it is remembered that but a few years since, before the good work of the Law and Order League, fifteen thousand children were reported to be frequenters of liquor saloons in Boston alone, there can be no doubt that this bill begins in the right place. If the children are started along in life in the right way by proper and intelligent teaching, the men will take care of themselves.

I sincerely hope the bill will pass.

Physical Effects of Alcohol and Narcotics.

SPEECH

HON. JAMES O'DONNELL.

OF MICHIGAN.

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 17, 1886,

On the bill (S. 1405) to provide for the study of the nature of alcoholic drinks and narcotics and of their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, by the pupils in the public schools of the Territories and of the District of Columbia, and in the Military and Naval Academies and Indian and colored schools in the Territories of the United States.

Mr. O'DONNELL said:

Mr. SPEAKER: Since the beginning of the present session of the Fortyninth Congress there have been presented to this House petitions signed by at least eighty-seven thousand persons "asking the enactment of a law requiring scientific temperance instruction in the public schools of the District of Columbia, in the Territories, and in the Military and Naval Academies, the Indian and colored schools supported wholly or in part by money from the national Treasury." The design is to have taught in the schools mentioned among other studies the effect of narcotics and alcohol on the human system. Of the petitioners, I find they are among the leading citizens of the localities where they reside. In the names appended to the requests I notice there are 5,747 clergymen of all denominations, 3,264 physicians, 3,574 attorneys at law, 9,553 teachers in colleges and schools, 34,674 business men, 10,616 officers of temperance societies; 5,790 were by votes of audiences at religious and other gatherings, while thousands in the District of Columbia and the Territories unite with the people of the States in the prayer for the passage of such a righteous measure. Seventy-seven thousand of the names above enumerated have come to this House through the organization of the women of the country known as the department of scientific temperance instruction of the Women's National Christian Temperance Union-a band of the noble women of our land who are striving to elevate humanity and promote temperance.

Added to the number, I reckon that ten thousand of our people have forwarded petitions directly to the members here, who have promptly presented the same. The Senate has received nearly as many as the above aggregate, and it is a safe computation to say that there have been sent from the people for both branches of Congress during the past five months petitions in favor of the bill just taken up bearing the names of more than 154,000 of our population. These petitions have come from of more than 154,000 of our population. These petitions have come from every State in the Union, and it is hoped the prayer of the people of all sections of the nation will be heeded. I have here one of the petitions and repeat a few of the signatures. It comes from Boston, and is signed by such eminent men as President Elliott of Harvard College, Oliver Wendell Holmes, John Boyle O'Reilly, Phillips Brooks, Edward Everett Hale, and others prominent in all the walks of life. Added to this array of names, the American Medical Association, the oldest, largest and most conservative body of physicians in America. oldest, largest, and most conservative body of physicians in America, embracing those most eminent in the profession, at its last meeting passed with great unanimity a resolution requesting and urging Congress to enact this bill into a law. We have all these petitions to consider in favor of the measure, and not one name is sent here averse to the act—not a solitary one! Shall we give ear to the voice of the people?

The Senate of the United States gave the bill its sanction by a unanimous vote, and I trust the representatives of the people will speedily concur. In the several States nearly two million men and women petitioned their Legislatures to give them laws like the one now before the House, and in response seventeen States and one Territory have written on their statute-books beneficent enactments similar to the measure now under discussion. Embraced in the States mentioned is nearly one-half of our population. The effect of the laws is most satisfactory

in all of the Commonwealths enumerated.

A majority of the Committee on Education have reported in favor of this bill. In deference to the wishes of the people, and believing such knowledge as is by this bill provided to be taught to the youth of the land leads to good citizenship and educates the coming generations in the way of sobriety and industry, the appeal is made for the approval of the House. Edmund Burke declared "Education is the chief defense of nations," and education like this will defend our people from an invasion of woe, poverty, crime, and distress. This bill is free from partisanship. Its design is simply to check an evil by imparting a knowledge of the danger which menaces the young and their usefulness as citizens. This, I think, the great English poet wrote of, three centuries ago, when he said:

Ignorance is the curse of God, knowledge the wing wherewith we fly to

Every member of this House has reason to know the wish of his con-

stituency on this question and is prepared to vote thereon. The people have made known their wishes by the great right of petition. Medical men who know the evil effects of intemperance; the clergy who teach morals; educational bodies, and instructors in schools, all have asked the Congress of the nation to enact this bill into law. For these reasons, and many others, I ask that the bill do pass. Let us afford the child in all schools in sections under Government control the opportunity to learn of the danger, that he may thereby by choice shun it-set his feet on the right path, and then trust to the early teachings and innate desire to do right to guide him through life.

The people of the United States are becoming alarmed at the increase of intemperance and seek the means to check the evil. This is in the

nature of a preventive. Many citizens are looking for methods to suppress the danger. If you educate the young to the effects of intoxicants, they will influence those older in the way that leads to sober lives. With this you have prosperity and sobriety, two adjuncts that create a

citizenship that honors the Republic.

I append as part of my remarks a portion of the report of the Committee on Education, which I had the honor to submit to this House on the 29th of April:

on the 29th of April:

Mr. O'Donnell, from the Committee on Education, submitted the following report, to accompany bill S. 1405:

The Committee on Education, to whom were referred the bill (H. R. 3496) to provide for the study of physiology and hygiene with reference to the effect of the use of intoxicating, narcotie, and poisonous substances upon life, health, and welfare, by the pupils in the public schools in the Territories and in the District of Columbia, in the Military and Naval Academies, and Indian and colored schools supported in whole or in part from the Federal Treasury, and also the bill passed by the Senate (S. 1405) bearing nearly the same title, submit the following report:

The committee have had the two bills under consideration, and a majority of said committee have ordered that the Senate bill (S. 1405) be reported to this body with the recommendation that the House concur in its passage, and that H. R. 3496 be indefinitely postponed.

Practically the same statute hereby recommended was in active operation in the States of New York, Pennsylvania, Massachusetts, Michigan, Wisconsin, Kansas, Nebraska, Nevada, Oregon, Maine, Rhode Island, New Hampshire, Vermont, and Alabama. While these bills have been under consideration by this committee three other States and one Territory have passed corresponding laws, namely, Iowa, Connecticut, Maryland, and Washington Territory, making seventeen States and one Territory whose statue-books contain provisions for instruction in the schools thereof as to the effect of alcohol and narcotics on the human system.

In those States where the laws pertaining to this object, are in force their of

struction in the schools thereof as to the effect of alcohol and narcotics on the human system.

In those States where the laws pertaining to this object are in force their effect is most salutary. The purpose of the bill is to afford scientific knowledge of the effects of intoxicants and narcotics upon the human system, thereby encouraging sobriety among those who will in a few years be the citizen of the country. Such laws lead to progress, and serve to check a threatening evil to humanity and the general welfare. In the interest of industry, prosperity, and good citizenship is the measure commended. It invades no right of self-government, and applies to those schools sustained by the nation and in sections under the control of Congress.

The measure has the further merit of involving no political significance, but appeals to the very foundations on which all admit that popular government rests—the intelligence of the people. It is difficult to see how any objection can be raised to such a statute, except by those who fear to have the next generation educated in its public schools as to a subject universally recognized to be of the most vital importance to individual health and social security.

Temperance Education.

"It is a remedy peaceable, philosophical, radical, far-reaching. It trenches on no man's rights, proscribes no man's business, confiscates no man's property, dictates no man's habits, restricts no man's liberty. It appeals only to the power of truth."

SPEECH

HON. BYRON M. CUTCHEON,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 17, 1886,

On the bill (S. 1405) to provide for the study of the nature of alcoholic drinks and narcotics and of their effects upon the human system in connection with the several divisions of the subject of physiology and hygiene, by the pupils in the public schools of the Territories and of the District of Columbia, and in the Military and Naval Academies, and Indian and colored schools in the Territories of the United States—

Mr. CUTCHEON said:

Mr. SPEAKER: In the early days of the present session I had the honor to introduce in this House bill No. 3496, being substantially the same

as the Senate bill now under consideration.

It is now three years since the State of Michigan, which I have the honor to represent in part upon this floor, by an almost unanimous vote of its Legislature, placed a similar act upon its statute-book.

At that time Vermont alone had taken a similar step. To-day seven-

teen States and one Territory have such laws, and still others have them under consideration. Since I introduced the bill into this House the States of Maryland, Alabama, and Iowa have joined the column, which

I trust is soon to include every State and Territory of this Union. This bill provides-

That the nature of alcoholic drinks and narcotics, and special instruction as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the common or public schools, and in the Military and Naval Schools, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools, by the use of text-books in the hands of pupils where other branches are thus studied in said schools, and by all pupils in all said schools throughout the Territories, in the Military and Naval Academies of the United States, and in the District of Columbia, and in all Indian and colored schools in the Territories of the United States.

SEC. 2. That it shall be the duty of the proper officers in control of any school described in the foregoing section to enforce the provisions of this act; and any such officer, school director, committee, superintendent, or teacher who shall refuse or neglect to comply with the requirements of this act, or shall neglect or fail to make proper provisions for the instruction required and in the manner specified by the first section of this act, for all pupils in each and every school under his jurisdiction, shall be removed from office, and the vacancy filled as in other cases.

in other cases.

SEC. 3. That no certificate shall be granted to any person to teach in the public schools of the District of Columbia or Territories, after the 1st day of January, A. D. 1888, who has not passed a satisfactory examination in physiology and hygiene, with special reference to the nature and the effects of alcoholic drinks and other narcotics upon the human system.

More than half of all the people of the United States now live under laws of a similar nature.

They embody the great new movement in the temperance reform carried forward under the auspices of the Christian women of the land.

This movement is thoroughly philosophical in its fundamental idea which is that in a "government of the people" the individual should be self-controlled, or at least capable of self-control. Education makes and marks the difference between the savage and the civilian. Knowledge is the foundation of self-control.

The old maxim says that "right wrongs no man." So I say that light wrongs no man. It controls no man, but it helps each man to control himself. There is and there can be no question of the terrible evil of intemperance. All thinking men are agreed that it is the greatest social evil of the age. It is an evil that most vitally concerns the State in many ways.

1. It degrades the individual citizen and unfits him for the duties

and responsibilities of citizenship.

It is the most prolific cause of lawlessness, pauperism, and crime.

It is the great destroyer of national wealth.

4. It is the most common and the most dangerous agent for the corruption of the elective franchise.

There is no side of free government that it does not assail. It poisons the fountains of political power; it multiplies the burdens of taxation; it diminishes the wage-fund of labor below the line of decent living; it dwarfs the power of production to an alarming extent; it corrupts the franchise, and it threatens the future of the Republic by perverting and

depraying the rising generation.

But a few days ago General Master Workman Powderley, the head of the Knights of Labor in this country, called upon the members of that order to join him in a crusade against this great evil. If the money that is now spent by the workingmen of America for drink were turned into homes and home comforts, into books and newspapers, a new day would dawn upon them; competence would take the place of poverty; comfort would supplant want; happy homes would crowd out the grogshop, which is now the breeding-place of socialism and anarchy, of riot and ravage.

I join most emphatically in what Master Workman Powderley says

in his circular:

The firmest link in the chain of oppression is the one I forge when I drown manhood and reason in drink. No man can rob me of the brain my God has given me unless I am a party to the theft. If I drink to drown grief, I bring grief to wife, child, and sorrowing friends. I add not one iota of the sum of human happiness when I invite oblivion over the rim of a glass. If one moment's forgetfulness or inattention to duty while drunk brings defeat to the least of labor's plans, a lifetime of attention to duty alone can repair the loss. I promise never again to put myself in such a position. If every member of the Knights of Labor would only pass a resolution to boycott strong drink so far as he is concerned for five years, and would pledge his word to study the labor question from its different standpoints, we would then have an invincible host arrayed on the side of justice.

If only the Knights of Labor will heed and obey the appeal of their chief they will do more to elevate the condition of the workingman than all the strikes and boycotts that have been or can be inaugurated.

As I have said, the evils of intemperance are great, manifold, and

alarming. What does science declare in regard to them? I do not now refer to the declarations of professional temperance advocates, or to the opinions of those who may be suspected of overzeal. What does science declare in regard to them? I do not

The American Medical Association, which embodies the sum of the scientific medical knowledge of America, at their national meeting in June, 1882, deliberately declared as follows:

Resolved (1), That in view of the alarming prevalence and ill effects of intemperance, with which none are so familiar as members of the medical profession, and which have called forth from eminent English physicians the voice of warning to the people of Great Britain concerning the use of alcoholic beverages, we, the members of the medical profession of the United States, unite in the declaration that we believe alcohol should be classed with other powerful drugs, and that when prescribed medicinally it should be done with conscientious caution and a sense of great responsibility.

Resolved (2), That we are of the opinion that the use of alcoholic liquors as a beverage is productive of a large amount of physical and mental disease, that

it entails diseased appetites and an enfeebled constitution upon the offspring, that it is the cause of a large percentage of the crime and pauperism in our cities

and country.

Resolved (3), That we should welcome any change in public sentiment that would confine the uses of liquors to the uses of science, art, and medicine.

This is the voice of no temperance fanatic; it is the deliberate judgment of the conservative and scientific medical profession of America.

A. B. Palmer, LL. D., for more than thirty years a distinguished member of the Medical Faculty of Michigan University, and an author of great eminence, in a learned paper recently read before the Michigan State Medical Society, said of alcohol and its effects, speaking for the medical profession:

We said the alcohol taken was oxidized in the lungs, and that increased heat and other forms of force were thus produced. We find it is not thus oxidized, or if at all, in so small a quantity that its effect is ordinarily much more than counterbalanced by the diminution of the oxidation of other hydro-carbons which it produces; so that under its influence heat and the other forms of force are lessened.

which it produces; so that under its influence heat and the other forms of force are lessened.

We thought it increased muscular strength, and it was taken to aid men in their work. We find that it diminishes muscular power, both for immediate action and with reference to endurance.

We thought as it often makes one feel stronger, that this was evidence that one is stronger. We now know that this feeling is deceptive, and is not even presumptive evidence of increased strength. We see that the drunken man while boasting of his strength falls to the ground.

We said it was a direct heart exciter. We now know it is a direct heart depressor.

We said it was a direct heart exciter. We now know it is a direct heart depressor.

We said, and nearly all the text-books still say, it is a direct cardiac stimulant. We know from most conclusive experiments it is a direct cardiac paralyzant. We thought, and we may sometimes still think, it makes us witty. We know from observation it makes men silly.

We thought it brightened the intellect and might make men wiser. We find that in the long run, at least, it dulls the intellect and makes men foolish. Wine has been called the "milk of age," and we thought it supported advanced life. We know that the aged live longer and retain their powers better without its use.

As a medicine, or prophylactic measure, we thought it protected against epidemic diseases. We now know it invites attacks.

We thought it prevented and even cured consumption. We know it is the most frequent cause of at least one form of that disease—fibroid phthisis.

We thought, moderately used, it was good for many things. Those who have given most careful attention to the subject believe it is good for very few things.

The Parker, one of the most eminent men who have written on this.

Dr. Parker, one of the most eminent men who have written on this subject, has said:

When alcohol does not produce insanity, or idiocy, or epilepsy, it weakens the conscience, it impairs the will, it makes the individual the creature of impulse and not of reason.

Here you get material for mobs and riots, for almshouses and prisons. Weak consciences and impaired wills are hardly the characteristics of good citizens. But this is not all.

Dr. Parker further says:

"The hereditary influence of alcohol is not confined to the propagation of drunkards only; it produces insanity, idiocy, epilepsy, and other affections of the brain and nervous system, not only on the transgresser himself, but on his children and his children's children."

Such is the disease. What shall be the remedy? The great central root of intemperance is ignorance. The remedy must be more light.

Dr. Palmer, as quoted above, has enumerated some of the popular delusions in regard to alcohol, whether taken in moderation or immod-

While many of the forms of alcoholic drinks are believed by multitudes to be harmless beverages, science declares alcohol in all its forms to be a powerful and dangerous drug, all the more dangerous because

of its delusive and insidious character.

This bill is the echo of God's primordial decree, "Let there be light!" It is the pleading of the millions of the children of our land, beseeching that they may not be sent naked, without shield or armor, into the battle of life to contend against odds not only with the open and disclosed enemy but also with those that lie in ambush and assail them It is the appeal of hundreds of thousands of the noblest and purest women of the land in behalf of their homes, their offspring, their altars, and their firesides. It is the plea of the home, the clurch, and the school combined that if our tender ones and our helpless ones must run the gauntlet of the army of alcohol they may at least be fore-

warned and upon guard against the lurking danger.

In form this bill affects and applies only to the District of Columbia and the places under the exclusive jurisdiction of the United States; but in principle and in moral effect it is as broad as the nation.

Its passage will send a thrill of joy and a tide of blessing from ocean to ocean, from the great lakes to the Gulf, and from the Everglades of Florida to the waters of Puget Sound. It is a remedy peaceable, philosophical, radical, far-reaching. It trenches on no man's rights, pro-scribes no man's business, confiscates no man's property, dictates no man's habits, restricts no man's liberty. It appeals only to the power of truth upon man's free choice. It will be as silent and as beneficent in its operation as the dew and the sunshine of spring. It will come with bane for none, with blessing for all. We who to-day record our votes for this bill may not live to see its matured fruits. The world will move on much the same as before, but it will move upon a constantly ascending plane until it shall come at length, perhaps long after we are gone, into a clearer light, into a brighter hope, into a nobler,

cleaner, and more beneficent mode of living.

We have it in our power here and now to confer untold blessings upon the future of our country, for which millions now unborn shall rise up and call us blessed. Can we neglect so grand an opportunity, so imperative a duty?

Oleomargarine.

SPEECH

HON. WILLIAM C. OATES.

OF ALABAMA,

IN THE SENATE OF THE UNITED STATES,

Wednesday, May 26, 1886,

On the bill (H. R. 8328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine—

Mr. Speaker: I think that this is one of the most objectionable bills have ever seen under consideration in this House. It is defined in its title as "A bill defining butter; also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine." It imposes a tax of \$600 on manufacturers, on wholesale dealers \$480, and on retail dealers \$48. In addition, the eighth section imposes a tax of 10 cents per pound on eleomargarine, to be paid by the manufacturer. It also contains many harsh provisions, including fine, imprisonment, forfeiture, and confiscation for its enforcement. Section 8 of Article I of the Constitution gives Congress the power "to lay and collect taxes, duties, imposts, and excises."

The bill under consideration is therefore within the letter of the Constitution; but when we see that the Constitution also declares the purposes for which taxes may be collected, to wit, "to pay the debts and provide for the common defense and general welfare of the United States," coupled with the notorious fact that there is no need for an increase of revenue—that there is a surplus in the Treasury—it proves that this bill is not within the spirit of the Constitution, but violative of it. It is full of hypocrisy and false pretense in purporting on its face to be a bill to raise revenue, when in fact its purpose is not to raise revenue but to break down and destroy one branch of industry to foster and build up another. A man has the same right to make butter out of tallow as another has to make butter from milk. The consumer takes his choice. State laws can deal with deceit in the sale of either.

What right has Congress to prohibit the raising of sorghum or the making of glucose, beet, and maple sugar? Such a law would greatly benefit those who are engaged in making sugar from the sugar-cane, because it would increase the price. Such partiality in legislation, being unjust, breeds discontent among the people. Congress should never take sides nor discriminate against any American industry in favor of its domestic rival. Discriminations by Congress in favor of the industries of our own people against foreign competitors are familiar to every reader of our statutes, but discrimination as between rival industries of our own people is a new and vicious departure.

Will any one contend for a moment that Congress has the power to prohibit by law citizens of Virginia from raising tobacco, or the people of Illinois from producing wheat or corn, or those of South Carolina from raising rice, or Alabamians from growing cotton? No man of

ordinary intelligence will claim that such a power is vested in Congress.

This bill is an attempt to do by indirection that which can not be done directly and fairly. It is said that the proposed law is a necessary measure of protection to the farmers of the country. Who does Who does not know that scarcely one-tenth of the farmers of the United States make butter for sale in any considerable quantity?

The dairymen are the people who are clamoring for the enactment of such a law. If it were what on its face it purports to be-a bill to raise revenue—why not extend it to butter made from milk or cream as well as oleomargarine? The former is more in demand than the latter and would yield a much greater revenue, and then your taxation would fall mainly on the rich or those people who are able to indulge in the luxury of genuine high-priced butter. But, sir, this bill reverses that rule and imposes all the taxation on the manufactured and cheaper substitute which can be bought at a price the poor laboring people can pay and obtain it.

Is it not to the interest of the toiling millions of poor men that food products should be as abundant and cheap as possible? If this bill becomes a law it drives out of the country all manufactured substitutes for butter and greatly enhances the price of that commodity. just what the dairymen want. It would put more money in their pockets by making the consumer pay an increased price for his butter.

They wish to tax out of existence oleomargarine, which is getting to be a lively competitor with Jersey butter for popular favor.

This is the most extreme and unjust protective measure I have ever seen, and yet gentlemen whom I have heard on this floor denounce a protective tariff as legalized robbery are to-day advocating this protection per se measure with great persistency. I suppose that they are protectionists or free-traders according to whose ox is gored. It is not only a highly protective measure against home competition—a rival domestic industry-which would make all the dairymen as rich as the highest tariff duties on manufactures have made those engaged therein but this bill is sumptuary and undemocratic in principle.

If, sir, as a free American citizen I choose to buy and eat a butter manufactured principally of tallow or lard rather than butter made from the milk of cows in the usual way, that is my right and my business, and the Committee on Agriculture have no right to object.

Nor is it any concern of theirs whether my butter is clean or nasty; that is my business and not theirs. But by this bill they and the dairymen deny to me my right to eat oleomargarine upon my bread if I prefer it, and assume to sit in judgment on my appetite and require me to eat my bread dry or spread Jersey butter on it at 50 cents to \$1 per pound.

That, sir, does not comport with my democracy. I object to these oleomargarine and butterine statesmen sitting in judgment upon the

tastes, appetites, and libertics of the people.

We have arraigned the Republican party before the country for class legislation and legalizing monopolies, yet here is a Democratic committee recommending to a Democratic House a bill exclusively for the benefit of the dairymen as a class. It, sir, is violative of every sound

principle of American government.

In this House we have a report from one Democratic committee recommending a reduction of taxation to the extent of \$25,000,000 annually on the ground that a greater amount of revenue is collected than the Government needs. Here is the report of another Democratic committee of the same House devising ways and means of raising more revenue. How incongruous and inconsistent? The explanation is that the butterine bill to raise revenue is a fraud—it keeps within the letter of the Constitution but violates its spirit. It would, therefore, be a most dangerous precedent, and if adopted will at no distant day return to plague its inventors.

Mr. Chairman, I am sorry that our system of internal taxes, which was from necessity established during the war, can not at present be dispensed with. It never was a popular method of raising revenue. Instead of progressing towards its extinction the bill before the House is a proposition to enlarge and extend a system which Jefferson denomi-

nated an infernal one.

The following article from the Ohio Farmer puts the case so clearly

that I will publish it as a part of my remarks:

The following article from the Ohio Farmer puts the case so clearly that I will publish it as a part of my remarks:

One man in this country has the same right to make butter out of tallow or lard that another has to make it out of cream. He can not be deprived of that right without destroying the principle of equality on which our Government rests. If one man may choose his own vocation and forbid others from choosing theirs, where does he get the power so to do? The secret is worth knowing. The making of butter out of tallow or lard is as honorable as to make it of cream. In each case the material comes from a domestic animal that is eaten by civilized man, and is worked by men who must work to live. The dairyman assumes that his process is the only lawful one, and that all others should be legislated out of existence. He has tried to do this through State laws, but courts have held those laws void. He will meet the same fate at Washington unless he does a little cool, unselfish thinking. He must learn that farming is merely one form of production, that all producers are laborers, and that all laborers are equal before the law. Applied to his case this means that if the Revenue Department takes control of the tallow-butter business; that if one process should pay a license fee and a tax, the other process should do the same.

There is another aspect of the case which the dairyman does not think of, but which the public is thinking a good deal about in these days. The consumers of hogy as butter buy it, pay for it with their own money, eat it, and say nothing. All the fuss and complaint comes from the dairyman. He not only assumes that his neighbors have no right to make butter out of tallow or lard, but he assumes that the public have no right to make butter out of tallow or lard, but he assumes that the public have no right to make butter out of tallow or lard, but he assumes that the public have no right to make butter out of tallow or lard, but he assumes that the public have no right to make butter out of

The daryman uses the law, the knight of Labor a club, to accomplish his self-ish purpose.

Can a farmer afford to set an example for such tyranny? Dairymen are apparently losing ground, just as myriads of other men have lost ground and been displaced by new processes and later inventions. A great part of the railway capital of the country has become absolutely worthless because of the great number of new railroads that have been built. Canal-boats and stages disappeared before the locomotive. Sperm and lard oil gave way to petroleum. The Suez Canal put out of commission one-third of the merchant marine of Europe, and to day electricity and natural was are various great property and driving

Suez Canai put out of commission one-third of the merchant marine of Europe, and to-day electricity and natural gas are ruining coal property and driving tens of thousands of coal miners to seek new means of living.

The dairyman is only having his share of the burden of advancing civilization. I have said above that he is apparently losing ground. I believe his loss is only apparent. If imitations of butter are properly branded he need have no fear that the sweet, pure article that comes unadulterated from nature's living fount will be displaced by that which is manufactured.

The following report from the Judiciary Committee on this subject is itself a full answer to the bill:

Mr. Tucker, from the Committee on the Judiciary, submitted the following report, to accompany bills H. R. 4809, 4171, 4172, and 1054.

The Committee on the Judiciary, to whom have been referred House bills 4809, 4171, 4172, and 1054, ask leave to report:

The questions submitted by these bills to this committee are of great importance, and involve the fundamental principles of the Constitution.

For our purpose the evil consequences to the regular producer of butter or any other article by the permission of a product by the spurious competitor, and even the results to health of the people, may be conceded. The contention is not as to the existence of the disease, but what is the remedy, and by what authority is it to be applied?

Your committee do not think that the evil complained of can find its remedy from what Congress can do, except as hereafter stated. The legislation, if proper, must be sought from the States.

No grant of power to Congress in express terms or by fair inference from express grant can be found which would authorize any law by Congress to prevent the production of anything by a person in a State of the Union. Congress may have some power over production in the District of Columbia, or where its power of exclusive legislation extends, or in the Territories. But the power to forbid the production of butter, or wheat, or tobacco in a State will scarcely be asserted by any one.

Questions which concern the production of the soil or otherwise, the health and well-being of the people of the State, belong to that large class which, for want of a better name, has been termed the police power.

The powers of Congress refer to the foreign relations of the State to their relations inter se, and do not pass within the confines of that interior life which constitutes the being and the civilization of a common wealth. These are subjects for State legislation. A stranger to these local interests and internal concerns, under our system, must not intermeddle with them.

The evil to result from the exercise of the power as to oleomargarine is not seen by one who looks only to the extermination of the unwholesome product, but darrymen would

First it is said that Congress may act upon it through the power to regulate commerce; and second, that as it may tax any article, it may tax oleomargarine, and so heavily as to put a stop to its production. Let us examine these in their order:

First. The power to regulate commerce is one of the most valuable and important of all those granted to Congress. It had two prominent objects: affirmatively, to give to the Federal Legislature the control of foreign and interstate commerce; and negatively, to take it from the States. The use of it by the States, under the confederation, put restrictions on trade and intercourse, and created inequalities between the States, which it was believed the Federal Government would not do if the power were vested in Congress.

It is an interesting phase of this discussion, whether the purpose to deny to the States this important power was coupled with a purpose to give to Congress the power to do all that is intended to be denied to the States. For example, it is clear that a State may not prohibit the transit or admission of the ordinary products of another State through or into its territory. But does it follow that Congress may do so? May not the absence of right in the State to do so rest upon another clause of the Constitution which gives equivalent privileges and immunities in every State to citizens of every other with its own citizens?

Your committee are not aware that it has ever been asserted for the power to regulate commerce that it involved a power to prohibit the free transportation of the products of each State through and into every other; and it could hardly have been within the minds of the framer of the Constitution to give to Congress the power to do so, when history shows that the purpose of giving the power to Congress and taking it from the States was to prevent the very result which this construction of the clause would involve and bring about. Be this as it may, no such power under this clause has been heretofore claimed, and has, in regard to the inte

from one State to another?

Regulations of commerce and revenue are wholly distinct in constitutional language. The first clause of Article I, section 8, gives the revenue power to Congress. The third clause of the same gives the regulation of commerce to Congress. In Article I, section 9, clause 6, the phrase "regulation of commerce to crevenue," is used, thus emphasizing the distinction. In the convention, at one time, the revenue power was left to be exercised by a majority vote of Congress, the regulation of commerce by a two-thirds vote.

These facts, and the preconstitutional and revolutionary assertion of this distinction, leave no reason to doubt that it was never intended that Congress should lay any tax or duty on the transport of an article from one State to another. Nothing in the debates of the Federal convention, nor in those of the States ratifying the Constitution, nor in the Federalist, gives any shadow of claim to this power, and such a construction of the clause has never been asserted in any act of Congress or in any serious proposition to that effect.

Your committee therefore conclude that under the power to regulate commerce no power to forbid, restrain, or tax any product of industry is conferred on Congress.

merce no power to forbid, restrain, or tax any product of industry is conferred on Congress.

Second. It remains to inquire whether oleomargarine or any other product may be subjected to an internal-revenue tax.

If the power to lay taxes (Const. U.S., Art. I, sees. 8 and 9) involves the power in Congress to select any article for excise or other tax, as seems to be now settled by the practice of the Government (and no doubt properly so settled), then the right to tax oleomargarine is undoubted.

But your committee are constrained to add that this is a revenue power. The right "to lay" is conjoined with that "to collect taxes," and the right to lay and collect is conjoined with the purpose "to pay the debts and provide for the common defense and general welfare." The power is conferred in order to the duty imposed on Congress. It is a trust power, and becomes a right only when

used for the purpose in view. The tax is the means to the end, and is only legitimate and rightful when needful for the end.

To use the tax when needless for revenue merely to strike down a product or an industry is to abuse a constitutional trust; and while the power may be conferred, the right to use it in such case can not be asserted. All power under our system is trust power; to use it for the trust makes it a rightful power; to use it diverso intuitu is wrongful perversion and abuse of power, and is contrary to the Constitution. In other words, as Congress can not forbid the production of an article in a State by direct legislation, it can not use a power conferred for another purpose to destroy and prevent such production. To do by indirect means what it could not do by direct legislation, and the purpose to destroy and prevent such production. To do by indirect means what it could not do by direct legislation, and the purpose to constitutional limitations, which can not be sanctioned by an enlightened construction of the Constitution.

It is true that in such case the judicial power may not be able to declare such taxation void, because the judge dare not look into the intents of the legislator's breast, but the legislator who so abuses his trust and wrongfully misuses power can not avoid responsibility to his own conscience, bound as it is to support the Constitution; for by personal introspection he will find his motive not to be a tax for revenue to the Government, but a tax as a means of destruction to the product subjected to it; that is, tax used as an instrument of destruction and not as a means of revenue.

Your committee will now proceed to consider these various bills in detail. Bill H. R. 4809 is broad in its terms and makes it unlawful and a misdemeanor for any person or corporation to make or sell any adulterations or imitations of food anywhere, and punishes it by fine and imprisonment. If this were passed all the industries engaged in food production in every State would be subject to th

other.

Bill H. R. 1054 is liable to the objection that it, under the apparent purposes to regulate interstate commerce, forbids the commerce between the States in certain articles. It strikes at the articles, and does not regulate commerce in them. It is not a regulation of commerce, but a destruction of all commerce in certain condemned articles.

condemned articles.

Its other provisions for enforcing the law and defining the offenses are not satisfactory, but these are more proper for the consideration of some other committee of the House.

Your committee therefore report back bills H. R. 4809, 4171, 4172, and 1054 with a recommendation that they do lie on the table.

Oleomargarine.

SPEECH

HON. JOSEPH LYMAN,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 26, 1886,

On the bill (H. R. 8328) defining butter, also imposing a tax on and regulating the manufacture, sale, importation, and exportation of oleomargarine—

Mr. SPEAKER: I am in favor of the pending amendment to make the license tax for manufacturers of oleomargarine \$200 instead of \$600 per annum, and at the proper time I shall support amendments reducing the license tax for wholesale dealers to \$100 per annum instead of \$480, as provided in the bill, and the license tax for retail dealers to \$25 per as provided in the bill, and the license tax for retail dealers to \$25 per annum instead of \$48. In my judgment also, 3 cents per pound is a sufficient tax upon the product. I believe those figures will accomplish that which ought to be the purpose of this legislation, and will not work the injury to one class of our citizens, to whom I shall presently refer, which the figures fixed in the bill might do.

Much has been said during this discussion upon the power of the Congress of the United States, under the Congress of the United States.

Much has been said during this discussion upon the power of the Congress of the United States, under the Constitution, to enact the proposed legislation now pending. I have no trouble or doubt upon that question. A country of the vast territorial extent of ours, inhabited by fifty millions of intelligent, enterprising, and progressive people, can not be hemmed in and throttled by a Constitution which might have been entirely adequate to the wants of a country bounded by the Alleghanies upon the West, and the Atlantic upon the East. The fathers no doubt anticipated something of the state of facts with which we stand face to face to-day, and hence, in my judgment, gave us a Constitution so broad, and, if you please, so uncertain and ambiguous in its terms, that it is capable of being so construed as to meet every in its terms, that it is capable of being so construed as to meet every

want of our people, and provide a remedy for every evil which can be met by human agency. The day, in my opinion, is at hand when our courts and our people and their representatives will no longer tolerate the narrow and constrained construction of the Constitution which deprives us of power to preserve our institutions, but will demand that it be so construed as to give to our General Government power to do anything and everything necessary for its own preservation, and for the welfare and happiness of the people, unless the particular act contem-plated shall be expressly prohibited. This conclusion is the inevitable result of the logic of the events occurring in this country during the

twenty-five years just past. The underlying and main object of the bill is to raise the necessary revenues for the support of the Government. That Congress has the revenues for the support of the Government. That Congress has the right to do this, and to tax certain articles and products and to leave others untaxed, is well established. But we are told that the revenues are not needed, that we have an overflowing treasury. Whatever may have been the fact in that regard one year ago, after fifteen months rule of the party now in power it is not true. The present Secretary of the Treasury, the financial head of the Government, says in his last report that on the 30th day of June, 1887, there will be a deficit in the Treasury of over twenty-four millions of dollars. This estimate is based upon the revenues and expenditures of the past year. The present Congress has already enacted such legislation as will double that deficit, and it also threatens to reduce the revenues in a much larger proportion. So that we shall need the revenue to be derived from this bill, especially if the

party now in power is to remain at the helm.

I do not believe that we should endeavor, by legislation of this nature, to prevent the manufacture and sale of the products, by the terms of this bill, called oleomargarine. I do not believe that in and of themselves they are improper articles of food, or that they are necessarily deleterious to health; but I do believe that we should, if possible, enact such laws as will compel the manufacturers and dealers therein to sell them for what they really are, as oleomargarine and not as but-ter. When this object shall have been attained, and the demands of our Treasury for revenues shall have been met, we should, in my judg-

ment, call a halt, and go no farther.

There are three classes of people whose interests are to be affected by this legislation, and which interests are equally entitled to our consideration. And here let me say that I am a protectionist. There is no gentleman on the floor of this House more earnestly and uncompromisingly so. I represent here, in part, the farmers of Iowa. They, too, believe firmly in the protection of American labor and of American industries, and in a home market for their surplus products. They ever have been and they ever will be for the promotion of these great ends, and will march shoulder to shoulder with representatives of all other American interests and industries, whether they be the wool interests of Ohio, the iron interests of Pennsylvania and Georgia, the cotton-manufacturing interests of New England, or any other interest of any locality in America. Wherever American labor and American industry of any kind need protection and defense there you will find Iowa Republicans. We are protectionists from principle, because we believe it the wisest and safest policy for our whole people, without regard to local interests merely. I am not going, and the people whom I represent do not desire me so to do, to part company with my venerable and esteemed friend, the gentleman from Pennsylvania [Mr. Kelley], on this question. But in my indement this whole question is foreign to the question. tion. But, in my judgment, this whole question is foreign to the question now before us. There is no question here of protecting American labor against the pauper labor of Europe, and no question of protecting the product of American labor against the products of the pauper labor of foreign lands.

I have said there are three classes of people to be affected by this bill: First. The dairy interests. This is an American industry.
Second. The oleomargarine interest. This is also an American in-

dustry

Third. The consumers of the products of both, the American people. Neither one of these two industrial pursuits should be unduly pro-Neutrer one of these two industrial pursuits should be unduly protected as against the other. The consumers of the product of both should, however, be protected against imposition and fraud. Oleomargarine should not be sold as butter. But if it is not deleterious to health, when properly manufactured, and the very large and constantly increasing number of people, who are inadequately paid for their labor, and who in order to support and educate their families must have cheap elething and cheap food and all other results have them. clothing and cheap food, and all other people, knowing what they are buying, desire to purchase and eat oleomargarine, I want them to have an opportunity to buy it, and to buy it at the cheapest possible rates.

That class of people to which I have just alluded is constantly increasing in the United States. In the early days of the Republic, when the people were generally engaged in agricultural pursuits, the farmer raised out of the ground the material out of which the good housewife wove the homespun garments which clothed him and his family. He produced by cultivation of the soil nearly all they ate. Now it is different. The noise of the manufactory is heard on every side. The country is a network of railroads. The earth is honeycombed by the miners' labors. All the employés of these great enterprises are not producers, but are consumers. They are generally inadequately paid for their labor, and too often very, very inadequately paid. In order to support and educate their families they must have cheap food, and if the proper manufacture of oleomargarine aids them in this, Congress has no right to arbitrarily deprive them of it. I do not mean that we shall permit a fraud to be practiced upon them by permitting this product to be sold as butter, which it is not, but that after deriving such revenue therefrom as the necessities of the Government may require we should make the taxes on it just as low as will secure the identification of the product and prevent deception and fraud. For these reasons, briefly stated, I am in favor of the main features of this bill, and am also in favor of the proposed and suggested amendments to the same, believing that the wants of the revenue will be met thereby, and that all other legitimate objects will be accomplished, fraud and deception prevented, and the rights of no class of American citizens be unduly infringed upon.

Oleomargarine.

SPEECH

HON. FRANK C. BUNNELL.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 26, 1886,

On the bill (H. R. 8338) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine.

Mr. BUNNELL said:

Mr. GUANEMAN: Representing as I do one of the largest agricultural districts of Pennsylvania, I feel it my duty to say a word against this growing abomination which seeks to destroy the legitimate dairy interests of this country. By the destruction of this useful industry you have but begun the downfall of the whole system of agriculture. The prices asked by manufacturers and dealers in fertilizers to feed our lands places them beyond our reach. Thus we are compelled to keep our farms well stocked with domestic animals to keep our lands in a state of productiveness. Without this means of sustaining them they will become poor indeed and the impoverished farmers will be obliged to move off and seek other employment.

Where to-day may be seen luxuriant grasses and rich grain fields and beautiful herds of cattle pasturing on the hillsides you will be obliged to view a spectacle of shameful contrast, such as poor fences, dilapidated farm buildings, barren soil, and a class of our most industrious.

and intelligent citizens reduced to poverty.

During all these years of protection to other industries the farmer has contributed to their support uncomplainingly by paying increased prices for his machinery and most articles of his consumption. And he would not appear before this Congress to-day asking redress for his grievances were he not confronted with organized capital seeking in true monopoly style to encompass his financial ruin. Unscrupulous manufacturers are occupying his markets with a cunningly devised counterfeit on his productions, so indispensable to all the people alike of this country.

this country.

The national debt would sink into insignificance compared to the depreciation in value of our farms and herds of cattle if this injustice be permitted to continue. Already this loss is to be computed by hundreds of millions of dollars, and we have but fairly started on the downward path provided for us by these soulless, counterfeiting, stomach-defiling

manufacturers of spurious butter.

Legalizing unlimited counterfeiting of our coins by the Government for the same period of time would scarcely be more disastrous to this

country and certainly no more criminal to the farmer.

The provisions of this bill, if unreasonable in any particular, is in favor of the dealer in mysterious butter which becomes so delicious under the professional manipulations of talented chemists and the beautiful Annarian names bestowed upon the production. However, the facts show that about all this carefully prepared, useful, angelic friend, as is claimed, of the laboring men is thrust before us as just plain, honest creamery butter.

From the evidence produced before the Committee on Agriculture it is shown that in its greatest purity of manufacture the cost is from 7 to 8 cents per pound. With the 10 cents proposed tax to be added, the honest dairymen are still placed at a disadvantage of at least 5 cents per pound, the one an honest production, the other a counterfeit. The arguments and petitions of these manufacturers, who count their profits by the hundreds of thousand dollars annually on this product of high art, poses it before us as the laboring man's friend and that it is de-

art, poses it before us as the laboring man's friend and that it is demanded by reason of its cheapness.

This is a piece of effrontery that the laboring men of my section will characterize as unblushing assumption. We are all laboring men in Northern Pennsylvania, and when the powerful firm of Armour & Co. and others condescend to sympathize with us by giving us this dressing for our bread at from 100 to 300 per cent. advance on its cost we desire

it understood, and distinctly so, that their benefactions are savored with suspicions and the benefactors are unappreciated.

Think of it! What consistency! No doubt they might be induced

Think of it! What consistency! No doubt they might be induced to furnish us with clothing and other necessaries at a like profit; but no danger—our people are better judges of all wool and a yard wide than of oleomargarine.

. This nefarious business has only prospered when sailing under the flag of deception, just as a counterfeit coin peregrinates until discovered

and exposed.

I believe in protecting every industry in this land, and I deny that this tax is to be a burdensome one if this article is as useful and necessary as the opponents of this bill claim it to be. The price to the consumer will be no more. It will only reduce a profit akin to theft to one still five times greater than any farmer realizes on his hard labor. Let it be sold for what it is, giving it a coloring distinct of its own, so that he who runs may read. Paint it sky-blue, pink, or any color that it may not lose its identity; then if the people pray for it and the children cry for it you will find me, Mr. Chairman, among the first to vote for a measure to relieve it of its burdensome tax. The farmer has made his appeal honestly and modestly, but I assure you it is earnestly. He does not petition you for a grant or a subsidy. He only asks of us to protect him in a free field of competition; this done, he will continue his labors—unremunerative though they may be, it will be without complaint:

He did not call upon this Congress until his grievances became unbearable. Nor will he be turned away from these Halls unheeded. Every member of this House is now familiar with this subject, and I trust the appeal made by these honest men asking for honest rights and just recognition may receive the protection so justly demanded. I am amazed when I listen to the arguments of gentlemen who claim they can not support this bill on the ground that it is protection to one industry at the expense or destruction of another. Here let me say that I heartily agree with them if it be an industry. But when a business depends on fraud of the most deceptive character for success, well knowing this counterfeit is to be passed on the innocent consumer for the genuine, is it not quite time this legislative body provides a punishment for an offense so great against the rights of our citizens? Good morals require it and the health of our people demands it.

Business of Committee on Pacific Railroads.

SPEECH

OF

HON. JAMES D. RICHARDSON,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 17, 1886,

The House having under consideration the following resolution—
Resolved, That Saturday the 5th and Tuesday the 5th days of June, 1886, immediately after the morning hours, be set apart for the consideration of measures reported from the Committee on Pacific Railroads, not to interfere with revenue or general appropriation bills, nor with prior orders, nor with the consideration of reports from the Committee on the Public Lands under the special order; and if the consideration of such business be displaced, then the next days not previously set apart shall be devoted to the consideration of the same until it shall be disposed of, or until two days shall have been consumed, subject to the above-mentioned interference—

Mr. RICHARDSON said:

Mr. SPEAKER: I have been directed by the Committee on Pacific Railroads to ask the House to adopt the resolution which has just been read. This resolution, as you will perceive, sets apart two days to be devoted to the consideration of measures of public importance pertaining to the system of Pacific railroads which have been reported from that committee. These measures, sir, are not of private or local interest, but measures in which the whole country is interested—

Mr. RANDALL. Will the gentleman be kind enough to indicate

them?

Mr. RICHARDSON. It will give me pleasure to do so.

"JOINT RESOLUTION AUTHORIZING AN INVESTIGATION OF BOOKS, ACCOUNTS, AND METHODS OF PACIFIC RAILROADS."

One of the measures which we will ask the House to consider will be the House joint resolution 170, introduced by myself, the object of which is to authorize the Secretary of the Interior to appoint experts whose duty it shall be to investigate the books and accounts and methods of the Pacific railroads which have received aid in bonds and land grants from the Government.

The purpose of this investigation is to ascertain whether these roasd have observed all the obligations imposed upon them by the laws under which they received such aid, or which have been since passed in refer-

ence thereto.

In view, sir, of the vast interest the Government has in these railroads, and its liability for them, it is of the utmost importance that Congress and the country shall know whether or not said obligations have been and are being disregarded by the companies.

It is well known that the indebtedness of these roads to the Government, growing out of bonds issued in their aid, amounts now to almost a fabulous sum. I will here insert a table showing the indebtedness of these roads:

	al out-	ncerued yet paid d States, y 1, 1885.	paid by States.	Interest repaid to credit of bo est account.	by companies and inter-	of inter- aid by States.
Name of railway.	Principal standing	Interest and not by Unit due Jul	Interest United	By transporta- tion services,	By cash, 5 per cent. of net earnings.	Balance est p United
Central Pacific Western Pacific Union Pacific Kansas Pacific Central Branch Union Pacific Sioux City and Pacific	\$25, 885, 120 1, 970, 560 27, 236, 512 6, 303, 000 1, 600, 000 1, 628, 320	\$776,553 60 59,116 80 817,095 36 189,090 00 48,000 00 48,849 60	\$25,782,216 07 1,845,599 34 27,409,136 49 6,696,603 09 1,693,808 26 1,610,846 29	\$5, 134, 185 31 9, 367 00 10, 647, 579 36 3, 284, 294 23 219, 746 48 178, 659 68	\$648, 271 96 283, 162 99 6, 926 91	\$19, 999, 758 80 1, 836, 232 34 16, 478, 394 14 3, 412, 308 86 1, 467, 134 87 1, 432, 186 61
Total	64, 623, 512	1,938,705 36	65, 038, 209 54	19, 473, 832 06	938, 361 86	44, 626, 015 62

This table is from the public-debt statement and report of Commissioner of Railroads, 1885, page 3, and shows that the total of the debt now amounts to \$109,249,527.62.

now amounts to \$109,249,527.62.

It is also known that under the act of Congress commonly called the Thurman act, passed May 7, 1878, these roads are compelled to pay into the Treasury, as a sinking fund to protect the Government in its liability for them, 25 per cent. of their net earnings. These railroads operate not only their main lines, which have received aid from the Government, but they also operate largely branch lines and other lines which have not been subsidized by the Government. Under the Thurman act the Government is only entitled to receive its 25 per cent. of man act the Government is only entitled to receive its 25 per cent. of net earnings out of the assets of the roads on the aided or subsidized portions thereof. This being true, it is to the interest of the roads to have their books so kept as to show the earnings upon the unaided portions or branches thereof rather than from the aided portions, it being seen that the Government receives no benefit whatever from the income of those roads on the portions and lines which have not received aid from the Government.

From a very careful investigation of their accounts before the passage of the Thurman act and since its passage, I have no hesitancy in saying that the Government is year by year, and every year, being robbed by these gigantic corporations, simply by their system of keeping their books. In other words, it is not believed that their books show properly their net earnings on the aided or subsidized portions of the roads.

To my mind there is no question that by their system of book-keeping there have been large diversions of the net earnings of the aided roads to less productive unaided branches and other wrongful and improper purposes. I do not doubt that this investigation will show that their reports have been falsified, their receipts cut down, and that in the most improved methods of book-keeping and stating accounts the Government has been robbed and swindled. I feel quite sure that the investigation will show that discriminations have been and are being made in both pas senger and freight rates in favor of the unaided as against the aided roads. This fact is made manifest upon the examination of their accounts and books, because they show that the receipts from the portions of the roads which have been aided and upon which the Government lien rests are declining every year, while upon the several branch roads and unaided lines, not subject to the lien, the earnings are increasing. This is notably so since the passage of the Thurman act. I, for one, do not believe that upon an honest and fair statement of their accounts such a result will be shown.

It is impossible for your Committee on Pacific Railroads, or any other committee of this House, to make the investigation which will be necessary to develop all the facts incident to this investigation. Erroneous reports are to be examined, improper settlements reviewed, their accounts for years overhauled, to the end that they may be required to contribute to the Government what is justly and properly due from them. Only the most efficient and competent experts can make such

It was believed by Congress when the Thurman act was passed that 25 per cent. of the net earnings of those railroads, if properly ac-counted for to the Government, would provide a sinking fund which would eventually relieve their indebtedness and save the Government in its liability for them. This would probably have been true if the net earnings were properly shown in their books and their reports and the 25 per cent. properly accounted for. It is a fact well known, also, that this per cent as shown upon their books and in their annual reports, falls far short in any such calculation at this time. This indebtedness, instead of being diminished, is annually being increased, so that by the time of its maturity, in 1898, it will have grown so large that it will be impossible for these corporations to discharge it, and thus the Government will be forced to take charge of these roads, and will suffer irreparable injury. After what I have stated the necessity for the contemplated investigation must be apparent to all. But I desire to close my remarks on this question by inserting here a letter furnished me by the Department of the Interior to show specifically that the

aided roads have not been receiving their fair proportion of earnings of the roads:

DEPARTMENT OF THE INTERIOR OFFICE OF COMMISSIONER OF RAILBOADS, Washington, D. C., April 12, 1886.

Washington, D. C., April 12, 1886.

Sir: In answer to your inquiry I have the honor to state that I made a special examination during July and August, last summer, of the accounts of the Kansas Division, Union Pacific Railway Company (formerly the Kansas Pacific Railway Company), in order to determine whether the aided road had been receiving its fair proportion of the earnings of the line from Kansas City to Denver, such earnings having been heretofore apportioned to the aided an unaided parts respectively upon a mileage basis. Owing to the great amount of labor involved I could examine the accounts for but six months, from January 1 to June 30, 1885, with the following result:

By charging each portion of road with the earnings from business confined exclusively to it, and crediting it with such part of the expenses as could be definitely located thereon, then apportioning the remaining earnings and expenses to each part on well-established basis of railroad accounting, It found the net earnings of the aided road increased 57.44 per cent. or \$272,731.19, making an increased payment to the Government, at 5 per cent. of net earnings of \$13,636.55, or an estimated increase for the year of \$38,663.46.

Very respectfully,

THOS. J. WALKER, Clerk.

THOS. J. WALKER, Clerk.

Hon. G. A. JENES,
Assistant Secretary.

This letter, sir, only shows the result on one of the branch lines, or unaided lines. There are not less than twenty-nine of these branches. The loss to the Government, as shown in this one case, is \$38,663.46 in one year's time. If the same proportion of loss is kept up on all the branches and unaided lines—there being twenty-nine branches it will be seen that the amount thus lost is not less than \$1,100,000 each year. Run this through a number of years and it will be seen that by this one method the Government is being outrageously robbed. This is, however, only one of the measures reported from the committee, and to which we will invite the attention of the House on the days we have asked to have set apart.

"ADJUSTMENT AND PAYMENT OF INDEBTEDNESS OF PACIFIC RAILROADS."

The next measure is House bill 8318, which provides for an adjust-ment of the entire indebtedness of all the Pacific railroads. Under the law and contract at present existing the indebtedness of these roads will mature in 1898, and for the payment thereof the companies are making no adequate provision. At the present rate of increase, by the date of maturity of this indebtedness it will amount to not less than \$130,000,000. The object proposed in the bill is to set forth a plan or method whereby the Government shall be secured the certain payment of all the money it has advanced to the Pacific railroads, and that there shall be an immediate commencement of payments by them. These payments are to be in semi-annual installments.

To do this upon a strictly business basis and not overburden the roads To do this upon a strictly business basis and not overburgen the roads nor give them an excuse to tax unduly the people who are compelled to use their lines, it will be necessary to grant them an extension of time, although they will be required to begin payment at once, more than eleven years before the debt is due; and by the maturity of the debt in 1898 they will have paid over \$41,000,000 of the indebtedness.

The Commissioners of Railroads for several years past have recommissed a charge in the law amplicable to these roads. General Joseph

mended a change in the law applicable to these roads. General Joseph E. Johnston, the present Commissioner, in his report to this Congress, uses this language:

It is therefore suggested that it might be alike advantageous to the Government and to the Pacific Railroad companies to substitute for the present law one fixing an annual or semi-annual payment by the companies concerned, which should extinguish their debts to the Government in a reasonable time.

I now beg leave to have read as a portion of my remarks an extract from the report of the Committee on Pacific Railroads made to accompany this bill.

The Clerk read as follows:

For a practical solution of this question the committee offers the accompanying bill. The scope of it is to find the total amount, principal and interest, that shall have been paid for each one of these companies on their subsidy bonds by the United States at their maturity. From this amount deduct all payments on

bond and interest account that shall have been paid by each company respectively up to the 1st day of October, 1886. Also find the actual value of the amounts in the sinking fund belonging to each company having one on a day to be fixed by agreement between the Secretary of the Treasury and the president of the company interested. Compute interest on that value at the rate of 3 per cent, per annum from that fixed day until the average date of maturity of the subsidy bonds, and subtract the amount of this sinking fund and interest from the amount of debt and interest chargeable against the company interested in the

compute interest on the remainder of the debt and interest, after making these deductions, at the rate of \$\frac{3}{2}\$ per cent, per annum until such a date as will be the average date of one hundred and forty equal semi-annual payments. Add this interest to the remainder of debt and interest aforesaid, and divide the sum so found into one hundred and forty equal parts, each company to pay the first of these equal installments on the 1st of April, 1887, and another even payment every six months thereafter until the whole one hundred and forty shall have been paid.

This table gives an illustration of the result of such computation, with part of the amounts used, estimated.

Union Pacific Railway Company (including Kansas Pacific). Principal of subsidy bonds.

Interest on same to maturity, thirty years, at 6 per cent...... \$33, 539, 512 00 60, 371, 121 60 93, 910, 633 63 From which deduct: 532,600 18 6,210,365,53 Amount in sinking fund March 1, 1886...... Estimated increase from March 1 to October 1, 1886. to average maturity of subsidy bonds, July 1, 1897. 469, 481 23 2, 154, 251 53 23, 953, 179 96 69, 957, 453 64 56, 548, 931 48 126, 506, 385 12 903, 617 03 1,807,234 06 52,897,885 55 17,059,568 09 Central Pacific Railroad (including Western Pacific). ... \$27, 855, 680 00 ... 50, 140, 224 00 77, 995, 904 00 1, 145, 442 00 10, 812, 598 60 120, 929, 949 72 863, 785 35 1, 727, 570 70 50, 513, 763 46 Divided into 140 installments Annual payment...... Present worth..... Central Branch Union Pacific Railroad. [Average maturity of subsidy bonds, September 1, 1896.] \$1,600,000 00 2,880,000 00 4, 480, 000 00 From which deduct: 267,504 00 4, 212, 496 00 3, 640, 289 00 7, 852, 785 00 56,091 00 112,182 00 3, 246, 625 05 Sioux City and Pacific Railroad.
[Average maturity of subsidy bonds, January 1, 1898.] \$1,628,320 00 2,930,976 00 Total 206, 034 07 Remainder of debt and interest...... Interest on same to October 1, 1921, at 3½ per cent..... 4, 353, 261 93 3, 382, 484 51 7,785,746 44 55, 255 83 110, 510 66 3, 254, 775 27 Divided into 140 installments.....

From these tables we have an approximate total annual from the companies

From these tables we have an approximate out of \$3,757.496.

The period of extension for payment of the last installment is fifty-nine years beyond the date of maturity of the subsidy bonds, or an average extension of the whole debt of about twenty-four years beyond the date when the debt becomes

whole debt of about twenty-four years beyond the date when the debt becomes due under existing law.

In consideration of the extension of time thus granted, all the earnings of the road by Government transportation upon any roads owned, leased, or operated by the company shall be applied to the payment of the current maturing installments, and no money shall be paid by the Government for transportation or service of any kind over the aided or non-aided roads until the installment hext maturing shall be fully paid.

It extends the statutory lien and security now subsisting over all roads now owned or operated, or hereafter acquired, no matter where situated, by the companies, including telegraph lines, franchises, rolling stock, and property of every kind and description, to remain as security for the installments until all are paid, embracing over 3,500 miles of road, not now held as security by the Government.

The Union Pacific owns 407.33 miles of road and controls 2,687.08 miles of road, which is not-covered by the present Government lien, and which, it is proposed by this act, shall become subject to the Government's lien for the payment of the debt, and the Government transportation over the same applied upon the installments of indebtedness every six months.

As an asset to some extent, also, available toward the payment of its indebtedness the company had on December 31, 1885, unsold lands to the amount of 7,416,583.82 acres, the estimated value of which was \$11,281,468.30.

In addition to the 865.66 miles of the aided portion of road owned by the Central Pacific, that company owns 383.94 miles of road, and operates under leases 400,26 miles.

The value of these respective the company of th

In addition to the \$65.66 miles of the aided portion of road owned by the Central Pacific, that company owns 383.94 miles of road, and operates under leases 400.26 miles.

The value of these properties the committee can not state. This company holds 2,271,872 acres of land patented by the United States, which, at the low value of \$2.59 per acre, should bring over \$5,000,000, and it also owns lands and water front in San Francisco, Oakland, and Sacramento, valued at \$7,750,000.

These assets of the two principal debtor companies are stated to show, not so much the substantial increase of security the Government will receive, as the probable ability of the companies to comply with the terms of the proposed plan of payment of their debts to the Government, and the strong motive they will have to promptly meet their obligations. But the amount of additional security furnished by any company accepting this act is not of great importance, because of the provision therein by which, eleven years before its debt becomes due, the company consents that the whole of its indebtedness to the Government shall become due and payable, upon default for six months upon any of the semi-annual installments which it agrees to pay. There is also another provision which will be mentioned a few lines further on, that ought to be considered in this connection. It is found in the tenth section of the bill.

It also requires that the company accepting the provisions of this bill shall also accept the provisions of the Thurman act, voluntarily yielding all questions of the constitutionality of said act, and to furnish, at the time of their acceptance, and as a part thereof, a complete schedule of the branch roads, bonds, stocks, and securities, and all property whatsoever which is to become subject to the additional lien of the Government.

It permits any of the companies to extend the payment or refund any balance of its first mortgage debt which it can not pay at maturity at a rate of interest not exceeding 4 per cent. pcr annum, and if

In order that the companies shall partake of the benefits of the proposed plan, they must accept the same under their corporate seals within three months after its passage.

The purpose of the extension proposed is to bring the semi-annual payments sufficiently within the ability of the companies to render such payments entirely certain, and it can not, in our opinion, be of any vital consequence to the Government whether the debt be paid in sixty or seventy years, so long as its ultimate payment can be certainly secured.

The necessity of this extension further appears from the fact that the first-mortgage bonds of equal amount with the subsidy bonds mature at the same time, and these bonds having under the act of 1864 priority of lien over the Government, which stands in the relation of only a second-lien creditor, must be paid before the Government can obtain anything, and such payment would so strain the resources of the companies that if no extension be given the probabilities are that the foreclosure of the first-mortgage bonds would extinguish the debt of the Government, unless it is prepared to pay for the Central Pacific, \$33,852,000; for the Sioux City and Pacific, including the Kansas Pacific, \$23,741,000, to cover the debt with interest of the mortgage which has priority over the Government.

In the event of any one of the companies failing to accept the provisions of the plan of extension the Thurman sinking-fund act remains in full force and effect as to such aided road. The provisions of that act are extended thus conditionally to the three lines not hitherto embraced thereunder, with the percentage increased from 25 to 40 per cent. If the Thurman sinking-fund act here and effect as to such aided road. The provisions of that act are extended thus conditionally to the three lines not hitherto embraced thereunder, with the percentage increased from 25 to 40 per cent. If the Thurman sinking-fund act here the plan here-tofore described, then the Secretary of the Treasury is given enlarged power in th

forced.
Your committee therefore recommend the passage of the accompanying bill.

BILL TO REQUIRE NORTHERN PACIFIC RAILROAD TO PAY FEES FOR SURVEYING, SELECTING, AND CONVEYING ITS LAND

Mr. RICHARDSON. The next measure which the committee will ask the House to consider is bill No. 3752, which is an act requiring the Northern Pacific Railroad Company to pay the costs of surveying, selecting, and conveying the lands granted to this railroad. The necessity for this law is apparent and I trust it will not be questioned when I present the facts in the case as they exist and are known to the committee charged with the investigation of the affairs pertaining to the sys-

tem of Pacific railroads.

tem of Pacific railroads.

The surprise should be, Mr. Speaker, that Congress has not long ago taken hold of this question, and forced this road and the other Pacific roads to make these payments. They are all guilty alike in this particular. But as reprehensible as their conduct has been, and as little deserving as they are of favor at the hands of Congress, the committee in dealing with them in this case have not proposed to put upon them any penalty for their past misdeeds. As I will show, the only chiest is to require them to comply with the letter of the law. The object is to require them to comply with the letter of the law. The object is to require them to pay the mere pittance, comparatively speaking, of cost of surveying and conveying to them, or to their assignees, lands given them as a subsidy by the Government of the United

To get directly to the question involved in this bill, let me say that by an act approved on the 2d day of July, 1864, Congress chartered the Northern Pacific Railroad Company, by which said company was author-ized to construct a road from Lake Superior to Puget Sound, on the Pacific coast, by the northern route, and made a munificent grant of land to aid in this construction. The terms of this grant and its conditions were much the same as the original grant of 1862 to the Union Pacific

Company and its branches.

I say, Mr. Speaker, that a munificent grant of land was voted this road to aid in its construction. And so it was a munificent grant, amounting to about 46,947,200 acres, much of it as fine, fertile, and productive as any land on the habitable globe. This grant of land was almost equal in area to the States of Tennessee and Kentucky combined.

In this connection I quote section 20 of the act of Congress of July 2,

1864, chartering said road, in these words:

And be itfurther enacted, That the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the Government at all times, but particularly in time of war, the use and benefits of the same for postal, military, and other purposes, Congress may at any time, having due regard for the rights of said Northern Pacific Railroad Company, add to, alter, amend, or repeal this act.

In 1870 it became necessary that the lands or some portions of them within the limit of the grant to the Northern Pacific Railroad Company should be surveyed. Congress, with the unstinted liberality characteristic of that body in those days of prodigality, and with a kindness for which that corporation has utterly failed to manifest the slightest appreciation, voted an appropriation to make the surveys of the gift or subsidy to it. Not being satisfied with the enormous grants these roads received from the Government, it became necessary for the Government in bestowing the gift to pay the expenses of the survey of the lands given. Like the poor pauper perishing for bread, when a kind benefactor gave him corn he declined to accept it unless the donor would pay for its shelling and milling. Congress voted this money, but before doing so, on the 15th day of July, 1870, added this proviso:

That before any land granted to said company by the United States shall be conveyed to any party entitled thereto under any of the acts incorporating or relating to said company, there shall first be paid into the Treasury of the United States the cost of surveying, selecting, and conveying the same by the company or party in interest.

Here, Mr. Speaker, I beg to call attention to the difference in the language used in this proviso or amendment to the charter of the Northern Pacific Company, and the amendment of like character, and for similar objects to the Union Pacific Company and others of the Pacific system of roads. The proviso under consideration, as you see, stops with the words "costs of surveying, selecting, and conveying the same by the company or party in interest."

In the amendment to the charter of the Union Pacific and the other companies these additional words are found, "As the titles shall be required by the company." It may not be out of place for me to say that those roads having the advantage, as they deem it, of those words in the amendment insist that thereby they can not be called upon to take patents to their lands under the grants to them until "the titles are required by the company," and they are taking good care not to "require the titles" in fee-simple to such lands. Their defense is that until they take out the patents to their lands they will not be forced. until they take out the patents to their lands they will not be forced to pay the million of dollars advanced by the Government for them. They say they are not bound to take the patents until they require the titles. The decline to require the titles, and thus they say they will pay the Government not a dollar of this large sum, most of which has been due for twelve or fifteen years, having been paid out by the United States long since for them and their benefit.

Some of these companies, with what seemed to me an effrontery unparalleled, admitted to the committee through their attorneys while investigating this question that in all probability the companies would not require their titles to their lands in a hundred years, and perhaps

But, sir, while the Union Pacific and the other roads of the system have the so-called benefit of the words in their amendments that they

shall pay these costs "as the titles to their lands shall be required by the companies," I wish to emphasize the fact that these words do not appear anywhere in the charter of the Northern Pacific Railroad Company. This road has no such technical and flimsy defense, even as against this most reasonable demand of the Government against it. Its charter reads simply that before any land granted to it shall be conveyed to it, or any party entitled thereto, the costs of surveying, selecting, and conveying the same shall be paid to the United States. This, sir, to an ordinary mind would seem to be sufficient protection to the Government, and so it would be if this corporation was disposed to act with common fairness. A decent respect to that which is right and proper the framers of that law doubtless thought would lead these companies when they had earned the lands granted them to apply for and receive the patents therefor. Such would be the ordinary dealings between man and man, and such, I submit, was reasonably to be expected. We find, however, that with wicked ingenuity they dodge behind technical words in the law to evade responsibilities, or, as in this case, in the absence of a technicality even, the law is shamelessly defied. In this connection I wish to read the statement furnished me by the honorable the Commissioner of the Land Office for the purpose of showing to the House how much land the Northern Pacific Company is entitled to patent under the act incorporating it and the amount it will be required to pay into the Treasury of the United States for surveying, selecting, and conveying the same. It is as follows:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE, Washington, D. C., March 11, 1886.

Sir: In accordance with your verbal request of the 6th instant, for information concerning the grant to the Northern Pacific Railroad in connection with printed report No. 607, House of Representatives, Forty-ninth Congress, first session (herewith returned), I have to state that I am unable to furnish an accurate statement of the amount of land contained in the grant or even to approximately estimate that amount.

The estimates heretofore made are as follows:

l	Estimated area of the grant	46, 947, 200
ı		21, 732, 542
ı		25, 214, 658
ı	Number of acres selected	11,057,824
ı	Number of acres patented	746, 390
ı	Cost paid for surveying 381,470 acres, \$17.024.32.	
ı	Estimated cost of lands surveyed (less 381,470 acres), \$640,532.	

Estimated cost of lands unsurveyed, \$756,439. Very respectfully,

S. M. STOCKSLAGER, Acting Commissioner.

Hon, J. D. RICHARDSON,

House of Representatives,

In publishing this statement I wish to emphasize the facts shown therein. Nearly one-half of the enormous grant to this road has been surveyed, to wit, 21,732,542 acres. More than one-half of this land surveyed, to wit, 21,732,542 acres. More than one-half of this land has been selected, to wit, 11,057,824 acres, while the company has had patents issued for only 746,390 acres. The estimated cost of surveying, selecting, and conveying the lands which have already been surveyed is the sum of \$640,532, while the estimated cost of surveying, selecting, and conveying the unsurveyed portion of the subsidy will be \$756,439. If they had "required the titles" to the land selected, which they creat to have done that would have already large. which they ought to have done, they would have already paid into the United States Treasury the sum of \$640,532. They have not taken patents for this land, however, but have only taken patents for 746,390 acres and have only paid the insignificant sum of \$17,024.32.

It is not claimed that these figures are exactly correct, but they show at least the approximate result, and may be taken as substantially ac-

If, sir, there was nothing else in this bill but a provision demanding reimbursement to the United States Treasury for the amount paid out for this company in surveying these lands, and for what will have to be paid out hereafter, there would be ample reason for its passage by this Congress. But there is much more than this involved. So long as the title to this subsidy is left to the United States, and no patents taken out by these companies, just so long do these lands escape all taxation, State, county, and municipal. The roads may sell them off as they have done; may mortgage them for millions of dollars as they have done, and get the money for them; may build up cities, villages, and towns upon them as they have done; may convert them into farms and sell them on ten years' credit with yearly payments as has been done; may receive the proceeds from such sales as they are yearly doing, and deposit same in their own treasuries or the pockets of their stockholders free from any percentage thereon to the Government under any law, and yet pay not one dollar of taxes thereon.

Fruitless efforts have been made by the people along the lines of these roads to compel these vast corporations to pay their just and fair proportion of taxes on their lands; to make their contributions to build up school-houses, court-houses, and other public buildings, and in short to do that which all good citizens who desire protection and benefits from a government cheerfully do, make contribution to its Treasury, that the ends of government may be subserved, and the laws executed; but they are uniformly met with the answer "You can not tax our lands. The titles thereto are in the Government of the United States,

and no tax can be levied thereon."

In the efforts to collect the taxes, litigations have followed, but always with the same result. In a very late case, the Supreme Court of the United States held that the "lands granted to the Northern Pacific Railroad Company in Dakota, are not subject to taxation, until the cost of surveying and selecting them has been paid into the Treasury of the United States by the company, although the road has been built before the levy of the tax." (See Northern Pacific Railroad Company vs. Rockne, county treasurer, &c., decided December 7, 1885, being an appeal from the supreme court of the Territory of Dakota.)

So long, then, as the patents to these lands have not issued out of the United States, so long as something is left to be done by the company before it has a complete title to the lands, they can not be taxed by the States and Territories; because, if you granted the power to tax you granted the power to take away and destroy the lien upon the land retained by the United States, for protection against the costs paid by

the Government for surveying, selecting, and conveying the lands.

The Supreme Court have held that if the patents were issued, whether the costs were paid or not, the lands were taxable, because then the legal title would be in the company. It was also held that if the company had done everything it was required to do, to demand a title, then its land would be taxable, although the patent was not out of the Government, because it had a complete equity in the land. But inasmuch as the company had not paid the cost of survey, to give to the States and Territories the right to tax would give them the power to destroy the lien that the United States had elected to reserve to reimburse them for the advances they had made for the company.

It is apparent, therefore, sir, that as regards this vast domain, this immense grant of over 46,000,000 acres of land given to this corporation, it holds the land, it controls it, mortgages it, sells it, exercises indeed all the rights of ownership, and yet escapes the burden of taxation that falls upon every other species of property owned by every other individual in this broad land. These lands lie adjacent to other lands, owned by poor people, actual residents, who pay taxes regularly for State and county purposes. The company may sell its land to an actual settler, who takes possession, and improves the land, lives on it and enjoys it, but he pays no taxes, because his title is in the Government, the patent never having issued. He has only a bond for title, but this is eminently satisfactory to him, for the Government is a good trustee to hold his title, and by such a device he escapes all

It is known that these lands have been and are being sold by these companies on ten years' credit to actual settlers, giving them only bonds for title, and for these ten years they are to escape all taxation. And even at the end of the ten years, unless a change comes over the dreams of the companies, they will not then perfect their titles to the land by paying the expenses mentioned, but will go on and on as stated indefi-nitely. These purchasers may not be willing to risk simply a bond for title from the railroad, and may require a deed in fee-simple, which they could do, but their lands, nevertheless, would not be taxable, because the patent had not issued taking the title out of the Govern-

These things are not right, Mr. Speaker, and this Congress should not hesitate one moment to give us a hearing and pass this bill, and thereby remedy the evil.

Complaints are being made by the States and Territories through which this road runs of the great injustice thus tolerated and permitted by the United States. They are just complaints. These States and Territories have the right to appeal to Congress for relief. It can only come through Congress. This is a plain business proposition, and as business men we should meet it. There is no effort to excite the prejudices of members against this corporation. Congress in delaying the action asked here only prevents the States from exercising the sovereign right to tax property within their territorial limits. This is not an effort to take the lands from this company, but I do say, sir, that the United States Government has shown this and the other companies favor enough, and should not now grant them the additional favor of preventing their lands from being taxed to the great injury and embarrassment of the States and Territories.

The Northern Pacific Railroad Company has offered no kind of excuse or justification for its failure to pay these costs. It has no excuse. I do not overlook the fact that benefits have resulted to our common country from the building of these roads. It is conceded that much of the territory traversed by them was not long ago considered a great desert, which has since their advent been made to blossom as the rose; that before their construction much of it was

A solitude of vast extent untouched By hand or art; where Nature sowed herself And reaped her crops.

But, sir, the Government has done enough for them; it has done its part; let them now be required to do their part by the public which still has some rights left they are bound to respect. The remedy, sir,

By reason of the technicality of our land laws the bill is a long one and may be called technical. We believe, however, it affords the remedy for the evils I have set forth, and out of which the complaints have

An examination of the bill will show that it provides that within ninety days from the passage of this act, or within sixty days after the filing in the respective land offices in the districts where the lands lie of plats of the townships embracing the lands, the company is required to select the lands it is entitled to and to pay the costs of surveying and conveying these lands. There can be but little trouble in making such selection. The plats will be filed in the public offices; they will contain a survey of all the lands within the limits of the grant, and it can not be difficult for the company to go into those offices and select the sections to which it is entitled under the law.

If the company, for any reason, refuses to discharge that duty then the act provides that it shall be the duty of the Secretary of the In-terior to notify the company of the amount of land it is entitled to patent under the laws, and of the amount it is required to pay into the Treasury of the United States for the cost of selecting, surveying, and conveying the same, and if the company does not, within sixty days thereafter, pay such sum into the Treasury it shall be the duty of the Attorney-General to institute suit in a circuit court of the United States having jurisdiction of the question to compel the company to pay the Government the amount found due from the company. suit or suits thus instituted should be brought against the lands of the company to enforce the lien thereon for the costs. The Government has no lien upon the lands except for these costs; so when they are paid the company will own the lands free from any lien of the United States.

The other feature of the remedy proposed by the bill is that, pending any litigation with the company, it is provided that as soon as the lands shall be surveyed by the Government, and the table which I have have been surveyed, they may be taxed by the States and Territories in which they lie, notwithstanding the patent may not be issued from the Government. By the provisions of the bill the United States Government will surrender for the time being that principle of sovereignty in it which exempts the lands from taxes while it holds the title, and concedes the right to the States and Territories to tax the lands.

The lien of the United States, however, for these costs fixed now by the retention of the titles to the land, shall be and remain a first lien thereon, and the purchaser at any tax-sale of the lands will only get a patent from the United States by paying to it the costs of survey and selection of the particular tracts he buys.

In this way the lands will be taxed by the States, Territories, counties, and municipalities, and the collection of the taxes may be enforced on the land, but the title thereto at such sales will be taken by the purchaser subject to the lien of the United States for these costs and will get no title until he pays the Government these costs, that is, the costs on the tract he buys.

CONCLUSION.

Other measures may be, and probably will be, called up for consideration, but the three I have mentioned are the leading ones. They are of sufficient importance to demand the attention of this House. Congress is voting away large amounts of money out of the Treasury in payment of pensions, and in various other ways. Let us turn our attention to measures which will bring some into the Treasury to meet this heavy drain upon it, particularly when we are compelling gigantic corporations which have plundered and robbed the people for years to make the contribution.

It is time we were moving in all these matters of so much interest to the country. These railroads should be held to a strict account. Their history from their inception shows a long chapter of colossal plundering. One of them, the Union Pacific Company, was built by an organization called the Credit Mobilier, which was but another name for the Pacific Railroad ring, as has been openly charged by a distinguished gentleman who is now the president of one of the companies. He said that according to the facts developed before a committee of Congress its frauds and evasions of the provisions of its charter; its issue of vast amounts of stock, without the payment of any money thereon; its bribery of a Government director to certify to the completion of a section of the road in advance of its completion; its bribery of Congressmen in order to secure the passage of the act of 1864 giving it land and bonds; its tortuous methods for the purpose of concealing its frauds, and by which a great many were successfully concealed, fully justified in the opinion of the committee the abrogation of the charter of the company. He said further that history does not furnish a similar example of bad faith, avarice, and turpitude. There should be no discriminations in favor of railway corporations, but, like all persons in this country, they should be required to respect and obey the law.

I trust that the resolution under consideration will be adopted, that

these important measures may all receive prompt consideration by this House, and that before the adjournment of this Congress they may become laws. I will not have time to mention in detail the other measures we will ask to have considered. The magnitude of the questions involved in the measures I have already mentioned and discussed, the urgent necessity for the Government to obtain the relief they will give if passed and become laws, will, I trust, be sufficient apology from me for the time I have consumed in addressing the House.

The Public Revenues are a Public Trust-No Subsidies.

SPEECH .

HON. JAMES M. RIGGS,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 20, 1886.

On the Senate amendments to the bill (H.R. 5887) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1887.

Mr. RIGGS said:

Mr. CHAIRMAN: In further discussing the sixth Senate amendment to this bill I may, necessarily, to some extent, repeat portions of what I have said before, but, so far as possible, I desire and intend to avoid

repetition.

The first question I want to consider is, whether the amount of money-\$800,000-mentioned in the amendment if paid out during the next fiscal year for carrying our foreign mails to the countries enu-merated in the amendment will constitute only adequate pay for the service rendered by the steamships, or whether it will in reality con-

stitute a subsidy to the steamship companies.

The total cost of carrying the whole of our foreign mails on the seas in the fiscal year 1885 was \$331,903.33. The estimates for this service in the fiscal year 1885 was \$331,903.33. The estimates for this service for the ensuing fiscal year as first made, printed in the Department reports and submitted to Congress, put the sum necessary to be appropriated at \$350,000 in the event we should pay steamships of American register the same rates they received in 1885, and \$425,000 if we should conclude to pay them full sea and inland postage, which is the highest compensation that can be given under existing law.

The following is the estimate mentioned:

The following is the estimate mentioned:

The following amounts are estimated as required to be appropriated for the foreign-mail service for the fiscal year ending June 20, 1887:

"For the transportation of mails, including railway transit across the Isthmus of Panama, calculated at the rate heretofore paid for said service, \$350,000."

If it should be decided to pay to vessels of United States register, for the transportation of mails to foreign countries, the whole amount of the postage collected on the mails conveyed (calculated at the Postal Union rates of postage, namely, 5 cents per \(\frac{1}{2}\) ounce, or \(\frac{3}{2}\).60 per pound, of letters and post-cards, and 1 cent per 2 ounces, or 8 cents per pound, of other articles), the above estimate for "the transportation of mails." &c., would be increased from \(\frac{3}{2}\)500,000 to \(\frac{3}{2}\)25,000."

A revision of the above estimate, made by the Department after the departmental reports had been forwarded to Congress and printed, convinced a majority of the House that \$375,000 would be sufficient to pay American steamships the full amount of sea and inland postage, and sea postage to all other vessels carrying our foreign mails. And, therefore, in the bill as reported by the House committee and as it passed this body provision was made for the latter sum. The Senate added the sum of \$800,000 by the amendment now under discussion, making a total of \$1,175,000.

The amendment, however, provides that this additional sum may be expended only for carrying such of our foreign mails as may go to Brazil; the republics of Mexico, Central, and South America; the Sandwich, West India, and Windward Islands; New Caledonia, New Zealand, and the Australian colonies; China and Japan; and, further, that it shall only be paid for carrying such of our foreign mails to these countries as may be carried in American built and registered steam-

In order to determine whether or not the expenditure during the next fiscal year of such a sum of money for carrying that portion of our foreign mails to the countries named in the amendment which may go in American-built and registered steamships would or would not amount to a subsidy it is necessary to ascertain as nearly as possible what it would be worth to carry them.

I am in favor of giving fair, adequate pay for all services rendered to our Government. We are amply able to pay a fair price for all we get, and nothing less than that can be right. If, upon business principles, it is really worth \$800,000, then we ought to concur in the amendment and provide that sum of money for the purpose contemplated. But if it is not worth that sum, then the payment thereof to the steamship companies would be a subsidy to the extent of the excess over the

actual worth of the services.

As already stated, the cost of carrying the whole of our sea-going foreign mails in the fiscal year 1885 was \$331,903.33—nearly \$43,000 less than the sum provided in the bill as it passed the House, and nearly \$843,000 less than will be provided if this Senate amendment shall be adopted. Either we paid a shamefully low price in 1885, or the advocates of this amendment propose to pay more than the services can be worth in the next fiscal year.

It is contended in argument that the fact that nearly all our American steamships refused to carry our mails after the compulsory feature of our statutes was repealed is evidence that the pay was not enough. For, say the advocates of this amendment, the American steamship-

owners are, at least, ordinarily shrewd business men, and own and operate their vessels for the purpose of making money, and if the pay was adequate they would not have refused to carry the mails and was adequate they would not have refused to carry the mains and thereby lost a service which was paying an adequate compensation. The inference drawn is not necessarily correct. By recurring to the history of our postal affairs we find that once before there was an attempt to force the Government into paying more for carrying our foreign mails than the Post-Office authorities or Congress deemed reasonable.

In 1862 Cornelius Vanderbilt, who was a large owner of American steamships proposed to have more for carrying our foreign mails than

steamships, proposed to have more for carrying our foreign mails than the service was worth or not carry them. Supposing he had the power in his own hands, he notified the Post-Office Department that after the 21st of March, 1862, he would not take the South Pacific, or any other of our foreign mails. Thereupon the Postmaster-General asked Congress to provide by law for compelling our own common carriers on the ocean to take our mails, the result of which was the enactment of what have been known in this debate as "the compulsory" provisions of our statutes, the repeal of which took effect on the 1st of April last year. Those provisions of our statutes passed both Houses of Congress withuot opposition, and remained in force twenty-one years without serious question.

This is evidence to my mind that steamship owners, when they think they have the advantage, may ask more for a service than it is worth, and may even refuse a fairly paid service for the purpose of compelling

payment of more than fair compensation.

We have herotofore paid and are now paying sailing vessels and steamships of foreign register the international rates of sea postage, which amount to about 1½ cents per letter and about 4½ cents per pound for That is what we paid in 1885 to those vessels, and in most newspapers. instances the same rates to steamships of American register. Since our American steamships refused to carry our mails last year the Department has been obtaining their carriage at those rates. And the present arrangements for carrying them seem to be satisfactory to our people, excepting the steamship owners and their friends. The cost of having them carried during the ensuing fiscal year, considering the relative quantities carried, will not be greater than it was in 1885. Now, looking at the carriage of our foreign mails only, and as a mere business proposition, if we can have the service performed next year for \$375,000 will not the payment of \$800,000 more than that be a subsidy to just that extent?

But for the purpose of determining further whether the sum proposed by this amendment will amount to a subsidy, I want to compare the freight rates and parcels-dispatch rates charged by American steam-ships with what the Government offers to pay them for carrying our foreign mails. The Department has offered them sea and inland postage for letters which amounts to \$1.60 a pound, and 8 cents a pound for newspapers. By the bill as it passed the House we made provision for such payment. The Senate proposes to increase the provision more than threefold, giving the whole increase to American steamships plying between the ports of the United States and certain enumerated foreign countries. Let us compare the pay at sea and inland postage, provided for by the House, with freight and parcels-dispatch rates.

During this discussion I have already said:

provided for by the House, with freight and parcels-dispatch rates. During this discussion I have already said:

I remember the gentleman from Michigan on a former occasion said to the House—I came near saying curtly; he said it bluntly at all events—that those of us who chose to compare the money paid for carrying the United States mails with the amount paid for the parcels-dispatch and for freights could have no argument with him; and yet notwithstanding his longer experience, notwith-standing the confidence with which he has made his statement. I am disposed to make a comparison of that very character. I do not intend to weary anybody else, or myself, with a long detail of figures here. It is sufficient for my purpose and for the purpose of this argument to state general results which the official figures will bear out.

You may take the "Red D." line, the United States and Brazil line, or any other line of steamers, take all of the lines, compare the rates paid on each by the Postmaster-General, or which he has offered to pay, and which they refused, with the rates paid for carrying freights, and it will be found that the Postmaster-General offered these American steamships, if they would carry our mails to such countries as they were sailing to (and impose upon them no other conditions than those that were imposed by the conditions of their ordinary traffic)—he offered them a rate that would pay them from forty to nearly one hundred times the amount that they were getting for carrying freight.

He offered them a rate which would pay them an average of four times as much for carrying the mails as they were receiving for carrying an equal weight of parcels at their dispatch rates. Now, is it fair to compare these payments? I think it is if we consider the duties and responsibilities, the labor and the expense is imposed that is not imposed in carrying parcels? What expense is imposed on a steamship carrying parcels? The gentleman from Michigan [Mr. Burrows], alluding I think to the United States and Brazil l

board and lock them up in a small room 8 feet each way. That is the end of the attention the mails have until they reach the port of destination in South America. And then they were bound when they carried our mails to put these mails ashore as speedily as was practicable and deliver them to the postal authorities at the port of destination. That is the attention the mails have.

Now take the expense at one port of destination. At Pernambuco the United States and Brazil Company say they expend \$30.80 on one trip in putting the mails ashore. I do not know whether they do or not. I sometimes doubt it, for the reason that other portions of the statement will not bear close inspection and analysis. But suppose they do expend \$8.40 at New York and \$30.80 at Pernambuco, these payments furnish no warrant for paying 50 cents a nautical mile, amounting to \$5,000 a round trip, for carrying the mails.

They ought to get back the money they pay out and a fair amount for carrying the mails. But when they have put the mails on board, receiving them in closed pouches, locked them up in a small room, put them ashore at the port of destination, and delivered them to the postal authorities, then their duties are performed. Now, what is their duty as to parcels carried at their dispatch rates for which they get not one-fourth of what the Postmaster-General offered them, sea and inland postage, for carrying the mails? They receive them I supposent some office in New York city and convey them to their vessels; they take just as good care of them as they do of the mails. They are sent at higher rates because the senders attaches some special value to them; just as in our own country we send parcels by express and pay higher rates than freight rates because some special value attaches to the parcel. They take as good care of them as they do of the mails. At the port of destination they deliver them to some office just as they deliver the mails at the post-office. And so far as duty is concerned and so far as responsibility is concern

I reiterate these statements, and desire to re-enforce them by figures

taken from official sources.

During the latest fiscal year for which we have reports (1885) the Pacific mail line from San Francisco to the Hawaiian Islands, New Cale-Pacific mail line from San Francisco to the Hawaiian Islands, New Caledonia, and the Australian colonies employed three ships, made thirteen round trips, and carried 95,374 pounds of our foreign mails. The sea and inland postage on this amount of mail would have amounted to \$41,018.65. Paid for at parcels-dispatch rates it would have yielded \$9,536.80; at freight rates, \$762.84. The mail pay on a given weight of mail during that fiscal year on this line, at sea and inland postage, would have amounted to nearly sixty times the pay at freight rates, and to more than four times the pay at parcels-express rates. It is proper to state that only one vessel of that line was of American register, and only that one could have received the full sea and inland postage. But the figures given illustrate the point I seek to make. However, let us take one vessel of that line; suppose that one of American register carried an average quantity of our foreign mails, and the figures would be as follows for each trip made by it during the year:

Pounds of mail, per trip	7,3	336
Sea and inland postage, per trip	\$3, 155	28
Parcels-express rates, per trip	733	60
Freight rates, per trip	58	68
0 11 0 0 0 0 1 1 0		ec.

On the same company's line from San Francisco to Panama for the same year the figures are as follows:

Pounds of mail carried during years	1	4,0	000
	\$3,4	96	18
Pay at parcels-dispatch rates	1,0	02	55
Pay at freight rates		71	69

Here is an instance where the mail paid for at the full sea and inland rate would have cost for its carriage \$3,496.18, while the carriage of the same weight of freight would have cost only \$71.69. Yet we are curtly told we can not have an argument if we seek to make these comparisons. On this line the formance of the same weight parisons. On this line the figures per trip are as follows:

Pounds of mail, per trip	573	
Pay at sea and inland postage, per trip	\$140 20	
Pay at parcels-dispatch rates, per trip	40 12	
Pay at freight rates, per trip	2 86	

On the line from New York to Colon (same company) the figures are:

Pounds of mail carried during year	110	,169
	\$19,663	2 49
Pay at parcels-dispatch rates	7,71	2 10
Pay at freight rates	41	1 40

On this route the average figures per trip are as follows:

Average pay at sea and inland postage, per trip	2,899 \$517 43 202 97 10 85

The same company's line from San Francisco to Yokohama, Hong-Kong, and to United States consul at Shanghai:

Pounds of mail carried during year Pay at sea and inland postage Pay at parcels-dispatch rates Pay at freight rates	37, 584 \$10, 125 72 3, 758 40 226 08
The figures per trip are as follows:	

2,088 \$562 54 208 80 12 56

On the New York, Havana, and Mexican Mail Steamship Company's

the following are the figures:	i micarco,
Pounds of mail carried during year	\$11,932 00
And the following are the figures per trip:	2111
Average pounds mail per trip. Average pay, per trip, at sea and inland postage Average pay, per trip, at parcels-dispatch rates. Average pay, per trip, at freight rates	\$238 64 64 58
Red D line, New York to Venezuela and Curação:	,

shins from New York to Cuba Porto Rico St Thomas and Mayion

Pounds of mail carried during year
Pay at sea and inland postage
Pay at parcels-dispatch rates
Pay at freight rates

The trip figures are as follows: Average pounds mail per trip.
Average pay at sea and inland postage
Average pay at parcels-dispatch rates.
Average pay at freight rates. 494

Steamer San Pablo, of the Occidental and Oriental line, the only one of that line's steamers which is of American register:

Pay at parcels-dispatch rates	744 00 44 65
The following figures show the trip results:	
Average pounds of mail, per trip Average pay at sea and inland postage. Average pay at parcels-dispatch rates. Average pay at freight rates.	1,488 \$394 77 148 80 8 93

New York and Cuba mail line, Cuba, &c.: Pounds of mail carried during year.
Pay at sea and inland postage
Pay at parcels-dispatch rates.
Pay at freight rates.

The following are the trip figures on this line: Average pounds of mail, per trip
Average pay at sea and inland postage
Average pay at parcels-dispatch rates
Average pay at freight rates

United States and Brazil Mail Steamship line, from New York to Bra-

5	Pounds of mail carried during year. Pay at sea and inland postage. Pay at parcels-dispatch rates.	\$5,791 93
	Pay at freight rates.	1,789 84 151 45
2	The following are the trip figures:	

Average pounds of mail, per trip.
Average pay at sea and inland postage.
Average pay at parcels-dispatch rates.
Average pay at freight rates.

Clyde line to Hayti, San Domingo, and Turk's Island:
 Pounds of mail carried during year
 7,897

 Pay at sea and inland postage
 \$1,462

 Pay at parcels-dispatch rates
 552

 4 Pay at freight rates
 27

 54
 75

The trip figures are as follows: Average pounds of mail, per trip
Average pay at sea and inland postage.
Average pay at parcels-dispatch rates.
Average pay at freight rates. \$86 01 32 52

American Steamship Company, from Philadelphia to Queenstown:

 Pounds of mail carried during year
 5,003

 Pay at sea and inland postage
 \$1,638

 Pay at parcel-dispatch rates
 162

 Pay at treight rates
 13

 43
 43
 The following are the trip figures:

Average pounds of mail, per trip
Average pay at sea and inland postage.
Average pay at parcels-dispatch rates.
Average pay at freight rates.

These are all the steamship lines, making regular sailings, that were entitled, under the law, to receive full sea and inland postage in the fiscal year 1885, and there are no other lines making regular sailings now that are entitled to that pay. An examination of the foregoing figures, taken from official sources, will disclose that the sea and inland postage will pay for carrying the mails from a little less than forty times to more than a hundred times as much as is charged for carrying the same quantity of freight. And yet it is proposed to expend hundreds of thousands of dollars more than we are expending now, under the pretense of paying for carrying our mails to certain enumerated countries.

Now, I put the question, does justice to these steamship companies demand the payment of more than we have offered and provided for? I think not; and I further think that the payment of the \$800,000 provided in the Senate amendment to them will, if made, amount to giv-

ing them a gratuity out of the public Treasury.

In this discussion some of the friends of the amendment have compared the pay of the star-route service, railroad service, and steamboat service with the pay of steamships.

Emphasis is placed upon the statement that in 1885 we paid for the star-route service \$5,576,218, while for the same year we paid \$331,-903.33 for our whole foreign mail service, including what was paid to foreign vessels, which was much the larger portion of the outlay. Nothing is said, however, about the fact that the star-route carriers perform a greater amount of service both in quantity of mail and in miles of travel.

Our attention has been called, also, to the fact that in 1885 we paid for our railroad service \$13,735,204, and this sum has been compared with what is denominated the insignificant amount paid for carrying our sea mails, but care is exercised not to say anything about the fact that in weight of mails and miles traveled the railroad service is enormously greater than the ocean mail service.

We are also called on to consider the fact that we paid, in the same year, \$511,669 for steamboat mail service, and a smaller sum for ocean service, but the different and more burdensome conditions imposed on

steamboats are not mentioned.

With reference to the star-route service the fact should not be forgotten that in nearly every instance the person carrying the mails is invited by the Government to put upon the route the means and labor necessary to carry them, and no other kind of carriage is connected therewith, neither can it be, from which the carrier might derive some compensation and thereby cheapen the cost to the Government. It is different with steamships. The Government did not invite their owners to put them on the high seas for the sole purpose of carrying foreign mails, but they put them there for the purpose of carrying freights, ssengers, and whatever they could secure for carriage at remunerative rates. Being there, as common carriers, it is not unreasonable to

ask that they carry our mails for fair pay.

As to the steamboats which carry inland and coastwise mails a fair comparison would note the fact that they must depart on schedule time and make schedule time on each trip, and that they are liable to fines and deductions if they fail either to depart or arrive on time. They can not wait for freight or passengers, but when schedule time arrives for the departure of the mails they must go, even if wholly without cargo. This is in no sense true of the ocean steamships. They arrange their own schedules and change them at pleasure. On the voyage they make such speed as they choose. They may wait as long as they please for cargo and choose their own rate of travel.

As we are asked to provide for paying these steamships by the mile, regardless of the great or small quantity of mails carried, it will not be unfair to reduce to mileage the pay of the other three branches of the mail-carrying service for the purposes of comparison. The followthe mail-carrying service for the purposes of comparison. The following table, prepared by the Superintendent of Foreign Mails, exhibits the comparison on the mileage basis:

Comparative statement showing the average amount paid per mile during the fiscal year ended June 30, 1885, for the transportation of United States mails by railway, star routes, steamboats, and coastwise service, American steamship service to foreign ports; and average amount paid to the eight principal American lines of steamships, and the amount that would have been paid if the American steamships had received the sea and inland postage on the mails conveyed.

Service.	Number of miles traveled.	Total compensation.	Rate per mile,
Railways	151, 912, 140 83, 027, 321 3, 540, 607	\$16,627,983 00 5,414,804 00 563,002 00	Cents. 10. 95 6. 52 15. 9
American steamships to foreign ports— outward—sea postage	1,024,126	46, 223 69	4.5.
American steamships, eight principal lines—outward—sea postage	810, 829	43,492 48	5.3 14.4

From which it appears that the railways received in 1885 nearly 11 cents per mile; star-route carriers received an average of a little over 61 cents per mile; the steamboat and coastwise service nearly 16 cents by cents per fine; the steamships, at the rate provided for them by the House, would have received nearly 12 cents per mile. This applies only to the eight principal American lines, there being no other pretending to make anything like regular sailings.

So, if we pay them sea and inland postage, which is proposed by the opponents of the Senate amendment, they will receive more per mile than the railroads, notwithstanding the fact that railroad transportation is universally more costly than water transportation. They will receive nearly twice as much per mile as is paid to the star-route carriers, and about two-thirds as much per mile as steamboats doing inland and coastwise carriage, and being compelled to sail and arrive on schedule time, cargo or no cargo.

The mails carried on the star routes and inland and coastwise steamboats are not weighed, so we can not compare them with the steam-ships by the pay per pound, but railway and ocean mails are weighed,

and the comparison on the basis of pay per pound may be made between the railroads and the steamships. The following table represents the the railroads and the steamships. cost per pound on nine of our railroad routes, and also across the continent, from New York city to San Francisco:

Cost per pound for transportation of mail matter on nine railroad routes.

Route,	Termini.	Distance.	Pay per annum.	Average daily weight.	Cost per pound one way.
		Miles.	****	Pounds.	-
6011	New York to Buffalo	442	\$681,223 26	99, 901	\$0.0217
7004 8001	New York to Philadelphia Philadelphia to Pittsburgh	90, 89 352, 9	181,771 81 484,795 71	136, 401 91, 679	.00425
21002	Pittsburgh to Chicago	468	195, 431 51	23,003	.0271
21002	Buffalo to Chicago	540, 20	610, 943 70	69, 142	.0282
23007	Chicago to Burlington, Iowa	206	193, 071 60	54, 621	.0112
27005	Burlington to Union Pacific transfer.	291	179, 268 00	37, 031	.0154
34001	Union Pacific transfer to Ogden.	1,034.08	447, 438 15	23, 990	.0595
46001	San Francisco to Ogden	834, 03	319,642 86	18,754	.0544

Cost per pound from New York to San Francisco, via Buffalo...... Cost per pound from New York to San Francisco, via Pittsburgh......

And the following statement, showing average price per pound for conveyance of foreign mails, except the transatlantic, at sea and inland postage (5 cents per half ounce of letters and 1 cent per 2 ounces of prints), during the fiscal year ended June 30, 1885, exhibits the pay to steamships carrying mails to the countries named in the Senate amend-

West Indian, Mexican, Central and South American service

These tables were prepared, the first at the railway mail office, the second at the foreign mail office, and may be relied on as correct. I do not propose now to comment on all the items they contain. They

not propose now to comment on all the items they contain. They speak for themselves, but not in favor of higher ocean mail pay.

On railroad route 34001, a distance of 1,034 miles, the pay per pound in 1885 was within a small fraction of 6 cents. This route is more than one-third the length of the average distance traveled by the steamships carrying our foreign mails to the West Indian, Mexican, Central and South American countries, but it receives only a very small fraction over one-third the pay per pound.

The cost per pound across the continent by rail, about 3,000 miles, is, in round figures, 19 cents. The pay for the Brazilian service, at sea and inland postage, by steamship, amounts to a little over 19 cents per pound. These are interesting facts when we remember that a railroad built and equipped to carry a certain weight costs incomparably more built and equipped to carry a certain weight costs incomparably more than steamships built and equipped to carry the same weight the same distance. In one instance, the road-bed must be provided and maintained at enormous cost. In the other instance, Providence has furnished and maintains the road-bed. In short, water transportation is cheaper, the world over, than railway transportation.

None of these comparisons indicate that more than sea and inland postage is due to steamships for carrying our foreign mails. On the contrary all of them show that a greater rate of pay would be more than adequate. Our experience in the past shows that we can have all our foreign mail service by sea performed during the ensuing fiscal year for the sum of \$375,000 and pay all our American steamships full sea and

inland postage.

The President in his annual message to Congress says this is adequate pay. This is his language:

The rate of sea and inland postage, which was proffered under another statute, clearly appears to be a fair compensation for the desired service, being three times the price necessary to secure transportation by other vessels upon any route, and much beyond the charges made to private persons for services not less burdensome.

And the Postmaster-General is also clearly of the same opinion. In his annual report he says:

his annual report he says:

The general conclusion seems sustained by the facts that, except special circumstances should require a greater, the rate of sea postage is remunerative for the service of carrying the mails.

The statute authorizes the entire sea and inland postage to be paid to American steamships, although but sea postage may be allowed to foreign vessels—a proof of the legislative judgment that the latter rate is sufficiently remunerative to command the service, as the fact is.

This statute appeared to afford power to make abundant compensation for all the service necessary until the next session of Congress.

The accompanying tables, prepared in the foreign-mails office, show that this would have yielded to the following American companies, on the basis of last year's business, respectively:

To the Pacific Mail Steamship Company, on its New York and Colon line, \$19,275.82, as against \$7,501.78 at sea postage, and \$7,679.49 at its parcels dispatch rates, and \$411.40 at its freight rates, for nearly 55 tons of total mail; an average of \$507.26 per trip for 2.899 pounds of matter, which it would have carried for \$10.82 at freight rates and \$202.09 at parcels-dispatch rates.

On its San Francisco and Panama line, \$3,496.18 for about 7 tons, against \$1,238.44 at sea postage, \$71.69 at freight, and \$1,002.55 at parcels-dispatch rates.
On its San Francisco and Yokohama line, \$10,125.80 for less than 19 tons, against \$3,506.64 at sea postage, \$226.34 at freight rates, and \$3,768.40 at parcels-dispatch rates.
On its Australian line, \$41,018.65 for about 48 tons, against \$12,565.29 at the special rates paid heretofore, \$762.93 at freight rates, and \$9,537.40 at parcels-dispatch rates; an average per trip of \$3,155.28 for 7,335 pounds, nearly fifty-four times its freight rates, over four times its parcels-dispatch prices, and a better average price per trip than the average paid across the Atlantic by \$2,505.92.
To the Venezuelan Red D line, \$3,942.86 for about 8 tons of mail, against \$1,332.95 at sea postage, \$58.34 at its freight rates, and \$1,135.01 at its parcels-dispatch rates.

patch rates.

To the New York and Cuba line, \$5,203.48 for about 12 tons, against \$2,271.94 at sea postage, \$61.63 at freight rates, and \$1,548.17 at its parcels-dispatch rates. To the New York, Havana and Mexican line, \$11,932.11 for about 25 tons, against \$4,134.13 at sea postage, \$129.17 at freight rates, and \$3,229.33 at parcels-dispatch rates.

These facts seem to prove that the total sea and inland postage is an abundant recompense for the proposed service; and, without further recapitulation, reference to the tables will show the amounts to the other lines a proportionate compensation. If this be correct judgment no more could be rightfully expended of the appropriation unless other objects were to be sought than the care of the postal service.

For years the law has limited the Post-Office Department to not exceeding sea and inland postage to American steamships, showing the ceeding sea and inland postage to American steamships, showing the legislative judgment for a long period of time to have been that such pay is adequate in all cases. The facts and figures show it to be adequate. The President says it is adequate. The Postmaster-General, who has given the matter much thoughtful consideration, says it is adequate. For many years we have had, and are now having, our foreign mails carried in an expeditious and satisfactory manner for less than

sea and inland postage.

Then why provide \$800,000 more and limit its expenditure to our steamships sailing to the countries named in the amendment? Mr. Chairman, only about 8 per cent. of our foreign mails in 1885 went to those countries. Over 91 per cent. of it was transatlantic and went to countries not named therein. The proportions will be about the same next year. We will secure the carriage of the 91 per cent. to transatlantic countries for about \$300,000-probably for a little less than that sum. Then is it necessary to provide \$800,000 to pay for the carriage of only a little over 8 per cent.? All the facts, fully examined and

of only a little over 8 per cent.? All the facts, fully examined and candidly considered, show that sea and inland postage would furnish fair and adequate pay to American steamships for carrying our foreign mails, and for that the bill provides, without the \$800,000 sought to be appropriated by the Senate amendment.

This being true, and it seems to me there is no answer to the facts I have mentioned, what shall we call the proposition contained in the Senate amendment? It is simply a proposition to pay subsidies to our steamship companies under pretense of paying compensation for carrying mails. It appears to me there is no escape from this conclusion. The more candid friends of the amendment frankly say it is a The more candid friends of the amendment frankly say it is a proposition to pay subsidies. Having determined that the amendment is merely a provision for paying subsidies, the next question I want to consider is whether it is right and desirable to adopt such a policy?

I do not think it is ever right to take money from the public Treas-

ary and pay it to a private individual for nothing. To do so is to violate one of the fundamental principles of our law. If the Government, through its law-making power, may take \$800,000 of the people's money and give it to the millionaires who own American steamships as a mere gratuity, then it may take ten times that sum, or any other amount, and thus the means of the many who contribute to the Treasury may all be taken and given to the few. It is not a correct principle to pay gratuities. The Government should pay fairly for what it gets; it should give nothing as a subsidy.

Those friends of the amendment who are frank enough to admit that it is a subsidy scheme justify it and insist the policy is desirable on the ground that it will build up our languishing carrying trade and enlarge our commerce, especially with the South American countries. Will it do this? I insist it will not to any degree that will justify us in entering on such a policy which when once adorted will be diffiing on such a policy-a policy which when once adopted will be difficult to abandon, because when those possessing great wealth once in-trench themselves in the national Treasury they usually find the means of maintaining their vantage-ground, at least until the wrong becomes so palpable and enormous that public sentiment absolutely revolts and drives them out.

But how can the payment of subsidies secure to us the sale to South American countries of our products, especially our manufactured products? How can such a policy enable our manufacturers to compete in South America with those of Europe?

The gentlemen who support this amendment are the same gentlemen who support the protective policy. They tell us that protection by means of a high tariff, often amounting to a prohibition on imports, is absolutely essential to the welfare of this country, and it has usually been assigned as a reason that we can not compete in our home markets with the manufactures of Great Britain, Germany, and other European countries.

How many times has it been asserted on this floor that a reduction of our tariff taxes will close our factories, because they can not compete with the cheaply-made goods of our transatlantic neighbors? The protection theory grew out of and is based on the fact that other people | sidies.

can manufacture most of the articles we manufacture cheaper than we Now, if our manufacturers can not sell their products at home, at their own shop-doors, in competition with other nations who must pay the expense of transporting their goods across the ocean, how can it be expected that our same manufacturers will transport the same manufactured products 3,000 miles to Venezuela, or 5,000 miles to Brazil, and there compete with the products of other countries?

To take money from the people's Treasury and put it into the coffers of the American steamship-owners will not reduce the cost of making cutlery in Connecticut, or cotton goods in Massachusetts, or earthenware in New Jersey. To pay subsidies to the steamships can not by possi-bility render the cost of manufacturing cheaper in this country. And whether we do or do not secure a trade with the Central and South American countries depends on whether we can furnish them what they

want at as cheap or cheaper rates than others.

When we can furnish them as cheap as others we may expect to secure a fair portion of their custom; when we can supply them cheaper than others we may expect, if we choose, to monopolize their custom. It is a question of price. And upon this point I want to quote from the testimony given before the commission we recently sent to Central and South America. Mr. W. G. Boulton, one of the owners of the Red D line of steamships engaged in the trade to Venezuela, whose firm has had an experience of forty years, speaking of the South American trade, said:

The question of foreign trade is one of price, and if in this country they can not obtain manufactured articles at the same prices that they can obtain them in Europe, very naturally this country will not obtain the trade.

And again, in speaking of the Europeans and the fact that we must compete with them if we get South American trade, he says:

You have got to compete with these people, you have got to put the prices down to compete with the Manchester prices for the dry goods, or you can not get the trade.

This gentleman is one of those to be benefited by the payment of the proposed subsidy, and his firm has taken a deep interest in the suc-cess of the proposed amendment. His testimony on this point is really against his personal interest, and therefore is deserving of more consideration.

Not a great while ago our State Department sent instructions to some of our consuls and consular agents in Europe asking them to furnish information relative to the shipping interests of France, Germany, Great Britain, and Italy, with a view of profiting by the experience of those nations. The consular officers made reports, and Worthington C. Ford, chief of the bureau of statistics in the State Department, prepared a report upon the matter based on the reports of those officers. His report and the reports of the consular officers have been transmitted to this House, and may be found in Executive Document 172. The present Secretary of State, who has long served his country with distinction, accompanied that document with a letter of transmission, which is as follows:

which is as follows:

I have the honor to transmit herewith the replies of consular officers of the United States in France, Germany, Great Britain, and Italy to a circular prepared in this Department relative to the shipping interests of these nations.

This subject has of late assumed great importance through the efforts of certain of the leading commercial nations of Europe to stimulate by direct and indirect aid their mercantile marine, and thus to give it an energy which was considered unattainable without such aid. France, Germany, and Italy are paying bounties in various forms, with a view to stimulating the construction of vessels, to encouraging their navigation, and to placing their shipping in a more favorable position for securing a larger share in the carrying trade of the world than they would under natural conditions and with free competition obtain.

Had this policy been confined to a single nation, that nation might have derived some benefit; though the conclusions reached in Mr. Ford's report would seem to show that in France, where liberal bounties for the construction and navigation of vessels have been paid since 1881, the results have in no respect fulfilled the expectations of those who favored the policy. But when other nations enter the list and meet privilege with privilege and bounty with bounty, no advantage is gained, and the conditions of competition are changed. That nation which bids highest, which grants bounties and subsidies most liberally, holds the position of vantage, but only until other nations are willing to pay the same. Whatever advantages France has secured in the last four years will, in a measure, be neutralized by the bounty policy of Germany and Italy. This policy may lead to the construction of a certain amount of new tonnage, but is an open question whether there is a legitimate demand for this additional tonnage.

The indications are at present that there is a carrying capacity in excess of the

is an open question whether there is a legitimate demand for this additional tonnage.

The indications are at present that there is a carrying capacity in excess of the world's needs; and if this is a fact every ton constructed beyond what is required to repair loss and waste is only so much the more added to the dead weight of surplus tonnage, which, to be profitable, must depend upon the Lounty of Government, and this bounty is nothing more than a tax imposed upon productive industry for the benefit of 'an unnecessary and therefore unprofitable industry. The returns upon such a costly policy as the bounty system of France are small, and are due entirely to artificial conditions. Judging by the experience of the past these conditions must be continued to insure a maintenance to the shipping they have stimulated into existence.

To a nation possessed of large commercial interests, the bounties of other nations may give an advantage in the form of cheaper rates of freight—the result of increased competition. It may well be doubted whether it will be politic to sacrifice this advantage and impose an additional burden upon productive industry by the adoption of a system of bounties.

Respectfully submitted.

T. F. BAYARD.

DEPARTMENT OF STATE, April 9, 1886.

T. F. BAYARD.

From which it appears his judgment is against the payment of sub-That judgment, considering his long experience in public affairs and his distinguished ability, ought to have weight, at any rate on this side of the House

Being the head of the State Department, and one of the official advisers of the President, it is not improper to conclude the Chief Executive is also against the policy. At least the President is opposed to paying subsidies to steamships, through the Post-Office Department, under the pretense of paying for carrying the mails.

The Post-Office appropriation bill for the current fiscal year has a provision in it, placed there by a Senate amendment, concurred in by

the House at the last moment to prevent an extra session, under which the Postmaster-General was authorized to pay American steamships \$400,000 for carrying mails, which the President regarded as a subsidy and to which he was opposed. In his message to Congress he alluded

to the failure of the Postmaster-General to expend that sum of money,

and among other things said:

Whatever may be thought of the policy of subsidizing any line of public conveyance or travel, I am satisfied that it should not be done under cover of an expenditure incident to the administration of a Department, nor should there be any uncertainty as to the recipients of the subsidy, or any discretion left to an executive officer as to its distribution. If such gifts of the public money are to be made for the purpose of adding any enterprise, in the supposed interest of the public, I can not but think that the amount to be paid, and the beneficiary, might better be determined by Congress than in any other way.

He calls that provision to pay \$400,000 "a subsidy," "a gift," and opposes such a policy, especially when carried out through the Post-Office Department under the pretense of paying for carrying the foreign

That the Postmaster-General was opposed to such a policy is sufficiently established by the fact that, exercising the discretion vested in him by the law, he refused to expend the \$400,000 placed at his disposal. The whole Executive Department of the Government is evidently opposed to such a scheme. And we have here the spectacle of a Republican Senate attempting to force on a Democratic administration a policy to which it is thoroughly opposed. The question is, will this Democratic House permit such a thing?

And now I want to return to the consular reports and to the report

of Mr. Ford.

Mr. Sutton, our consular agent at the port of St. Nazaire, in France, where subsidies have been paid both to ship-builders and ship-owners for some years, says in his report:

The general opinion on the bounty question is that it has failed to produce the effect of serving the shipping trade, and has only resulted in creating a few large steamship companies, who have monopolized the whole of the carrying trade to the exclusion of sailing vessels.

Here we are officially informed that in France, where subsidies have been paid, the policy is a failure. The example of that country has been cited and often commended to us by the friends of the subsidy policy on this floor. I commend to them the above official information as to the results of that policy in France, where it has been in operation for several years.

I also commend to them the official statement of Mr. Roosevelt, our

consul at Bordeaux. He says:

At the present time the shipping interests of the direction can be best described by the evidence unanimously given by the owners of ship-yards; they say "it is deplorable." The results of the ship-building for two years past have been literally nil. Out of a half-dozen or more yards only one remains that can be said to be on its legs.

Shipping matters proper, that is, the navigation of vessels, does not present a much brighter prospect. The companies declare that their dividends at times are trifling, often merely nominal. Now, whether this condition exists for the reason that a similar state of things exists in nearly all of the principal nations, such undoubtedly being the reports, can not and need not be determined here. At all events, it is true, and that in spite of the existence of a considerable aid advanced directly by the General Government, both to ship-building and private or public lines of vessels.

And also the following official statements of Consul Dufais, of Havre: Of the ocean-going steamships belonging to this port thirty-eight are now laid up for want of profitable business. Twelve sailing vessels belonging to Marseilles, fifteen under the Italian flag and twelve of Austrian nationality, are likewise tied up in this port awaiting the return of more prosperous times.

So, then, for the last two years there has been very little ship-building in France, and at the present time there is almost nothing doing. The four large boats building for the Transatlantic Company, above-mentioned, and costing about \$,000,000 of francs, or over \$1,500,000, apiece, had to be constructed on account of their contract with the government to carry the mails with the requisite speed, not because they were wanted in the trade.

In regard to the dividends, it can only be said that the lines of ships which were called into existence by reason of this bounty law are paying nothing; most of them are in a state of bankruptcy, in liquidation, or going into liquidation. Those lines that have been subsidized by government, though being lines which had already an established business and doing the regular trade, are paying either no dividends or only small ones.

Here it ameans that in France where liberal subsidies are paid many

Here it appears that in France where liberal subsidies are paid many ships are lying idle in their harbors, and ship-owning is unprofitable. Will it be wise for us to follow the example of that nation and by giving away the public revenues in large sums stimulate the building of ships simply to have them tied up in harbor or run without profit?

The French law inaugurating the bounty or subsidy policy, which has been so often and so earnestly commended to our consideration in the course of this discussion, went into effect in 1881. Prior to that subsidies were not paid. The subsidy policy of Germany, whose example has also been cited on the other side of the House, has not yet gone into effect, and heretofore no subsidies have been paid by that government.

Bearing these facts in mind, the following from the report of Mr. Ford relative to the shipping interests of Germany, France, and Italy is interesting and significant:

The number and tonnage of steam vessels were as follows:

Year.	France.		Germany.		Italy.	
1873	No. 516 522 537 546 565 588 599 652 735 832 895 938	Tons. 185, 165 194, 556 205, 420 218, 549 230, 804 245, 808 255, 959 277, 759 311, 779 416, 228 467, 488 511, 072	No. 253 299 319 318 336 351 374 414 458 515 603 650	Tons. 167, 633 189, 998 183, 569 180, 946 183, 379 179, 662 196, 343 215, 758 251, 648 311, 204 374, 699 413, 943	No. 133 138 141 142 151 152 151 158 176 192 201 215	Tons. 48, 573 52, 370 57, 147 57, 881 58, 319 63, 020 72, 666 77, 050 93, 698 104, 719 107, 452 122, 297

This table is very instructive as showing the continued increase of steam shipping throughout the entire period, bounty or no bounty. In only a single year in Italy was there a set-back, in 1579, when the number of ships was decreased by one, while the tonnage was increased by more than 9,600 tons; and in Germany, for a series of years, the tonnage decreased or fluctuated, to recover, however, and advance in later years. It also raises the question wherein was the need of subsidies for French shipping. In the period of 1873-'80 the number of steam vessels increased in France 136, or 26.3 per cent.; in Germany, 161, or 63.6 per cent.; and in Italy, 25, or 18.8 per cent. The advantage thus appears to lie with Germany. The tonnage shows a different result. In France it increased 92,594 tons, or 50 per cent.; in Germany, 48,125 tons, or 28.7 per cent.; and in Italy, 28,477 tons, or 58.6 per cent. While Italy shows the highest relative increase, it can not be compared with that of France. So that in the eight years prior to 1880 the French shipping was increased much faster in its most valuable branch, steam vessels, than either of its continental competitors.

The years 1880-'83 show still more remarkable results. The number of steam vessels in France increased 213, or 37.3 per cent.; in Germany, 189, or 45.6 per cent.; and in Italy, 43, or 27.2 per cent. The tonnage increased during the same period, in France, 189,729 tons, or 63.7 per cent. The increase in Germany, where no bounties were paid, was relatively greater both in number and tonnage of vessels than in France, where large bounties were in force after 1881.

And so it appears that during the period France has been paying lib-

And so it appears that during the period France has been paying liberal bounties the shipping interests of Germany have been more prosperous, although no bounties were paid thereto. No doubt the growth of those interests in Germany were natural and demanded by the trade, while in France an artificial activity in those interests, produced by the stimulus of subsidies, induced the construction or purchase of more vessels than were needed for her commerce, and resulted in ships lying idle or warning without profit idle or running without profit.

It appears, too, that the carrying trade of France increased more rapidly before 1880, when their subsidy law was enacted, than it did afterward. Mr. Ford makes a comparison between Germany and France

during the period from 1873 to 1883, and says:

The tendency has been the same in either case, and the showing is largely in favor of France, but not since the bounty system was inaugurated. The French carrying trade increased more rapidly before 1880 than after 1880, even allowing for the longer interval; and the German, while falling away in the previous years, more than regained what it had lost and increased at a higher rate than did the

After collating the facts and figures furnished by the consular offi-cers and carefully reviewing the whole matter, Mr. Ford concludes his report as follows:

his report as follows:

The bounties have succeeded in infusing life into neither ship-building nor ship navigation. France finds it cheaper to have her iron vessels built in Great Britain and a large share of her wooden ships in other countries. The lines of ships that were called into being through the liberal offers of the government are represented as being in a state of bankruptcy, and existing lines that participate in the bounties are either paying no dividends or very small amounts. The exports of France, reflecting as they did the slight reaction which ensued in 1879, have since declined and are still declining in value, and the decrease can not be explained by a fall in the prices of commodities, but rather by an absolute decrease in the foreign commerce of the nation. In fact, it may be asserted that the bounty policy of France, intended to bridge over a temporary depression, has aggravated the situation, and has proved itself to be a source of mischief and not of cure.

Now, in the light of all this, will a Democratic House concur in the amendment and thereby inaugurate a policy which has not been availing abroad, and to which the Democratic administration is opposed? Until it be accomplished I will not believe that this House will do such a preposterous thing.

But, Mr. Chairman, some of the advocates of the subsidy policy have contended that if the amendment be adopted the whole matter will be left in the discretion of a Democratic Postmaster-General so far as making contracts and expending the money are concerned; that he may make contracts with the steamships and expend the money, or he may not, at his discretion. Nobody ought to be deceived by this contention. If the amendment be concurred in by the House, the Postmaster-General will have little or no discretion in the matter, and it was not intended he should have any.

It has, in my judgment, been written carefully, with the design of

depriving him of his discretion.

As already mentioned, the Post-Office appropriation bill for the current year contained a provision, inserted by the Senate, and reluctantly concurred in by the House during the very last hours of the Forty-eighth Congress, under which the Postmaster-General was authorized to pay American steamships \$400,000 for carrying our foreign mails this year. The provision is as follows:

year. The provision is as follows:

Office of Superintendent of Foreign Mails: For transportation of foreign mails, including transit across the Isthmus of Panama, \$90,000; and the Postmaster-General is hereby authorized to enter into contracts for the transportation of any part of said foreign mails, after legal advertisement, with the lowest responsible bidder, at a rate not exceeding 50 cents a nautical mile on the trip each way actually traveled between the terminal points: Provided, That the mails so contracted shall be carried on American steamships, and that the aggregate of such contracts shall not exceed one-half of the sum hereby appropriated.

That provision was clearly directory and vested the Postmaster-General with a discretion. He exercised his discretion, no doubt honestly, and declined to pay out the money. And for doing so the steamship men, through marine and shipping journals and through a partisan press, have earnestly and persistently denounced him. He has been severely criticised and satirized on the floor of this House for exercising his best judgment, according to law. The language of the provision, it seems to me, could not be fairly construed otherwise than as merely directory. But if any doubt existed when looking at the words alone, none could remain after looking into the debates which occurred in the Senate and House when that provision was under consideration.

In the Senate on the 23d of February, 1885, Mr. PLUMB said:

I am willing to say to the Postmaster-General, and one not of my political faith, "I will give you discretion for this year," because this amendment of the Senator from Maine only applies to this year. * * * I am willing to say to the incoming Democratic Postmaster-General or to any Postmaster-General, * * * "you shall during these twelve months exercise a reasonable discretion as to what is proper for the service to be rendered."

And in the same body, on the same day, Mr. SAULSBURY said:

In reference to the merits of this proposition of amendment, the Senator from Maine simply proposes to vest in the Postmaster-General discretion to enter into contracts to pay the owners of American ships for carrying foreign mails such amount as he may deem proper.

In the House, on the 3d of March, 1885, Mr. TOWNSHEND, who had the bill in charge, said:

the bill in charge, said:

But, sir, we are met by the argument by gentlemen that as we have put the domestic mail service upon the basis of compensation for service rendered, and have intrusted to the Postmaster-General the discretionary power of making such contracts as he may in his judgment deem necessary for the interest of the public, that we could also, with equal safety, intrust to him the power to make contracts for mail service to foreign countries. * * * Why, if you allow the Postmaster-General to exercise discretion in making contracts for the coastwise and inland steamboat service, should there be any great apprehension of abuse of power in allowing him to exercise equal discretion in making contracts for carrying mails to foreign countries?

By these gentlemen the discussion was directed, in part, to the pro-priety of vesting the Postmaster-General with the discretion of making such contracts as were provided in the clause which I have quoted, there being no question, apparently, in the mind of any one as to the point that the power to be conferred was merely a discretionary one.

In the House on the 10th of February, 1885, Mr. DINGLEY, speak-

ing of the same provision, said:

It is to be observed that there is nothing in the measure proposed which requires the Postmaster-General to pay a single dollar to an American line of steamers. He may invite proposals for carrying the mails by American steamers to any country that he regards it proper to do so, and when he has received bids for this service he may reject any and all proposals which in his judgment it is not for the public interest to accept. If he can not obtain a proposal satisfactory to him he may send our mails by foreign competing steamers or by way of England. The absolute discretion vested in him in the foreign as in the domestic mail service, limited, however, in the case of the foreign service to the maximum sum of 50 cents per mile and the aggregate of \$600,000, would make the Postmaster-General master of the situation in the case of the adoption of the measure proposed.

And on the 3d of Morch, in the House Mr. Horr, who led the discuss-

And on the 3d of March, in the House, Mr. Horr, who led the discussion in favor of the proposition, expressly declared that it conferred discretionary power on the head of the Department. In the course of his remarks the following colloquy occurred:

remarks the following colloquy occurred:

Mr. Horr. This bill simply says that the incoming Democratic Postmaster-General may make such contracts with American vessels for carrying our foreign mails as he may now make with our coastwise vessels for carrying the mails on the coast.

Mr. Bingham. For one year only?

Mr. Horr. For one year only?

Mr. Horr. Certainly.

Mr. Morr. Certainly.

Mr. Morr. Certainly.

Mr. Horr. Certainly not.

Mr. Horr. Certainly not is is entirely optional with the Postmaster-General to use the appropriation or not as he may see proper.

Mr. Horr. Every dollar of it is left subject to his judgment. If he does not think that the service demands that a contract should be made with any vessel or any route he need not make it.

And, instead of my friend from Indiana arraigning Democrats here for voting on this thing, I say to you, when you vote against this proposition you vote a lack of confidence in your own Postmaster-General, which does not come with good grace from you.

good grace from you.

All this leaves no shadow of doubt that, under the provision I have quoted from the bill for the current year, discretion was vested in the Postmaster-General to pay the money to the steamship-owners or refuse to pay it, as he deemed best. Congress appropriated \$800,000 for the foreign-mail service, providing that not more than one-half of it should be paid to American steamships, and said to the Postmaster-General:
"Take this money and pay it over to the steamships if in your judgment you think it wise and best; if you think otherwise do otherwise."
He exercised the discretion vested in him, consulting the interests of the foreign postal service and of the whole people, instead of the private interests of the American steamship-owners; and, as I have already said,

has been roundly abused for doing it, both in the partisan newspapers and on this floor. On the 27th of March this year the gentleman from Michigan [Mr. Burrows] speaking of this matter said:

Michigan [Mr. Burrows] speaking of this matter said:

It is known to the country and conceded by all that this provision of the law remains unexecuted, and the will of Congress in this regard is entirely nullified. The law seems plain. There is nothing in it obscure or mysterious; but the Postmaster-General in this instance, in order to nullify the law, goes outside of its plain provisions to find reasons for making it a dead letter. Read the law and it seems easy of comprehension. What does it require? First, a contract with American steamships for carrying any portion of the foreign mails; second, after legal advertisement; third, to the lowest responsible bidder; fourth, at a rate not exceeding 50 cents a nautical mile each way actually traveled; and, fifth, \$40,000 is hereby appropriated to carry out contracts so made. Is there enything obscure in this statute? Certainly nothing. And yet no portion of this law has been executed. Nay, more, the Postmaster-General has never taken a step in the direction of its execution.

But suppose Congress should determine, as it did at its last session, to pay more for carrying the mails than for carrying hides. Is the Postmaster-General in that event to be heard to say, "I will not execute this law, because in my judgment it is paying too much." The question is two preposterous for debate. It seems to me that matter is no part of the business of the Postmaster-General; it is none of his concern. Congress determines the rate of compensation to be paid for this service; and when it determined to let this service to the lowest responsible bidder at a rate not exceeding 50 cents per nautical mile, it was the business of the Postmaster-General to at least make an effort to execute that law, instead of refusing to take any steps toward its execution, and then offering to Congress so trifling an apology.

How true it is sometimes that man—

Drest in a little brief authority,

Plays such fantastic tricks before high heaven As make the angels weep.

Mr. Chairman, I have not called attention to this matter for the purpose of making a defense of the Postmaster-General. In his annual report he has presented the subject fully, and has in an unanswerable manner shown that the discretion vested in him was properly and wisely exercised-exercised in the interests of economy and therefore

in the interests of the people.

In doing this he had the approval of the President. The latter of ficer so states in his annual message in the following unequivocal

It was decided, with my approbation, after a sufficient examination, to be in-expedient for the Post-Office Department to contract for carrying our foreign mails under the additional authority given by the last Congress.

But I called attention to this branch of the subject for the purpose of putting a question and if possible finding a correct answer to it. The owners of American steamships tested the discretion of the Postmaster-General under the provision for the present year, and have abused him all over the country and in this House because he did not ignore the right and exercise that discretion solely in their private interests. Are those same men anxious to test his discretion again? Having once done so and found him opposed to paying the people's revenue to a few steamship owners as a gratuity, why should they desire to repeat the experiment? Merely for amusement?

It is not amusement they are seeking. They are after the contents of the Treasury, and will be satisfied with nothing less than a goodly portion thereof. Mr. A. Foster Higgins, of New York, one of the leading advocates of the subsidy schemes of the steamship owners, and who has recently been before a committee of this House and made an argument in favor of the same, at a recent meeting held in Boston for the consideration of our shipping interests, in a speech, says:

We want subsidies, and there should be no quibbling over it,

Other speakers at the same meeting expressed the same sentiments. It is evident they are not merely seeking an opportunity to repeat the experiment of testing the Postmaster-General's discretion again on the subsidy question. That is not what they want. They want cash, and a liberal supply of it. The gentleman from Michigan [Mr. Burrows], in a question he puts in the quotation I have already made from one of his speeches, sounds the keynote of their song:

But suppose Congress should determine, as it did at its last session, to pay more for carrying the mails than for carrying hides. Is the Postmaster-General in that event to be heard to say, "I will not execute this law, because, in my judgment, it is paying too much."

It is plain what answer the gentleman and the American steamship owners would give to his question had they the full power to furnish the answer. Very quickly and unmistakably they would say, "No, he shall not again have the discretion in this matter which was vested in him under the bill for the current year." And in the adroitly drawn Senate amendment, now under discussion, that answer has been em-The amendment is so framed as to deprive the Postmaster-General of all choice and vest the whole discretion in the steamship owners. They do not understand that any discretion will be left to him if this amendment becomes law; and I fully agree with them on that point. The first clause of the amendment reads as follows:

For the transportation of foreign mails by American built and registered steamships, to secure the greater frequency and regularity in dispatch, and a greater speed in the carriage of such mails to Brazil; the Republics of Mexico, Central and South America; the Sandwich, West India, and Windward Islands; New Caledonia, New Zealand, and the Australian colonies; China and Japan, \$800,000; and the Postmaster-General is authorized to make, after due advertisement for proposals, such contract or contracts with the owners of such American steamships for a term of not less than three years nor more than five years, and at a rate of compensation not exceeding 50 cents a nautical mile on the trip each

way actually traveled between the terminal points, in the most direct and feasible sailing sourse between the terminal points, as shall be found expedient and desirable to secure the ends above set forth.

This clause, I grant, is directory only, and if left standing alone would vest the Postmaster-General with the same discretion which he had under the provision in the bill for the current year, except that he would be confined, in the event he chose to expend the money, to American steamships running from our country to those countries specifically named. But the author of the amendment did not propose to leave it in that condition, and added the following clause:

And if he shall be unable to make such contracts for any of such respective services, he shall, so far as possible, cause the mails of the United States to be carried to and from said places, respectively, in the best and most expeditious manner practicable, in American vessels, and for a reasonable compensation, not exceeding the rate aforementioned.

This deprives the Postmaster-General of all discretion. That, in my judgment, will be the effect if it becomes the law. And I have no doubt that was the intention of those who originated it.

Under the first clause he is "authorized" to advertise, receive bids,

and make contracts. That is directory, vesting the executive officer with a discretionary power. But the latter clause says to him if you can not make contracts under the previous clause, then you "shall" cause the mails to be carried in American vessels, so far as possible, for compensation not exceeding the rate aforementioned. Now, who has discretion under this clause?

The steamship companies, by concert of action, may refuse to bid when the Department advertises for proposals under the first clause, and then the second clause says to the head of the Department, You "shall" cause these mails to be carried on American vessels if possible to be done for not exceeding 50 cents a nautical mile each way for every This latter clause is mandatory, and if no bids should be made when advertised for under the first clause then the Postmaster-General would be bound to apply to the steamship companies under the latter clause and employ them to carry the mails at their own price, not exceeding 50 cents a nautical mile. Is there any escape from this conclusion? It seems to me there is none. I believe the construction I have placed upon the amendment is the correct one and the result inevitable.

Will it be wise for us to place the Post-Office Department in the power of the steamship companies? If it be suggested that there is no danger of any combination among the owners of American steamships it is a sufficient answer to call attention to the fact that every day combina-tions are being made, "poolings" effected among the great corporations and monopolies which do our carrying trade. They combine, "pool their issues," as against the people generally, and why will they not do so as against the Government if so good and profitable opportunity occurs as would be afforded by enacting this amendment into law.

Why, one of these very steamship companies, the most powerful one, which would receive about one-half of the sum provided by this amendment if it were paid out at 50 cents a mile, has a pooling arrangement now with the Union Pacific Railroad Company, made for the purpose of keeping up the rates of freight and passenger tariffs, and under which the railway company pays the steamship company a round sum each year not to do certain classes of carrying trade. The railway company calls it a subsidy, and is expecting trouble with the Government on account of the arrangement. ment if it were paid out at 50 cents a mile, has a pooling arrangement on account of the arrangement.

The directors of the company in their last annual report, speaking

of the subject, say:

The directors of the company in their last annual report, speaking of the subject, say:

The attention of the Government directors of the company has also repeatedly been drawn to this arrangement, and it was, and is, understood by them and approved as a business necessity. It is an arrangement in no way unusual between lines of water and land transportation. At a reasonable, sustained rate of fares and freight both passengers and merchandise would invariably take the land route. Nevertheless, it was in the power of the water route at any time to so demoralize the business by competitive rates as to make it valueless to all concerned in it. Under these circumstances one of two courses only was lossible. The parties concerned in the traffic could either enter upon an endess competitive warfare, ruinous to themselves and destructive to the business interests of the country—such as during the past season has taken place between the West Shore Railroad Company and the New York Central and Hudson River Railroad Company, or such as the transcontinental routes themselves have more recently been involved in—or they could meet and agree upon a division of traffic. If such a contest as that suggested were entered upon it would practically result in the destruction and consequent withdrawal from the traffic of one of the parties to it or in an amicable division. That either party to the traffic would be compelled to withdraw from it wholly was improbable.

The railroad companies certainly could not cease to operate their roads. They might operate them at a loss, or at best without profit—taking the through business at rates which would be out of the question for local business, thus causing the worst form of discrimination to exist—or they could withdraw entirely from through business, allowing it to go by water. But it was to do the transcontinental business that the Pacific roads were built, and it was not possible for them to submit to be driven out of it by a rival water line. On the other hand, that the steamship com

competitive traffic, the amount allotted to one party being commuted into cash

The railway company has "subsidized" this steamship company, and now the Government is asked to do likewise to the extent of hundreds of thousands annually. If we do so we will have an interesting spectacle. In the first instance the Government subsidized the railway company by giving it millions of acres of the public domain. It is asked to subsidize the Pacific Mail Steamship Company by paying it large annual sums of money to enable it to transport the people's merchandise cheaply, as is alleged; and if the Government does so, then the subsidized railway company will subsidize the subsidized steamship company in consideration that the latter will not carry the peoples' merchandise at all and leave the railway without competition. No doubt that kind of a complex subsidy would be eminently satisfactory and advantageous to the millionaires who own the stock of the steamship company, but it would be nothing less than a gross outrage on the people of this country. Is it unfair to suppose that those who will enter into such a combination as above shown will, if the Senate amendment prevails, combine and force the Postmaster-General to pay their own price, not exceeding 50 cents a mile, for carrying the mails?

In my judgment, just so sure as the amendment becomes law that will be the result.

There is a little item of Congressional history which indicates the length to which this steamship company will go when seeking to appropriate the contents of the Federal Treasury. A few years ago an attempt was made to secure the passage of a steamship-subsidy law, and it having afterward leaked out that this same company had probably employed improper means in prosecuting the scheme here, an investigation was ordered by the House of the Forty-fourth Congress. Hon. John A. Kasson made the report of the results of the investigation, from which I quote the following:

The results of the evidence are, that about \$900,000 was disbursed upon the allegation that it was used in aid of the passage of the act now under investigation; that about \$565,000 appears to have been paid to the exclusive use of persons having no official connection with such legislation; and that the disposition of the remaining \$335,000 remains in doubt upon the evidence presented, but without any testimony showing that it was a reward paid to any person at that time a member of either House of Congress; and that the uncertainty attending the disposition of this latter sum is owing to the refusal of William S. King to testify the truth, and to the failure or refusal of John G. Schumaker to present all the facts to which the committee believe it was in his power to give. power to give.

The enormous evil attending the existence of an unregulated lobby with license to appear before committees and urge measures upon members upon fraudulent pretense that they are acting for the public interests when they are privately retained by interested parties, calls for further legislation. The committee deem it necessary for the protection of Congress against future transactions as discreditable as those they have now brought under review, that a law should be passed requiring every person appearing and advocating measures for a private interest to appear in his true capacity as a retained attorney or agent.

Nine hundred thousand dollars paid by this company in one attempt to get into the public Treasury! Are such people peculiarly the proper objects of munificent governmental bounty? It is idle to tell me that those who will expend money thus in an attempt to secure legislation enabling them to appropriate the public revenues will not combine, if given the power, and compel the Postmaster-General to submit to their will. That is what they hope to accomplish by this amendment. I am opposed to it. I am opposed to all subsidy schemes. The public revenues are a public trust. They should be carefully guarded and expended only for the good of the public. They are raised largely by taxing the necessaries of life. They should not be given away. I do not believe a Democratic House, pledged to economy and reform, will concur in this amendment, and thereby stultify itself and wrong the people.

Physical Effects of Alcohol and Narcotics.

SPEEUH

HON. JACOB H. GALLINGER,

OF NEW HAMPSHIRE.

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 17, 1886.

On the bill (S. 1405) to provide for the study of the nature of alcoholic drinks and narcotics and of their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, by the pupils in the public schools of the Territories and of the District of Columbia, and in the Military and Naval Academies and Indian and colored schools in the Territories of the United States.

Mr. GALLINGER said:

Mr. SPEAKER: The welfare of our nation is inseparably connected with the intelligence of the people, and the chief dangers to our Government are in consequence of illiteracy and its concomitant vices. The future progress of the Republic largely depends upon the proper edu-

cation of the children of the present generation. But it will not do to simply educate the intellectual faculties. The heart and the conscience need careful watching. An individual may graduate at the head of his class in Greek and Latin and mathematics and yet be wholly ignorant of the grand truths of physiology and hygiene. The brilliancy of his intellect may even seem to obscure his ideas of right and wrong, and while shining as an orator or a teacher he may ignorantly or blindly pursue paths or indulge habits that inevitably will compass his ruin. Almost every page of history is marked with examples of this kind, while our own observation emphasizes the truthfulness of the assertion. Intemperance has clouded many of the grandest minds this country has produced, and sent thousands of the noblest intellects to premature if not dishonored graves. It is a record of sorrow and sadness that no tongue can adequately portray, and a picture so dark and gloomy that

no words can properly paint it.

The bill before the House is one that proposes to provide for the study of the nature and effects upon the human system of alcoholic drinks and narcotics in the public schools of the Territories and the District of Columbia, and in the Military and Naval Academies, and Indian and colored schools in the Territories of the United States. is substantially the same measure that has already been incorporated into law by seventeen States and one Territory of the United States, including the great States of New York, Pennsylvania, Massachusetts, Alabama, Michigan, and Kansas. Among the first to adopt the measure was my own State, and the results thus far are entirely satisfactory, as is evidenced by the numerously signed petitions that have come from the most influential classes of her citizens, praying for the enactment of this law by Congress. It proposes to teach the youth the facts as to alcohol and narcotics, and then if they sin it will be the result of willfulness or weakness rather than ignorance. What more salutary law could Congress possibly enact, and why should there be any opposition to it on this floor? It is for the benefit of our children, for their future happiness and prosperity. It is designed to lessen the deadly record of seventy-five thousand victims annually that alcohol It is legislation in the direction of good government, of pure homes, of better lives, and of less pauperism and crime. Surely no one will say that these results are not of the highest possible importance to the country.

The physical evils of intemperance alone is a theme of the greatest magnitude. At every step the victim is found. Seventy-five thousand times each year the ranks of the people of this country are invaded by this enemy, and a life terminated. What a record is this! And yet the strange infatuation of drink keeps up the list of victims to the maximum point. Time will not allow me to call the endless array of facts and figures which condemn and brand alcohol as man's worst enemy,

and I will content myself with a few citations.

In all epidemics it has been found that intemperance strongly predisposes to disease. Of 1,615 cases received into cholera hospitals in the epidemic of 1832, 1,023 were decidedly intemperate, a proportion of nearly two-thirds; of the remainder, 482 were intemperate; and of 110 cases it was not known whether they were intemperate or not; it is probable that a portion were. Both in the epidemic of 1832 and in that of 1849, the cholera in New York first appeared and was more fatal in the locality known as the "Five Points"—a locality where filth, intemperance, and degradation go hand in hand.

Last summer, during the intense heat, a dispatch from New York to the Boston papers contained an item headed "A Terrible Record,"

which read as follows:

The fatal cases by sunstroke or prostration by the heat since last Wednesday, when the weather first became so intensely hot, so far as reported to the authorities up to last night, number one hundred and forty-five. Of these probably two-thirds or four-fifths were men or women either drunkards or habitual drinkers of strong liquors or beer.

During an epidemic of cholera in the city of Albany, when only one in twenty-five hundred of teetotalers was seized by the disease, one in

sixty of the general population perished.

A German authority (the Volksfreund) states that out of nine hundred persons who died at Rotterdam from cholera, only three were abstainers. In Newcastle, England, the cholera struck down one drinker in fifty-six, but only one of six hundred and twenty-five abstainers from

alcoholic beverages.

In 1853, Dr. Cartwright, of New Orleans, wrote thus to the Boston Medical and Surgical Journal:

The yellow fever came down like a storm upon this devoted city, with eleven hundred and twenty-seven dram-shops in one of the four parts into which it has been divided. It is not the citizen proper, but the foreigners, with mistaken notions about the climate and country, who are the chief supporters of these haunts of intemperance. About five thousand of them died before the epidemic touched a single citizen or sober man, so far as I can get at the facts.

Tables prepared by Dr. Edward Jarvis, from the record of investi-

Tables prepared by Dr. Edward Jarvis, from the record of investigations of Mr. Nelson, actuary of the Medical, Invalid, and General Life Insurance Company of London, are as follows:

Among beer drinkers, 4.597 per cent. annually died; among spirit drinkers, 5.995 per cent. annually died; among mixed drinkers, 6.194 per cent annually died; while of the general population, which included both temperate and intemperate, less than 2½ per cent. died yearly.

Assuming that ten persons of the general population die between the following periods of life, the death of the intemperate during the same period is as follows: Between 15 and 20 years, 18 intemperate to 10 general population; between 20 and 30 years, 51 to 10; between 30 and 40 years, 42 to 10; between 40 and 50 years, 41 to 10; between 50 and 60 years, 29 to 10.

A temperate person's chance of living is at 20, 44.2 years—if intemperate, 15.6 years; at 30, 36.5 years—if intemperate, 13.8 years; at 40, 28.8 years—if intemperate, 11.6 years; at 50, 21.25 years—if intemperate, 10.8 years; at 60, 14.28—if intemperate, 8.9 years.

These startling facts, gleaned from reliable sources, tell the whole story of the debilitating effects of alcohol, and disprove every claim that has ever been made that it gives tone and strength to the body.

Let us inquire a little further what scientific observers say about this

In the year 1876, in the city of Philadelphia, a world's congress of physicians was held, in which body were many of the most eminent medical men of both Europe and America.

Among other things the question of the effects of alcohol upon the human system was considered, and this congress of scientific men solemnly declared that alcohol is a poison; that its place is upon the shelf of the apothecary or in the office of the physician, and that even as a medicine it should be used with great caution and by experienced hands.

The celebrated Dr. Carpenter, the highest English authority on human physiology, indorses a certificate, signed by more than two thousand of the physicians of England, including the court physicians and metropolitan surgeons, who may fairly be said to represent the voice of the medical faculty of the British Empire, one paragraph of which is this:

We, the undersigned, are of the opinion that a very large proportion of human misery, including poverty, disease, and crime, is induced by the use of alcoholic or fermented liquors as beverages.

And following the example of their English brethren, one hundred and twenty-five of the physicians of New York city and Brooklyn made declaration as follows:

 In view of the alarming prevalence and ill effects of intemperance, with which none are so familiar as members of the medical profession, and which have called forth from eminent English physicians the voice of warning to the people of Great Britain concerning the use of alcoholic beverages, we, the undersigned, members of the medical profession of New York and vicinity, unite in the declaration that we believe alcohol should be classed with other powerful drugs; that when prescribed medicinally it should be with conscientious caution and a sense of grave responsibility.

2. We are of opinion that the use of alcoholic liquor as a beverage is productive of a large amount of physical disease: that it entails diseased appetites upon offspring; and that it is the cause of a large percentage of the crime and pauperism of our cities and country.

3. We would welcome any judicious and effective legislation—State and national—which should seek to confine the traffic in alcohol to the legitimate purposes of medical and other sciences, art, and mechanism. There is no higher medical authority in the world upon this subject

than Dr. Willard Parker, of New York, who says:

What is alcohol? The answer is, a poison. It is so regarded by the best writers and teachers on toxicology. Like arsenic, corrosive sublimate, and prussic acid, when introduced into the system it is capable of destroying life without acting mechanically, and it induces a general disease as well marked as fever, small-pox, or lead poison.

And again he says:

Alcohol is the one evil genius, and is killing the race of men. Stay the ravages of this one poison, alcohol, that king of poisons, the mightiest weapon of the devil, and the millennium will soon dawn.

Professor Youmans, of New York, the distinguished chemist, says: It is evident that, so far from being the conservator of health, alcohol is an active and powerful cause of disease, interfering with the respiration, the circulation, and the nutrition.

Dr. Richardson, one of the most eminent living English physicians,

This chemical substance, alcohol, an artificial product, devised by man for his purposes, is neither a food nor a drink suitable to his natural demands. Its influence is an infinitesimal advantage by the side of an infinity of evil for which there is no compensation and no human cure.

And, again, after making a long series of scientific researches, to de-termine the true nature of alcohol, this same distinguished physician gives this testimony:

I find it to be an agent that gives no strength, that reduces the tone of the blood-vessels and heart, that reduces the nervous power, that builds up no tissues, and can be of no use to me or any other animal as a substance for food on that side of the question my mind is made up, that this agent, in the most moderate quantity, is perfectly useless for any of the conditions of life to which men are subjected, except under the most exceptional conditions, which none but close observers can declare.

Similar declarations from scientific men could be multiplied almost ad infinitum, but further testimony is unnecessary. It matters not what men try to make themselves believe on this question of alcoholic drinks, science strips from it the flimsy covering of pretense and prejudice, and stamps alcohol as a substance detrimental to health and dangerous to

human life, emphatically declaring that every man who uses intoxicants habitually as a beverage inevitably undergoes a process of slow poisoning. The intent is not suicidal, but the result is the same. Alcohol ought to be shunned by all; and when our children learn thoroughly the grand truths of physiological science it will soon be consigned to the laboratory and the pharmacy, where it legitimately and properly belongs

This bill is in the direction of securing that result. It is urged by the Woman's Christian Temperance Union, that non-partisan temper ance organization that has already done so much for the interests of all classes of our citizens by directing State and national attention to the evils of intemperance. It is good and healthy legislation. If passed it will make happier homes, better citizens, and healthier men and women. I trust it may pass, as it did in the Senate, by a unanimous

Oleomargarine.

SPEECH



HON. J. RANDOLPH TUCKER,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 3, 1886,

On the bill (H. R. 8328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine.

Mr. TUCK ER said:

Mr. CHAIRMAN: It is not my purpose to repeat what I said a few days ago on this bill; but as some criticism has been made upon the constitutional views then presented it seems proper to support them

It seems that some gentlemen supposed they were ancient and worn out, and had been condemned by the conflict of arms and more modern and approved methods for interpreting the Constitution. In fact they were regarded as a part of the creed of the State-rights school of think-

ers, which had been buried in the grave of the dead confederacy.

Let me assure gentlemen that this is not so. I have long ago, and in the most public manner, declared that I concur, as a lawyer, in the sententious formulation of the relations of the Union to the States composing it, by Chief-Justice Chase, in Texas vs. White, 7 Wallace, 701:

The Constitution in all its provisions looks to an indissoluble Union composed of indestructible States. (Page 725.)

But the Chie?-Justice declared in the same case, that "the separate and independent autonomy to the States," not only was not lost "through their Union under the Constitution," but "that the preservation of the States and the maintenance of their governments are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government."

In Lane County vs. Oregon (7 Wall., 76), the same court by Chief-Justice Chase maintained "the independent authority of the States;" and he added with clear emphasis, that "to them nearly the whole charge of interior regulation is committed or left; to them and to the people all powers not expressly delegated to the National Government

In Collector es. Day (11 Wall., 113), the same court decided that the power of Congress to lay and collect taxes could not be exercised by laying a tax on the salary of a State judge; that this Government could not touch his salary, because it would abridge the absolute right of a State to use all means in its discretion for its own government without any interference with them by Congress

In the Slaughter-house cases (16 Wall., 36), Mr. Justice Miller, after speaking of the danger of disunion having given occasion for the late

amendments of the Constitution, says:

But however pervading this sentiment, and however it may have contributed to the adoption of the amendments we have been considering, we do not see in those amendments any purpose to destroy the main features of the general system. Under the pressure of all the excited feeling growing out of the war, our statesmen have still believed that the existence of the States with powers for domestic and local government, including the regulation of civil rights, the rights of persons and property, was essential to the perfect working of our complex form of government, though they have thought proper to impose additional limitations on the States and to confer additional power on that of the nation.

But whatever fluctuations may be seen in the history of public social.

But whatever fluctuations may be seen in the history of public opinion on this subject * * * this court * * * has always held with a steady and even hand the balance between State and Federal power," &c.

And in Bradwell vs. State (16 Wall., 130), the power of the State to prescribe its own conditions for attorneys practicing in its courts was established.

In United States vs. Cruikshanks (92 United States Reports, 542), decided in 1875, Chief-Justice Waite, speaking for the whole court,

The Government of the United States is one of delegated powers alone. Its

authority is limited and defined by the Constitution. All powers not granted to it by that instrument are reserved to the States or the people. No rights can be acquired under the Constitution or laws of the United States except such as the Government of the United States has the authority to grant or secure. All that can not be so granted or secured are left under the protection of the States.

These clear judicial statements are all that I insist on in the views I take of this bill. I claim no more of right and power for the States than find sanction in the language of the Supreme Court since the war

and in their discussion of the new amendments.

The police power of the States extends to all those regulations of the interior affairs and business of the people of the State, and which relate "to the protection of the lives, health, and property of the citizens, and to the preservation of good order and the public morals." I quote the language of the court, per Justice Bradley, in Beer Company vs. Massachusetts, decided in 1877 (97 United States Reports, 25), and I quote his further words as to the power of the Legislature to divest itself

The Legislature can not by any contract divest itself of the power to provide for these objects. They belong emphatically to that class of objects which demand the application of the maxim salus populi suprema est lex; and they are to be obtained and provided for by such appropriate means as the legislative discretion may devise. That discretion can no more be bargained away than the power itself. (Boyd vs. Abraham, 94 U. S., 45.)

In the license-tax cases (5 Wallace, 462) the court had said:

But very different considerations apply to the internal commerce or domestic trade of the States. Over this commerce and trade Congress has no power of regulation nor any direct control. This power belongs exclusively to the States. No interference by Congress with the business of citizens transacted within a State is warranted by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the Legislature. The power to authorize a business within a State is plainly repugnant to the exclusive power of the State over the same subject. It is true that the power Congress to tax is a very extensive power. It is given in the Constitution with only one exception and only two qualifications. Congress can not tax exports, and it must impose direct taxes by the rule of apportionment and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at discretion. But it reaches only existing subjects. Congress can not authorize a trade or business within a State in order to tax it.—Pages 470-1.

In the last sentence is language very pertinent to the question before the House: "Congress can not authorize a trade or business within a State in order to tax it." The court having decided that a trade licensed by Congress in order to tax it may be forbidden by the State, we may well ask: Can Congress prohibit such trade or business when the State allows it? And if not, as is clear, can it tax in order to forbid what the State allows, when it can not license what the State forbids?

The case of Bartemyer vs. Iowa (18 Wallace, 129), is to the same

The reserved power of a State to tax even the instruments and vehicles of interstate and foreign commerce has been distinctly recognized by the Supreme Court in the late case of Wiggins Ferry vs. East Saint Louis (107 United States Reports, 365), referring to many prior cases which furnish precedents for the judgment.

But the great and leading case of Gibbons vs. Ogden (9 Wheat., 1) is especially cited and relied on, and the language of Chief-Justice Marshall is substantially quoted by the court. But I quote the whole passage. Chief-Justice Marshall is speaking of the unquestioned power of the States to pass inspection laws, and maintains that this is reserved to the State under the police power, and is not a regulation of commerce by the State. He says (9 Wheat., 203):

by the State. He says (9 Wheat., 203):

But the inspection laws are said to be regulations of commerce, and are certainly recognized in the Constitution as being passed in the exercise of a power remaining with the States.

That inspection laws may have a remote and considerable influence on commerce will not be denied; but that a power to regulate commerce is the source from which the right to pass them is derived can not be admitted. The object of inspection laws is to improve the quality of articles produced by the labor of a country; to fit them for exportation or, it may be, for domestic use.

They act upon the subject before it becomes an article of foreign commerce, or of commerce among the States, and prepare it for that purpose. They form a portion of that immense mass of legislation which embraces everything within the territory of a State, not surrendered to the General Government, and which can be most advantageously exercised by the States themselves. Inspection laws, quarantine laws, health laws of every description, as well as laws for regulating the internal commerce of a State and those which respect turnplike roads, ferries, &c., are component parts of this mass. No direct general power over these objects is granted to Congress, and, consequently, they remain subject to State legislation. (Pages 202, 203.)

This "immense mass of legislation" of which Chief, Instice Marshall

This "immense mass of legislation" of which Chief-Justice Marshall spoke in 1824, and which is quoted by the Supreme Court in 1882, belongs to the States as "not surrendered to the General Government." This is all I claim for them; not as one of the straightest sect of our political creed, but as conceded by every Chief-Justice, including Marshall, Taney, Chase, and Waite, and the courts over which they presided.

But I take higher ground.

The question at issue has been expressly decided.

In United States vs. Dewitt (9 Wallace, 41) this case was presented.

The internal-revenue law of 1867 made it a misdemeanor to mix for sale or to sell certain oils, because explosive. The defendant in error was prosecuted under it. The case was certified to the Supreme Court. Chief-Justice Chase said:

The questions certified resolve themselves into this: Has Congress power under the Constitution to prohibit trade within the limits of a State?

He then says:

Standing by itself, it is plainly a regulation of police.

He then adds-

As a police regulation, relating exclusively to the internal trade of the States, it can only have effect where the legislative authority of Congress excludes, territorially, all State legislation, as, for example, in the District of Columbia, within State limits, it can have no Constitutional operation. This has been so frequently declared by this court, results so obviously from the terms of the Constitution, and has been so fully explained and supported on former occasions that we think it unnecessary to enter again upon the discussion. (Page 45.)

This case definitely decides that Congress can not forbid any trade or business or punish any act done in conducting it within a State. Can it forbid the manufacture or sale of oleomargarine or punish such act? I do not ask can it be done upon strict construction methods, but would not the Supreme Court declare such legislation void and unconstitutional, as it did in regard to explosive oils?

In 1878 the case of Patterson vs. Kentucky, 97 U. S. Rep., 501, was de-

cided.

A patentee of an invention under the act of Congress was selling his illuminating oils in Kentucky against the law of that State. He was prosecuted, tried, and convicted in the State court. He brought his writ of error to the Supreme Court, claiming that the State had no power to punish him for using what under an act of Congress he had obtained letters patent for.

Mr. Justice Harlan, speaking for the whole court, affirmed the judgment. His opinion is full, and he cites the cases to which I have already

referred, and others.

After saying that the letters patent do give the patentee the right to

make and sell his invention, he says:

But obviously this right is not granted or secured without reference to the general powers which the several States of the Union unquestionably possess over their purely domestic affairs, whether of internal commerce or of police. "In the American constitutional system," says Mr. Cooley, "the power to establish the ordinary regulations of police has been left with the individual States, and can not be assumed by the National Government." (Cooley Const. Lim., 574.) While it is confessedly difficult to mark the precise boundaries of that power or to indicate by any general rule the exact limitations which the States must observe in its exercise, the existence of such a power in the States has been uniformly recognized in this court. (Gibbons vs. Ogden, 9 Wheaton, 1, and other cases.)

uniformly recognized in this court. (Gibbons vs. Ogden, 9 Wheaton, 1, and other cases.)

It is embraced in what Mr. Chief-Justice Marshall (in Gibbons vs. Ogden) calls that immense mass of legislation "which can be most advantageously exercised by the States, and over which the national authorities can not assume supervision or control. * * * By the settled doctrines in this court the police power extends at least to the protection of the lives, the health, and the property of the community against the injuries exercised by any citizen of his own rights. State legislation, strictly and legitimately for police purposes, does not in the sense of the Constitution necessarily intrench upon any authority which has been confided, expressly or by implication, to the National Government. The Kentucky statute under examination manifestly belongs to that class of legislation. It is in the best sense a mere police regulation, deemed essential for the protection of the lives and property of citizens. * * Whether the policy thus pursued by the statute is wise or unwise, it is not the province of the national authorities to determine. That belongs to each State under its own sense of duty, and in view of the provisions of its own constitution, its action, in those respects, is beyond the corrective power of this court. That the statute of 1874 is a police regulation within the meaning of the authorities, is clear from our decision (in United States vs. Dewitt, 9 Wall., 41)."

The court in a subsequent part of the opinion shows how even in cases under the commerce of the country, foreign and interstate, the State may even destroy an imported bale of goods if infected, citing Gilman vs. Philadelphia (3 Wallace, 713), and may prevent paupers and others likely to be chargeable from coming into the State and cattle with diseases contagious, &c., citing Raiload vs. Husen (95 U. S. R., 465).

Mr. Justice Harlan then says:

This court "has nevertheless, with marked distinctness and uniformity, recognized the necessity, growing out of the fundamental conditions of civil society, of upholding State police regulations which were enacted in good faith, and had appropriate and direct connection with that protection to life, health, and property which each State owes to her citizens."

The language of Mr. Justice Strong, in R. R. Co. vs. Husen, 95 U. S. Rep., 465, fully sustains the views of Mr. Justice Harlan.

Here then are two cases as to explosive oils. The court decides in one that Congress can not, and in the other that the State can, forbid making and selling such oils, because such power is among the immense mass of police regulations reserved to the States and never surrendered to Congress.

On this ground I stand. I take and hold it under the sanction of the Supreme Court in decisions from the time of my birth unto this day. Who shall drive me from it by the taunt that it is obsolete, and that as a relic of the State rights of the ante-bellum era it has been condemned and must be rejected? Originating with Marshall, it stands as the accepted interpretation of the Constitution by the present court, of whose members but one is known to be of that political party to which I belong, and not one of that Southern sect of political thinkers whose presence seems to excite the suspicion and dread of certain gentlemen in this House.

It is settled by the cases I have cited that the lives, health, business, and interior affairs of each State belong to that immense mass of legislation, under the name of police regulations, reserved to the States, and which the Supreme Court declares can not be touched by the power of Congress, by any direct law aimed at them. Congress can not forbid or punish the manufacture or sale of explosive oils. The States

may do so; Congress can not. If not, the same principle applies to

oleomargarine. No one can deny this proposition.

But it is said Congress can lay and collect a tax upon it. I do not

deny it.

But for what purpose was this power delegated to Congress? Under the articles of confederation Congress could not tax anything. It had revenues derived from the States, which could alone tax the people. It had express power with its revenue to provide for the common defense and general welfare. (Articles of confederation, article 8.) But it could lay no tax.

The Constitution of 1789 gave Congress a revenue derived from its own taxation, and not dependent on the States. The tax power was confided to it to give it an independent source of revenue. It is a trust power, conferred for a trust purpose-a trust power conferred to tax for the trust purpose of obtaining revenue to carry on the Government

and to execute the functions for which it was created.

Now, the proposition I maintain is this: As Congress has no power given to it to regulate or control the police affairs of a State; as it has no power to suppress or punish the manufacture or sale of oleomargarine; as in fact this power is unquestionably reserved to each State, can Congress, unable to assail this reserved power directly, use the tax power confided to it for revenue purposes to suppress and punish the making and sale of oleomargarine when it needs no revenue, or lay the

tax so high that it will bring no revenue but only suppress the product?

Can Congress rightfully use a power given for one purpose, which the

Constitution allows, in order to accomplish a purpose which the Constitution forbids? Can it destroy by indirect means what it dare not touch by direct power? Is not such an act a fraud on the power, in legal phrase? Is it a constitutional use of a delegated power? Is it not as gross a violation of the Constitution to exercise a power for a purpose forbidden by the Constitution, as to usurp a power never delegated? The latter is bold defiance of the fundamental law; the former is an insidious, insincere, and fraudulent evasion of constitutional duty to achieve a forbidden object. It attains a prohibited end under a false pretense.

Upon this point I cite the authority of Mr. Cooley, who says (Prin-

ciples of Constitutional Law, page 57):

Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise a revenue but to discourage and indirectly prohibit some particular import for the benefit of some home manufacture may well be questioned as being merely colorable, and therefore not warranted by constitutional principles

But it is said, as Congress can constitutionally lay the tax, can the courts declare the law void? I doubt if it can do so, for the court can not look into the heart of the legislator and discover his purpose. If it could do so, I believe it would decide the law unconstitutional and

But the legislator may, by introspection, discern his own purpose. And if he may evade the judicial scruting by this ingenious device, he can not avoid the judgment of his own conscience, to which he is amenable, and under whose condemnation he must rest.

The question then comes up, do we need the revenue from the tax imposed by this bill? If we do not, can the conclusion be avoided that the tax is laid to destroy and punish the making and sale of oleomar-

garine and not to raise revenue?

If I could bona fide vote for this tax in order to raise needed revenue I would feel justified in doing so under constitutional sanction. But if my purpose is to strike down this business, and seeing I can not do so without an invasion of a clearly reserved right of the States I should use the tax to destroy the product and not to make it bring revenue, I should feel I had violated the Constitution by a disingenuous method which could not delude others nor successfully quiet my conscientious re-

We do not need the revenue. The following table will show it, approximately, for the next year:

Revenue from customs duties. Revenue from internal-revenue taxes. Revenue from miscellaneous sources.	\$190, 000, 000 115, 000, 000 30, 000, 000
Total revenue for next year	335, 000, 000

Against this we have-

dinary expendituresterest on public debtnsions.	\$160,000,000 '45,000,000 80,000,000	285, 000, 000
		250,000,000
Leaving for sinking fund, &c	50,000,000	

The only effect of more revenue is to tempt us to prodigality in expenditure and to an increase of our power as additional outlets for pro-

fuse extravagance

But it was said by some one, if we tax oleomargarine we can repeal the tobacco tax. And yet when that proposition was made the friends of this bill voted down the repeal.

Again, it is said that the tax power is used for other purposes than revenue, upon the authority of Judge Story and other learned writers.

This is a misconception of their meaning. I concede that Congress,

as all other political bodies having the tax power, may among the infinite variety of taxable subjects discriminate as to those which a wise public policy indicates as best fitted to bear the burdens. Between luxuries and necessaries, between articles owned or consumed by all and those owned or consumed by a few, between useful and useless, healthful and hurtful objects, we may discriminate, when we need revenue, and come to lay a tax to raise it. But no author of legal merit has ever said that when we do not need revenue at all we have the right to tax a man merely to reform his life or to suppress his business. power to tax sleeps until the need for revenue awakes it to action; and

when it acts, it may wisely discriminate, as already shown.

The case of Veazie Bank vs. Fenno (8 Wallace) is cited in the committee's report and was called to my attention the other day by the question of the gentleman from Michigan [Mr. Burrows].

It has nothing to do with this case. In that case the court said that

Congress had power and was in duty bound to provide a uniform currency for the people; and that in order to do so it could prohibit the circulation of the notes of State banks; and if it could prohibit entirely it could in part, and, if so, as it could legally tax such notes under the tax power, it could lay the tax so as to raise revenue and partially suppress the notes. In that case, therefore, Congress had power to suppress wholly, independently of its power to tax. The greater power includes the less, and therefore with the greater power to suppress entirely, Congress could use its tax power to suppress in part.

How different is this case. Congress not only has no power to suppress oleomargarine entirely, but is forbidden to touch it at all. If it aims to suppress entirely, it really must lay so high a tax as to defeat revenue; and thus accomplish fully the object the Constitution prohibits it from attempting. But I have larger objections to the policy of this

First. It aids one of two competitors in the business of the country by destroying the other. Such a power is not only unwarranted by the Federal Constitution, but is of doubtful validity under any free system of government. If the Legislature may aid A by destroying B; may put up one man, class, or industry and put down another, such a government is despotic and will become a tyranny, and the people can not be free.

Second. It increases the range of the inquisitorial and domiciliary authority of the internal-revenue machinery. The objection to the system is not so much to the subjects of its taxation as to the methods by which it is watched and guarded and collected. Instead of decreasing this system the advocates of this bill increase it and refuse to take tobacco and fruit brandy from its grasp. Friends of dairy farmers tax the rival of the dairy product but burden the product of the plantation and of the orchard with taxes collected under the espionage of spies and and of the orchard with taxes collected under the espionage of spies and informers and armed bands of the Department.

Third. But a greater objection to this system is to be made:

It is liable to great inequality in the distribution of the burdens of taxation. I hope I may explain this briefly.

The Constitution has two forms of internal taxation. It seemed to provide that direct taxes (which is one form of this internal system) should be proportioned to the ability to pay. These were apportioned between the States according to population, and it was supposed that wealth would be proportioned to population. This has sadly turned out to be a mistake. Thus Rhode Island under the direct tax would pay one-fifth of what Virginia would pay, and yet Rhode Island has nearly as much assessed values as Virginia, I think.

The other form, however, is or may be made much more unequal. The power to tax any article of property, or any business, gives Congress the power to lay all its taxation on any one section or State. Con-

gress the power to lay all its taxation on any one section or State. Congress may tax sugar from the cane and exempt that from the beet. It might select cotton, or rice, or tobacco (it has done this, and tobacco in twenty years has paid over \$600,000,000 of taxes), or corn, or wheat, or hemp, or special fabrics of the loom, &c.

In other words, when the eager competition of producers in different sections or in any community see that Congress may be induced to take sides, as in this case, this precedent will be the beginning of what will have no end in the perpetuity of this invidious and partial legislation, with the perpetuity of the Internal Revenue Depart. tion, with the pernicious machinery of the Internal Revenue Department, whose most efficient agents are espionage and an official inquisition

into all the privacies of domestic life and personal enterprise.

The internal taxes, which are unequal, take a new start to-day, and

re fastening themselves forever on the policy of the Government.

Fourth. But there is one other evil result, which does more than any thing I have seen in my public service to overthrow the equilibrium of the Constitution and destroy all fences between the Federal authority and the reserved powers of the States.

I have shown that this bill invades by indirection a reserved authority of the States. The State permits under its unquestioned reserved power the making and sale of oleomargarine, cane sugar, tobacco, and the like. Congress claims power by this bill to suppress what the State allows—to suppress, without direct power and only by the fraudulent use of the tax power, what the State has undoubted right to foster and support. Its power to defend the product, shielded by express authority of the Constitution, is invaded and taken away not by bold usurpation, but by the stealthy, insidious, and fraudulent device of perverting

a trust power vested in it for revenue into a weapon aimed at State autonomy. And thus Congress will in time absorb that immense mass of legislation which Judge Marshall said was unquestionably reserved to the States, and consolidate the police power of all the States under to the States, and consolidate the police power of all the States under one central domination. Does not every man see, can any man fail to see, that this bill opens up the invasion of the police power of the States at the instance of any interest in the country, by the use of this tax power in Congress, and that the end will be that all police power being centralized here will be executed by the machinery of the Internal Revenue Department? Pass this bill, and you have a precedent which will soon result in breaking down all the defenses which have barred the State reserve of power from the psyrping tendency of the Federal the State reserve of power from the usurping tendency of the Federal Government.

And why should you grasp for more power? Greedy of acquisition, of authority, Congress has so filled its calendar that it does only a tithe of its work, and even that not well, for lack of time. Do not amplify your jurisdiction. Limit it strictly by the boundaries of the Constitution, and you will do your legitimate work better by leaving to the States what is theirs to do and what they can better do than you. Cease debates on butter and oleomargarine. Leave that to States and cities and towns, and rise to the higher realms of political thought, in which we may frame a policy to place the imperial destiny of this Republic of republics upon the safe and sure pathway leading to its true glory, in securing the peace and happiness, the liberty and progress of all the people of all the Commonwealths of the American Union.

Nothing, that this bill can promise to its advocates here or in the country, can in any degree compensate the people for the pernicious and dangerous principles it contains, the results of which must be disastrous to our system of government and to our free institutions.

Temperance Education.

SPEECH

OF

HON. WILLIAM WALLACE BROWN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, May 17, 1886.

On the bill (S. 1405) to provide for the study of the nature of alcoholic drinks and narcotics and of their effects upon the human system in connection with the several divisions of the subject of physiology and hygiene, by the pupils in the public schools of the Territories and of the District of Columbia, and in the Military and Naval Academies, and Indian and colored schools in the Territories of the United States.

Mr. BROWN, of Pennsylvania, said:

Mr. BROWN, of Pennsylvania, said:

Mr. Speaker: I rejoice in the opportunity to vote for this bill, which authorizes education in the dangers of alcoholic drinks. Long before the effects we hope from it can with reason be expected, I pray that the Republic may be rid of it forever as a beverage. Nevertheless, this is a step in the right direction, and it would be criminal in this Congress not to pass this bill. We are told that we delude ourselves when we build our expectations upon so frail a foundation. Where can we so rationally begin temperance work, or even the work of expeliibilities as a smooth these who are in the conjugation to work of prohibition, as among those who are in the coming time to wield the destinies of the Republic?

Hundreds of thousands of dollars yearly are expended to reclaim bondsmen to rum. Why not spend something to keep men out of bondage? Its evils upon our country and our age are incalculable. All ages and conditions are of its victims. The lowly and the exalted are alike subject to its resistless sway. It sits like a specter of evil with the judge upon the bench, and it haunts the legislators in the several States of the Union and in the National Congress. To-day its merciless clutch holds in brutal bondage some of the brightest minds in the national House of Representatives, and its toils are upon Senators well on their way to the ditch and the mad-house! It is the beginning of all riots, and without it anarchists would go forth on their diabolical doings desolate and alone. But by its free use they kindle the passions and nurse the revenge of the unfortunate, the thriftless, and the vagrant until, with honor blunted and patriotism debauched, they are fit companions of the senseless socialists and the fiendish anarchist. The hags who manufacture bombs, and the wretches who kill with them, whether on the streets or in our homes, are all, all alike fed and frenzied by this demon alcohol!

With my friend from Michigan [Mr. CUTCHEON] I indorse with emphasis what Master Workman Powderley, at the head of the Knights of Labor, has so eloquently said in relation to the use of strong drink:

The firmest link in the chain of oppression is the one I forge when I drown manhood and reason in drink. No man can rob me of the brain my God has given me unless I am a party to the theft. If I drink to drown grief, I bring

grief to wife, child, and sorrowing friends. I add not one iota of the sum of human happiness when I invite oblivion over the rim of a glass. If one moment's forgetfulness or inattention to duty while drunk brings defeat to the least of labor's plans, a lifetime of attention to duty alone can repairthe loss. I promise never again to put myself in such a position. If every member of the Knights of Labor would only pass a resolution to boycott strong drink so far as he is concerned for five years, and would pledge his word to study the labor question from its different standpoints, we would then have an invincible host arrayed on the side of justice.

No man can calculate the percentage of crimes that this common enemy has inflicted upon our race, for the reason that they are visited from father to son, from generation to generation. But he who does not see its ravages strewn on every hand as he moves in society must be making his journey through life either blindfolded or without ca-pacity to comprehend. Two years ago in this House the honorable gentleman from Wisconsin [Mr. PRICE] made the assertion that "99 per cent. of the wees and ills of society come from patronizing the saloons." No matter whether his figures are too high or too low it remains fearfully and wonderfully true that its whole career is written in blood, and its victims have filled the earth with woes unutterable.

I hail with delight all intelligent and all rational effort that society and legislators may devise to dethrone the monster and destroy its power. Seventeen States of the Union have already passed laws like unto this. By its provisions the District of Columbia and the great Territories are to educate their children upon this subject. When all the States and all the Territories shall teach their children what this enemy is and what it has done, we may with reasonable confidence assert that "the coming man will not drink wine."

Oleomargarine.

SPEECH

HON. BENJAMIN T. FREDERICK,

OF IOWA.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 26, 1886.

On the bill (H. R. 8328) defining butter, also imposing a tax on and regulating the manufacture, sale, importation, and exportation of oleomargarine.

Mr. FREDERICK said:

Mr. SPEAKER: I submit to this body that I do not believe a man in it will say that any man or company of men who use such insulting and abusive expressions regarding any class of people, much less of the mothers, wives, and daughters of our farmers, are deserving of any consideration, and I think their business as well as they should be driven out of existence. Mr. Speaker, I refer to the pamphlets sent out in the interest of oleo and butterine, in which many insulting things are implied of the dairy people; such as, "The oleo men are putting cow's hairs in their butterine in order to make it more closely resemble the real dairy butter."

But, Mr. Speaker, that to which I more particularly refer is contained in a pamphletentitled "Higher wages and cheaper food: Honest words to honest men." It reads, "Beecher on butter," and is as fol-

Oh, for a reformation in the dairy! While old farmers hunt good breeds of cows, we hope young farmers will find a breed of wives who shall know that there is such a virtue as cleanliness. The practice of rolling butter in linen cloth is not good. In warm weather it sticks, and in all weather butter takes a peculiar taste from the cloth. Besides, though we believe in saving old shirts, we don't like the economy of tearing them up for butter rags. At any rate, it behooves us to know out of whose undergarments we are eating, for, we suppose, even cannibals have a choice of what men they shall eat."—New York Grocers' Advocate.

Mr. Speaker, I was raised on a farm and this is an insult to my mother, my sisters, and every lady in the land. The insinuation that any lady would take dirty shirts or any article of dirty underclothing to roll butter in is an insult to decency; and, Mr. Speaker, I would suggest that the Mr. Beecher, whoever he may be—surely can not be Henry Ward Beecher—be sent as a missionary to the Cannibal Islands, where baked missionary is the principal article of food, and thereby get rid of him as well as of the cannibals. But, sir, I fear the result! In the ballad of a mad dog, the man recovered from the bite, the dog it was that died!

Mr. Speaker, there is cleanliness in the use of a man's tongue as well as in the use of butter-cloths. And I here reiterate that men who use such insulting and uncalled for expressions about the best people of our land are not too good to impose any kind of impure food on an unsuspecting records as large as it is any axis of impure food on an unsuspecting records. pecting people so long as it is a paying business to them, and the sooner they and their business are wiped out of existence the better it will be for the country. If any one will read Asmodeus, or the Devil on Two Sticks, they will find a fair illustration of this fraud and attempt at the centralization of capital against the producers and laboring classes.

Oleomargarine.

SPEECH

OF

HON. EDWARD W. SEYMOUR,

OF CONNECTICUT,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 26, 1886,

On the bill (H. R. 8328) defining butter, also imposing a tax upon and regulat-ing the manufacture, sale, importation, and exportation of oleomargarine.

Mr. SEYMOUR said:

Mr. SPEAKER: Any proposition which promises to be of practical benefit to the farmers of this country commands my interest. If it contravenes no principle of constitutional law and is not unjust to other legitimate industries it secures my support. The farmers, notwithstanding their numbers and the vast importance of their calling, are so modest in their demands and so little practiced in those arts by which other industries secure legislation favorable to themselves that there is a natural desire to aid them. If I did not believe the bill under consideration to be constitutional I would not yield to that natural desire.

The argument against its constitutionality is that, inasmuch as we

have no right to raise revenues except to meet the necessary expenditures of the Government, and such expenditures do not require this additional revenue in order to meet them, therefore the proposed tax would be unconstitutional. The argument is not sound.

It is necessary to raise a certain revenue to meet govern

penses. Every man has a right of choice as to the articles upon which this tax shall be placed to raise such revenue. If I desire to put among the articles to be taxed for that revenue the articles enumerated in this bill, in order, among other things, to hasten the day when the tax may be diminished on wholesome food and necessary clothing, who shall question my constitutional right to do so?

If this proposition to tax oleomargarine had been reported from the Committee on Ways and Means in a bill which at the same time proposed to reduced the tax on some other article an equivalent amount, would any one have claimed the action to be unconstitutional? Does it affect the constitutional question that this bill takes only one of those steps and leaves the other to be taken hereafter when the opportunity

occurs upon the tariff bill before the House?

If I propose (as I certainly do) to vote for measures calculated to reduce our revenues raised by taxation to the limits of our neces expenses, and to raise that necessary revenue so far as may be by tax-ing luxuries and harmful commodities instead of the every-day necessities of life, who shall object? And am I to be defeated in that laudable object because I can not accomplish both purposes by a single vote and upon one bill? The fact that under our present tariff laws we do not need the revenue which this bill would produce does not make it unconstitutional with those who do not mean, so far as their votes are concerned, to permit those laws to remain as they are, and who propose to reduce taxation and to raise what is needed from articles which can best bear it.

As an original question no one would doubt the right of Congress under the Constitution to tax oleomargarine for the purpose of raising constitutional revenues. If it could have been originally taxed, so it may now be substituted as an object of taxation for some other article upon which revenue is now raised, and I, who desire such substitution, may consistently with a strict construction of the Constitution vote for it. While not caring to argue the general questions involved, I have desired to say thus much upon the constitutional question, because, as already intimated, if I considered the bill unconstitutional I would not vote for it, desirable as I believe is the end to be attained by its passage.

It has been strongly urged by gentlemen who admit the constitutionality of the bill that its provisions are impolitic; that they savor of class legislation and aim to destroy a competitive industry. Such arguments would have force if they were relevant, but they are based upon an entire misunderstanding of the bill, namely, that the bill taxes the product of the articles mentioned in section 2 independent of their being timede in imitation or semblance of butter as a labeled of the competition "made in imitation or semblance of butter, or calculated or intended to be sold as butter or for butter." Such is not the fact. Nothing is "oleomargarine" within the meaning of the bill except mixtures made in imitation or semblance of butter, or calculated or intended to be sold as butter or for butter.

One may freely make, buy, or sell compounds of oleo, oleomargarine oil, lardine, suine, offal fat, cotton-seed oil, and neutral so long as they are plainly marked with the names of the articles composing the mixture. It is the fraud, the sham which would sell them for butter, that

the bill antagonizes.

Since when, Mr. Speaker, was the manufacture of a deleterious and offensive article and the palming it off on the unsuspecting purchaser under false colors dignified by Congressional recognition as an "industry"-a legitimate, competitive industry, with rights to be respected and claims to be regarded?

It is said that this measure will be a precedent for future taxation of articles against whose manufacture and sale none of the arguments exist which are admitted to exist in respect to the article taxed by this bill. It is sufficient answer to such an argument to say that it is illogical to argue from a good action that it will prove a precedent for a bad one; and Congress must be trusted, and surely may be trusted, not to enact laws for the purpose of taxing out of existence any legitimate industry. Regard for the Constitution and for what is certainly the sentiment of the American people would prevent such an exercise of power. There is no danger whatever in that direction.

There are other points involved in this discussion which have been so fully argued that it would be inexcusable to repeat them. The absolute vileness of many of the compounds sold as butter and so successfully colored and scented as to deceive buyers has been fully demonstrated. If there are any who prefer such compounds to pure butter they ought to be willing to have them marked, as of the compounds which compose them, so that those who prefer pure butter may not get something else by mistake. And it is not fear lest the Constitution should be infringed half as much as it is hatred of the entire system of internal-revenue taxation, with its taxation on the manufacture of spirituous liquors and tobacco, that furnishes the real motive of the opposition.

Land Grants in New Mexico, Arizona, and Colorado.

SPEECH

SPRINGER, WILLIAM M. HON.

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, May 11, 1886.

The House being in Committee of the Whole on the state of the Union, having under consideration the bill (H. R. 2851) to provide for ascertaining and settling private land claims in the Territories of New Mexico and Arizona and the State of Colorado—

had no title to them.

Mr. CHAIRMAN: This bill, in brief, provides for the appointment of a commission of three persons by the President of the United States, by and with the advice and consent of the Senate, to serve for four years, for the purpose of adjudicating Mexican and Spanish land grants in the Territories of New Mexico and Arizona and that part of the State of Colorado derived from the Republic of Mexico.

These claims, aggregating an immense amount of acres of the public domain, should have been settled long ago. In 1851 Congress provided a commission for the settlement of such claims in the State of California, and that commission performed its duty, cases were all disposed of in the courts, and, in general, titles were quieted, and the prosperity of that State was assured. But in the Territories of Arizona and New Mexico, and that part of the State of Colorado ceded to us by Mexico, these titles have never been quieted. Lands thus claimed have been surveyed in some instances, and in other cases large portions of such land have been patented by the United States to persons who

The Commissioner of the General Land Office, in his last report, states there are now pending before Congress ninety-six claims to lands in the Territories of New Mexico and Arizona, covering an alleged estimated area of 8,500,000 acres. These claims have never been examined carefully by the General Land Office, some have been partially examined; and it is due to the claimants, it is due to the Government, it is due to the people of these Territories, that these claims should be finally adjudicated and the titles permanently quieted.

If gentlemen could see before them a map of the Territory of New

Mexico they would observe many red spots, which mark the claims already presented to the Interior Department of the Government, covering nearly one-quarter of the area of that vast Territory.

Most of these lands are withheld from settlement and the titles are

Villages and towns have been located on them, and now in dispute. yet the people in many instances are uncertain as to whether they own a foot of the land or not.

Mr. McADOO. Will the gentleman permit me to ask him a ques-

Mr. SPRINGER. Certainly.
Mr. McADOO. Is it not a fact that large cattle syndicates have taken possession of a large portion of this land?
Mr. SPRINGER. The gentleman from New Jersey asks me whether large cattle syndicates have not taken possession of much of this land. Cattle syndicates, sheep syndicates, and syndicates of capitalists generally have obtained possession of a great many of these grants. There is a pressing necessity for action on the part of Congress in this matter. I call the attention of the committee to the report of the Commissioner of the General Land Office in regard to many of these cases. One in

particular, where a patent has been already issued, deserves the attention It is known as the Maxwell grant, which Secretary of the Interior Cox thought could not under any construction of the grant exceed 96,000 acres, but which was afterward patented for 1,700,000 acres. The patents for that land are now held by a Dutch or Holland syndicate known as the Maxwell Land Grant Company. Suits have already been instituted in Colorado to set aside those patents so far as they cover land in that State. Commissioner Sparks, of the General Land Office, in his annual report for the year 1885, thus refers to this grant:

Office, in his annual report for the year 1885, thus refers to this grant:

In July last I submitted to you the result of my investigation of the proceedings of this office by which the notorious "Maxwell" or Beaubin and Miranda grant in New Mexico and Colorado was patented in 1879 for upward of 1,203,000 acres, when, if the grant had possessed any original validity, the quantity legally claimable under it could not have exceeded 96,000 acres, and this quantity only was patentable by the effect of Congressional confirmation. It wasso found by Mr. Secretary Cox in 1869, and his judgment had not been reversed when upon a forced assumption of the applicability of a judicial decision in another case and a tortuous construction of a general letter of advice from a succeeding Secretary, this office resurrected the extinguished claim for excessive quantity and passed it to patent without written decision, "and without opportunity being afforded adverse parties or protestants to appeal to the Secretary or invoke his supervisory judgment;" and this in the face of "a large number of letters, complaints, petitions, protests, and charges" which have been transmitted to this office and Department from citizens of New Mexico, "alleging fraud in the location and boundaries of this claim, its extension far beyond any original claim or possession by the grantees, the invasion of settlement and mining rights, and of the rights of native inhabitants and Indian occupants."

The files of the office groan with pitiful appeals of settlers to be protected against fraudulent surveys of private land claims, which appear generally to have received no more attention than to be buried in the tomb of official archives. Recent memorialists, praying legal intervention to save their homes and property from seizure under a patent issued in 1881 for nearly 1,000,400 acres to the claimants of the Sangre de Cristo grant in Colorado, which, if existent and valid, was restricted by the laws of Mexico to one-tenth the quantity conveyed by this office

Commissioner Sparks, in the same report, calls attention to the Cañon de Chama grant, in New Mexico, which when originally presented was for a single square league of land. This was shown by the plats then exhibited. The claim was purchased from the original owner, and through the skillful manipulations of land-grabbers it has grown in size until it has reached the magnificent proportions of more than 100 square leagues, or 472,736 acres, and is fortified by a survey showing the identical boundaries. The Committee of this House on Private Land Claims of the Forty-seventh Congress (Republican) reported this case for confirmation at the last-named area, and I well remember when it was considered in Committee of the Whole and defeated. It is still pending, however, and nothing short of a judicial determination will ever place a final quietus upon it. I presume the entire area thus claimed is withheld from settlement under the homestead and preemption laws.

Since Commissioner Sparks assumed the office he now holds he has rendered an adverse decision on the claim of Gervacio Nolan for 575,000 acres of land in New Mexico. Congress had expressly provided in 1870 that but one of two grants which he claimed should be confirmed, and he was allowed to make his selection, which he did, "in full satisfac-tion of all further claims and demands against the United States." Having obtained one grant upon these terms, it was reasonable to presume that his claim was finally settled. But not so. He turned up again as a claimant in the General Land Office for the other grant. In 1880 the General Land Office so far recognized this last claim as to order a survey thereof, which was made, and the plats filed. The survey as then made embraced 575,000 acres, or twelve times the legal quantity, if the grant had ever had any validity. The lands embraced in this survey were withdrawn from settlement under the general land laws, and the whole area reported for confirmation. Mr. Sparks set aside the survey and decided that the land belonged to the United States, and opened it to actual settlers.

Mr. Sparks, in the report already referred to, thus sums up the action of his predecessors in reference to a few of the Spanish and Mexican

land grants in New Mexico:

The New Mexico claim of Francis Martinez under the colonization laws, which limited grants to the maximum of 48,000 acres, was surveyed for 594,515.55 acres, and patented in 1831. A similar grant to E. W. Eaton was surveyed and patented in 1880 for 81,082.67 acres. A similar claim was surveyed and patented to Antonio Sandoval in 1877 for 60,117.39.

The claim of John Scolley, also in New Mexico, was surveyed for 108,507.64 acres and the land reserved. Congress confirmed the grant according to its terms for five leagues, or 22,193.40 acres, but the larger area still remains in reservation.

A New Mexico grant said to have been made to Salvador Gonzales, in 1742, of "a spot of land to enable him to plant a cornfield for the support of his family" has been surveyed for 163,959.31 acres, and land reserved. An amended survey has been filed reducing this amount to 23,661 acres, and the claim is now pend-

has been filed reducing this amount to 23,661 acres, and the claim is now pending before Congress.

The Anton Leroux grant in New Mexico, surveyed for 126,024.50 acres and the land reserved, has been examined by this office and the survey found to be excessive to the amount of more than 100,000 acres.

The B. M. Montaya grant in New Mexico, limited to 48,000 acres under the colonization laws, is surveyed for 151,056.97 acres and the land reserved. Claim before Congress.

The Sedillo grant in New Mexico, of the same character and limitation, is surveyed for 88,079.78 acres and the land reserved. Claim before Congress.

The Arroyo de San Lorenzo grant in New Mexico, same limitation, is surveyed for 130,000 acres and the land reserved. Claim before Congress.

The Estancia grant in New Mexico (Nolan No. 3), also restricted under the

colonization act to 48,000 acres, is surveyed for 415,036.56 acres and the land reserved. Claim before Congress.

In 1768 Ignacio Chaves and others (New Mexico) petitioned for a tract "which will have on each side one league and a half, more or less." This would make a tract of 2½ superficial leagues, or a little less than 10,000 English acres. The elaim has been surveyed for 243,036.43 acres and the land reserved. Pending before Congress.

The foregoing and other cases cited are mentioned as examples merely exhibiting the general situation.

There is no data upon which to estimate the number of claims that may yet be presented.

A gigantic scheme for stealing several million acres of land in Arizona is thus exposed by the Commissioner of the General Land Office:

The inhabitants of Southern Central Arizona have for the past two or three years been threatened by the assertion of the existence of an enormous grant alleged to have been made in 1758 to one Peralta, embracing a region of country 49 by 150 miles in extent, or a larger area than the combined States of Connecticut and Rhode Island, the location of which was laid in the most populous and valuable portion of the Territory. An extensive correspondence touching this alleged grant was entered into during my predecessor's incumbency of this office between the Governments of the United States, Mexico, and Spain, resulting in the following letter addressed by me to the surveyor-general:

Department of the Interior. General Land Office.

in the following letter addressed by me to the surveyor-general:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE.

Washington, D. C., May 2, 1885.

SIE: I am in receipt by reference from the honorable Secretary of the Interior of your letter of March 27, 1885, stating that certain papers have been filed in your office in the matter of an alleged grant to one Peralta, claimed to embrace a region of country 49 by 150 miles in extent, aggregating 4,000,000 acres of land, inclusive of the city of Phemix, the towns of Florence, Globe, and Silver King, the major part of the counties of Maricopa, Pinal, and Graham, a large portion of the White Mountain, and the San Carlos Indian reservation, and that said alleged grant also purports to carry all minerals.

You transmit a list of papers filed, the most material of which purport as follows:

(1) Decree of Ferdinand VI (King of Spain) recommend grant.
(2) Copies of the report of the royal tribunal of the Inquisition of the grant
Peralta by the viceroy in 1758, and of the statement of Peralta as to location

(2) Copies of the report of the royal tribunal of the Inquisition of the grant to Peralta by the viceroy in 1758, and of the statement of Peralta as to location of grant.

(3) Petition of Peralta to King Carlos III, praying confirmation of the grant.

(4) Order of King Carlos III confirming grant.

You state that although from one and one-half year's study you are familiar with every detail of this alleged grant, you are not in possession of corroborative proofs or evidence thereof.

Thorough search has been made under the direction of the Government of the Republic of Mexico, at the instance of this Government, and no record of this grant, nor of any of the various and minute proceedings required by the laws of Spain and the Indies, connected with the making of such grants, has been discovered.

You are further advised that this Department has received from the Department of State official information communicated by the Spanish Government through the American legation at Madrid that a careful search has been made by the director of the archives, and that the "so-called 'Peralta Grant' does not exist in those archives."

The royal grants of Spain were made with great solemnity of form and record. It is impossible that a grant should have been "recommended" by one sovereign, reported by the most august tribunal of the nation, and confirmed by the kingly deed of another sovereign and no record of these high and important acts of state appear in the archives of the Spanish Government.

The evidence that no such record exists is sufficient evidence that no such grant was made.

The essential foundation of a recognizable claim under the laws of Spain and the treaties and laws of the United States does not appear in this case. It is my opinion that the futile work in which you have been engaged for a year and a half in the direction of investigating an alleged claim which, from your own statement of its uncorroborated character, had not been placed before you in a condition to be entitled to consideration, should fo

ROYAL A. JOHNSON, Esq., Surveyor-General, Tucson, Ariz.

I presume, Mr. Speaker, we shall hear no more of this Peralta claim, at least while Commissioner Sparks is in office. I could, if time would permit, refer to very many more of these fraudulent claims. Many of them have received the sanction of Congress or the Interior Depart-ment under former administrations. It is high time that Congress was adopting some measure of relief. The pending bill will secure a judi-cial investigation of the facts involved in all alleged land grants in the Territories of New Mexico and Arizona and in the State of Colorado. Territories of New Mexico and Arizona and in the State of Colorado. I rely upon the President to appoint three able and incorruptible judges to constitute this commission. They will have a responsible and important duty to perform. They should be learned in the law and of adamantine integrity. The land-grabbers will use all their efforts to deceive, to defraud, and mislead. It will require time, patience, and great labor to thoroughly consider and determine all the questions which will be rejoined. which will be raised.

The growth and prosperity of New Mexico are now greatly retarded on account of the uncertainty of land titles and the conflicting claims arising under pretended grants from the Republic of Mexico and from Spain. The commission provided in this bill can alone hear and determine all these questions, and finally quiet all titles. When the titles are quieted, permanent improvements will be made and business prosperity will speedily follow. We owe it to the people of those Territories to pass this bill at once. It is a measure of relief too long delayed already.

The labors to be performed by the commission are such that the Departments and Congress can not perform them and do justice to all concerned. A careful investigation in the vicinity of the grants will often be required in order to determine the real boundaries of grants as originally intended.

The courts now organized in the Territories have now more business

than they can transact. We can not expect them to properly consider the immense amount of business which will devolve upon this commis-

the immense amount of business which will devolve upon this commission. It will require four or five years of constant labor on the part of the commission to pass upon all the claims that will be presented. Delay in finally settling the questions involved is delay in advancing the material prosperity of the people interested. In many places business is at a standstill, enterprises are suspended, and general apathy prevails, owing to the fact that the titles are in dispute. This bill furnishes the most speedy and satisfactory means yet devised for an honest indicial determination of every doubtful question and finally quieting judicial determination of every doubtful question and finally quieting all disputed titles. I have no doubt President Cleveland will appoint an honest and able commission. If I had any doubts on this question I would hesitate about conferring this power upon him. He has proven equal to every other trust, and I shall rely upon him to properly execute this.

I hope the bill will pass, and I assure the committee that its beneficial results will far exceed the cost of its execution.

Pending the remarks of Mr. Springer his time expired and the fol-

lowing proceedings were had:

The CHAIRMAN. The gentleman's time has expired.

Mr. SPRINGER. I ask leave of the committee to print the remain-

der of my remarks on this bill.

The CHAIRMAN. The Chair hears no objection and it is so ordered.

Mr. SPRINGER. The gentleman from Kentucky [Mr. HALSELL]
also desires the same privilege. And I ask unanimous consent that all
gentlemen who desire to do so may print remarks in the RECORD on

The CHAIRMAN. The Chair hears no objection, and it is ordered accordingly.



Oleomargarine.

SPEECH

HON. ORMSBY B. THOMAS,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 3, 1886,

O:) the bill (H. R. 8328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine.

Mr. THOMAS, of Wisconsin, said:

Mr. CHAIRMAN: The persistent opposition to this bill by the minority of the committee has greatly astonished me. Having carefully examined the provisions of the bill I am in favor of it. The various objections that are offered appear to me to be susceptible of an answer. The objection that has been so often urged here that this is the use of the taxing power for the unjust destruction of one industry for the ben-cfit of another has no force whatever with me, for the reason that the articles and substances of which oleomargarine is composed, as shown by the report of the Committee on Agriculture, are of a poisonous and deleterious character, and, when so made, is such an exact imitation of butter as not to be distinguished therefrom by taste or in any ordinary way, and that by this means a great fraud is imposed upon the people, a fraud which scatters disease and death. This is the same kind of industry as is the manufacture of bombs and explosives for the anarchists, or as would be the building of piratical ships to prey upon the commerce of the high seas. If it can be lawfully done by Congress, this fraud, this deceit, should be controlled. This brings me to consider the constitutional objection which is so persistently made. It is not pretended that Congress has not the power to impose a tax upon oleomargarine the same as it has the power to impose a tax upon whisky and tobacco, but the argument is that we do not need the revenue to be derived from the tax, and that the taxing power is used not for raising money to support the Government, but for the suppression of the manufacture of oleomargarine. I answer that no gentleman has the right to assume that this is the position of those who vote for this bill.

There is great necessity for the revenue which will be realized by the

passage of this law. The present revenues of the Government are insufficient to meet the wants of the nation if the appropriations are made that should be for the pensioning of our soldiers, the building up of our Navy, the erection of proper coast defenses, together with the ordinary Navy, the erection of proper coast defenses, together with the ordinary and ever-increasing expenses of the Government. This act is constitutional upon its face, and I deny the right of those who oppose this bill to say that those who support it are not seeking to obtain a revenue in the manner provided by the Constitution. This disposes of that objection, as I do not believe any one will deny the right of Congress to in good faith put a tax upon this article. When gentlemen abandon the constitutional argument they appeal to us in behalf of the poor man, saying that he will be injured and oppressed by being deprived of cheap butter. The argument is in my judgment an insult—yes, the greatest insult that could be offered to an American citizen. Is it to be believed that any man would purchase an article of food for his family knowing that it contains the germs of disease and death? If this be so, why do these manufacturers of oleomargarine make it so that it is intentionally and fraudulently sold as real butter? There is nothing whatever that is used as food that should not be as pure and as healthy for the poor man as for the rich man, and such an argument as that

shall not deter me from voting for this bill.

I can readily see that those who are engaged in the manufacture of the article taxed by this bill, and who are said to be making yearly untold millions, will be greatly injured if they are by law obliged to brand and mark this spurious butter in such a way as that no one shall be deceived thereby, and I can readily see that those who furnish vast quantities of cotton-seed oil to be used in the manufacture of oleomargarine may be affected by the provisions of this bill, but, sir, in my judgment all this furnishes no reason for opposition to this measure. The farmers of this land should be protected against this fraud, and the consumers of butter should be protected against this fraud. By the terms and provisions of this bill the manufacturers of oleomargarine may go on uninterrupted by any of the provisions of this bill, without tax and without restraint, if they will drop the fraud and make an article that does not look like butter and that is not sold as butter; in other words, make an article that does not falsely pretend to be butter. I see no hardship in this, but on the other hand I see in the provisions of this bill vast good; and as we have the constitutional power to levy this tax I am in favor of putting it high enough to insure the protection of the people against this fraud and to insure the successful carrying out of the law, for no higher duty can devolve upon us than to protect the people against a deception that has surreptitiously crawled into every household to taint the blood and corrupt and destroy the health of the people.

Butter vs. Oleomargarine.

The first farmer was the first man, and all historic nobility rests on possession and use of land,—EMERSON.

SPEECH

HON. ISAAC S. STRUBLE,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 26, 1886,

The House being in Committee of the Whole, and having under consideration the biil (H. R. 8328) defining butter, also imposing a tax on and regulating the manufacture, sale, importation, and exportation of oleomargarine—

Mr. STRUBLE said:

Mr. CHAIRMAN: I am not now nor have I ever since becoming a member of Congress been ambitious to participate to any considerable extent in the current debates of this House; and at this time, when it is apparent that the friends of the pending measure desire to obtain a vote at the earliest possible moment—in which desire I heartily concur—I would content myself with simply voting as my judgment approves, were it not that this proposed legislation so vitally concerns the people of the entire State of Iowa, a very considerable part of which State of Lowa, to respect the people of the entire State of Iowa, a very considerable part of which State and people I have the honor to represent upon this floor. But, sir, I am free to confess that I can not remain quiet and not offer a word indicative of my solicitude for the interests of the people who have twice honored me with their suffrages.

The importance of maintaining our agriculture in a healthy and prosperous condition no one will for a moment question. If more than our own observation and experience were necessary to confirm this state-ment, a reference to history and the opinions of learned men who in generations past have written on the subject would abundantly supply requisite proof of the correctness of my statement. From the earliest times until the present all nations, ancient and modern, have given to agriculture the place of honor among the employments of men. The prosperity of agriculture was a matter of great solicitude to the ancients. Among the Egyptians, husbandmen were held in great esteem and laws

passed for their encouragement and protection.

The first care of the Persian princes was bestowed upon the cultivators of the soil. The satraps whose provinces were best cultivated received the largest share of royal favor; and officers were appointed by the Crown to inspect and report upon the agricultural industries. It is related by Xenephon that Cyrus the younger informed himself whether the private gardens of his subjects were well kept and yielded abundantly, and that he rewarded the industrious and skillful cultivator and punished the sloth of those who allowed their vineyards to be unpro-

Gelon of Syracuse, who flourished in the fifth century before Christ, "animated the husbandmen by his presence and delighted in appearing sometimes at their head."

His intention, says Plutarch, was to make the country rich and fruitful and to inure his subjects to toil, and by that means preserve them from a thousand disorders which inevitably follow a soft and indolent

Rollins, in his excellent ancient history, declares:

The culture of lands will be an inexhaustible fund of wealth in all countries where this profitable calling is encouraged by maxims of state policy.

Xenophon represents agriculture as the employment of all others the most worthy of man, the most ancient, and the most suitable to his nature; as the most common nurse of all ages and conditions of life; as the source of health, strength, plenty, riches, and a thousand sober delights and honest pleasures; as the mistress and school of sobriety, temperance, justice, religion, and, in a word, of all kinds of virtue

both civil and military.

One of the ablest of American statesmen—Alexander Hamilton—in his report on manufactures, submitted to the House of Representatives December 5, 1791, paid the following merited tribute to agriculture:

It ought readily to be conceded that the cultivation of the earth, as the primary and most certain source of national supply; as the immediate and chief source of subsistence to man; as the principal source of those materials which constitute the nutriment of other kinds of labor; as including a state most favorable to the freedom and independence of the human mind—one, perhaps, most conducive to the multiplication of the human species—has intrinsically a strong claim to pre-eminence over every other kind of industry.

Citations from other eminent authors and writers bearing similar testimony to the supreme importance of agriculture might be multiplied, but they would be superfluous both in this presence and that of our intelligent constituency. As in all ages, so at this time agriculture forms the basis of wealth and national power; and the member of Congress who gives but a hasty and impatient consideration to the subject—in whatsoever form it may be presented—fails, in my humble judgment, in the exercise of an intelligent and comprehensive statesmanship.

GROWTH OF IOWA; AGRICULTURE THE CAUSE.

Mr. Chairman, it has been but forty years since the State of Iowa with a population of only 81,000, became, by the determined action of her people and the consent of Congress, a member of the Federal Union.

The great prairies stretching away westward from the Father of Waters were but sparsely settled. There were no large cities within her

territory in 1846; no railroads and no commerce compared with that which exists in Iowa to-day.

But what a marvelous change has taken place. Instead of 81,000 people there are now nearly 2,000,000. Numerous large cities and thousands of thriving towns and villages dot the surface of the whole State. Excellently equipped and prosperous railroads run into or through every county. A glance at the latest map of the State discloses a vast system, a complete network of railroads fully accommodating the people and bearing their now immense commerce to the markets of the world, and I venture the assertion without fear of successful contradiction that no more intelligent, happy, and prosperous people can be found in any State of the Union.

What has made Iowa the proud and prosperous State she is to-day? What occupation have her people followed during these years since her

admission to the sisterhood of States?

Generally speaking, every occupation known to Western civilization, but in a particular sense agriculture—raising wheat, oats, corn, barley, potatoes, hogs, cattle, and horses; making butter, gathering and selling eggs, fattening their hogs and cattle—this employment, in which nearly one-half of her people are engaged, or directly dependent upon, has been the main cause of the growth and development of the State.

Mr. Chairman, although but fourteen years a resident of Northwest Iowa, I can say that I have myself witnessed throughout nearly onefifth of the total area of the State that wonderful transformation which has converted vast stretches of uninhabited prairie into the homes of

two hundred thousand American citizens.

The cause of it all, as I have indicated, is nothing new in the history of the world; but it is the same old story, no romance about it, but the plain and simple narrative of the success and value of agriculture, the purest, most independent, and health-giving employment in the world, the foundation of our nation's greatness and the pledge of its perpetuity. And right here let me say that during the last few years, and especially prior to the considerable manufacture of oleomargarine and butterine, hundreds of creameries were built and operated until, as is the case with not a few, competition with the false and unnatural imitations of butter has compelled them to close.

Those still in operation must soon, unless relief is speedily afforded, either close up entirely or conduct their business at a loss. This means surrender to the power of a vile compound, the production of which is carried on by city capitalists who have never sustained any other relation to agriculture than that of speculators upon its generous

bounty.

IMPORTANCE OF THE DAIRY INTERESTS OF IOWA.

To convey an impression of the importance of the dairy interests in Iowa, let me say that in 1880, according to the census, there were in that State 854,187 head of milch cows, since which time the number has increased to 992,313; the production of milk in 1880 was 15,965,612 gallons; of butter, 55,481,958 pounds, and of cheese 1,075,988 pounds. At fair prices and at the above rate of production these two articles (butter and cheese) would realize to the people of that State nearly \$12,000,000, with an increase annually in proportion to the increase of

The manufacture of oleomargarine and butterine has not only threat-ened damage to the butter and dairy interests of that and all Western States, but it has already resulted in serious loss; and it is now perfectly apparent that, unless this or some other remedial measure is speedily passed by Congress, irreparable damage will certainly be entailed upon interests which, in my judgment, deserve the special care of State and

National Legislatures.

Mr. Chairman, the centuries bear testimony to the supreme importance of agriculture. No nation can prosper without it. No employment can safely be exalted above it. The country not possessing the necessary area adapted to successful cultivation of the soil must devote itself specially to such pursuits of commerce as will enable it to command food products at a minimum. England presents the most conspicuous illustration of this fact in the curtailed agricultural possibilities existing within the moderate limits of her home territory; and therefore, well knowing that extended agriculture at home, with her limited country and deplorable land system, was impossible, her states-men were compelled to adopt a policy whereby the want could be supplied.

CONTRAST IN THE AGRICULTURAL SITUATIONS OF ENGLAND AND THE UNITED

We know that England has for centuries, and up to a comparatively recent date, persistently and effectually maintained the protective principle, until her manufacturing industries have become so prosperous that no nation can compete with her. Having thus attained commercial supremacy, she has strengthened her position by the policy of subsidizing her ships, having expended for that purpose in the last forty years \$200,000,000; so that she is now able, notwithstanding her local territorial disadvantage, to preserve the envisible position she has long territorial disadvantage, to preserve the enviable position she has long maintained among the nations of the world.

Our situation as an American nation is entirely different from that of England. We have a vast area of territory, and, with the exception of Alaska, included within an unbroken territorial unit. This immense area is so diversified that a large part of it is admirably adapted to successful cultivation and stock-raising, while the inexhaustible mineral resources and almost innumerable rivers and streams afford unsurpassed advantages for mining and manufacturing; and, with our facilities for cheap transportation by rail and water, we possess all the conditions necessary to the successful and permanent employments of civilization.

If it be true that during past ages agriculture has had the first place among all industries; if it is fundamental in the true system of political economy; if no nation can be great and enjoy continued prosperity without either having within her borders adequate arable lands to sustain her population, or being able to command their products at low prices, the conclusion is irresistible that, among the many employments in which our large and increasing population is engaged, none more deserves and demands the encouragement and assistance of legislation than the employment of the agriculturist.

For such reasons as I have already suggested, and others that might be enumerated, I do not see how any member of this body can refuse

his support to the measure before us.

But, sir, we are charged with a solemn duty toward the bill on account of another and, I think, weighty consideration, which should not be overlooked.

From an early day in our national life it has been our unbroken policy to encourage settlement upon the public lands; and by the adoption of liberal land laws we have induced not only native but large numbers of foreign-born citizens to enter upon, improve, and cultivate the soil.

As the years have passed, realizing the sure and rapid growth in our manufactures and the extension and expansion of our internal commerce, those controlling national legislation have had a wise appreciation of the value of rural pursuits; and so, by the pre-emption law enacted by a Democratic Congress and the homestead and timber-culture acts passed when the Republican party was in power, a mar-velous increase of farm and stock lands has been developed; and thus in the progress of that development manufactures, commerce, and agriculture have been intimately associated and have sustained, as they must in all great countries, that relation of interdependence which so

greatly contributes to public good.

Now, as it appears to me with these facts in mind, it is not only unwise upon purely economic grounds but it is unfair as a matter of honest dealing either to permit or encourage any encroachment upon the legitimate field of agriculture; and in fairness to our agricultural classes I think competition which involves imitation of any of their products should not be allowed, if it can be rightfully prevented. If imitation of butter by the use of elements alien to its natural production is permitted without restraint, it can not be predicted what next, in the line of imitation will follow, nor how soon other products will find themselves confronted by a protected, patented semblance, the result of some new discovery, aided by enterprising capital; and, if these damaging aggressions upon the old and stable province of the farmer are

permitted, it may not be long until he finds his occupation so seriously crippled that he can not do more than eke out a meager existence in its pursuit; and so I say, let us "hold fast that which is good," and protect our farmers in that domain of industry in which our land laws have incited and encouraged them to engage.

GROWTH AND RELATIVE IMPORTANCE OF AGRICULTURE IN THE UNITED STATES
AS SHOWN BY THE LAST CENSUS,

I trust it will not be trespassing too much upon the time and patience of the House if I consider briefly the growth and magnitude of agriculture in this country and its relative importance.

Referring to the census of 1880 we find the following facts:

Capital invested in manufactures	\$2,790,272,606 5,369,579,191 74,490,620 5,425,722,560
Total	13, 660, 064, 977
Value of farms, including land, fences, and buildings	10, 197, 096, 776 406, 520, 055 1, 500, 464, 609 2, 213, 402, 564
	14 OLE 101 CO.

Nearly a million dollars more than the combined capital invested in manufactures and railroads together with the combined product of manufactures and the mines

In 1880 the number of milch-cows in the United States was 12,443,-120; the number of gallons of milk produced was 530,129,755; the number of pounds of butter made was 777,250,287; the number of pounds of cheese made was 27,272,489.

The rapid growth which the agricultural interests of the country have experienced is shown by the following statement:

The number of acres in farms has increased from 293,560,614 in 1850

to 536,081,835 in 1880. The assessed valuation has risen from \$3,271,-575,426 in 1850 to \$10,197,096,776 in 1880.

The value of farm implements in use (on farms) has risen from \$151,-

587,638 in 1850 to \$406,520,055 in 1880.

The product of Indian corn has risen from 592,071,104 bushels in 1850 to 1,754,591,676 bushels in 1880; oats, from 146,584,179 bushels in 1850 to 407,858,999 bushels in 1880; wheat, from 100,485,944 bushels in 1850 to 459,483,137 bushels in 1880; barley, from 5,167,015 bushels in 1850 to 43,997,495 bushels in 1880.

Mr. Chairman, comment upon these statistics is unnecessary. sustain and confirm my strongest statements relative to the importance of the farm and its multiplied products.

PAST IMMUNITY OF AGRICULTURE FROM THE ENCROACHMENTS OF OTHER PUR-SUITS

Our farming classes have well understood the relation which their pursuit has ever sustained to other industries and to the general welfare; they have understood that their productions occupied a position in the world's commerce not subject to serious intrusion or encroachments by those engaged in other callings; and, until within a comparatively recent time, no device or ingenuity of man has been able, by the use of means in whole or in part foreign to legitimate agriculture, to invade the domain of the farmer and stock-raiser. His productions have had their well-defined place in the commerce of the world; they have been clearly identified, and their relation to the wants and necessities of those engaged in other vocations has been duly appreciated by all thoughtful and intelligent people.

The wheat, corn, oats, potatoes, hogs, horses, and cattle of the farmer and stock-raiser have constituted articles of consumption and use not susceptible of imitation, and statistics plainly show that butter has occapied a place as clearly defined as that of any of the numerous farm staples. And who that has ever lived upon the farm, or that has had intimate acquaintance with the productions of those engaged thereon and the processes of exchange constantly going on between farmers and trades-people, can for a moment fail to appreciate the importance to every farmer of preserving the domain so long by common consent as-

signed to him?

I now wish to call the attention of members to the practice of the prudent, thrifty wife of the farmer in regard to the exchange of butter and eggs for the numerous articles needed in the conduct of her household duties and the care and comfort of her family. Thousands of farmers are comparatively poor. The usual periods at which they realize on their heavier and more valuable products do not occur at frequent intervals, and in the mean time many small articles from grocers and merchants must be purchased. The necessary money is not always at hand. To obtain these little necessaries for the table, for the children, and for herself, the wife of the farmer devotes many hours of hard work to milking the cows, caring for and churning the milk, and working and perfecting the golden butter.

At the end of the week, with her butter and eggs, she drives to the nearest village or city and there exchanges them for the commodities she could not otherwise obtain without money or the incurrence of

deht.

This may seem a trifling reference, a fact beneath the dignity of dis-

cussion in a body like this; but, sir, the time has come when a blow is not only falling upon the more wealthy farmers and the men engaged in conducting creameries in various parts of the land, but upon every poor farmer, his wife and children; and I know by experience and observation that, to permit the growth of such fraud and deception as this oleomargarine business, is to permit serious injustice and continuing oleomargarine business, is to permit serious injustice and containing hardship to rest upon every one of the poorer farmers and their fam-ilies; and I, for one, am unwilling that this shall be accomplished if, acting within constitutional limitations, it can be prevented. For cen-turies the farmer has been secure in the enjoyment of his undisputed right to utilize the milk product of the cow as he might see proper.

Until within a few years past he was as secure in his butter product from unnatural imitation as in the meat product of his hogs and cattle.

But a new era has dawned.

ORIGIN AND INCREASE OF BUTTER IMITATIONS; EXTENT TO WHICH THEY ARE SUPPLANTING OUR FOREIGN BUTTER MARKET.

From one of the crowded countries of the Old World, and during a period of distressing war, emanated a revelation by which certain ele-ments and chemicals entirely disconnected from and foreign to butter might by compounding be made to resemble the genuine article. During the Franco-Prussian war a Frenchman by the name of H. Mége, having his attention called to the question of a substitute for butter, devoted himself to the consideration of certain chemical elements and fatty substances with a view to inventing a compound which should be manufactured and sold as such substitute.

Success crowned his efforts and a patent was obtained in France; and in 1878 he was granted letters patent by the Government of the United States. The ingredients of his invention were enumerated as follows: "Fats of all animals reduced by novel methods; oleomargarine mixed with milk, combined with bicarbonate of sods, and pepsin from pre-pared cows' udders, coloring matter added, and churned." Quite a re-spectable dish compared with later "improvements."

spectable dish compared with later "improvements."

That discovery—the child of war, or, as was so aptly put during the debate by the gentleman from Illinois [Mr. Hopkins], "the war measure of the inventive Frenchman"—justified for the time being, perhaps, has, together with the numerous "attachments" supplemented by the ingenious and irrepressible "Yankee" by way of other patents, become a sword in the hands of enterprising, unscrupulous capitalists with which to slaughter the innocent and unoffending. As a result of these discoveries, coupled with other causes, the vast farms and dairy interests of this country are to-day trembling upon the verge of ruin.

Sir, I am forever opposed to permitting any foreign war measure,

however modified by men of inventive genius in our own land, to destroy any of the heretofore well-defined products of the farm.

We are having, and are liable to have in the future, sufficient trouble with such foreign elements as the Mosts, Spieses, Fieldens, Schawbs, and others, such as are now engaged in fomenting incendiary and murderous sentiments among the people, without permitting a Frenchman's ingenuity, aided by selfish American schemers, to "dynamite" the en-

tire butter industry of the country.

I insist it is quite time that legislative war be declared against this "alien enemy;" and I am in favor, through the agency of this bill, of giving the French plan of butter-making such a blow as will at least discourage others than those now engaged in its manufacture from em-

barking therein.

A glance at the extent of the manufacture of butter imitations: Exact statistics as to the quantity manufactured seem unattainable. The Committee on Agriculture, who reported this bill, after most careful investigation, estimate the annual output of all factories in this country at 200,000,000 pounds. This may be too large an estimate; say the quantity does not exceed 150,000,000 pounds; yet that is one-fifth the total production of butter in 1880.

Let it be remembered that the purpose of the men who have engaged in this business is to imitate our old and reliable commodity, table butter; and, if necessary for their success, to utterly annihilate every

creamery and dairy in the country.

In truth, Mr. Chairman, the average money-making American in his mad rush for wealth is hardened to all tender sentiments; and this furious ambition, so prevalent among our people, is leading to wreck and ruin thousands of our men, who but for it would shine as

examples of good citizenship.

That those now engaged in manufacturing oleomargarine are accumulating fortunes rapidly there can be no doubt. If their product in alleged perfect imitation of butter, can be made, as has been shown, at 6 to 7 cents per pound; and if sold at the price of good butter, as it is, two things become at once apparent: the large profit to the manufactured his designation power against the makers of good butter. urer and his destructive power against the makers of good butter, which can not now be profitably produced ready for transit to market for less than 15 cents per pound. What a field for rapid accumulation of wealth, and what temptation to overcome any and every obstacle in order to attain it!

Before leaving the subject of the quantity of oleomargarine manufactured I beg to call attention to some statistics bearing upon exportations of butter, oleomargarine, &c., during the past ten years. following table is interesting, as showing how oleomargarine is rapidly and effectually destroying the foreign trade of our farmers and those operating creameries:

Table showing the value of butter, cheese, and oleomargarine exported from the United States from 1875 to 1885.

[Compiled from the quarterly report Chief of Bureau of Labor Statistics for the three months ending September 30, 1885, page 204.]

Year.	Butter.	Cheese.	Oleomarga- rine.
1875	\$1,506,996	\$13,659,603	
1876	1, 109, 496	12, 270, 083	\$70,483
1877	4, 424, 616	12,700,627	595, 335
1878	3,931,822	14, 103, 529	203, 280
1879	5,421,205	12,579,968	1,394,068
1880	6,690,687	12, 171, 720	2,599,025
1881	6, 256, 024	16, 380, 248	3,815,560
1882	2,864,570	14, 058, 975	3,015,892
1883	2, 290, 665	11, 134, 526	4,544,919
1884	3,750,771	11,663,713	4,842,362
1885	3, 643, 646	10, 444, 409	4, 451, 632

It will be seen from this table that in 1875 we exported \$1,506,000 worth of butter, and up to 1880 the exportation of that article increased, the value of that year's exportation being \$6,699,000; but in 1885 we exported only \$3,643,000 worth of the same commodity. Certainly an alarming decrease.

Our first exportation of oleomargarine was in 1876, in which year the value of the export was \$70,000; but, as will be seen from the table to which I have called attention, the exportation has increased from year to year until in 1885 it amounted to \$4,450,000. The final result of such a decrease in the shipments of butter and the continued increase of the exportation of oleomargarine is apparent to the most

Mr. BROWNE, of Indiana. Was that \$4,450,000 worth of exporta-

tion shipped as oleomargarine or as butter?

Mr. STRUBLE. No matter how shipped, the evident purpose of the shipper was to supply a demand for butter.

Mr. BROWNE, of Indiana. How then does it happen to be noted in the statistics as oleomargarine? [Laughter.]

Mr. STRUBLE. I presume the shipper was required to state the character of the goods shipped; but that does not in the least militate against my assertion that the shipments were intended to, and did,

meet a demand for genuine butter.

Mr. Chairman, the men engaged in manufacturing and vending oleo-margarine have not failed to present their side of this controversy, as members of the House well know. They have told us, through their circulars, of the purity and delicious quality of the compound, made in part of offensive substances and poisonous chemicals. They have enlarged upon the capital and men engaged in its manufacture, the cheapness of the product, and hence the injustice to the poor of a policy that would deny them so cheap an article, at the same time well knowing that in all the markets the vendors of oleomargarine have offered the same, not by its own name but always, unless prohibited by the terms of strict penal statutes, as butter. They have urged consideration of the enhanced price of cattle and hogs for slaughter and use in that business. And in a late circular, of date May 10, 1886, purporting to be issued by the Chicago Live Stock Exchange, one of the points made is in the following language:

In this market prime fat cattle are worth at least \$2 per head more than they would bring if the manufacture of these desirable articles of food were prohibited or burdened with unjust taxation and the materials now used in their manufacture were thus to be used in other channels.

That the price of fat cattle and hogs is a little higher by reason of this manufacture I will not controvert; it should be so; but the thouthis manufacture I will not controver; it should be so; but the thousands of men and women engaged in butter-making on the farm and in the dairy are not all nor nearly all engaged in fattening cattle; and while they are interested in the price of fat cattle and hogs, they are also interested in their cows and the butter and cheese produced therefrom, and they know that the slight benefits resulting by reason of any real or imaginary advance in fat hogs and cattle are many times over-balanced by the immense loss in the decline of the value of milch cows and butter; and, sir, when the enhanced price of fat cattle is urged as an argument in favor of continuing the unrestricted manufacture of oleomargarine, it should be borne in mind that for years past men in no way connected with the farm—capitalists possessing money made at other vocations, men of leisure anxious to further increase their gains, and in many instances not particular as to methods—have been swarming the plains of Texas, the Indian Territory, Wyoming, Montana, and other States and Territories, with herds of cattle, in great measure supplying the home and foreign market, and to that extent encroaching upon the domain of the actual farmer.

Sir, from a recent careful examination into facts connected with the Indian Territory, I estimate that within her borders can be found not less than five hundred thousand cattle, owned by men who have invested their money in that business for speculation. This number is but a small portion of the vast aggregate to be found scattered over the

great plains of the West. And when it is remembered that these cat-tle are raised at but a nominal cost, and that neither they nor the capital invested in them are assessed for taxes, it will be seen that the cattle syndicates are on hand ready and anxious to receive any direct or indirect profits arising from the oleomargarine industry; and that they are the parties who are, in the main, benefited by this alleged increased value to fat cattle, by reason of the utilization of their fats in the manufacture of oleomargarine.

DECLINE IN VALUATION OF MILCH COWS AND DAIRY PRODUCTS.

Finally, upon the point of loss to the farmers by reason of the decline in the value of milch cows and dairy products in the State of Iowa alone, let me quote from the remarks on this bill made by my colleague [Mr. FREDERICK] on the 25th instant. I have no doubt of the correctness of his statements. He said:

Iowa has 2,613,063 head of cattle, of which 992,313 are cows, which have decreased in valuation in the last two years \$10 per head, amounting to \$9,923,130, on account of the manufacture of oleomargarine and butterine. A gentleman from Fort Dodge, Iowa, told me a few days ago that one year ago he bought cows for dairy at an average price of \$36 per head; this year he again bought for the same purpose at an average price of \$25 per head, showing an actual decrease of \$10 per head. These are startling facts, and all on account of the fraud perpetrated by the manufacturers and dealers in the imitation of the dairy product. The dairy industry in the State, amounting to \$1,797,327, has depreciated at least 20 per cent., amounting to \$2,759,465; this, together with the depreciation in the price of cows, amounts to the fabulous sum of \$12,682,595.

In view of these and other startling facts it is high time the friends of farmers and of the entire agricultural interests of the country should awake to the needs of the hour. We can not and must not contemplate an attack upon any lawful industry, even though it may come in direct competitition with the usual and natural products of the farm; but here is a case of fraud and deceit so administered as to threaten the overthrow of a long established and most honorable employment, and against this unnatural and deceitful occupation I have no hesitancy in declaring my hostility.

CONSIDERATION OF THE BILL FROM A PROTECTIVE STANDPOINT; APPEALS FROM EASTERN PROTECTIONISTS

In view of the imminent peril to our butter interests, I further de clare that, even if the very tenable objection to the manufacture and consumption of oleomargarine on the ground of detriment to health did consumption of oleomargarine on the ground of detriment to health did not obtain—as it does—I am in favor of this bill from the standpoint of a protectionist; and, while regret must be experienced that such an occasion has arisen, for one I am grateful that the policy of American legislation in the interests of the entire people of the country has established a principle which can now, in a time of serious need, be invoked for the alleviation if not absolute protection of our agricultural communities.

Sir, ever since the protective principle was established as the settled policy of this country, gentlemen advocating that policy have not failed to appeal to the representatives in Congress from agricultural States to assist them in maintaining that principle against that other and, as I think, suicidal policy of free trade. They have maintained that, by protecting American labor and capital, not only the prosperity of manufacturing localities would thereby be attained, but that of the whole country as well; that, as a result of successful manufacture, large popula-tions dependent upon agriculture for food and clothing would be built up and maintained in a healthy condition of consumption; and that these populations would demand, and be able to pay for, all the varied products of the farm and garden; and thus there would be generally diffused throughout the land the blessings of a system calculated to promote in large measure the general good; and, by so doing, afford striking illustration of the wisdom of that wise constitutional provision giving Congress the power to legislate for the general welfare of all the

Readers of our legislative history well know how, to a very considerable extent, the representatives from agricultural sections of the country have, through all these years, stood loyally by the protective policy, and that, too, when it was perfectly apparent that the immediate and direct benefits resulting from the policy accrued to the manufacturers, and the more remote and indirect, yet not less certain to the formers. and the more remote and indirect, yet not less certain, to the farmers, and I firmly believe and assert in this presence as my earnest conviction that, if the protectionists of the East in this critical time with the farmers, stand loyally by the interests of the latter and accord to them the direct protection they now so much need-not from the avaricious foreigners only, but from the greedy, grasping, and insatiable moneymakers within our own borders—they may be assured that the law of reciprocity will not be forgotten by the representatives of those who now ask for assistance.

The record of the discussion had upon this bill discloses that not all of the members from the protection States of the East are favorable to its passage; and, notwithstanding reference by my colleague [Mr. HEN-DERSON, of Iowa] has been made to the attitude of the eminent and venerable gentleman from Pennsylvania [Mr. Kelley], I desire to express my regret that such as the latter and his equally venerable and distinguished colleague [Mr. Curtin] are not able to see that this measure is in the interests of so large and important a number of the express my regret that such as the latter and his equally venerable and distinguished colleague [Mr. Curtin] are not able to see that this measure is in the interests of so large and important a number of the people of the United States that they could well support it, without being justly liable to the criticism either of voting to protect one meri-

torious industry as against another or of supporting a measure calculated to add to the cost of food products. Gentlemen representing manufacturing and laboring constituencies are perfectly justified in considering carefully and earnestly every measure bearing upon the question of cheap and wholesome foods. No one ought to interpose any objection to such a course, when the foods affected by proposed legislation are wholesome and not made and sold in fraud of an article of general use and when they have a well-known and clearly defined place in the established commerce of the world.

Will it be contended at this period of our history that the laboring men in manufacturing and commercial centers can not afford to buy, to an extent reasonable and necessary to comfort, the legitimate products of the farm—that they can not afford to buy a wholesome quality of genuine butter, and hence should be permitted to buy any substitute which may be had at lower prices than the genuine article? If these queries be answered in the affirmative, what becomes of the claim of the protectionists who so vehemently maintain that their economic principle, thoroughly carried out, begets conditions of consumption upon which the farmer may safely rely for a reasonably profitable disposition of his products.

Is the much-vaunted protection, then, a failure? Can it not be re-lied upon to supply a healthy demand for the commodities of agriculture? Must we concede that articles of food, cheaper than those which are the natural output of the farm and constituting a fraud upon the honest product, are necessary in order that laboring men may comfortably subsist? Mr. Chairman, I am not yet ready to give assent to such ably subsist? Mr. Chairman, I am not yet ready to give assent to such propositions. Rather let it be maintained that, if the manufacturers and capitalists will content themselves with adequate profits; if laboring men will devote themselves to toil with persistency and faithfulness, as they generally do; and if they are also willing to exemplify prudence, sobriety, and economy, all of them may and will be able to

prudence, sorriety, and economy, all of them may and will be able to command a comfortable livelihood; and commanding that, will have the means with which to buy from the farmer and merchant a portion of every good and wholesome thing essential to comfortable existence. Before passing from this reference to the position of the distinguished gentlemen from Pennsylvania just mentioned, Messrs. Kelley and Curtin, I take pleasure in calling attention to the candid and statesmanlike words of Mr. Hiscock, of New York, Messrs. BAYNE and Scott, of Pennsylvania, and other Eastern protectionists, whose names are equally worthy of mention.

As a representative of a district the great majority of whose people

As a representative of a district the great majority of whose people are directly and deeply concerned in butter and dairy interests, I thank all these gentlemen for their outspoken and able utterances. The farmers of Iowa will not soon forget their friends in this Congress, and it is a satisfaction to me to know that among those standing firmly and loyally by their interests is a considerable number of the ablest and most persistent advocates of protection.

CONSTITUTIONALITY OF THE PROPOSED LEGISLATION.

I now desire to discuss, briefly, the constitutionality of the proposed legislation. Its constitutionality is clear upon at least three grounds:

1. The taxing power of the Federal Government.

The police power of that Government. Jurisdiction of Congress over interstate commerce.

Hilliard on Taxation, section 85, says:

The taxing power is an essential attribute of sovereignty, and can only be abridged by positive legal enactment clearly expressed. (State vs. Newark, 2 Dutcher (N.J.), 519; Debolt vs. Ohio, 1 Ohio St., 563.)

The Supreme Court in McCulloch vs. Maryland, 4 Wheat., 428, used this language:

It is admitted that the power of taxing the people and their property is essential to the very existence of the Government and may be legitimately exercised * * * to the utmost extent to which the Government may choose to carry it. * * * The people give to their Government a right of taxing themselves and their property; and as the exigencies of Government can not be limited, they prescribe no limits to the exercise of this right, resting confidently on the interest of the legislator, and on the influence of the constituents over their Representatives, to guard them against abuse.

Desty, in his work on taxation, says:

One purpose of taxation sometimes is to discourage a business, and perhaps to ut it out of existence; and it is taxed without any idea of protection attending ne burden. This has been avowedly the case in some Federal taxes (Veazie ank vs. Fenno, 8 Wall., 533). The taxes have nevertheless been sustained.

The case of Veazie Bank vs. Fenno, cited by Mr. Desty, was decided in 1869. An act of July 13, 1866, imposing a tax of 10 per cent. on all notes paid out by any State bank after August 1, 1866, and intended to act as a prohibition of such issuance, was held by the Supreme Court to be constitutional.

The court made use of this language:

The tax can not be held invalid for being so excessive as to indicate a purpose to destroy the franchise of the State banks.

Justice Woodbury, delivering the opinion of the court in Pierce et al. vs. New Hampshire (5 Wheat., 608), said:

they would appear entirely defensible as a matter of right, though prohibiting

Justice Story, in his work on the Constitution, book 1, pages 677, 678,

Nothing is more clear from the history of commercial nations than the fact that the taxing power is often, very often, applied for other purposes than revenue. It is often applied as a virtual prohibition; sometimes to banish a noxious article of consumption; sometimes as a suppression of particular employments.

Chief-Justice Marshall, in McCulloch rs. Maryland, before mentioned, says:

That the power to tax involves the power to destroy is a proposition not to

Alexander Hamilton, in his masterly essay upon manufactures, under the head "Prohibition of rival articles, or duties equivalent to prohibition," says:

This is another and an efficacious means of encouraging national manufactures. Of duties equivalent to prohibitions there are examples in the laws of the United States, and there are other cases to which the principle may be advantageously extended.

Under the taxing power there is no limit as to the amount which may be charged. It often happens in certain avocations that the power to tax is used in aid of the police power, either by devoting the fund to the payment of the police power, or by making the tax so high as to be in its nature prohibitory.—

Duroch's Appeal, 62 Pa. St., 391.

Having considered briefly the extent of the taxing power of the Government, I wish to speak of its police power. And before entering upon a discussion of the general police powers of government, I desire to refer to the argument made during this debate by the gentleman from Georgia [Mr. HAMMOND]

Referring to Cooley's Constitutional Limitations, he attempted to show that the National Government has delegated all its police power to the several States. I do not agree with the honorable gentleman, but claim that in matters of foreign or interstate commerce the Federal Government can exercise full police powers. I quote also from the same distinguished author, at page 586:

Congress may establish police regulations as well as the States, confining their operation to the subjects over which it is given control by the Constitution. But, as the general police power can better be exercised under the supervision of the local authority, * * * the regulations which are made by Congress do not often exclude the establishment of others by the State.

The olice power delegated to the States was only intended to apply to matters of mere local concern, as is indicated by the court in Pierce et al. vs. New Hampshire, before cited:

The police power of the States was reserved to the States, but such police power extends to articles only which do not belong to foreign commerce or to commerce among the States.

Can it be claimed, upon reasonable grounds, that the manufacture and sale of oleomargarine throughout the United States is simply a local interest, affecting only the several States individually? Certainly not. It is an industry affecting interstate commerce. If the bogus butter manufactured in Armour's Chicago slaughter-pens were not sold outside of Illinois, and if none of the stuff were brought into the State from other States, its manufacture and sale within the limits of that State might properly be considered as wholly within the police jurisdiction of Illinois, and not a matter over which Congress could legis-But the condition is contrary to fact. Oleomargarine is shipped from Chicago to all parts of the country; and, for anything there is to

from Chicago to all parts of the country; and, for anything there is to hinder, is shipped from different sections to Chicago.

Can the State of Illinois regulate this? Can she say to the honorable gentleman from Chicago [Mr. DUNHAM], "You must not ship this deleterious hog grease to the gentleman from New York [Mr. BEACH], lest you make him sick and thus the American Congress be deprived of the benefit of his timely objections?" Can she say to the gentleman from Philadelphia [Mr. Kelley], "We will have no more of your brotherly love sham butter?" The State of Illinois possesses no such authority. She could properly prohibit the manufacture within her borders of any article she saw fit to prohibit; but she could not prevent her markets from being flooded by the same articles manufactured in other States, except as I shall state further on. other States, except as I shall state further on.

Mr. Story says, on page 227, volume 1, of his Constitutions:

It is obvious that it (the power of taxation) is an incident of sovereignty and is coextensive with that to which it is an incident. All subjects over which the sovereign power of a State extends are objects of taxation; but those over which it does not extend are, upon the soundest principle, exempt from taxation. The sovereignty of a State extends to everything which exists by its own authority or is introduced by its permission.

Does the sale and exchange of oleomargarine or any other product, between the different States through the usual channels of interstate commerce, derive their authority from, or are they introduced by, the permission of the individual States? Let Mr. Story answer:

Those powers are not given by the people of a single State. They are given by the people of the United States to a Government whose laws, made in pursuance of the Constitution, are declared to be supreme. Consequently the people of a single State can not confer a sovereignty which will extend over them.

Where then would be the remedy of Illinois against this obnoxious importation? The regulation of commerce between the different States is expressly prohibited to the States by the Federal Constitution:

No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and all such laws shall be subject to the revision and control of Congress.

This wise prohibition was designed to prevent the conflict of interests which would certainly arise between the different States were they allowed this latitude in legislative authority. And not only is this right denied to the State, it is expressly reserved to the Federal Government:

The Congress shall have power—
3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

Here is the remedy for Illinois. Here is the police power which must be exercised in order to make her own regulations of any effect against importation from other States

True, Illinois has the right to prohibit the importation of any articles declared by her laws to be deleterious to public health or against good morals, because such articles, in that they are held by her to be dele-terious and pernicious, concern her most vitally, and are not considered within the purview of "commerce among the States," as contemplated in Pierce and others vs. New Hampshire, before cited. Under such cir-cumstances the police power of a State is, of course, able to prohibit the importation of oleomargarine; but the lack of uniformity which would exist between the different States, in their views of this product, would make the exercise of the police power of the General Government much

more efficacious than the exercise of that power on the part of the State.

On the other hand, if the product is viewed simply as a subject of interstate commerce and it is not declared by the State to be deleterious, the State of Illinois, in the illustration before used, has no remedy in herself.

This power of the Federal Government is constantly acknowledged; and, in a short time, will be acknowledged on this floor, in the discussions upon the interstate-commerce bill. Whenever this power has been appropriated by the States, the Supreme Court has, without exception, decided that such action was an unwarranted assumption of power re-siding exclusively in the Federal Government. The case of Gibbon rs. Ogden, 9 Wheat., 1, is a leading one upon this point.

Mr. Desty says again:

Mr. Desty says again:

The appropriate regulation of the use of property is not a "taking it," within the meaning of the Constitution (R. R. vs. Richmond, 96 U. S., 521). So occupations requiring special regulation are subject to the police power (Cincinnati vs. Bryson, 15 Ohio, 625; Nightengale's case, II Pick., 168), as the sale of inflammable materials (U. S. vs. DeWitt, 9 Wall., 41). So the Legislature may prohibit a dangerous business (Kirby vs. Pa. R. R. Co., 76 Pa. St., 506; People vs. Hawley, 3 Mich., 330), as the sale of opium (State vs. Ah Chew, 16 Nev., 50); or may regulate the sale of any commodity the use of which would be detrimental to the morals of the people (State vs. Gurney, 37 Me., 156). And a penalty prescribed for the sale of dangerous articles is a constitutional exercise of the police power (State vs. Burgoyne, 7 La., 173).

Justice McLean, in the license case of Thurlow vs. Commonwealth of Massachusetts, says:

Massachusetts, says:

The acknowledged police power of a State extends often to the destruction of property. A nuisance may be abated. Everything prejudicial to the health or morals of a city may be removed.

Merchandise from a port when a contagious disease prevails, being liable to communicate the disease, may be excluded and, in extreme cases, it may be thrown into the sea.

This comes in direct conflict with the regulations of commerce, and yet no one doubts the power. It is a power essential to self-preservation and exists, necessarily, in every organized community. It is indeed the law of nature, and is possessed by man in his individual capacity.

Individuals, in the enjoyment of their own rights, must be careful not to injure the rights of others. These exceptions are always implied in commercial regulations, when the General Government is admitted to have the exclusive power.

Certainly whatever discriminations are made in taxation ought to be in the direction of making the heaviest burdens fall upon those things which are obnoxious to the public interests. (Youngblood vs. Sexton, 32 Mich., 426.)

Walker's Science of Wealth adds this to Adam Smith's four cardinal rules of taxation:

V. The heaviest taxes should be imposed on those commodities the consumption of which is especially prejudicial to the interests of the people.

Thus we see that both the taxing and police powers of the Federal Government are broad enough to cover this proposed legislation, while as a regulation of interstate commerce it is within the national authority, being at the same time denied to and impossible of accomplishment by the States individually.

It may be argued by the friends of oleomargarine that, if their industry can be thus taxed in order to protect the dairy interests, the sorghum interests of the Northwest can be taxed to protect the sugar-cane of Louisiana. I can see no point to the comparison. As well might it be said that the maple sugar of Vermont and New Hampshire trenches upon the rights of the Louisiana industry as to hold that sorghum in any way infringes upon the rightful domain of sugar made from the Louisiana cane. Maple sugar and sorghum are not imitations of the Louisiana sirup. They are not compounded of a minimum of the Louisiana sirup. amount of the latter article added for the sake of flavoring, and a maximum amount of an apothecary's stock, put together in some mysterious way, to take the place of the genuine article in the markets, but not designed for nor capable of supplying the food qualities of the Southern cane. Maple sirup, sorghum, and sugar cane are independent food products, neither infringing upon the others any more than wheat infringes upon corn. In their simplest manufactured state, without the addition of any foreign article or the skillful manipulations of the chemist, they are fundamentally, wholly, and independently articles of food without addition, subtraction, or adulteration.

How absurd, then, to compare either of these products with a com-

pounded article acknowledged to be mainly composed of ingredients which are not food products, or those of an inferior, deleterious, and nauscating kind-refuse and offal-which have served their purpose and been relegated, by the decent sense of mankind, to the dung-heap.

Mr. Chairman, I have extended my remarks to a greater length than may have been necessary; but my apology, if any were due, would be the plea that I stand here as the representative of two hundred thousand people whose interests in all matters touching propositions of national legislation I am, for a brief time, under my solemn oath of office to subserve.

Oklahoma.

What political development lies before the Indians of the Indian Territory it is impossible to foresee; but one thing is evident, the idea of maintaining permanently an imperium in imperior, such as now exists, must, in some respects, be abandoned. The idea of Indian nationality is fast melting away, and the more intelligent Indians are themselves awaking to that fact. In a word, the Indians in the Indian Territory must sooner or later break up their tribal relations, take their lands in severalty, and to all intents and purposes become citizens of the United States, and be amenable to its laws, as well as enjoy all of its high and distinguished privileges. When that is done they will be prepared to dispose of the surplus lands they may own to the best advantage to themselves, and in a spirit pro bono publico.—Hon. J. D. C. Alkins.

SPEECH

HON. ISAAC S. STRUBLE,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 3, 1886.

The House being in Committee of the Whole on the state of the Union for debate on the bill (H. R. 7217) to provide for the organization of the Territory of Oklahoma, and for other purposes—

Mr. STRUBLE said:

Mr. CHAIRMAN: The bill now under consideration is indeed one of the most important measures that have been before this Congress. measure that merits the most careful consideration at our hands. There are very serious questions involved, some of which have been suggested by the gentleman from Louisiana [Mr. KING] who has preceded me, questions in reference to the obligations of the Government, not only with respect to treaties with the Indians but in relation to our whole Indian policy, questions not only regarding the Indian policy but concerning the interests of thousands of the people of this country who are still without homes and who are desirous of availing them-selves of the advantages of our liberal and beneficent land system.

Sir, as I look at this Indian Territory and contemplate its present condition, I think the American people are to be congratulated that there exists to-day but one such Territory to plague and baffle the legislators of the present and reflect upon and measurably impeach the wisdom and foresight of the statesmen of the past.

I maintain, sir, that the present anomalous condition of this Territory is a complete assurance that the statesmen of the earlier days entertained a very inadequate conception of the future growth of this country.

It is evident that at the time the policy of settling Indians on territhe time the boncy of setting Indians on territory west of the Mississippi was first projected it was not thought possible, and could hardly have been foreseen by even our wisest statesmen, that the vast plains of the far-away West would ever become, as now, the permanent homes of millions of prosperous and happy citizens of the Republic; that the barren plains of the great American desert would become the garden of the New World. Nevertheless, I can not refrain from expressing my astonishment that the able legislators, who not only laid the foundations of our present Indian policy but assisted in carrying the same into effect, should have so legislated in relation to any of the aboriginees of this country that the time would ever come, when in the very heart of the Republic there would be found an empire capable of sustaining millions of people yet reserved for the exclusive occupancy of outlaws, cowboys, cattle, and about fifty thousand Indians.

And, sir, I am still more astonished that our past legislators should have allowed a system to grow up under which this remnant of Indians can claim, as they do most persistently, exclusive ownership to such a vast domain; and not only this, but these Indians confront the American Congress and people with the assumption that henceforth and forever they are to constitute a body of people wholly independent of all power and control of the great Government which, over every other foot of soil within its territorial boundaries, is supreme; and they assert that, by virtue of most solemn treaty stipulations, this Government—not only as to such lands as they have never ceded back to the United States but as to every foot included within the limits of the Indian Territory-can never include either themselves or any of these lands within the juristiction of any State or Territory.

The Government, influenced by the urgent requests of the Indians, no doubt firmly believed that by securing their removal to a country more adapted to their wants and tastes, and not liable (as was then thought) to the encroachments of civilization, the unhappy conflicts between civilization and barbarism, which had disturbed the peace of the States, would never be repeated; but it does seem that the importance of asserting and maintaining the supremacy of the Federal authority, both political and judical, over every foot of our national domain should have been uppermost in the minds of those who were shaping the destinies of this nation.

But time will not permit of an extended reference to the history of

our Indian policy.

What is the situation with which the majority of the House Committee on Territories recommend that Congress shall deal?

This bill presents for our consideration the question whether a serious and persistent attempt, by amicable arrangement, shall be made to secure for the use of any and all citizens of the land who may be desirous of seeking homes so much of the present Indian Territory as lies west of that portion now in actual occupancy by the "five civilized tribes," regard being had and provision being made for the smaller tribes now occupying the Territory by virtue of executive orders.

I beg leave to incorporate the bill, at this point, in my remarks:

I beg leave to incorporate the bill, at this point, in my remarks:

Be it enacted, &c., That all that part of the United States included within the following limits, except such portions thereof as are hereinafter expressly exempted from the operations of this act, to wit: Bounded on the west by the State of Texas and the Territory of New Mexico; on the north by the State of Colorado and the State of Kansas; on the east by the State of Missouri and the State of Arkansas; and on the south by the State of Texas, comprising what is known as the Indian Territory and the Public Land strip, is created into a temporary government by the name of the Territory of Oklahoma: Provided, That nothing in this act shall be construed to impair the rights of persons or property or to impair any patent to lands now pertaining to the Indians in said Territory under the laws and treaties of the United States, or to include any territory cocupied by any Indian tribe to which title has been conveyed by patent from the United States, without the consent of said tribe, or any territory which by treaty or agreement with any Indian tribe is not, without the consent of said tribe, to be included within the territory shall be excepted out of the boundaries and constitute no part of the Territory of Oklahoma until said tribes shall signify their assent to the President of the United States to be included in the said Territory of Oklahoma, except for judicial purposes as provided herein, or to affect the authority of the Government of the United States to make any regulation or enact any law respecting such Indians, their lands, property, or other rights, which it would have been competent to make or enact if this act had never passed.

SEC. 2. That there shall be a governor, secretary, Legislative Assembly, su-

of Oklahoma, except for judicial purposes as provided herein, or to affect the authority of the Government of the United States to make any regulation or enact any law respecting such Indians, their lands, property, or other rights, which it would have been competent to make or enact if this act had never passed.

SEC. 2. That there shall be a governor, secretary, Legislative Assembly, supreme court, attorney, and marshal for said Territory, who shall be appointed the United States, relating to the government of all the Protectives of the United States, relating to the government of all the Printed States, relating to the government of all the Printed States, relating to the government of all the Printed States, relating to the government of all the Printed States, relating to the United States; Provided, That the Legislative Assembly and Delegate to the House of Representatives shall not be elected until the President shall order: Provided further, That no person shall be entitled to vote at the first election, or to be elected to any office, who has not been a bons fide resident of said Territory for sixty days previous to said election: And provided further, That the council in said Territory shall consist of thirteen members, and the house of representatives shall consist of twenty-ix members, which may be increased to thirty-nine.

SEC. 3. That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect in said Territory of Oklahoma as elsewhere in the United States; Provided, That nothing in this act shall be construed to interfer with the local governments of any of the Indian territory and the purisdiction of the courts held therein shall embrace all causes of action, crimes, and the jurisdiction of the courts held therein shall embrace all causes of action, crimes, and offenses arising in the Indian Territory hereby repealed; but cases now pending shall be prosecuted to their final disposition therein, the same as if this act had not been p

and shall be disposed of to actual settlers only, in quantities not to exceed 150 acress, in square form, to each settler, at the price of \$1.25 per acre. All persons who are heads of families or over twenty-one years of age, and who are clitzens of the United States, or who have declared their intention to become such, shall be entitled to become actual settlers on said lands. An accurate account shall be kept by the Secretary of the Interior of the money received as proceeds of saie of said lands, and said money shall be placed to the credit of the Cherokee Indian tribe on the books of the Theory proportiated and paid to the Cherokee it in the said shall be construed to authorize any person to enter upon or occupy any of the lands mentioned in this or the propose of settlement or otherwise, until after the Indian tribes mentioned and the commissioners herein authorized have concluded an agreement for the purpose of settlement or otherwise, until after the Indian tribes mentioned and the commissioners herein authorized to issue his proclamation declaring such relinquished lands open to settlement, and fixing the time from and after which such lands may be taken. Any person who may enter upon any part of such lands contrary to the provisions of this act, and prior to the time fixed in the President's proclamation, shall not be permitted to make any entry upon such lands contrary to the provisions of this act, and prior to the time fixed in the President's proclamation, shall not be permitted to make any entry upon such lands or lay any claim thereot; and satisfactory proof shall be required by mother to the section shall hereafter be ineligible to take any homestead or make any entry of lands in said Territory of Oklahoma.

Sec. 7. That the President may, at such itimes as he may deem it necessary, direct a land-office to be opened in the Territory of Oklahoma.

Sec. 7. That the President may, at such itimes as he may deem it necessary in the provisions of this act shall be required to maintain a continuous per

rom said lands.

SEC. 11. That the act of Congress approved July 27, 1866, which incorporated the Atlantic and Pacific Railroad Company, and the act of Congress approved July 25, 1866, granting lands to the State of Kansas to aid in the construction of the Kansas and Neosho Valley Railroad and its extension to Red River, and an act of Congress granting lands to the State of Kansas to aid in the construction of the Southern Branch of the Union Pacific Railway, and a telegraph, from Fort Riley, Kans., to Fort Smith, Ark., approved July 26, 1866, or any other acts of Congress so far as they relate to lands granted in said Indian Territory and the Public Land strip, except for the right of way and necessary stations, as now provided for by law, are hereby repealed; and any or all right to said lands is hereby forfeited to the United States; and no railroad company now organized, or hereafter to be organized, shall ever acquire any lands to aid in the construction of its road, or in consequence of any railroad already constructed, either from the United States, or from any Indian tribe, or from any Territorial government or State Legislature within the limits of said Indian Territory.

The following amendments were recommended by the committee:

In section 11, line 14, after the word "stations," insert "as far as said roads may now be completed."

At the end of the bill add the following amendment:

"SEC. 12. That neither the Legislative Assembly of said Territory nor any county, township, town, or city therein shall have power to create or contract any indebtedness for any work of public improvement, or in aid of any railroad constructed or to be constructed, nor to subscribe for or purchase any shares of stock in any railroad company or corporation."

NATURAL RESOURCES OF THE INDIAN TERRITORY AND PUBLIC-LAND STRIP.

Here, in the very center of the Republic, surrounded on all sides by a teeming and prosperous civilization, lies a territory which, including the Public Land strip, is larger than any State east of the eastern line of that territory, except the single State of Minnesota; a vast and beautiful tract of prairie and timber country, well watered by creeks and rivers, with a climate unsurpassed, a soil possessed of all the qualities

for successful agriculture and stock-raising; with inexhaustible beds of coal, salt, and other minerals; with abundant water-power and navigable rivers bordering and running into the Territory-in short, a land ossessing all the elements for a great and prosperous commonwealth.

Sir, one of the peculiarities attending the opposition to this bill is the existency with which those who favor the indefinite continuance of the present state of barbarism in the Indian Territory attempt to convince this body that that country is a sandy, worthless expanse, hardly capable of sustaining its present scanty population of Indians, cattlemen, and outlaws

Travelers are daily passing through that country, and their reports only confirm what is known throughout the West—that the Indian Tor-

ritory is the garden of the western part of the Mississippi Valley.

Hon. J. D. C. Atkins, Superintendent of Indian Affairs, has spent several weeks in that Territory, going all through it and making a careful investigation of its resources, and his statements upon the subject confirm in every particular the general opinion of the wonderful productiveness and natural wealth of that region. Here is the testimony which he gives upon page 9 of his report for 1885:

The Indian Territory has an area of about 64,222 square miles, or about 41,102,280 acres. It is situated between the Arkansas (Red) River and the thirtyseventh degree of north latitude, and nearly in the center of the United States
east and west. Its climate is delightful and its resources almost unbounded,
While there are some poor lands within its limits, yet taken as a whole it is
hardly excelled in its natural resources by any other portion of the United States
of the same extent. Its soil is adapted to the raising of all the cereals, and cotton is cultivated with profit in some portions of the Territory, and its grazing
resources and adaptability to raising stock are unexcelled. It has an abundance
of water, with timber in different portions in limited quantities, while an abundance of coal of good quality is found.

The resources of the Public Land strip, or No Man's Land, as it is frequently called, and which our opponents are disposed to hold up to ridicule as an insignificant, sandy cactus patch, is thus described by a reliable party in the Chicago Inter Ocean:

I have been all over Pennsylvania, Ohio, and Indiana, much of Illinois and Kansas, and in deference to truth must say I have never seen so fine and compact a body of farm land as in No Man's Land. It is covered with bufgio grass of the very best quality. There is little or no sand excepting along the bluffs of the Beaver or North Canadian River, and these are confined to the eastern part. There is also some sand along the river bottom adjoining the Indian Territory. Farther up the bottoms are as fine lands as can be found, and are from I to 3 miles wide. There is not a particle of saline efflorescence on any of the high-lands, but in the bottoms of the eastern part there is some, but not more than is found on many streams in Kansas. Two-thirds of the bottom lands are of the best grade. There are very few cacit and yuccas to be found in the country—less than in Southern Kansas. The country is being rapidly taken, and will all be settled upon in the near future. Cattle-men, who have occupied this magnificent domain for years, now spread false reports in regard to it to keep settlers out, but it will all be taken within a year. Several towns have been laid out in it.

TOTAL AREA OF INDIAN TERRITORY AND PUBIC-LAND STRIP.

There are embraced within the limits of the Indian Territory and the Public Land strip 44,774,920 acres. This would afford 160 acres each to 279,843 families. Allowing four persons to a family, we find that the Indian Territory would support a purely agricultural population of 1,119,372; but so far we have made no calculations upon the town population, which would doubtless nearly double that of the rural dis-

The census of 1880 shows that in the States of Iowa, Nebraska, Kansas, Missouri, and Texas about 60 per cent. of the population were engaged in agriculture, and it is probable that Oklahoma would have about the same proportion. Therefore two million five hundred thousand is a moderate estimate of the number of people which the Indian Territory is capable of supporting, basing our calculation upon the density of population in other States of the West.

AREA OF LANDS WEST OF FIVE CIVILIZED TRIDES

I wish now to call attention briefly and somewhat in detail to that part of the Territory west of the five civilized tribes, that portion which can, under the provisions of this bill, be made available to the occupancy of white people.

First. Let me refer to Oklahoma proper, containing 1,887,800 acres, an area two and one-half times that of Rhode Island. If divided into farms of 160 acres each, there will be 11,798 farms; and, estimating four persons to a farm, that famous country alone would support an agricultural population of 47,192, or a general population of 100,000. No Indian has had the right to occupy or settle on any of these 1,887,800 fertile acres since the Creeks and Seminoles, in 1866, sold that country to the United States. No Indian ever claimed an acre of that land; and to-day it is entirely overrun, as I shall prove further on, by the cattle of

non-resident corporations.

Second. The Choctaw and Chickasaw "leased lands," as they are called, together with the land to the north of the Canadian River and occupied by the Cheyennes and Arapahoes, the whole situated in the southwest part of the Indian Territory and comprising over 8,000,000 acres, an area ten times the size of Rhode Island, and as large as the combined area of Massachusetts and Connecticut. Upon the same basis of calculation as I used in connection with Oklahoma, that country would divide into 50,000 farms, with a farming population of 200,000 and a general population of over 400,000. It is now occupied solely by about 6,000 blanket Indians (half of whom are there only during ex-

This magnificent stretch of country was bought of ecutive pleasure). the Choctaws and Chickasaws in 1866.

Third. The country held under executive order by 527 Tonkawas, Iowas, and Kickapoos, and embracing 534,884 acres, which would make

3,343 farms of 160 acres each.

Fourth. The Cherokee outlet of 6,022,844 acres, or 37,642 160-acre farms, supporting 150,000 farmers, or a general population of 400,000. This fertile tract, larger than the State of New Jersey and larger than seven Rhode Islands, is fenced in with wire fences by about one hundred different cattle companies, some of them controlled by foreign capitalists.

Neither Indians nor whites, except cowboys and traders, are allowed to settle upon those lands.

Fifth. The Public-Land strip or "panhandle" of 3,672,640 acres. This area, upon our former calculations, would make 22,954 160-acre farms and supporta farming population of 91,000, or a general population of 200,000. Over this tract of country there is no government nor court jurisdiction. Every man is a law unto himself. Here the criminal is safe from the demands of justice, for no officer of any court has

any right to arrest men there.

There are no Indians in Oklahoma, the Cherokee Outlet, or the Pub-Thus it will be seen that the half of the Indian Territory, over which this bill proposes to extend the benefits of a civilized government, is in the possession of cattle-men, fugitives from justice, and only about 7,000 Indians, supported by the Government, and mostly wearing citizens' clothes, though generally denominated "blanket" Indians

Now, Mr. Chairman, I think it is high time that something be done to change the anomalous condition of affairs in this Territory. And, while this bill proposes throughout to recognize every treaty obligation by which this Government is bound, while it not only proposes to do that but to send a commission to examine carefully into all the questions relating to the rights of these Indians in order that equity and justice may be done, yet I insist that it is the duty of this Congress to provide the means, and the duty of this administration to see that those means are carried into execution, by which these vast plains of excel-lent land may be opened to the occupancy of the poor people of this country. We all know very well that every vocation in life is crowded. All the fields of labor are occupied. We are aware of the distress that has prevailed, and now prevails, throughout all of our labor avocations.

In the face of this gigantic labor problem which now confronts us, it

In the face of this gigantic labor problem which now confronts us, it seems to me that one of the wisest things that can be done to bring relief to these laboring people, crowded and oppressed as they are, is to open to them this desirable public domain that they may go in, occupy and possess the land, establish homes, rear their children, and surround themselves as quickly as may be with the influences of the same civilization which is now enjoyed throughout the Western States—but a few years ago as wild as this territory of which I am now speaking.

NEEDLESS SURPLUS OF LANDS HELD BY THE INDIAN

I now wish to call the attention of the committee to a table which I have prepared, giving the population, acreage, and per capita holdings of the different Indian tribes in the Indian Territory, together with the surplus land remaining in each reservation, after allowing each Indian, man, woman, and child, 160 acres:

Name of tribe.	Population.	Acreage of reservation,	Acreage per cap- ita.	Acreage required by Indians, allowing them 160 acres for family of four.	Surplus,
Cherokee	23,000	5, 031, 351	2181	920,000	4, 111, 351
Creek	14,000	3, 040, 495	217	560,000	2, 480, 495
Seminole	3,000	375, 000	125	120,000	255,000
Choctaw	18,000	6, 688, 000	3718	720,000	5, 968, 000
Chickasaw	6,000	4, 650, 935	775	240,000	4, 410, 935
	52	56, 685	1,095	2,080	54, 615
Quapaw Peoria	149	50, 301	3371	5,960	44, 341
Ottowa	117	14,860	127	4,680	10, 180
Wyandotte	251	21,406	854	10,040	11,366
Shawnee	69	13,048	189	11,040	2,008
Seneca	239	51,958	2171	38, 240	13,718
Osage	1,552	1,470,059	9471	62,080	1,407,979
Kansas (Kaw)	225	100, 137	4401	9,000	91, 137
Pawnee	1.045	283, 120	2704	41,800	241, 220
Sae and Fox	457	479,667	1.0491	18, 280	461, 387
Pottawatomie	550	575,877	1,047	22,000	553,877
Tonkawa	92	100,000	1,087	3,680	96, 320
Ponca	574	101,894	1771	8,610	93, 284
Otoe and Missouria	266	129, 113	4851	10,640	118, 473
Iowa	89	228, 418	2,566	3, 260	225, 158
Kickapoo	346	206, 466	5961	14,590	190,876
Cheyenne and Arapaho	3,609	4, 297, 771	1,1934	144, 160	4, 153, 611
Wiehitaw	189	743, 610	3,900	7,560	736, 050
Kiowa, Comanche, and	3,032	2, 968, 893	979	121, 280	2,847,613
Apache Cherokee Outlet		6, 022, 844	010	221,200	-, -11, 010
Public Land strip	(*)	3, 672, 640			
Total	76,903				28, 578, 990

* No Indians.

Several minor tribes are not mentioned in these tables.

These statistics of population are probably greatly exaggerated, besides embracing several thousand "white Indians" and white laborers who work for the Indians, and 6,000 manumitted slaves. Robert L. Owen, United States Indian agent at Union agency, Muscogee, Ind. T., in his report for 1885, estimates that there are among the five civilized tribes alone 5,000 white Indian citizens and 17,000 farm laborers. John Q. Tufts, United States Indian agent at same place, for the year preceding (1884) reports that there were at the date of his report 16,000 white laborers among these five tribes.

Not only do these estimates embrace a large number of mixed breeds (and it should be borne in mind that any one who can prove the slight-est trace of Indian blood is reckoned an Indian by the Indians themsolves and the agents) and white citizens, by adoption or marriage, and white laborers residing in the Territory upon Indian permits, but the census returns are "stuffed" to make the aggregate number appear larger than it really is. An illustration of this is shown in the case of

the Cheyennes and Arapahoes.

For several years exaggerated returns of the number of these Indians have been forwarded to the General Government by these who are in-terested in receiving and handling supplies for a larger number than really exists; but when General Sheridan, in August last, made an official count of those two tribes they fell below previous reports about 40 per cent. The count of General Sheridan is embodied in the annual report of the Commissioner of Indian Affairs, from which we have compiled this table; but General Sheridan not having made an "official count" of any other tribes than these two, it is to be presumed that the estimates for the population of those other tribes are from 25 to 40 per cent. too large.

Not only are these returns exaggerated, but the Indians are decreasing in numbers, as is evidenced by the reports of different Indian agents. Mr. Tufts, before quoted, under date of August 29, 1884, writes:

The number of full-blood Indians is decreasing, while the increased number of mixed-bloods and the adopted white and colored citizens make the population about the same from year to year.

The number of whites is increasing. The cause of this increase is, that the work done in the country is by whites and not by Indians. The mixed-bloods will work some, but the full-bloods hardly ever. Under the laws of the country a citizen is entitled to all the land he may have improved. An arrangement is easily made with a white man who will make a farm for an Indian and give him a portion of the crop for the use of his name, and after a few years give him possession of the farm. Thus it is that more farms mean more white men. The number of whites within this agency, who are laborers for Indians, employés of railroad companies, licensed traders, pleasure seekers, travelers, and intruders, must be about \$5,000, or half the number of Indians.

Sir, what a startling monopoly in land do these figures reveal! Such a showing is enough to make a board of railroad directors turn pale No wonder the Indians are satisfied with their condition.

Thankfulness to the great Maniton should fill their impecunious souls as they contemplate their proud position of the richest landed aristocracy in the world.

General Sheridan in his annual report says on the subject:

General Sheridan in his annual report says on the subject:

The Indians are the richest people in this country as communities. Their reservations include some of the best land, and if divided among the heads of families each family would have thousands of acres. If I may be permitted to suggest, I would recommend that each family be given and located on the 320 acres now provided for them by law in case of actual settlement. The Government should then condemn all the balance of each reservation, buy it in at \$1.25 per acre, and with the proceeds purchase Government bonds, to be held in trust by the Interior Department, only giving to the Indians each year the interest on the bonds for their support. Let this money, if you please, be disbursed the same as the money appropriated each year by Congress. * * It would be their own money, and take the question of annual appropriations for them out of Congress.

Take the Cheyenne and Arapaho Indians as an example. They have nearly 4,300,000 acres; 200,000 would settle them in severalty, and the 4,100,000 remaining, if purchased by the Government in the manner described, would yield an annual interest sufficient for their support.

The same plan could be extended to cover most of the Indian reservations in the country.

I only propose that the Government should buy these land for simplicity

the country.

I only propose that the Government should buy these land for simplicity and safety. Settlers and speculators would buy them and take them at the average of \$1.25 per acre. Some of them are now worth eight or ten dollars per acre. In this way the Indians would have perpetual security in the principal until Congress chooses to give it to them to be used as they may see fit. The Government would lose nothing, and the Indians would only be getting the value of their property safely invested. The Indians are not poor; they are only incompetent at the present time to take care of their own property, and therefore require looking after. The treaties we have made with them might interfere with the condemnation and purchase of these lands by the Government, but Congress could easily devise some means of overcoming this difficulty.

This monopoly of lands by the Indians has not resulted in good, even incidentally, to any one except cattle syndicates and outlaws, who have grown fat upon the rich pickings which the Indians could not appropriate, but which they were unwilling to share with, or dispose of to, the bonest, but homeless and starving poor of their less favored pale-

Mr. Chairman, I should consider myself guilty of the most glaring inconsistency if, after taking the strong grounds which I have in favor of the forfeiture of all unearned railroad land grants, I should be blind to the evils arising from this vast alien appropriation of land in the In-

dian Territory.

Sir, when I entered upon the study of this question I confess to have entertained something of the old idea, taught us in our youth and now rehashed for our maturer minds by the agents of the cattle syndicates and honest but sometimes misguided philanthropists, that the Indians have ever been the victims of the greedy white men; that Uncle Sam has always ruled poor Lo with a rod of iron; but a closer intimacy with facts, as they are recorded in the files of our Indian Office, has somewhat changed my views on this subject.

Some of these facts were very startling and suggestive to me; and I beg leave to call the attention of the committee to some tables which I have prepared and which bear upon this subject. the surplus of 28,578,990 acres, as shown in the table before mentioned, which these Indians hold either by qualified fee or during sufferance of the President, and for which they do not and can not have any use, we are paying all these tribes, except the Cherokees, Peorias, Ottawas, Wyandottes, Tonkawas, and Wichitas, an immense aggregate sum of money in temporary and perpetual annuities.

INDIAN ANNUITIES.

Table showing perpetual and temporary annuities to various Indian tribes.

Tribe.	Perpetual annuity.	Temporary annuity.
Creek	\$69,968 40 28,500 00 3,000 00	\$4,710 00 3,032 89 2,060 00
Shawnee Senecas	5,000 00 18,456 00	1,060 00 5,000 00
Ponca Iowa Kickapoo Cheyenne and Arapahoe Apache, Kiowa, and Comanche	4,493 24	10,000 00 2,876 00 21,700 00 22,700 00 73,237 89

Besides the perpetual and temporary annuities here shown, we are nder obligation to pay aggregate sums as follows: To the Poncas, \$24,000; to the Otoes and Missourias, \$45,000; to the Cheyennes and Arapahoes, \$240,000; to the Apaches, Kiowas, and Comanches, \$360,000; making a total aggregate of \$669,000.

Most of these permanent annuities have been running for over fifty

To the several tribes of the Indian Territory, then, we are paying and are to pay, as long as wood grows and water runs and there is a solitary Indian left in the respective tribes, a perpetual annuity of over a quarter of a million of dollars.

quarter of a million of dollars.

To the same tribes we are paying, and are to pay during the pleasure of the President, an annuity of over \$73,000.

In addition we have agreed to pay them an aggregate sum of \$669,000. With this golden stream annually flowing into their coffers, with a vast expanse of the richest territory in the United States, with a surple area of over 28,000,000 acres (for which they have no use), with the large amounts annually received from cattle syndicates for the use of their surplus lands, and with the immunity they enjoy from all responsibility for the support and defense of the national Government, no wonder they are the richest people per capita in the world, and are satisfied to snap their fingers at the demands of commerce and civilization isfied to snap their fingers at the demands of commerce and civilization and the cries of the homeless white citizens of our Republic who have borne the heat and burden of the day, upheld the national flag in its peril, and now ask for a quarter-section apiece of the domain they helped

It should be remembered that only a small per cent. of these Indians are what are known as "blanket" Indians, and in need of support from outside agencies; on the contrary, about 85 per cent. of these 76,000 Indians dress wholly in white men's clothes, and about 12 per cent. more dress partially in the garb of civilization; and I hold that Indians who dress and live and eat like white people do not require to be fed by

the national Government with a silver spoon.

It may prove instructive to us in this discussion to survey the past as well as the present and future of Indian expenditure. We find upon examination that we have been paying large sums annually to these same Indians for many years; and that the aggregate foots up to a large

Name of tribe,	Date at which annuity began.	Amount of annuity.	Number of years an- nuity has run.	Aggregate.
Do	Aug. 7, 1790	\$1,500 00	96	\$144,000 00
	June 16, 1802	3,000 00	84	252,000 00
	Jan. 24, 1826	21,710 00	60	1,302,600 00
	Feb. 14, 1833	4,710 00	53	249,630 00
	Aug. 7, 1856	10,000 00	30	300,000 00
	June 14, 1866	33,758 40	20	675,164 00

Name of tribe.	Date at which annu- ity began.	Amount of annuity.	Number of years an- nuity has run.	Aggregate.
S-1-1-	A 7 1050	100 500 00	30	955 000 00
Seminole	Aug. 7, 1856	28,500 00	92	855, 000 00 276, 000 00
Chickasaw	July 12, 1794 May 13, 1833	3,000 00 2,060 00	53	109, 180 00
Quapaw		5,000 00	91	455, 000 00
Shawnee	Aug. 3,1795 Sep.9-17,1817	1,000 00	69	69,000 00
Seneca		1,060 00	55	58, 300 00
Do	July 20, 1831	3, 456 00	61	210, 816 00
Osage	Jan. 2, 1825 Jan. 14, 1846		40	400,000 00
Kansas		10,000 00	29	
Pawnee	Sept. 24, 1857	46,680 00	82	1, 350, 820 00
Sac and Fox	Nov. 3,1804	1,000 00		82,000 00
Do	Oct. 21, 1837	10,000 00	49	490,000 00
Do	Oct. 21, 1842	40,000 00	44	1,760,000 00
Pottawatomie	Aug. 3,1795	357 80	91	32,559 80
Do	Sept. 30, 1809	178 90	77	13,775 30
Do	Oct. 2,1818	_ 894 50	68	59,826 00
Do	Sept. 20, 1828	5, 107 34	58	236, 225 72
Do	July 29, 1829	5,724 77	57	326, 311 89
Do	Sept. 20, 1828	715, 60	58	41,504 80
Do	Oct. 16, 1826	1,008,99	60	60,579 40
Do	July 29, 1829	156 54	57	8,922 78
_ Do	June 5, 1846	11,503 21	30	345, 096 30
Ponca	Mar. 12, 1868	10,000 00	18	180,000 00
Iowa	May 17, 1854	2,875 00	32	92,000 00
Kiekapoo	May 18, 1854	4,493 24	32	143, 783 68
Cheyenne and Arapaho	Oct. 28, 1867	21,700 00	19	412,300 00
Apache, Kiowa, and Co- manche	Oct. 21, 1867	22,700 00	19	431,300 00
Total		313,750 29		14, 407, 089 67

Considering that no reckoning has been made of the cash and merchandise which has been given to these Indians every time we made a "treaty" with them (and we have made nearly four hundred), nor of the expenses of the Army and Indian Office in attending to their needs, but only to the cash value of the annuities paid them, one will readily see that only a small part of the cost which these Indians have entailed upon the Government has been alluded to.

EXPENDITURES OF INDIAN BUREAU 1832-1885.

I desire, Mr. Chairman, to incorporate in my remarks the following

Tabular statement showing the number of Indians provided for at the expense of the Government in each year, together with the annual expenditures of the Indian Bureau since its organization.

Year.	Estimated number of Indians.	Amount of expenditure.	Year.	Estimated number of Indians.	Amount of ex- penditure.
1832	70,000	\$1,352,419 75	1859	109, 500	\$3, 490, 534 53
1833	70,000	1,802,980 93	1860	110,000	2, 991, 121 54
1834	70,000	1,003,953 20	1861	115,000	2, 865, 481 17
1835	70,000	1,706,444 48	1862	119,500	2, 327, 948 37
1836	73,000	5,037,022 88	1863	138,600	3, 152, 032 70
1837	74,600	4, 348, 036 19	1864	138, 700	2, 629, 975 97
1838	75,000	5, 504, 191 34	1865	140,000	5, 059, 360 71
1839	77,500	2,528,917 28	1866	142,000	3, 295, 729 32
1840	79,500	2, 331, 794 86	1867	142,000	4, 642, 531 77
1841	80,500	2,514,837 12	1868	150,000	4, 100, 082 32
1842	80,500	1,199,099 68	1869	161,000	7,042,923 06
1843	82,000	*578, 371 00	1870	169, 300	3, 407, 938 15
1844	82,000	1, 256, 532 39	1871	191,600	7, 426, 997 41
1845	82,000	1,539,351 35	1872	199,900	7,061,728 82
1846	83,000	1,027,693 64	1873	201,500	7, 951, 704 88
1847	83,000	1, 430, 411 30	1874	203,000	6, 692, 462 09
1848	83,000	1, 252, 296 81	1875	206,600	8, 384, 656 82
1849	83,000	1, 374, 161 55	1876	(†)	5, 326, 812 09
1850	85,000	1,663,591 47	1877	(†)	4,849,776 36
1851	85,000	2,829,801 77	1878	(†)	
1852	87,500	3,043,576 04	1879	(†)	
1853	90,600	3, 880, 494 12	1880	(†)	5, 137, 090 43
1854	92,000	1,550,339 55	1881	(†)	4,977,694 00
1855	92,500	2,772,990 78	1882	(†)	5, 124, 648 80
1856	98,700	2, 644, 263 97	1883	(†)	5, 563, 104 13
1857	99,000	4, 354, 418 87	1884	(†)	5, 291, 985 91
1858	108,300	4, 978, 266 18	1885	(†)	5, 819, 104 10

^{*}For the half year, from January 1, 1843, to June 30, 1843. The statement of expenditures is by calendar years to 1843 and by fiscal years from that time. The population of the Cherokees, Choctaws, Chickasaws, and Six Nations of New York has been uniformly excluded.

† Estimated number of Indians not given in the Indian reports.

Truly, Mr. Chairman, the present honorable Secretary of the Interior was right when he said, in his last annual report—

Whatever may be said about the injustice and cruelty with which the Indians have been treated in the past, characterized by some as a "century of dishonor,"

the Government is now, as all must admit, putting itself to great trouble and expense for a very small and inutile population.

Secure in the protection of Uncle Sam; their exchequers bursting with the golden product of perpetual annuities and temporary gratuities; more fortunate than other ex-rebel communities of the South, in that they are relieved from all care for the support of the Government that upholds and protects them; with a thousand acres per capita of the richest agricultural lands in the United States; and blocking the pathway of civilization-with all these blessings the Indians ought to be

able to pick their teeth in contentment.

But like the dog in the manger, they are unwilling that others should share what they can not use. Sole lords over a dominion broad enough to support two million people, they are alarmed and pained that the civilization which has magnanimously refrained from disputing their greedy position is disposed to go around them and plant itself to the west of them. So they hie themselves to their faithful friends, the cattlebarons, for comfort and advice. Between them they trump up an argument whereby they fondly hope to convince the people of this country that 23,000,000 acres of land, virtually unoccupied and lying wholly beyond the five civilized tribes, should be still longer reserved from public settlement, for the financial benefit of the cattle-kings and the parasites which always infest a great political monopoly like our Indian system.

These Indians and their attorneys are asserting that they hold the right of occupancy to the Indian Territory under solemn treaties with the United States, and that even the Congress of the United States can not assert over them the political power of this great Government. There stand these fifty thousand Indians, fenced around by this wall of protection, and say to the American Government "Hands off! We owe you nothing. We deny that you have any power over us. bound by your treaties to protect us; you are bound to see that we do not suffer from internal commotions; you are bound to keep from us the aggressive white men, the intruders, and the lawless; but, while you are bound thus to guarantee to us peace, you can never extend over us the power of any Territorial government except for judicial purposes

only.

But, sir, there are other considerations than those I have just mentioned, by reason of which it is our duty to do something to change the

chaotic condition of affairs in that Territory.

Notwithstanding the monopoly of lands on the part of the "bloated" Indian "bondholders" and the crying need of our surplus labor for "more lands," there are yet other aspects of this question which demand our careful attention.

CRIME IN THE INDIAN TERRITORY.

One can not come from a careful examination of the statistics of crime and lawlessness in that Territory without a feeling of shame that such a blot is allowed to exist upon the fair face of our civilization.

As I have before suggested, the Indian Territory is the paradise of law-breakers. It is indeed a "dark and bloody ground," where the criminal is free from justice and the dark passions of men find an ample field for their exercise. Here are gathered in largest numbers the adventurous and reckless spirits who always hover upon the confines of civilization. It is amid such associations, in contact with the worst elements of society, that the enemies of this bill appear to believe that the Indian is to be elevated to the lofty plane of American citizenship in a country which Mr. Carnegie pronounces the freest, the purest, and the happiest on the globe.

I make the assertion that the Indian Territory presents the blackest and most appalling picture of crime of any section in the United States. I propose to prove my statement, and I invite the attention of gentlemen to some statistics which I have culled from the last annual report of the Attorney-General of the United States. They relate to the United States district court for the western district of Arkansas, under whose

jurisdiction this Territory is placed.

The number of criminal prosecutions terminated during the fiscal year ended June 30, 1885, was five hundred and fifty-two. This record is double that of fifty-seven out of sixty-eight other districts. hundred and forty-five more than the record of all New England; one hundred and fourteen more than the record of the three districts of New York and the districts of New Jersey, Delaware, and Maryland; ninety-three more than the record of all the Territories, including Alaska and the States of California, Nevada, and Colorado; thirty-five more than the record of the three districts of Texas and the two districts of Missouri; fiftythree more than the record of Kansas, Nebraska, and the two districts of Iowa; five more than the record of Minnesota, the two districts of Wisconsin, the two districts of Michigan, and the two districts of Illinois, and four hundred and eighty-three more than the record of the district of Eastern Arkansas

The expenses attending the administration of justice in this district are equaled only by those of the District of Columbia. They are double those of fifty-eight out of sixty-eight other districts. For 1883 they amounted to \$9,192.22; for 1884, to \$25,131.35. No district came within \$4,200, and it was more than double all others, except six. For 1885 they amounted to \$159,685.06. No district comes within \$50,000. It is \$62,000 more than Dakota; \$59,000 more than South Carolina; \$52,000 more than the Southern District of New York; \$60,-

860.48 more than all New England; \$19,215.63 more than Kansas and the two districts of Missouri; \$36,488.96 more than the three districts of Texas; \$7,048.64 more than Dakota, Wyoming, and Colorado; \$39,708.86 more than New Mexico, Arizona, and Utah; \$3,058.37 more than the whole Pacific Slope; \$29,486.27 more than the two districts of Pennsylvania and the district of West Virginia; \$47,500.53 more than the three districts of Tennessee, and \$133,325.58 more than the eastern district of Arkansas.

The distribution per year of \$160,000 in court expenses is quite a

rich plum for the city of Fort Smith.

But, Mr. Chairman, there is no prospect that as long as the present friends of the Indian are allowed to control his destiny this disgraceful and alarming record will be bettered. Crime is on the increase, as testify two prominent Indian agents, Messrs. Owen and Taylor, in their reports for the past year to the Commissioner of Indian Affairs.

Robert L. Owen, United States Indian agent at Union agency, Mus-

cogee, Ind. T., says:

The long distances necessary for witnesses to travel to Fort Smith make the administration of justice very expensive both to the Government and to those compelled to attend, and actually operate to prevent many crimes being detected.

Isaac A. Taylor, United States Indian agent at Sac and Fox agency,

The vice of gambling seems to be on the increase. A great deal of horse-stealing has been going on during the past year by parties of whites and col-ored men, who make frequent trips through the country. Considerable quantities of whisky have been introduced by parties who chal-lenge arrest and speak defiantly of the United States soldiers.

It is reported that at an execution at Fort Smith this spring over sixty criminals were hung upon the same gallows. A dispatch dated Fort Smith, Ark., January 30, will illustrate my statement:

Judge Parker passed sentence of death upon seven prisoners in the United States court here to-day. They were convicted of murders committed in the Indian Territory, over which this court has jurisdiction.

I quote still another, dated March 4, to show the wholesale business done in the criminal line in this delectable region, which our opponents declare should never be burdened with the responsibilities and restrictions of civilized settlement and government unless the consent of fifty thousand Indians can be previously obtained:

The Federal court here continues to grind out justice from day to day, and yet the number of cases does not appear to diminish; but, on the contrary, the docket is replenished as rapidly as the cases are disposed of. During the present term a large number of cases have been disposed of, and since the 28th of February the following convicts have been sentenced to the house of correction at Detroit, Mich.

The report then gives a long list of names, and concludes:

This makes twenty-two convicts awaiting transportation to Detroit, all convicted since the first Monday in February.

A period of one month.

The marshall always holds them here until he gets a car-load, then charters a car and takes them straight through to their destination. This crowd will probably be taken off this week in order to make room in the jail for fresh arrivers, there now being one hundred and ten behind the bars—about as many as can be accommodated. Besides these a large number have been convicted who received short jail sentences. The eight condemned murderers, under sentence to be hanged the 23d of April, appear to be the joillest of all, and, with one exception, none of them are making the least preparation to meet their fate.

Eight condemned murderers, twenty-two other convicts awaiting transportation, one hundred and ten others "behind the bars," and more to follow, all in one session of one district court. Surely the contemplation of such a state of affairs ought to mantle with shame the cheek of every American and every believer in nineteenth-century prog-

But a still darker side is revealed in the report of John W. Scott, Indian agent at the Ponca agency. He has several tribes under his supervision, and his report is dated 1884. He says:

pervision, and his report is dated 1884. He says:

The most deplorable of all these barbarous customs is the selling of girls in marriage; this practice, I think, is universal. A marriageable girl in a family is considered as much an article of merchandise as a horse or an ox, and is sold to the highest bidder and assumes the married state and the duties of maternity when she is a mere child, and often sorely against her will. An unmarried girl of more than fourteen or fifteen years of age is not to be found. The elevating and refining influence exerted by young ladies in white society is unknown among the Indians. The effect is bad in every way. It cuts short their education at the very point where it would begin to be of some practical 'advantage. A girl over fourteen or fifteen years of age is seldom found in the schools. It breaks them down physically and they become prematurely old; it degrades the women to a condition little better than slavery.

Yet our opponents say, and it has been said in substance on this floor that if the Indians choose the society of cowboys, gamblers, and horse-thieves instead of honest-toiling white farmers, with their wives and children, their churches and school-houses, this Government has no right in justice or law to interfere; and the mournful strains of "lo, the poor Indian" have been sung in Congress and out by large-hearted philanthropists and paid minstrels until the tune is a trifle thread-bare.

The imperative necessity of preserving the cattleman in his unlawful possessions, the outlaw in his immunity from justice, the Indian agent in his field for speculation, and the Indian in his mental and moral degradation, by a further continuance of the present anomalous and out-rageous condition of affairs in the Indian Territory has been portrayed in vivid colors until we are almost led to believe that Anglo-Saxon progress has reached an obstacle which it can not surmount, and that the civilization of the revolver and bowie-knife is the only civilization pos-

sible to that benighted region.

Mr. Chairman, as I said at the outset, I am in favor of observing to the utmost every guarantee made to the Indians; I would even give them the benefit of doubts in construing our obligations to them; but, sir, I believe there may be a limit to this doctrine; I believe the time may come when the assertion of American civilization and national supremacy may be justifiable; I believe that the position of wards, which the Indians choose to assume when they or their friends desire a subsidy from the national Treasury, should not be allowed to be turned into mastery over us when they desire to antagonize the wishes and needs of the whole American people and the sentiment of the civilized world; I believe the time may come when the American people—the much-flattered, much-cajoled, and much-abused American people—may be justified in asking the American Congress—the creature of their hands, and facetiously termed their servant-whether the interest of the people or that of the monopolist and criminal classes is to be subserved; and, sir, I maintain that that time has come; and I judge from the huge pile of petitions in the room of the Committee on Territories praying for the passage of this bill that the aforesaid people are to-day making that very pertinent inquiry.

But, sir, as I said before, the opponents of this bill say that we have

no right to deal with the lands of the Indian Territory without first obtaining the consent of the five civilized tribes. They claim also that this bill concedes our inability to move in the matter without the consent of these Indians; and they quote section 5, which provides that the consent of the Creeks and Seminoles shall be obtained before opening to settlement Oklahoma and the remainder of the country bought

by us of those tribes in 1866.

But, sir, I claim that it is as unnecessary in law or equity to consult the wishes of the Indians in regard to any of these lands, except perhaps the Cherokee Outlet, as it would be to consult the Republic of Mexico, were it proposed to admit the Territory of New Mexico to the sisterhood of States. Neither is this clause in the bill an acknowledgment of any right on the part of the Indians. It is merely designed to placate the tender feelings of the Indians, and was inserted in the bill after much discussion to gratify those who would not consent to report the bill without it.

I submit, sir, that it ought not to be there; but I protest against the action of those to whom this unwarranted concession was made in taking advantage of its presence in the bill and attempting to hold the bill up for ridicule because it does not provide for the immediate and peremptory opening and settlement of more than the Public Land strip and the

Choctaw and Chickasaw leased lands.

TITLE OF THE LAND WEST OF THE FIVE CIVILIZED TRIBES.

I wish now to review the titles to the lands lying west of the five civilized tribes that we may arrive at some definite understanding of the foundation upon which this bill proposes to raise another prosperous

American Commonwealth.

I claim that the United States holds an absolute title, subject to no reservation whatever in favor of the original owners, to that part of the Indian Territory lying south of the "Cherokee strip," and west of the Chickasaw, Pottawatomie, and Sac and Fox Indian reservations, and that those regions are as much a part of the public domain as any portion of Kansas, Nebraska, or Dakota, subject only to the rights of certain tribes temporarily occupying the same by order of the President. parts of these lands are not, however, subject to the immediate operation of the public-land laws, from the fact that Indians have been temporarily located thereon. But this temporary restriction does not apply to the 1,887,800 acres constituting what is popularly known as Oklahoma.

Of the status of Oklahoma alone I shall speak further on. TITLE OF THE CHOCTAW AND CHICKASAW LEASED LANDS.

And first I will speak of the Choctaw and Chickasaw leased lands, lying in the southwestern part of the Territory, between the Red and Canadian Rivers, and occupied under treaty and executive order by about seven thousand Kiowas, Comanches, Apaches, Wichitas, Cheyennes, and Arapahoes (a part of the Cheyennes and Arapahoes being settled to the north of the Canadian River, on the land bought by us in 1866 of the Creeks and Seminoles). The lands in question were in 1855 leased by the Choctaws and Chickasaws to the United States for the settlement thereon of the Wichitas.

April 28, 1866, the Choctaws and Chickasaws, for the consideration of \$300,000, ceded these lands to the United States, making no reservation whatever. I do not know that any one has questioned the absoluteness of that cession. Even the minority of the committee who opposed this

bill agree that-

Nothing is said in this article (Article III, treaty of April 28, 1886) as to the purposes for which the cession is made, and it would seem that the United States acquired by this cession a right to make such use of this Territory as it may deem proper. (House Report No. 1684, page 16, Forty-ninth Congress, first session.)

The Wichitas were settled, in 1872, on a part of this land, but no agreement with them has been ratified, and they hold their land only

during the pleasure of the Government; so that these 7,000,000 and odd acres stand entirely unencumbered by any legal title in any party, except the United States, subject, however, to certain treaty rights of the Kiowas, Comanches, and Apaches, but these rights do not interfere with the provisions of this bill. Equitable provisions can be readily made for the seven thousand Indians, and this rich heritage of the people restored to its rightful owners.

TITLE OF OKLAHOMA-TERRITORIAL GUARANTEE,

I now desire to speak of the legal status of the Oklahoma lands, embracing the country to the west of the Creeks and Seminoles, and between the Canadian River and the Cherokee outlet. This includes what is known as Oklahoma and a part of the Cheyenne and Arapahoe country

I would call attention at this point to certain transactions had by our Government with the Creeks and Seminoles, by which those tribes ceded to the United States all their right and title to the lands just re-

ferred to.

On the 7th of August, 1856, the Creeks sold to the Seminoles the country west of 97° and embraced between the Canadian and North Canadian Rivers and the Cherokee strip.

Mr. BROWN, of Pennsylvania. Was it not in 1866?

Mr. STRUBLE. No, sir; it was in the treaty of 1856 between the Creeks and Seminoles and the United States.

This cession included what is now the north part of the Cheyenne and Arapahoe country, the south part of Oklahoma, and the southwest part of Pottawatomie reservation.

As this treaty expressly superseded all previous ones between the United States and these tribes, it is not necessary to go beyond it to find a basis for our discussion.

I here quote article 26 of this treaty:

This convention shall supersede and take the place of all former treaties between the United States and the Creeks, between the United States and the Florida and Seminole Indians, and between the Creeks and Seminoles, inconsistent herewith.

In article 4 of this treaty the United States guaranteed to the Creeks and Seminoles that no State or Territorial government should ever be was the tract north of the North Canadian and south of the Creeks (which strip) without the free and full consent of the tribe "owning the same."

Observe that the United States did not guarantee that no State or Territorial government should ever be extended over those regions without the consent of the Creeks and Seminoles; but "without the consent of the tribe owning the same;" i.e., "owning the same" when such a proposition might be made. The ownership contemplated in these three words must have referred to the future, and must have been contingent upon any conveyance of their rights and title to those lands which the Creeks and Seminoles might afterward make. construction put upon these words would be contrary to all usage and to that well-established principle of law that a reservation is to be strictly construed against the grantor.

Can so absurd a proposition be for a moment entertained that the United States would thus have made a solemn guarantee in relation to lands then (1856) owned by others which would operate to control the disposition of those lands when, through the ordinary course of sale, the title to them should become vested in the United States, no such

clause of guaranty having been attached to the contract of sale itself?

Observe again, the language of the treaty is "without the free and full consent of the legislative authority of the tribe owning the same.' Now, it is obvious that the intention could not have been to make the organization of a Territorial government over any of that country depend forever upon the consent of the Creeks and Seminoles.

The word "tribe" being in the singular can not be understood as referring to the Creeks and Seminoles, as they did then and do now con-

stitute two distinct tribes

In the treaty of 1866 by which this land was ceded to the United States there is no reference to that guaranty in the treaty of 1856. There is a clause in the former treaty which reaffirms all prior treaty obligations "not inconsistent with this (1866) treaty." guaranty as that of 1856 would be inconsistent with the treaty of 1866; for the latter treaty purported to be an absolute sale and was so regarded and acted upon by both parties. I believe I am right in my state-

Mr. WEAVER, of Iowa. Yes, you are right.

Mr. STRUBLE. This, then, was the condition of affairs previous to the civil war, in which the Creeks and Seminoles largely espoused the cause of the Southern confederacy. By their rebellious conduct they lost all rights and immunities guaranteed them by the treaty of 1856.

To restore them to their former comfortable condition of wardship which they by their disloyalty had voluntarily surrendered the treaties of August 11 and August 16, 1866, were made by our Government with the Creeks and Seminoles, restoring them to the condition in statu quo ante bellum, i. e., to the basis of the treaty of 1856.

Now, if these treaties amounted to a sale of the land involved, the Creeks and Seminoles must have disposed of their title to the grantte, the United States, and consequently are not "owning the same," nor have they any control over its disposition.

If the Creeks and Seminoles had intended to have forever precluded the organization of a Territorrial government over the country to the west of them they should have inserted a clause to that effect in the treaties of 1866; and the natural presumption is that they were satisfied that the guaranty of 1856 should remain in force over the country reserved to themselves, and were willing that its effect should cease over the country ceded to the United States.

But, whatever might have been the intentions of those Indians, the law does not allow a reservation to be strictly construed, in any event, against a grantee, and especially when the reservation is not made, even by implication, in the grant itself; and to me it appears perfectly plain that the effect of the guaranty of 1856 was removed, as far as the land ceded by those treaties was concerned, by the treaties of 1866, and that the proposition of this bill to extend a Territorial government over the land ceded to the United States by the Creeks and Seminoles in 1866 does not contravene the guaranty of 1856.

DID THE TREATIES OF 1865 AMOUNT TO CONDITIONS PRECEDENT?

It has been claimed by some that the treaties of 1866 were not equivalent to a sale; that the preambles contained in Article III of the two treaties amount to a condition precedent to the vesting of the absolute fee in the United States.

Article III of the Seminole treaty reads:

In compliance with the desire of the United States to locate other Indians and reedmen thereon, the Seminoles cede and convey.

Article III of the Creek treaty reads:

In compliance with the desire of the United States to locate other Indians and freedmen thereon, the Creeks hereby cede and convey to the United States * * * to be sold to and used as homes for such other civilized Indians as the United States may choose to settle thereon.

Notice that the language of these treaties merely expresses a desire

then existing on the part of the United States.

In the Seminole treaty it does not even express a purpose, and a purpose can only be implied in the Creek treaty; while both are entirely silent as to what would happen should the United States cease to entertain that desire and put the land to uses not in accordance with such desire nor with the expectation of the Indians.

Mr. HERMANN. Is it not distinctly understood by the Indian tribes, and is it not now claimed by them, that it was the maying condition

and is it not now claimed by them, that it was the moving condition of their treaties of cession that these lands should be used for the per-

manent settlement of friendly and civilized Indians?

Mr. WEAVER, of Iowa. Will my colleague allow me to reply to

Mr. WEAVER, of Iowa. the gentleman from Oregon?

Mr. STRUBLE. I shall be very glad to yield to my colleague, but it must be with the understanding that my time is not to be curtailed by reason of the interruption, as I have not sufficient time to say half of what I desire to say upon this question.

Mr. WEAVER, of Iowa. The title to that land does not depend on

what the Indians claim, but on the language of the treaty. Now, the treaty of cession shows the purpose for which these Indians parted with their land. Their motive was to secure money required by them to stock their farms and with which to build houses and fences. That is shown in the record. The Creeks and Seminoles ceded all their lands, including Oklahoma and the land then occupied by them, and bought of the Government other land to the east, which was more fertile and better timbered. This is the land which constitutes their present reservation.

I do not understand, Mr. Chairman, that anything the Indians may now claim has anything more to do with the decision of the question than a mere averment in a plea. It depends altogether upon the tes-

timony.

Mr. HERMANN. I understand the gentleman to say that the Indians do not claim what I suggested.

Mr. WEAVER, of Iowa. They do not claim title.
Mr. STRUBLE. Now, Mr. Chairman, if I have the floor, I wish to say that such language as is contained in the articles of the treaties of 1866 before mentioned can not in my opinion be construed to establish a condition sine qua non. A condition of this kind should be specifically expressed, and should provide for the disposition of the subjectmatter of the contract upon non-fulfillment of the condition. No more can it be properly regarded as entering into the consideration of the contracts of treaty. The very indefiniteness of the clauses invalidates them as considerations. "A consideration must have some value and reality," and what value or reality can be attached to a condition which may practically never be performed, and which, as a notorious fact, was abandoned years ago?

By the most liberal construction the language of these articles can be admitted to express only a partial consideration, the failure of which can not invalidate the contract. (See Parsons and Chitty.) But whether an extremely loose application of well-established legal maxims may serve to admit these articles as expressive of partial consideration, how insignificant a part it appears viewed in the light of contemporary cir-

cumstances.

In the preamble to the treaty between the United States and the Creeks, June 14, 1866 (ratified July 19, 1866), occur these words:

Whereas the Creeks made a treaty with the so-called Confederate States on July 10, 1861, whereby they ignored their allegiance to the United States and unsettled the treaty relations existing between the Creeks and the United States, and did so render themselves liable to forfeit to the United States all benefits and advantages enjoyed by them in lands, annuities, protection, and immunities, including their lands and other property held by grant or gift from the United States; and Whereas in view of said liabilities the United States requires of the Creeks a portion of their land whereon to settle other Indians, &c.

In the preamble to the treaty of March 21, 1866 (ratified July 19, 1866), between the United States and Seminoles, occur the same words as in the first part of the preamble to the Creek treaty above; and it proceeds:

Whereas the United States, in view of the said treaty of the Seminole Nation with the enemies of the Government of the United States and the consequent liabilities of said Seminole Nation, and in view of its urgent necessities for more lands in the Indian Territory, requires a cession by said Seminole Nation of part of its reservation, and is willing to pay therefor a reasonable price, while at the same time providing new and adequate lands for them, &c.

These preambles occur in the treaties of 1866, so often quoted, and which ceded to the United States the land now under consideration.

Now, what is the logic of the language above quoted?

First. "In view of the liabilities" of said Indians for rebellion. Not "in view of the needs of the United States," although this does occur as a secondary and resulting consideration in the Seminole treaty. Here both parties expressly declare in both treaties that this session is required as a just penalty for the rebellious attitude of the Creeks and Seminoles.

Second. The United States does not request, ask, or desire, but per-emptorily requires it, to which requisition the Indians engaging in such treaties assented. In other words, the language above quoted expresses a demand from the United States based upon a right. The Indians acknowledged the right and obeyed the demand.

Third. The prospective use of this land on the part of the United

Third. The prospective use of this land on the part of the United States is only incidentally mentioned in the preamble of the Creek treaty, "whereon to settle other Indians," and is not mentioned at all in the preamble to the Seminole treaty.

Now, the "right" of the United States being admitted, what further consideration can the friends of the Creeks and Seminoles claim as due from the United States? Could any further promises, guaranties, or reservations strengthen a right already possessed by the United States? Or even could a provision in the treaty of cession that this land should revert to the Indians if other Indians were not settled upon it within a given time (granting that such a provision had been made. it within a given time (granting that such a provision had been made, which is in no respect true) operate to weaken an absolute right already possessed by the United States? I think not. I maintain that the statement of the Government that it was its intention to settle friendly Indians upon that land is no more in law than a statement of the inducement which led to the making of the contract. I insist that the Government was not and is not bound by that mere statement of inducement.

Well might the Creeks and Seminoles feel disposed to comply with the wishes of the United States, upon whose bounty and protection they had been dependent for so many years, at whose hands they had been receiving annuities and gratuities of money and stock and tools and clothing aggregating an enormous value, and this, too, without any further consideration than their restoration to those rights and privi-

leges which they had lost by their own willful act.

But I find a still further and greater consideration for the magnanimity and generosity with which these tribes assented to the wishes of the United States. By these treaties our Government agreed to pay the Creeks \$975,168 in cash, and to the Seminoles \$225,362 in cash and 200,000 acres of the finest land ceded by the Creeks-quite snug considerations to be paid to a few thousand Indians for land for which they never had and never could have any use whatever. Moreover, the price paid per acre was fair and equitable, in view of the situation of the land and the meager development of the West at that time.

Creek and Seminole delegations now in this city have asserted that the price per acre for which the United States obtained title to these lands was "palpably inadequate."

In view of the fact that the so-called civilized Indians dwelt, in larger numbers than now, to the east of that country; in view of the fact that the country to the west was generally supposed to be, and was called, "the Great American Desert," and was overrun by the wild savages of the plain; in view of the fact that there were no railroads within hundreds of miles of that country, and that there were millions upon millions of choice acres much nearer civilization and to be had for the asking—in view of all these things, does it seem that the price we paid for those lands was "palpably inadequate?" If the United States had declared that land free to all comers we could not have given it away.

My mental vision is not sufficiently microscopic to detect the "pal-pable inadequacy" of the consideration to these contracts of sale paid by the United States. On the contrary, I consider it to have been amply adequate. I contend that the United States has lived up to its contract to the letter. The attempt to establish the non-validity of that sale appears to me to be contrary to all reasonable construction of language and in utter disregard of the plainest principles of law.

DID THE TREATIES OF 1865 RESERVE THE LAND FOR INDIAN SETTLEMENT?

An additional objection, as untenable as the one I have just answered, is offered by the opponents of this bill. It is that although the treaties of 1866 granted the land in fee-simple to the United States, yet the third articles of these treaties operated to reserve the land from public settlement. This is the view held by Judge Parker in United States vs. Payne (2 McCrary, 282), tried in the district court of the western district of Arkansas. Judge Parker admits the validity of the sale, but holds that the clauses of the third articles before quoted constitute a reservation of the lands sold for a specific purpose, namely, the settlement of friendly Indians thereon.

That no reservation was expressly made is perfectly evident from the language used. We are left to imply one; and a reservation of land for a specific purpose, depending upon a reservation so weak, is inconsistent with the most elementary principles of law, and would not in my judgment be supported by the higher courts.

If Judge Parker's view of the significance of those articles is correct the reservations which he claims were made by them were in the nature of grants to those "other Indians and freedmen;" but the court, in Rice vs. Railroad Company, 1 Black, 360, and Railroad Company vs. Litchfield, 23 How., 66, held that "legislative grants are to be strictly construed against the grantee, and nothing passes but what is conveyed in clear and explict language;" and Judge Foster, in Goodfellow es. Mucky, decided in the Kansas district, citing these cases, said (Circuit Judge Dillon concurring):

This rule of construction may very aptly be applied to grants and reservations claimed under Indian treaties. It has been the traditionary policy of the Government in treating with the Indian tribes to reserve from the public domain tracts of land for the use and occupation of the Indian tribes, and to limit them to such reservations.

In United States vs. Sevaloff (2 Saw., 311) and United States vs. Leathers (6 Saw., 17) it was held that the Indian intercourse laws could not extend propio vigore over territory acquired by the United States subsequent to the passage of those laws; and Justice Gray, in United States vs. McBratney (104 Otto, 621), says:

Whenever, upon the admission of a State into the Union, Congress has intended to except out of it an Indian reservation, it has done so by express words.

This case involved the jurisdiction over the Ute Indians in Colorado. The court held that, no reservation to the contrary having been made in the act admitting Colorado to the Union, the Ute Indians would be placed under the jurisdiction of Colorado, although a previous treaty with the Utes provided to the contrary

Judge McCrary, in Forty-three Cases Cognac Brandy (Minn., 1882), 4

McCrary, 616, said:

I do not think an Indian reservation can be established by custom or prescription. The fact that a particular tribe or band of Indians have for a long time occupied a particular tract of country does not constitute such tract an Indian

occupied a particular tract of country does not constitute such tract an Indian reservation.

Originally all of the public domain was occupied by the Indians, and the reservation policy was adopted with a view of locating them in certain districts and opening the remainder of the public lands to white settlement. It can not, therefore, be said that a particular portion of the public domain upon which an Indian tribe has been suffered long to remain, while other portions have been open to settlement, or set apart specifically for Indian occupation, constitutes such tract an Indian reservation. The fact that the tract of country in question has been sometimes referred to in treaties and official reports, as "Red Lake Indian reservation" is not sufficient to authorize the court to declare it to be such.

But I may go further and say that such a construction of these articles is inconsistent with other articles of the same treaties.

ATLANTIC AND PACIFIC RAILROAD GRANT.

These treaties, proclaimed August 11 and August 16, were made—the Seminole treaty on March 21, and the Creek treaty on June 14, 1866. During that time there was pending before Congress the bill which subsequently passed, on July 27, 1866, incorporating and granting lands in the same territory, ceded to the United States by the Creeks and Seminoles, to the Atlantic and Pacific Railroad Company. One of the principal objects of Congress in making these treaties with the Indiana was to provide a right of way and a great of lead to sid in the dians was to provide a right of way and a grant of land to aid in the construction of that road. In this act of incorporation of July 27, 1866, Congress granted to the Atlantic and Pacific Railroad Company a tract of country embracing each alternate section of land for 40 miles on each side of the line of location.

Are we to suppose that the Government intended, in their acceptance of these lands ceded to them in the treaties of 1866, to reserve them from public settlement for an Indian reservation when by the same treaty it provides for this railroad, and in the act of July 27 grants an 80-mile strip through the heart of that country to that same railroad? But this view of the reservation made by our Government rests solely want the opinion of Inde Replacement and the reservation of the reservation made by the reservation of the Replacement and the reservation of the reservation made by the reservation of the reservation of the reservation made by the reservation of the reserva upon the opinion of Judge Parker, and has never been passed upon by

the higher courts.

In the act of July 28, 1866, before mentioned, occur these words:

SEC. 3. And be it further enacted. That there be, and hereby is, granted to the Atlantic and Pacific Railroad Company * * * every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile on each side of said railroad line, as said railroad may adopt, through the Territories of the United States; and ten alternate sections

of land per mile on each side of said railroad when it passes through a State

* * * and whenever, prior to said time, any of said sections shall have been

* * * occupied by homestead settlers, or pre-empted, or otherwise disposed

of, other lands shall be selected by said company in lieu thereof.

SEC. 6. And be it further enacted, That the President of the United States shall
cause the lands to be surveyed for 40 miles in width, on both sides, on the entire
line of said road, after the general route shall be fixed, and as fast as may be required by the construction of said road; and the odd sections of land hereby
granted shall not be liable to sale or entry, or pre-emption, before or after they
are surveyed, except by said company as provided in this act; but the provisions of the act of September, 1841, granting pre-emption rights, and the acts
amendatory thereof, and of the act entitled "An act to secure homes to actual
settlers on the public domain," approved May 20, 1862, shall be, and the same are
hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company.

By this act Congress provided that as fast as the company should

By this act Congress provided that as fast as the company should complete 25 miles of road it should receive a patent to the land grant pertaining to that 25 miles, and subject to no reservation or restriction. The United States agreed to extinguish as rapidly as possible the title which any Indian tribe might have to any of said land. Congress, having this bill then before it, had already a few weeks before extinguished the title of the Creeks and Seminoles to the land now known as Oklahoma, and to the west of Oklahoma, between the Canadian River and the Cherokee strip. By this act of July 27, 1866, the even sections in that land grant were opened to settlement under the public-land

laws (see section 6 above).

I claim that the cession to the Government by the Creeks and Seminoles was alone sufficient to open that country to squatter settlement; but here, in the act granting land to the railroad company, we find the express provision that the public-land laws "are hereby extended over all other lands (meaning, of course, the even-numbered sections) on the line of said road." And this extension of the public-land laws over the "other lands" did not depend upon the survey and location of the road, but took effect as soon as the bill became a law; for in article 6, above quoted, it provides that the odd sections of land "hereby granted" shall not be liable to sale, entry, or pre-emption, except by said company, before or after they are surveyed; and it proceeds immediately to provide that the even sections should be placed under the operation of the land laws of the United States.

But, more than this, the United States plainly contemplates homestead and pre-emption settlement between the passage of the act and the location of the road, for in section 3, above quoted, it reads:

And whenever prior to said time [the filing in the General Land Office by the company of a plat, designating the location of the road] any of said sections, or parts of said sections, shall have been occupied by homestead settlers, or prempted, or otherwise disposed of, other lands shall be selected by said company in lieu thereof.

The lands granted by this act to aid in the construction of that road have been forfeited through the non-completion of the road within the specified time; but think no one will hold that, if the even sections of the land within the limits of that grant had been settled by home-steaders and pre-emptors, that the forfeiture of the grant to the company would invalidate the rights of those settlers; and if such forfeiture would not affect the rights of settlers who had settled before the forfeiture, it can not, in the absence of further legislation, affect the rights of those who settle there now; and that country, granted in 1866 to the Atlantic and Pacific Railroad Company, is still open to public settlement. Neither can it be urged that this grant was not intended to include land in the Indian Territory, for the act grants twenty alternate sections * * * "through the Territories of the United ternate sections * * * "through the Territories of the United States," and no one will argue that the Indian Territory is not one of the Territories of the United States. Furthermore, we find that the provisions of this grant are to extend along the "entire length of the road;" and that was from Springfield, Mo., to the Pacific Ocean.

Nor is it a fact that the Indians themselves entertain such an idea. In a recent printed argument by the delegates of the five civilized tribes they bitterly assail the provisions of this bill, for the reason, as they allege, that it hides a scheme to open up this old land grant, al-though they know that the bill under consideration expressly provides for the forfeiture of that grant, even were it not already forfeited by

lapse of time. In view, Mr. Chairman, of these treaties of 1866 and the circumstances surrounding them, it seems to me that the conclusion is irresistible that these treaties constituted an absolute sale to the United States on the part of the Creeks and Seminoles, and that the guaranty of 1856 has no further force over the lands in question.

Mr. BROWN, of Pennsylvania. Is there any tribe which claims it

Mr. STRUBLE. The Indians claim everything they can claim. hey are sharp fellows. They and their friends in this House are as-They are sharp fellows. serting that, by reason of the third article in the treaties of 1866, which I quoted a few moments ago, such an equity obtains between the Government and these Indians that, although by those treaties they voluntarily parted with their legal title, we have no authority to extend our political jurisdiction over the land ceded by them in 1866, they having sold it, as they allege, for the sole purpose of the settlement thereon of friendly Indians.

Mr. HERMANN. Was it not specially stipulated that these lands

ere to be used for a specific purpose? Mr. STRUBLE. No, sir; not in terms.

Mr. BROWN, of Pennsylvania. If I understood your argument a few moments ago, you held that these statements of purpose on the part of the Government, in the third article of the treaties of 1866, did not amount to a stipulation that the lands were to be used for a specific purpose, as our friend from Oregon [Mr. HERMANN] suggests.
Mr. STRÜBLE. Yes, sir; that is the point I made. I know my

friend from Oregon and others of the Committee on Territories maintain that the effect of the language there used is to establish such a

stipulation, but I do not agree with them.

Mr. HERMANN. Will the gentleman yield to me?
Mr. STRUBLE. Certainly.
Mr. WEAVER, of Iowa. There is no Indian tribe which claims that they own the Oklahoma land as a tribe or as individual Indians.

Mr. STRUBLE. That is correct.

DID THE CESSIONS OF 1866 CONVEY THESE LANDS TO THE UNITED STATES IN TRUST FOR OTHER INDIANS?

Mr. BAKER. Let me interrupt the gentleman from Iowa with his consent to ask a question. Do you not understand these conveyances to the Government were conveyances in trust for a specific purpose?

Mr. STRUBLE. I do not so understand them.

Mr. BAKER. And further, let me ask the gentleman if the heads of the departments of the Government, the Secretary of the Interior formerly, Mr. Teller, and the Commissioner of the General Land Office also, do not insist that the title to the land was in the Indians and transferred to the Government, in trust, for a specific purpose, and that the Indians claim interest both in law and in equity in the lands?

Mr. HILL. Now, if my colleague upon the committee will allow me to suggest, even if it be true that the Government acquired the lands for a specific purpose (for settling the friendly Indians), whether that purpose of the Government has not long ago been permanently aban-

doned by the Government.

Mr. STRUBLE. Certainly; that is true, and well understood by all gentlemen who have examined the question.

Mr. SYMES. As far as the trust is concerned I apprehend that no lawyer would ever contend that it was a legal trust, continually binding upon the United States, as my friend from Iowa [Mr. STRUBLE] has so conclusively shown.

Mr. STRUBLE. I am very glad to have the help of my able friend

Mr. STRUBLE. I am very glad to have the help of my able friend on the right [Mr. SYMES].

Mr. BARNES. The Government has held in reference to all these lands, as shown by a Senate document (and we did not take that position when the minority report was prepared), in reference to the lands acquired from the Choctaws and Chickasaws, and also from the Creeks and Seminoles, that they held them in trust for a certain specific pur-

Mr. HERMANN. That is right.

Mr. BARNES. And that document is Senate Document No. 111, Forty-seventh Congress, first session. It is very distinctly cited in the argument of the gentleman from New York [Mr. BAKER] when he addressed the House upon this subject. This reported is signed by C. W. Holcomb, acting Commissioner.

Mr. WEAVER, of Iowa. Will my friend from Iowa permit me a

word in reference to that?

Mr. STRUBLE. I will with the understanding that I am to have all the time I want in which to conclude my remarks.

Mr. WEAVER, of Iowa. Now, I want to say in reply to the gentleman from Georgia

You will have to reply to the Commissioner, not to Mr. BARNES.

Mr. WEAVER, of Iowa. I understand the gentleman to be an able twyer. When he talks of the Department having held so and so, does he undertake to say that there was a case made, and that the Government was represented, and that the Indians were represented, and that the people who desired the lands—the settlers—were represented, and that it was argued and discussed and so held by the Department after a case was made?

Why, he may find some ipse dixit; he may find some rhetorical flourish in a departmental report or some language of the kind to which the gentleman has referred; but that is not a holding in the meaning of the law where the parties have all been heard. It does not even approach the dignity of an opinion, because the question was not raised before

the officer making this statement.

Mr. BARNES. The gentleman does not understand me to say more than I did say. I said that the Department had held so and so, and I referred to the document. As to the circumstances under which it so

held, that is another question.

Mr. WEAVER, of Iowa. You may find a remark—

Mr. BARNES. It is more than a remark; it is a distinct statement.

Mr. WEAVER, of Iowa. I can go to Department reports and documents and find statements there in favor of anything under the sun. But to call that authority binding on the House or on any court is a very different thing. It will not do to call it a holding. And suppose very different thing. It will not do to call it a holding it is a holding, this House has authority to set it aside. And suppose

Mr. HEPBURN rose.

The CHAIRMAN. Does the gentleman from Iowa [Mr. STRUBLE] vield further?

Mr. STRUBLE. I vield provided it does not come out of my time. But my colleague on the committee, the gentleman from Oregon [Mr. HERMANN] is to follow with remarks on this question, and I desire that the committee will bear in mind that the gentleman from Oregon is well prepared to talk on the question and will interest all who listen to him. Does my colleague from Iowa [Mr. HEPBURN] desire me to yield to him?

Mr. HEPBURN. Not at this moment.
Mr. STRUBLE. Referring to the reference of my friend, the gentleman from Georgia [Mr. BARNES], to the holding of the Department upon this question, I must say that I supposed I had enlarged upon this point a few moments ago sufficiently to have convinced the gentlemen of this committee that, as far as the Creek and Seminole treaties. were concerned, the mere statements of purpose contained in the third articles of those treaties can not possibly be construed to have established any legal reservation or trust. I maintain that no more absolute, unequivocal bargain of sale of lands was ever made.

The document to which the gentleman from Georgia [Mr. BARNES] referred, and which was quoted at length in the able speech of the gentleman from New York [Mr. Baker] is an opinion delivered in 1881 to Hon. S. J. Kirkwood, then Secretary of the Interior, by C. W. Holcomb, acting Commissioner of the General Land Office. It is only an opinion of a gentleman holding a subordinate position in the Departopinion of a gentleman holding a subordinate position in the Department, and was delivered, as my colleague from Iowa [Mr. Weaver] suggested, without having heard any side except that laid down in the library of the Interior Department. Moreover, the opinion is in grievous error upon several points, especially the very vital point of what is Indian country, Mr. Holcomb holding that all the Indian Territory is "Indian country" within the purview of the Revised Statutes. This view I shall controvert further on in my remarks, if time be allowed

But that no point may be passed by in this discussion without a fair and full elucidation, I quote so much of Mr. Holcomb's opinion as is pertinent in this connection:

pertinent in this connection:

The treaties by which the United States reacquired title to any of the lands in the Indian Territory, or obtained the conditional right to control the disposal of any of said lands, were the treaties with the Seminoles of March 21, 1866; with the Choctaws and Chickasaws of April 28, 1866; with the Creeks of June 14, 1866; and with the Cherokees of July 19, 1866.

By the third article of the treaty with the Seminoles (14 Statutes, 756), said Indians ceded to the United States about 2,100,000 acres of land, "in compliance with the desire of the United States to locate other Indians and freedmen thereon."

In compliance with the same desire, the Creeks, by the third article of the treaty with that tribe (14 Statutes, 786), ceded about 3,200,000 acres to the United States, "to be sold to and used as homes for such other civilized Indians as the United States may choose to settle thereon."

The freedmen referred to were the former slaves of Indian tribes. The treaty stipulations, as uniformly understood and construed, have no application to any other freedmen than the persons freed from Indian bondage. They relate exclusively to friendly Indians and to Indian freedmen of other tribes in the Indian Territory whom it was the desire of the United States to provide with permanent homes on the lands ceded for that purpose.

I think Mr. Holcomb's statement that only the former slaves of In-

I think Mr. Holcomb's statement that only the former slaves of Indians were referred to in the treaties of 1866 is open to serious question; but I will not stop to discuss the matter now.

tion; but I will not stop to discuss the matter now.

The lands reconveyed to the United States by the foregoing treaties are therefore held subject to the trust named. They can be appropriated only to the uses specified, and to those uses only by the United States, and then only in the manner provided for by law. Miscellaneous immigration even by the intended beneficiaries would be unauthorized and illegal.

The Choctaw and Chickasaw cession of April 28, 1856 (14 Statutes, 769), was by the tenth section thereof made subject to the conditions of the compact of June 22, 1855 (II Statutes, 613), by the ninth article of which it was stipulated that the lands should be appropriated for the permanent settlement of such tribes or bands of Indians as the United States might desire to locate thereon.

The lands embraced in the Choctaw and Chickasaw cession were also included in a definite district established by the stipulations of the treaty of 1855, pursuant to the act of Congress of May 28, 1830, the United States re-engaging by the seventh article of said treaty to remove and keep out from that district all intruders.

by the seventh article of said treaty to remove and keep out from that district all intruders.

Articles 15 and 16 of the treaty with the Cherokees (14 Stat., 803, 804) provide that the United States may settle any civilized Indians friendly with the Cherokees and adjacent tribes within the Cherokee country, on unoccupied lands, on certain terms and conditions specified in the treaty.

These provisions made the United States the agent of the Cherokees for the sale and disposal of unoccupied land in the Cherokee country for the benefit of said tribe, but restricted such sale and disposal exclusively to friendly Indians. In pursuance of the stipulations of the foregoing compacts, and in the exercise of the trusts assumed by the United States under the several treaties, and in accordance with specific provisions of law and the lawful orders of the President, all the lands in the Indian Territory to which the United States has title have been permanently appropriated or definitely reserved for the uses and purposes named.

As to the groundlessness of any claim of implied or actual trust con-

As to the groundlessness of any claim of implied or actual trust contained in the Creek or Seminole treaties, I think I have already sufficiently expressed myself. I will only add that such a trust is impossible from the fact that the "other Indians and freedmen" referred to in those treaties were not identified and, consequently, could not become beneficiaries. I shall treat of the Cherokee treaty later on; I wish now to notice only Mr. Holcomb's argument in regard to the trust which he and some gentlemen of this committee appear to discover to have been imposed on the Choctaw and Chickasaw treaty. Mr. Holcomb says:

The Choctaw and Chickasaw cession of April 28, 1866, was, by the tenth section thereof, made subject to the compact of June 22, 1855 (the treaty by which their lands west of 98° were leased to the United States), by the ninth article of which it was stipulated that the lands should be appropriated for the permanent settlement of such tribes or bands of Indians as the United States might desire to locate thereon.

The clause of Article IX of the treaty of 1855 reads as follows:

And the Choctaws and Chickasaws do hereby lease to the United States all of their common territory west of the ninety-eighth degree of west longitude for the permanent settlement of the Wichita and such other tribes or bands of Indians as the Government may desire to locate therein; excluding, however, all the Indians of New Mexico; * * * which Indians shall be subject to the exclusive control of the United States, under such rules and regulations not inconsistent with the rights and interests of the Choctaws and Chickasaws as may from time to time be prescribed by the President for their government; Provided, however, The territory so leased shall remain open to settlement by Choctaws and Chickasaws as heretofore.

Article X of the Choctaw and Chickasaw cession of 1866 reads as fol-

The United States reaffirms all obligations arising out of treaty stipulations or acts of legislation with regard to the Choctaw and Chickasaw Nations entered into prior to the late rebellion and in force at that time, not inconsistent herewith

Now, Mr. Chairman, in comparing these two articles of the treaties of 1855 and 1866, several questions occur to me as being pertinent to an attempt to discuss the position of Mr. Holcomb.

First. Did the language of Article IX of the treaty of 1855 establish

such a trust as that gentleman claims, or any trust in fact?
Second. If so, did the Article X of the treaty of 1866 revive that

Third. If so, is it a continuing trust?

WHAT IS A TRUST?

The definition adopted by both Perry and Lewin in their works on Trusts is that given by Sir Edward Coke as his definition of a use, and they agree that the same is a legal and accurate description and definition of a trust. Mr. Coke, in his work on Littleton, page 272, says:

A trust is a confidence reposed in some other, not issuing out of the land, but is a thing collateral, annexed in privity to the estate of the land and to the person touching the land, for which cestui que trust has no remedy but by subpoena in chancery.

The courts in Wallace vs. Wainwright, 87 Pa. St., 263, and Chaffes vs. Rusk, 12 Harris, 432, defined a trust as "existing when the legal estate is in one person and the equitable estate in another."

Perry, in his work on Trusts, volume 1, section 24, says:

As direct trusts are expressly declared by the parties, there can never be any controversy as to whether they exist.

Lewin, in his work upon the same subject, page 18, says:

The machinery of a trustee is introduced for the execution of some purpose particularly provided.

Did the language of this article establish the legal estate in the United States and the equitable estate in the Wichitas? Did it give the Wichitas such a title that they could bring action against the United States to maintain it? Is the course of the United States as trustee so plainly marked out, and the future conveyance to the Wichitas made so binding upon the United States that it is not possible to construe the language into granting the United States the discretion of settling Indians there or not? I think not.

The language is too brief, too indefinite, to establish an express obligation to reconvey those lands to the Witchitas. I regard it simply as the statement of a purpose, not as entering into the consideration of the cession. Suppose the Wichitas had refused to be settled there, and the United States had not desired nor been willing to settle other tribes thereon, would the United States have been compelled to abandon

the lease? I think not.

But admitting the trust as having been established by this language in the treaty of 1855, what follows? Was the trust entered upon prior to the sale of 1866? Were the Wichitas or any other tribe settled there prior to 1866? The Wichitas were not settled there until October 19, 1872, and then by an agreement which has never been ratified. No other tribes were permanently settled there prior to 1866. It is true that these lands were, in the treaty of October 18, 1865, embraced within the exterior limits of the Comanche and Kiowa reservation, which extended to New Mexico Territory; but there was no permanent settlement of these Indians upon these lands exclusively; and even the treaty of October 18, 1865, was not proclaimed until May 26, 1866, a month after the Choctaws and Chickasaws had sold these lands to the United States. So that in no sense were there any Indians, least of all the Wichitas, permanently located on that land prior to the vesting of the absolute title in the United States. What effect would such vesting of title in the United States have upon an unfulfilled trust imposed by the same Choctaw and Chickasaw tribes who were the vendors in the cession of 1866?

We will assume that in 1855 the Choctaws and Chickasaws imposed the trust of settling the Wichitas upon that land to the United States. That trust was not fulfilled. In 1866 the same Indians sold that land for a consideration to the United States, making no reference whatever to the trust of 1855 and laying no restriction whatever upon the most absolute exercise of power on the part of the United States over the

region so ceded.

Would not the treaty of 1866 supersede that of 1855? Certainly it

For the United States have in 1872, of would. But as a matter of fact the United States have in 1872, their own free will and in their own time, and taking no notice of the treaty of 1855 with the Choctaws and Chickasaws, settled the Wichitas on that land. What more can be asked of the United States? Though 430) upon the same case, in which he held views substantially the same

the trust was destroyed by the sale of 1866 the United States have fulfilled it, and certainly the question of trust can no longer be raised.

CHEROKEE TITLE, IN GENERAL

I now desire to call the attention of gentlemen of this committee to the status of the Cherokee outlet. Soon after the Louisiana purchase Congress began to make provision for such of the Indians as desired to move west of the Mississippi, and by 1828 about half of the Chero-kees were comfortably settled on the west of the Mississippi, between the Arkansas and White Rivers, in what is now the State of Arkansas, having a reservation of 7,000,000 acres. In that year the Cherokees on the Arkansas desiring to move farther from contact with civiliza-tion, and the Cherokees of Georgia wishing to join their brethren west of the Mississippi, the United States made a treaty with the Cherokee tribe.

It will be profitable for us to follow as briefly as may be the different links in the chain of the Cherokee title, not only because it will help us to an understanding of the basis of their present claims, but beneap as to an understanding of the basis of their present claims, but because the minority of the Committee on Territories argue that the Cherokees hold their land, including both the 7,000,000 now occupied by them and the 6,000,000 acres of the outlet, by an absolute fee-simple title. But they say, "This is not strictly true of any other of the civilized tribes." Very well; I shall undertake before I finish to prove that it is not strictly true of the Cherokees as far as their 7,000,000 acres are concerned and that they have only a beat level title to the acres are concerned, and that they have only a bare legal title to the outlet, the patent to the outlet having been given erroneously and contrary to the previous intention of both the United States and the Cher-

In the treaty of 1828 occur these words:

The United States agree to possess the Cherokees, and to guarantee it to them forever, and that guarantee is hereby solemnly pledged, of 7,000,000 of acres.

Then follows a description of the land:

In addition to the 7,000,000 of acres thus provided for and bounded, the United States further guarantee to the Cherokee Nation a perpetual outlet west, and a free and unmolested use of all the country lying west of the western boundary of the above-described limits, and as far west as the sovereignty of the United States and their right of soil extend.

In 1830 Congress passed a general law (4 Stats., 411) providing for an exchange of lands with any and all Indians east of the Mississippi River and their removal west of the Mississippi. By the third section of said act the President was authorized "solemnly to assure the tribe or nation with whom such exchange may be made that the United States will forever secure and guarantee to them and their heirs or successors the country so exchanged with them, and if they prefer it the United States will cause a patent or grant to be made and executed to them for the same; provided always that such lands shall revert to the United States if the Indians become extinct or abandon the same."

The treaty of 1833 purported to be "merely supplemental to the treaty

of 1828, and not to vary the rights of the parties any further than said treaty of 1828 is inconsistent with that of 1833." And, as the minority report upon this bill admits (see page 12), "that is only so far as the territory described in the one is inconsistent with the territory described in the other." It was made necessary by a provise in the treaty of 1828, which provided that the lands therein granted to the Cherokees should not be held to include any land previously selected by the Creeks. It was found that the Creeks had selected part of the 7,000,000 acres granted to the Cherokees by said treaty of 1828.

The treaty of New Echota, in 1835, recites the treaty of 1828-'33,

and says (Article II):

And whereas it is apprehended by the Cherokees that in the above cession (of 7,000,000 acres) there is not contained a sufficient quantity of land for the accommodation of the whole nation on their removal west of the Mississippi River, the United States * * * hereby covenant and agree to convey the said Indians, and their descendants, by patent in fee simple, the following additional tract of land [in Kansas], estimated to contain 800,000 acres.

Article III provides that the lands ceded by the treaty of 1828-'33, "and those ceded by this treaty, shall all be included in one patent executed to the Cherokee Nation of Indians, according to the provisions of the act of May 28, 1830," which contained the clause providing for reversion to United States. This patent was granted to the Cherokees in 1838.

In commenting upon the above-mentioned treaties and the act of 1830, the minority argue that the clause of the treaty of 1835, providing that the 7,800,000 acres be patented to the Cherokees according to the act of 1830, provides for the granting of a lesser title than was granted to the Cherokees by former treaties; and that the provision, in the patent subsequently made in conformance thereto, is invalid.

CASE OF HOLDEN VS. JOY.

To support their view, the minority cite the decision of the Supreme Court in Holden vs. Joy (17 Wal., page 211), in which the court say: Strong doubts are entertained whether that (this) condition in the patent is valid, as it was not authorized by the treaty under which it was issued. By this treaty, the United States covenanted and agreed to convey the lands in feesimple title, and it may well be held that if that condition reduces the estate conveyed to less than a fee, it is void; but it is not necessary to discuss that point.

as those of the Supreme Court which I have quoted. But the most casual reference to the above decision of the Supreme Court and opinion of the Attorney-General will show that they have no relevancy what-ever to this discussion, as they were rendered in a case which involved the "800,000 additional" acres of land in Kansas (which the Cherokees in 1876 reconveyed to the United States), and had no reference to the present lands of the Cherokees

The very language of the court's decision reveals the fact that it did not relate to any of the present domain of the Cherokees; for the court,

in the clause of their decision which I have quoted, say:

By this treaty the United States covenanted and agreed to convey the lands n fee-simple title.

I defy any man to find any covenant or agreement of that kind in regard to lands now owned or even claimed by the Cherokees in the treaties of 1828, the supplementary treaty of 1833, or in the treaty of 1835—the very one to which the court in this decision refer. In the treaty of 1828 there is nothing said about a patent or conveyance of any sort; the United States simply "agree to possess," and agree "to guarantee forever." In the treaty of 1833 it merely says:

And letters patent shall be issued by the United States as soon as practicable for the land hereby guaranteed.

Nothing is said as to the interest which it is proposed to patent "as soon as practicable." And, as there is nothing in this treaty inconsistent with the previous act of 1830, and as that act was intended to lay down a general policy, it is to be presumed that the act was kept in view in the making of this treaty.

That the United States and the Cherokees, in their treaty of 1835,

regarded the treaty of 1833 as not an independent instrument, but a continuation and part of the treaty of 1828, is evident from the follow-

ing reference in the second article of the treaty of 1835:

Whereas, by the treaty of May 6, 1828, and the supplementary treaty thereto of February 14, 1833, the United States guaranteed and secured to be conveyed by patent to the Cherokee Nation of Indians the following tract of country.

Notice that this language conveys the idea that the guaranty to convey by patent was made, not alone in the treaty of 1828, nor in that of 1833, but in the treaties of 1828 and 1833 as one transaction. Any other construction to this language would make it express an untruth, for there is no mention of patent or future conveyance in the treaty of

The treaty of 1835, in regard to which the minority have been led into error by a misapplication of the decision of the court and opinion of the Attorney-General thereupon, contains no provision in regard to patenting in fee-simple to the Cherokees the land now held or claimed by them; but plainly provides (article 3) that it should be patented "according to the provisions of the act of May 28, 1830."

Nothing in the treaties of 1828 and 1833 calls for an absolute fee-title; the general law of 1830 expressly provides otherwise. That law superseded the treaty of 1828; and inasmuch as the treaty of 1833 was expressly for the purpose of curing defects in the treaty of 1828, to supplement it, and was founded upon no new considerations, making substantially the same grant, it was as much subject to the law of 1830 as the treaty of 1828. Moreover, it was in no way inconsistent with that law. The treaty of 1835 calls for the conveyance of no greater interest, as far as the 7,000,000 acres was concerned, than was provided for by the previous treaties of 1828 and 1833 or than was afterward patented

Now, to what treaty does the court, in the decision before quoted, refer when they say, "By the treaty the United States agreed to convey the land in fee-simple title?" Not to the treaties of 1828 and 1833, for we have shown that neither treaty contains any such language. It only occurs in the treaty of 1835, and then only in reference to the

800,000 acres in Kansas

Without discussing the question whether or not the clause in the treaty of 1835 containing this language would be made of no effect by a subsequent clause of the same treaty providing for the patenting of a subsequent chause of the same treaty providing for the patenting of a less estate, we will consider whether, as a matter of fact, this promise to grant an unlimited fee referred to the 7,000,000 acres now occupied by the Cherokees and the Cherokee outlet now claimed by them.

We find that this promise is contained in the latter part of article 2 of the treaty of 1835, and found nowhere else in that treaty, nor, as I have before said, in any previous treaty. It reads:

The United States covenant and agree to convey to the said Indians and their descendants, by patent, in fee-simple the following additional tract of land, situated * * * estimated to contain about 800,000 acres of land.

To this language the court referred.

Relying upon and citing this decision, Attorney-General Devens held that the Cherokees possessed the land involved (the 800,000 acres) by an absolute fee-title. This was in the somewhat famous Kansas school land indemnity case

The minority admit that Mr. Devens referred only to the 800,000 acres in Kansas, but attempt to place the Cherokee lands in the Indian Territory upon the same footing by saying that they were included in the same patent. That signifies nothing.

The United States had agreed in the previous article (II) of this treaty of 1835 to give the Cherokees an absolute fee title to those 800,000 acres in Kansas and that agreement when the same patents.

in Kansas, and that agreement may be admitted to have superseded the

general law of 1830 so far as those 800,000 acres were concerned. But the United States had never agreed to give the Cherokees such a title to any other lands, and they had passed a law to grant only a qualified fee to lands in general, and in the final treaty of 1835 had distinctly provided that the land granted the Cherokees should be patented to them in accordance with the act of 1830, erroneously including the 800,000 acres which they had promised to patent by a superior title.

In view of the express provision of 1830, reiterated in 1835, and embodied in the patent itself (1838), and in view of the fact that, as far as the Cherokee lands within the Indian Territory were concerned, there had never been any agreement inconsistent with the law of 1830, I am unable to agree with the minority that the patent of 1838, in so far as it grants less than an absolute fee-simple title to the present domain of the Cherokees, is void.

CASE OF UNITED STATES VS. REESE.

The minority also rely upon the decision of Judge Parker in United States vs. Reese (1879), 5 Dil. C. C., 405, to destroy the effect of the treaty of 1835 as far as the lands ceded by the treaty of 1828-'33 are concerned. The judge, in that decision, says:

If the lands had been already ceded by treaty of 1833 (and which cession was recognized by second article of treaty of 1835), then the agreement by the United States by the third article of the treaty of 1835 to give them a patent to these lands, according to act of May 28, 1830, was a mere nudum pactum.

In other words, we are to look only to the treaty of 1833 to determine In other words, we are to look only to the treaty of 1833 to determine the degree of interest which has been patented to the Cherokees in the Indian Territory. Very well. I have already shown that the treaty of 1833 was only a part of the treaty of 1828; that it was so stated in the treaty itself, and that it was so regarded in the treaty of 1835; that it simply corrected the boundary of that treaty; that it expressly says that it is intended only as a supplement and "not to vary the rights of the parties" to that treaty; consequently it is as much limited by the act of 1830 as was the previous treaty of 1828, which act of 1830 expressly provided that these lands should be patented with condition of reversion to United States, and which, as Judge Parker admits, superseded so much of the treaty of 1828 as is inconsistent with the act.

But admitting for argument's sake that the treaty of 1833 was an independent instrument, that it had no connection with the treaty of 1828, may we not apply the nudum pactum argument of Judge Parker to the treaty of 1833 as well as to the treaty of 1835? If the treaty of 1835 was a nudum pactum, was not the treaty of 1833 also a nudum pactum? May we not apply the language of Judge Parker to the treaty of 1833 and say:

If the lands had been already ceded by treaty of 1828 (and which cession was recognized by the preamble of treaty of 1833), then the agreement by the United States in the first article of the treaty of 1833 to give them a patent to these lands was a mere *undum pactum*.

In other words, that we are to look only to the treaty of 1828 (and which said nothing about patent or future conveyance of any kind) to ascertain the degree of interest which the Cherokees have in the Indian ascertain the degree of interest which the Cherokees have in the final Territory. But neither Judge Parker nor any one else has denied that the law of 1830, in so far as it affected the title of the Cherokees, was superior to and superseded the treaty of 1828. Consequently the act of 1830 is the fountain of all authority upon the subject, and the patent of 1838 having been made in conformity thereto, is valid in every respect. But however this point may be regarded, it is obvious that the United States intended in the transaction embraced in the treaties of United States intended in the transaction embraced in the treaties of 1823, 1833, and 1835, and the act of 1830, to grant to the Cherokees lands in the Indian Territory by a qualified fee only, and all the opposition to this proposition is based upon the purely technical argument that the treaty of 1833 was an independent instrument, and that (a reference to the law of 1830 having been inadvertently omitted) it superseded the law of 1830.

Whether or not the agreement in Article II of the treaty of 1835 was nudum pactum, it is perfectly clear that the United States had not abandoned the policy of 1830; neither had the Indians, else they would not have signed the treaty. The treaty of 1835 was an honest agreement between the United States that these lands should be patented to the Cherokees by the title provided for in the act of 1830, and in the patents granted to all the civilized tribes, and in conformity to the universal, unvarying policy of the Government in regard to Indian titles up to that time; and it was reserved for a later day and generation to discover or attempt to discover a way whereby the Indians can crawl out of their solemn agreement through the very small hole of a nudum

TITLE OF THE CHEROKEE OUTLET.

So far I have discussed the Cherokee title in general. I wish now to speak more particularly of what I started to discuss a little while agothe Cherokee Outlet, 6,022,844 acres.

While I am bound to confess that the title to this land was conveyed to the Cherokees by the patent of 1838, I assert here and now that when the treaty of 1828 was made promising them the 7,000,000 acres, the "perpetual outlet west," and the "free and unmolested use of all the country lying west of the western boundary" of the 7,000,000 acres, it was not the intention of the Government to promise more than the 7,000,000 acres and a perpetual use of an outlet west; the intention to grant any title to the soil of the outlet west was not entertained by the Government or the Cherokees, as I shall show conclusively further on; and it was only by an extremely liberal and loose construction of the treaty of 1828 that those acting for the Government were induced to include it within the patent of 1838.

The article of the treaty of 1828 referred to reads:

ART. 2. The United States agree to possess the Cherokees and to guarantee it to them forever, and that gurantee is hereby solemnly pledged, of 7,000,000 of acres of land, to be bounded as follows, namely [describing the territory]. In addition to the 7,000,000 of acres thus provided for and bounded, the United States further guarantee to the Cherokee Nation a perpetual outlet west, and a free and unmolested use of all the country lying west of the western boundary of the above-described limits, and as far west as the sovereignty of the United States and their right of soil extend.

Now, Mr. Chairman, if the intention had been to include the soil of the outlet, together with the soil of the 7,000,000 acres, in a future patent to these Cherokees, why did not the treaty of 1828 intimate that fact? On the contrary, there is a plain distinction, as much distinction as possible, for the few words employed, preserved in that treaty between the 7,000,000 acres of land and the outlet and use. Furthermore, there was never any authorization of a patent to the lands of the outlet. The treaty of 1828, as I have stated, contained no stipulation for nor mention of any future conveyance.

The supplementary treaty of 1833 contains the same description of the property guaranteed to the Cherokees, as does the treaty of 1828, and says further (I am now quoting article 1 of that treaty): "and letters patent shall be issued by the United States as soon as practicable for the land hereby guaranteed"—for the land, not for the priv-

ilege of an outlet.

I will here quote as much of Article I of this supplemental treaty of 1883 as relates to this point:

The United States agree to possess the Cherokees and to guarantee it to there forever; and that guarantee is hereby pledged (subject, of course, to the provisions of the law of 1830) of 7,000,000 acres of land, to be bounded as follows: * * * In addition to the 7,000,000 acres of land thus provided for and bounded, the United States further guarantee to the Cherokee Nation a perpetual outlet west and a free and unmolested use of all the country lying west of the western boundary of said 7,000,000 of acres as far west as the sovereignty of the United States and their right of soil extend, * * * and letters patent shall be issued by the United States as soon as practicable for the land hereby guaranteed.

It does seem to me, Mr. Chairman, that the mere reading of this article ought to be sufficient to convince any lawyer of the absurdity of the claim that there was any intention expressed or implied to patent any land except the 7,000,000 acres "thus provided for and bounded."

In the treaty of 1835 a patent is provided for in nearly the same lan-

The United States also agree that the lands above ceded by the treaty of February 14, 1833, including the outlet—

The land of the outlet was not ceded in 1833, as I have shown, but only the use of the land-

and those ceded by this treaty shall all be included in one patent executed to the Cherokee Nation of Indians by the President of the United States according to the provisions of the act of May 28, 1830.

Here provision is made for the future conveyance to the Cherokees of what? (1) The 7,000,000 acres of land ceded in 1828 and 1833; (2) the 800,000 acres of land ceded by this (1835) treaty; (3) the privilege of an "outlet" west. Nothing else was called for or thought of, and the survey and patenting of the land of the outlet was without authority and without consideration.

But, Mr. Chairman, I propose to show by documentary proof that it was the express understanding between the Government and the Cherokees that the latter were never to acquire any title to the land of the

UNDERSTANDING BETWEEN THE UNITED STATES AND THE CHEROKEES IN 1821

I desire to call the special attention of gentlemen to the preamble of he treaty of 1828:

Whereas the present location of the Cherokees in Arkansas being unfavorable to their repose, and tending, as the past demonstrates, to their future degradation and misery; and the Cherokees being anxious to avoid such consequences, * * * resting also upon the pledges given them by the President of the United States and the Secretary of War of March, 1818, and 8th of October, 1821, in regard to the outlet to the west, and as may be seen on referring to the records of the War Department. * * *

Now, sir, I was led to inquire at the War Department whether there could not be found some records bearing upon the question suggested in this treaty as to the understanding between the Indians and the Government in regard to the outlet. After a laborious search among the musty records of the Department, with the assistance of the courtenusty records of the Department, with the assistance of the court-eous gentlemen who have charge of them, I found the very "pledges" mentioned in the treaty of 1828 as having been given to the Cherokees in 1818 and 1821 by the President and the Secretary of War. The first is the record of a "conversation" had between the Secretary of War and the Cherokee Indians in March, 1818. It is entitled "Talk to the Cherokee deputation of the Arkansas," and is as follows:

To General Tonlonlusky, Chief and Warrior of the Cherokee:

My Friends and Children, Nation of the Arkansaw Country: * * * The country which you give up is a good country, and it is near and very convenient to us, and I shall in return act generously toward you and endeavor to make you happy in your new homes on the Arkansaw. I have not yet obtained the land lying up that river, to the west of your settlement.

I will give instructions to Governor Clark to hold a treaty with the Quapaws this summer in order to purchase them, and when purchased I will direct them

to be laid off for you. It is my wish that you should have no limits to the west; so that you may have good mill-seats, plenty of game, and not be surrounded by the white people.

By the President of the United States,

JAMES MONROE, J. C. CALHOUN, Secretary of War.

Then follows a letter from John C. Calhoun (then Secretary of War), signed "J. C. C." It is addressed to the Cherokee delegation, and dated "Department of War, 11 February, 1819." Although this letter is not strictly pertinent to the point immediately under discussion, yet its sentiments are so much in advance of those entertained by certain so-called modern champions of the Indians that I deem it not inappropriate to quote it here in full.

If the statesman-like advice of Secretary Calhoun had been heeded, and the Government had from that time to this energetically pursued the one policy of curtailing the Indian reservations and compelling the Indians to adopt civilization by making such a course necessary to their existence, we should not have had these fifty years of Indian degradation and filching from the national Treasury.

The letter referred to reads as follows:

The letter referred to reads as follows:

It is understood that the delegation, in behalf of their nation, wishes to strengthen the guarantee of that portion of the land which may be left to them after making the proposed cessions, so that it may be to them a permanent and lasting home without further cessions. To secure such great benefits it is indispensable that the cessions which they may make should be ample, and the part reserved to themselves should not be larger than is necessary for their wants and convenience. Should a larger quantity be retained it will not be possible by any stipulation in the treaty to prevent future cessions. So long as you may retain more land than what is necessary or convenient to yourselves, you will feel inclined to sell and the United States to purchase. The truth of what I say you know can not be doubted, as your own experience, and that of all Indian nations, proves it to be true. If on the contrary you only retain a suitable quantity no more cessions will be asked for or made, and they will be settled down permanently.

You are now becoming like the white people; you can no longer live by hunting, but must work for your subsistence. In your new condition far less land is necessary for you. Your great object ought to be to hold your land separate among yourselves as your white neighbors. * * * Without this you will find you will have to emigrate or become extinct as a people.

I come now to the most important of these documents with reference to the point I am discussing. It is dated "Department of War, 8th October, 1821." On the left margin are the names of a number of Cherokee chiefs. The paper is as follows, and I wish to state that I refer to the original document, made out by Secretary Calhoun, and now on file in the Indian Office:

DEP'M'T OF WAR, 8th Oct'r, 1821.

BROTHERS: I have received your communication of the 24th of July last, complaining that the promises of the Government in relation to intruders upon your lands Black Fox, W. Webber, Thos. Graves.

W. Webber, Thos. Graves.

Thos. Gr

The "Lovely Purchase" here referred to was the country to the west of the reservation in Arkansas, and forming a part of the present domain of the Cherokees.

Governor Miller, who is now here, on his return to the Arkansaw Territory, informs me that he knows of but one person who has settled upon your lands, and he believes that person resides there with the permission of the nation. He is, however, authorized to call the attention of Major Bradford to the orders above referred to, and if they should not have been previously carried into effect to request him to do so without further delay.

Now, Mr. Chairman, I ask special attention to the following lan-

It is to be always understood that in removing the white settlers from Lovely's purchase for the purpose of giving the outlet promised you to the west you acquire thereby no right to the soil, but merely to an outlet, of which you appear to be already apprized, and that the Government reserves to itself the right of making such disposition as it may think proper with regard to the salt springs upon that tract of country.

The words "right to the soil, but merely to an outlet" are italicized in the original document.

The document continues:

The document continues:

Governor Miller is also fully authorized to receive and adjust any other complaints you may have to make, which it is believed can be done satisfactorily by him upon the spot, without your sending a deputation for that purpose, as you express a wish to do. If, however, he should find any difficulty in the business and think it of sufficient importance for you to send on a delegation, he is vested with discretionary power to grant you power to send one in the spring. I understand that some of your nation have settled to the south of the Arkansas River on our lands, and as it is equally improper for your people to occupy our lands as for our people to occupy yours, it is expected that you will immediately order all your people to remove from the south to the north side of the river within the limits of your reservation; which, if not done in a reasonable time, Governor Miller is instructed to take the necessary measures to effect.

I remain your friend and brother,

J. C. CALHOUN.

The correctness of my copy of this original paper is attested by the chief clerk of the Indian Office, with whom I compared it and the original, as follows:

riginar,
A true copy.
A. B. UPSHAW,
Chief Clerk.

Mr. BARNES. What is the date of that?
Mr. STRUBLE. October, 1821—the date referred to in the treaty of 1828, in which the Indians agreed, by reference to this instrument, that they were to be bound by it, acknowledging that they knew of its

existence and understood its terms.

Another point which proves conclusively that the United States had no intention of yielding the title to the land of the outlet is in the reservation of the right on the part of the United States to allow other Indians, to get salt man the artists in Indians to get salt upon the outlet in common with the Cherokees. That provision is found in identical language in Article I of the supplemental treaty of 1883, and in Article II of treaty of 1835. It reads:

Provided, however, That if the saline or salt plain on the Western Prairie shall fall within said limits prescribed by said outlet, the right is reserved to the United States to permit other tribes of red men to get salt in said plain in common with the Cherokees.

Why should the United States be the custodian of such permission if they were to be deprived of the ownership of that outlet? desired to secure to other Indians this right of access to the salt springs, why did not the treaties say that "the Cherokees shall permit it," &c.? Simply because there was no intention that the Cherokees would ever acquire any title to that outlet which would give them the right or authority to make such a concession.

Now, Mr. Chairman, I ask what stronger evidence we need to prove

that the understanding in 1828, when the 7,000,000 acres and the "outlet" were first granted, was, as Mr. Calhoun said, that the Cherokees were not to have a title to the soil of the outlet, but merely the

right to the use of an outlet?

[Here the hammer fell.]
Mr. HILL. I hope the gentleman's time will be extended, as he

has been interrupted.

Mr. SPRINGER. It was understood that the time occupied by the gentleman from Louisiana [Mr. KING] should not be taken from the time of the gentleman from Iowa [Mr. STRUBLE].

The CHAIRMAN. The gentleman from Iowa will have fifteen min-

utes additional.

Mr. STRUBLE. Is there anything to show, Mr. Chairman, that this understanding has ever been altered? Certainly nothing but the bare provisions in the supplemental treaty of 1833 and the treaty of 1835 that the outlet should be patented along with the land, 7,800,000 acres, ceded in 1828 and 1835. There is not a shadow of evidence that either treaty contemplated the patenting of the land of the outlet, together with the other 7,800,000 acres. The Indians never asked anything of the kind.

Mr. BROWN, of Pennsylvania. How many acres were there in the

outlet as originally patented?

Mr. STRUBLE. The area of the original outlet was never known. because it was surveyed in a body with the 7,000,000 and the 800,000

When we speak of the present area of the outlet as being 6,022,844 acres we mean the land west of 96° minus the lands sold since 1866 by the United States to the Osages, Kaws, Nez Percés, Otoes and Mis-

sourias, and Pawnees.

The line of 96° was merely an arbitrary line agreed upon by the United States and the Cherokees as the eastern boundary of the country over which the United States might settle such friendly Indians as they saw fit. But the eastern boundary of the original outlet was never ascertained, because it was never run as it should have been.

suppose there were about 8,000,000 acres in that outlet.

Now, when the Eastern Cherokees proposed to join their brethren on the Arkansas, and it was apprehended that the 7,000,000 acres would not suffice for their combined numbers, what was done? Why, the Government, for the consideration of \$500,000, ceded them in 1835 "800,000 additional acres" in Kansas, not about 8,000,000 additional acres to the west of their 7,020,000 acres; yet in the same treaty provision was made for patenting to them an outlet, showing that nothing was more foreign to the understanding of the parties to that treaty than that the title to the land of the outlet was to be patented to the Cherokees. What consideration is it now claimed by the Cherokees or the cattle-men that the Cherokees paid for obtaining a patent to about 8,000,000 additional acres of land? There is no consideration anywhere hinted at for such

a patent.

Then, why was that outlet surveyed and the land patented in 1838 to the Cherokees? No treaty or conference ever even authorized the survey of that outlet. The treaty of 1828 provided (article 2) for a running of "the lines of the above cession without delay." But this evidently referred to the exterior lines of the 7,000,000 acres. There was no "cession" except of the 7,000,000 acres, although an outlet was guaranteed. The supplementary treaty of 1833 contained no reference at all to a running of any lines. It is natural, however, to infer that a survey of the lines of the cession as corrected, but only of the cession, was contemplated by the treaty. The same is true of the final treaty

The fact that the exterior lines of the outlet were, in 1836, run by General McCoy at the request of the Interior Office, signifies nothing as to the intention of the Government to patent the land of the outlet. Disregarding this plain understanding with the War Department, as evidenced by these documents which I have quoted, or forgetting, by reason of this language in the treaty of 1835, their provisions, the Department construed that there should be a patent to the whole 14,374,-135.14 acres, including the land of the outlet; and that land of the outlet was patented contrary to the terms of the grant and contrary to this plain understanding, as shown by indisputable records in the

War Department.

Now I confess that during all these years from the issuing of the patent, which was in 1838, the Government has treated this land as belonging to the Indians; but there is where the trouble began. Contrary to the plain understanding between these Indians and the Secretary of War, an understanding which was made a matter of record, a liberal construction or a forgetfulness of these documents to which I have referred resulted in the enlargement in the patents of the right to this

But gentlemen may say, "What does it all signify? After the Government of the United States has for all these years recognized these Indians as possessing title it is too late now to raise any question on that point." Mr. Chairman, we are confronted in this discussion with the plea of our friends on the other side that there are equitable considerations in behalf of these Indians; and we are reminded that the Government of the United States can not in equity violate these equi-

table obligations.

I wish, Mr. Chairman, to call the attention of the committee to the fact that the Government, the people of this country, have equities as well as the Indians, and that the officers of this Government, the alleged servants of the aforesaid people, have, through an unwarranted liberality and by an unjustifiable construction of these treaties, conveyed to these Cherokees about 8,000,000 acres of land which they should not have had under any circumstances whatever; and that the patent of 1838 should be declared void as far as it relates to the Cherokee outlet, and that that rich domain, now wholly given up to great moneyed corporations, who are raising steers for 28 cents a head to compete with the cattle raised by our small farmers, be restored to its rightful owners, the people.

WHAT IS "INDIAN COUNTRY?"

Mr. Chairman, I shall, if granted the time, show more fully the character of the present occupancy of this outlet. I now desire to discuss the question of what is Indian country, because the persecution of immigrants who have attempted to settle within the limits of the proposed Territory of Oklahoma has been justified by what I claim to be a wholly erroneous view of that question, and because I shall, from my interpretation of the law governing the question, take the liberty to criticise such persecution. And, sir, in this connection I do not hesitate to take issue with the minority of the Committee on Territories and with their chief [and indeed only authority, the able and learned Judge Parker of the western district of Arkansas. The only question left to be considered in regard to the right of set-

the only destroy her to be considered in regard to the right of set-tlement in Oklahoma by United States citizens is whether or not it is "Indian country," as contemplated by the Revised Statutes regulating intercourse with the Indians. And here again we find a solid array of legal opinion that lands similarly situated are not in any sense "Indian No court, with the exception of Judge Parker, has ever considered this question in its bearings upon Oklahoma, notwithstanding the oft-repeated and persistent efforts of would-be settlers to force

the matter before the courts.

The first act of Congress defining Indian country was that of March 30, 1802, 2 Stat., 139. The first section of that act devotes over a page to the description of what shall be regarded as Indian country, and declares that such country shall be distinctly marked by order of the President, and be considered as the line of the Indian Territory, or Indian country, as it is indifferently called in several sections of the act. The country west of the Mississippi River then belonged to France. country described in the act of 1802 lay to the north of the Ohio and west of a line drawn from between the mouths of the Cumberland and Tennessee Rivers through Tennessee, Kentucky, and Georgia to the Saint Mary's River. From that time up to 1834, though there were many acts passed governing intercourse with the Indians, no other attempt was made to define the Indian country.

The only provisions of law ever enacted which made this particular Territory now under discussion a part of the Indian country was section 1 of the "Indian-intercourse", act of June 30, 1834, 4 Stat., 729,

which read as follows:

SECTION 1. Be it enacted, That all that part of the United States west of the Mississippi River and not within the States of Missouri and Louisiana. or the Territory of Arkansas, and also that part of the United States est of the Mississippi River, and not within any State, to which the Indian title has not beer extinguished for the purposes of this act, be taken and be deemed to be Indian

Mr. Justice Miller, in Bates vs. Clarke, 5 Otto 204, quoting this sec-

If the section which we have given verbatim be read with a comma after the word "State," or if, without the insertion of any point there, we read it so as to apply the words "to which the Indian title has not been extinguished" to all the region mentioned in the section, we have a criterion which will always distinguish what is Indian country from what is not, so long as the existing system governing our relations with the Indians is continued.

The judge then proceeds to show the absurdity of the rendering, if

the comma be omitted, and the phrase be considered to apply to "State;" and says further:

On the other hand, if the section be read as describing lands west of the Mississippi, outside the States of Louisiana and Missouri and the Territory of Arkansas, and lands east of the Mississippi not included within any State, but lands alone to which the Indian'title has not been extinguished, we have a description of the Indian country which was good then and which is good now, and which is capable of easy application at any time.

The judge continues:

The judge continues:

Notwithstanding the immense changes which have since taken place in the vast regions covered by the act of 1834, by the extinguishment of Indian titles, the creation of States, and the formation of Territories, Congress has not thought it necessary to make any new definition of Indian country; yet, during all this time, a large body of laws has been in existence whose operation was confined to the Indian country, whatever that may be; and men have been punished by death, by fine, and by imprisonment, for which the courts who so punished them had no jurisdiction, if the offenses were not committed in the Indian country as established by law.

"These facts afford the strongest assumption that the Congress of the United States and the judges who administered those laws must have found in the definition of Indian country, in the act of 1834, such an adaptability to the altered circumstances of what was then (1834) Indian country as to enable them to ascertain what it was at any time since then.

"The simple criterion is that, to all the lands thus described, it was Indian country, whenever the Indian titel had not been extinguished; and it continued to be Indian country so long as they had title to it, and no longer. As soon as they parted with the title it ceased to be Indian country, without further act of Congress, unless by the treaty by which the Indians parted with their title, or by some act of Congress a different rule was made applicable to this case.

"In the case of the American Fur Company vs. United States (2 Peters, 358), decided in 1829, the goods of the company had been seized for violation of the laws, by their introduction into the country, under the act of 1802.

"This court held that, if, by treaties made with the Indians after the passage of that act, their title to the region where the offense was committed had been extinguished, it had thereby ceased to be Indian country and the statute did not apply to it.

"So in the case of United States as Forty-three Gallons of Whis

extinguished, it had thereby ceased to be Indian country and the statute and not apply to it.

"So in the case of United States vs. Forty-three Gallons of Whisky, decided at the last term (33 United States, 188), where this act of 1834 was fully considered, while the court holds that by a certain clause in the treaty by which the locus in quo was ceded by the Indians, it remained Indian country until they removed from it, the whole opinion goes upon the hypothesis that, when the Indiantitle is extinguished, it ceases to be Indian country unless some such reservation takes it out of the rule.

"It follows from this that all the country described by the act of 1834 as Indian country remains Indian country so long as the Indians retain their original title to the soil, and ceases to be Indian country whenever they lose that title, in the absence of any different provisions by treaty or by act of Congress."

In the case of The American Fur Company vs. United States, above referred to by Justice Miller, the court lays down this rule, that—

A section of country which has been purchased by the United States, although still frequented and inhabited exclusively by Indians, is not to be regarded as Indian country within the act of Congress regulating trade and commerce with the Indians. Since the Revised Statutes, section 5596 of which repealed the Indian-intercourse act of 1834, the only Indian country consists of the various Indian reservations. dian reservations.

If "a section of country which has been purchased by the United States, although still frequented and inhabited exclusively by Indians," is not to be regarded as Indian country, how can the term be used of a country where no Indians have been since 1866?

In the case of Forty-three Gallons of Cognac Brandy (11 Federal Report, 47), decided in the circuit court for the district of Minnesota, March 24, 1882, this doctrine is laid down by Judge McCrary:

Section 1 of the act of Congress of June 30, 1834 (4 Statutes, 792), defining the Indian country as "all that part of the United States west of the Mississippi and not within the States of Missouri and Louisiana and the Territory of Arkansas, and also that part of the United States east of the Mississippi River and not within any State, to which the Indian title has not been extinguished, was repealed by the section 55% of the Revised Statutes, and consequently the description of the Indian country found in section 1 of the act of 1834 is no longer a part of the law of the land."

In United States vs. Martin, 14 Federal Reports, 817, decided in the

district court of Oregon in 1833, the court uses this language:

Since the repeal of section 1 of the Indian-intercourse act of 1834 (4 Statutes, 129) by section 5596 of the Revised Statutes, the only Indian country in the United States within the purview of that phrase, as used in chapter 4, title 28 of the Revised Statutes, is the tract set apart by the United States for the exclusive use and occupancy of particular Indian tribes and known as Indian reservations.

Now, admitting for argument's sake that Article III of the Creek and Seminole treaties of 1886 amounted to a reservation for the purpose of settling friendly Indians upon the land involved, it did not operate to bring this land within the meaning of the term "Indian country," not reserving said land for any "particular Indian tribes." The court, in United States vs. Sevaloff (2 Sawyer, 311, 1872), says:

Only that part of the United States declared to be such by act of Congress is Indian country. A country which is owned or inhabited in whole or in part by Indians is not therefore a part of the Indian country.

This case involved the question whether or not Alaska was Indian country. It was held by the court that neither the act of 1834 nor the act of 1864 (March 15) making the disposition of spirituous liquors to Indians a crime applied to Alaska, because it was acquired after the

passage of these acts, the court holding the language above quoted.

Judge Foster, in Goodfellow es. Muckey (1 McCrary, 238), Circuit Judge Dillon concurring, said:

Grants and reservations claimed under Indian treaties are strictly construed against the grantee or beneficiary.

The case United States vs. Leathers (6 Sawyer, 17) involved the question whether or not an Indian reservation in Nevada was Indian country. It was argued on behalf of the United States that Nevada

was Indian country by virtue of the Indian-intercourse act of 1834, also of section 7 of the appropriation act of 1851 (9 Stat., 587), which enacts that "all the laws now in force regulating trade and intercourse with the Indian tribes, or such provisions of the same as may be applicable, shall be, and the same are hereby, extended over the Indian tribes in New Mexico and Utah," Nevada being at that time a part of Utah; also of the sixteenth section of act of March 2, 1861, organizing the Territory of Nevada, and of section 2, act of March 21, 1864, enabling the people of Nevada to form a State government, both the latter acts extending the laws of the United States not locally inapplicable over Nevada.

Judge Hillyer, delivering the opinion and citing United States es.

Sevaloff, before alluded to, said:

The act of 1834, which in 1851 contained nearly all the law regulating inter-course with the Indians, defines the term "Indian country," and fixes its bound-aries. Utah was not then a part of the United States, and did not become In-dian country by the act of 1834.

The general provisions of 1851, 1861, and 1864, extending the intercourse laws of the United States over that region, do not make it Indian country.

Referring to the omission from the Revised Statutes of the section of the act of 1834 defining Indian country, Judge Hillyer continues:

It seems to me that the changed condition of the region embraced:

It seems to me that the changed condition of the region embraced in that definition of Indian country no doubt induced Congress to leave it out as no longer applicable.

There is, then, if I am right in this, no longer any statutory definition of Indian country, and at the same time the term is retained in a number of important sections of the Revised Statutes, and the question is, to what does the term now apply, and does it include an Indian reservation?

The judge then proceeds to argue that the term must necessarily have been intended by the Revised Statutes to apply to Indian reservations, and that it did not apply to anything else.

Citing Bates vs. Clarke before mentioned, he says further:

It follows that, unless these various Indian reservations are "Indian country," and if we are still bound by the definition in the act of 1834, there is little or no country to which the various sections of the Revised Statutes regulating intercourse with the Indians can apply.

The court, in United States vs. Bridleman (7 Sawyer, 243), decided in the district court of the district of Oregon, in 1881, say:

There is also much force in the suggestion made by Mr. Justice Hillyer, in United States vs. Leathers, that, as section 1 of the act of 1834 was repealed by title 74. Revised Statutes, there is now no Indian country to which the various provisions of title 28. Revised Statutes, can apply, unless the several reservations set apart for the exclusive use of the Indians are considered to be such.

See also United States vs. Tom (1 Oregon, 26).

I quote again from that eminent jurist and lawyer, Judge McCrary. In the case of Pelcher et al. vs. United States, decided in Minnesota in 1882, and which involved the question of the legality of the seizure of liquors brought into what was alleged to be Indian country, the judge decided that the Revised Statutes had repealed the Indian-intercourse act, and that the lands involved in the case were not Indian country. After quoting the act of 1834 and the repealing clause (section 5596) of the Revised Statutes, and arguing that the act of 1834 was not a "private, local, or temporary" measure within the purview of this repealing clause, but a public, general, and permanent one, and that consequently it would not come under the exception to the repealing force of said section, Judge McCrary proceeds:

of said section, Judge McCrary proceeds:

Upon one point I am clear. If necessity compelled the court to determine the meaning of the words "the Indian country," in the absence of any statutory definition I should in a criminal case, in obedience to the rule which requires that the words in a penal statute shall be construed strongly in favor of the accused, hold that the Indian country is that portion of the public domain which is set apart as a reservation, or as reservations, for the use and occupancy of the Indians, and pot the whole vast extent of the national domain to which the Indian title has not been extinguished. I should feel constrained, if I were to define these terms, to construe them as synonymous with Indian reservations.

It will be remembered that Judge McCrary, in Forty-three Cases Cognac Brandy, before cited, held that the fact that a particular tribe of Indians have for a long time occupied a particular tract of country, or that a particular tract has been referred to in treaties and official reports as a particular Indian reservation, does not therefore constitute that tract an Indian reservation. No more would those facts constitute it Indian country, Indian country and Indian reservation being, according to Judge McCrary, in Pelcher vs. United States, before cited, synonymous.

In United States vs. Barnhart, 22 Federal Reports, 285 (1884), Justice Matthews, citing United States vs. Bridleman and United States vs. Martin, cases which I have before quoted, also the case of Ex-Parte Crow

Dog, 109 United States, 526, said:

The term "Indian country" applies to all the country to which the Indian title has not been extinguished and actually in the exclusive occupancy of Indians.

It was decided by Judge McCrary that section 1 of the act of Congress of June 30, 1834, known as the "trade and intercourse act," was repealed by the Revised Statutes; and that consequently we have no act of Congress defining the Indian country. Judge Hillyer in the case above cited, the Senate Committee on Indian Affairs; and Hon. Commissioner Price concurred with Judge McCrary on this point. ate Report No. 773, Forty-seventh Congress, first session.)

On account of this consensus of opinion on the part of the above gentlemen, a bill was drafted by the Commissioner and sent to the Senate committee; but Judge Hillyer and the Commissioner did not think such a bill necessary, inasmuch as it was "well established" that the term included only lands allotted to the use and occupation of the In-

In view, then, of the fact that the Revised Statutes repealed the part of the act of 1834 defining the Indian country, so that we have to-day no definition of the term, and in view of the further fact that an unbroken line of authorities hold that the act of 1834 was never intended to embrace any lands except definitely defined Indian reservations, we can not possibly arrive at any other conclusion than that Oklahoma is not, and has not been since 1866, Indian country, and that no law regulating trade and intercourse with the Indians affects it in any way what-Consequently the attempts of settlers to establish for themselves and families homes in that country were perfectly lawful, were con-templated and provided for by the Revised Statutes, and were in accord with the general policy of the Government; and the use of the Army to expel these lawful settlers, resulting only to the benefit of cattle syndicates and "squaw" whites, was an arbitrary and unconstitutional act; and the repeated failures of the would-be settlers to obtain a decision upon the legal status of that country are a monstrous disgrace to American justice and honor.

[Here the hammer fell.]

Mr. SPRINGER. I ask unanimous consent that the gentleman from Iowa may be permitted to occupy fifteen minutes more.

Mr. WELLBORN. I hope the gentleman from Iowa may be per-

mitted to conclude his remarks.

The CHAIRMAN. Without objection, the gentleman will proceed.
Mr. STRUBLE. I thank gentlemen for their kindness, and especially my friend from Oregon for his forbearance, when I know I am

intruding upon his time. I wish to refer, however, to the condition of both the Cherokee outlet and Oklahoma in reference to the present occupancy of those lands. I state for the benefit of the honorable chairman of the Committee on Territories [Mr. HILL] that both the outlet and Oklahoma are entirely overrun with cattle, and have been ever since this administration came into power; that there are more cattle there than ever before; and that they are daily augmenting in numbers; and that the much trumpeted expulsion of the greedy cattle kings from Oklahoma by a reform Democratic administration was a farce and intended to be a farce.

I have shown that the Cherokees, Creeks, and Seminoles have no rights on these lands; they claim no rights or title to them. only claim the Indians have ever made was that the United States held the lands in trust for some other Indians to be brought some time from somewhere and settled there, but I hope I have succeeded in overthrowing that theory. And whether I have or not the Government plainly disavows any intention of massing any more Indians in the plainly disavows any intention of massing any more indians in the Indian Territory, and it does not propose to cede the land back to these three tribes. So the only question is between the cattle kings and the people as represented by their Government. There can be no dodging this issue. Neither, I am pained to know, is there any dodging the conclusion that the present administration is unequivocally on the side of the cattle kings in this controversy.

GRAZING LEASES IN THE INDIAN TERRITORY.

This domain upon which neither Indians nor white citizens are settled is partitioned among cattle companies. I hold in my hand a list of the lessees of land in the Indian Territory as prepared by the honorable Secretary of the Interior, and which I wish to incorporate in my remarks.

No.	Date.	By what tribe made.	To whom made,	Location of lands.	Acres.	Term.	Rental or price per acre.	Remarks.
1	July 5,1883	D. W. Bushyhead, chief on behalf of Cherokee Nation,	Cherokee Strip Live Stock Association.	Cherokee lands west of 96°, known as Cherokee Outlet, Indian Territory.	6,000,000	Five years from Oct. 1, 1883.	\$100,000 per annum, semi-an- nually in	Copy on file in Department,
1	Jan. 8, 1883	Cheyenne and Arap- aho.	E. Fenlon, Leaven- worth, Kans.	Cheyenne and Arap- a ho reservation, Indian Territory.	564, 480	Ten years	advance. 2 cents per acre.	Do.
2	Jan. 8,1883	đo	W. E. Malaley, Cald- well, Kans.	do	564, 480	do	do	Do.
3	Jan. 8, 1883	do		do	575,000	do	do	Do.
4	Jan. 8, 1883	do	J. S. Morrison, Dar-	do	138, 240	do	do	Do.
5	Jan. 8,1883	do		do.,	318,720	do	do	Do.
6	Jan. 8, 1883	do	tah, Kans. A. G. Evans, Saint	do	456, 960	do	do	Do.
7	Jan. 8, 1883	do	Louis, Mo. R. D. Hunter, Saint	do	500,000	do	do	Do.
8	Oct. 15,1883	do	George E. Reynolds,	do	714, 240	do	do	Do.
	3 (1 E) II II		Kansas,		3, 832, 120	NEWS DOUB	A S VOLUS	
1	Sept. 29, 1883	Osage	Florer & Pollock	Osage reservation,	75,000	Unknown	3 cents per	No copy on file in Department.
2	Nov. 7, 1883	do	E. M. Hewins	Indian Territory.	80,000	do	acre.	Do.
3	Nov. 8, 1883	do	Leahy & Carpenter		50,000	do	acre.	Do.
4	Nov. 8, 1883	do		do	45,000	do	acre.	Do.
5	Nov. 8, 1883 Nov. 8, 1883	dodó	John Sodestran	dodo	50,000 80,000	do	do	Do.
	210110,2000				380,000			
1	Oct. 1,1883	Kansas or Kaw	T.J. Gilbert	ervation, Indian	52,000	do	4 cents per acre.	Do.
2	Unknown.	do	W. J. Pollock	Territory,	300	do	50 cents per	No copy on file in the Department
1	Mar. 19, 1883	Charles Qaupaw and Quapaw tribe of Indians.	H. R. Crowell, Kansas	Quapaw reservation, Indian Territory.	Unknown.	Two years, with renew- al privilege.	\$3,000 per annum.	Under cultivation. Copy on file in Department.
1	Unknown.		do	Ottawa reservation, Indian Territory.	5,000	Unknown	121 cents per acre.	No copy on file in Department,
1	Unknown.	Miami	J. W. Preston	Miami reservation,	8,640	do	10 cents per	Do.
1	Unknown.	Nez Percé	Unknown	Indian Territory. Oakland reservation, Indian Territory.	*45,000	Five years	\$2,000 per	No copy on file in Department Nez Percés removed to Idaho and Washington Territories.
1	July, 1885	Tonkawa	Cowley County Cat-	do	*45,000	Ten years	\$1,125 per	No copy on file in Department,
2	July, 1885	Tonkawa	tle Company. Holton, Hill &	Oakland reservation,	*35,000	Ten years	\$875 per an-	No copy on file in Department,
1	Oct. 9, 1884	Ponea	J. H. Sherburn	Indian Territory. Ponca reservation,	*50,000	Five years	num. \$1,700 per	Do.
1	June, 1883	Pawnee	Bennett & Dunman	Indian Territory. Pawnee reservation,	130, 589	do	annum. 3 cents per	Do.
2	June, 1883	do	Davis & Gillespie	Indian Territory.	22, 985	do	aere. do	Do.
1	June, 1883	Otoe and Missouria	Rainwater Cattle Company.	Otoe and Missouria reservation, In- dian Territory.	*92,160	do	\$2,100 per annum.	Do.
1	Oct. 10, 1884	Sae and Fox	Warren, Lambert & Moore, Kansas.	Sac and Fox reserva- tion, Indian Terri- tory.	200,000	10 years	\$4,000 per annum.	Do.

No.	Date.	By what tribe made.	To whom made.	Location of lands.	Acres.	Term,	Rental or price per acre.	Remarks.
1	Unknown.,	Citizen band of Pot- tawatomies.	Catherine Griffin- stein,	Pottawatomic reservation, Indian Territory.	400,000	Unknown	\$5,000 semi- annually.	No copy on file in Department. Lease to be approved by the President and the Department. (Lease not approved.)
1	Feb. 5, 1884	Iowa	C. C. Pickett and E. B. Townsend.	Iowa reservation, Indian Territory.	220,000	do	60 cents per head, &c.	No copy on file in Department.
1	July 8, 1885	Mexican Kickapoo	N. B. Childs and S. F. Scott.	Kickapoo reserva- tion, Indian Terri- tory.	190,000	5 years		Do.
1	Dec. 23, 1884	Kiowa, Comanche, and Wichita.	B. B. Groom, Lexing- ton, Ky., and oth- ers.	Kiowa, Comanche, and Wichita reser- vation, Indian Ter- ritory.	309, 440	6 years	6 cents per acre, in eash or cattle.	Copy on file in Department,

This list of leases foots up to about 12,000,000 acres. In accordance with the President's proclamation of July 23, 1885, some of the leases in the Cheyenne and Arapaho country (though not all, as I shall show) have been vacated.

LEASES OF THE CHEROKEE OUTLET.

The 6,000,000 acres of the Cherokee outlet is subdivided into nearly one hundred sublease

The following is a list of some of the cattle ranges in Oklahoma and the Cherokee outlet as they are mapped out and designated on an official map published for private use by the Cherokee Strip Live-Stock Association.

This map bears the following:

This map was compiled from surveys of ranges made for the association in 1883 by S. T. Wood, Fred. Eckert, T. W. Walton, and C. H. Burgess, and is believed to contain the best information accessible for the location of ranches, camps, range-lines, &c.

It does not give the acreage of the different ranches, and it is impossible to obtain that information from sources at my command. aggregate is pretty accurately known, being, as I have said, 6,000,000 acres for the Cherokee outlet, and probably 2,000,000 in Oklahoma and adjoining country. Many of these ranches are as large as those mentioned by the Secretary of the Interior in the table to which I have just referred. Among the larger ones are the McLellan Cattle Company, Wyeth Cattle Company, Standard Oil Company, Texas Land and Cattle Company, Eagle Chief Pool, Comanche Pool, and the Dominion Cattle Company. They probably average 300,000 acres apiece. Tomlin & Webb; Steward & Hodges; Kingman; Scott & Todlips, Roberts & Windsor (O. I. L.); A. Houghton; McLellan (private ranch, 60,000 acres); McLellan (private ranch, 60,000 a sor (O. I. L.); A. Houghton; McLellan (private ranch, 60,000 acres); McLellan's Cattle Company (300,000 acres); Burns & Martin; Berry Brothers; Galisbe & Coleman; Bennet & Co.; Bennett & Dunham; Horsford; Wyeth Cattle Company; William Brothers; Tuttle & Co.; Hewins & Tytus; Ford & Co.; Wiley & Dean; George Miller; A. Constable; Williamson, Blair & Co.; Snow & Rannells; Cobb & Hutton; Dean & Broderick Pasture Company; Dye Brothers; Bridge, Wilson & Foss; Hamilton; Malaley; Bowers; D. T. Beal; Barefoot Ranch; Moore; Foresythe; W. B. Helm; Richmond & Sons; T. Horsley; McGrady; Crocker; Hollenbeck: Walworth, Walton & Rhodes: Craine & Larimer: Johnson & W. B. Helm; Richmond & Sons; T. Horsley; McGrady; Crocker; Holenbeck; Walworth, Walton & Rhodes; Craine & Larimer; Johnson & Hosmer; Colson & McAtee; Blair, Battin & Cooper; Camp Lynch; Cozine & Garlend; Treadwell & Clark; Hammers, Forbes & Co.; Casteen, McDaniels & Co.; Miller, Payrose & Co.; F. Y. Ewing; Wick, Corbin & Co.; Drum & Snyder; Ward, Byler & Co.; A. Gorham; Cragin Cattle Company; B. H. Campbell; G. A. Thompson; W. C. Quinlen; Texas Land and Cattle Company; Bates & Co.; Dickey Brothers; Greener & Houghton; Gregory, Eldred & Co.; Walnut Grove Pool; Eagle Chief Pool; Comanche Pool; New York Cattle Company; Dominion Cattle Company; J. V. Andrews; Cattle Ranch and Land Company; H. Kallard & Brother; Day & Brother. lard & Brother; Day & Brother.

The cattle companies who have partitioned out among themselves the entire Cherokee outlet, and whose ranges run clear through Oklahoma, claim to hold their ranges on the outlet by virtue of authority from the Cherokee Nation. This authority was given by a contract of lease running from the Cherokee Nation to the Cherokee Strip Live Stock Association, a corporation created under the laws of Kansas and composed of wealthy capitalists of Kansas, Missouri, and other States. It bears date July 25, 1883, became operative October 1, 1883, and is to run five years. The annual rental stipulated for is \$100,000, 1\frac{3}{2} cents per acre for 6,000,000 acres. The whole tract has been relet to about one hundred lesser companies at an annual rental of from 2 to 6 cents per acre. This contract was made in pursuance of an act of the national council of the Cherokee Nation, passed in special session May, 19, 1883, and reads as follows (see page 152, Senate Executive Document No. 17, Forty-eighth Congress, second session):

EXECUTIVE DEPARTMENT, CHEROKEE NATION, Tahlequah, June 19, 1884.

I, John L. Adair, assistant executive secretary, hereby certify that the transcripts hereunto attached are correct copies of the original papers now on file in this Department, the lease of the Cherokee lands west of the Arkansas River, various powers of attorney, authorizing the signing of certain names thereto,

and a resolution of the Cherokee Strip Live Stock Association confirming the

witness my hand and seal of the Cherokee Nation, this the day and year first above written. JOHN L. ADAIR, Assistant Executive Secretary. [SEAL.]

This indenture, made the fifth day of July, in the year of our Lord one thousand eight hundred and eighty-three, by and between Dennis W. Bushyhead, principal chief of the Cherokee Nation, for and on behalf of said Cherokee Nation, party of the first part, and E. M. Hewins, J. W. Hamilton, A. Day, S. Tuttle M. H. Bennett, Ben. S. Miller, A. Drumm, E. W. Payne, and Charles H. Eldred, directors in trust for and on behalf of the Cherokee Strip Live Stock Association, a corporation organized and existing under and by virtue of the laws of the State of Kansas, for themselves, as directors in trust and assigns, parties of the second part

tion, party of the first part, and E. M. Hewins, J. W. Hamilton, A. J. Day, S. Tute M. H. Eldred, directors in trust for and on behalf of the Cherokee Strip Live Stock Associated, directors in trust and charies H. Eldred, directors in trust and assigns, parties of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the rents, covenants, and agreements hereinafter mentioned, reserved, and contained on the part and on behalf of the party of the second part, and their successors in trust and assigns, to be well and faithfully kept and performed, doth, the national council, which said is entitled. "An act to amend an act totax stock grazing upon Cherokee lands west of the ninety-sixth meridian," approved in special session May 19, A. D. 1833, which said act is especially referred to and made part of these presents, does by these presents lease for grazing purposes only unto the aforesaid E. M. Hewins, J. W. Hamilton, A. J. Day, J. Tuttle, M. H. Bennett, Ben. S. Miller, A. Drumm, E. W. Payne, and Charles H. Eldred, dipart, all and singular, the unoccupied lands of and belonging to the Cherokee Nation, being and lying west of the ninety-sixth "meridian" and west of the Pawness, Poncas, Nez Percés, Otoes, Missourias, Osages, and Kansas Indians, or the Salines, set apart to be leased esparately under act of Congress, approved August 7, A. D., 1882, as hereinafter set forth; the said portion herein leased for grazing purposes containing six million (50,000) of acres, more oless, and lying the second part, their successors and assigns, shall, for the purpose herein set forth, have and hold the above mentioned and described premises from and after the first day of October, one thousand eight hundred and eighty-three (1883), for and during the term and period of two years thence next ensuing from said date, subject to the qualifications hereinafter provided for, and upon yielding and paying for the same the amounts of the years thence next ensuing from said date, subject to the

party of the second part, their successors and assigns, to cut from the territory herein leased such timber as may be necessary for the purpose of building the fences, corrals, and improvements here before authorized to be erected on said leased premises, and to cut from said lands such timber as may be necessary for fire-wood and fuel, but not otherwise, and to commit no waste thereon.

And the said party of the second part doth further covenant and agree with the said Dennis W. Bushyhead as aforesaid, and as parts and conditions of this payments as required in the foregoing, in the manner limited and prescribed; and in case of any failure as aforesaid, the said party of the second part agree that they will peaceably surrender the premises herein leased, and all improvements or erections thereon; and the said party of the second part agree that they will peaceably surrender the premises herein leased, and all improvements or erections thereon; and the said party of the second part, their successors and assigns, further agree and obligate themselves, and this is one of the conditions of this lease, to make no permanent improvements (the improvement, their property in the right to make which is head inhered granted and the said party of the second part, their successors and assigns, further agree and obligate themselves, and this is not of the conditions of this lease, to make no permanent improvements (the improvement, the right to make which is head inhered to make the property of the second party in provements are authorized by the act of the national council approved May 19, 1838, hereinbefore referred to; and on the expiration of the lease or its being declared forfeited by default in the payments, as hereinbefore provided, then, and in either event, all improvements, structures, or erections thereon shall be and become the property of the Cherokee Nation, party of the first part.

And the second party of the first part.

And the second party of the first part.

And the second party of the first part.

And

Attorney in Fact.

Signed and sealed in the presence of-J. G. Vose. EDWIN F. WILSON. J.YO. F. LYONS.

J. W. HAMILTON, [SEAL.] By CHAS. H. ELDRED, Attorney in Fact.

By CHAS. H. ELDRED, Attorney in Fact.

S. TUTTLE,
By CHAS, II. ELDRED,
Attorney in Fact.
M. H. BENNETT, [SEAL.]
By CHAS, H. ELDRED,

BEN. S. MILLER, By CHAS, H. ELDRED, [SEAL.]

Attorney in Fact. A. DRUMM, By CHAS, H. ELDRED, DRUMM.

E. W. PAYNE, [SEAL.] By CHAS. H. ELDRED, Attorney in Fact. CHAS. H. ELDRED. [SEAL.]

Attorney in Fact.

Resolved, That the action of Charles H. Eldred, acting under separate and individual power of attorney from the member of this board, in signing and executing on behalf of the board of directors and the association the lease of the Cherokee strip, made between the principal chief of the Cherokee Nation and the board of directors, be, and the same is hereby, confirmed, fully ratified, and adopted as the act and deed of the board of directors, acting for and on behalf of the Cherokee Strip Live Stock Association, and the secretary is directed to forward a copy of this resolution, duly certified and sealed, to Chief Bushyhead, to be by him attached to the original lease in his possession.

Attest:

[SEAL.]

JOHN A. BLAIR, See'y C. S. L. S. Asso.

CALDWELL, KANS., July 10, 1883.

This instrument, Mr. Chairman, is what the minority of the Committee on Territories consider a mere grazing permit, and hence not illegal and not within the power of this Government to declare in-

HAS THE INTERIOR DEPARTMENT EVER SANCTIONED OR APPROVED THE LEASE OF THE CHEROKEE OUTLET?

I call this instrument a contract of lease of lands, and, as such, plainly contrary to the provisions of section 2116 of the Revised Stat-

utes, and section 10 of this bill proposes to strike down these illegal leases as the backbone of the opposition to the civilization of the Indians. The minority say that this lease was made with the knowledge and even assent of the Interior Department. Admitting that such was the case, it does not affect the validity or non-validity of that lease. If that lease was a plain violation of the statute, no amount of passive consent on the part of the Interior Department can make it valid.

But the circumstances were as follows: John Q. Tufts, Indian agent at Muscogee, Ind. T., ascertained that there were about three hundred thousand head of cattle in the Outlet, a third of which belonged to citizens of Kansas who were pasturing them there and grubbing down the young timber without contributing anything to the Cherokee chiefs; and, although these one hundred thousand cattle had the same rights on the outlet as the two hundred thousand whose owners paid. in 1882, \$41,000 to the Cherokees for a grazing permit, yet it occurred to Mr. Tufts, very naturally and as it would have done to the promoters of this bill, that, pending any attempt to enforce their removal, they should be placed under such restrictions as would prevent their wholesale destruction of young timber and free enjoyment of a strictly illegal occupancy until such time as the Government should see fit to assert its rights over that outlet. Mr. Tufts therefore wrote to the Secretary of the Interior and recommended that the fencing of the ranges be allowed to prevent the destruction of timber.

After a full review of the subject the Secretary of the Interior, March 16, 1883, decided to permit no more fencing, and that those constructed would not be permitted to remain, except on satisfactory arrangements with Cherokee national authorities

This, then, was the reply of the Interior Department to Mr. Tufts's recommendation; that no more fencing should be permitted; and that that already constructed should be removed, except satisfactory arrangements could be made with the Cherokees.

This latter part of the honorable Secretary's decision is relied upon by the minority report upon this bill to prove that the Interior Depart-ment sanctioned the lease pow under consideration. Why, sir, there is no such consent or approval intimated in the whole transaction. The only sanction given was that the fences already there should be permitted to remain if the Cherokees were willing. This was the substance of the honorable Commissioner Price's reply to Mr. Tufts.

Can it be supposed that the Secretary of the Interior contemplated that the Cherokee council would go ahead and lease that outlet for a term of years and allow the erection of "such fences, corrals, and other improvements as may be necessary, &c.," when he had just said that no more fencing should be allowed?

Why, sir, such a proposition is absurd. Commissioner Price had an interview with Chief Bushyhead, of the Cherokees, March 20, 1883, in which Mr. Bushyhead agreed to convene the Cherokee national council for the purpose of ascertaining whether or not they desired the fences removed. The Interior Department, plainly, never contemplated that the Indians would or could do more than grant these cat-tle-men a permission to graze their cattle on the outlet during the pleasure of the United States. But instead of that the Cherokee council, without, as I have shown, the knowledge, advice, or consent of the United States, granted the outlet to the Cherokee Strip Live-Stock Association by as plain a lease of lands as was ever made.

Receiving this unwarranted assumption of ownership on the part of the Cherokees, the Interior Department has simply suffered the lease to continue, as is indicated by the report of Commissioner Price (the same gentleman who, according to the opinion of the minority of the Committee on Territories, authorizing this lease), dated October 15,

Since the date of my last annual report numerous applications have been received from parties desirous to lease Indian land, mainly for grazing purposes. To all such answer, based upon Department ruling in the question in the Fenlon case, April 25, 1883, has been returned that no authority of law existed for the making of such leases or agreements by the Indians or by this Department, and that the Department would not approve them.

This, Mr. Chairman, I regard as the sound law of the case. missioner Atkins, in his annual report, dated October 5, 1885, referring to the Department letter of January 3, 1885, in reply to a Senate resolution calling for information in regard to leases in the United States (see S. Ex. Doc. No. 17, Forty-eighth Congress, second session), says:

It appears from said schedule (page 12) that with but one exception the leases reported to have been made by Indian tribes were all of lands in the Indian Territory for grazing purposes, and were for different periods, ranging from two to ten years, and at various rentals, as therein mentioned. Of these made in the Indian Territory there had been leased as follows: Cherokees, 6,000,000 acres.

The Commissioner then gives the list and acreage to which I have before called attention, and embodied in my remarks, and concludes:

It does not appear that any of these leases were ever authoritatively approved by the Department.

The Fenlon case, to which Mr. Price referred, was the case of Mr. E. Fenion, of Leavenworth, Kans., who negotiated a lease with the Cheyenne and Arapaho Indians in 1884, and then attempted to secure its ap-

proval from the Interior Department.

Secretary Teller, under date of April 25, 1883, replied to Mr. Fenlon, refusing to confirm or "recognize" his contract. The correspondence in this case will be found on page 99 of Senate Executive Document No. 54, Forty-eighth Congress, first session. There is no evidence that Fenlon's lease was as strong as that to the Cherokee outlet.

Not only the holdings of the Interior Department, as I have quoted

them, but the opinions of two Attorneys-General of the United States, as I shall show further on, agree that the Cherokees have no right to lease, nor the United States to approve the leasing of, the Cherokee out-

Now, Mr. Chairman, having shown that the Interior Department has never authorized nor approved this or any other lease in the Indian Territory, the question remains: Could the Interior Department under existing laws and treaties authorize or approve such leases? And first let us determine whether the document made by the Cherokee council to the Cherokee Strip Live Stock Association is a lease. It is so held by the Department of the Interior, but the minority of the Committee on Territories disagree with the Department and with Attorneys-General Devens and Garland, and hold that it is a grazing permit. Let us refer to the instrument itself. Is it a lease of lands? It purports to be such. It is so styled several times in its different sections.

WHAT IS A LEASE?

This important question and the construction of the Department upon the instrument is entirely ignored by the minority in their report on this bill. They assume that the instrument is simply a grazing permit, and reason from that assumption that it is not within the propermit, and reason from that assumption that it is not within the prohibition of section 2116, Revised Statutes, and consequently not invalid. I assume that it is what it purports to be, and what the Department of the Interior and the Attorneys-General have declared it to be, and reason from that assumption that it is within the prohibition of section 2116, Revised Statutes, and consequently invalid.

Lord Bacon, in his Abridgment, says:

Whatever words are sufficient to explain the intent of the parties, that the one shall divest himself of the possession and the other come into it for such a determinate line, such words, whether they run in the form of a license, covenant, or agreement, are themselves sufficient, and will, in construction of law, amount to a lease for years.

Mr. Kent says (see Commentaries, volume 4, page 96):

A lessee for years may assign or grant over his whole interest. He may underlet for any fewer or less number of years than he himself holds. If the contract be that the lessee possess the land with the usual privileges of exclusive enjoyment, it is the creation of a tenancy for a year, though the land be taken to be cultivated upon shares.

Rapalye's Law Dictionary gives the following as a definition of lease: A lease is in effect a conveyance or grant of the possession of property, to last during the life of a person, or for a term of years or other fixed period, or at-will, usually with the reservation of rent.

The same author says:

If a person by deed grants an exclusive license for use of land, this may amount to a lease or to the grant of an incorporeal heriditament.

In Mason vs. Clifford (4 Federal Reports, page 177, 1880, Wisconsin), the question was whether a contract granting the use of a certain mill for the manufacture of shingles therein was a license or lease. In the contract there was no stated rental, but the license was to furnish the owner of the mill with shingles at a reduced price.

The court (citing Fisk vs. Farmingham Manufacturing Company, 14 Pick., 491, a perfectly parallel case) decided nevertheless that the contract was a lease for years, because the evidence showed "that the grantee was entitled to possession and management of the mill during the life of the contract as against his grantor and the whole world."

The Supreme Court of the United States in United States vs. Gratiot

(13 Curtis, 644) lay down a very clear exposition of what constitutes a lease. Under an act of Congress the President had power to grant a license to smelt lead at the mines in the State of Illinois, reserving a rent in kind, and stipulating for certain privileges connected therewith. The case was an action of debt founded on a bond given by the defendant, Gratiot, to the United States. The decision of the case hinged upon the construction as to the nature of the contract.

The court say:

The court say:

Is this contract a lease within the meaning of the law? It purports to be a license for smelting lead ore; and it is objected that this is not a lease within the meaning of the act of Congress. But this objection is not well founded. It is a contract for one year. Is it, then, a lease? The legal understanding of a lease for years is a contract for the possession and profits of land for a determinate period, with the recompense of rent. The contract in question is strictly within this definition. It is for the possession of land, and there is an express permission to use as much fuel as is necessary to carry on the smelting business; and there is an express reservation of the rent of 6 pounds of every 100 pounds of lead smelted. It is not necessary that the rent should be in money. If received in kind it is rent in contemplation of law. We are accordingly of opinion that the question certified in the record must be answered in the affirmative.

These opinions and decisions show us that a lease is for a determinate time, and for a rent consideration; that it grants an estate in land with right of exclusive possession against the grantor and the whole world, and with power to assign or sublet; and that if a contract possess these elements and grant these rights, it is a lease of land, no matter what it purports to be. Does the lease from the Cherokees to the Cherokee Strip Live-Stock Association come within the purview of this definition? It does in every particular. It contains every element entering into the usual land-leases. It is in the usual form of a lease. It purports

E. M. Hewins et al. were granted an exclusive use and enjoyment of 1

6,000,000 acres of land. They can assert their title against the Cher-6,000,000 acres of land. They can assert their title against the Cherokees and against the whole world. They had the power to assign their whole interest or any part of it. They have assigned their whole interest to about one hundred sublessees. They are obliged to defend their sublessees in the enjoyment of the interest so sublet against the Cherokees and against the whole world. They are secure in this interest for five years (unless they violate the terms of the contract). They pay an annual rental. Their rent, and not personal favor, is the contraction of the contract, and we gentlement sell it a greatly as property. sideration of the contract; and yet gentleman call it a grazing permit. Now, Mr. Chairman,

WHAT IS A LICENSE?

Mr. Kent says (Commentaries, volume 3, page 452):

An authority to do a particular act, or series of acts, upon another's lands without possessing any estate therein. It is founded in personal confidence, and is not assignable, and is not within the statute of frauds.

The court, in Morgan et al. vs. New York (14 Court of Claims, 319).

A license is in the nature of a permission granted by the one party and acted upon by the other; and it is strictly a matter of favor, and in no sense a matter of right.

Rapalye's Law Dictionary says:

In the law of real property a license is generally an authority to do an act which would otherwise be a tresspass. A license passes no interest, and, therefore, if A grants to B the right to fasten barges to moorings on the river, this does not amount to a demise, nor give the licensee an exclusive use of the moorings, nor render him liable to be rated as the occupier of part of the bed of the river.

If the intention of the parties is that the grantee is not to be entitled to exclusive possession of the property, the grant is a license and not a lease.

In Morgan et. al. vs. New York, before mentioned, the court say:

A license is an authority to do a particular act or a series of acts upon the land of another without possessing an estate therein. When executed, it will prevent the owner of the land from maintaining an action for the acts done under it; but it is revocable at pleasure, and will not be a defense for an act done after revocation. A consideration may have been given for it or expenditure made strictly on the faith of it, yet the owner of the land may revoke it when he will, unless it be coupled with an interest, without paying back the money or making compensation for the expenditure. (Wood vs. Lendbitter, 13 Mees, & Wels., 838; Wolfe vs. Frost, 4Sand, Ch., 72; Selden vs. Delaware and Hudson Canal Company, 29 N. Y., 639; Jamison vs. Milleman, 3 Duer., 255.)

From what I have just read, Mr. Chairman, I gather that a license is founded in personal confidence; may or may not have other consideration; may or may not be in writing. It passes no estate, and consequently there is no estate to assign. The licensee can not maintain his estate against the world or his grantor, for he has no estate to maintain. It does not warrant exclusive possession. It is revocable at pleasure.

Does the instrument under consideration come within this description? Is it founded in personal confidence? No. Does it pass an estate? Yes. Does it grant exclusive possession? Yes. Can the licensee maintain that estate and possession against the grantor and the world? Yes. Can he sublet? Yes. Is it revocable at pleasure? No. Then it is a lease of lands, and not a license "to do a particular act or series of acts upon the land of another without possessing an estate therein;" and, being a lease of lands, is within the prohibition of section 2116 of the Revised Statutes. That section reads as follows:

No purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the Constitution.

Every person who, not being employed under the authority of the United States, attempts to negotiate such treaty or convention, directly or indirectly, or to treat with any such nation or tribe of Indians for the title or purchase of any lands by them held or claimed, is liable to a penalty of \$1,000.

The agent of any State who may be present at any treaty held with Indians under the authority of the United States in the presence and with the approbation of the commissioner of the United States appointed to hold the same, may, however, propose to, and adjust with, the Indians the compensation to be made for their claim to lands within such State which shall be extinguished by treaty.

There can be no doubt that the interest.

There can be no doubt that the instrument we have been considering is covered by this section of the Revised Statutes; but we are not left to our own opinion of the matter.

I quote from the majority report on this bill, at page 4:

I quote from the majority report on this bill, at page 4:

It is claimed by some members of the committee that the leases made by the Cherokee tribe to the cattle company referred to are valid and can not be abrogated by act of Congress. This position, in the opinion of your committee, is wholly untenable. It has been the settled policy of the Government from its foundation to the present time to exercise the right to regulate and control the sale or lease of Indian lands. As early as 1796 it was enacted that no nation or tribe of Indians within the boundaries of the United States should grant, sell, or lease or make any other conveyance of lands, or of any title or claim thereto, without the consent of the United States, made and entered into by some public treaty held under authority thereof. This act has remained in force from that time to the present, and was re-enacted in section 2116 of the Revised Statutes of the United States. There is no exception in the history of the Government to this declared policy. In no case has the United States recognized the authority of any Indian tribe or nation to sell, lease, or otherwise alienate or grant a claim to any portion of the lands occupied by them, whether such lands are held by patent in fee-simple or by Departmental orders. All treaties heretofore entered into between the United States and Indian tribes have been made and published while this law was in existence. All treaties so-called with Indian tribes, having been made during the existence of this provision now incorporated in the Revised Statutes, section 2116, are made subject to those provisions, and they are just as much a part of all such treaties as if they had been incorporated into the text hereof.

But we are not obliged to rely upon the opinion of the committee, or any member thereof, as to whether section 2116 covers the contract in question.

OPINIONS OF ATTORNEYS-GENERAL DEVENS AND GARLAND.

Attorney-General Devens (16 Opinions, 470) held that the Cherokee Nation itself could not settle one of its own citizens on the outlet; and if they could not settle one of their own number thereon, it will hardly be argued that they can settle white men thereon.

The present distinguished and able Attorney-General, Mr. Garland in a recent opinion has covered the whole ground so completely and supports my view so conclusively, that I beg leave to incorporate the whole of it in my remarks. It reads as follows:

DEPARTMENT OF JUSTICE, Washington, July 21, 1885.

DEPARTMENT OF JUSTICE, Washington, July 21, 1889.

SIR: By your letter of the 8th instant, inclosing a communication from the Commissioner of Indian Affairs of the 7th, the following questions are, at his suggestion, submitted to me with request for an opinion thereon:

"Whether there is any law empowering the Interior Department to authorize Indians to enter into contract with any parties for the lease of Indian lands for grazing purposes; and also whether the President or the Interior Department has any authority to make a lease for grazing purposes of any part of any Indian reservation, or whether the approval by the President or the Secretary of the Interior would render any such lease made by Indians with other parties, lawful and valid."

These questions are propounded with reference to certain Indian reservations.

has any authority to make a lease for grazing purposes of any part of any Indian reservation, or whether the approval by the President or the Secretary of the Interior would render any such lease made by Indians with other parties, lawful and valid."

These questions are propounded with reference to certain Indian reservations, manely:

The Cherokee lands in the Indian Territory west of ninety-sixth degree of longitude, except such parts thereof as have heretofore been appropriated for and conveyed to friendly tribes of Indians.

2. The Cheyenne and Arapaho reservation in the Indian Territory.

Our Government has ever claimed the right, and from a very early period its except and the right, and from a very early period its such as the property of the property of the property of the research of the property of the prope

It exists at all, must rest upon some law, and therefore be derived from either a treaty or statutory provision.

I am not aware of any treaty provision applicable to the particular reservations in question that confers such powers. The Revised Statutes contain provisions regulating contracts or agreements with Indians and prescribing how they shall be executed and approved (see section 2003), but those provisions do not include contracts of the character described in section 2116, hereinbefore mentioned.

No central power appears to be conferred by statute upon either the Presi-

No general power appears to be conferred by statute upon either the Presi-

dent or Secretary, or any other officer of the Government, to make, authorize, or approve leases of lands held by Indian tribes; and the absence of such power was doubtless one of the main considerations which led to the adoption of the act of February 19, 1875, chapter 90, "to authorize the Seneca Nation of New York Indians to lease lands within the Cattaraugus and Allegany reservations, and to confirm existing leases." The act just cited is, moreover, significant as showing that, in the view of Congress, Indian tribes can not lease their reservations without the authority of some law of the United States.

In my opinion, therefore, each of the questions proposed in your letter should be answered in the negative, and I so answer them.

I am, sir, very respectfully,

A. H. GARLAND, Attorney-General.

A. H. GARLAND, Attorney-General.

According to the honorable Attorney-General, then, not only the lease in question is contrary to the law as laid down in section 2116, Revised Statutes, and contrary to the unvarying policy of the Government, but the Government can not authorize nor approve such a lease, re-enforcing the statement which I made a little while ago to the effect that the Interior Department could not be held to have authorized or approved this lease to the association, as it did not possess the power for such authorization or approval.

I wish to call attention of the committee to the argument of the minority upon this point to show the erroneous assumption and consequent fallacious conclusions contained in that argument. I quote

from page 22 of their report:

from page 22 of their report:

It is now said that such a license (for grazing purposes) is violative of section 2116 of the Revised Statutes.

That section reads:

"No purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity unless the same be made by treaty or convention entered into pursuant to the Constitution."

This language is broad in itself, but it is not broad enough to embrace any instrument which in itself does not convey land, or an interest in land, or a title or a claim to land. Beyond that in its very terms it does not go. It does not render invalid an instrument, by whatever name it may be called, which merely conveys a certain limited use in the land, whether that use be in grass which naturally grows on the land, or in the products which through the labor of man may have been produced from its soil. But this section must be construed in conjunction with section 2117, which reads as follows:

"Every person who drives or otherwise conveys any stock or horses, mules, or cattle to range and feed on any lands belonging to any Indian tribe, without the consent of such tribe, is liable to a penalty of \$1 for each animal of such stock."

When these two sections are read together, is it not apparent to any mind that

When these two sections are read together, is it not apparent to any mind that the first section refers to a conveyance of land, or some interest therein, or a title or claim to land, and the second refers to a certain special use of the land? Says Judge Brewer, in the case of The United States es. Hunter (2I Federal Reporter, page 617), quoting this last-mentioned section:

"This implies that an Indian tribe may consent to the use of their lands for spacing purposes"—

"This implies that an Indian tribe may consent to the use of their lands for grazing purposes"—

Thereby expressing an opinion on the section, but recalling that the construction of the section was not before him for decision, adding cautiously—
"or, at least, if it does consent, no penalty attaches."

And then proceeding, he says:
"If the tribe may so consent, it may express such consent in writing, and for at least any brief and reasonable time."

The chain of reasoning starts out with a misapprehension of our position. We do not claim that a mere license for grazing purposes is violative of section 2116. But I have proved, I think, conclusively that the lease of the Cherokee outlet is not a license. And because it is not a license, but a lease, we claim, and Attorney-General Garland claimed, that it is violative of that section.

Citing section 2116, the minority say:

It is not broad enough to embrace any instrument which in itself does not onvey * * * an interest in land.

I agree with the minority. I have never claimed that this section embraces an instrument which does not convey an interest in land. But I must beg leave to differ with the minority in their opinion that "lease" of 6,000,000 acres for five years at a money rental, with full and exclusive possession and power of subletting, is not an "interest in land" but a grazing permit; and my judgment compels me to adopt the contrary view of Lord Bacon, Edward Kent, Rapalyé, the Supreme Court of the United States, Attorney-General Garland, and others.

It is a serious question whether section 2117 of the Revised Statutes provides for such grazing permits as are contemplated by the minority and by Judge Brewer, in United States vs. Hunter (21 Federal Reporter, page 617), where the judge, quoting this section, says:

This implies that an Indian tribe may consent to the use of their lands for grazing purposes, or, at least, if it does consent, no penalty attaches.

But that question is not involved in this discussion.

But whether the contract of lease in question was a lease or a grazing permit, or, if a lease, whether valid or invalid, is not touched by Judge Brewer. The only question discussed by him was whether by section 2116 of the Revised Statutes a penalty attached to a person who attempted to negotiate with the Indians for a grazing lease; and upon this point and not looking at any law passed subsequent to the and any law passed subsequent to the date of section 2116 (1834), the judge's argument was sound. For the penalty provided for in section 2116 attaches, by virtue of that section, to two, and only two, classes of offenders: First, those who attempt to usurp the authority of the United States, and to negotiate with the Indian, by public treaty, for the title to, or an interest in lands; second, those who attempt to treat with the Indians, by private contract, for the title to lead the land and t for the title to land. It is plain that this lease which was a private contract for an interest in land did not come within the penal provis-ions of either clause of this section. And this was what Judge Brewer

decided, and only this. Judge Brewer does not intimate that the lease was not invalid, but distinctly says:

So that this sentence (referring to the first sentence of section 2116) emphatically declares the invalidity of any purchase, lease, or other conveyance of Indian lands, except through the means of some public treaty.

Moreover, this cautious suggestion made by Judge Brewer, to which I have alluded as having been quoted by the minority, if it antagonized my position, which is not the fact, would not be relevant in this discussion, being mere obiter dictum. Yet, notwithstanding these facts and the opinion of the Attorney-General that the decision of Judge Brewer in the Hunter case decided nothing as to the validity of the lease (which was not in question), the minority rely upon that decision to establish the validity of the same.

THE UNITED STATES IS BOUND BY THE TREATY OF 1866 TO BREAK UP EVERY LEASE IN THE CHEROKEE OUTLET.

But, Mr. Chairman, I have another reason for holding that this lease to the Cherokee Strip Live Stock Association is invalid; and not only all contracts prohibited by section 2116 but all grazing permits possibly contemplated in section 2117. I refer to Article XXVII of the treaty of July 10, 1866, with the Cherokees. It seems to have been entirely overlooked by the minority, and Judge Brewer could not have had it in mind when he uttered the *obiter dicta* before referred to, for the treaty of 1866 superseded the law of 1834, and any prohibition of the former would supersede any implied permission in the latter. Articles XXVI and XXVII of that treaty read as follows:

XXVI and XXVII of that treaty read as follows:

ART. XXIV. The United States guarantee to the people of the Cherokee Nation the quiet and peaceable possession of their country and protection against domestic feuds and insurrections, and against hostilities of other tribes. They shall also be protected against interruptions or intrusion from all unauthorized citizens of the United States who may attempt to settle on their lands or reside in their territory. In case of hostilities among the Indian tribes, the United States agree that the party or parties commencing the same shall, so far as practicable, make reparation for the damages done.

ART. XXVII. The United States shall have the right to establish one or more military posts or stations in the Cherokee Nation, as may be deemed necessary for the proper protection of the citizens of the United States lawfully residing therein and the Cherokees and other citizens of the Indian country. But no sutler or other person connected therewith, either in or out of the military organization, shall be permitted to introduce any spirituous, vinous, or malt liquors into the Cherokee Nation, except the medical department proper, and by them only for strictly medical purposes. And all persons not in the military service of the United States, not citizens of the Cherokee Nation, are to be prohibited from coming into the Cherokee Nation, or remaining in the same, except as herein otherwise provided; and it is the duty of the United States Indian agent for the Cherokees to have such persons, not lawfully residing or sojourning therein, removed from the nation, as they now are, or hereafter may be, required by the Indian intercourse laws of the United States.

I wish, Mr. Chairman, that I had more time to comment upon this

I wish, Mr. Chairman, that I had more time to comment upon this treaty, but I must hurry through this argument in order to give place to others who may wish to be heard.

The obligations of the Government under the above treaty stipula-

tions are as plainly indicated as language can express them.

But what are the provisions of the Indian-intercourse act referred to in the latter part of Article XXVII, just quoted? Let the statute speak for itself. Section 2147 of the Revised Statutes, and being a part of the Indian-intercourse act, is as follows:

The Superintendent of Indian Affairs, and the Indian agents and subagents shall have authority to remove from the Indian country all persons found therein contrary to law, and the President is authorized to direct the military oree to be employed in such removal.

Also see sections 2149 and 2150 on same subjects.

As I understand it the above sections are the only references to the subject of removal of intruders contained in the Indian-intercourse act.

It now becomes material to ascertain what persons are excepted from the operations of that part of Article XXVII of the treaty, June 19, 1866, and hence being excepted may be lawfully in the Indian country or may lawfully enter therein, and not be liable to removal under the

treaty and statute quoted.

It will be noticed that, by the treaty, all persons not in the military service of the United States and not citizens of the Cherokee Nation are to be prohibited from going into the Cherokee Nation or remaining in the same except as therein, by the treaty, otherwise provided. Let me inquire, first, by whom prohibited? By the Indians into whose particular country they enter? Certainly not, for the Indians are not authorized to attempt the exercise of any power for the purpose of prohibiting entry or accomplishing removal.

It is apparent that the United States must both prohibit and remove.

If any doubt could possibly exist upon this point, Article XXVI of the treaty of July 19, 1866, makes it entirely clear. After providing by guarantee for the peaceable possession of the country ceded to the Cherokees and protection against domestic feuds and insurrections and against

hostilities of other tribes, it further enacts:

They shall also be protected against interruptions or intrusions from all unuthorized citizens of the United States who may attempt to settle on their lands authorized citizens of the or reside in their territory

Now it becomes pertinent to inquire what class of persons may, according to this treaty and the intercourse law, enter into or remain in the Cherokee country.

A careful examination of the treaty justifies the following answers: First. All persons in the military service of the United States.

Second. All citizens of the Cherokee Nation.

Third. Such persons as are connected with the Indian agency of that country

Fourth. Such as might be connected with the United States courts, authorized by Articles VII and XIII of the treaty of 1866, to be created. Fifth. Such persons as may be licensed to trade there (Article VIII).

Sixth. All freedmen who had been liberated by voluntary act of their former owners by law as well as free colored persons who were in the country at the commencement of the rebellion and were then (July 19, 1866) residents therein, or who might return within six months, and their descendants. (Article IX.)
Seventh. Any railroad company, its agents, and employés, and all

laborers, while constructing and repairing any railroad which might be built through that country.

Eighth. Agents sent by the Interior Department to enumerate the

Indians (Article XII, Section 1).

Ninth. All persons connected with such missionary enterprises as by Article XII of the treaty might be established within the Terri-

Tenth. Such friendly Indians as under that treaty might be settled

on any lands claimed by the Cherokees.

Eleventh. Such persons, in addition to those above enumerated, as by the Indian intercourse act may enter the said country; and these

a. Authorized traders.

b. Foreigners who may be granted passports by the Interior Department or other officer authorized by section 2134, Revised Statutes, to grant the same.

Can any gentleman, with due regard to the treaty stipulation above referred to and the Indian-intercourse act, claim that owners of cattle or other stock come within any one of the above descriptions?

In my humble judgment no such claim can be made with any regard for truth and accuracy. No man, be he American or foreigner, has any right, under the treaty of 1866 and the Indian-intercourse laws, to enter any Indian country for the purpose of remaining or of making any use of the land belonging to the Indians, and when he does he not only trespasses upon Indian rights, but he defies the authority of the United States.

By this treaty the Government is bound not only to keep off intruders but to keep all persons out of that Territory, and the Indians were a party to this contract and assented to the right and duty of the United

States to keep such persons out.

The exceptions which I have enumerated do not include the men who of the exceptions which I have enumerated do not include the fine who hold these leases. Not one of them has a right to go there, and the Government is bound by the treaty to prohibit them from going there. If so, then how can they go under the leases? If the Government must keep them out under all circumstances, and the obligation to do that rests with the Government, and without regard to the requests upon the part of the Indians, I submit the question, what right has the Government even under the pretense of leases to permit them to go into this Cherokee outlet at all?

Mr. Chairman, in the light of these facts which I have adduced can any gentleman object to section 10 of this bill, which proposes to strike down these illegal leases, or urge that it threatens the property rights

of the Cherokecs?

But, sir, this section ought to be unnecessary, and would be, were the law already provided enforced by this administration. Its own Secretary of the Interior has declared the leases unauthorized. Its Attorney-General has declared them illegal. By sections 2149 and 2150 of the Revised Statutes and by Article XXVII of the treaty of 1866 it is made the bounden duty of this administration to remove every cattle-man and every hoof of cattle now in illegal occupancy of any part of the Indian Territory.

ATTITUDE OF THE PRESENT ADMINISTRATION.

I call this administration to account for its stewardship. it done in this important matter? I know that gentlemen will attempt to justify the "masterly inactivity" and criminal negligence of this administration by attempting to hide behind the skirts of a Republican administration. But that will not do, gentlemen. The American peo-

ple know where you are.

The failures of the past are no excuse for the failures of the present.

I regret that a Republican administration is largely responsible for the

condition of things now existing in the Indian Territory.

But have the gentlemen forgotten that this is an era of reform? The country has passed from the control of Republicans, and we are now enjoying the beneficent rule of an alleged reform administration, one which our Democratic brethren (some of them) delight to style as "pure," "able," and "patriotic," and run on the line of "Jeffersonian simplicity." The political power which for twenty-five years administered governmental affairs and preserved the nation from dismemberment at the hands of disloyal Democrats, in obedience to the commands of the people of a reunited country, peaceably surrendered to the men of adverse political faith and practice.

We all remember how vigorously during the last national campaign

Democratic orators, from Maine to California, from Michigan to Texas, vociferated and reiterated charges of fraud and corruption against the Republican party, coupled with eloquent portrayals of the sweet days of reform which would dawn when their party should be again entrusted with the Ship of State. Every fraud was to be unearthed;

every ring was to be broken; every abuse was to be swept away.

The country has had fifteen months of Democratic reform rule, and it can not be said that the new servants of the people have not yet had sufficient time to begin the loudly proclaimed reforms promised the people. We are in the full enjoyment of the rich blessings of a pure (?) and patriotic (?) Democratic administration; we must all be in the most delightful condition possible under any form of government; if any one seriously entertains a contrary opinion, mark him at once a "crank"

and shun him accordingly.

Another reason why the Democratic administration should have grappled long ago with this great issue is that the people demanded it. Their demand, under the present administration, encouraged no doubt by the promises of the Democratic advance agents, has been louder than under any preceding administration. Public interest in this matter has greatly increased since Grover Cleveland entered the White House. Ignorance of the question, uncertainty as to the law, can no longer be pleaded in defense of the let-alone policy of this administration. The light of the press and Congressional investigation and discussion has been turned on.

LAMAR'S PHILOSOPHY.

But there is still another and more peremptory reason why the "reformers" should have fulfilled their pledges in this vital matter. I refer to the law passed March 3, 1885, and I will quote it, giving, by way of explanation of the causes which led to its passage, some remarks by Secretary Lamar in his last annual report, in which he quotes it (pages 34 and 35).

quotes it (pages 34 and 35).

It has become generally known throughout this country that this large tract of land, fertile, well watered, and with its mild climate, is unoccupied, and that it has continued in this idle condition since the treaties of 1865. It is therefore not surprising that a large class of hardy, industrious people, residing in more thickly settled States, are eager to acquire homesteads upon it.

The respectful petitions of many peaceable and law-abiding citizens from numerous localities throughout the country requesting that it be opened to settlement, no less than the threatened unlawful invasions of the land, have had the effect of inducing consideration of the subject by Congress, which, at its last session, enacted the following provision of law, namely:

"That the President is hereby authorized to open negotiations with the Creeks, Seminoles, and Cherokees for the purpose of opening to settlement under the homestead laws the unassigned lands in said Indian Territory ceded by them respectively to the United States by the several treaties of August II, 1866, March 21, 1866, and July 19, 1866; and for that purpose the sum of \$50,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated; his action hereunder to be reported to Congress," (23 Stat., 384.)

This provision of law refers not only to the lands ceded by the Creeks and Seminoles referred to above, but also to lands ceded by the Cherokees, the status of which is considered herein under the title "the Cherokee outlet."

The unlawful combinations above referred to have rendered it, in my judgment, unwise to appoint this commission.

Here is a plain, unequivocal act of Congress, backed by public sen-timent, instructing the President to negotiate with these Indians for the opening of that country, and appropriating the expenses of the negotiation. The country was expecting that the commission contemplated by this act would be immediately appointed. On April 13 Secretary Lamar assured Hon. Sidney Clarke and Capt. W. L. Couch that the commission would soon be appointed. Notwithstanding these things Mr. Lamar decided that it was "unwise to appoint this commission" which the law called for and which he had solemnly prom-

Mr. Chairman, I desire to ask who constituted Secretary Lamar a judge to decide whether the laws passed by this Congress should be obeyed? From what foreign power does he derive such commission? He certainly does not from the American people. I ask the attention of gentlemen while I read some more gospel from

this new dispensation:

Will it not be a lesson—valuable there and valuable elsewhere—to show to such transgressors that their way is hard, and that nothing will render the Indian occupation more permanent, or postpone the change in the use of these lands longer, than the attempts to invade and by force to obtain possession and enjoyment of them? The outlaws and depredators who imagine they can override the law and violate treaty obligations with the Indians will discover the impossibility of success when they find themselves confronted by the law of the land, strengthened by the civil and military arm, and backed by the moral sentiment of a just people.

THE NEW NULLIFICATION.

This, then, is the advanced moral doctrine, the grim doctrine of nullification, which was stamped out in 1865 by the genius of the three greatest statesmen of the nineteenth century—Grant, Lincoln, and Stanton, backed by the blood and treasure of the loyal North; this is the doctrine which the distinguished gentleman from Mississippi has, after months of broken pledges, revived to guide the Democratic ad-

ministration and teach the American people a "valuable lesson."

This disposition of the present administration to override the rights of the common people, as shown in its use of military power to expel honest settlers from the Indian Territory, while protecting cattle-men in their illegal possession of the same country, is well illustrated by the President's veto of the very moderate and humane bill passed by

this Congress for the relief of settlers upon the lands in Iowa known as "The Des Moines Valley Lands," and for its course in driving inno-cent settlers from the Old Winnebago and Crow Creek reservations, in Dakota. In the latter case President Cleveland issued an order to the settlers to vacate those reservations which they had, under authority of a previous proclamation of President Arthur, entered and made improvements upon, thus taking the law into his own hands and not waiting for the action of Congress in the premises.

But, sir, not only is this administration pledged by its promises made before election to expel the cattle-men from the Indian Territory, but it has repeatedly and explicitly made that promise since assuming the reins of Government. Not one of those promises has been fulfilled,

It has used the Army to expel poor settlers with their wives and children, and to protect the occupancy of the cattle-kings.

I know, sir, that this sounds like harsh language, but I propose to prove every assertion which I have made. Let us, if possible, follow the sinuous course of this administration in connection with this great

PLEDGES MADE BY THIS ADMINISTRATION TO MESSRS. WEAVER AND CLARKE,

As soon as the Democratic administration came into power its atten-As soon as the Democratic administration came into power its attention was called to the evils resulting from the illegal occupancy of the Indian Territory by cattle-men. My colleague from Iowa [Mr. Weaver] and Hon. Sidney Clarke, of Kansas, formerly a member of this House, called upon Mr. Cleveland soon after his inauguration. General Weaver took with him a map, which afterward became famous for the use which he made of it in the Iowa campaign.

These gentlemen called the attention of the President to the condition of things in this country, as they had a right to do, and as it was a very timely thing to do. We are informed that the President was astonished at their recital and referred them to the Secretary of the Interior, Mr. Lamar. To that worthy functionary these gentlemen repaired, General Weaverkeeping a tight grip on his historic map. He laid it down before the Secretary, showed to him the extent and evils of the cattle occupancy and the glories which would dawn upon that fair region when occupancy and the glories which would dawn upon that har region when it should be covered by the homes of white citizens instead of the barbed-wire fences of cattle barons. In the next campaign in Iowa we were told of the deep impression which the presentation of these facts made upon the susceptible mind of the Secretary; that, with tears in his eyes, and in tones husky with emotion, he said: "General WEAVER, there is a right and a wrong in this matter, and the right shall be done."

Meaver WEAVER and Clarke withdray from this effecting second.

Messrs. Weaver and Clarke withdrew from this affecting scene under the impression that the Secretary was very much in earnest. That was on March 7, three days after the inauguration. So impressed were the President and Secretary Lamar by the statements made by Messrs. WEAVER and Clarke that on the 13th of the same month the President issued his famous proclamation authorizing the removal of all corporations and unauthorized persons from Oklahoma. It is as fol-

A PROCLAMATION.

Whereas it is alleged that certain individuals, associations, and persons, and corporations are in unauthorized possession of the territory known as Oklahoma lands within the Indian Territory which are designated, described, and recognized by treaties and laws of the United States, and by the executive authority thereof as Indian lands; and,

Whereas it is further alleged that certain other persons or associations within the territory and jurisdiction of the United States have begun and set on foot preparations for organized and forcible entry and settlement upon the aforesaid land and are now threatening such entry and occupation; and,

Whereas the laws of the United States provide for the removal of persons residing or being found upon such Indian lands and territory without permission expressly and legally obtained of the Interior Department:

Now, therefore, for the purpose of protecting public interests as well as the interests of the Indian nations and tribes, and to the end that no person or persons may be induced to enter upon the said Territory where they will not be allowed to remain without permission of the authority aforesaid, I, Grover Cleveland, President of the United States, do hereby warn and admonish all and every person or persons now in occupation of such lands, and all such person or persons as are intending, preparing, or threatening to enter in or settle upon the same, that they will not be permitted to enter upon said Territory, or if already there will not be allowed to remain thereon, and that if due regard for, and voluntary obedience to, the laws and treaties of the United States and this admonition and warning be not sufficient to effect the purposes and intentions of the Government as herein declared, the military power of the United States will be invoked to abate all such unauthorized possession, and prevent such threatened entry and occupation, and to remove all such intruders from the said Indian lands.

In testimony whereof, I have hereunto set my hand and caused the seal of

Indian lands.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

By the President.

GROVER CLEVELAND. T. F. BAYARD,

The able chairman of the Committee on Territories [Mr. HILL], in his instructive speech the other day opening discussion upon this bill, made an error in stating that no proclamation except that relating to the Cheyenne and Arapaho country was ever issued by the President. The proclamation to which Mr. HILL referred was dated July, 23, 1885, and was entirely independent of this one of March 13.

The first clause was aimed at the cattle companies; the second, at the settlers; the third refers to the binding force of the Indian intercourse act and the treaty of 1866, which I have before treated at length.

This proclamation was heralded over the country as the harbinger of political reformation, a crusade against monopoly. It was the first

toot of the little Democratic tin-trumpet of reform. Monopoly was paralyzed with dread and wonder that a reform was really, seriously contemplated by a Democratic administration. The Mugwumps shrieked themselves hoarse with enthusiasm.

It clearly appears that this proclamation refers to the Oklahoma country and not to the Cherokee outlet nor to the lands occupied by the Cheyennes and Arapahoes. The proclamation covering the latter country was issued July 23, 1885, four months after the first one, which I

have just read.

The second proclamation was reasonably well enforced, and the cattle were generally removed from that part of the Territory, but it should be borne in mind that the home-seekers were not asking the Government to open that land for settlement; they knew it was occupied by a few thousand Indians under proper authority; the country they did seek to enter and possess was Oklahoma, and by that name clearly identified and distinguished from all other lands within the Territory, 1,800,000 acres of choice land, which for twenty years past has continuously remained unoccupied by either Indians or white men, except the favored cattle-men.

This and the Cherokee outlet are the lands from which the Government, in justice to its own obligations and to a large number of its citizens who demand that favored classes shall not forever be preferred and shielded by national authority, should expel the intruding cattle-men.

HAS THIS ADMINISTRATION ENFORCED ITS PROCLAMATION?

This administration, speaking through its Secretary of the Interior, pretends to affirm that the proclamation of the President, of date March 13, 1885, has been enforced, and that the cattle-men and their herds have been removed from Oklahoma.

On page 32 of his annual report Secretary Lamar, in speaking of this

No agent of the Government resides upon this land, and it is not occupied in any way by an, person or persons for any purpose under any authority of this Department.

The last six words are italicised in the report, thus indicating clearly that, while holding out the land to be wholly unoccupied, the Secretary, as if uncertain of his ground, adds the saving clause to which I

have just called attention.

Mr. Chairman, it seems to be the belief of some Democratic members of this House that the administration did, in good faith, carry out the proclamation of March 13, 1885, and cause all cattle-men and their herds to be removed from Oklahoma, and has since prevented similar occupancy; and my distinguished friend from Indiana [Mr. HOLMAN], judging from a remark dropped during the speech of the chairman of the Committee on Territories [Mr. HILL], appears to be laboring under that delusion. It seems to me this gentleman and some other Democrats have indulged undue confidence in the present administration. crats have indulged undue confidence in the present administration. They seem to be content—that is, some of them, but not all, by any means—to presume that all is going as it should and that the perfec-

tion of human government is now attained.

Mr. Chairman and gentlemen of the committee, if the President of the United States and his Secretary, Mr. Lamar, really intended in good faith to rid Oklahoma of cattle-men and their stock, subsequent events are very poor confirmation of that good faith. I state what has been satisfactorily shown me to be a fact, that while the officers in the Indian Territory charged with executing the President's proclamation did most effectually remove such of the poor home-seekers as ventured to go there and openly and manfully declare that they were such home-seekers and not cattle-raisers, yet that as to the cowboys and others in charge of stock or claiming to be there for the purpose of going into that business, those officers, except in the case of one man, named J. H. Anderson, did no more than make a pretense of removing the cattlemen by requiring them to "round up" their stock, as if preparing to remove them from the lands named, and then, and shortly after Secretary Lamar's annual report was made to the President, they were all, save the man Anderson, allowed to again turn their cattle loose; and ever since that time this country has swarmed with the cattle, supposed by the too-confiding statesmen, like the gentleman from Indiana Mr. HOLMAN], to be pasturing on other lands than those from which, had the President's proclamation been enforced in good faith, they would have been removed.

THE CATTLE STILL IN OKLAHOMA.

I now submit to the committee, in the form of affidavits and letters, proof of my assertions in regard to the non-execution of the proclamation, and I have not the least doubt but the evidence will convince all who are disposed to recognize facts that my charges against the administration in regard to the point referred to are fully sustained by satisfactory-proof. The affidavits and letters are as follows:

STATE OF KANSAS, Sumner County, ss:

I, Henry Boston, a citizen of the United States, and of the age of twenty-seven years, and by occupation a farmer, having been duly sworn, do depose and say that for several years I have resided upon and farmed a tract of land known as "Ben. Keith's farm," situated on the North Canadian River and about 12 miles cast of Fort Reno and in the Oklahoma country; that I am familiar with the entire Oklahoma lands, and hereby make oath and affirmation that there have been and are at this time to my knowledge and best belief not less than sixty thousand (60,000) head of cattle held in Oklahoma as their home grazing grounds; and desire to state further that the above-mentioned cattle are owned by the following-named companies and men, to wit: W.B. Grimes & Co., Hewins & Titus,

McClelland Cattle Co., Ford and Co., Tuttle and Co., Belle Plaine Cattle Co., The 4 D Ranch, The Z V Ranch, Burke and Martin, Berry Brothers, Wyeth Cattle Co., Horsford, Garrison, Beard Bros., McClure & Co., and others. HENRY BOSTON.

Personally appeared before me, a notary public in and for the county of Sumner and State of Kansas, the above-named affiant, who voluntarily makes the foregoing statements under oath this March 30, 1886, Caldwell, Kansas.

[SEAL.]

CASS BURRUS, Notary Public.
Com. expires Sept. 19, 1887.

Com. expires Sept. 19,1837.

On the same day, and at the same place, to wit, at the city of Caldwell, Kansas, personally appeared the undersigned citizens, who voluntarily make oath and affirmation that they have during the entire winter just past been employed by the Government contractor in cutting and hauling cord-wood and saw-logs from the timber on the North Canadian River, in the Oklahoma country, to the Ft. Reno military post, and are familiar with the entire Oklahoma country, and hereby voluntarily make oath and affirmation to the statements hereinbefore mentioned by the foregoing affidavit of Henry Boston as to the occupancy of the Oklahoma country by cattle; and that the estimate of 60,000 head of cattle held now in Oklahoma is not exaggerated, but is within the numbers we believe to be now in that section of country known as Oklahoma.

GEO. F. BROWN, S. N. JONES.

Caldwell, Kansas, March 30, 1886.

CALDWELL, KANSAS, March 30, 1886.

Personally appeared before me, a notary public in and for Sumner County, Kansas, the above-named persons and affiants, who voluntarily makes the fore-going statements under oath.

[SEAL.] CASS BURRUS, Notary Public.
Com. expires Sept. 19, 1887.
We whose signatures are hereto attached are well acquainted with the men who have signed the foregoing affidavits, and believe them to be men of truthfulness, and with a high sense of honor; that the statements set forth irraffidavits are true, as many of us have at various times been through Oklahoma the past few months and witnessed the herds of cattle in that country. Done at Caldwell, March 31, 1886.

G. D. FREEMAN,
G. W. GIGRON,
JOHN IRWIN,
A. J. CLARKE,
J. A. GIVENS,
W. D. EARL,
N. B. EARL,
J. R. GRIFFITH,
D. R. MORRIS,
JAS. MORELAND,
A. J. JONES,
J. A. BLACKBURN,
SAM'L CROCKER,
A. E. STINSON,
S. C. SMITH, JR,
JOS. G. BLACKBURN.

[John Miller's affidavit.]

To all whom it may concern:

[John Miller's affidavit.]

To all whom it may concern:

Personally appeared John M. Miller, the undersigned affiant, before me, a notary public in and for the county of Summer and State of Kansas, and by me, being first duly sworn, deposes and says: That he has many times been over and across and is thoroughly acquainted with all the lands within the limits of Oklahoma, and just returned out of Oklahoma the 1st of this present month of April; that at the time I left Oklahoma the said country was literally covered with cattle, that I never at any time have seen more cattle in Oklahoma than there were on the 1st of April, this year. One man named Johnson, who has a band of horses and also a herd of cattle between the North and South Canadian Rivers, told me that the Army officials repeatedly told him to just keep his cattle out of sight, so they could report they did not see any, and that was all they cared for. In answer to how many cattle are now in Oklahoma, I would say that the country is practically covered with them, and in, my judgment, there are fifty thousand head, and I think there were one hundred thousand head of cattle turned loose last fall in Oklahoma, and no cattle have been removed except a small bunch of about one hundred and seventy-five head which were owned by a man named J. H. Anderson, who held them on Deer Creek, and was removed with his cattle by Major Sumner, of the military post at Fort Reno, I. T. Major Sumner, of the Ft. Reno post, previously to the ejection of this cattleman, Anderson, had ejected the settlers with their wives and children, ther teams, tools, and household goods, and escorted them across the Cherokee strip lands, and into the State of Kansas. This ejection of settlers was done about the 1st to middle of November, 1885, or last fall. Immediately after the settlers were ejected Major Sumner's command began to round-up the cattle in Oklahoma. These cattle were, however, all turned loose on or about the 1bit to 15th of December, 1885, and it was common report among all

this fact.

And Lieutenant Rice, who has charge of the Indian scouts, is regularly around over the whole of Oklahoma looking for settlers, with strict orders to arrest and bring to Ft. Reno, if any are found, and must see these cattle and cattle-men every day. The cattle-men and cowboys are there in tents and are in no fear of being disturbed.

CALDWELL, KANSAS, April 21st, 1886.

Subscribed and sworn to before me, a notary public, in and for Sumner County and State of Kansas, the day and year above written.

[SEAL.] M. F. MAY, Notary Public. Commission exp. Feby. 17th, 1886.

STATE OF KANSAS, Sumner County, ss:

Personally appeared before me, a notary public in and for the county of Sumner and State of Kansas, the persons who have hereunto set their hands to this affidavit, and, after being sworn, do make solemn oath and affirmation to the facts contained in the following statements, to wit:

That during the month of October, 1885, we did go with our families and make settlement on lands selected for our future homes in that portion of the Indian Territory called Oklahoma. That on the 3d, 4th, and 5th days of November Major Sumner, commanding the military post at Fort Reno, in the Indian Territory, with his command, acting, as claimed by him at the time, under orders from the Secretary of the Interior, arrested us as trespassers, and, under his military escort of United States cavalry and Indian scouts, took us from a point on

the North Canadian River some 40 miles from Fort Reno to the post, to wit, Fort Reno; we were kept for three days without rations, and in all five days at Fort Reno under guard; at the expiration of the five days we were started for the Kansas line, a distance of 110 miles, under the military cavalry escort of Captain Hayes, of the Fifth Cavalry, and by him and Captain Armstrong, of the infantry, escorted under close guard to the Southern Kansas State line, where we arrived on the 17th day of November, 1885.

The undersigned say furthermore that while they were dwelling in Oklahoma, going into and returning from that country, they saw many thousands of cattle ranging over all that country, and the owners and herders of the cattle, and that these men and their cattle were not molested nor disturbed; and in further remonstrance with Major Sumner upon the injustice and discrimination of removing settlers with their families, farming utensils, and household goods, and permitting cattle-men to remain, said he had no orders to remove either the cattle or cattle-men.

We desire to further state that some of our number have, during the time since their ejection, been employed in cutting wood for the Government contractor, having the contracts to furnish cord-wood to the military post at Fort Reno, the same being cut some 20 miles east of Fort Reno, and on the lands known as Oklahoma, and that no cattle or cattle-men have been removed from off the Oklahoma lands by any authority, from either the military post at Reno, Washington city, or elsewhere.

We desire further to say that Major Sumner, having ejected us from off and out Oklahoma, placed his command at work to eject the cattle-men and their cattle, and did eject one small owner of cattle by the name of Anderson with his herd of something less than two hundred head of cattle, and that while the larger herds were being rounded up preparatory to being driven out of the Oklahoma country the soldiers were suddenly withdrawn, and again the cattle-men all claimed that th grazing purposes only.

A. E. STINSON.
AMOS FRANKLIN.
R. THOMPSON.
B. F. BALL.
WM. MCPHERSON.
C. W. SHEWEY.
R. J. THOMPSON.
E. J. BALL.
C. H. BALL.
MES. C. REMORLD.
MRS. R. A. HAINES.
AUCH. D. 1886

Subscribed and sworn to before me this 37th day of March, A. D. 1886.
[SEAL.]

M. F. MAY, Notary Public. [SEAL.] Com. exp. February 17, 1889.

CAMP NEAR DARLINGTON, IND. T., April 14, 1833.

This is the Cheyenne agency in the Fort Reno military reservation, and is just west of the western line of Oklahoma.

Sin: We are now hauling logs from Council Grove to Fort Reno on Government contract.

Council Grove is an old town-site of the boomers.

Council Grove is an old town-site of the boomers.

The weather is fine, grass is growing, and plenty of cattle to graze upon it.

Last November the military removed the settlers from Oklahoma; afterward they made a faint effort to remove the cattle-men and cattle; but the cowboys were mostly out of sight. They will ride a long ways while Mr. Soidler is getting ready to start. The cattle were partly rounded up and drove to the north side of the Cimmaron River, and then turned loose, and, of course, in a fow days the greater part of them had drifted back to their old range. As soon as the soldiers had returned to the post, the cowboys were back again as usual; made permanent camps and remained there ever since. I was at the "J.H." camp in February. There were several men there. I asked them if the officers at the post knew that they were there. They said: "Oh, yes: some of them have stopped over night with us, and we shall not be molested unless the settlers come in and they have to make another round-up." I think there are as many cattle in Oklahoma now as there were att his time last year. I passed through here then, and have been through considerable of the country this spring, and the number of cattle is about the same. I can not make an estimate, but they can be counted by the thousands. I see it published in the papers that the Secretary of the Interior says that there are no persons in Oklahoma by the authority of the Department. Now, I would like to know why it is that Keith, Shields, Pronsen, Housen, and others remain here year after year with their large herds and fine farms?

It is calculated to make men desperate to see these men plowing up Government land and planting corn, when others are dragged out, time after time, by the military.

SILVER CITY, IND. T., (southern part of Oklahoma,) March 8, 1886.

The removal of the cattle by the army was a mere farce.

All the cattle that were on the Oklahoma lands last fall have wintered there this winter, and there have not been any soldiers in this part of Oklahoma, although the officers at Fort Reno know that the cattle still remain.

A. C. McCORD.

SILVER CITY, IND. T., March 8, 1886.

DEAR SIR: Things are about the same as they were last summer. The cattle are all here that were last summer.

The military failed to take any cattle out. They did round-up a few, but turned them over to the cowboys, and they would drive them out of sight and let them go. I was out with the "Long O" outfit about two weeks, and we never brought out a hoof. I think there are at least 10,000 head of cattle at this time within 5 miles of our camp. The "Z. H." outfit is still in the same place it was last fall.

All the companies are holding their same old reverse. The cattle along the companies are holding their same old reverse.

All the companies are holding their same old ranges. The cattle along the South Canadian are mostly "Long 0," Smith & Forsyth, owners, with several side brands; besides Beard & Johnson, Johnson & Campbell, Bound & Williams. The 0, the "ZZ" brand, and quite a number of others are here. The north part of Oklahoma is occupied by the same companies and brands that have been there. I am in camp 12 miles south of Round Grove.

that have been there. Yours, truly,

JOHN McGREW.

CALDWELL, KANS., May 22, 1886.

My DEAR SIR: Although I am a stranger to you, I take the liberty to call your attention to the disgraceful condition of affairs which exists in the Indian Terri-

tory at the present time. It is now more than a year since the President's proclamation ordering the eattle-men out of Oklahoma, and nearly a year since acting Attorney-General Garland declared all leases of Indian lands, including those of the Cherokee strip, "illegal and contrary to law." No respect has been paid to the proclamation by the cattle-men, and they still occupy all of that country and are driving in more cattle nearly every day. The same is true of the Cherokee strip and of the surrounding Indian reservations, which are all in possession of the cattle syndicates. I only say to you what everybody knows here, and ask you, as a friend of fair dealing and honest government, to make it known to the country that while the home-seekers are excluded from the vacant lands with a relentless hand the cattle syndicates are left in full possession, and are protected by the military and by the officers of the Interior Department in plain violation of law. The illegal lease system seems to have resulted in corrupting the whole Indian service in the Indian Territory, and since the Interior Department does not enforce the law against the leases the people here do not see why it is that such a relentless spirit should be shown toward people who want homes. The greatest dissatisfaction exists among fair-minded men of all parties in regard to the discrimination of the authorities at Washington against the people and in favor of the cattle-men. Even the eattle-men who are here on the ground do not claim that such a policy is just. But they claim to have control of the premises, and to have a good understanding with the Army officers and Indian agents. They are and have been planning to get their leases extended on all the lands south of here for ten, and if possible, twenty years, and some of the most domineering of these speculators taunt the home-seekers with the remark of "What are you going to do about it?"

Very respectfully, your obedient servant,

AMOS FRANKLIN.

Hon. ISAAC S. STRUBLE, House of Representatives, Washington, D. C.

But, sir, any one who is doubtful as to there still being cattle in Oklahoma has only to turn to the papers published in Southern Kansas, and he will find therein open statements to that effect by the cattlemen themselves in their advertisements.

Why, sir, it seems an unnecessary thing to do in order to convince this intelligent body of men that there are cattle there to offer these affidavits which I have read, when the substance of those affidavits is a matter of general notoriety throughout the Southwest, and the owners

of those ranges advertise them in every weekly paper.

With the permission of the House I will quote from the advertising columns of only one of the many papers in which these gentlemen advertise their ranges. I hold in my hand a recent number of the Caldwell Journal, published at Caldwell, Kans. I find the following companies advertise ranches in Oklahoma and illustrate their private brands: McClellan Cattle Company, range on Black Bear and Stillwater Creeks, Oklahoma; Hewins & Titus, range on Skeleton, Oklahoma; Wyeth Cattle Company, fenced range on Bed Rock and Black Bear Creeks, Cattle Company, lenced range on Led Rock and Black Beal Cleeks, Cherokee outlet, open range, on Cimarron and Cottonwood Rivers, Oklahoma; G. W. and C. T. Gorton, range 40 miles southeast of Fort Reno, Oklahoma; W. B. Roberts & Son (Stand. Oil, brand O. I. L.), range south of Cimarron, on Cottonwood and Campbell Creeks, Okla-

Perhaps Mr. Cleveland does not subscribe for the Caldwell Journal; but he is not ignorant of the facts, as I shall show further on.

Besides these ranges in Oklahoma advertised, I find two in the Chevenne and Arapahoe country advertised—R. H. Campbell's and the Chevenne and Arapahoe Cattle Company. Yet we are asked to believe that the President's proclamation of July 23, 1885, swept all the cattle from that country, too.

Thus we see that all is now quiet in Oklahoma and the Cherokee out-Thus we see that all is now quiet in Oklahoma and the Cherokee outlet. The fences and buildings in use by the one hundred different cattle syndicates occupying the Cherokee outlet remain intact, and the "cattle upon a thousand hills" feed and drink at their pleasure, and at a cost of 28 cents per head are rapidly maturing for the benefit of the millions of poor consumers who pay just as much per pound for beef raised upon these prairies as for that produced on the farms of Iowa. In Oklahoma the delicate and sensitive cowboys roam at pleasure over the land which for twenty years has seemed to belong to no person or the land which for twenty years has seemed to belong to no person or government. The poor people who for years have hoped to supplant both the cattle and cowboys, after waiting with suspense for long months for the fulfillment of the promises of the new reform administration, have been forced to scatter and surrender long and fondly cherished hopes

The proclamation of March 13, and the personal pledges given by Secretary Lamar to Messrs. Weaver, Clarke, and Couch that the cattle should be removed, the commission appointed to negotiate with the Indians, and an early settlement of the difficulty accomplished, filled the home-seekers and the friends of civilization throughout the country

Captain Couch, relying upon the false assurances of the administration, was able, by his wise and moderate counsels, to prevent his impatient followers from entering the Territory, and from that day to this Captain Couch has led no force into that Territory, nor has there been any organized entrance of the country by any of his followers.

FURTHER ASSURANCE FROM LAMAR.

Months rolled away. In June Captain Couch wrote to Secretary Lamar that the cattle in Oklahoma were fat and being daily shipped, Lamar that the cattle in Okianoma were fat and being daily snipped, and inquiring when they were to be removed and the commission appointed. In reply, Mr. Lamar assured Captain Couch in the most solemn manner that his promises in regard to both the cattle and the commission would be fulfilled at an early day. In the fall Captain Couch, at the advice of his attorney, visited Oklahoma for the first time during the Democratic administration for the purpose of satisfying himself in regard to the number of cattle there. He started out alone in a buggy, and by the time he reached Oklahoma was attended by about a dozen Yet Mr. Lamar has seen fit to term this teams of unarmed farmers. an "armed invasion," and to attempt thus to cast discredit upon a worthy man and a worthy cause.

The results of Captain Couch's visit to Oklahoma are best told in his

own letter to Secretary Lamar, dated Winfield, Kans., November 21,

WINFIELD, KANS., November 21, 1885.

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persons engaged in the stock business were recognized as legal occupants, and he answered that it appeared they were, as his instructions were to molest no one engaged in that business, but to remove all others, except Government employés.

I made objection to this manner of proceeding and told him that it was unjust discrimination, and not in accordance with the assurances made to me by the Interior Department last spring; that I had been assured by the Secretary of the Interior Department last spring; that I had been assured by the Secretary of the Interior that the richest cattle-man or corporation would receive no more favor from this administration than the humblest settler, and I was surprised and indignant to find this state of affairs, and stated that under the circumstances I should refuse to obey the order. He stated that if any hesitancy or resistance was made his instructions were to arrest the parties and take them to Fort Reno immediately, and ordered me under arrest at once. Several words passed between us, he insisting that he should place me under arrest, and I that I would amend my answer; that I would state that my object there was to locate a stock ranch, which he accepted and recorded as such, and withdrew the orders of removal and withdrew his men.

Other persons present made the same answer, and all orders of removal were withdrawn. His report, however, was sent to Fort Reno, on receipt of which Major Sumner with three companies of troops made a tour down the North Canadian, arresting all persons except those actually engaged in the cattle business. In the mean time eleven head of horses and mules had been stock in search of them, following them for several days. When I returned I found that all persons at the camp and in that vicinity, except the cattle-men, had been arrested; and I returned to Kansas by the way of Arkansas City, reaching that point on the 16th of November. Since that time the troops have escorted and turned loose at Caldwell sixty or eighty persons, a small proportion o

The Hon. Secretary of the Interior, Washington, D. C.

The substance of this letter was given out by the Secretary to the Associated Press, on December 9, 1885, coupled with a statement from him that there were only five thousand head of cattle in Oklahoma. Yet on the next day, in response to a telegraphic summons from W. B. Grimes, a prominent cattle-man of Kansas City, Mo., Senators Vest, Cock-RELL, and others waited upon Secretary Lamar and represented to him that it would be inhuman to drive the cattle out of Oklahoma; that the cattle were pressed for range on account of the great numbers which had come in from the Cheyenne and Arapahoe reservation. This in-

terview was also given out to the press by the Secretary. So that the Secretary can not claim ignorance in regard to the presence of cattle there throughout the summer, fall, and winter, during which the poor people who knew that Oklahoma was public domain and had staked their all upon false promises of a Democratic administration were waiting for the great teacher to keep his word.

No attempt has ever been made to enforce the President's proclamation, except in October of the same year (1885), when the military authority at Fort Reno requested one Anderson, with his vast herd of about two hundred head, to vacate the country, and he kindly assented,

driving his stock to Kansas.

Mr. Lamar did not move in June, 1885, because the cattle were spring poor; he did not move in December because Oklahoma had been so full of cattle during the summer that they had not done well. This past spring I suppose the same reason was assigned for leaving the cowboy to riot on the people's land. The country overflows with cattle, the pledges of the administration are unredeemed, while the people are de-

manding relief.

In the meantime this illustrious exponent of political morality sets himself up as a teacher of the American people and the American Congress; he proposes to teach them a lesson, a valuable lesson—that "the way of the transgressor is hard;" and he proposes to inculcate this valuable piece of instruction by nullifying the acts of Congress. But this is not the first time in which the Democratic chivalry of the South has is not the first time in which the Democratic chivalry of the South has attempted to nullify the voice of the people, from the days of Calhoun down to the last treasonable whine of that unrepentant old arch-traitor, Jeff. Davis. But, Mr. Chairman, although they may nullify, they can not stifle that voice, and it will grow louder and louder, until, ere many moons shall come and go, it will be heard throughout the land in such a deep, determined murmur of disapprobation as shall overwhelm this illustrious political pedagogue and his followers, and usher into power once more the grand old party of the Union and the flag.

Mr. Chairman, I thank the gentlemen of the committee for the very kind attention which they have given me, and now ask consent to append to my remarks in the RECORD arguments which I have prepared

pend to my remarks in the RECORD arguments which I have prepared in regard to Original Indian Tenure and the Abrogation of Treaties and some statistics with reference to the consideration of our treaties

with various Indian tribes.

OPINIONS OF OUR STATESMEN.

OPINIONS OF OUR STATESMEN.

The Indians must abandon tribal relations; they must give up their superstitions; they must forsake their savage habits and learn the arts of civilization.—Hon. J. D. C. Alkins.

When the Indians become a part of the great brotherhood of American citizens, the last chapter in the solution of the Indian problem will be written.—Hon. J. D. C. Alkins.

The Indian reservations should be reduced in size commensurate with the wants of their occupants.—Hon. H. M. Teller.

Civilization will come slowly, if it comes at all, to those who wander about without fixed homes, however well the Government provides for their wants.—Hon. H. M. Teller.

The Indian does not need to have so much guardianship as many people would have us believe.—General George Crook.

The solution of the Indian problem is citizenship, and we believe that the time has come to declare by an act of Congress that every Indian born within the territorial limits of the United States is a citizen of the United States and subject to the jurisdiction thereof.—Board of Indian Commissioners.

We could not fit the negro for freedom till we made him free. We shall never fit the Indian for citizenship till we make him a citizen.—Board of Indian Commissioners.

We could not fit the negro for freedom till we made him free. We shall never fit the Indian for citizenship till we make him a citizen.—Board of Indian Commissioners.

The Indian can no longer hide himself in the fastness of the mountains or in the solitude of the wilderness.—Hon. H. M. Teller.

Contact has come between the settler and the Indian in all parts of the country.—Hon. H. M. Teller.

Civilization and savagery can not dwell together; the Indian can not maintain himself in a savage or semi-civilized state in competition with his white neighbor.—Hon. H. M. Teller.

He must adopt the "white man's ways" or be swept away by the vices of savage life, intensified by contact with civilization.—Hon. H. M. Teller.

Why should the Government support the able-bodied Indian who refuses to work any more than it should the white man who refuses to exert himself for his support?—Hon. H. M. Teller.

Let the fat steer of the non-resident, non-taxable cattle-baron no longer roam over the people's heritage.—Hon. James B. Weaver.

There is no branch of the public service where the opportunities are so great for peculation and embezzlement as in the Indian service, none where detection is so difficult.—Hons. W. S. Holman, S. W. Peel, and W. H. Hatch.

The Indians can no longer exist in this country in a savage or semi-civilized state, nor can they longer recede before the advancing march of civilization.—Hon. L. Q. C. Lamar.

The wild herds and flocks that so long furnished the race clothing and food are gone, and they must in some degree accept the methods and conditions of civilization or disappear.—Hons. W. S. Holman, S. W. Peel, and W. H. Hatch.

The resistless energy and enterprise will not forever permit this vast area of fertile country to be turned over to monopolists and worthless savages.—Hon. William D. Hill.

We are upholding these rotten governments there under the pretense of civilizing the Indians. See mergy and enterprise of the American people have spanned all the great mountains and united the Atlantic wi

in contact with the whites, not as now, with fugitives from justice from other States and the bad and lawless elements congregated there, but with the sturdy, honest farmer and mechanic, who works and is contented with work and a quiet and peaceful home and family. When this is done, their real civilization will begin.—Hon. John H. Rogers.

The proper policy to pursue, not only in the Indian Territory but generally, is to cut up the reservation system at the roots; abolish the tribal relations; allot to each Indian adult a tract of land in severalty; let it be his, and let it descend to his children; compel him to settle upon it; make it inalienable for a generation, or longer if necessary; sell the remainder of the lands in the diffent reservations to actual settlers in not exceeding 160-acre tracts; let the proceeds of such sales constitute a trust fund for the Indians, &c.—Hons. J. G. Cannon and Thomas Eyan.

Large reservations foster the Indian in barbarism and offer an inviting field to the cattle-king. Break up the reservation; make the Indian a citizen; give him a farm; surround him with the best style of American civilization.—Hon. James B. Weaver.

The lands reserved for the accommodation of the Indians are undoubtedly much larger in extent than are needed for their wants and accommodation.—Hon. L. Q. C. Lamar.

Those who have most carefully studied the welfare of the Indians believe that it will be best advanced by the sale of his unneeded and unoccupied lands, and by bringing him into healthful contact with a good class of white settlers.—Indian Rights Association.

We can not stop the legitimate advance of emigration and civilization if we would, and, we add most emphatically, we would not if we could.—Indian Rights Association.

To day the march of progress halts at the boundaries of the Indian, but which the march of events has made it impossible for us to execute.—Hon. Charles H. Allen.

What we need to-day is to break up these reservations and to bring the Indians

Allen.

What we need to-day is to break up these reservations and to bring the Indians in contact with the white men, that they may learn and know the white man's ways.—Hon. Charles H. Allen.

The policy of tending the Indian on a pillow and feeding him with a spoon will no longer serve; only by putting him on his feet and making him walk will he ever be able to stand up a man in the image of his Maker.—Hon. Charles H. Allen.

No more "free soun" charity for the Indian The Control of the Indian The Charles H. Allen.

will no longer serve; only by putting him on his feet and making him walk will he ever be able to stand up a man in the image of his Maker.—Hon. Charles H. Allen.

No more "free-soup" charity for the Indians.—Hon. Charles H. Allen.

Let the Indians learn that, ever since the Almighty issued His command, "In the sweat of thy face shalt thou eat bread all the days of thy life," obedience to that command has been the first step to be taken by any individual or any community in its march toward civilization.—Hon. J. G. Cannon.

By the present system of supporting Indians without labor you make paupers of them and their children.—Hon. J. G. Cannon.

We should take care to see that the Indians are protected from their own ignorance upon the one hand and the greed of dishonest or selfish individual white men on the other, who would keep them in their present state upon reservations that they may prey and fatten on them.—Hon. J. G. Cannon.

I would let the white man who obeys the laws take his implements of lusbandry, his Bible, his courts, and his school-houses, and march in and settle among the Indians. I would not have the Indians off in a little knot at one side—a knot of concentrated barbarism. Oh, no. I would intersettle them with this sober, Christian, magnificent yeomanry of ours that has made this country, and that now, amid the storm and the tempest and the mutterings, preserves the country and will continue to do so.—Hon. J. G. Cannon.

The tory size and immensity of those Indian reservations tend to keep up the roaming and nomadic spirit, and militate against a settled and industrious life.—Hon. Knute Nesson.

Tribal life, tribal thoughts, tribal notions and aspirations should be forever emasculated and rooted out.—Hon. Knute Nelson.

The trorishing of rations to the Indians under the annuity system is an unmitigated curse.—Hon. B. M. Cutcheon.

I believe the preservation of reservation system would be demoralizing and degrading to even our oyn race, and would lead to mental, moral, and social degradation.—

vastness, hundreds of miles from civilization, these Indians can hide themselves beyond the reach and touch of the white man, is a hopeless system for the Indians.

These great reservations should be broken up, so that the touch of civilization may come upon them from every side. I would send the railroad with its pulsating life from border to border, that civilization might run along the iron way, bringing with it the newspaper, the school, the church, and the college, in their due time, until the Indian should feel he was existing in the touch of civilization, the touch of the white man, the touch of the white schools, the touch of all that goes to make up an English-speaking community.—Ion. B. M. Culckeon.

Every one understands these leases (of the Cherokee Outlet) were without authority of law, and the Secretary of Interior perhaps did not possess the power to confirm them. The probabilities are that the Secretary did not possess the power.—Hon. W. S. Holman.

I fully agree that in nine cases out of ten they (the leases) were obtained by fraud, and I have long since declared both privately and publicly they are all void.—Hon. S. W. Peel.

Your great object should be to hold your land separate among yourselves as your white neighbors. Without this you will find you will have to emigrate or become extinct as a people.—John C. Calhona, in 1319, to the Cherokee delegation.

We are glad that earnest attention is at last turned to the Indian Territory. Ten years ago we recommended that a government and United States couris be established over the Territory. Two years ago we called attention to the growing evil of leasing large tracts of grazing land, and to the danger that in a short time the whole Territory, except the small part actually occupied by Indians, will be in the possession of great monopolies. We hope that the investigation now going on and the propositions now before Congress will lead to some good result. If negotiations are conducted in a fair and wise and kindly spirit, we believe that an agreem

The organization of a government in the Indian Territory.

The declaration by Congress that Indians are citizens of the United States.

3. The prompt passage of the general allotment bill and the Sioux reservation bill.

4. A large increase of the facilities for education—especially industrial educa-

CLINTON B. FISK, Chairman.
WILLIAM H. LYON.
ALBERT K. SMILEY.
WILLIAM MEMICHAEL.
JOHN K. BOIES.
WILLIAM T. JOHNSON.
ORANGE JUDD.
MERRILL E. GATES.
JOHN CHARLITON.
E. WHITTLESEY, Secretary.

The Hon. SECRETARY OF THE INTERIOR.

Steps should be taken at once to change the present condition of affairs in the unoccupied portion of the Indian Territory. It can be done without the violation of ireaties or without subjecting the Government to the charge of bad faith. The power that made the treaties may in like manner abrogate or modify them. It is not proposed to despoil the Indians nor to compel them to accept less than the full value of whatever they surrender.—Hon. H. M. Teller.

What he (the Indian) does need is protection under the law; the privilege of suing in the courts, which privilege must be founded upon the franchise to be of the slightest value.—Board of Indian commissioners.

Unless some system can be devised gradually to extend over them our laws and authority it is feared that all efforts to civilize them, whatever flattering appearances they may for a time exhibit, must ultimately fail. Tribe after tribe will sink, with the progress of our settlements and the pressure of our population, into wretchedness and oblivion. Such has been their past history, and such, without this change of political relation, it must probably continue to be. Preparatory to so radical a change in our relation toward them, the system of education which has been adopted ought to be put into extensive and active operation. It ought to be followed with a plain and simple system of laws and government, compression of their settlements, and a division of landed property.—John C. Calhoun, in 1822.

INDIAN TITLE IN GENERAL.

The immunity which that monumental and extravagant anomaly of American statesmanship, "our Indian policy," has hitherto enjoyed has arisen from a mistaken idea of the original rights of the Indian upon the American continent. This idea, entertained by many honest philanthropists like the fair author of a Century of Dishonor, has been fostered by parties interested in perpetuating that policy for their own selfish ends. Certain self-appointed guardians of the rights of the Indians never tire of referring to the "original ownership of the soil" granted by God Almighty to the noble red man, and of citing the numberless instances when, by misrepresentation, bogus treaties, and trifling consideration, they have been induced to give up the "home of their fathers" and to steadily retreat before the advancing tide of civiliza-

Let us examine the subject of original Indian tenure and of the paltry considerations for which we have wrested from them their paternal hunting grounds, in order that we may ascertain the degree of our indebtedness to this much-abused remnant of the North American abo-

rigines.

It is a fundamental principle of the law of nations that the aboriginal inhabitants of the soil possess only a right of occupancy; and the measure of title acquired by that occupancy is determined by the extent of their wants and of their capacity to use the soil to supply those wants. (1 Grotius, 2, c. 11; see also Barbeyr; Puffendorf; 2d Bl. Com., 2; Locke on Government.)

This is the theory which has obtained in the subjugation of new countries from a very early day, and the greater advancement in civilization the leading powers of earth have made the more firmly fixed has this doctrine become and the more clearly has it appeared to be in accord with the highest interest of mankind and the progress of the human race. Upon the authority of this principle the New World has been subjugated, peopled, and civilized. Upon it, as a foundation of right and title rests the present greatness and the possibilities of the empires of the Western Hemisphere. England recognized this principle and claimed it as a right when, a few years ago, she overthrew the savage King of Ashantee and reclaimed the Guinea coast from the dark pall of cannibal barbarism, and the world said, "It is just."

The American Indians could have acquired no proprietary rights to the illimitable tracts over which they roamed. They had no natural right to more soil than that for which they had a natural use. As justly might the puny fisherman claim proprietorship over the trackless ocean. The original use of the soil by the Indians was the use of the wild beast of the forest; and in no rightful sense could it interfere with appropriation by those who earned their bread by the sweat of their brow. Their tenure was not like ours. Civilization affords no example of it. They did not inhabit the country; they overran it. Theirs was not a legal possession in the true sense of the term. Vattel, in his Law of Nations, Book I, section 81, says:

The whole earth is destined to feed its inhabitants; but this it would be in-

The whole earth is destined to feed its inhabitants; but this it would be incapable of doing if it were uncultivated. Every nation is then obliged by the law of nature to cultivate the land that has fallen to its share.

Those nations who inhabit fertile countries, but disdain to cultivate their lands, are wanting to themselves, are injurious to all their neighbors, and deserve to be extirpated as savages and pernicious beasts. There are others who, to avoid labor, choose to live only by hunting and their flocks. This might doubtless be allowed in the first ages of the world, when the earth, without cultivation, produced more than was sufficient to feed its small number of inhabitants. But at present, when the human race is so greatly multiplied, it could not subsist if all nations were disposed to live in that manner.

In section 209, same book, the author speaks as follows:

In section 209, same book, the author speaks as follows:

There is another celebrated question to which the discovery of the New World has principally given rise. It is asked whether a nation may lawfully take possession of some part of a vast country in which there are none but erratic nations whose scanty population is incapable of occupying the whole?

We have already observed (section 81) in establishing the obligation to cultivate the earth that those nations can not exclusively appropriate to themselves more land than they have use for, or more than they are able to settle and cultivate. Their unsettled habitation in those immense regions can not be accounted a true and legal possession; and the people of Europe, too closely pent up at home, finding land of which the savage, stood in no particular need and of which they made no actual and constant use, were lawfully entitled to take possession of it and settle it with colonies.

We do not, therefore, deviate from the views of nature in confining the Indians within narrower limits. However, we can not help praising the moderation of the English Puritans who first settled in New England, who, notwithstanding their being furnished with a charter from their sovereign, purchased of the Indians the lands of which they intended to take possession. This laudable example was followed by William Penn.

Furthermore in book 2, section 97, the author holds this view:

Furthermore in book 2, section 97, the author holds this view:

The savages of North America had no right to appropriate that vast continent to themselves; and, since they were unable to inhabit the whole of these regions, other nations might without injustice settle in some parts of them, provided they left the natives a sufficiency of land.

See also Smith's Wealth of Nations, book 6, chapter 1, and Montes-

quieu, book 18, chapter 12.

The opinion of Chief-Justice Marshall in Johnson vs. McIntosh (8 Wheat., 543), decided in 1823, is appropriate right here. After reviewing the history of the conquest and settlement of America he says:

All the nations of Europe who have acquired territory on this continent have asserted in themselves and recognized in others the exclusive right of the conqueror to appropriate the land occupied by the Indians.

In Fletcher vs. Peck (6 Cranch, 87 and 142), decided in 1810, the same distinguished jurist holds this opinion:

The nature of the Indian title, until it be ligitimately extinguished, is not such as to be absolutely repugnant to a seizure in full on the part of the State.

In United States vs. Cook (19 Wall., 591), the court, referring to Johnson vs. McIntosh, holds that "the fee is in the United States, subject only to the right of occupancy by the Indians;" and "the possession, when abandoned, attaches to the fee without further grant." (See also Beecher vs. Wetherby, 62 United States, 525.)

Attorney-General Cushing (8 Op., 262) uses this language:

Attorney-General Cushing (8 Op., 262) uses this language:

It is a fundamental doctrine of our public law that the Indians do not hold a
fee in the lands of their original occupation, but only a usufruct, the fee being in
the United States. (See Mitchell vs. U. S., 9 Peters, 711; Latimer's Patent, 14
Peters, 4; U. S. vs. Fernandez, 10 Peters, 303.)

There was a time when the true relation of the Indians to the United States
was not so clearly seen as it is now. We had been accustomed to make treaties
with them, as if they were independent of us; that was an error.

We dealt with their petty tribes as nominal nations; that led to strange misconceptions. We had spoken of their lands, as if a mere handful of savages
who happened to be within the geographical limits of a region of country large
enough for a civilized umpire could be deemed its proprietors in virtue of any
rule of natural right or of positive law.

We had respected their assumed rights; that is, had left them to their savage
quasi-independence, instead of, by force, compelling them to enter into some
appropriate place in the social organization; and thus they have perished of too
much liberty.

Words of mine are not needed to add, force to the language of the

Words of mine are not needed to add force to the language of this eminent lawyer, who has so clearly and graphically presented the absurdity and injustice of our position. The fact that our Government, in order to placate the Indian tribes and prevent needless bloodshed, dealt with them as though they really represented a title to the contract of the dealt with them as though they really possessed a title to the soil did not create that title in them nor strengthen this right of possession. The Indian, in his ignorance and savage independence, imagined that he was absolute lord over all the country he could traverse in a week's journey; and for politic reasons alone, to prevent a sanguinary conflict between civilization and barbarism, it was well to allow him this conceit; but can it be argued, in the light of all the decisions and opinions I have quoted, that the empty forms of a so-called treaty strengthened the title of the party purchasing from him? Certainly it can not.

If, in more recent years, we have granted to certain tribes, in fee-simple, an extravagant amount of land, out of all proportion to their past, present, or possible needs, it has been a free gift to them, without the consideration of their relinquishment of any ownership of other lands. Indeed, I claim that in most cases such gifts have been without any consideration at all. The alleged consideration for which certain tribes have been granted vast areas of land (of an adaptability to their mode of life equal to the land which they had relinquished, and increasing in quantity with each succeeding removal) and large subsidies in money and merchandise was, that they relinquished to us what?-their right of possession which, except so far as it related to the land absolutely needed by them, Congress had the moral and legal right to take from them. In other words, Congress has, and always has had, perfect right to deprive all Indian tribes, except those holding a fee-title to their lands, if the use of more territory than needful to them in a state of civilization.

I even go further, and agree with the honorable Secretary of Interior Teller, who says (see Senate Executive Document No. 54, Forty-eighth Congress, second session):

It is believed that there will be found at all times in the United States a whole-some public sentiment that will demand of the Government that its contracts heretofore made with the Indians be respected in all cases where they do not conflict with the interests of the Indians and are not unjust to the people of the United States; but contracts or treaties impossible of execution, unjust and un-

fair to both whites and Indians, ought to be segregated or modified by legislative action. It is not beneficial to the Indians to have millions of acres of valuable land remain unoccupied around them.

The power that made the treaties may in like manner abrogate or modify

INDIAN TREATIES-CONSIDERATIONS FROM UNITED STATES TO INDIANS.

Mr. Chairman, inasmuch as it is frequently asserted that the consideration for which we have obtained from time to time the lands of the Indians was inadequate and often trifling, mere parchment promises made to be broken, I have thought it desirable to carefully examine our past Indian treaties with a view to ascertaining just how inadequate and trifling those considerations were. I have already mentioned some of the perpetual and temporary annuities which we have paid or engaged to pay; but I wish to call attention to the merchandise and various cash gifts which have entered into the consideration of these treaties. In preparing the following list I have had time to consult our treaties with only three tribes, the Creeks, Seminoles, and Chero-The list is incomplete, not mentioning numerous services stipulated for, and which were equivalent to a cash consideration, such as the payment by the United States of the expenses of all removals of Indians and all surveys of lands sold by or to the Indians.

Creeks:

August 7, 1790.—One thousand five hundred dollars perpetual annuity. June 29, 1796.—Six thousand dollars spot cash; 2 blacksmiths, strikers and

June 16, 1802.—Three thousand dollars perpetual annuities; \$1,000 for ten years (per annum); \$10,000 of merchandise; \$10,000 due by Creeks to Government, released; \$5,000 cash; 2 sets blacksmith tools and man to work them for three

November 14, 1805.—Twelve thousand dollars cash or merchandise, at option of Creeks, annuity for eight years; \$11,000 annually for ten years; 2 blacksmiths and 2 strikers for eight years (in lieu of former agreements in regard to black-

and 2 strikers for eight years (in lieu of former agreements in regard to blacksmiths).

August 9, 1814.—Temporary gratuities of corn.

January 22, 1818.—Twenty thousand dollars spot cash; \$10,000 annually for ten years; 2 blacksmiths and strikers for three years, in lieu of former stipulations to supply these sons of Vulcan.

January 8, 1821.—Ten thousand dollars spot cash; \$40,000 upon ratification; \$5,000 annually for two years; \$16,000 annually for five years after preceding two; \$10,000 annually for six years after preceding five; claims of citizens of Georgia against Creeks, not exceeding \$250,000.

February 12, 1821.—Lands west of Mississippi River, acre for acre, for lands in Georgia relinquished by Creeks; \$200,000 at ratification; \$100,000 at removal; \$25,000 within one year after settlement west of Mississippi River; \$25,000 at end of two years thereafter; \$5,000 thereafter for ten years.

January 24, 1826.—Repeals above treaty; country in the promised land proportionate to their numbers; "\$217,600 at ratification; \$100,000 upon removal.

November 15, 1827.—Twenty-seven thousand four hundred and ninety-one dollars on ratification; \$15,000 in cash and merchandise on demand.

March 24, 1822.—Twelve thousand dollars annually for five years; \$10,000 thereafter for fifteen years; \$100,000 upon ratification; \$16,000 expenses of Indian "junketing excursion" to examine lands west of Mississippi River; \$20,000 cash; \$1,400 to those who emigrated without cost to United States; rifles, molds, wiper, and ammunition to each emigrating warrior; blanket to each family; \$3,000 annually for twenty years; 2 tons iron and 200 cwt. steel annually for twenty years.

June 14, 1836.—Nine hundred and seventy-eight thousand one hundred and sixty-eight dollars.

Seminoles

Seminoles:

May 9, 1832.—Fifteen thousand four hundred dollars cash in hand; \$3,000 annually for fifteen years; blanket and frock apiece; support of blacksmith for ten years; \$7,000 claims against Indians for slaves and other property stolen by them, assumed by the United States; United States agrees to buy all their spring-poor cattle; expenses of removal to country west of Mississippi River; subsistence for twelve months after removal; \$30,000 cash in hand; \$7,200 annually for ten years; \$12,500 annually forever; \$12,500 annually forever as soon as Seminoles in Florida join their Western brethren; expenses of all Seminoles who wish to emigrate from Florida; subsistence during removal and for one year thereafter; to each warrior, one rifle, two blankets, powder and lead, hunting shirt, pair of shoes, 1½ yards strouding, and 10 pounds good tobacco; to each woman, youth, and child, one blanket, pair of shoes, "and other necessary articles of comfortable clothing;" \$20,000 in improvements after removal; \$3,000 in agricultural implements.

August 16, 1866.—Two hundred and twenty-five thousand three hundred and sixty-two dollars cash; 200,000 acres.

Cherokees:

Cherokees:

Cherokees:

July 2, 1791.—"Certain valuable goods;" \$1,000 perpetual annuity; implements of husbandry; support of four interpreters.

February 17, 1792.—One thousand five hundred dollars perpetual annuity instead of above \$1,000.

June 25, 1794.—Five thousand dollars perpetual annuity in lieu of above. October 2, 1798.—Five thousand dollars in merchandise: \$1,000 in merchandise as perpetual annuity.

October 23, 1805.—Three thousand dollars valuable merchandise; \$11,000 within ninety days; \$3,000 perpetual annuity.

October 27, 1805.—One thousand six hundred dollars within ninety days.

January 7, 1805.—Two thousand dollars upon ratification; \$2,000 annually for four years; grist mill; machine for cleaning cotton; \$100 life annuity.

September 11, 1807.—Two thousand dollars.

March 22, 1816.—Five thousand dollars within ninety days; \$25,500 indemnity for losses sustained by march of United States Army through Cherokee country.

September 14, 1816.—Five thousand dollars within sixty days; \$6,000 annually for ten years.

September 14, 1816.—Five thousand dollars within sixty days; \$6,000 annually for ten years.

July \$, 1817.—Lands on Arkansas River, acre for acre, for lands ceded east of Mississippi River; to all warriors who may remove to west of the Mississippi River, one rifle, ammunition, blanket, brass kettle, and beaver-trap apiece; means of transportation and subsistence during same; payment for improvements on lands; reservation out of lands ceded by the Cherokees of 640 acres for each head of a family.

February 27, 1819.—Reservation as above; payment for improvements.

October 24, 1804.—Five thousand dollars in "useful goods;" \$1,000 perpetual annuals.

annuity.

May 6, 1828.—Grist and saw mill "out West;" \$50,000 upon removal; \$2,000 per year for three years; \$8,760, "spoliation claims;" \$1,200, gift to Chief Tom Graves; \$500, gift to George Guess; \$2,000 annually for ten years; \$1,000 toward

printing establishment; \$3,500, debt of Cherokees to United States factory; surveyors to be furnished and found to survey their 7,000,000 acres west of the Mississippi; \$500 to Jim Rogers; \$5,000,000 for lands east of the Mississippi.

February 14, 1833.—Four blacksmith shop; one wagon-maker shop; one wheelwright shop and necessary tools and implements furnished for same; 4 tons iron; one thousand pounds steel; four blacksmiths; one wagon-maker; one wheelwright, to be furnished and found, annually during pleasure of President; erection of eight patent railway corn-mills in lieu of mills agreed to be built by treaty of 1828; 4,000,000 acres west of Mississippi and perpetual outlet.

December 29, 1835.—Eight hundred thousand acres; all expenses of removal from the East and subsistence for one year after removal; \$600,000 in lieu of expenses of removal and spoliation claims previously stipulated for.

August 17, 1846 (date of proclamation).—One hundred and fifteen thousand dolars bonus; \$27,000 claims.

July 10, 1866, (proclaimed).—Three thousand dollars, orphan asylum; \$10,000, expense of Cherokee delegation to Washington; future expenses of Cherokee Government, salary of officers, &c.

CAN THE UNITED STATES ABROGATE A "TREATY" MADE WITH ITS INDIAN "WARDS?"

Now, Mr. Chairman, there is one more point which I wish to discuss and I am done. Has this Government the right to abrogate treaties, so called, made with Indian tribes? This right has been questioned by some who oppose such legislation as is contemplated by this bill; and I

wish to review, as briefly as possible, the authorities upon this subject.

I have been greatly aided in the preparation of this argument by consulting the speech delivered a few weeks ago in the United States Senate by Hon. J. H. MITCHELL, of Oregon.

The legal right of a government to abrogate a treaty which is distasteful to it, and its moral right to abrogate one which is pernicious to its interests, are pretty well understood; yet it may not be out of place to refer to a few authorities upon this point.

Article VI of the Constitution places public treaties and the laws of Congress upon the same footing, making them together "the law of

the land."

Story, in his Commentaries (volume 3, section 1502), says:

The treaty-making power is necessarily and obviously subordinate to the fundamental laws and constitution of the state.

Again, in volume 2, section 1508, he says:

A power given by the Constitution can not be construed to authorize a destruction of other powers given in the same instrument. It must be construed, therefore, in subordination to it and can not supersede or interfere with any other of its fundamental provisions. Each is equally obligatory and of paramount authority within its scope, and no one embraces a right to annihilate any

Now, it will not be denied that the articles in the Constitution giv-ing Congress the right to make treaties with foreign powers and to regulate intercourse with the Indians are of equal force and that neither can annul the other. They are parts of the same instrument and stand upon the same footing.

The court, in Taylor es. Morton (2 Curtis, 454), said:

It is impossible to maintain that under our Constitution the President and the Senate exclusively possess the power to modify or repeal a law found in a treaty. If this were true no change in a treaty could be made without the consent of some foreign government. That the Constitution was designed to place our country in this helpless condition is a supposition wholly inadmissible. It is not only inconsistent with the necessities of a nation, but negative by the express words of the Constitution. That gives to Congress in so many words power to declare war, an act which the possessities of a nation, but negative by the express at a state of war. It can not, therefore, be admitted that the only method of escape from a treaty is by the consent of the other party to it or a declaration of war.

of war.

To refuse to execute a treaty for reasons which approve themselves to the conscientious judgment of a nation is a matter of the utmost gravity, but the power to do so is a prerogative of which no nation can be deprived without deeply affecting its independence. That the people of the United States have deprived their Government of this power I do not believe; that it must reside somewhere and be applicable to all cases I am convinced, and I feel do doubt that it belongs to Congress.

Attorney-General Akerman, in 1870 (13 Opinions, 357), referring to Taylor vs. Morton, said:

There is nothing in the Constitution which assigns different ranks to treaties and to statutes; both the one and the other, when not inconsistent with the Constitution, seem to stand upon the same level and to be of equal validity; and as in the case of all laws emanating from an equal authority, the earlier in date yields to the later.

Attorney-General Crittenden (5 Opinions, 345), had held similar

An act of Congress is as much a supreme law of the land as a treaty. They are placed on the same footing, and no preference or superiority is given to the one or the other. The last expression of the law-giving power must prevail, and just for the same reason and on the same principle that a subsequent act must prevail and have effect, though inconsistent with a prior act, so must an act of Congress have effect though inconsistent with a prior treaty.

In Foster and Elan vs. Neilson, 2 Pet., 253, the Supreme Court held

Our Constitution declares a treaty to be a law of the land. It is conseq to be regarded in courts of justice as equivalent to an act of the legislature ever it operates of itself without the aid of any legislative provision.

Mr. Justice Field, in the case of a Chinese laborer from Hong Kong, decided by him in 1883, said:

The Constitution of the United States, however, places both treaties and laws made in pursuance thereof in the same category, and declares them to be the supreme law of the land. It does not give to either a paramount authority over the other. So far as a treaty operates by its own force without legislation, it is to be regarded by the courts as equivalent to a legislative act, but nothing further. If the subject to which it relates be one upon which Congress can also act, that body may modify its provisions or supersede them entirely.

The court in the Clinton Bridge case (1 Wool., 150) said:

A law declaring lawful a bridge over the Mississippi River which obstructs the navigation of the river is not unconstitutional because of the treaty with France by which its free navigation is secured.

In the case of "The Amiable Isabella" (6 Wheat., 1), Justice Mil-

ler, delivering the opinion of the court, said:

Courts possess no power to declare a statute passed by Congress and approved by the President void, because it may violate such obligations.

President Hayes, in his message of March 1, 1879, said:

The authority of Congress to terminate a treaty with a foreign power by expressing the will of the nation no longer to adhere to it is as free from controversy under our Constitution as is the further proposition that the power of making new treaties or modifying existing treaties is not lodged by the Constitution in Congress, but in the President, by and with the advice and consent of the Senate, as shown by the concurrence of two-thirds of that body.

During the Senate discussion upon the Chinese question in 1876 Senator EDMUNDS said:

The Supreme Court has decided unanimously more than once, and I think upon perfectly impregnable grounds, that if a law is in conflict with a treaty that existed when the law was made, the treaty, to the extent that the law does conflict it, is abrograted by the general sovereign power of the nation.

The first exercise by Congress of its right to abrogate a prior treaty was in 1798. On July 7 of that year an act of Congress was passed abrogating our treaties with France. It read as follows:

That the United States are of right freed and exonorated from the stipulations of the treaties and of the consular convention heretofore concluded between the United States and France, and that the same shall not henceforth be regarded as legally obligatory on the Government of the United States or citizens of the United States.

Senator Thurman, in the debate above-mentioned, quoting the act of July 7, 4798, said:

There was a treaty abrogated expressly by act of Congress, and on the question of power it does not in the least militate against this exercise of power by Congress that the preamble to this act sets forth divers causes why the treaties ought to be abrogated, and alleges breaches of the treaty on the part of France; because, whether there was cause or not cause to abrogate that treaty, if the Congress had no power to abrogate it, if the power to abrogate it resided with the treaty-making portion of the Government, then no matter what was the cause, Congress had no right to pass the law. But it was not so regarded then. Congress did pass that law; and we have again and again since, and notably in our treaties with the Indian tribes, modified or even put an end to them, according to our own opinion of what was right and proper; and that we have that power in the opinion of the Supreme Court of the United States hes been conclusively shown by the Senator who last spoke on this bill,

Senator EDMUNDS, in the debate of 1876 above referred to, said:

To me it seems perfectly clear that the proposition can not for a moment be sustained, and that it would be ruinous to this country, or to any country, to hold that a treaty can only be put an end to by the negotiation of another; for that would put you completely at the mercy of the party with whom you had negotiated the treaty.

A case still more pertinent to our discussion is the Cherokee Tobacco Case, 1870 (11 Wall., 616). The court held that the act of Congress of July 20, 1868, superseded Article X of the Cherokee treaty of 1866. Article X of the treaty exempts from taxation Cherokee agricultural products. The act of 1868 extended the revenue laws of the United States over articles produced anywhere within the exterior boundaries of the United States, whether the same shall be in a collection district or not." The court held that the act embraced within the operation of its provis-

sions the Indian Territory.

Justice Swayne, citing Taylor vs. Morton and The Clinton Bridge, the two cases to which I referred a few moments ago, said:

In the cases referred to these principles were applied to treaties with foreign nations. Treaties with Indian nations within the jurisdiction of the United States can not be more obligatory. In the case under consideration the act of Congress must prevail as if the treaty were not an element to be considered.

Here we have the opinions of two Attorneys-General, two distinguished constitutional lawyers, President Hayes, and the Supreme Court in Tay-lor vs. Morton, Foster vs. Neilson, and the Cherokee Tobacco case, besides the decisions of Justice Field in the ninth circuit, all agreeing upon the equality, under the Constitution, of an act of Congress and a treaty. We find that we have already exercised this right of abrogation in several cases. Three times we have abrogated our treaties with France: once in 1798, before referred to; again in the case involved in the Clinton bridge; and again in 1804. An act of 1804, erecting Lossiana into two Territories, annuls all grants for lands in the ceded territories the title whereof was at the date of the treaty of St. Ildefonso in the Crown of Spain. Not only this, but we are even now contemplating an abrogation of our treaties with China and the Sandwich Islands, and no one questions our right to do so, and but few the justice and wisdom

In view of all these facts, it does not seem to me that this point needs further argument in order to sustain it.

further argument in order to sustain it.

In conclusion, I wish to say most emphatically that the American Indian is the intellectual peer of most, if not all, the various nationalities we have assimilated to our laws, customs, and language. He is fully able to protect himself if the ballot be given and the courts of law not closed against him.

If our aim be to remove the aborigine from a state of servile dependence, we can not begin in a better or more practical way than by making him think well of himself, to force upon him the knowledge that he is a part and parcel of the nation, clothed with all its political privileges, entitled to share in all its benefits. Our present treatment degrades him in his own eyes by making evident the difference between his own condition and that of those about him. To sum up, my panacea for the Indian trouble is to make the Indian self-supporting, a condition which can never, in my opinion, be attained so long as the

privileges which have made labor honorable, respectable, and able to defend itself be withheld from him.—General George Crook.

To Oklahoma I would apply the words of Mr. Herbert Welsh, the able and conscientious secretary of the Indian Rights Association of Philadelphia (speaking of Senator Dawes's Sioux bill):

The waves of an importunate civilization that can not long be either staid or stopped at the bidding of any man are beating incessantly upon the border of the great reservation. It is the deep conviction of the Indian Rights Association that sound policy now demands the opening of a lawful channel for the advance of this mighty tide. Hesitation at the present critical time invites catastrophe.

The words of Hon. J. G. Cannon, of Illinois, in his speech a few days since upon the Indian appropriation bill, are deeply significant in this

In the onward march of our race, of our civilization, there is no 'ime or place where he (the Indian) can slowly through the centuries grow out of barbarism, retaining his race idenity. If we would not have him perish we must incorporate him into the body-politic, into our race. This can only be done by prompt action, and now is the time to commence. Every year that passes makes the work more difficult; for those white men who believe that equitably they should have homes on these reservations are ever increasing. You may undertake to hold them back month after month, and year after year, but it you hold them back much longer they will, supported by the force of public opinion, which makes and unmakes laws, sweep across the boundary, and tehand of no Congress and no Executive dare stay them, because no "body" that ever existed is more responsible to public opinion than we, the representatives of the people.

Post-Office Appropriation Bill.

SPEECH

HON. PRESTON B. PLUMB,

OF KANSAS,

IN THE SENATE OF THE UNITED STATES,

Wednesday, April 28, 1886,

On the amendment of the Committee on Appropriations relative to foreign mai service in American steamships to the Post-Office appropriation bill.

Mr. PLUMB said:

Mr. PLUMB said:
Mr. PRESIDENT: I do not desire at this time to say very much upon this amendment, but having charge of the bill and to that extent being the organ of the committee I think it proper to state generally what the view of the committee was in regard to it. This is an amendment somewhat similar in its terms and entirely similar in its intention to the provision which was adopted in the Post-Office appropriation bill of last year, and to which the Postmaster-General did not give

It has been widely assumed that the intention is in the first place to subsidize a steamship line, or more than one steamship line engaged in the foreign carrying trade, and for the purpose of maintaining that subsidy idea it is alleged that this amendment is not germane to to the Post-Office appropriation bill, because it does not design in any material way to expedite or give value to the postal servie of the United States, but that its design is wholly for the accomplishment of a com-

For the purpose of the vote which I have already given in committee and for the purpose of the vote which I shall give upon it in the Senate, I do not stand upon a ground other or different from that which I stand upon when I vote to give the Postmaster-General a right to pay whatever price he finds necessary for the inland transportation service of the country, whether that be by rail, by star-route, or by steamboats engaged upon the rivers and the coast waters of the United States.

The people of the United States have been for the last twenty-five

years so engaged in the development of the empire which lies west of the Mississippi River that they have seemed to eliminate entirely from their consideration commercial intercourse of any kind or description whatever with any portion of the world which lies outside of the bounds of the Republic. We spend \$5,000,000 and upward every year for what is called the star-route service, and the amount has been \$7,000,000 in recent years. Nine-tenths of that service in its incipiency is a service which does not yield to the Department a direct return of half its cost. No matter where our people go upon our changing and constantly receding frontier the star-route mail service follows and supplies them. The unbroken prairie of to-day to-morrow has upon it the cabins of a handful of settlers; in some gulch of the Rocky Mountains a new min-ing camp is established, and promptly the mail service is extended to meet the new wants.

The Postmaster-General, whoever he may be, does not stop to inquire whether the service which he puts on, whether it be weekly, triweekly, daily, or double daily, shall immediately return to the Post-Office Department a sum of money equal to the amount expended, but he says in the first place, "Here is a collection of American people who are entitled to be served by the United States mail. I know that the establishment of this service will in time, not next year perhaps, nor

it may be for ten years, but at some time, give back to the Post-Office Department in the shape of increased revenues the expenses which we may now go to beyond the immediate receipts."

These new lines quicken the entire service. The New York people, for the purpose of magnifying their importance with reference to the postal-revenues of the Government, point with a great deal of pride to the fact that the receipts of the service in that State are much greater than the expenses; but there is not a hamlet in the United States which does not contribute to the sum which New York receives. Every new post-office established in Arkansas, in Kansas, in Colorado, or anywhere else in this new region of country, with its corresponding mail-route, stimulates the sending of the mails from New York city, and from all Eastern places, and, in fact, from all portions of the United States.

Looking further in this bill we find an item of \$500,000 for the trans-

portation of mails upon the inland waters of the United States. That service is put on in the same way without any calculation whatever as

to the ratio between expenses and receipts.

These methods concerning internal transportation of mails has been going on for a generation. During that generation millions of people have sought new homes west of the Mississippi. Occasion has arisen for railroads, for school-houses, for bridges, for agricultural implements, and by means of this occasion there has been work for American laborers in American manufactories. There has been given to all branches of trade and commerce life, permanence, and profit, which without this extension of the settlement of the country it never would have had. The Post-Office Department looking at this thing from the postal standpoint alone has been ministering to all this growth, to all this improvement, and to all this extension of the business of the American people by the establishment of mail service upon the rivers and upon the prairies which for the time being outran the receipts from that service. This amendment is for the purpose of doing for American residents in foreign countries and for the people who do business upon American

in foreign countries and for the people who do business upon American soil with foreign countries precisely what is being done every day for the people of the United States with reference to their business with

each other upon American soil.

Mr. BECK. I am anxious, and I know the Senator from Kansas is, to have this question fully presented. If he will allow me just a moment, I will say in the line of his present argument that one of the serious objections I have to the amendment is that it looks to crippling and curtailing the postal service rather than advancing it. I am speaking in perfect good faith, not to make any objection, when I say that in all matters relating to the postal service in our great country west of the Mississippi and in the great Territories, where it is carried on at a loss, we are looking simply to the most efficient, the quickest, and the cheapest service. We do not care whether the locomotive was made in London or Berlin, whether the wagon was built in New Jersey or in Paris. Now, we are seeking to pay service for American-built ships that may take twice as long to deliver the mail which we seek to send as other ships on other lines, and we are preventing the Postmaster-General from using the fastest, the best, and the cheapest means of reaching our people at home or abroad. That is the point to which I desire to call the Senator's attention as one of the objections which I shall make to the amendment.

Mr. PLUMB. The Senator from Kentucky seems to say as expressing his own opinion, although he may have been doing it simply for illustration, that he did not care whether the cars and the wagons which carried the American mails of which he has spoken were manufactured by British manufacture or American manufacture.

Mr. BECK. I meant to say that our present law does not prescribe

where the conveyance shall be built.

Mr. PLUMB. I was going to say that I do very much care. I am desirous, so far as I can aid in it, that whatever instrumentality the Government of the United States puts in motion for the accomplishment of any of these purposes shall be an American instrumentality. Take the case which the Senator from Kentucky mentioned. Sup-

posing it to be true that at this present moment of time there is not plying between American and foreign ports named and intended to be covered by this amendment American-built steamers which are as swift and which ply as frequently as British steamers do between the same ports, I think the policy of the Senator from Kentucky would continue that disparity between American and foreign steamers. If I had my way about it I would adopt a plan which would reverse the relations now existing, and which would make the ocean service, by means of American ships, more swift, more frequent, and more fully answering all the purposes of our foreign commerce than the ships of

any other country could possibly do.

But I was proceeding to say that this amendment is fashioned, and so far as my support is given to it it can be given and will be given upon the basis of that which we are doing to-day, as we have done in all times heretofore with reference to the inland service of the United States. I believe that if the service between New York and Rio, the Argentine Republic, the River Plata, and all the ports of South America should be quickened it would result in increased revenues to the postal department. I believe that it would be bread cast upon the waters with as much certainty of return as the Department has ever cast it upon the waters in the star-route service.

All modern business is done upon the basis of expedition and con-Men will not go around two sides of a triangle to go to Brazil to do business as obviously as they would if they could go across one side of the triangle and thereby accomplish the same purpose. require our business to go from New York to Rio or to any other of the ports of South America via Liverpool is to interpose a barrier which is practically fatal. The whole sum and substance of accomplishment in a business way for the last thirty years has been to contract time and space, because in doing so you not only contract the cost but because you have adapted yourself to the increasing ambition and determination of the people to bring all their ventures within the smallest possible The merchant in Saint Louis who should be content to get his goods within the limit of time which twenty years or even ten years ago amply suited his purpose, would to-day be left in the race. So whenever we do business with foreign ports and peoples we must do it upon a scale which will be sufficiently quick and frequent to meet modern conditions.

That the Senator from Kentucky will say I have no doubt trenches upon the commercial side of this question. So it does, but while it trenches upon the commercial side it is still carrying out the postal idea, because just as we say when we give the service to a new town in the West, we know that there will follow it merchants, lawyers, doctors, and everything else that comes as the concomitant of settlement, production, and town-building there or elsewhere, making trade and commerce, and that trade and commerce gives revenue to the Postal De-So if we can multiply by one or two or ten fold the carrying trade, the commercial transactions existing between this country and South America, we will have multiplied not only one but ten fold the revenues of the Postal Department, and thereby will bring back to that Department the same returns upon a like investment which it receives now by reason of the extension of the inland mail service of the

I do not see why the Senator from Kentucky above all the Senators on this floor should seem to be so fearful that we shall do something to stimulate the communication between this country and South America and other foreign countries. That Senator supported on this floor as I think, in fact it almost went without opposition, the proposition to give \$1,600,000 to establish an exposition at New Orleans for the sole and only purpose of stimulating and building up our trade with South and Central America. Yet when it is proposed to give only one-half of that sum to get a better American steamship service than we get now, whereby our mails and the productions of our fields and shops may be carried to South American markets under conditions which give them a fair chance there, it meets with an opposition which is to me a great

Is there any good reason why the mails to South and Central America and to other foreign countries with whom we have trade relations which we desire to extend should not be carried in American steam-Why should not our facilities for this business be as adequate as those of Great Britain and other countries? Why should we cling to our theory of isolation, the theory which cuts us off wholly from communication and from trade with other countries, when with a little effort we may enter into that trade with great chances of success? I do not know that the proposition that this mail shall be carried by American steamships has anything to do with it, but there seems to be a very great complacency over the fact that the bulk of our mails is now carried by foreign steamships; and it seems to me that we have been pursuing a policy of non-action which is going to make the dis-parity between American steamers and those of foreign build in the

ocean carrying service greater than ever, and always to continue.

It is no satisfaction to me to hear, as I do very often from our people returning from abroad, that they never see an American flag flying in a foreign harbor. It is no satisfaction to me to know that our minister to Rio goes to Liverpool in a British vessel and from Liverpool to Rio in another British vessel because there is no adequate regular communication between New York and Rio by means of an American ship. should be glad to have it otherwise. I should be glad indeed if in the direct line of this appropriation, in the line of increasing the facilities and the revenues of the postal service, we could in addition help to build up an American line of steamers between New York and those ports and between other of our domestic ports and foreign ports.

As I said, we have given ourselves over so wholly to internal affairs, we have rejoiced so much in the acquisition of the great wealth which has come from the development of the West, that we have ceased to include within the objects to be accomplished by the American people any extension whatever either of influence or trade into foreign coun-We have given up supinely the trade of Mexico to Germany and to Great Britain. We have refused to meet half way the republics of South and Central America, who have for many years past subsidized lines of steamers to New York, hoping thereby to get some good-will and some reciprocal action upon the part of their older brother of the North American Republic. We have even refused to meet half way the Pacific colonies of Great Britain in the same line. We are getting today nearly a hundred thousand dollars profit for carrying the British closed mails from New York to San Francisco, where they are put upon a line of steamers subsidized by the Australian colonies to run from

San Francisco to Melbourne, a subsidy which we have refused to meet by doing anything to keep up the same line. And now Great Britain and Canada combined have subsidized with a great sum, stated as being a million dollars per annum, a line of steamers to ply between Vancouver and the ports of China and Japan. It will only be a short time until the British closed mails, in place of going by American railways across the continent, will go by British railways to meet at Vancouver British steamers, which will carry them to their destination, and the line to San Francisco be a thing of the past, and along with it will disappear American trade with the Australian colonies and the other Pacific islands. The preparations at Vancouver, the urgency which has been manifested in building the Canadian-Pacific railway, the great subsidy already granted to steamships, shows the British determination to not only maintain ascendency in the Pacific Ocean commerce but to take bodily possession of the whole of it.

Millions for trifles, a constant increase of salaries, gifts, and donations everywhere, anything and everything for internal affairs, and nothing, not even wise prevision, we do not even do that which we could do without money and without price, for the purpose of extending our influence beyond our borders, for the purpose of opening new markets for American labor, for American capital, and for American

enterprise.

Mr. President, the loaf will not for a long time be perceptibly larger. Those who may rightfully claim a share in it are growing in numbers There is room enough on American soil for more people, every day. but they will not readily come down to the Chinese theory that the survival of the fittest means the survival of those who can live upon the least. The American people are not yet ready to come to that nor to that condition of things in which a bare livelihood comes as the result of labor and enterprise. They want new fields for their enterprise, they want opportunity for their genius and their skill, and they will not always have it at home. We have carried forward the great enterprises which have engaged the attention of our people under great pressure; and as the great floods of the Mississippi, when they come down as the result of the melting the snows in the mountains, leave wrecks behind, so the forward movement of our great national enterprises leave wrecks of hopes and fortunes to mark its course. These great monuments have added greatly to the wealth of the American people and on the whole have been beneficent, but they have their un-

people and on the whole have been beneficient, but they have their undertow and reaction of personal misfortune.

Instead of gathering them up we float them off the shores and bars by new forward movements, which give new opportunities in new fields. We are not yet ready to sit down as with completed fortunes and a mission that is ended and adjust ourselves to a state of affairs in which there are to be no gains except the modest ones which come from traffic in old and well-worn fields. That means the settlement of delicate, difficult, and perhaps dangerous questions now which can well be postponed and which may be forever removed by the opening of new

fields for our enterprise

It is just as well while the field is open to us and we have the op portunity and our people are willing to engage therein that we should give opportunity for them to get into the neighboring States and places which are waiting for the touch of skill and capital to bloom into new life. If the Government had engaged in building the Nicaragua Canal there would have been now an American colony extending from the Gulf of Mexico to the Pacific along its line, and millions of the American people would have engaged in enterprises in Central America with profit; there would have been new fields for labor, for enterprise, and for capital. That opportunity was thrown over our shoulders.

All South America to-day is anxious, hungry even, for rapid commu-

nication with the United States, anxiously waiting and watching and hopeful that we will so order our affairs that they may trade with us as

they trade with other people.

Everybody who speaks of this question with intelligence, every one who approaches the consideration of this subject fairly and thoroughly, agrees that the one thing more than anything else which we need is that we shall have frequent and rapid communication with the South American republics. But conceding this it is asked, why not have this communication by means of foreign ships as well as with those of American build, why not hoist the American flag over the ships built on the Clyde from iron ore taken out of British soil, manufactured and put into shape by British labor? We can thus get cheap ships, and I have no doubt the Senator from Kentucky will say that with foreign ships we can get a cheap service; but, Mr. President, service of that kind will not bring business to American mechanics or American merchants as it would if it were carried on in ships manufactured by American mechanics out of American material. Is ship manufacturing to become a lost art among the American people? With more seacoast than any other country in the world, are we to be the only ones that man no ship the result of our own skill and of our own material? If I had my way about it, I would never permit the American flag to be hoisted over a ship that had in it other than American material or which was the product of other than American labor.

of what its people are, of what the country is, of the productive skill which comes of free institutions. I know we can buy ships in Great Britain and in France cheaper than we can build them. There are hundreds of them to-day in the various harbors of Great Britain that are for sale, some old and some new. Many of them can be bought perhaps at a price that would be the price of old iron, and the value of them probably would not be much greater. Who wants to have them purchased to engage in American trade and to fly the American flag?

I would like to ask the Senators who sit on the other side of the Chamber and who rendered gallant and faithful services to the confederacy under arms, if they want to vote money to build up British shipyards by buying British ships over which the American flag is to float? If I have read the history of the confederacy aright, I should think that the men who fought that valiant fight and who went down after four years of such struggle as the world never before saw, had more occasion to despise and hate Great Britain than any other people in the world. She promised the confederacy that which kept it alive with hope, and she broke her promise as she always does when it is her interest to do so. She was the friend of the confederacy in the time when it needed the encouragement of that friendship to stimulate it with the hope necessary to inaugurate the desperate struggle; and when it was entered upon, when it had assumed its bloodiest phases, when there came the Macedonian cry for that help which had been promised, she basely deserted you. What true confederate would vote to fly the American flag over an English-made ship, the representative of English capital and skill?

At the close of the war there was a sentiment in the South against Great Britain growing out of her heartless treachery which looked as though it would never be appeased except with blood. The North also had a quarrel with Great Britain growing out of the war, and there was a feeling well nigh universal that war was necessary to appease the wrath of both sections, now again united. The veterans of the South were desirous of joining their late antagonists of the North in a bloody

punishment of the foe of both.

This sentiment was kept in abeyance by the trouble of reconstruction under Andrew Johnson; but the feeling was only dormant, and when Grant became President the old feeling broke out. The Alabama-depredation claims were unsettled, and a war could have been easily brought about. I say now what I have said over and over again elsewhere, that I think it was General Grant's greatest title to fame that he, a soldier, opposed the war feeling, said in substance, "No; we will have no war until we have exhausted every effort for peace. There has been war enough in this generation." The Alabama commission followed, and war was averted. The sentiment of the country, North and South, would, however, have justified it, and I know that of those men who reflect to-day as every day upon the glories and the woes of the confederacy not one of them does so without bringing to his mind a recollection of the fact that Great Britain at that time was your foe where she had promised to be your friend.

Mr. BECK. Will the Senator from Kansas allow me to call to his

Mr. BECK. Will the Senator from Kansas allow me to call to his recollection the fact that General Grant as President of the United States, when the Franco-Prussian war broke out, sent a special message to Congress insisting that Congress should authorize a free registry for foreign-built ships, in order to carry on American trade during the embarrassments we should be under when France and Germany went to war with each other, and he urged it with great power.

Mr. PLUMB. The circumstances then and now are entirely different. At that time it seemed as though two great powers, great in a maritime way as well as great on land, were about to devote all their energies to war. Naturally President Grant wanted the United States to take advantage of a condition of things in which the merchant marine of both those great nations would be weakened if not destroyed to build up its own. To do this might require sudden effort, and hence the proposition that we should permit our own people to give American register to foreign-built ships. But I think the proposition was a mistake, for the result would have been not that Americans would have been given American register and thus avoided capture, while the ownership would have remained the same.

Whoever votes to put ships built in foreign yards under the American flag and under American register votes in substance that there shall be no American ship-yards, votes that ship-building shall be a lost art among American mechanics, and votes that the American people shall be dependent always in time of war and in time of peace upon foreign ship-yards for everything that may be necessary for commerce or war upon the sea.

And, Mr. President, we shall not get an American navy merely by building American naval ships. We shall only get an American navy by building up an American merchant marine. We have given hundreds of millions, an enormous sum certainly, for the purpose of subsidizing railroads and other instrumentalities of intercourse and development on American soil. We have built up this great interior space; we know now what every acre of soil will produce; we have a system of railroads that enables us to bring the products of those acres to any or all points upon the Atlantic or the Pacific coast cheaply and quickly. No nation can get all its producers to one point as completely as the American nation.

One per cent. of what we have done for that purpose—a purpose that I do not belittle, a purpose that was vital to the growth and development of the American people—will give to us supremacy upon the sea. I said here two years ago that the time was near at hand when the young men of New England would not hereafter, as heretofore, inevitably go to the West; that there would be a turn in the tide, and that shortly the old feeling would lead the adventurous youth of New England as they looked out upon the sea to think of the islands in it and of the foreign countries beyond, in which they could find fruitful fields for their enterprise and their skill, and that we were on the threshold of an outward development which would be the equal of the great internal development of which I have spoken.

But, Mr. President, when you seek to turn a stream in a new direction you have got to cut the channel to give direction to it. Capital is not going into new enterprises at home as freely as formerly. The field is not as free from competition, nor is there the room for new, long lines of railroads. There are no longer opportunities for building railroads five hundred or a thousand miles long; and the short lines are being built by existing companies as feeders to their main lines. The great enterprises absorbing large amounts of new capital and opening new fields for speculation are things of the past, comparatively. It is the day of minor things, comparatively speaking. And now here lies Mexico on one flank and South and Central America upon another, our next-door neighbors, the places where if at all we are to have a foreign trade commensurate with our abilities to supply it. Let the Government do a little something; let there be something of the spirit which animated the Government in its determination to have the Rocky Mountains traversed by a railroad and to thereby have the two great seas bound together with iron bands and we shall fill every plain and every valley of Mexico and South and Central America with settlers and thereby make markets for all American products and give ample opportunity for American enterprise and ambition.

If the Democratic party to-day was the Democratic party of forty years ago, if it was the Democratic party of the Monroe doctrine, there would be no halting and hesitating here about this or about measures involving ten times the expenditure that is proposed here if found necessary; but the Democratic party of to-day is not the Democratic party that in former days had so much to say about its devotion to the Monroe doctrine. Instead of that it is here objecting to any means of communication being established which shall bind to us the south half of the American continent. We see it objecting specially that there should be any carrying of American mails in American ships.

This work, according to modern Democracy, is to be done for the American people by foreigners in ships built in foreign ship-yards. Eight hundred thousand dollars! We vote away without a yea-and-nay vote, without a single response from either side of this Chamber, bills expending millions of dollars for objects of luxury, stale claims, increasing salaries, libraries, monuments, so-called scientific work designed primarily to create places, things which give neither wages to labor nor opportunity for enterprise, and \$1,600,000 for an exposition in New Orleans in the hope that the sluggish currents of life in that locality might be awakened to the opportunity offered by its proximity to Mexico and Central America to do something for our trade with those people, and yet a proposition to appropriate half that amount in such a manner as while legitimately adding to the efficiency of the mail service will also stimulate the building of American ships and the extension through their agency of our trade and commerce, the Democratic party shivers from center to circumference.

While we have been debative chanter to the efficiency of the while we have been debative chanter to circumference.

While we have been debating about questions of minor importance Germany has taken bodily possession of the Mexican Republic. I have it from an authority which is not to be disputed, and which if I were to name it would not be disputed, that there is great danger that the Mexican Central Railroad, extending from El Paso to the City of Mexico, built by American capital, will pass into the hands and under the control of British and German capitalists. I would not blame the patriotic people who built that railroad if they sold it to whoever would buy. The United States Government has manifested no interest in the enterprise or any indication of its intention to protect the Americans who built the road from unjust and illegal treatment by the Mexican Government. It is not strange, therefore, that the Mexican Government has taken away the subsidy granted to the road and otherwise violated the contract under which the road was built. They know they can do this with impunity, and judging the future by the past, they can go further and destroy or take possession of the entire property whenever they see fit without risk of interference from our Government.

Before this session is over we shall tumble \$5,000,000 into the Mississippi River to be washed out and every sign of it disappear during the fiscal year for which the appropriation is made. We shall put further millions into little creeks where nothing but a possibility of towboat navigation ever existed or ever can exist, rather than to navigate the free ocean in search of the trade that is waiting and auxious to come to us and the coming of which will enable us to keep on in that same scale of improvement and development which has characterized the last twenty years of American history.

last twenty years of American history.

Mr. President, I had not designed to enter into this subject at this

length. I stated in the outset what I repeat, that I can justify my vote for this measure upon the narrow ground that it will return certainly within a brief period of time to the Postal Department all the dollars we spend just as certainly as we get them back from the investment of money in the star-route service. Is there any man who believes if while we are doing that we are bringing the Central and South American states nearer to us by means of American ships commanded by American officers and manned by American seamen, we shall not thereby open wider and make more permanent the channels that will carry increasing quantities of goods of American manufacture into those waiting countries? It is because of the fact that this result is likely to follow this expenditure that opposition is made. I am glad myself to support it upon the narrow ground that I have stated, and more so because of the incidental but great results which I can see will follow in the extension of the trade in our manufactured goods and food products. This may not be the best opportunity that will present itself, but it should be taken advantage of.

Business depression exists with us as all over the civilized world. slight addition to our trade would relieve us and give employment to all our idle labor. We can do this while holding firmly to our home market, the greatest in the world. We are comparatively free from debt, without the necessity of keeping up a great army and navy. Our people are vigorous, enterprising, ingenious, practical. They are capapeople are vigorous, enterprising, ingenious, practical. They are capable of competing successfully with any other people in the world upon conditions at all equal. Why should not the Government with the resources drawn by taxation from all expend a reasonable sum in establishing the same mail service between our own ports and those of our nearest neighbors and who desire to trade with us and generally accommodate themselves to our wishes and interests? Why should we not at least enter upon this field and do something to relieve the bur-dens that exist here and lay the foundation for a larger and broader and more profitable and more hopeful future than we can ever expect to have if we continue the policy of isolation heretofore practiced?

Oleomargarine.

SPEECH

OF

HON. JOHN T. HEARD.

OF MISSOURI.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 3, 1886,

On the bill (H. R. 8328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine—

Mr. HEARD said:

Mr. SPEAKER: It is not my purpose at this late stage in the consideration of the bill now pending to attempt a general discussion of its provisions; but in view of the wide variance of opinion held by those who respectively favor and oppose it, and preferring to state for myself the reasons which control my action thereupon rather than to have them supplied for me by those who differ from me, I shall briefly state my reasons for supporting the measure.

In examining this subject there are two foundational questions to be

considered, the determination of which by each member for himself must control his individual action. Those questions are: First, is the proposed legislation constitutional; and, secondly, is it necessary? Holding for myself the affirmative on both these questions, I shall un-

hesitatingly support the bill.

In support of my position on the first of these two propositions I shall confidently refer to the decisions of the Supreme Court of the United States, especially that in the case of the Veazie Bank vs. Fenno (8 Wallace, 533), referred to in the report of the committee on this bill and also by the gentleman from Georgia [Mr. HAMMOND] in his speech in opposition thereto. In that decision the court declares that the subjects to be taxed and the extent to which they may be taxed is a matter resting in the discretion of Congress alone, and that "the power to tax may be exercised oppressively upon persons, but the responsi-bility of the legislation is not to the courts but to the people by whom its members are elected."

Then, Mr. Speaker, it being established by this unquestioned authority that Congress has the power to lay taxes upon all taxable objects which it may select for the purpose of raising revenue, and further that such power may be exercised to whatever extent Congress may decide to be proper; and it being admitted, as it is on all sides, that such action on the part of the legislative branch of the Government is not subject to revision by the judicial, it results that if this is a bill to raise revenue Congress has full power over the subject, and that the exercise of such power in nowise conflicts with any constitutional lim-

speech in opposition to this bill, concedes the correctness of this position as to the law of the case; and bases his opposition to the measure upon his denial of the fact that the object of said bill is to raise revenue. Now, Mr. Speaker, if the courts of the country in construing legis-

lative acts are bound by the face of the statute which they interpret, and can not, as they hold, pass beyond the text of a law in an attempt to penetrate the chamber of the law-maker's mind to ascertain and declare his meaning otherwise than as expressed in his act, I respectfully submit that it is not the province of any gentleman on this floor, while conceding that the objects expressed in the bill under consideration are legitimate and clearly within the limits of the Constitution, to assume to go beyond the language of the measure and declare for it a purpose of a different and more objectionable character, and to supply to those who favor the bill motives other than those which they avow.

I say to these gentlemen, with all due respect, that for myself, and view of my responsibility to my constituents and of my conceptions of the obligation of my oath to support the Constitution, I shall exercise the right to interpret the language of this bill for myself, and will absolve those who differ from me in that interpretation from all responsibility for my action. If, Mr. Speaker, I were willing to accept the position to which the unfair judgment of these gentlemen would assign me, and were ready to admit that this is not a bill to raise revenue, I could not dissent from the conclusions reached by them, and I should feel compelled to vote against the bill; for I hold, with them, that the use by Congress of any power conferred by the Constitution for any given numbers of a different chieft, would be given purpose, for the accomplishment of a different object, would be wholly unjustifiable; and for Congress to use the taxing power given by the Constitution for the purpose of destroying any legitimate industry, the product of which only was nominally sought to be taxed, in order simply to build up another, would be a flagrant abuse of that power and violative of the spirit of that instrument.

But again calling attention to the fact that the opponents of this bill all admit that it contains no provision which interpreted by the ordinary and accepted rules of interpretation conflicts with the Constitution, and that therefore their opposition to said measure proceeds from their objections to some purpose suspected for but not appearing on the face of the bill, I now proceed to explain why this measure is not necessarily calculated to destroy the industry of making imitations of butter, but is calculated to produce for the use of the Government some revenue by the taxation of an object that can well bear it, and placing the manufacture of the same under proper and necessary regulations. Assuming that the object of the bill is to raise revenue, the propriety of its enactment depends upon three conditions, namely: First, does the Government need the revenue? Secondly, will this object of taxation bear the tax proposed? And finally, does the character of this industry make it necessary and proper that such taxes should be collected by the machinery proposed in this bill?

With reference to the first condition, do we need the revenue, I respectfully refer to the last report of the executive head of the Treasury Department, in which it will be seen that at that date his estimates of the probable expenditures of the Government for the next fiscal year would absorb the anticipated receipts, and leave a deficit of \$24,000,000; and to this we may add, as the result of legislation had since the date of said report, at least \$6,000,000, which must also be

provided for.

We are told by some of the opponents of this bill that we should not rely upon this estimate, for the reason since it was made the receipts of the Government have exceeded, while the expenditures thereof have fallen below the amounts fixed for them respectively in said estimate. This variance from the estimate may be true, but if so it only shows that the ever-changing conditions of the business of the country makes it unsafe to disregard the conservative margin fixed by the Secretary of the Treasury as the result of his best judgment based upon the experience of the past applied to the prospects of our near future.

It is estimated by the Committee of Agriculture of this House, whose report is before us, that the extent of the manufacture of these imitations reports before us, that the extent of the manufacture of these imitations of butter reach 200,000,000 pounds per annum; and therefore, should the production continue in the same volume, and the tax be fixed at 8 cents per pound, as now provided in the bill, and the entire product become taxable and pay the tax, the revenue to be derived from this source would be \$16,000,000, less the cost of its collection. I think, therefore, that it is safe to assume that the revenue to be raised by this measure may be needed to meet the ordinary expenses of the Government; but even if it should not be, if it be just to tax this product as proposed, and necessary to do it by the means proposed, the prospect of the accumulation of money to be derived from this source to be held idle in the Treasury need not be alarming, in view of the fact that we have a large interest-bearing debt on which any surplus may be applied.

Advancing next to the examination of the second question, Will the object proposed to be taxed bear the rate of tax proposed in the bill? I submit that I think it has been clearly shown by the evidence presented to the committee and referred to in their report that the affirmative of this proposition can easily be maintained, and it is a significant fact that not one of the opponents of this measure has shown or attempted to show the contrary to be true. Instead of their showing The distinguished gentleman from Georgia [Mr. HAMMOND] in his | that the effect of the legislation proposed would be to destroy the oleomargarine industry, they content themselves with charging that such is the object of the advocates of this bill.

It is shown by competent evidence that the average cost of this product is about 7½ or 8 cents per pound, and that the average retail market price to the consumer is about 26 cents, leaving between the cost of manufacture and the price paid by the consumer the extraordinary margin for profit, less the cost of handling, of about 18 cents per pound, or more than twice the original cost. Deduct then from this margin 2 cents for the tax proposed, and 2 cents to cover the cost of obtaining special license to deal in the article, and you still have

left 8 cents, or 100 per cent. on the original cost.

But, Mr. Speaker, I wish to be distinctly understood in the position, that if 8 cents per pound is a greater tax than the business, conducted under the proper and necessary surveillance of law, will fairly stand, then let the rate be reduced; but in justice to all concerned, let it be all that it will stand. As a Democrat, and one opposed to the doctrine of "protection for protection's sake," I do not intend to commit myself to the support of any measure which avowedly, or otherwise, is based upon the claim that it is the duty or the right or within the proper exercise of the power of this Government to destroy any legitimate industry in order, simply, to build up or maintain another.

But I do hold that it is a necessary and inevitable result of all such But I do hold that it is a necessary and inevitable result of all such taxation that an incidental protection is given thereby to such kindred industries as may escape the tax levied; and I desire to say, Mr. Speaker, that in this case—not admitting in the first place that the manufacture and sale of oleomargarine, as at present conducted, is a legitimate industry—the incidental protection which may result to the lanquishing dairy interests of the country, is such an one as I think clearly comes within the range of constitutional authority as declared in the platforms of the Democratic party, and practiced in the legisla-tion of all the political parties which have ever controlled this country. Not basing my support of this bill upon the right or duty of Congress to legislate against any interest, or for the encouragement of any industry, any further than may result from an attempt to lay taxes so as to justly equalize the burdens of the people, and protect them when-ever practicable against imposition and fraud, I do not hold it to be pertinent to my discussion of this measure to inveigh against the character of the product which we propose to tax, any further than to justify fully those features of the bill which have been, from some quarters, so vigorously denounced on account of their inquisitorial features

For my part, Mr. Speaker, while I appreciate and regret the inconvenience and the evils necessarily incident to this character of laws I still realize that there is a certain character of legislation that can not well be dispensed with, and yet from which this disagreeable feature can not be eliminated. I confess that, while I would, were it practicable, rid all our laws of this objectionable incident to their execution, still, sir, I am unwilling to change, as against the interest of the whole people, the substance of these laws—I mean, of course, the "internal-revenue laws"—in order to dispose of the disagreeable form of the same. I believe that since the Government must have revenue it is proper and right that a liberal part of such revenue should be collected from whisky, tobacco, and oleomargarine, if you will, instead of relieving those articles from taxation at the expense of the actual necessaries of life.

It has always appeared to me, Mr. Speaker, that the intensity of a man's objection to the form of these laws was materially affected by the effect of the substance of such laws upon his individual or representative interest. As a rule I think we find the great objection to and pressure in favor of the repeal of the internal-revenue laws comes from these two sources—first, the man who now pays the tax which said laws impose; and the other fellow, who wants the Government to remit the

impose; and the other fellow, who wants the Government to remit the tax thus imposed, so that it may become necessary to raise the tariff so as to more fully protect something already protected.

Gentlemen talk about repealing the internal-revenue laws and taking the tax off of whisky and tobacco, and offer amendments to this bill looking to that result. I respectfully ask the advocates of such views how they can justify a proposition which necessitates either one or the other of two results—either that we neglect to provide the means to meet the obligations of the Government, or that the \$115,000,000 now collected from these suppose shall be put as an additional burden on collected from these sources shall be put as an additional burden on the food and clothing and other necessaries of life already taxed by our

present tariff at the rate of 47 per cent.

But, Mr. Speaker, I have no intention of discussing further the merits of or necessity for the continuance of our present internal-revenue system, or going further into the consideration, collaterally, of that subject, but simply desire to say that if one-half be true that is told of the impurity of the compounds we now seek to tax we need not scruple at imposing upon their manufacture the most vigorous exactions which the application of this system may render necessary with reference to watching the processes and results of such industry in all their various

Reaffirming my dissent from the doctrine that it is within the scope of the legitimate exercise of the taxing powers of Congress to purposely and needlessly cripple or destroy any industry not prohibited by law, State or national, in order that some other industry may be benefited; and yet, defending the position that it is the necessary result of the imposition of such taxes that some incidental protection will ensue, and that such result can not be and in this case should not be avoided, I

am frank to say that this bill, being to my mind free from objection on constitutional grounds and commending itself to my judgment on grounds of public policy, is all the more acceptable to me because it may yield indirectly a benefit to the important but depressed dairy in-

dustry of the country.

In that industry about six millions of people are directly engaged, and almost the whole thirty millions of our agricultural population are more or less interested. That by reason of the manufacture and sale of imitations of butter, which are almost invariably fraudulently sold as butter, the dairy interests have been most unfavorably and unjustly affected, there is no contention or doubt; and I think it is the duty of Congress, as a measure of public conscience and right between the promoters of this original and honest industry and that of the imitators of its wholesome products, who are amassing fortunes at the expense of said industry by counterfeiting its products, and thus displacing the same in the markets of the country, to so shape legislation as to secure to the one what it has been despoiled of by the other, and make the inferior article sell under its own true name and character and to pay all the expense necessary to the accomplishment of that result.

Evidence is before us to show that, as the result of this fraudulent interference with the business of the dairy by the manufacturers of these imitations of butter, the export demand for our dairy products has been almost destroyed, while through the apprehension of would-be consumers at home that genuine butter can not be had in the general market, the ers at home that genuine butter can not be had in the general market, the domestic demand has also and correspondingly been crippled; that the dairymen are no longer able to profitably keep their herds; that in Chicago alone, in the last year, 300,000 milch cows were sent to the slaughter; and that within the last few years the value of the milch stock in this country has by these causes been reduced \$150,000,000.

Let it be understood, Mr. Speaker, that the class of our people to whom these cows belong is now and always has been burdened by the exactions of high-tariff laws, which in the last year averaged 47 per cent. on every dutiable object which they bought, in order that more favored classes might prosper.

favored classes might prosper.

While the burden inflicted by the wrongful and fraudulent manufacture and sale of these imitations of butter oppresses six or seven millions of our people directly, and indirectly affects nearly the entire thirty millions living by agriculture, the millions of dollars profit derived from these frauds upon an honest and important industry accrue to a small number of rich manufacturers whose very processes of counter-feiting are covered and protected by letters patent issued by this Gov-The statistics bearing on this subject show that not over three hundred and fifty manufacturers, big and little, are engaged in the oleo-margarine business; and that less than one hundred firms produced over seven-eighths of the entire product. Further, that some fifty-eight difseven-eighths of the entire product. Further, that some nity-eight dif-ferent patents have been issued by this Government licensing the pat-entees to counterfeit the genuine dairy product of the country, but ef-fectually protecting the respective counterfeits thus authorized to be produced against interference from the products of other ingenious counterfeiters in the same line. The counterfeits are thus protected by the strong arm of the law; but the genuine alone is lawful prey for the cupidity and frequent dishonesty of those who see fit to engage in counterfeiting it. Is it to be told to the millions of agriculturists who are thus being wronged with the sanction, and under the license of this Government, that Congress can give no redress against wrongs being perpetrated under laws of its enactment? Let me say that no such answer will be or ought to be received by them.

In the name of these people, and as a measure of justice to them, I demand that we now place upon these nondescript products, by the fraudulent manufacture and sale of which so great loss has been inflicted on an honest and once prosperous industry, that rate of tax which, in the judgment of Congress it can and ought to bear, in order that the proper burdens of the Government may be more equitably distributed among the different classes of our people, and that the public may be protected against the fraudulent manufacture and sale of products deleterious to health, under the good name and character of the honest product which they simulate to destroy.

These millionaire manufacturers of this counterfeit product seek to invoke in their interest the name of the poor people of the country.

invoke in their interest the name of the poor people of the country, claiming that the imitation stuff, sold in the name of genuine butter, is sold cheaper than the genuine, and that therefore it is in the interest of the poor that its unrestricted and untaxed manufacture and sale be permitted to continue. This claim is false and dishonest; for ninety-nine times out of a hundred this counterfeit is sold as butter and at the price of butter, or else it could not be sold at all.

The poorer classes in America buy such food as they may be able to afford, but it is not their habit or desire to buy unwholesome food at any price; hence, with the prejudice which obtains against these counterfeit products with all classes of our people, there is not at present a willing market for them with any class. But, Mr. Speaker, if anything can fit these products for competition with the genuine products of the dairy and make them acceptable to our people as wholesome food it will be the confidence inspired by the enforced attention to and observance of such regulations governing their manufacture as it is the purpose of this bill to compel, and as will by said measure be made possible.

The friends of oleomargarine on this floor contend that said product

is honestly made and sold according to character, and not as butter. If so, the provisions of this bill do not affect it, for it is aimed at the dishonest manufacture and sale only; and if their statement be true the manufacturers of this product will be benefited instead of injured, because the advantage resulting from the possession of the Government's certificate of the purity of the goods offered for sale will more than compensate for the tax required by the Government in the form of license for its manufacture or sale.

In conclusion, Mr. Speaker, I would say Congress has full and unquestioned power to enact this legislation, and it is not only justified under the conditions existing, but is demanded by a sense of duty to

the public, whose trusted servants we are.

Rivers and Harbors.

SPEECH

HON. RICHARD P. BLAND.

OF MISSOURI.

IN THE HOUSE OF REPRESENTATIVES.

Thursday, April 15, 1886,

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BLAND said:

Mr. SPEAKER: The improvement of the rivers of this country as a means of cheap transportation is of vital importance to the producers of all exportable products. In this lies the only, or at least the most effective, check on the exactions of railroads. The competition afforded by our rivers with the railroads of the country should be encouraged. For our Western country the improvement of the Missouri and Mississippi and their tributaries is of the utmost importance.

It has been proclaimed for us by the protectionists that a policy of high tariff would give to our farmers a home market for their breadstuffs, meats, and other commodities, but to-day we find that this protective system has broken down, our home market ruined. tective system has been used to stimulate industries of that kind, and the operators of this system, while professing to be the friends of the laboring man, have cut his wages to the lowest point; and to enable them to do this they have imported from other countries contract labor till to-day this country is filled with unemployed men.

These men have been induced to come here under promises of better wages than they were receiving in the countries of the Old World, but as soon as the products of the factories became in excess of our demand these imported laborers are thrown out of employment to wait in idleness till the consumption of the factory products of the protectionist is accomplished. They are thus thrown out of employment in order that the employer may shut down his mill or factory till the surplus is disposed of. The laborer is thus compelled to bear all the loss. facts and others I will allude to have had the effect of not only breaking down our home market but of ruining our foreign markets as well.

The difficulties in the way of our agriculturists are many; but I shall state the most important. About sixteen years ago the Suez Canal was completed, thus bringing Europe and India near together, and making it entirely feasible for Europe to get her supplies of wheat and corn from India. A short time since England purchased from the Khedive of Egypt a controlling interest in the canal at a cost of near \$25,000,000, so that to-day England has quick and easy communication with this vast Empire of India. India is under the protectorate of England. dia has a population of 250,000,000 of people, embracing much of the greater part of southeastern Asia, and having an area of a million and a half of square miles. Enlarged now by the annexation of Burmah, its area is half as great as the whole of the United States, from the Atlantic to the Pacific Ocean and from Mexico to British America. The dominion of Great Britain extends over three-fourths of all India. The staple food of this people is millet. They sell all the rice and wheat for which a market is found. The cost of living is but a trifle. India is on a silver basis, so that everywhere in India silver has maintained its true value and purchasing power.

What is the consequence of this state of facts? The answer is that the Suez Canal has brought India and England near together as respects cheap transportation. Again, the silver we produce here and prohibit from going to our mints and into circulation at home is bought up at a discount of more than 20 cents on the dollar by the English traders, then sent to India, and with it cheap Hindoo laborers are employed in raising wheat, corn, and cotton for English consumption; and more, with this cheap silver England is employing this cheap labor to build her railroad system throughout India, and thus preparing for still further competition with us in producing grain and bringing it to European

markets. I cannot better illustrate this point than to quote from a memorial to Congress giving facts and figures upon this subject, as follows:

THE WHEAT QUESTION.

The average crop in India is from 10 to 11 bushels per acre, against 15 to 16 bushels in the United States; but India is capable of an immense increase in yield under careful cultivation, and where fertilizers have been applied its yield has increased to 40 bushels per acre. Great as is already the present production of wheat in India it is steadily increasing, its development being limited only by the lack of transportation to the seaboard, an obstacle that is steadily disappearing in the rapid construction of the great railroad and canal system under direct patronage of Great Britain.

It was not until 1874 that the first shipment of wheat from India to Europe was made, and was then only 95,000 bushels; in 1875 it extended to 1,500,000 bushels; in 1876 it exceeded 4,500,000 bushels; in 1877 and part of 1878 over 12,000,000 bushels. During the famine of 1878-79 the exports fell to about 2,500,000 bushels, but reached in 1880 over 15,000,000 bushels; in 1881 rapidly increased to 33,500,000 bushels; in 1882 the exact amount was 33,435,580 bushels; in 1884 the crop slightly failed, and only 26,021,875 bushels were exported; but in 1884 the crop slightly failed, and only 26,021,875 bushels were exported; but in 1884 the crop slightly failed, and only 26,021,875 bushels were exported, and for over 3,400,000 bushels freight-room had been engaged for Europe.

were exported, and for over 3,40,000 business regarded.

To obtain such results the English Government has widely and gratuitously distributed among the native ryots, or farmers, for the purpose of encouraging them in the use of improved machinery, a number of plows, constructed with a special design and of peculiar style to meet the requirements of their soil. In addition, large quantities of all kinds of plows and other impiements, adapted with studious care to the wants of Indian agriculture, have been sent out by the English Government to be sold at a mere nominal price.

Great care has been exercised to select seeds from foreign countries—mostly American—of the best varieties and suitable for the soil of India.

The Indian ryot, or farmer, lives in a bamboo hut; cost about 20 rupees, or \$9.60; his utensils, a few carthenware pots, value 2 or 3 rupees, or 96 cents to \$1.41. His meals consist of half an anna's (licents) worth of rice or millet seed. His farming outfit consists of rude plow, a primitive wooden cart constructed with his own hands, a grubbing-hoe, a pair of bullocks, a few cows or sheep. He cuts his grain with a sickle, treads it out with his bullocks, winnows it in the air, and carries it to market on his back. If he employs a farm hand it is at about 2 annas (6 cents) per day. These circumstances tend toward an equalization of the terms of competition between the Indian and American farmers in laying down wheat in Europe, but notwithstanding the low wages of India and its increased railroad facilities, it would still be impossible for the Indian ryot to sell wheat as cheaply in Liverpool as the American farmer were it not for the divergence caused by legislation in the relative values of gold and silver.

OUR HEAVY LOSSES.

OUR HEAVY LOSSES.

OUR HEAVY LOSSES.

The exportation of wheat from India during 1834 and the eleven months of 1835 amounted to over 84,400,000 bushels, representing a loss of over \$80,000,000 to our farmers and of over \$1,000,000 tons of freight to our "granger" railroads, and of over \$17,000,000 on their earnings.

It is needless to point out the manifold ways in which such a subtraction from one principal article of our export trade has made itselffelt in all employments, and to the detriment of all branches of business.

But this is not all. On the 22d of October last, Indian wheat sold in Liverpool at 89 cents per bushel; while quality for quality compared, brought in Chicago on that day 88; cents. The cost of transportation, partly by water, of each bushel of wheat from Chicago to New York is a little over 6 cents; the present laydown cost of wheat from New York to Liverpool is:

Cents.

	Cents.
Free on board and insurance per bushel	. 1.00
Freight to Liverpool	. 6,82
Cost of discharging in Liverpool without commission.	. 4.50
Total per husbel	19 39

Add to it 6½ cents from Chicago to New York and the cost of transportation, less commission, is just 1½ cents per bushel, which added to 8½ cost in Chicago brings our American wheat in Liverpool first cost equal to \$1.07 per bushel, or 18 cents per bushel more than quality for quality Indian wheat is selling in Liverpool.

This state of affairs is the consequence of the extremely low price for silver bullion which is more or less controlled in the British market. At the present price of silver bullion in London, forty-seven pence per ounce, the exchange on India is one shilling and sixpence per rupce, or 3½ per cent. In favor of the British importer of India's wheat, who with one thousand pounds sterling purchases 12,333 rupces instead of 10,000 rupces, which is all he could have purchased for that number of pounds in 1873, and yet the purchasing power in India of the rupce is a little greater now than it was in 1873.

Add, therefore, to the ruling rate of 89 cents per bushel of wheat in Liverpool the 3½ per cent, and the price at once advances to \$1.19 per bushel. This rate of \$1.19 in Liverpool, less freight and other charges from New York to Liverpool, would leave the market price of wheat in New York \$1.061 per bushel, in place of 90; cents, the now ruling rate; and in Chicago it would be equal to \$1 in place of 85 cents per bushel as it is now. It is evident from these figures that the restoration of silver to its old place by free coinage would at once enable the American farmer to put Indian wheat out of the European markets.

This price of \$9 cents per bushel in Liverpool not only prevents us from exporting our wheat, but actually regulates the market value of it to the detriment of our farmers, who lose from 20 to 25 cents per bushel on their wheat in order to enable them to meet the now ruling low market price in Liverpool. These 20 to 25 cents on our present crop of 1885 of 352,000,000 bushels of wheat mean a loss to the American farmers of from \$70,000,000 bushels of wheat mean a loss to the America

RAPID DECLINE IN OUR WHEAT EXPORTS,

RAPID DECLINE IN OUR WHEAT EXPORTS.

Let us review the rapid decline in our wheat exports for the past few years. In 1883 we exported 106,385,828 bushels, for which we received \$119,879,311, equal to \$1.12\frac{3}{2}\$ per bushel.

In 1884 our exports declined over 30 per cent., and we exported only 70,319,012 bushels, for which we received \$75,028,581 or \$1.06,\(\text{M}_5\) per bushel.

In 1885 we exported some 84,500,000 bushels of wheat, for which we received only \$72,383,037, or 86.32 cents per bushel, while the year previous we got over \$75,028,000 for only 70,349,012 bushels, a loss of over 20 cents on each bushel.

Not only has the American farmer been a direct loser by this reduction of the demand and price abroad for his wheat product, but he has indirectly suffered in still greater degree by the resulting depreciation of his whole crop, whether consumed at home or sent abroad; and on the crop of 1855 alone, so far, he has submitted to a loss of over \$70,400,000 as compared with last year's price.

This one fact is therefore proved beyond cavil or dispute, and should always be borne in mind, that to destroy the profits of the American wheat-grower it is not necessary that India should raise a crop which will meet the whole demand of Europe; it has but to furnish such a portion of the amount as will prevent an advance in the price to a point which will repay the cost of production by our own farmers. wn farmers.

How important a part the wheat crop of this country constitutes of the total

of our exports is shown by the fact that since 1873 to 1883 about 24.85 per cent. of the whole value of our agricultural exports was made up by wheat and flour; yet the latest official statistics for the month of December, 1885, as compared with 1884, show a decline which must create an uneasiness to all who have America's welfare at heart.

Exports of wheat and flour. December, 1884: Wheat, bushels...... December, 1885: Wheat, bushels...... A decline of nearly 50 per cent. December, 1884: Flour, barrels...... December, 1885: Flour, barrels..... A decline of over 25 per cent., ending with December, 1885, as compared with 1884 and 1883, as shown by the latest official custom-house returns.
 July to December, 1884
 \$88,014,626

 July to December, 1884
 79,700,507

 July to December, 1885
 52,998,732
 But the contrasts of the average yearly exports of wheat and flour exhibit still greater and more deplorable deficits.

Articles.	Exports.	Value.
Wheat bushels Yearly average do Flour barrels Yearly average do	919,073,737 91,907,373 54,001,528 5,400,152	\$1,095,174,727 109,517,472 325,308,458 32,530,845

The exports of wheat and flour from 1873 to 1883 were:

The accumulation of stock on hand January 16, 1886, in the United States as compared with corresponding period of 1885, 1884, and 1883, shows the marked decline in our exports of wheat.

Stock on hand or visible supply:

	Bushels.
January 15, 1883	21, 909, 118
January 15, 1884	33, 948, 813
	42, 575, 703
January 16, 1886	57, 108, 226

While our exports are gradually decreasing our stocks on hand have rapidly increased from 21,909,118 bushels in 1893 to 57,108,226 in 1886.

In order to comprehend more fully the rapid decline in the exports of wheat from this country, the official returns of the Bureau of Statistics give the following figures:

	Bushels.
Exports of wheat from all ports for December, 1884	8, 400, 000 8, 773, 153
Decrease	4, 626, 847
Twelve months ending with December 31, 1884	81, 628, 478 53, 025, 918
Decrease	91,972,063

decline of over 574 per cent. Compared with the exports of 1879, when 122,775,751 bushels were shipped, and in 1880 153,250,685 bushels, and in 1881 150,555,450 busnels, as well as 104,030,584 bushels in 1883, the rapid decline is startling. The half-yearly returns of shipment of wheat from San Francisco from July 1 to December 31, 1885, compared with 1884, are equally as disturbing:

July 1 to December 31, 1884	Bushels. 12, 447, 000 5, 850, 000
Decrease, 1885	orrespond-
Wheat from United States:	Bushels.

1884	4, 494, 879
Decrease	7, 478, 281
Wheat from India: 1884 1885	6, 833, 195 8, 867, 427
Toomage	0 004 000

CORN QUESTION.

Indian corn, equal in every particular to our own of the same appellation, though of comparatively recent introduction, has increased in favor most rapidly, and there were raised in 1882 in India over 75,000,000 bushels. The first cargo of India's corn was shipped to Europe in January, 1883. In 1883 the crop was over 120,000,000 bushels; in 1884 over 160,000,000 bushels. It would indeed be one of the curiosities of international trade if from this small beginning in

1882 there should grow, as in the case of wheat, an export trade from India to Europe of equally as great proportions. It is a positive fact that in the central provinces of India alone enough Indian corn can be raised to supply the wants of Europe, to which we have shipped during the year (calendar) of 1885 62,525,742 bushels, and for which we received \$33,090,350.

Here we are confronted with the startling facts that by the demon-etization of our own silver and sending it to London where it is bought up at a discount and taken to India and there used in the employment of Hindoo laborers, the export of wheat from that country to Europe has increased steadily, so that while in 1874 only 95,000 bushels of wheat were exported from India, the enormous amount of over 42,000,000 were exported last year. The further fact appears that our exports of wheat have declined in proportion to this increase from India. It also appears that India can lay down wheat in Chicago and New York about as cheaply as can our Western farmers. We are not only losing our market abroad, but are threatened with India compe-tition at home. The same danger is shown as to our corn.

What is the remedy? The remedy to my mind is plain. Let us coin all our silver at home to stimulate our own productions of the farm. Give us cheap water transportation down the Missouri and the Mississippi Rivers so we can compete with the water transportation of the Suez Canal. I know of no other means of preventing absolute poverty and distress that must come upon our Western farmers, who are now toiling in poverty in the vain effort to compete with this cheap Hindoo

labor paid for by the products of our own silver mines.

I know, Mr. Speaker, that I am often accused, here and elsewhere, of giving a silver lining to all my discussions on this floor, but I shall not heed these taunts and jeers so long as I have the honor to represent a constituency who live by the sweat of their brow and not by the cutting of coupons. More money and cheaper transportation shall be my watchword and battle-cry.

Having said this much in a general view of the subject of water transportation, I desire to call attention to the improvement of a river that flows through a part of the district I have the honor to represent.

THE OSAGE RIVER.

I wish to present a few facts in regard to this stream for the purpose of having a survey of it made with a view of improving it by movable locks and dams. Recognizing the fact that Congress will make no appropriation for such purpose till such a survey is made and a favorable report made thereon, I desire to read from previous reports of the Army engineers upon this subject so as to bring the whole matter to the attention of Congress in order that it may be properly understood. For while these reports were against the improvement of this river by locks and dams. I want to say that the adverse reports were based not upon and dams, I want to say that the adverse reports were based not upon the feasibility of the plan, but upon the supposed cost as compared with the commerce to be benefited. That while the river is stated to be susceptible of such improvements, yet the officers in charge based their report declining to recommend it more upon the fact that the commerce of the river did not justify the outlay of money than any-

The first report was made in 1875, from which I make the following

extract (Appendix L, page 23):

extract (Appendix L, page 23):

Before the advent of railroads, the Osage River, at high and mean stages of water, was the main channel of supplies for the Indian country. It does not at present constitute a military line of any kind; and, if improved, would only be tributary to the State of Missouri, in which it would be alone navigable. Besides, a bar exists at the debouchment of the river into the Missouri, the depth upon which fluctuates with the stage of water in either stream. When the Missouri is at its highest stage, it affects the level of the water in the Osage as far up as Elizabeth, a distance of 40 miles. During low water boats drawing 2 feet 6 inches are frequently denied passage over the bar referred to for weeks. The ruling depth in the Missouri River during the low-water season seldom exceeds 3 feet, so that, unless a ruling depth of 4 feet can be secured to this river, the Osage, if improved to give a 4-foot navigation, would necessarily be tributary, for a portion of each year, only to the railroads crossing it.

The water-power developed by the dams would be considerable.

As in the case of most slack-water improvements, questions of land-damage of greater or less extent may be expected, which would also increase the cost of the improvement.

As in the case of most slack-water improvements, questions of land-damage of greater or less extent may be expected, which would also increase the cost of the improvement.

The results may, then, be summed up as follows:

1. The Osage River is not susceptible of permanent or even satisfactory temporary improvement for navigation at low stages of water.

2. It is susceptible of improvement to the extent of obtaining a ruling depth of 4 feet at all times, by means of locks and dams, twenty-two in number if of 8 feet lift, and twenty-seven if of 6½ feet; the cost of the former estimated at \$2,857,330.30; of the latter, at \$3,090.825.

3. If a ruling depth of 4 feet is obtained in the Osage by means of locks and dams, the same would be required over the bar at the debouchment of the river and as far down the Missouri as its junction with the Mississippi, to utilize the improvement at all stages of water—problems not yet solved.

4. The Osage, since the introduction of railroads running parallel with it, and at no very great distance, is no longer a necessary link in the great current of trade westward.

5. Its navigable portion would be entirely within the State of Missouri, and though its improvement would doubtiess be of value in developing the rich mineral and agricultural resources of the region through which the river passes, it can not be regarded as one of national importance and therefore requiring Government aid.

6. Should the improvement be made, the advantages resulting would be far from commensurate with the great cost, say \$3,000,000.

For these several reasons I do not feel justified in recommending the project and therefore do not advise that any further appropriation by Congress should be made for the work.

The maps and plans are in process of completion, and will be forwarded as soon as finished.

The nearest port of entry is that of Saint Louis.

oon as finished. The collection-district in which the work is located is New Orleans. The nearest port of entry is that of Saint Louis. I can not conclude this report without expressing my obligations to Mr. Gor-

don and his assistants for the very satisfactory manner in which they have per-formed their duties.

All of which is respectfully submitted.

J. H. SIMPSON,
Brig. General A. A. Humpheeys,
Chief of Engineers, United States Army.
The 1074 J.

In 1874 I procured an order from Congress to have another survey made with a view of improvement of the Osage by locks or dams. From the report of Major Ernst I quote as follows as to the last survey. (Appendix 10, page 1657, Engineer's Report, 1884):

X5.—Preliminary examination of Osage River Missouri, from mouth to Linn Creek, with a view to movable locks and dams.

Appendix 10, page 1657, Engineer's Report, 1884):

X5.—Preliminary examination of Osage River Missouri, from mouth to Linn Creek, with a view to movable locks and dams.

UNITED STATES ENGINEER OFFICE, Saint Louis Mo., August 22, 1884.

GENERAL: The river and harbor act of July 5, 1884, provides for the examination or survey of "Osage River, Missouri, from mouth to Linn Creek, with a view to movable locks and dams," upon the condition that after a preliminary examination it shall be deemed "worthy of improvement."

By your letter of July 31, 1884, I am directed to report as to whether, in my opinion, the stream is "worthy of improvement." From the wording of the law and from the fact that the Osage has already been the subject of some minor improvements, I understand the question now to be, is it worthy of improvement by movable dams? That is, is it worthy at it is time of a radical and expensive improvement, which will cost several millions of dollars?

The Osage empties into the Missouri River at a point about 140 miles from its mouth. To improve the navigable capacity of the Osage beyond that of the Missouri would be almost, if not quite, useless. The navigable depth of the Missouri at low stage is about 3 fect. An improvement of the Missouri River has been projected, but the amount of time which must elapse before that improvement shall be completed is uncertain. It will probably be many years. But whether many or few it would seem proper to defer the inauguration of any scheme the usefulness of which is very largely dependent upon the safe navigation of the Missouri until such safety of navigation is an accomplished fact. The distance from Linn Creek to the mouth of the Osage is about 107 miles. In this distance it passes through or touches five counties, Camden, Morgan, Miler, Cole, and Osage, the last two lying also on the Missouri River. Some portions of these counties will not be affected by the improvement of the Osage, but as it is difficult to say how much, the statistics of the entire counties will

would not exceed \$38,000 in 1832 and \$55,000 in 1605, of the two years.

From these facts it appears that there are no interests at this time, either upon the Osage River itself or upon its banks, which will justify a heavy expenditure in the improvement of the river. There are undeveloped resources which such an improvement would aid to develop, but they are uncertain in amount. The most important results to be expected from a radical improvement can not be attained until after the improvement of the Missouri River. I am accordingly of the opinion that the Osage River from its mouth to Linn Creek is not at this time worthy of improvement by movable dams.

Very respectfully, your obedient servant.

O. H. ERNST, Major of Engineers.

Brig. Gen. JOHN NEWTON. Chief of Engineers, U. S. A.

Both of these reports being against the improvement I have procured another order for such survey to be put in the bill now pending. The people interested have organized and appointed their committees at a recent convention at Jefferson City, and no doubt these committees will lay before the engineer in charge such facts and statistics as will induce a more favorable report. The Osage is an important stream. The country through which it passes is without railroad facilities and hence the great necessity to them of this means of transportation. With a more favorable report from the engineer in charge it is hoped that Congress will enter upon this work.

Mr. Speaker, I can not close these hasty remarks without again calling attention to the fact that in my humble judgment the rivers of our country must be made the means of affording competition with railroad transportation, thereby enabling the producers of the country to get their products to the markets at such rates as to afford them at

to get their products to the markets at such rates as to ahord them at least a living profit for their labor and outlay of capital. The amount, \$7,500, given to the Gasconade, though not as much as I have asked, it is hoped will be sufficient to keep it in a condition for navigation.

Our Eastern States being much older than our new Western country have for many years past had the benefit of Government aid in improving their rivers and harbors. The Government as a rule has been suite beneficially a form of the beneficially seed. quite beneficent to them. Their rivers have been the beneficiaries of Government aid till they are not so much in need of it now as are our Western streams. It is to be hoped that no sectional or jealous policy will be pursued by our Eastern brethren in respect to the just demands of the people of the West for means of cheap transportation. The bill also contains an appropriation of \$10,000 for continuing the improvement of the Osage under present plan.

The Onachita.

SPEECH

HON. FLOYD KING, OF LOUISIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, April 30, 1886,

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. KING said:

Mr. CHAIRMAN: As there has been so much said on the floor of this House about extravagant and useless expenditure on the improvement of insignificant rivers and unimprovable streams, I wish to say a few words on the subject of the rivers in my district, their claims upon us as Representatives, and the amounts expended upon them since I came to Congress. There are eight navigable streams for which Congressional aid has been solved in the stream of the stre sional aid has been asked in that portion of Northern Louisiana which I have the honor to represent; and of these, the most important (as well as one of the most important in Louisiana) is the Ouachita.

This river rises in the Quachita Mountains, in Polk County, Arkansas, and following an irregular course flows in a general southeasterly direction through that State and Louisiana until it is joined by the Tensas and Little Rivers at Trinity. These three form the Black River, which runs southward and enters the Red River near its mouth. Its entire navigable length is 540 miles; from its junction with the Tensas to the Red River it is 75 miles; and thence to the Mississippi it is 25 miles. Flourishing villages and important towns are on its banks, such as Ouachita City, Monroe, West Monroe, Columbia, Enterprise, Harrisonburg, Trinity, Troyville, and many others. The country through which it flows is rich, fertile, and occupied by a generous, thrifty, industrious and hard-working population, its fields smiling with corn and cotton, and its banks abounding with forests of the most valuable timber. In many parishes through which it flows recent Government explorations, undertaken through my urgency, have developed the existence of large deposits of iron and other valuable minerals, destined at no distant day to add greatly to the wealth of the State and country. This is the river, Mr. Chairman, for the improvement of which we ask the sum of \$17,-500; of which \$7,500 is for repairs to the disabled snag-boat, leaving but \$10,000 for actual improvement works. For the improvement of this river I have repeatedly introduced bills, each of which exceeded in amount \$100,000. Why the engineers have submitted such small estimates for the improvement of this important stream I can not divine.

The first examination of this river by the United States Government with a view to its improvement was made in 1870; and a survey of so much of it as extends between Trinity, La., and Camden, Ark., followed in 1871 and 1872 with the result that a project was formed for increasing its navigable depth between those two points by means of locks; so that a depth of not less than 4 feet could be had at the lowest stages of the river. Though the result aimed at would doubtless have been productive of much good, the cost was considered too great for the expected resultant benefits—the estimates being no less than for \$1,163,083—so it was abandoned by the United States engineers and a new plan formed, which has been prosecuted up to the present time. By this plan improvements are confined to the removal of snags, wrecks, leaning timber, and other obstructions, and the deepening of shoal places. For this purpose, since I have sat in this House there has been appropriated \$79,000, and in the bill now before the committee we ask

for \$17,500 more.

I have, to the best of my ability, strongly advocated from time to time the appropriation of the above sums and of much larger ones, because knew the value of this river and its tributaries to the commerce of the country through which they flow. I find the Chief of Engineers and his assistants stating annually in their official reports that a much greater sum could be profitably expended than has at any time been appropriated. I presume no one here will doubt that the Chief of Engineers speaks advisedly when he uses the words "profitably expended."

The reasons for my action and that of those who, with me, have ad-

ocated this expenditure I can give in a few words:

1. The Ouachita district is the "collection district" of Arkansas and the third in importance of the collection districts of Louisiana. It is navigable as far up as Camden, Ark., from November to June inclusive, and to Monroe, La., according to the report of the Chief of Engineers, all the year round, by steamers of from 500 to 900 tons burden. Of these there were, last year, twelve plying regularly on the river and six on the river and its tributaries.

2. The commerce of the Ouachita in 1876, previous to my coming to Congress, consisted, as it does now, in the transportation down-stream to New Orleans and other ports of cotton, cotton-seed, oak staves, hides, cattle, hogs, &c., and an up-river or return transportation of provisions, clothing, and supplies of all sorts. In that year (1876) the down freight amounted to \$2,150,000, and the return freight to \$1,500,000. In 1878 the down freight besides cotton amounted to \$11,604,512; cotton \$6,566,200; and the up-river or return freight to \$4,596,340. In the fiscal year 1882–'83 the return freight carried amounted alone to \$8,596,160, During the fiscal year 1884–'85 (the latest of which we have official record), the twelve steamers plying regularly on the river carried down 108,600 bales of cotton, 390,000 sacks of cotton-seed, 715,500 oak staves, 5,785 head of cattle, 5,000 cords of wood, and 175,000 logs of valuable timber; and brought back cargoes in return on which the estimated freight (for I could not get the exact figures) was not less than \$2,000,000. When to this commerce is added that of its tributaries—the Bartholomew, the Bœuf, the Tensas, the Macon, and the D'Arbonne-which would be valueless without it-we must increase the amount of business traffic on the waters of the Ouachita by the annual sum of \$6,000,000.

When, then, Mr. Chairman, so large an amount of traffic exists on a stream as I have here shown to be the case on the Ouachita, and when, as we certainly know, this traffic will grow larger year by year, we certainly ought not to grudge the small amount which yields so large a return.

Mr. Chairman, I am, and have always been, in favor of these works being done by local contractors. The law contemplates their being so awarded; and I am confident there are men to be found in these localities competent, honest, and in every way worthy to be intrusted under properly guarded contracts with the performance of such work

What is the inevitable result of clearing the river of obstructions and what is the inevitable result of clearing the river of obstructions and deepening the channel? The goods will all go by water instead of by rail. Why? Because it costs the farmer \$5.80 a bale to send his cotton by rail, including wagon-hauling charges of 75 cents a hundred pounds on each bale, and it costs him only from \$1 to \$1.50 per bale to send it by water. Here is a difference of \$4.30 in favor of the waterroute, or \$4,300 in every thousand bales of cotton alone. Suppose the planters on the Quachita annually compalled by the had reviewing the route, or \$4,300 in every thousand bales of cotton alone. Suppose the planters on the Ouachita annually compelled by the bad navigation of the river to send their tens of thousands of bales by land with a dead loss in freight charges of \$4,300 on every 1,000 bales; would not that consideration be—or perhaps, Mr. Chairman, in deference to the gentleman from Iowa [Mr. Hefburn] and the gentleman from Maine [Mr. Reed] I ought to say, should it not be sufficient to dispel all opposition to this item of the appropriation?

Another consideration, Mr. Chairman. We must not forget that increased facilities and safety in navigation mean diminished charges for freight and insurance. We must not forget that as the amount of goods

freight and insurance. We must not forget that, as the amount of goods to be transported increases in volume and value, competition will step in and beat down freight charges still lower; and the freight-ridden farmer may at length confidently look forward to a bright future when cheap transportation will be the beneficent goddess that will bring com-

petence to his door.

Thus, Mr. Chairman, I have given for myself and those who, like me, have recommended and advocated and urged these appropriations, the "reasons for the faith that is in us." If gentlemen from the North and East can clear their skirts as readily from some of the river and harbor burs that are sticking to them we shall soon hear little more of the outery against this much-maligned bill from the self-styled "watch-dogs of the Treasury."

In conclusion, I wish to add that further on in this bill I have succeeded in getting inserted a provision for a survey of this river with a view to the establishment of permanent slack-water navigation through-outits entire navigable length; and when the United States engineers have reported upon the value and necessity of this improvement I shall ask the House to give the question its favorable consideration and to grant the appropriation necessary to carry it to a successful issue.

The Administration and the Civil-Service Law.

SPEECH

OF

HON. WILLIAM M. SPRINGER,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 9, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes—

Mr. SPRINGER said:

Mr. CHAIRMAN: I desire the attention of the House for the purpose of replying to some remarks made by my colleague from Illinois, a member of the Committee on Appropriations [Mr. CANNON]. That gentleman stated yesterday that General Black, Commissioner of Pensions, had violated the viril had violated the civil-service law in the appointment of special examiners in the Pension Office. Am I correct in saying that was the gentleman's statement? The RECORD this morning did not contain his remarks.

Mr. CANNON. What I did state was based on what the papers had reported touching the investigation before the Senate committee, namely, that General Black had stated that out of seventy-five appointments of special examiners seventy-one were Democrats and there were four whose politics he did not know. I said if that was the case the spirit of the civil-service law in my opinion had been violated.

Mr. SPRINGER. I understood the gentleman to say that the law had been persistently violated and disregarded by the Commissioner of I also understood the gentleman from Maryland [Mr. McCo-MAS] to state that the object of the proposed legislation in this bill was to make a "clean sweep," by which I presume he means that this Dem-ocratic administration is making arrangements to turn all of the Republicans out of the classified and other service and put Democrats in.

Now, in reference to the remark made by my colleague, the gentleman from Illinois [Mr. CANNON], I propose to show that every appointment made by the Commissioner of Pensions since he assumed pointment made by the Commissioner of Pensions since he assumed the duties of that office has been strictly in accordance with both the letter and the spirit of the civil-service law. Instead of appointing seventy-four special examiners, General Black has appointed one hundred and fifty. The law of 1884 provided for the appointment of one hundred and fifty special examiners for one year. At the end of the year all those positions became vacant, and thus it became the duty of General Black seem after the took charge of the office to appoint the General Black soon after he took charge of the office to appoint one hundred and fifty special examiners. Let us see how he performed

that duty.

About sixty-five of the one hundred and fifty appointments in the first instance were made by promotions from those already in the serv ice; the others were made, under the civil-service law, from outside. The first appointments made under that law were made by Colonel Dudley, not by General Black. Colonel Dudley made a requisition to Dudley, not by General Black. Colonel Dudley made a requisition to fill eighty-five places, and between four hundred and five hundred names were sent to him by then Civil Service Commission composed of Messrs. Eaton, Gregory, and Thoman. The civil-service law was then in force, and the names sent in comprised all the eligibles on the list. The minimum standard then required to pass the examinations was an average of 50. The standard remained unchanged until 1885, when it was raised by the commission to an average of 65. Eighty-five persons were appointed by Colonel Dudley from the four hundred or five hundred rames sent him. These were all Republicans or supported to be Renames sent him. These were all Republicans, or supposed to be Republicans. That was the beginning of the appointment of the special examiners, and the precedent was then set by the Republican Commissioner of Pensions of taking the whole list and appointing only Republicans from it. That is the way the law was, in the first instance, put in force. The Attorney-General, Mr. Brewster, had decided that these appointments must be made under the civil-service law, and Colonel Dudley proceeded to make them in the way I have indicated.

Mr. HISCOCK. I desire to ask the gentleman a question for infor-

mation. Were those first appointments of examiners simply details from the clerical force of the Pension Office at that time?

Mr. SPRINGER. I have stated that sixty-five of those first ap-

Mr. SPRINGER. I have stated that sixty-five of those first appointed by Colonel Dudley were assigned or transferred to this duty from persons employed in other positions, and that about eighty-five were outsiders appointed under the civil-service law and rules. The first appointments were made by Colonel Dudley in July, 1884, and under the terms of the law, they were for one year. In 1885, when the terms of these officials expired, General Black was the Commissioner of Penders and the law to make the respective property. sions, and it became his duty under the law to make the new appoint-What did he do? As Colonel Dudley, his predecessor, had Not at all. He reappointed, from those already in the service, who were Republicans, seventy-one special examiners, and they became, under the civil-service law, his appointments. The others went out by

the expiration of their terms of office.

Mr. ADAMS, of Illinois. Will my colleague permit me a question?

Mr. SPRINGER. Yes, sir.

Mr. ADAMS, of Illinois. The Republicans whom General Black appointed special examiners, had they been special examiners under Commissioner Dudley, or were they taken from the permanent force of the Pension Office? Pension Office?

Mr. SPRINGER. If the gentleman had paid attention to what I have been saying he would understand that.

Mr. ADAMS, of Illinois. I tried to.

Mr. SPRINGER. I will restate it. Commissioner Dudley in 1884 made the first appointments under the law, and it so happened that they were all Republicans. Those appointments were made for one year. At the end of the year, when their terms expired, it became the duty of General Black, in July, 1885, to fill those places. He proceeded

to do it by reappointing seventy-one of the old force.
Mr. ADAMS, of Illinois. What old force?
Mr. SPRINGER. Those already in employment.
Mr. ADAMS, of Illinois. In what employment?

Mr. SPRINGER. Employment as special examiners. General Black made reappointments of the old force to the number of seventy-one. The others not reappointed went out of office under the provisions of the law. General Black then made a call upon the Civil Service Commission (consisting of Messrs. Eaton, Gregory, and Thoman, two Republicans and one Democrat) for a list of persons eligible to fill sixty of the existing vacancies. The Commission responded by sending him the old list from which Colonel Dudley had drawn the eighty-five persons appointed by him in 1884, with eleven additional names, the whole list embracing between three hundred and four hundred names.

Now, gentlemen have said that General Black violated the law. law was in force at the time when the Civil Service Commission (which had been appointed by a Republican administration and which was composed of two Republicans to one Democrat) sent that list to Colonel Dudley in July, 1884.

Mr. BUCHANAN. Will the geutleman permit me to ask him a

question for information?

Mr. SPRINGER. Upon this line? Mr. BUCHANAN. Yes, strictly upon this line. How many appointments were to be made by Colonel Dudley?

Mr. SPRINGER. One hundred and fifty was the number of special examiners authorized by the new law.

Mr. BUCHANAN. And he made a requisition for how many to be appointed from the outside?

Mr. SPRINGER. He appointed about sixty-five from those already in the office, and drew on the Civil Service Commission for the rest of them, and it turned out that they were all Republicans.

Mr. BUCHANAN. How many names were included in the list of eligibles sent by the Commissioner?
Mr. SPRINGER. I have already stated that.
Mr. BUCHANAN. You have not stated the number on that list.

You have stated the number on the list sent to General Black. How many were on the list sent to Colonel Dudley and from which he made his selections?

Mr. SPRINGER. Between four hundred and five hundred.

Mr. BUCHANAN. I want accurate information, if the gentleman has it.

Mr. SPRINGER. I have accurate information. Four hundred will do, will it not?

Mr. BUCHANAN. No; I want accurate information.
Mr. SPRINGER. The commission sent in the names of all the eli-

Mr. BUCHANAN. I am trying to find the extent of that list.
Mr. SPRINGER. They sent in the names of all the eligibles.
Mr. BUCHANAN. Does the gentleman know how many names were

sent?

Mr. SPRINGER. I have already given the gentleman the statement. There were between four hundred and five hundred. It is not material how many there were. The commission sent in all the names they

Mr. BUCHANAN. I would like to know (if the gentleman has not accurate information, of course I can not get it) whether the commission sent in more than the requisite number of four names for each place.

Mr. SPRINGER. They sent in all they had.
Mr. BUCHANAN. I have already been informed that they sent in all they had. It seems the gentleman does not know how many were

Mr. SPRINGER. I will come to that point. There was no reference to the number of four for each place. That idea was not advanced

Mr. PETERS. Did not the Civil Service Board hold examinations in the different States, and were not the names of all who passed the examinations sent up to the board and that list of names sent to the Commissioner from which to select?

Mr. SPRINGER. The civil service commissioners made their examinations as required by law. I am not familiar with the details; but when a requisition was made they sent in all the names they had.

Mr. PETERS. They sent in the names of all who had passed the

examinations which were held at different points throughout the United States?

Mr. SPRINGER. They sent in all they had. Mr. PETERS. At the instance of General Dudley I introduced the bill to which the gentleman refers; so I know something about it.

Mr. HILL. I wish to ask my friend from Illinois [Mr. SPRINGER] whether he intends this as an apology for the appointment of Democrats to office under a Democratic administration?

Mr. SPRINGER. I am sorry my friend has interjected that question. I am not apologizing for anybody. I am telling the truth. It ought to be told. If it hurts Democrats, let it hurt them. But it will not hurt this administration.

Now I wish to go on uninterruptedly for a little while, if possible. The last list sent to General Black in 1885 embraced between three hundred and four hundred names. From these names he appointed about twenty-four examiners in July. He made another call in October, 1885, for a list of eligibles, and in response to that call the commissioners sent him seventy-two names, sixty of which were new names, and twelve from the old list. The other eligibles had been certified, I suppose, three times theretofore or had dropped out by reason of having been carried on the roll for two years. Twenty-seven of those certified were appointed at that time—that is, in October, 1885. The next call made by General Black for eligibles was in December, 1885, when sixty-The next call four names were sent in, eighteen of which were new names. From

those sent in at that time seventeen appointments were made. ruary, 1886, General Black made another call for a list of eligibles. Sixteen names were sent in, two of them new names, and those two were appointed. In May, 1886, General Black again called for a list of those eligible, when twenty-six names were sent in to fill eleven vacancies; and from those twenty-six names eleven appointments were made. This completed the list of one hundred and fifty that he was required by law to appoint.

Now, of these one hundred and fifty special examiners appointed by General Black it happened by accident or design—I presume by design—that about one-half were Democrats and the other half Repub-

licans.

As I understand, about one-half of the old force was reappointed by General Black; and nearly one-half of the one hundred and fifty examiners were appointed from men who were examined after General Black went into office. Now, as to this list, does the gentleman know the politics of the appointees?

Mr. SPRINGER. Of the appointments from those in office and those out of office, it happens that about one-half of the appointees of General Black are Democrats and the other half Republicans. For this he has been denounced as guilty of undue partisanship and as having nul-

lified the civil-service law.

Mr. CANNON. That does not answer my question. I am speaking of the new appointees—the appointees from those not in the service. I want to know the proportion of Democrats and Republicans in round

Mr. SPRINGER. More of them were Democrats than Republicans, of course.

Mr. CANNON. How many were Democrats?

Mr. SPRINGER. I have given the exact numbers as I have gone along, and I can not now go back to recapitulate.

Mr. CANNON. I do not understand that the gentleman has done

Mr. SPRINGER. I want to come to the point which my friend tried to make yesterday, that General Black had nullified the law Mr. CANNON. No. Mr. CANNON. No.
Mr. SPRINGER. I am going to show what the law is and what the

rules of the Civil Service Commission are. Mr. REAGAN. The difficulty with the gentleman from Illinois [Mr. CANNON] is that half were Democrats and half were Republic-

He wanted all Republicans.

Mr. CANNON. My colleague [Mr. SPRINGER] does not want to place me in a false position, nor to answer a man of straw. My statement was that as to the new appointees—the appointees from those not already in the service—the evidence of the Commissioner before the Senate committee, as stated in the newspaper press, was that out of seventy-five of these new appointees but four were Democrats, and as to the balance he did not know their politics. Now, I would be glad if my friend could correlate to a discrete that the table to the service of these new appointees to a discrete the table to the service of these new appointees. if my friend could corroborate or dispute that statement. I have no knowledge of the matter except what I got from the newspaper press.

Mr. SPRINGER. I presume that is true. I hope it is true.

ought to have been true.

Mr. CANNON. In order to put myself right I wish to say that if that was true it was, in my opinion, a violation of the spirit of the civilservice law; that is all.

Mr. SPRINGER. Now, my friend has modified his statement so much that it does not amount to anything.

Mr. CANNON. I beg the gentleman's pardon. This is what I stated

yesterday and what I state to-day.

Mr. SPRINGER. The gentleman said boldly and defiantly that General Black had violated the law.

Mr. CANNON. Oh, no.
Mr. SPRINGER. Now, I propose to show he did not violate the letter or the spirit of the law in doing what the gentleman says he did and

what I presume he did.

Mr. CANNON. If the gentleman wants to answer a man of straw, he can do so; if he wants to answer what I said, let him answer it.

Mr SPRINGER. I say that of those one hundred and fifty appointments one-half were Democrats and one-half were Republicans; and as to those selected from the outside nearly all were Democrats, as the Commissioner had the right to make them. Now, how did it happen that it was in his power to do this? I call the attention of my colleague to the rules of the Civil Service Commission in regard to these special ex-

aminers. The case is covered by a special rule.

Mr. CANNON. I so stated yesterday.

Mr. SPRINGER. I propose to read it. It is special rule No. 3, approved July 22, 1884, applying to these very officers—special examiners of the Pension Office:

Appointments to the one hundred and fifty places in the Pension Office provvided to be filled by the act of July 7, 1884, except so far as they may be filled by promotions, must be separately apportioned by the appointing power in as near conformity to the second section of the act of January 16, 1883, as the need of filling them promptly and the residence and qualifications of the applicants will

Now what was the second section of the act of January 16, 1883, otherwise called the civil-service law, to which reference is here made? That second section provides among other things that appointments to the public service in the Departments at Washington should be ap-

portioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained in the last preceding census. Under the law, these apportionments as to other offices than special examiners are made by the Civil Service Commission, but under the rule which I have read the civil-service commissioners were required to send the whole list of eligibles to the Secretary of the Interior, and it was the duty of the Secretary of the Interior and the Commissioner of Pensions to apportion these appointments in their own discretion among the several States and Territories according to population. They could not apportion them according to population if the rule which my friends on the other side have asserted should apply that only four names for each vacancy to be filled should be sent in.

It will thus be seen that in regard to these special examiners an entirely different rule applied from that relating to any other appointments in the public service.

Now, I assert, and defy contradiction of the assertion, that General Black and the Secretary of the Interior, in administering the law in regard to these special examiners, complied with it in letter and in spirit; and their action in this respect has had the sanction of the civil-service commissioners appointed by a Republican administration as well as those appointed by Mr. Cleveland.

Mr. CANNON. Will the gentleman yield for a question upon this

point?

Mr. SPRINGER. I do not like to give away so much of my time,

but as my colleague says the question is pertinent, I yield.

Mr. CANNON. The law, if I understand it correctly, does not prescribe the politics of a man who may apply for examination under the civil-service rules. Now, if the law in this respect was fairly administered, how did it happen that out of seventy-four new appointments seventy-odd appointees were Democrats, and there were no Independents, no Greenbackers, no Republicans at all?

Mr. SPRINGER. It so happened he had one hundred and fifty appointments to make, and he so arranged them that half were Democrats and half were Republicans; and he had the right to make them

Mr. TOWNSHEND. The first seventy-two appointments made by Commissioner Black of special examiners, every one of them was a Republican.

Mr. SPRINGER. The House understands these facts.

Mr. REED, of Maine. I wish the gentleman would deal fairly with the House in this matter.

Mr. SPRINGER. I have stated it exactly as it occurred.

Mr. REED, of Maine. Does the gentleman say those were men who were out of office?

Mr. REAGAN. They were out of position and had to be reappointed.

Mr. SPRINGER. The gentleman from Maine is mistaken in sup-

posing they were men who were not out of office.

Mr. REED, of Maine. Do you mean to say anybody General Black had the choice of appointing a Republican was appointed—that out of seventy-two men appointed by him every one of them was a Republican?

Mr. SPRINGER. That is exactly what I mean to say.

Mr. TOWNSHEND. That is exactly what I have said.
Mr. REED, of Maine. That he did appoint seventy-two men—all Republicans?

Mr. SPRINGER. Yes.

Mr. REED, of Maine. I should want some affidavits of that.

Mr. SPRINGER. It is entirely susceptible of proof. Mr. RANDALL. The law put them out of office.

Mr. REED, of Maine. They were men, then, who were in office? Mr. RANDALL. They had been in office, but their time under the law had expired.

Mr. REED, of Maine. The law reinstated them, and he simply reappointed them; and that is all there is about it. But that is a very different thing from the masquerading business we have had here.

Mr. SPRINGER. I stated it that way three or four times. If the gentleman from Maine had been in his seat he would have heard me.

Mr. REED, of Maine. I was in my seat but did not hear it.
Mr. SPRINGER. These seventy-two examiners had been in office, but their terms had expired and the Commissioner reappointed them. Mr. REED, of Maine. Could he have appointed other men to the

Mr. SPRINGER. Yes; he could have appointed other men to these

Mr. REED, of Maine. He simply continued them in the same posi-

Mr. SPRINGER. He gave them new commissions. Mr. REED, of Maine. He could not do anything else.

Mr. RANDALL. The fact is, as the gentleman from Illinois has stated it, that he did appoint these seventy-two men who were Republicans. And his example can be commended to the other side of the House if they shall ever come again into power. [Laughter.]

Mr. SPRINGER. The House, I believe, now understands the matter

as I first stated it.

Mr. REED, of Maine. I think they understand it thoroughly.

Mr. SPRINGER. And I am not going to reiterate it.

Mr. REED, of Maine. But they would not understand it if it had not been explained thoroughly.

Mr. SPRINGER. My printed remarks will show how I stated it, and how I explained it from the very first.

Mr. WEAVER, of Iowa. Under the law was Commissioner Black

quired to retain any of that force in office?

Mr. SPRINGER. No law required him to retain any of that force in office, but on the contrary the law terminated their service. It became the duty of the Commissioner and the Secretary of the Interior to make new appointments; and in making those reappointments, as it has already been explained, out of one hundred and fifty special examiners he appointed one-half the number from the Republican party. And in doing this I commend his example to gentlemen on the other side of the House who have been parading their non-partisanship before the country, so that if they should ever by some unfortunate turn of events come back into the control of the administration of the Government, they will treat members of the Democratic party as fairly as the Democratic administration has treated members of the Republican party. I hope the example of Commissioner Black will commend itself to their consideration and to their imitation.

Mr. RANDALL. Gentlemen can see how much his conduct in that

direction is appreciated by the Republican party.

Mr. SPRINGER. Every one understands this who wants to appre-

ciate it.

But outside of these one hundred and fifty examiners appointed by Commissioner Black, one-half of whom were Republicans and the other half Democrats, I wish to call the attention of the House to other appointments in the Pension Office. Four chiefs of division not under the civil-service law have been appointed by General Black who were Democrats, and eight have been retained who were Republicans, everyone of them drawing \$2,000 a year, and not one of them protected at all by the civil-service law. He could have appointed a Democrat to every one of those offices if he had chosen to do so. The law did not stand in

A MEMBER. And he ought to have done it. [Applause.]
Mr. SPRINGER. But he only appointed four Democrats out of the twelve places

Mr. HISCOCK. Could be have appointed Democrats to every one of those positions and found competent men to do the work?

Mr. SPRINGER. Yes, sir; he could. Mr. REED, of Maine. Well, you are going to make him very unpopular with the Democratic party if you keep on with that speech.
[Laughter:] But the fact is, the public know that the speech does not amount to anything.

Mr. DOUGHERTY. I desire to suggest to the gentleman from Illinois that the only sin Mr. Black committed is that after these fellows were turned out ever to have issued a commission to one of them.

Several MEMBERS. That is true.

Mr. SPRINGER. But to go on with this list. Two qualified surgeons have been appointed, not under the civil-service law, both of whom are Democrats. Their salaries are \$2,000 each. Five medical examiners have been appointed, at a salary of \$1,800 a year. Two of these were appointed before the decision of Attorney-General Garland bringing these officials under the civil-service rules, and three afterward. The three appointees for this service were certified up by the Civil Service Commission under the law. These five medical examiners are Democrats, and thirteen remain in their old positions and are supposed to be Republicans. So that out of this number only five changes have been made, and the thirteen Republicans still remain in office.

The CHAIRMAN (Mr. Cox in the chair). The time of the gentle-

man has expired.

Mr. SPRINGER. I hope the gentleman from New York will yield to me a little longer.

Mr. REED, of Maine. I wish the House would give the gentleman five minutes more, and I want five minutes to expose this thing.

Mr. WEAVER, of Iowa. I want the House to give the five minutes then, because I want to see if it can be exposed.

Mr. RANDALL. I will yield five minutes to the gentleman and

Mr. RANDALL. Then I will have to take back the time that I have yielded.

Mr. TOWNSHEND. I reserved my time and have yielded now for

some time to other gentlemen.

Mr. SPRINGER. I will get through in five minutes.

Mr. RANDALL. Illinois must settle its own controversies, but not

Mr. RÉED, of Maine. The gentleman from Pennsylvania had better give me five minutes and depend upon the other side to reimburse him. [Laughter.]

Mr. RANDALL. I have not any more time to spare.

Mr. TOWNSHEND. I will let my colleague proceed now without insisting upon my right to the floor.

Mr. SPRINGER. I will not occupy more than five minutes longer.

Mr. REED, of Maine. Let us have some more of the same kind of

Mr. SPRINGER. I will give the gentleman, if he will be still, a good deal of valuable information.

Mr. REED, of Maine. I have no doubt you will.

Mr. SPRINGER. I can assure him that we have so far "tempered the winds to the shorn lambs" upon that side of the House.

Now, all the other officers in the office of the Commissioner of Pensions not appointed under the civil-service law, but selected by the Commissioner of Pensions personally, such as messengers, watchmen, &c., only about half the number have been changed, and the other half remain just as they were under the Republican administration.

These positions in the Pension Office are twenty messengers, twenty-

five watchmen, twenty-five laborers, twenty messenger boys, and five charwomen. Seven of the old messengers remain. One who has left this service was promoted to a better position. Ten of the old watchmen remain, nine of the laborers, and nine of the messenger boys, and

four charwomen.

Gentlemen have assumed and the gentleman from Maryland [Mr. McComas] said that it was the object of the Democratic party to make a clean sweep of these offices. No such intention has been shown since Mr. Cleveland took control of the administration. I want to call the attention of gentlemen to the wonderful forbearance-that the Democratic party has shown in regard to the offices as far as the Republicans are concerned. Look at the Government Printing Office, still run by Mr. Rounds, a Republican, while there are over one thousand em-

by Mr. Rounds, a Republican, while there are over one thousand employés.

Mr. RANDALL. Over twenty-six hundred.

Mr. SPRINGER. Twenty-six hundred, as the gentleman from Pennsylvania tells me; not one of them protected by the civil-service law.

Mr. RANDALL. And the office expends \$2,700,000 annually.

Mr. SPRINGER. Yes, sir. I refer also to the Bureau of Engraving and Printing, where the number of Republican employés is nearly a thousand, and which is presided over by a Republican, not one of the employés in the bureau being protected by the civil-service laws.

Mr. HISCOCK. Let me ask the gentleman if their protection is not.—

Mr. SPRINGER. I decline to yield to the gentleman. The Architect of the Treasury Department is a Republican and still holds his place; not one of his employes is protected by the civil-service law. And look | been any changes made by the present administration.

at the offices throughout the country generally that are still filled by Republicans. The consul-general and vice-consul at Paris are Republicans; many of the positions of governors of the Territories and the judges of the Territorial courts, officers of the Indian Bureau and of the land offices are still in the hands of the Republicans. Look into any branch of the public service in every State and Territory and you will find hundreds of Republicans are still in office.

The incumbents of the following offices of the Treasury Department

have not been changed by this administration:

supervising Surgeon-General of Marine-Hospital Service, Supervising Inspector-General of Steam-Vessels, Chief of the Secret Service.
Superintendent of Life-Saving Service.
Superintendent of Life-Saving Service.
Chief of the Bureau of Engraving and Printing.
Deputy commissioner of customs.
Deputy second auditor.
Deputy second auditor.
Deputy fourth auditor.
Deputy sixth auditor.
Deputy sixth auditor.
Deputy sixth auditor.
Deputy commissioner of internal revenuc.
Commissioner of Navigation.
Five chiefs of division in Secretary's Office,
Eight assistant chiefs of division in Secretary's Office,
Three chiefs of division in First Auditor's Office,
One chief of division in First Auditor's Office.
One chief of division in Firth Auditor's Office.
Two chiefs of division in Firth Auditor's Office.
Two chiefs of division in Firth Auditor's Office.
Two chiefs of division in First Comptroller's Office.
One chief of division in First Comptroller's Office.
One chief of division in Comptroller of Currency's Office.
One chief of division in Comptroller of Unrency's Office.
Four chiefs of division in Treasurer's Office.
Four chiefs of division in Treasurer's Office.
None of these positions are protected by the civil-service law

None of these positions are protected by the civil-service law.

There are also in the Treasury Department about one hundred and seventy-five messengers, assistant messengers, laborers, firemen, watchmen, paper-counters, &c., at salaries ranging from \$840 to \$360 per annum, and about six hundred employés paid per diem salaries in the Bureau of Engraving and Printing, all of whom may be appointed without reference to the civil-service rules.

Under the general leave to print which has been given I will insert lists of Presidential and Department offices in the Interior Department not covered by the civil-service law, and in which there have not as yet

List of departmental offices above the "classified service" to which appointments have not yet been made (June 10, 1886) by the present administration. [A star (*) against a name indicates service in Union Army or Navy]

Office.	Salary.	Present incumbent,	Legal residence.	Original appointment.
OFFICE OF THE SECRETARY.	1 2			
Chief clerk and superintendent of the building	\$2,750	George M. Lockwoods	New York	Feb. 9,1877
Disbursing clerk	2,000	George W. Evans	District of Columbia	Apr. 16, 1864
Chief of Indian division	2,000	Robert V. Belt*	Maryland	Apr. 15, 1882
Chief of patents and miscellaneous division	2,000 2,000	Edw. M. Dawson	Maryland	Aug. 22, 1868
Member board of pension appeals	2,000	George Ewing	Pennsylvania	Mar. 28, 1863
Superintendent of documents	2,000 2,000 1,600	John G. Ames Amos Hadley*	New York	Aug. 23, 1876
Chief of stationery division	7,600	Charles W. Thompson*	Maine	
Clerk to sign land patents	1,200	Miss Marcia McKean	District of Columbia	July 12, 1884
CICIA to sign man parono	2,200	ALON AMERICAN ARCECUMATION	District of Columbian	July 12, 1003
OFFICE OF ASSISTANT ATTORNEY-GENERAL,			The state of the s	
Law clerk	2,500	Frank L. Campbell*	Ohio	
Clerk	2,000	Samuel V. Proudfit	Iowa	
Do	2,000 2,000	Luther R. Smith*	Alabama	July 3, 1883
Do	2,000	Edwin P. Hanna	Kansas	July 21, 1875
GENERAL LAND OFFICE,		2000 - 200 12 200 - 100	Desira serie merene con	No.
Law clerk	2,000 2,000	John W. Le Barnes*	District of Columbia	Nov. 1,1875
Inspector of surveyors-general and district land offices	2,000	Francis D. Hobbs*	New Hampshire	Dec. 9, 1871
OFFICE OF INDIAN AFFAIRS.				
Financial clerk	2,000	Edmund S. Woog*	Missouri	May 23, 1877
Principal book-keeper	1,800	Joseph B. Cox	District of Columbia	Nov. 28, 1871
Chief of accounts division	1,800	Samuel M. Yeatman	Virginia	Feb. 6, 1878
Chief of lands division	2,000	Charles A. Maxwell*	Ohio	
Special Indian agent,	2,000	Charles H. Dickson	Indiana	Aug. 21, 1884
PENSION OFFICE.				
Chief of board of review	2,000	Jacob R. Van Mater	New Jersey	Mar. 17, 1866
Chtef of Eastern division	2,000	Fred Mack*	Vermont	May 15, 1872
Chief cf War and Navy division	2,000	William H. Webster*	Connecticut	June 8, 1869
Chief of mail division	2,000 2,000	David L. Gitt	Missouri	June 8, 1869
Chief of miscellaneous division	2,000	Fred. C. Peck*	Colorado	Apr. 21,1882
PATENT OFFICE.				
Chief clerk.	2,000	Schuyler Duryee	Virginia	Jan. 3, 1881
Examiner of interferences	2,500	Frank MacArthur	Wisconsin	July 14, 1877
Principal examiner.	2,400	Oscar C. Fox*	New York	May 21 1870
Do	2,400	William H. Blodgett	Wisconsin	May 1.1871
Do	2,400	Benjamin W. Pond	Virginia	July 17, 1873
Do	2,400	William Burke	Wisconsin	Dec. 1,1866
Do	2,400	Thomas Antisell*	District of Columbia	June 1, 1866
Do	2,400	Oscar Woodward	Iowa	
Do	2,400	Frank T. Brown	Kentucky	Nov. 15, 1875
Do	2,400 2,400	Henry P. Sanders*	New York	
D ₀	2,400	John P. Chapman	Ohio Pennsylvania	
Do	2 400	Solon W. Stocking*	New York	Sont 2 1860
Do	2,400 2,400	Benjamin S, Hedrick*	North Carolina	Apr. 10 1961

List of departmental offices above the "classified service" to which appointments have not yet been made, &c .- Continued.

Office.	Salary.	Present incumbent.	Legal residence.	Original appointment.
Principal examiner	\$5,400	Charles J. Kintner	Michigan	Sept. 16, 1878
Do	2,400	L. M. E. Cooke	District of Columbia	Sept. 12, 1872
Do	2,400	Francis Fowler	New York	June 1, 1869
Do	2,400	A. George Wilkinson	Connecticut	
Do	2,400	Malcolm Seaton*	District of Columbia	
Do	2,400	Robert Mason	Tennessee	Jan. 6,1868
Do	2,400	Charles G. Gould*	Vermont	Feb. 21, 1877
Examiner of trade-marks	2,400	Franklin A. Seely*	Pennsylvania	Nov. 20, 1875
Examiner of designs	2,400	Perry B. Pierce	New York	Feb. 13, 1875
Financial člerk	2,000	Levi Bacon	Michigan	Nov. 12, 1875
Chief of draughting division	2,000	Marcellus Gardner*	New York	July 1, 1867
Chief of issue of Gazette	2,000 2,000	John W. Babson	Maine	Feb. 6, 1877
OFFICE OF EDUCATION.	* ***		Name Wasseships	Fab 14 1000
Chief clerk	1,800	William H. Gardiner	New Hampshire	Feb. 14, 1882 June 24, 1880
Collector and compiler of statistics	2,400 1,800	J. Edwards Clarke † Charles Warren †	New York	
OFFICE OF COMMISSIONER OF RAILROADS.				
Engineer	2,500	Thomas Hussard	Florida	Feb. 16, 1881
GEOLOGICAL SURVEY.	. Jane			
Chief clerk	2,400	James C. Pilling	District of Columbia	
Executive officer	3,000	James Stevenson †	do	Mar. 7, 1881
General assistant	3,000	George W. Shutt	West Virginia	Aug. 18, 1882
Chief disbursing clerk	2,400	John D. McChesney	New York	Dec. 30, 1879
Librarian	2,000	Charles C. Darwin	District of Columbia	April 6, 1882
Photographer	2,000	John K. Hillers	California	July 1,1881
Geologist	4,000	George F. Becker	do	July 8, 1879
Ďo.	4,000	Samuel F. Emmons	Wyoming	
Do	4,000	Grove K. Gilbert	Utah	
Do	4,000	Arnold Hague	New York	July 8, 1879
Do	4,000	Ferd. V. Hayden †	Pennsylvania	July 8, 1879
Geologist	3,000	Henry Gunnett	Maine	Oct. 8, 1879
Do	3,000	Roland D. Irying	Wisconsin	
Geologist	2,400	William H. Holmes	Ohio	
Do	2,400	A. Williams, jr	California	
Geologist	2,000	Lester F. Ward †	District of Columbia	July 1,1881
Paleontologist	4,000	Othniel C. Marsh	Connecticut	
Do	2,000	Charles D. Walcott	New York	
Chemist	3,000	Frank W. Clarke	Ohio	June 30, 1883
Do	2,000	William F. Hildebrand	Colorado	
Chief geographer	2,700	Almon H. Thompson †	Kansas	
Geographer	2,700 2,500	John H. Renshawe	Illinois	
Do	2,500	Gilbert Thompson †	Massachusetts	April 22, 1880
Topographer	2,000	Sumner H. Bodfish †	District of Columbia	
Do	2,000	Anton Carl	New Mexico	
Do	2,000 2,000	Henry F. Walling	District of Columbia	June 30, 1883
BUREAU OF LABOR.				
Chief clerk	2,000	Oren W. Weaver	Massachusetts	Feb. 3, 1885
MISCELLANEOUS,				Jan Ba
Superintendent of Government Hospital for the Insane	2,500	William W. Godding	Massachusetts	
Surgeon in charge of Freedmen's Hospital	2,000	Charles P. Purvis	District of Columbia	
Assistant superintendents of the Yellowstone National Park	900	Edmund L. Fish	New York	
Do	900	J. W. Weimer	Kansas	June 2, 1883
Do	900	Samuel S. Erret	New Mexico	June 12, 1883

† The "temporary" force of the Geological Survey in which the law specifies no offices is not here considered.

List of Presidential offices under the Department of the Interior to which appointments have not yet been made by the present administration. List of Presidential offices under the Department of the Interior to which appointments, &c.—Continued.

Name.	Office,	Original appointment.	Name.	Office.	Original appointment.	
GOVERNORS OF TERRITORIES.		TO THE	Jeremiah D. Hyde	Visalia, Cal		
			Edward F. Taylor	Sacramento, Cal	June 18, 1878	
Gilbert A. Pierce	Dakota		Wright P. Hall	Susanville, Cal	Mar. 11, 1884	
Watson C. Squire		July 2, 1884	David Walker	Bodie, Cal	Jan. 8, 1884	
Francis E. Warren	Wyoming	Feb. 27, 1885	Louis Dugal	Denver, Colo		
			Richard Harvey	Central City, Colo		
SECRETARIES OF TERRITORIES.			David S. Hoffman	Lake City, Colo	June 5, 1883	
*** ** * * * * * * * * * * * * * * * *	***	** * ** ***	Daniel L. Sheets	Durango, Colo	June 9, 1882	
Edward J. Curtis	Idaho	Feb. 12, 1885	John J. Thomas	Gunnison, Colo		
Arthur L. Thomas	Utah	May 1,1879	James L. Hodges	Glenwood Springs, Colo		
Nicholas H. Owings	Washington	Feb. 5, 1877	George B. Everitt	Mitchell, Dak		
Fliott S. N. Morgan	Wyoming	Mar. 10, 1880	Horace Austin	Fargo, Dak	Apr. 22, 1879	
		The state of the s	John A. Rea	Bismarck, Dak	May 27, 1880	
PENSION AGENTS.			James P. Luce	Deadwood, Dak		
ml	G	7 1 1 1001	Byram C. Tiffany	Grand Forks, Dak	Feb. 18, 1880	
Thomas P. Cheney	Concord, N. H.	July 4,1884	Henry W. Lord	Devil's Lake, Dak		
Russell Errett	Pittsburgh, Pa	Apr. 17, 1883	Louis A. Barnes	Gainesville, Fla		
Theodore L. Poole	Syracuse, N. Y	Mar. 28, 1879	Patrick H. Winston	Lewiston, Idaho	Feb. 26, 1885	
Sidney L. Wilson	Washington, D. C	Jan. 22, 1885	Homer L. Pound	Hailey, Idaho	Mar. 1,1883	
			Felix G. Clarke	Des Moines, Iowa		
SURVEYORS-GENERAL.		2.9	John M. Hodge	Salina, Kans		
Martin C Chandles	35	0 1000	John Bissell	Kirwin, Kans		
Martin S. Chandler	Minnesota		Sylvester H. Dodge	Concordia, Kans		
Christopher C. Powning	Nevada	Mar. 8,1883	Alonzo L. Patchin:	Oberlin, Kans	Mar. 22, 1883	
James C. Tolman	Oregon	Apr. 17, 1878	Charles Doughty	East Saginaw, Mich	July 18, 1876	
			Nathaniel Clark	Reed City, Mich		
REGISTERS OF LAND OFFICES.			Barnum B. Cochran	Marquette, Mich.		
			Lucus K. Stannard	Taylor's Falls, Minn	Oct. 7,1884	
William C. Wells	Huntsville, Ala	Nov. 20, 1884	Gustave Reiche	Boonville, Mo		
Thomas Wing	Prescott, Ariz	June 7,1882	James H. Chase	Ironton, Mo		
Benjamin M. Thomas	Tucson, Ariz	Mar. 2,1883	George A. C. Woolley	Springfield, Mo	June 1,1876	
Adolphus G. Leming	Dardanelle, Ark	Jan. 15, 1884	Miner W. Bruce	Niobrara, Nebr	July 5, 1884	
William R. Wheaton	San Francisco, Cal	Jan. 12, 1876	Simon W. Switzer	Bloomington, Nebr	Aug. 15, 1878	
John C. Bradley	Marysville, Cal	Dec. 13, 1879	Gilbert L. Laws			
George A. McKenzie	Stockton, Cal	Aug. 15, 1876	Washington Berry	Miles City, Mont	July 5, 1881	

List of Presidential offices under the Department of the Interior to which appointments, &c.—Continued.

appointments, &c.—Continued.						
Name.	Office.	Original appointment.				
Edward S, Butler	Neligh, Nebr	Jan. 20, 189 Mar. 4, 188				
Frederick H. Hinkley	Beatrice, Nebr Eureka, Nev Santa Fé, N. Mex North Yakima, Wash Menasha, Wis. Saint Croix Falls, Wis.	Mar. 4, 188 July 14, 188 July 14, 188 Dec. 21, 188 Dec. 21, 188 July 27, 186 July 27, 186 July 1, 188 Feb. 2, 188 Mar. 17, 188 July 16, 188 Mar. 3, 188 July 4, 188 Mar. 1, 188 Mar. 1, 188 Mar. 1, 188 July 6, 188 July 18, 184 Aug. 20, 184 Aug. 20, 184 Aug. 20, 188 July 18, 184 Aug. 20, 188 July 18, 184 Aug. 20, 188 July 7, 188 July 9, 189 July 7, 188 July 9, 189				
George W. Fay	Menasha, Wis	Jan. 7, 187				
Michael Field William H. Tancre		July 27, 186 Jan. 29, 188				
Chester Thomas	Prescott, Ariz	July 1,188				
Thomas J. Sherwood	Prescott, Ariz	Mar. 17, 188				
Edward L. Salisbury	Leadville, Colo	Feb. 6,188				
Willard S. Hickox	Durango, Colo	Mar. 3, 188 June 9, 188				
Chester Thomas Daniel H. Wallace. Chomas J. Sherwood Charles F. Gardner. Edward L. Salisbury Charles D. Peck Willard S. Hickox Frederick J. Leonard Fames W. Ross Chomas F. Singiser. Edward C. Gearey William J. Anderson Buel E. Hutchinson	Glennwood Springs Colo	Jan. 29,188 July 4,188				
Phomas F. Singiser	Mitchell, Dak	Mar. 3,188				
William J. Anderson	Grand Forks, Dak	Feb. 19,188				
John F. Rollins	Aberdeen, Dak	July 1,187				
Arthur J. Shaw	Hailey, Idaho	Mar. 1,188				
Harper S. Cunningham	Hailey, Idaho Cœur d'Alene, Idaho Salina, Kans	July 18, 188 Feb. 15, 188				
Harper S. Cunningham	Salina, Kans	Aug. 9,188				
Alexis E. Lemee	Detroit, Mich	July 5, 188				
William H.E. Mitchell Peter H. Holberg	Reed City, Mich	July 6, 188 July 24, 187				
Peter H. Holberg Edward G. Swanstrom	Duluth Minn	May 15, 188 Feb. 25, 188				
Andrew Railson	Crookston, Minn Redwood Falls, Minn Springfield, Mo Niobrara, Nebr Grand Island, Nebr	Aug. 20, 188				
James Dumars	Springfield, Mo	Mar. 18, 187				
Sanford Parker William Anyan	Grand Island, Nebr	Apr. 23, 187				
William Anyan. Charles F. Babcock John T. Carlin William B. Lambert	McCook, Nebr Bozeman, Mont	Mar. 3, 188 Apr. 27, 188				
William B. Lambert	Neligh, Nebr	Jan. 20,188 July 7,188				
Henry D. Root John G. Pillsburg Caleb N. Thornbury James R. Hayden James Braden	Lincoln, Nebr	Mar. 3,188				
James R. Hayden	Olympia, Wash	July 5, 188				
James Braden Luther S. Howlett James H. Jones	Olympia, Wash	Jan. 0, 100				
Alvah A. Heald	Menasha, Wis	Feb. 8, 188 Dec. 18, 188				
Everett B. Sanders	Wausau, Wis	Jan. 16,188				
Charles E. Ashley	Colorado River, Ariz	Nov. 25, 188				
Theodore F. Willsey Corington G. Belknap	Round Valley (al. Tule River, Cal. Southern Ute, Colo. Devil's Lake, Dak. Fort Berthold, Dak.	June 19, 188				
C. F. Stollsheimer	Southern Ute, Colo	Oct. 2,187 Jan. 15,188 Oct. 14,188				
John W. Cramsie	Fort Berthold, Dak	Oct. 14,188 Apr. 16,188				
James McLaughlin	Standing Rock, Dak	July 6,188 June 27,188				
John F. Kinney Charles E. Monteith	Yankton, Dak	July 9,188 Mar. 29, 188				
J. W. Patrick Fimothy J. Sheehan	Nez Percés, Idaho Pottawatomie and Great Nemeha White Earth, Minn	Sept. 26, 188 Feb. 20, 188				
Peter Ronan	Flathead, Mont	Apr. 12,187				
Wyman L. Lincoln William D. C. Gibson	Nevada, Nev	July 5,188				
William Peacock	Siletz, Oregon	Apr. 8,188 Apr. 28,188				
Edwin Eells Charles Willoughby	Nevada, Nev New York, N. Y Siletz, Oregon Nisqually and Skokomish. Quinaielt, Wash, Ter.	Apr. 17, 187 Aug. 9, 188				
MISCELLANEOUS.						
John W. Powell	Director Geological Survey	Mar. 21, 188				
Hiram J. Ramsdell	Commissioner of Labor	July 2,188				
George L. Godfrey	doi	June 23, 188				
James R. Pettigrew		June 23, 188				
S Calvert Ford	Inspector gas and meters	Aug. 19, 187				
Seth W. Clark William H. Walker	Recorder General Land Office Principal clerk private land	Dec. 21, 186 Jan. 6, 187				
	claims					
Rufus L. B. Clarke	Examiner-in-chief Patent Office	Apr. 23, 186				
Rufus L. B. Clarke	Examiner-in-chief Patent Officedo	Apr. 23, 186 May 1, 187 Mar. 5, 188 Aug. 30, 186				

In the postal service equal forbearance has been shown. The Third Assistant Postmaster-General still holds his place; Mr. Jameson, Superintendent of the Railway Mail Service, and numerous others have not been changed. The postal railway clerks, numbering several thousand, have not been changed except for causes other than political. These places are not embraced in the civil-service law, and could all have been filled ere this by Democrats. In the State Department two Assistant Secretaries, the chief clerk, and many others are still retained. In the Army and Navy Departments but few changes have been made, and none, so far as I am advised, for political reasons. The President has not even changed the employés at the Executive Mansion. He

sends his messages to Congress by the same secretary who brought those of Hayes and Arthur. In short, his whole administration is character-

ized by acts of forbearance toward his political opponents.

In view of these facts I assert, and the history of this country will concede the fact, that the administration of President Cleveland is the most non-partisan since that of George Washington. He has endeavored faithfully and honestly to execute the civil-service law, and has extended its spirit far beyond its letter. The Democratic party is in favor of the execution of this law in its letter and spirit, but it never was intended by the framers of that law, or by those who passed it, to put into the hands of a small cabal the power to arrange the appointments of all the officials of this Government against the will and judgment of the President and the heads of the Departments. All that was ever intended by the civil-service law was to provide an examination for those who were applicants for public service with a view to ascertaining their fitness for the positions to which they aspired. Gentlemen on the other side of the House are now endeavoring to pervert and distort this law for the purpose of keeping Republicans in and Democrats out of office.

Macht Platz fuer Alt Berks.

SPEECH

HON. DANIEL ERMENTROUT,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 7, 1886.

The House having under consideration the bill (H. R. 1983) extending the limit of the appropriation for the erection of a public building at Reading, Pa.—

Mr. ERMENTROUT said:

Mr. SPEAKER: It is hardly worth while to take up much time in the discussion of this bill. It is not the first time that a bill for this purpose has been before Congress. As early as the Forty-second Congress a bill was passed by the House, but owing to the lateness of the session it was not considered in the Senate and consequently did not become a law. In the Forty-seventh Congress a bill was reported favorably to law. In the Forty-seventh Congress a bill was reported favorably to the House, but no opportunity given to call it up. In the Forty-eighth Congress a bill was reported providing for an appropriation of \$80,000 and became a law. Commissioners were appointed to select a site for the erection of the building, and they reported the amount of the appropriation to be utterly inadequate. Hence a bill was introduced in this Congress asking for an appropriation of \$250,000. The committee to which the bill was appropriately referred, upon examination, amended it by reducing the amount from \$250,000 to \$180,000, and that is the sum this bill appropriates.

Mr. WARNER, of Ohio. Is that \$180,000 in addition to the former

\$80,000?

Mr. ERMENTROUT. No, sir; it is an addition of \$100,000. After an investigation the Secretary of the Treasury thought \$230,000 a sufficient sum. The committee, however, concluded that we must be content with \$180,000, and we are willing to make the effort.

Mr. Speaker, perhaps it is hardly necessary for me to tell this House where the great metropolis of Reading is. And yet as there are so many things to engross the time and minds of Congressmen such information might be very necessary. Such also has been her astonishing growth that many of you who knew the Reading of old would hardly recognize the Reading of to-day. Reading is located on the east-ern bank of the Schuylkill, "the hidden river" of the early Dutch explorers, on a gently sloping area of wide extent.

Beyond the river on the west, with a church-spire, a school-house, some bridge, or furnace stock, or factory, or mining operation thrown in, are the broad and fertile acres of the rich Lebanon Valley, dotted everywhere with farm-houses and homes, and now, in this month of June, thickly covered with fragrant clover and timothy and the waving wheat and rye almost ready for the reaper. Here and there rise hills and hillocks decked with forest foliage, revealing a picture pleasing to the eye and grateful with shade to the toiling laborer and the feeding herds. Back of this noble city stands out in bold relief against the eastern sky Penn's Mount, and along the winding river the Neversink Mountain, with its romantic Lover's Leap. Behind them lies Alsace, marshaling on the bosom of its sloping hills under the ripening sun battalions of the purple vine and the hills of Oley rich with corn and oil. These verdure-covered mountains command full views of the city below, and of miles and miles of the country beyond—a very garden of Paradise unrolling itself to the vision like some beautiful panorama. They are also interspersed with many pretty places of resort for entertainment and summer life, some hidden in the woods, some standing prominently forth, and are reached by means of good, broad roads cut in the mountains, or inclined railway. So well adapted for a city is its site, so charming its natural surroundings, so inexhaustible its facilities for comfortable and ornamental suburban homes and places of recreation, and so genial its thrifty population, that should its material resources fail Reading would con-

tinue to be a splendid and flourishing city.

But her material resources will not fail. Year after year adds new enterprises; year after year the hum of her industries swells louder and louder; year after year the thumps of her forge-hammers become more deafening; year after year the smoke ascending to the heavens from her furnaces and foundries, her factories, her mills, and her shops becomes denser in perpetual testimony to the solid, conservative, abiding progss which the genius of improvement has breathed into her people. Year after year new railroads from all directions project their tracks into and out of her territory and waken the echoes with their locomotive-whistles. Year after year buildings and shops are erected and enlarged to meet growing wants. Her streets are extended, her borders enlarged, her reservoirs increased, her natural advantages improved by art, and her population augmented. Her population is now at the lowest 55,000 souls, and will at the past rate of increase double within the lifetime of the present generation.

The revenues from the Federal offices have paid for the amount of the appropriation twenty times over and more.

But there is another reason why this bill should commend itself to the support of the House irrespective of party or locality. We all love the "fathers of the earlier and better days of the Republic." Often on this floor have I heard gentlemen grow eloquent over the virtues, the principles, and traditions of Jefferson and Jackson and the fathers and the "good old times." Well, sir, let me say that Reading is the capital of that magnificent domain known in the political history of the country as "Old Berks." It was Samuel J. Tilden, the sage of Greystone and greatest of living statesmen, who, I am glad to know, still lives in the unimpaired possession of his faculties, while others who contended with him as rivals for the Presidential prize have passed away and are dust—he it was who paid the people I have the honor to represent that most magnificent compliment:

From the days of Jefferson, since the foundation of parties, through all the vicissitudes of parties, you have remained firm and steadfast to your political ideals.

Yes; and in the olden days elections were never considered settled till "Old Berks" was heard from.

Mr. STRUBLE. Will the gentleman permit me to ask him a ques-

Mr. ERMENTROUT. I decline to be interrogated. It is not often that "old Berks" gets the floor so entirely to herself with such a fol-

lowing as she has to-day. [Laughter.]

People in those days, I say, never made up their minds how the election had gone until the returns came in from "old Berks." In those days they had not the telephone or the telegraph. The stage-coach and the Conestoga wagon were almost the sole means of communication. In our State the earliest returns were usually first gathered at Harrisburg, frequently brought there by the teamsters who gathered them up along the route. It is related that on the occasion of one of Jackson's campaigns the teamsters on their way through Harrisburg after the election day were asked, "What are the returns from old Berks?" The answer came: "Nine thousand majority for Jackson and they are voting yet." [Laughter.] Jackson was elected. Certainly the followers of Jefferson and Jackson and the admirers of the "good old times" are obligated to support this bill.

There is another ground on which I ask the unanimous support of the House for this bill, a reason that will commend itself to enlight-ened men everywhere. "Old Berks" has been eminently a missionary county, evangelizing in all sections of the country from the earliest

Mr. VAN EATON. Are there any missionaries there now?
Mr. ERMENTROUT. Plenty of them left. We have sent them to
the East and the West, the North and the South, in fine to all points We have sent them to of the compass in this country, and, I may add, the rest of the world. I look at the benevolent countenance of my friend [Mr. McCreary] before me, and I see it beaming his acknowledgment of the lasting debt Kentucky owes to "Old Berks" for sending down into the "dark and bloody ground" her son, the noblest pioneer of all, Daniel Boone, to lay the foundations of the great Commonwealth that gave us statesmen like Clay and Crittenden and Breckinridge, himself and the Speaker of this House. I turn to Illinois. "Old Berks" nurtured the ancestors of Abraham Lincoln, whose memory since the grave has made mute the voice of party and buried the bitterness of war is cherished as that of an honest patriot. Those ancestors gave him to Kentucky; Kentucky gave him to Illinois; Illinois, to the country.

I find in Texas, in the person of Judge REAGAN, who has acted a

conspicuous part to the annals of the country, a gentleman in whose veins courses the blood of John Andrew Shulze, one of Pennsylvania's German governors, whose home was on the banks of the Tulpehocken. The stubborn honesty of the descendant does not belie the sire whose same quality adorned that high position.

Let my friend [Mr. VAN EATON] hunt up the records of his State. He will find illustrating the history of his State Yerger and others whose names bear the ear-marks of "Old Berks." There is no telling how much of his [success as a statesman Mr. Holman, of Indiana,

owes to the hundreds of the sons of old Berks living in his district. Order to the numerous of the sons of old Berks living in his district. Perhaps he learned from them his first lessons in economy. Go into Ohio, behold her beautiful, well-proportioned, commodious, neat barns and well-tilled fields; they are the finger-boards of my people. The valleys of Virginia bloom with their thrift and her history with their achievements

Thus might I go on a whole day and call up names and facts familiar in every Congressional district in the States and Territories of the Union, and I doubt if any one of the Representatives of the same, under oath, could fail to bear testimony to the benefits of the missionary work conferred upon them by the hosts of hardy pioneers and their decendants, who from the earliest times have gone forth from old Berks as it were from a mint of nations. Why, we have the lineal descendants of her children around us here on every hand as Representatives from the States. There is my colleague from Iowa [Mr. Struble]; I am sure he is proud of his Berks County lineage. And there is my colleague from Kansas [Samuel Ritter Peters]; he bears in his middle name most honorable evidence of the same origin.

To be sure, those gentlemen have forgotten to maintain the political faith of their fathers, but this only shows that our contributions to the country have been without regard to party. I might continue this in teresting discourse, but I fear that to do so I would be compelled to take in the greater part of the Congressional Directory and a large part of the history of the country. I hope, however, that I have given this House a sufficient statement of the merits of this bill and of the obligations it is under to the district I have the honor to represent to make

clear its duty to pass this bill.

Extension of Indebtedness of Pacific Railroads.

SPEECH

HON. BARCLAY HENLEY,

OF CALIFORNIA.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 5, 1886.

The House having under consideration the bill (H. R. 8318) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; and to provide for a settlement of the claims growing out of the issue of bonds to aid in the construction of certain of said railroads, and to secure to the United States the payment of all indebtedness of certain of the companies therein mentioned—

Mr. HENLEY said:

Mr. SPEAKER: Idid not anticipate that this bill would be reached this morning, because I was advised yesterday that the Appropriations Committee intended to contest the right of way to-day with the Committee on Pacific Railroads and I thought the former would prevail in that contest. I had prepared some memoranda, which, not anticipating this discussion, I have not at hand, from which it was my purpose to address this House. I shall not, therefore, be able to do so with that elaboration that might be desired. But certain observations have suggested themselves to my mind while listening to the speech of the gentleman from Ohio [Mr. OUTHWAITE], which I desire to submit to the House, and I shall consume as little time as possible in doing so.

Now, Mr. Speaker, I certainly have no wish to say anything that savors of the ad captandum in noticing the propositions involved in this bill, because I recognize the fact that this is a business proposition and

should be disposed of on business principles.

should be disposed of on business principles.

In the first place my very great respect for the chairman of the Committee on Pacific Railroads and the other gentlemen upon that committee constrains me to regard this bill with a great deal more favor than I otherwise would. Still, sir, there are certain great facts in connection with the subject which forbid me to surrender my individual judgment or yield it to the views of the committee.

I am profoundly impressed with the conviction that this measure should not pass, and that judgment is founded upon more reasons than

should not pass, and that judgment is founded upon more reasons than I shall probably have time to express to-day.

I know this also in respect to the bill, and that is a consideration on the other side, that if its provisions so jealously conserve and guard the interests of the Government, it does seem passing strange that these companies, the Union and the Central Pacific, are so friendly to it. So far as my knowledge goes they have rarely favored honest legislation where their interests were involved. I do not know whether that is a factor that should enter into our view of the matter or not; but from the outgivings of certain organs, certain newspapers in this country of notorious tendencies, and from information which has reached me regarding the views of individuals who are to be seen in the corridors of this Capitol in connection with railroad legislation, I confess I am not much prejudiced in favor of the bill; such things do not advance it

greatly in my judgment as being a correct measure. In other words, Mr. Speaker, these corporations who are satisfied with the bill have a record of habitual defiance of law from the hour of their creation up to the present time, or at least up to the time that they were converted to the belief that this is a proper measure-from first to last their record and their career in this country has been one of flagrant and bold insubordination to law; has been one of domination of legitimate authority; one of meretricious control of Legislatures, unlawful interference with popular elections, constant evasion of their obligations, and a persistent intrusion even, in some instances, within the sacred precincts of the forum. And this, sir, has been carried so far as to now constitute a reproach to American civilization and a menace to constitutional gov-

Mr. LONG. Will the gentleman specify one instance in which the present administration of the road violates the law?

Mr. HENLEY. I was going to say I would do so with a great deal of pleasure, but I will do it with a great deal of regret (because such a revelation is no pleasure to me) if gentlemen will give me their atten-

Mr. LONG. What does the gentleman refer to? To the Union Pacific?

Mr. HENLEY. I refer to the Union Pacific, the president whereof is Charles Francis Adams

Now will the gentleman specify any instance in which Mr. Adams violates the law?

Mr. HENLEY. Yes; but I can not doit unless the gentleman gives

me an opportunity by silence. I must have time to do it in.

Mr. CANNON. Will the gentleman allow me a single suggestion?

Mr. HENLEY. Certainly.

Mr. CANNON. I concede to the gentleman frankly I have not studied this bill as well as I might have done if I had sufficient time. We all have our particular committee work to do. I am in search of light. I have heard the remarks of the gentleman from Ohio [Mr. OUTHWAITE], and I would be glad if the gentleman from California, who has been condemning these roads for general improper action in the past, would state the substantial objections to this bill without reference to the action of the railroads or anybody else in the past, but coming down to the merits of the bill itself, taking the situation as it I wish to say that much before the gentleman continues his

Mr. HENLEY. I will give to the gentleman from Illinois before I finish what I conceive to be substantial objections, or sufficient objections at all events to impel me to take the action I propose to take. Those objections can not be irrespective of the railroads, however, as the gentleman suggests. It is these corporations, their conduct past and present, that confront us at every turn of this inquiry, and which can not with propriety be ignored in this discussion.

Mr. CANNON. Without reference to the past history of the roads,

but looking to the future.

BAD HISTORY OF THE RAILROADS.

Mr. HENLEY. Well, I am going to speak of the past, because, as I said, that is a very pertinent matter of discussion and consideration here. Now, Mr. Speaker, as I have intimated, the fact that this measure is in a degree acceptable to those notorious transgressors of the law does in a degree acceptable to those hotorious transgressors of the law does not advance it much in my estimation, but superinduces, in my mind, a very grave suspicion that there is something wrong about it—something, of course, that the Committee on Pacific Railroads are unadvised of; otherwise they would not support it. Some time ago I introduced into the House a resolution for the purpose of instituting an investigation by Congress into the affairs of this company in its relations to the Government and into the truth of certain allegations and rumors that had been rife in the country, emanating from very respectable sources, in respect to the internal management, the administration of this company as to its business connection with the Government.

The committee did not report that resolution, but they reported one as a substitute for it. The substitute of the committee provided for a commission to be appointed by the Secretary of the Interior, and which, unlike my resolution, must pass the Senate before it can become operative; but the object of my resolution, which did not require Senatorial action, was to create a Congressional Committee who should be clothed with power to send for persons and papers, to employ railroad experts and accountants, and to find out among other things where every dollar of the income of these companies has gone, from the time of their organization up to the present hour. Here, for instance, is certain indebtedness alleged to be due from the Union Pacific Railroad Company to certain branch lines; now, I think it is an important thing, in connection with legislation upon this subject, that this House should know whether that indebtedness is genuine or not. whether that indebtedness is genuine or not—in other words, whether it is the result of a contract by the Union Pacific Railroad Company with the Union Pacific Railroad Company, as the contract for the con-struction of the Central Pacific Railroad with the Contract and Finance

dollars. And how we can with proper intelligence legislate on this subject without this information I can not see.

I desired to know, and I think the people of this country also wanted to know, for example, how many persons in the city of Washington are in the employ of these Pacific railroad companies to-day, and what duties such employés perform, and how much they are paid. I see men around these corridors who have been pointed out to me as being employés of these corporations, and my resolution might elicit some information as to the character of duties or work these men are engaged in, and how much, if any, of the incomes of these corporations is diverted to illegitimate purposes. Mr. Charles Francis Adams himself has said—and I leave the distinguished gentleman from Massachusetts [Mr. Long], who interrogated me a while ago, to say if that constitutes fair dealing with the Government—Mr. Charles Francis Adams himself has said, as I understand, that the free-pass list of the Union Pacific Railroad Company costs the company \$2,000 a day. Is that honesty on the part of the management of this company? And this is the smallest accusation I shall make against this corporation.

Mr. LONG. What is the authority for the gentleman's statement?

Mr. HENLEY. I have seen it stated repeatedly. Mr. LONG. Where?

Mr. HENLEY. I do not know but that there are gentlemen upon this floor who have more and better information than I have.

Where has the gentleman seen it stated repeatedly? Mr. HENLEY. In newspapers and in periodicals. It is a part of the current history of the country of which no man ought to plead ig-

Mr. LONG. Will the gentleman name one newspaper or one peri-

odical on the authority of which he makes the statement?

Mr. HENLEY. Yes, sir; I will furnish the gentleman with an abundance of them. The New York World is one paper in which I have seen the statement, and I can give the gentleman a good many more; there will be no trouble about that. But does the gentleman deny its truth?

Mr. LONG. I do deny its truth. Mr. HENLEY. On what authority?

Mr. LONG. On the same authority on which the gentleman states

it—that it is mere newspaper rumor.

Mr. HENLEY. Will you name one paper that says it is not true?

[Laughter.] Mr. LONG. If the gentleman will allow me-

Mr. HENLEY. I am allowing you, but you do not respond; name

paper.
Mr. LONG. If the gentleman will allow me, I will say to the House that Mr. Adams courts the very fullest investigation. He knows perfectly well who the vampires and manipulators are from whom come these rumors and roorbachs that are designed for the purpose of manipulating this stock in the stock market. His administration has been investigated by the national directors and by the Railroad Commissioner, and he (Mr. Adams) implores Congress to make a thorough, searching, final investigation. All the facts are known in regard to his administration; nothing is secret. Mr. Adams is a constituent of mine, and I want to say to the House that he asks, courts, challenges, urges

the fullest investigation that can be made.

Mr. HENLEY. I asked the gentleman from Massachusetts for the name of some newspaper which denied the statement, and the House

hears the answer.

Mr. LONG. I deny it on the authority of Mr. Adams.
Mr. HENLEY. On the authority of Mr. Adams, the malefactor in the case if he is guilty-the gentleman denies it on that authority. In other words, Mr. Adams, like others indicted for crime, enters a plea of not guilty. I knew he would. I would if I were in his place. Guilty or innocent, his plea would be the same.

Mr. Speaker, I was speaking of the function of the committee that was sought to be created by the resolution that I introduced, and I mentioned these things as matters of rumor. The gentleman from Massachusetts [Mr. Long] wants me to indicate where the rumors originated and who should be held responsible for them. Sir, the purpose of the resolution—and this the gentleman seems to lose sight of—the purpose of the resolution was to ascertain whether these multitudinous rumors. of the resolution was to ascertain whether these multitudinous rumors affecting the integrity of this company and its agents were true or not and finally set the matter at rest. The gentleman from Massachusetts rises here and tells the House that Mr. Charles Francis Adams courts the fullest investigation.

Mr. Speaker, he has a strange way of inviting that investigation for a man who claims to be innocent. I ask if he ever came before the Committee on Pacific Railroads and asked that the committee sought to be created by my resolution should be created. I was before the commit-tee a number of times and never saw him. On the contrary, the understruction of the Central Pacific Railroad with the Contract and Finance Company was simply a contract by the directors of that company with the directors of the same company—in other words, a contract by men in one capacity with themselves in another capacity, by means of which the Government has been defrauded out of millions and millions of the central Pacific Railroad with the Contract and Finance standing has been, so far as the information reaches me, and from newspaper sources and otherwise, that they were not only opposed to that investigation, but were fighting with every agency they had at hand. And if Charles Francis Adams were a wronged and an injured man by these innuendoes, and direct accusations in some instances, if he were an innocent man, as the gentleman from Massachusetts [Mr. Long] claims him to be, what would he have done? A resolution was introduced by myself in Congress. It is as follows:

Whereas the Union Pacific Railroad Company was prohibited by the act amendatory of the act incorporating said Union Pacific Company, approved July 2, 1864, from issuing stock unless the same was fully paid for at its par value in money;

Whereas it is alleged that in flagrant violation of said law the said Union Pacific Company has issued six hundred and ten thousand shares of stock of the par value of \$100 per share, equal to \$61,000,000, and only twenty-one hundred and eighty shares of said stock was paid for in money, and only \$218,000 in money has been received on account of sails of said stock, and certain illegal issues of income, land-grant, and sinking-fund bonds have been made by said company, and, in utter defiance of the law and in fraud of the rights of the Government, said Union Pacific Company has paid out of its earnings more than \$52,000,000 in dividends and interest to the holders of said fraudulent stock and bonds, which was enough to have paid its entire indebtedness to the Government; and Whereas it is alleged that said company, in defiance of the law and in disregard of the rights of the Government, has built and equipped out of its earnings twenty-nine branch roads, and has caused to be issued to itself for said construction and equipment bonds of said branch roads of small value, and stock of said branch roads to the nominal value of \$40,000,000, but which stock is wholly without value; and

gard of the rights of the Government, has built and equipped out of its earning twenty-nine branch roads, and has caused to be issued to itself for said construction and equipment bonds of said branch roads of small value, and stock of said branch roads to the nominal value of \$40,000,000, but which stock is wholly with out value; and

Whereas it is alleged that \$16,000,000 of the said bonds are now pledged by said company to various banks and moneyed syndicates for loan of money, while no provision whatever has been made by said Union Pacific Company for the payment of its first-mortgage bonds, which bonds amount to \$34,000,000, and have a preference over the debt due by said Union Pacific Company to the Government; and

Whereas, by its own reports, the gross earnings of said Union Pacific Company have diminished \$3,000,000 in one year, while its expenditures have greatly increased, while at the same time the expense account of twenty-five of their twenty-nine branch roads has been greatly diminished and their earnings. Whereas it is alleged that said branch roads are supported and fostered chiefly by the business of the main line of the Union Pacific Railroad Company, which pays to said branch lines a bonus in constructive mileage of 14, 14, and 2 cents per mile over and above the regular rate of transportation charged by said line, which rates of constructive mileage, amounting to immense sums of money, are paid out of the earnings of said Union Pacific Company to their branch roads in order to decrease the exhibit of net earnings, and thus decrease the 25 percentage which, under the Thurman act, is due to the Treasury of the United States, which is a violation and evasion of the Thurman act and in fraud of the rights of the Government; and

Whereas it is but just and proper that the railroad built by Government aid should be compelled to be just to the Government, and every abuse in their administration should be corrected, and the just dues of the Government against them be ascertained and collected, and t

There, Mr. Speaker, were a series of allegations which, if true, then Charles Francis Adams and his co-conspirators in these matters should be wearing the striped garb of convicts in some place of penal incarceration instead being free men to-day. We have here these solemn accu-sations which, if they had been made in respect to the gentleman from Massachusetts [Mr. Long], or in respect to the gentleman from Texas [Mr. Reagan] who sits in front of me, or any other man of honor, he would have rushed to the presence of that Pacific Railroad committee and said, "Gentlemen, here are allegations made in the form of a resolution introduced into the House of Representatives of the American Congress affecting the integrity of my company and myself as a man, and I demand these matters shall be investigated.'

Mr. HAYDEN. Will the gentleman allow me a moment?

Mr. HENLEY. No, sir.

Mr. HAYDEN. For one moment only.

Mr. HENLEY. No, sir.

Mr. HAYDEN. I should like to say in answer-

Mr. HENLEY. Wait a moment. Mr. HAYDEN. Only for a moment. Mr. HENLEY. For what purpose?

Mr. HAYDEN. For the purpose of asking a question.

Mr. HENLEY. I have asked these gentlemen if the Union Pacific Railroad Company appeared before that committee for the purpose of joining with the person who offered this resolution coming from this House in demanding that investigation?

Mr. HAYDEN. Yes; if the gentleman will allow me.

Mr. HENLEY. I ask if that is true; and I will yield for an answer to that constien.

to that question.

Mr. LONG. I will answer.

Mr. HAYDEN. I will answer.

Mr. HENLEY. The gentleman from Massachusetts is not on that

Mr. HAYDEN. I am on the committee, and I should like to answer it.

Mr. HENLEY. Well, answer it.

Mr. HAYDEN. Mr. Adams demands an investigation.

Mr. HENLEY. Mr. HAYDEN. Why did he not go before the committee and do it? Mr. HAYDEN. Mr. Adams, after getting the resolution which was introduced by the gentleman from California [Mr. HENLEY], used the following language:

So far as investigation is concerned, your directors invite it, although they think it safe to say there is no corporation in the world the affairs of which during the last sixteen years have been subject to such incessant, searching and wearisome investigation as the affairs of the Union Pacific Railroad Company. The Government has always had five representatives on the board of directors of the company, who have the same access to its books and the same information as to the conduct of its affairs as the directors chosen by the stockholders.

Mr. HENLEY. That is enough.
Mr. HAYDEN. That is the answer of Mr. Adams.

Mr. HENLEY. I decline to yield further, because from the gentleman himself it appears they did not appear before the committee and invite investigation, as honorable men ought to have done.

Mr. RICHARDSON. Permit me to interrupt the gentleman, to say

that Mr. Adams did appear before the committee, and it is no violation of the secrets of the committee to say that he did say he would submit to any investigation or to any examination this House in its wisdom might suggest.

Mr. LONG. And other gentlemen concur in that statement.
Mr. RICHARDSON. One word more, if the gentleman will yield to me.

Mr. HENLEY. Yes, sir, Mr. RICHARDSON. Mr. Adams did not say that he favored an investigation by a commission of experts, nor did he say that he favored one by a committee composed of members of this House, but, as I understood it, he left it entirely to the discretion and wisdom of the House and Congress to make such investigation as it might deem wise in either

Mr. HENLEY. That he must do, as a matter of course. He knew he must do that. But the gentleman from Massachusetts insisted that Charles Francis Adams demanded himself, as an injured man, an investigation; and it does not appear that he did. It seems he did appear and did make a statement himself, but that he demanded an investi-

and did make a statement himself, but that he demanded an investigation or insisted upon it is unknown to me.

Mr. RICHARDSON. I do not want to be put in the wrong by anything that I have said. I did not intend, nor do I undertake, to use the exact language of Mr. Adams. I knew by his manner, and made the statement on that basis, without undertaking to give his language, that he invited an investigation on the part of Congress into his road.

Mr. OUTHWAITE. And the committee have reported a resolution

Mr. OUTHWAITE. And the committee have reported a resolution

Mr. RICHARDSON. Yes, sir; the committee in its wisdom, or its unwisdom, whichever the gentleman chooses, thought it better to have an examination by a commission of experts. They deem it preferable to an examination conducted by members of Congress; and therefore have instructed a resolution to be prepared and presented providing for a commission of experts to make this very examination contemplated by the resolution offered by my friend from California. The Commit-tee on the Pacific Railroads have instructed me by a unanimous vote to call up that resolution immediately after action shall have been taken

to call up that resolution.

upon this present bill.

Mr. DUNN. It is the next resolution reported from the committee.

Mr. HENLEY. As a matter of course the gentleman from Tennessee knows that can not be done except by unanimous consent.

Mr. RICHARDSON. Why not? We have the entire day.

Mr. RICHARDSON. Why not? We have the energy Mr. HANBACK. We have to-day and Tuesday next.
Mr. HENLEY. Why has it not been called up before?
Mr. RICHARDSON. We could not, of course, have taken up both of these together.

Mr. HENLEY. But would it not have been better and more in the order of regular proceeding to have considered the other matter first, to

get the information before you act, or initiate a method of getting it? I commend that to the gentleman as a proper system of legislation.

Mr. RICHARDSON. Do you suppose we could have passed that resolution to-day, and got the information we needed in time to pass this

Mr. HENLEY. No, sir; I do not mean that, but you could have passed a resolution thereby formulating a plan by which to obtain the information.

Mr. RICHARDSON. We hoped to get both of these measures through

to-day.

Mr. THROCKMORTON. The committee have probably been as active in this measure as the gentleman from California himself.

Mr. HENLEY. Well, I submit to my friend from Texas that I have

not been lacking in zeal, and as to who has shown the most activity I leave to others to judge.

It now seems that Mr. Adams sought investigation by telling the committee that it was idle and useless, but that he would submit to it. A wonderful concession to the power of the Government! He sought

A wonderful concession to the power of the Government! He sought investigation by arguing that it would come to nothing.

Mr. RICHARDSON. The committee is just as anxious to discover wrong-doing as the gentleman from California himself.

Mr. HENLEY. I do not doubt that, nor do I doubt that Mr. Charles Francis Adams was before the committee and induced some of its members—at all events those who have spoken here to-day—to believe that he was appring more than the property of the committee and induced some of the lieve that he was anxious enough for an investigation. But when I have the facts confronting me which I intend to submit to this House, I have no doubt that he did secretly fight an investigation and was anxious to avoid one. That is the position I take.

Mr. LONG. I challenge you to put him to the proof.
Mr. HENLEY. The gentleman from Massachusetts exhibits a great deal of solicitude in respect to the matter now. I did not see this zealous friend who espouses the cause of investigation so warmly now with me in the presence of this railroad committee, saying: My friend is aspersed and maligned, and I demand for him an investigation. I heard nothing of that kind.

And it is the idlest pretense. If Mr. Adams or his company had not desired to shun this inquiry he could have had one without any

difficulty.

Mr. HAYDEN. Will you allow me to ask where this resolution came from?

Mr. HENLEY. I can not yield now to the gentleman.
Mr. HAYDEN. I would like to know that.
Mr. HENLEY. Now, I decline to yield further. If I have time before I get through I shall answer, and I hope the gentleman will remind me so I will not forget it.
Mr. HAYDEN. The continuous and I do to the second of the se

Mr. HAYDEN. The gentleman need not fear that I will let him

forget it.

Mr. HENLEY. I hope you will remind me. Now, sir, here is a brief condensation of some of the history of this company in its business relations to the Government. First, from 1876 to 1884, the Union Pacific Railway Company has paid to the stockholders in dividends over \$27,000,000 in defiance of law. I declare here, and this was so adjudicated, that the payment of \$27,000,000 was an act of plunder, and was done in defiance of law; and that instead of paying these dividends among the stockholders of the company it should have been appropriated toward the discharge of the indebtedness of the company to these various creditors as well as to the Federal Government, and particularly so as the stock upon which these dividends were paid was illegally issued, no money having been paid thereon, as required by

acts of Congress. Mr. HEWITT.

Mr. HEWITT. Will the gentleman yield for a question?
Mr. HENLEY. No, sir; I am very apprehensive about the gentleman from New York. He is too talented. [Laughter.]
Mr. HEWITT. I am sorry the gentleman is frightened; I did not

know I had made such an impression upon him. It is the first time he has confessed his apprehension.

Mr. HENLEY. It is the first opportunity I have had to confess it; and the first time I have the chance I do it without reservation. [Laugh-

During this same period, these years from 1876 to 1884, they paid on account of its indebtedness to the Government only \$8,587,000, not one-half of the accumulated indebtedness during that period, which had increased at the rate of \$800,000 a year or thereabouts. It has sold bonds belonging to the Government on the second mortgage, and from the proceeds redeemed at the rate of 12 per cent. some nine millions of their mortgage bonds not due until 1889.

I will not consume, Mr. Speaker, because there are other gentlemen

who want to address the House, any further time in the enumeration of these violations of law on the part of the company, but will ask leave, as intimated heretofore, to print certain statistical matters in

relation thereto.

The SPEAKER pro tempore. The Chair hears no objection to the request of the gentleman from California.

Mr. HENLEY. Now, Mr. Chairman, I intend to be very candid with the House. I dothink—and the idea was intimated by the distinguished gentleman from Iowa [Mr. WEAVER] in a question which he addressed to the gentleman from Ohio [Mr. OUTHWATTE] a short time ago—I do think for myself it is time for the heroic remedy to be applied to this case. Gentlemen shrink in wild affright from the idea of a government proprietorship of a railroad. Well, now, Mr. Chairman, there may be a very Pandora's box of evil and tribulation in that, but I do not believe in it. I know that governments in other parts of the world are proprietors of railroads, and with very great benefit to the people. I am advised the State of Georgia owns a railroad which is so managed I submit to the gentleman from Texas there could be found no decision

that the income from it almost pays the expense of running the State

government, or a large part thereof.

Mr. CRISP. If the gentleman permits me, I beg to state to him that

his information is very much at fault.

Mr. HENLEY. I am not talking of the reconstruction period, when

Bullock was down there.

Mr. CRISP. The State of Georgia owns a railroad, and leases it out for \$300,000, which is devoted partly to the support of education. It was found very many years ago when the government of Georgia undertook to run that road itself it was indeed a Pandora's box.

Mr. HENLEY. Well, it leases it for \$300,000 per year; that is not bad. That is one way of dealing with it. If I owed my friend from Texas [Mr. Throckmorrow] a sum of money and I was carrying on a business by means of property on which he had a lien, and if I were squandering the assets and had violated the law, and had shown a disposition to be profligate and improvident, the gentleman would as a matter of course proceed by the interposition of a court of equity and the instrumentality of a receiver, and take charge of my property in order that it might not be wasted or stolen, but be subjected to the payment of honest debts.

That is much any some man grayroad by ordinary business considers.

That is what any sane man governed by ordinary business considera-tions would do. And why not pursue some such course in this in-

GOVERNMENT SHOULD POSSESS OR CONTROL THESE ROADS.

Why not place this property beyond the reach of those who in the

past have plundered the Government?

People see, or fancy they see, or assert at all events, that there is some mysterious sorcery, some mighty magic about railroad property and its relations to the Government which should take it out of the ordinary relations to the Government which should take it out of the ordinary rules that obtain in matters of indebtedness between private individuals. Why is this? Now, I solemnly declare, and I do it with entire confidence, that from the autecedent history of these corporations I do not believe that any law is going to restrain them, I do not believe any law is going to be of any efficacy or of any avail to bring into the coffers of the Government that portion of the revenues of that company which is contemplated by this bill. And I believe, Mr. Speaker, that the only means by which this Government can protect itself to any extent is to take possession of this property through the medium of a receiver and a court of equity. This opinion I express with great deference to the judgment of those differing from me, and with some hesitancy; but at all events of this I am well convinced, namely, that it would be infinitely better to pursue this latter course than to pass a measure like this of better to pursue this latter course than to pass a measure like this of doubtful expediency on its face, and which, while its friends claim that it conserves and protects the interests of the Government, yet it has the support of these corporations, which support has in the past never been yielded to an honest measure. This alone, in my estimation, aside from inherent objections, places the measure under the ban of suspicion.

Sir, no one can estimate the power of the myriad instrumentalities that these corporations set in motion to circumvent lawful authority. Laws, ordinances, and constitutions have been but as cobwebs in the pathway of their imperial will. Public officers have been affrighted from their duty by them if honest, and, if not, purchased.

They have trampled on the law in the past, and it seems to be impossible to formulate or place on the statute-book any legal restraint to their rapacity and cunning. For that reason, I think the best thing the Government could do would be to go to work the same as a private the Government could do would be to go to work the same as a private individual would dealing with a private individual, take up this property, what there is of it; foreclose, resort to such a remedy as a court of equity might provide; take possession of this property, lease it, if necessary; assume the custodianship of the wreck and the fragments that are left, and see if something can not be realized.

Mr. MILLS. Will my friend from California give me some informa-on? I desire to have information about this. What is the value of What is the value of all the property-land, road-bed, franchises, everything that is subject to the first and second mortgages? Does the gentleman know

Mr. HENLEY. I am not prepared to state now with sufficient de-gree of accuracy to enlighten the gentleman, having, as stated, left my

data at home. I will print the information.

Mr. MILLS. This is a business transaction and it seems to me we

ought to have possession of all those facts.

Mr. CRISP. I will state to the gentleman from Texas that the Government has no lien on the land grant.

Mr. MILLS. What is the value of the lands unsold?

Mr. MILLS. What is the value of the lands unsold?

Mr. CRISP. That should not be estimated in counting the present security of the Government, because the Government has no lien on that.

Mr. MILLS. Could not the Government take control of it by the right it has to amend the act?

Mr. CRISP. Oh, no. It could amend the act in certain particulars, but it could not fix a lien where it did not exist. matter of contract.

Mr. MILLS. The charter is a matter of contract, too, unless the Government has reserved the right to amend it.
Mr. HENLEY. Which it has done.

of any court which would say one of the contracting parties, though it be the Government, could change the time of payment or character of

a lien without the consent of the other party.

Mr. HENLEY. Of course it could not impair the obligation of a contract nor create a new one without the consent of parties. also worthy of consideration whether the Government could not institute proceedings whereby a foreclosure of this lien could be had, and if the property is not sufficient to satisfy the first-mortgage lien and that of the Government also, then probably this land grant might be proceeded against as well as other assets of the companies not covered by

Mr. CRISP. Of course the gentleman understands that any proceeding of that sort would necessarily be deferred until 1898; we, in the mean time, paying out to these companies every year \$1,600,000 more, without getting any interest back; because by contract they are enti-

tled to that.

Mr. HENLEY. Now, Mr. Speaker, I have said what I intended to say, and all that I intended to say at present. I do not think this measure ought to pass. I do not think so because I doubt its efficacy to accomplish any useful purpose. It may be that I have miscalculated in this matter; but when I see the chapter in the history of this country that these two corporations have contributed, their intermeddling in politics, their interposition in legislation, their interference in every place they should not be, and their ability, their seeming omnipotence anywhere and everywhere, I have such misgivings as to the binding force, authority, and effect of any law whatever that we may place upon the statute-book to conserve the interests of the Government, that, so far as I am concerned, I shall be constrained to record my vote against this measure. I reserve the remainder of my time.

Mr. WEAVER, of Iowa, was recognized.

Mr. HAYDEN. With the permission of the gentleman from Iowa [Mr. WEAVER] I should like before he proceeds to call the attention of the gentleman from California [Mr. HENLEY] to the question which I put to him a while ago in reference to a certain resolution which he

introduced into the House.

Mr. HENLEY. You want that question answered now? I should like to have it answered.

Mr. HAYDEN.

Mr. HENLEY. Mr. Speaker, the gentleman has asked me who it was that drew a certain resolution which I introduced into the House. I asked him to not let me forget that matter and he has complied with What difference does it make who drew that resolution my request. if the allegations contained in it are true?

Mr. HAYDEN. None; only I am anxious to know where it came

Mr. HENLEY. Then if it makes no difference that admits the irrelevance of the inquiry. Suppose it was concocted in the penitentiary; suppose the individual who drew it was of the vilest character and inspired by the most infamous motives, yet if the allegations were true-

Mr. HAYDEN. If it was concocted in the penitentiary I have noth-

[Laughter.]

ing to say. [Laughter.]

Mr. HENLEY. Well, possibly it was. For all I know or care it may have been. I do not know anything about it, nor care anything about it. I do not know who drew it; but I went before the committee and assumed the responsibility of saying upon my honor as a Representative that I believed the statements contained in the resolution to be true, and I say so here now. It makes no difference who drew the resolution, and, with infinite respect to my friend from Massachu-setts, I will say to him that there could not be a more idle inquiry than one as to who drew the resolution or as to the motive by which it was inspired. The pertinent thing for him to do was simply to investigate inspired. its truth.

Mr. HAYDEN. I thought the gentleman was going to answer my

question.

Mr. HENLEY. I say I do not know who drew the resolution. was placed in my hands, and on reading it over and seeing the facts that were cited in support of the statements made, I could not see how, as an honest man, I could decline to introduce the resolution, and I did introduce it, and have assumed and do assume all responsibility belonging thereto. Mr. LONG.

Will the gentleman state at whose request he intro-

duced it?

Mr. HENLEY. The gentleman is on this floor who placed the resolution in my hands, and if he wishes me to disclose his name, so far as I am concerned, I am perfectly willing to do it. At the same time I say that that is an utterly immaterial question in respect to this matter. I assumed the paternity and authorship of that resolution.

Mr. HAYDEN. If the gentleman will allow me, I will say that I

know who gave him the resolution.

Mr. HENLEY. Who was it?

It was a distinguished professional philanthropist Mr. HAYDEN. from New York. Colonel-I shall remember his name in a moment. Colonel James?

Mr. HENLEY.

Mr. HAYDEN. Yes; Colonel James.

Mr. HENLEY. Well, the gentleman does not know quite so much about the matter as I really hoped he did. [Laughter.]

Mr. HAYDEN. Colonel James so testified.

Mr. HENLEY. Colonel James did not so testify. There was one set of resolutions that were introduced in the House and another set which I presented to the committee without introduction; those latter resolutions were given me by Colonel James, of New York.
Mr. HAYDEN. And Colonel James says he would not tell where

he got them.

Mr. HENLEY. I do not know anything about that, and I do not care anything about it. It may have been in the interest of stock operations for aught I know or care. All I sought was to ascertain whether these companies had been transgressing the law and squandering the assets of this Government, and it did not matter to me who had prepared the resolutions or what the animus was. What I wanted to know was whether the allegations were true or not. The gentleman from Massachusetts [Mr. HAYDEN] seems to think that his inquiry is pertinent upon the theory that if the man who prepared the resolution was disreputable there should be no inquiry into the truth of the allegations. I presume that even if the gentleman knew they were true, still he thinks no investigation should be made and no step taken because the resolution was prepared by somebody of bad repute.

Mr. HAYDEN. On the contrary, the Committee on Pacific Railroads

reported to the House the resolution, which will follow this bill.

shows that they acted upon the matter.
Mr. HENLEY. Very well then; who Very well then; what is all this talk about? It is an idle waste of time.

Mr. HAYDEN. I only wanted to know where the resolution came

Mr. HENLEY. And I state that Colonel James gave me the resolution which I presented to the committee, but not the resolution which I introduced into the House. I submitted both to the Committee on Pacific Railroads, and urged them to act upon one or the other. Mr. Speaker, I reserve the remainder of my time.

Mr. HENLEY subsequently submitted the following:

ADAMS'S FLAGRANT OFFENSES.

On the 24th of February, 1886, Mr. Adams appeared before the Committee on Pacific Railroads and made a speech in defense of his company, which, contrasted with his prior utterances on the same subject, consti tutes one of the most marvelous pieces of special pleading that ever to my knowledge emanated from any source having the slightest pretension to consistency or truthfulness. His manifest purpose in addressing the committee was, apprehending an investigation, first, to convince the members thereof that any investigation into the affairs of the company would be supererogatory and a mere repetition of what had already been done, and, second, to exercise his persuasive powers upon the proposition that some such measure as the pending one ought to become a law. Let all honest men read and then judge as to the integrity of purpose of this president of a great corporation. In that address he alleges in various ways and with sounding declamation that his company had been ever observant of the law, and says:

I claim for myself a certain degree of responsibility, and, with full appreciation of what I am saying, I challenge any one to point out in the whole record one single case of evasion by the Union Pacific of its obligations or fadlure to perform its part of the contract with the Government of the United States.

* * It has acted with scrupulous good faith to the Government.

Now, Mr. Speaker, mark my words. With a full appreciation of what I am saying I declare and am ready to prove the following open, bold, and flagrant violations of the law:

First. I charge, and challenge denial, that Charles Francis Adams and his codirectors on the Union Pacific Board have criminally violated the law in issuing without the consent of Congress \$5,000,000 of 5 per cent. collateral trust bonds in April, 1883.

Second. I charge, and challenge denial, that the said Adams and said directors have violated the law in paying the dividends of 1883 and 1884 in the teeth of the existence of a gross floating debt of \$13,000,000.

Third. I charge, and I challenge denial, that said Adams and directors have criminally violated the law in placing without the consent of Congress the indorsement of the Union Pacific Company on about \$15,-000,000 of bonds of the Oregon Short Line Company, entailing thereby an annual loss of some \$600,000 to the Union Pacific Company.

Fourth. I charge that the said Adams and said directors have deliberately diverted the assets belonging to the Government lien by using them in anticipating, at a premium of 12 per cent., the third-mortgage bonds not due till 1889, while the debt due the Government is annually increasing at the rate of \$800,000.

In the name of justice, Mr. Speaker, and common decency, in the name of American civilization, I ask why is it that no criminal proceedings have ever been instituted against these men? Sir, why this solicitude by this corporation to pass this measure? The solution of that question may be found in the fact that the Union Pacific still has \$9,000,000 in its land-grant fund and about \$13,000,000 in value of lands left, and they proposed, at the last annual meeting of directors in Boston, to anticipate therewith the payment of some twelve millions of fourth-mortgage bonds, selling at 20 per cent. premium and not due till 1894. These bonds are presumed to be largely held by themselves and friends, and have paid regularly 8 per cent. since 1874.

ADAMS'S GROSS INCONSISTENCY.

The following is also from Mr. Adams's statement to the committee:

Success brought competitors into existence. When the Union Pacific was built, it was believed that it would remain almost in perpetuity the only road across the continent. That was seventeen years ago. Four lines now divide the transcontinental traffic. If the Union Pacific had to rely on that traffic alone it would be a bankrupt concern. It is not bankrupt simply because an auxiliary railroad system has been built up, and to-day the 1,600 miles of original main line are the trunk from which spring out more than 3,000 miles of branches. Those 3,000 miles of branches, due to the foresight and energy of the much-abused men who preceded me in the management of the Union Pacific, have developed the country along the original subsidized lines, and it is these branches and not the subsidized lines which are now to carry the Union Pacific through.

I have already referred to that auxiliary railroad system which is now the staff and stay of the Union Pacific.

If Mr. Adams had stated that the Union Pacific road was the staff and stay of the auxiliary roads, he would have been nearer the truth.

These roads are all subsidized by the Union Pacific upon the basis of a constructive mileage; and every one of them would be in the hands of a receiver to-day but for the subsidy paid them by the Union Pacific, notwithstanding the foresight and energy of the "much-abused" men who preceded Mr. Adams in the management, as will more fully appear

Mr. Adams, willfully or otherwise, misrepresents the value of these ranch lines. The table annexed hereinafter, and compiled from the Union Pacific reports, shows that these operated roads, aggregating nearly 2,700 miles, earned in 1885 \$1,266,947 less than their interest. thereto the annual interest on the collateral trust bonds, created for the benefit of these branch lines, be added, the deficiency is increased to \$1,724,757. And all this in spite of the fact that the average passenger rate per mile on the branch lines is 4g cents against 2g cents on the main Every discrimination made in their favor, but they can not earn their interest. Let the friends of Mr. Adams reconcile the figures of the Union Pacific report with his statements if they can. One or the

the Union Pacific report with his statements it they can. One of the other willfully, deliberately misrepresents.

An investigation by Congress should be made into the manner of building thousands of miles of unprofitable railroad. Why, with a continual deficiency of income from this source, does there exist an unceasing desire to build more? Who, since 1878, have planned and built these roads and profited by them? Have they been the directors personally or as a construction company who have contracted with themselves as Union Pacific directors, to their profit and the Government's selves as Union Pacific directors, to their profit and the Government's

Sidney Dillon, a railroad builder, the representative of Jay Gould, ex-president of the Union Pacific, is still the president of eight proprie-

tary lines. How many more sinecures are there, and who hold them?
While upon this subject it will be well to show what Mr. Adams said about some of the men whom he now says are "much-abused." Several years ago he made the relations between the Credit Mobilier to the Union Pacific the subject of careful investigation, and gave the following account of them:

the Union Pacific the subject of careful investigation, and gave the following account of them:

The Union Pacific was built by an organization known as the Credit Mobilier, which received for so doing all the unissued stock, the proceeds of the bonds sold, the Government bonds, and the earnings of the road; in fact all its available assets. Its profits were reported to have been enormous, and they made the fortunes of many, and perhaps of most, of those connected with it. Who then constituted the Credit Mobilier? It was but another mame for the Pacific Railroad ring. The members of it were in Congress; they were trustees for the bond-holders; they were directors; they were stockholders; they were contractors; in Washington they voted the subsidies, in New York they received them. Upon the plains they expended them, and in the Credit Mobilier they divided them. Ever-shifting characters, they were ubiquitous; now engineering a bill, now a bridge. They received money into one hand as a corporation, they paid it into the other as a contractor. As stockholders, they owned the road; as mortgages, they had a lien upon it; as directors, they contracted for its construction: and as members of the Credit Mobilier, they built it. What is the community to pay for it? The line from Chicago to New York represents now but \$60,000 to the mile, as the result of many years of inflation, while the line between Omaha and San Francisco begins life with the cost of \$115,000 per mile. It would be safe to say that this road cost considerably less than one-half this sum—the difference in the price paid for every vicious element of railroad construction and management, costly construction entailing future taxation on trade, tens of millions of fictitions capital, a road built on the sale of its bonds and with the aid of subsidies, every element of real outlay recklessly exaggerated, and the whole of it some future day to make itselffelt as a burden on the trade which it is to create. According to the Wilson committee, its frauds and ev

UNDER GOULD'S CONTROL.

From the time of his election as director there has been but one power in Union Pacific whenever it was for his interest to exert that power, and from that time all the leading officers of the company were the facile instruments of his will. Should any restlessness show itself on the part of any of the old directors

it was enough for Gould to hint at the possibility of a new parallel line. Possessed of supreme power, it was his policy, in view of ulterior objects, to use it leniently and with deference to the wishes and feelings of others, his power being no less supreme from being usually held in reserve. At the same time he flattered them by taking most of the leading directors of the Union Pacific into the direction of some twenty companies which he controlled, including the Western Union Telegraph Company, and gratified their cupidity by occasionally throwing to them a portion of his spoils. Gould entered the Union Pacific with a majority of its stock in his name or subject to his control. His purpose was to get two or three times the price at which he purchased it. This could only be effected by compelling the company to declare dividends, and he forced it to do so, beginning early in 1875, the rate for that year being 6 per cent.

The foregoing blistering denunciation by Mr. Adams was said in the exercise of an independent, untrammeled judgment, giving to the public full and authentic information upon a subject of absorbing interest upon which he had bestowed much labor and time. The spoliations, villainies, and scandals of this company had become so vast and audacious that their repute had extended beyond the confines of our own country and was coextensive with the limits of Christendom. Friends of free government looked with apprehension if not with dismay upon the situation. Corruption, under the malign inspiration of Oakes Ames and his co-conspirators, had penetrated to almost every department of the Government. Now I have given a quotation of what Mr. Adams then said concerning these matters. And what does he now say?
Wonderful metamorphosis! He steps forward and attempts to un-

lock the stocks wherein his own judgment and that of mankind had pilloried in everlasting shame Ames and his fellows, and becomes not only the apologist but the eulogist of them. A few years ago, speaking of Ames, he says, "History does not furnish a similar example of bad faith, avarice, and turpitude." Time passes by; no new light is shed upon the matter. On the contrary, everything then stated has since been "graven in the adamant of history." But changes have taken place. Mr. Adams now comes before a Con-

gressional committee in the capacity of president of and stockholder in the Union Pacific; and lo! the result! Talk about the transmutations of history, and the prodigies of the "tooth of time and razure of chlistory." oblivion!"

In a few short years, from being "an example of bad faith and turpitude," without precedent in history, Ames becomes and is described by Mr. Adams as being a man of "wonderful energy," who "did his work in a way natural to him;" as being one in whom the "good largely predominated;" and much more to the same effect.

In another part of his address, the malodorous Credit Mobilier, for which a short time ago no epithet was too fierce or objurgatory, now. becomes a theme of fragrant reminiscence that comes over his senses

Like the sweet sound, That breathes upon a bank of violets, Stealing and giving odour!

He says, "To the average mind unfamiliar with the subject it represents something vague, terrible, scandalous. It has become a mere cant name. In point of fact, it was a mere ordinary piece of financial cant name.

machinery through which the work of building a railroad was done."

And this is the man who only a few years since lashed himself into a virtuous fury over the iniquities of this same Credit Mobilier, and by pen and tongue make this continent ring with his merciless, unsparing denunciation

He says, "The good largely predominates in Oakes Ames." The casuist and the moral philosopher will strike an insoluble problem in the attempt to say what predominates in Charles Francis Adams. He apparently expects his latest utterances to consign to oblivion all prior statements. He suggests an aspect of tergiversation and smug respectability for which neither history nor fiction can furnish a prototype or

Again, in the same address, he says:

The bond matures. At its maturity we owe the Government over \$50,000,000. That we can pay the Government \$50,000,000 down on the day the bond matures is out of the question. We wish to renew a part of it. In the renewal we are prepared to give the Government as security everything we own in the world. We are prepared to give it not only the original security but the additional security of that entire auxiliary system which we have built up. In return, we ask the Government to treat us, not as a usurer, but as a partner.

In the first place it has been shown already and will be hereafter that the new securities proposed to be given are worthless, and that the securities of the branch roads are owned by the officers of the Pacific railroads as individuals. Undoubtedly if the extension bill is passed prompt payments will be made under it for a time, but only until the branch lines can be made self-sustaining.

MALADMINISTRATION.

Another thing I call the attention of the House to-illustrating the rare business capacity with which the management has been conducted: This company, not content with prior ventures in constructing hundreds of miles of railroad, propose, it seems, to build 600 miles more; or, to put it more correctly, some one selected by it will build and the Union Pacific will then take the road, as has been done heretofore. To show the probable outcome of this scheme I beg to submit an analysis of the branch lines and their operations during the year 1884, which I take from their own report. I commend to the country the prayerful study of the following table. Table showing earnings of branch lines of Union Pacific Railroad Company for the year 1885.

	Miles.	Surplus over in- terest.	Deficiency to meet interest.	
Colorado Central Railroad Company. Denver and Boulder Valley Railroad Company. Denver South Park Railroad Company. Echo and Park City. Georgetown, Breckenridge and Leadville. Golden Boulder and Caribou. Greeley and Salt Lake. Junction City. Kansas Central. Laramie and North Park. Lawrence and Emporia. Montana Valley. Omaha and Republican Valley. Omaha, Niobrara and Black Hills. Oregon Short Line. Salt Lake and Western. Solomon Railroad.	6 54 88 168 31 237 115 610 36 58 58	4,224	3, 063 82, 659 14, 664 127, 455 2, 406 50, 199 117, 375 50, 504 336, 100 13, 268 40, 979	
Utah and Northern	462 2,636	17, 239	16,649	

The foregoing table shows that in 1885 two railroads of 57 miles earned \$17,000 more than interest while seventeen railroads of 2,579 miles earned \$1,267,000 less than their interest, or a net loss of the latter amount to the Union Pacific in operating its branch lines

This is a sad revelation of business incapacity or knavery. Now, if this company were honest in its professions, and in good faith intended to respond to its obligations, why does it not turn over as collateral to the Government the \$9,000,000 of the land-grant fund and the proceeds of its future sales of land, which may amount to about \$13,000,-000 more? That would give evidence to a skeptical public of a quickened conscience on the part of these officials and would sound like business

These are the much-vaunted securities fully enumerated in the Pacific Railroad Committee's report, pages 9 and 10, and which cost the Union Pacific forty-five millions, and yet do not earn their interest by one and a quarter millions. To what extent do these afford additional security, more especially when all the good bonds of the above even that earn anything are hypothecated, and those that could be turned over to the Government are valueless.

To my mind there seems ample ground for a grave apprehension that this extension is only sought to give this corporation still further opportunity of continuing its former tortuous practices of defrauding the country, and when the Government shall finally come into possession of the road, as I believe under the bill it ultimately will, it will have been stripped of its assets and we will only have a second lien on a road-bed and rails from Omaha to Ogden, upon which there will be a first mortgage of nearly forty millions. One other thing occurs to me. As an instance of the way the directors of the Union Pacific meet the legit-imate claims of the Government may be mentioned a claim for mail transportation, just decided by the United States Supreme Court.

In 1884 the Government claimed of the company \$2,000,000 for mail transportation. It characteristically met this plain demand of justice by a counter-claim of the same amount. This counter-claim was baseless as decided by the Supreme Court and was only set up to delay for a time at least the payment. These facts came to the knowledge of the Senate Judiciary Committee, and a report by that committee was prepared to President Arthur, stating that the company was evading the discharge of its obligations under the Thurman act. This report was only kept from publication by the payment into the United States Treasury of about \$728,000 by the Union Pacific, and the promise to suspend further dividends.

Mr. MILLS, of Texas, has asked me for the value of the road-bed, anchises, lands unsold, &c. I will reply:

manchiscs, mades unsort, eec. I will reply.	
The mileage is miles_	1,832
Its average net earnings are about	\$9,000,000
Its full interest charges about	6,000,000
Bonds preceding Government lien, about	40,000,000
Interest on same, about,	2,500,000
Surplus earnings over interest on first mortgage	3,500,000
It owes the Government	33, 539, 512
Annual interest on same	2,012,370
Unpaid interest due the Government, including what has been off-	
set by Thurman act.	15, 167, 214
Good securities in land fund, about	8,500,000
Volum of ungold lands about	79 000 000

Here we have a debtor that earns annually \$3,500,000, after paying from its net earnings the interest on its first-mortgage bonds, out of which it should pay the annual interest due the Government of \$2,012,-370. Instead of doing this, it has carefully paid the interests on all subsequent bonds, and allowed the Government interest to drift until balance due for back interest now amounts to \$15,167,214, leaving a total due the Government of nearly \$49,000,000.

Thus, while the annual payments recommended by this Pacific Rail-

the debt is \$2,012,370, while the interest on \$49,000,000 is \$2,940,000. Moreover, by some new system of arithmetic, this \$1,840,000, which does not meet the annual interest alone, is, in the course of seventy

years, to pay off both principal and interest.

Mr. Speaker, it has been openly asserted by one of the friends of this bill that the lands of the Union Pacific were not by this bill subject to the Government lien.

As a condition the Government has after the first mortgage a claim to all assets, including lands, and I am not sure that the Government mortgage does not even precede the land bonds as a lien on the lands, yet I know it does precede the sinking-fund bonds, which really have no claim on the lands.

The company has already redeemed the bulk of the outstanding landgrant bonds from the proceeds of the sales of lands, redeemed them at a large premium before maturity, and the directors at their last annual meeting in Boston resolved to use some \$9,000,000, now in hands of the land-fund trustees, to anticipate the sinking-fund bonds not due till 1894. These bonds have paid 8 per cent. and sell at 20 per cent. premium, and in reality have no standing as a mortgage lien, being an extension of the income bonds.

Is it right that bonds behind the Government lien should be paid in advance out of assets covered by the second mortgage? Will the committee answer that? Will they tell us why the lands and land funds have been expressly omitted from the additional securities enumerated

by this bill as to be turned over to the Government?

What securities does the Union Pacific own that it can turn over to the Government? Why has not one of the committee specified them? I will answer for them. They can not do it. The Union Pacific owns no securities that are valuable that are not already hypothecated. The committee has been deceived and misled. I defy them to name any such securities. The hired attorney of the Union Pacific road, when he testified that the road held thirty-odd million dollars of stock and bonds, knew that all the good bonds, some \$12,000,000, were hypothecated to secure the collateral-trust bonds.

Of what value is the \$6,058,000 worth of Oregon Short Line Railroad stock, that cost the Union Pacific \$605, when that road falls short of earning its interest annually by \$500,000, and in February, 1885, earned \$6 less than operating expenses? Or of what value is the \$4,816,400 worth of Utah and Northern stock, that does not earn its

Gentlemen of the committee, give us a list of these additional securi-

The Union Pacific road seeks an extension for more opportunity to plunder. That road proper is not yet bankrupt; but the branch lines are. They are the suckers that draw from the earnings of the main line, in spite of passenger and freight discrimination in their favor. The statement of their earnings shows that for 1885 some 2,700 miles of branch lines earn one million and one-quarter less than their interest-more than the Government subsidy for that period. Bear in mind also that this deficit in interest has been paid by the Union Pacific Railroad Company promptly to the bondholders of these branch-line bonds; but the Government subsidy has not yet been paid, although six months overdue. This is a specimen of the manner in which this road meets its obligations to the Government. I assert again that not the exactions of the Government but the unprofitableness of the branch lines has reduced the Union Pacific to its present condition. The Union has reduced the Chion Facine to its present condition. The Union Pacific Railroad proper is rich. Its net earnings in 1880 were \$11,730,-536; in 1881, \$11,625,038; in 1882, \$10,356,966; in 1883, \$10,594,658; in 1884, \$8,941,909, and in 1885, \$8,404,676. Its average interest charges per year, including all taxes, are about \$6,000,000, leaving an average of \$3,000,000 per year to meet Government requirements and for stockholders. It has, besides this profitable business, \$9,000,000 in the land fund and \$13,000,000 in lands; and instead of specifically turning these good securities to the Government this most upright and respectable management proposes to keep them to continue the policy of redeeming at agement proposes to keep them to continue the policy of redeeming at fabulous premiums bonds not due till 1894, presumably held by their own friends. A fine piece of financiering; anticipating debts at premiums of 20 per cent. not due for ten years, and this while they are borrowing at this very moment in the open markets nearly five millions on their notes, and owe their employes \$2,828,000, making preferred

on their notes, and owe their employés \$2,828,000, making preferred creditors of the third and fourth mortgage bondholders, and allowing the Government and their railroad employés to wait.

Oh, most honorable and upright management! By outrageous and unlawful dividends, by corruptly building and indorsing unprofitable railroads, by creating a monopoly that by its outrageous rates defeated the object of the original grant, it has exhausted the patience of the nation. As a creditor, the Government should dictate the terms of an entension, and now while the property is solvent should secure itself, not by running the road, but by simply insisting that the anticipation of bonds not due till 1894 should cease; that the moneys, &c., now held in the land fund and the proceeds of all future land sales should be turned in to the Government as part payment on account. This be turned in to the Government as part payment on account. This would secure \$22,000,000, or 40 per cent. of the debt, beyond peradvent-

Thus, while the annual payments recommended by this Pacific Railroad Committee only amounts to \$1,840,000, the interest on the face of

their deficiencies at expense of the Union Pacific; draw up an extension bill with these provisions, with annual payments to the Government of about \$1,800,000, and in twenty-five years these payments, with the proceeds of \$22,000,000 from lands, &c., will settle in full with the Government, and leave to the stockholders annually 2 per cent., and after payment of the debt leave them a road that can earn its 5 to 7 per cent. honestly and fairly. I prophesy if the present extension bill is passed that the Government will get its semi-annual payments for a few years until all the valuable assets are disposed of, till the road is carried further toward bankruptcy by the operation of these railroad cliques, who saddle it with unprofitable branches. Then, when it is stripped and made bankrupt, the Government with a claim of fifty millions will hold a second lien on road-bed and rails alone from

Omaha to Ogden preceded by a first of \$40,000,000.

The policy of C. F. Adams, jr., and his predecessors, since 1878, in building these unprofitable branches have ruined the stockholders, and were they wise, they would dismiss him and his fellows and investigate as to who have profited by these constructions, and how colossal fortunes have been amassed by nearly all the railroad managers and directors. I speak advisedly when I say that Mr. Adams deceives both the stock-holders and the Government. His professed respectability only makes his false statements more criminal. As I understand the facts and the law, he and his fellow-directors have been guilty of its criminal violation, and my earnest efforts shall be directed to the end that its fullest punishment, both fine and imprisonment, be inflicted upon them. The law is no respecter of persons, and its majesty should be vindicated against its violator, even if a respectable railroad president, as readily as against an humble railroad employé. The shameless immunity from the penalties of their offenses thus far that these men have enjoyed suggests the poet's words:

Plate sin with gold, And the strong lance of justice hurtless breaks. Arm it in rags, a pigmy's straw doth pierce it.

I have already stated that the free-list of the Union Pacific amounted to \$2,000 a day. The personal representative of C. F. Adams, jr., from Massachusetts has seen fit to question and deny that statement. My authority is Mr. Adams himself given before the Senate Commerce Com-

mittee in the Forty-eighth Congress.

Mr. Adams is not a good authority. He claims the branch lines are the principal support of the main line, while the official reports show that seventeen out of nineteen branch roads do not earn their interest, some not even operating expenses, and taken all together fall over one and one-quarter millions in earning their interest charges. Mr. Adams, in a letter of December 8, 1885, to the present Government directors, claims he does not advocate any plan of extension; yet he is found in Washington advocating this measure. He denounces the Thurman act; yet it has produced the Government \$10,000,000 since 1878. He says the railroad since its enactment has had no policy; yet the road has built 3,000 miles of branch roads and paid out some twenty millions in dividends to stockholders-evidences of a pretty vigorous policy to enrich the latter by dividends and its directors by railroad construction

Mr. Adams speaks of the promptness with which the Union Pacific has met its engagements to the Government, and we find it requires two years of litigation to obtain a settlement of nearly \$2,000,000 due for mail transportation for 1880 to 1884, and not yet paid. Part due six years ago and not yet paid, with the Thurman act in force! The subsidy due January 1, 1886, \$1,200,000, not yet paid, and the Thurman act in force! No wonder the advocates of the Union Pacific are anxious to rush the extension bill through, for section 13 repeals the Thurman act and leaves a wronged Government without redress.

The friends of Mr. Adams must expect that his constant misrepresentations must affect our opinion of his veracity. They must also expect that his constant anxiety to build additional branch lines, thus adding increasing drains on the revenues of the main line, must also

lead us to doubt his ability or his integrity.

Let the friends of Mr. Adams examine his statements in the light of the official returns of the road. Let them not emulate the blind confidence of the Marine Bank directors in the respectability of their president, who only awoke to find the bank ruined, their president in prison, and themselves barely escaping the latter fate for criminal neg-

Who are guilty of violating the statute of 1873 and who are participating in the construction of branch railroad lines, which eat the sub-

stance of the main line?

This is the same corporation that in 1878 had its notorious president, Jay Gould, occupy a conspicuous seat in the Senate to witness, as he

had expected, the defeat of the Thurman bill.

Mr. Speaker, I shall now conclude. It is pertinent for me to drop one word of admonition to this House, and particularly to my Democratic friends. A contest is now impending in this country, the possible result of which can not be contemplated without a shudder of apprehension by every patriot in the land. That conflict is between constitutional government upheld by the people on the one side and the malign power of monopoly on the other. Long we have had premonitions of it-but to-day the signs of the times dissipate doubt-it is now

with us, and ever watchful constituencies have their eyes upon us. In my judgment the passage of this bill will be received as another evidence of the invincibility of corporate power in these Halls, and this I say without in the smallest degree impugning the honesty of purpose of those supporting it. I think the most interesting and instructive chapter of our political history is that relating to the contest of the dauntless Jackson in 1836 with the powers of monopoly. It is something I love to dwell upon. It was then that Jackson aroused the people to their danger in a message that rang like the pealing notes of a clarion from end to end of the continent.

In terms that penetrated like arrow from bow, that clove their way through sham defense and sophistry and every intervening objection to the very heart of the people, he told them that their dearest rights and liberties were menaced by the great monopolistic power of the day—the United States Bank. The bank had a capital of \$35,000,000 and controlled an indebtedness of \$70,000,000.

If thirty-five millions affrighted with their power the heroic soul of the intrepid Jackson what shall we say of the danger from the hundreds of millions of capital represented by the Pacific Railroads and their tens of thousands of employés and agents?

Mr. Speaker, this bill ought not to pass.



HON. WILLIAM WALLACE BROWN,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 12, 1886,

On the bill (H. R. 8974) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes.

Mr. BROWN, of Pennsylvania, said:
Mr. CHAIRMAN: The pending bill is replete with surprises. Nothing in it is to me a greater surprise than the proviso to the appropriation for the Civil Service Commission. To those only moderately enthusias-tic over civil-service reform there is something startling in it; but to such an one as George William Cartis—assuming that he believes his own utterances—there must be in it a revelation. It is the most disingenuous indirection yet appearing among the assaults of the Democracy upon the civil-service law. Though the provision lacks the courage of a repealing clause it proclaims a purpose to nullify the law. reads as follows:

Provided, That this appropriation shall be available only when the rules of the Civil Service Commission are so framed as that the names of all applicants for official appointment from any one State, found duly qualified on examination and without regard to age, shall be sent to the head of a Department or other officer charged with making an appointment.

From this large number of course it will not be difficult to select Democrats enough to fill all vacancies and a non-partisan civil service

will remain only in the imagination of the Mugwump.

By the provisions of section 1753 of the Revised Statutes, "the President is authorized to prescribe such rules and regulations for the admission of persons into the civil service of the United States," &c. admission of persons into the civil service of the United States," &c. There is no authority given anywhere in the law that charges the civil-service commissioners with the duty of making rules. They are made and framed and changed by the President, and by the President only. By the second section of the act of January 13, 1883, which defines the duties of the commissioners, it is provided "that they are to aid the President, as he may request, in preparing suitable rules," but nowhere are they charged with the power to make such rules, or even assist in making them unless requested so to do by the President even assist in making them unless requested so to do by the President. The duty and the power, therefore, of making the civil-service rules are lodged in the President. And yet, sir, this provision, in violation of the rules of the House, and in keeping with the manifest purposes of its majority to nullify the civil-service rules, declares that unless the commissioners "change the rules" they must starve. This, sir, is not even honorable coercion. If the proviso had been attached as a condition-precedent to the payment of the President's salary the coercion would have had the virtue of directness. When, however, it is aimed at the commissioners, it adds to the offense of coercion that of deception. It is made manifest by this plan that the Democracy has not the courage to attack the President of the United States, musters the valor to charge upon his civil-service commissioners.

Only one gentleman on the other side has had the boldness to name the person intended to be snubbed by this proviso. I need not say that that gentleman is my colleague, and I need not tell which of my colleagues. He is well known to the House and the country, and was aptly described by my friend from Ohio [Mr. GROSVENOR] "as the leader

of one of the antagonistic branches of the majority branch of the House [laughter], and the gentleman upon whom we on this side of the House rely to prevent the other side of the House from committing any mischief in the country." [Laughter.] This gentleman, so well described, comes boldly into this discussion and in vigorous English says:

I say that the power of legislation rests here; that the one man to whom I have referred has undertaken to legislate and to deprive Congress of that power which should be lodged only here. I speak with deliberation, and I want the Executive of this Government to hear what I have to say on this subject. [Applause.] * * * I affirm that the representatives of the people have been decived and cheated, have been deprived of rights which * * * they ought to have defended in behalf of the people who sent them here as their representatives.

My colleague [Mr. RANDALL] did not, it will be seen, charge the President with being a usurper, but such he is if he has invaded legislative functions. For my part I hesitate not to say the President has not overreached his duty in this regard. To do less than he has done would be to neglect the constitutional requirements of his office. He has the power under the law to change these rules just as it is intimated they should be changed in this proviso. Because he has not seen fit so to change them it is here proposed to strip him of his discretion. I have no doubt my colleague thinks the President has undertaken to do what he expected he would not do when he stumped the country in his behalf. It is, no doubt, disappointing to him, for he was estimating results from the ordinary Democratic standpoint. It was doubtless in his expectation that the President did not mean what he said, and that, true to the general expectation of the hungry Democracy, he would manipulate the civil-service law in such a way as to be no let to any Democratic expectant of an appointment. It is now apparent that the President means to keep faith with the people. Hence the irrepressi-ble conflict between the Executive, the Higginses, and the House of Representatives

It is my opinion that in this fight the House and Higgins will come out ahead; not probably through the operation of the proviso under consideration, because it is not likely to keep its place in the appropriation bill, but by pushing their friends into places without even a change of civil-service rules. If under the rules as at present constructed it is possible to procure out of seventy-five appointments seventy-two of the political friends of the head of a Department, I think by the end of another year he will be able to stretch the rules enough to get through the other three. Slowly but surely the power to hold in check the oncoming tide is giving way, and the President must either "fall in with the procession" or go into history as a President without a party.

Oleomargarine.

SPEECH

HON. ROBERT M. LA FOLLETTE,

OF WISCONSIN, .

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 2, 1886.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 8328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine—

Mr. LA FOLLETTE said:

Mr. CHAIRMAN: I have waited till the close of this discussion hoping that gentlemen whose eminent abilities and long service give them the prerogative to instruct us on constitutional questions would present to this body fully their views and the authorities upon those questions, to the end that we should be aided in our work here and that the same should become a part of the record of this legislation.

It has been from the first maintained by the enemies and apparently

conceded by the friends of this measure that it must masquerade through the House as a bill to raise revenue, and that no other constitutional

defense can be found for it.

I have noticed that those who favor a tax so high as to practically prohibit the manufacture of oleomargarine, as well as those who favor one so low as to barely recompense the Government for its supervision, although in either case no revenue could possibly be collected, have, when pressed by the sharp questioning of the gentleman from Georgia [Mr. Hammond], been driven to take refuge behind the lines of the bill. When asked if either a prohibitory tax or one just paying the collecting would yield revenue, of course answer is made that it would not. When asked if we need an increase in revenue at this time, answer is made that we do not. When asked whether it is a proper use of constitutional power to levy a tax when revenue is not needed, answer is made that it is not. Then, driven to extremes, it is said that "this appears to be a revenue bill, that it will go out as a revenue bill, that it will have to be interpreted as a revenue tax, and that the motives of members can not be questioned."

While this may answer the forms of lawful legislation, it is nevertheless a pretty severe strain on the conscience. And, sir, if there is any other constitutional warrant which primarily may move in laying a tax other than the naked purpose to raise revenue it is important that it be asserted in this discussion and with any authority supporting it made a part of the history of this proceeding.

It has to me seemed singular that the arguments made against this measure, and in no instance disguised, should not have renewed the contest along the line dividing protection and a tariff for revenue only; but the friends of the American system have apparently seen in this issue no call for application of the principles to which they are com-And yet all the arguments which have been advanced against the constitutionality of this bill during the discussion are the same

the constitutionality of this bill during the discussion are the same that have always been made against protective and prohibitory duties. The gentleman from Georgia [Mr. Hammond] cited as one of the principal authorities supporting his view of the unconstitutionality of this measure a portion of Mr. Webster's speech against the tariff, delivered at Faneuil Hall in 1820, long before he changed his views on that subject; and the argument of the distinguished chairman of the Judiciary Committee [Mr. Tucker] in his speech against this bill a few days ago was exactly in line with that which has always been advanced against protective and prohibitory duties

against protective and prohibitory duties.

Compare the summation of the argument against this use of the taxing power which Mr. Story gives in section 963 of his work on the Constitution, as the views of the strict constructionist, with that of the gentleman from Virginia in the speech referred to. The one says, "The power to lay taxes is a power exclusively given to raise revenue;" the other says, "Congress has the power to lay the tax on oleomargarine" (but for what purpose?) "to raise revenue." The one says, "When revenue is wanted for constitutional purposes the power to lay taxes may be applied; but when revenue is not wanted it is not a proper means for any constitutional end;" the other says, "Can you use that as a weapon to destroy some industry that is not within your power, merely because you have that weapon to use, for the purpose of raising revenue?" Both would concede that incidental benefits might lawfully go with the tax, but both would contend that the right to lay the tax could never be exercised for any other purpose than to raise revenue, no mat-ter how much that purpose might be for the common defense and general welfare.

And so I say that the argument offered here to show the unconstitutionality of this bill is the argument which has always been made when the use of the taxing power was employed primarily for purposes other than revenue. In applying to this question the same reasoning on which rests the constitutional authority for all protective tariff, and thus invoking at least half of the great names of history to its support, I have the sanction of high constitutional authority. Mr. Story, as I I have the sanction of high constitutional authority. Mr. Story, as I have quoted, says in his chapter on the "Power of Congress to tax," that though the argument which he gives for and against the constitutional authority to tax for other purposes than to raise revenue is given as applied to the protection of manufactures, still, as the learned author himself says, "the argument is equally applicable to all other cases when revenue is not the object."

If it be true, then, that we do not at this time need to increase our revenues, and if it be likewise true that the primary object of this bill be not to gather revenue, the question addressed to the legislative conscience is, Has Congress the authority to tax primarily for purposes other than revenue?

I turn directly to section 964, Story on the Constitution, and though instead of asserting dogmatically his own views on this controverted question he gives the best reasoning upon both sides, I think no lawyer on this floor can read it all without coming to the conclusion that the opinion of the able commentator himself was that the power there given tax can be exercised in any way for the common good.

Mr. HAMMOND. That is, on the commerce clause.

Mr. LA FOLLETTE. No, sir; it is not on the commerce clause. I am reading from chapter 14, the title of which is "Taxes," and which is devoted exclusively to the consideration of the clause:

Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

The learned commentator devotes most of this chapter to the consideration of the question to which we seek an answer. Has Congress the power to tax for purposes other than revenue? Admonishing us not to commit the fallacy of the gentlemen who oppose this bill and assume the very point which must be proved—that is, that the power to lay taxes is limited to revenue only—he says:

lay taxes is limited to revenue only—he says:

It will not do to assume that the clause was intended solely for the purpose of raising revenue, and then argue, that being so, the power can not be constitutionally applied to any other purposes. The very point in controversy is whether it is restricted to purposes of revenue. That must be proved and can not be assumed as the basis of reasoning.

The language of the Constitution is: "Congress shall have power to lay and collect taxes, duties, imposts, and excises." If the clause had stopped here and remained in this absolute form, there could not have been the slightest doubt on the subject. The absolute power to lay taxes includes the power in every form in which it may be used, and for every purpose to which the legislature may choose to apply it. This results from the very nature of such an unrestricted power. A fortiori, it might be applied by Congress to purposes for which nations have been accustomed to apply it. Now, nothing is more clear, from the

history of commercial nations, than the fact that the taxing power is often, very often, applied for other purposes than revenue.

It is often applied as a regulation of commerce. It is often applied as a virtual prohibition upon the importation of particular articles, for the encouragement and protection of domestic products and industry; for the support of agriculture, commerce, and manufactures; for retaliation upon foreign monopolies and injurious restrictions; for mere purposes of state policy and domestic economy; sometimes to banish a noxious article of consumption; sometimes as a bounty upon an infant manufacture, or agricultural product; sometimes as a temporary restraint of trade; sometimes as a suppression of particular employments; sometimes as a prerogative power to destroy competition and secure a monopoly to the Government!

If, then, the power to lay taxes, being general, may embrace and in the practice of nations does embrace all these objects, either separately or in combination, upon what foundation does the argument rest which assumes one object only, to the exclusion of all the rest; which insists, in effect, that because revenue may be one object, therefore it is the sole object of the power; which assumes its own construction to be correct because it suits its own theory, and denies the same right to others entertaining a different theory?

denies the same right to others entertaining a different theory?

Mr. Story nowhere lays it down that the power to tax is general, but he says the limitations are found in the same clause of the Constitu-The exact extent of this limitation as construed by the commentator, in the language of section 922, where he sums up his conclusions on the proper grammatical construction of this clause, is as follows:

A power to lay taxes for any purposes whatsoever is a general power; a power to lay taxes for certain specified purposes is a limited power; a power to lay taxes for the common defense and general welfare of file United States is not in common sense a general power. It is limited to those objects. It can not constitutionally transcend them. If the defense proposed by a tax be not the common defense of the United States, if the welfare be not general, but special or local, as contradistinguished from national, it is not within the scope of the Constitution. If the tax be not proposed for the common defense or general welfare, but for other objects, wholly extraneous (as, for instance, for propagating Mahometism among the Turks or giving aids and subsidies to a foreign nation to build palaces for its kings or erect monuments to its heroes), it would be wholly indefensible upon constitutional principles.

In other words, the reading which he says seems supported by the best reasoning, and that which he maintains throughout his commentaries,

Congress shall have power to lay and collect taxes, duties, imposts, and excises [in order] to pay the debts, and to provide for the common defense and general welfare.

And then continuing the reasoning says:

Is raising revenue the only proper mode to provide for the common defense and general welfare? May not the general welfare, in the judgment of Congress, be, in given circumstances, as well provided for, nay, better provided for, by prohibitory duties, or by encouragements to domestic industry of all sorts? If the common defense or general welfare can be promoted by laying taxes in any other manner than for revenue, who is at liberty to say that Congress can not constitutionally exercise the power for such a purpose? No one has the right to say that the common defense and general welfare can never be promoted by laying taxes except for revenue.

[Here the hammer fell.]

Mr. TUCKER. If I can be recognized I will yield my time to the gentleman from Wisconsin [Mr. LA FOLLETTE].

Mr. LA FOLLETTE. I thank the gentleman.

Mr. Chairman, in further support of the view that Congress has the constitutional right to tax for purposes other than revenue, I would call the attention of the House to the following words, found in an exhaustive report from the Committee on Manufactures, made May 23, 1832:

the attention of the House to the following words, found in an exhaustive report from the Committee on Manufactures, made May 23, 1832:

To pay the debts of the United States was the first of the objects for which by the Constitution of the United States was the first of the objects for which by the Constitution of the United States was the second object; and these expressions, broad and comprehensive in their import, far from being without meaning in the intention of the founders of the Constitution, embraced the great purposes for which the Constitution itself was formed. They are introduced in that solemn preamble, by which the whole people of the United States, speaking in the first person, "We, the people of the United States, 'announce the great purposes for which they do ordain and establish this Constitution; they are emphatically repeated in the eighth section of the first article, containing the grants to Congress of power; and they are not only grants of power but trusts to be executed, duties to be discharged for the common defense and general welfare were obligations imposed upon the organized body upon whom the power was conferred of laying and collecting taxes, duties, imposts, and excises for effecting the purpose—obligations not less imperious than that of paying the debts of the Union. To provide for the common defense and general welfare were obligations induced for the common defense and general welfare is the duty, the irremissible duty of the Congress; the power to levy duties, taxes, imposts, and excises for effecting the purpose—obligations not less imperious than that of paying the debts of the Union. To provide for the common defense and general welfare is the duty, the irremissible duty of the Congress; the power to levy duties, taxes, imposts, and excises is the means with which they are invested for the execution of the trust. The non-user of the power is a violation of the trust—a violation as culpable as would have been the neglect or refusal to levy taxes for the payment of the p

The above language from this able report does not mean, as has been contended by the opponents of this bill, that Congress can levy a tax so as to discriminate against certain articles only when revenue is needed. It means that Congress has constitutional authority to lay a tax for the general welfare even though there be not the slightest necessity for revenue, as is shown by the following paragraph from the same report:

To pay the debts of the nation was an object of more immediate urgency than

even that of providing for the common defense. It was to enable the nation itself to do justice to others. To provide for the common defense was the discharge of a debt which the nation owed itself—a debt of wider scope, of deeper import, of more permanent duration. The power of levying money to pay the debts was a power limited by the consummation of its object. The power of contracting further debts was conferred by another grant. The exercise of these powers would, in its nature, be occasional and temporary; that of providing for the common defense was permanent and unceasing, a debt still paying, still to owe, and limited in its duration only by that of the existence of the nation itself. The payment of the debts is about to be consummated. The power of levying duties, taxes, imposts, and excises for that purpose is about to be extinguished in its own fulfillment. There being no debts to be paid, the power of levying taxes for their payment will for the time cease to exist; but that of providing for the common defense will remain, not merely unimpaired but acquiring fresh strength and more impressive weight from the accomplishment of the nation's liberation from debt, swelling and expanding with the increase and expansion of the population and wealth to be defended, and destined to enlarge its dimensions and gather accumulating weight and intensity to a period coeval with the destined existence of the Federal Union.

The author of this report was John Quincy Adams. As might have been expected, it called down upon him the denunciation of those narrow constructionists of the Constitution who assumed then as now that the power to tax for the general welfare meant to tax for revenue only with

incidental protection.

The Congressional Librarian informs me that the masterly defense of the Congressional Librarian informs me that the masterly defense of the position taken in this report, made by Mr. Adams subsequently in a letter to Mr. Speaker Stevenson, July 11, 1832, could only be found after several days' search in an old copy of the National Intelligencer. Such an exhaustive exposition, from such a source, on the construction of this clause of the Constitution ought to be rescued and put in enduring form; and as the whole argument is directly applicable to this discussion I shall append the entire letter to my remarks when published in the RECORD.

Although Mr. Cooley in his work on Constitutional Principles is authority against the use of the taxing power, except for purposes of revenue, we find in his recent work on taxation the following:

On the other hand, one purpose of taxation sometimes is to discourage a business and perhaps to put it out of existence without any idea of protection attending the burden. This has been avowedly the purpose in the case of some Federal taxes.

Mr. STRUBLE. And he cites authorities.
Mr. LA FOLLETTE. Yes, sir; he cites Veazie Bank vs. Fenno; but I am bound to say that the opinion of the court in that case, standing alone, may seem scarcely broad enough to warrant Mr. Cooley's general conclusion.

But in the license-tax cases (5 Wall., 462) the court said:

The power of Congress to tax is a very extensive power. It is given in the Constitution with only one exception and only two qualifications. Congress can not tax exports, and it must impose direct taxes by the rule of apportionment and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject and may be exercised at discretion.

Chief-Justice Marshall, in McCulloch vs. State of Maryland (4 Wheat., 316), says that-

The power to tax involves the power to destroy.

And in Collector vs. Day (11 Wall., 113) we find the Supreme Court giving precisely the same construction to the case of Veazie Bank vs. Fenno that Mr. Cooley gives on the page from which I have just read in the following language:

But we are referred to the Veazie Bank vs. Fenno in support of this power of taxation. That case furnishes a strong illustration of the position taken by the Chief-Justice in McCulloch vs. Maryland, namely, "that the power to tax involves the power to destroy.

If, then, the power to tax involves the power to destroy when given without limitations, and if the only limitations fixed by the Constitu-tion is "to pay the debts and provide for the common defense and general welfare," then does it not follow that the tax even when laid to destroy might be for the general welfare, and if so would it not be clearly constitutional?

But it has been said in this discussion that "we can not do indirectly But it has been said in this discussion that "we can not do indirectly what we have not the authority to do directly, that we have no express authority to prohibit and therefore we can not rightfully use any other power to prohibit." But if we have granted to us a power which by its very nature, as the Supreme Court say, involves the power to destroy—that is, to prohibit—and if, at the same time, there is given with that power an express direction that we shall use it to accomplish the general welfare, and if it manifestly appears that by using this power which involves the right to destroy, if necessary, to obey the mandate to provide for and secure the general welfare, are we then, I ask you, doing anything by an indirection? Are we then acting without authority? Indeed, are we not obeying the Constitution and performing strictly and within its very terms the trust committed to us?

In the practices of this Government from the beginning has not this very construction been, I ask you, adopted in practice? Hamilton in his report on manufactures in 1791, said: "That of duties equivalent to prohibitions there are examples in the laws of the United States," and he advised the further application of the same principle. So, too, Jefferson, in 1793, recommended in his report on commercial restrictions the use of the same power within narrower limits—nevertheless the direct application of the same principle. Of Mr. Jefferson's expressed views John Quincy Adams said:

That Mr. Jefferson had no doubt of the power of Congress to protect the na-

tive interests not only by taxation, but by prohibition, has been amply proved, and particularly by one of his messages to Congress.

Probably in the whole history of this people no more liberal construction was ever made of this clause than that given by President Jefferson in the acquisition of Louisiana. Mr. Adams tells us that upon the passage of the act taking possession of Louisiana and for the government thereof this very paragraph of the Constitution was cited by Mr. Rodney, of Delaware, a distinguished lawyer and statesman, and the ardent friend and supporter of Mr. Jefferson's administration, as containing the grant of power by which Congress was authorized to make the acquisition. In this instance the object of laying a tax of fifteen millions was not primarily to get revenue to meet the expenses of Government, but was first and foremost for the common defense and general welfare.

Here, though accomplished by one and the same act, it became necessary first to create by the power, given in this clause a necessity for revenue, before there could be any right, in the narrow view, to lay the tax; and this power of providing for the common defense and general welfare moved first in the mind of the legislator, drawing after it as secondary that which it is now claimed on the other side must be the prime essential to any legislation before the tax is laid.

If the repeated enactment of laws under the construction of the Constitution contended for by these eminent authorities and their ready acceptance and approval by the people can give interpretation to a par-

ticular clause, this question is in that sense res adjudicata.

Should it be claimed that protective and prohibitory taxes, such as have been laid from time to time since the adoption of the Constitution, must find their warrant in the clause giving Congress the power to regulate commerce and not in the clause we are considering, then to claim this is to claim that under the power to regulate commerce you have the right by implication to use the taxing power for another object than revenue; for an object which must prevent revenue being derived; but that under the clause giving directly the power to lay taxes you can only lay them to raise revenue. Is that satisfactory reasoning to any gentleman here? Employing the exact language given in Story:

man here? Employing the exact language given in Story:

If Congress may, in any or all of these cases (in cases where laid to prohibit),
lay taxes, then, as revenue constitutes upon the very basis of reasoning no object of the taxes, is it not clear that the enumerated powers (as the power to regulate commerce) require the power to lay taxes to be more extensively construed than for purposes of revenue? It would be no answer to say that the
power of taxation, though in its nature only a power to raise revenue, may be
resorted to as an implied power to carry into effect these enumerated powers
in any effectual manner. That would be to contend that an express power to
lay taxes is not coextensive with an implied power to lay taxes; that when the
express power is given it means a power to raise revenue only, but when it is
implied it no longer has any regard to this object,

And Mr. Adams, in the letter to Mr. Speaker Stevenson, before referred to, touching the power to lay protective or prohibitory taxes,

So far as I am able to judge of the force of language the derivation of the power, from the duty to provide for the common defense and general welfare, is more direct, more immediate, less needing a winding staircase of argumentation to come to the result than its derivation from the power to regulate commerce.

There is, then, gentlemen, both strong reasoning and high authority to say that the power to tax is the power to tax whenever it subserves

the general welfare.

But you say this is a dangerous power. Is it then more dangerous, if this power to tax for the general welfare is claimed as a right, than is the power (which gentlemen concede we have) to tax ostensibly for the purpose of raising revenue, but with the real purpose of literally taxing out of existence? In either case the only remedy lies in the relation of the legislator to his constituents. And in adopting the broad language, placing the power to tax in the hands of Congress for the high purpose of the general welfare—the common good—under the wise system of frequent revision by the people through the recurring elections, was not the safest check, guard, and protection provided which human foresight could devise?

Resting on the broad ground that Congress has the power to tax for the general welfare, the objection which has been made that this measure, seeking in part as it does to protect the people from a fraudulent and unwholesome article of food, is an interference with the so-called

police power of the States ceases to exist.

Instances are not wanting where the authority of the State and Federal powers overlap each other in accomplishing the objects of government. Because the police powers of the State may be employed within the State to subserve the interests and well-being of its citizens, it has never been held that the General Government could not in the exercise of other and different powers delegated to it accomplish the same results

for the whole people.

If Congress in the exercise of some of its lawful powers, such as that to tax or to regulate commerce, happens to accomplish the same results which States might accomplish by the police power, it can not be maintained that it is excluded from using the powers delegated to it by the Constitution. And because it effects the same or better results in dealing at the same time with the same subject by no means makes the exercise of the power it employs a police power. The character of the power is not changed because the result it secures is the same as that which the State attempts to secure by a different power.

To construe the authorities as laying down any other doctrine is entirely to misapprehend their meaning. In the License-tax cases (5 Wall., 462) Chief-Justice Chase says:

That the recognition by the acts of Congress of the power and right of the States to tax, control, or regulate any business carried on within their limits is entirely consistent with an intention on the part of Congress to tax such business for national purposes.

The question then which presents itself to every man here is, Will this measure minister to the general good, to the national welfare? If its benefits are merely local and special and not general, then we have no warrant, no right to enact it into a law. These reasons address themselves to the legislative judgment exclusively, our judgment being ever subject to approval or disapproval, to stand or fall before that great tribunal, the people of this country.

great tribunal, the people of this country.

Nearly one-half of all the people of this country are engaged in and directly dependent upon agriculture. The vital forces of every other business, I care not what its character, are drawn from and nourished by it. From the standpoint of economics purely and upon the strictest business principles the interests of agriculture are the interests of this Government. No other pursuit so universally and profoundly concerns every other citizen of the Republic—no other calling known to civilized man, where so entirely and completely the interests of one is the

interest of all.

There are other considerations which are worthy the thought of those charged in part with the duties of government. Favored by the character of our institutions, almost all of the farm land in this country is held and owned by the men who cultivate it. Ownership of soil means ownership of home, and I tell you, that government whose people build and own their own homes, lays broadest and deepest its foundations and bargains most surely and happily with time. Such homes, no matter how humble, are pledges of the perpetuity of the nation. Our little modest homes scattered over this land, reared by those who live in them, are the pillars of strength which lift this government above other nations of the civilized world. And it is well for us to remember here as elsewhere that the poorest home is just as great an element of strength to the state as the costliest mansion. To the state, to the government, there is no difference.

Now, sir, these rural homes are built on small margins. They are maintained only by industry and frugality. Every factor of strength and support about them is important to comfortable, decent existence. Sir, I know something of life upon the farm; I know the value of

Sir, I know something of life upon the farm; I know the value of the little things in the economical system, in the sparing, cautious management practiced there. I know how the small things are used to fill up and round out the seasons as they go. There is little that can be

safely spared.

I know, sir, the vital, the absolutely vital importance of the dairy to the maintenance not only of the home comforts, the sweetening of the home life, but its great value to that which makes the home possible—the farm itself. It is the one important element in almost the only system which can be adopted upon the small farms to sustain their soil and preserve their producing properties. To foreclose the farmer from this essential branch of his business is to greatly narrow the limits of his industry, lessen the number of farm products, and force overproduction in the few produced with all its consequent disasters to commerce and trade.

It is too late in this discussion to go into figures, nor is it necessary. The dairy interest and all that it carries with it is in a distressing condition. It has been driven to the wall and is to-day fighting for a place to stand. It is set upon from all sides by an unseen foe. It is struck from behind. It is taken in ambush. It can make no defense.

Ah! but you say, "This is competition, and are you going to apply the taxing power to settle differences of competition between domestic industries?" I answer that is not the question presented here. We face a new situation in history. Ingenuity, striking hands with cunning trickery, compounds a substance to counterfeit an article of food. It is made to look like something it is not; to taste and smell like something it is not; to sell for something it is not, and so deceive the purchaser. It follows faithfully two rules: "Miss no opportunity to deceive;" "At all times put money in thy purse." It obeys no laws.

The evidence, undisputed, is that there enters into its composition a large number of substances which singly, or in combination, are unwholesome, poisonous, and either directly or indirectly destructive of

human life.

It is no longer a question with the citizen anywhere, from ocean to ocean, whether he would prefer to eat it. He is forced to eat it. This monstrous product of greed and hypocrisy makes its way into the home and onto the table of every consumer. It is as powerful and irresistible as vicious ingenuity can make it. It is as pitiless as a plague. It wants only one thing: it wants your money—it does not care for your life.

Talk about competition! Why, gentlemen, stop and think! There can be no competition except where there is rivalry. Competition implies two or more persons or things or employments—two or more entities—each with an individuality, a character, an identity of its own, in common strife for the same object. But there can, from the very

nature of things, be no competition between a substance and its coun-The sole object in making one substance in imitation of an-

other, for purposes of sale, is to avoid competition.

It is time that this idle talk about interference with the competition of two industries should cease. The purpose of this bill is to insure competition. Here is a villainous device for making money lawlessly and subtilely, eating the heart out of an industry which is to this Government what blood is to the body. It is not only striking prostrate the agricultural industry, but it accomplishes this by cheating prostrate the agricultural industry, but it accomplishes this by cheating and defrauding the balance of the people—the great body of consumers out of both money and health. It spares no one.

All legislation attempted by, or within the reach of the States is impotent to deal with this moneyer. If there was even time in the history.

tent to deal with this monster. If there was ever a time in the history of this Government when the essence of the great protection principles should be applied—when this body was solemnly commanded to use its delegated powers for the general good, this is the hour.

I shall vote for this bill.

APPENDIX.

Letter of John Quincy Adams to Mr. Speaker Stevenson, July 11, 1832. To Andrew Stevenson, Speaker H. R., U. S.

Letter of John Quincy Adams to Mr. Speaker Stevenson, July 11, 1832.

To Andrew Stevenson, Speaker H. R., U. S.

Hall of the House of Rep's., U. S.

Washington, 11th July, 1832.

Sir. In the ordeal of burning plough shares between which it is the destiny of every public man in this country to wind his way, it has often been my fortune to be unjustly charged with holding latitudinarian doctrines upon questions relating to the extent of the powers of Congress under the constitution of the U. S. These charges have been repeated since the report which I was permitted by the Committee on Manufactures to make in their name, to the House of Rep's. They were repeated by a gentleman from Va., (who was himself a member of the Com. on Manufactures,) at the moment when the report was presented to the House. They have been since in substance, repeated on the floor of the House by the Chairman of the Com. on Ways and Means, by another member of Virginia, and a member from Alabama, all in eloquet and well considered speeches. The gentleman from Virginia (Judge Bouldin) argued against it, and cited the authority of Mr. Madison as adverse to it. The gentleman from Alabama, (Mr. Lewis) cited also the authority of Mr. Madison, as conflicting with my opinions, on which he commented with some severity and great ability. The array of names and of numbers on the floor against my opinions was sufficiently appalling, had there not been an appeal to the authority of Mr. Madison to sustain the adverse political creed. Nor has that name been thus resorted to in the House alone. I have seen in public prints a letter from that eminent citizen to yourself, published, as it is intimated, by way of antidote to the supposed bane of the latitudinarian principles of my report.

It was my intention, before the final passage of the Tariff bill, and in the event of its passage, often painfully doubtful in my anticipation, to address the House at some length upon the principles by which I had been governed in the performance of the duties which you h

the infliction upon them of a long speech at the close of a tedious debate, and ultimately, by the application of the previous question, immediately after the second eloquent invictive of the Chairman of the Committee of Ways and Means.

Had I persevered in the purpose of thus addressing the House, all the topics of debate upon which that member, as well as the members from Virginia and from Alabama, had largely expatiated in their speeches, would naturally have been reviewed and found subjects of respectful animadversion. The principles which I had believed fundamental to the inception and consummation of the great compromise, which it was obviously the object of all sober-minded to accomplish in the adjustment of the Tariff—the plans for the reduction of the revenue, proposed by the Committee of Ways and Means, and by the Committee of Manufactures of the Senate—the rights of the agriculture and manufactures of the North and West, and Centre to protection, the wrongs and sufferings of the South, and particularly the distresses and depressions of the State of Alabama, the novel and marvellous maxim of political economy, that export pays the duty upon import—the relative portions of the burden of existing taxation actually borne by the Southern section of the Union, and by the Northern section—and the relative degrees of protection enjoyed respectively by them, must, necessarily, have passed in review. Some of these topics are irritating and allogether uncongenial to my nature. Others, and indeed most of them, had no bearing upon the bill under consideration by the House. I was rejoiced to be relieved from the necessity of discussing them. There is now every prospect that the Tariff Bill will pass; and it remains only for those who have contributed to its enactment, to await, with anxious hopes, its operation the several great interests affected by it, and its acceptance in the minds of the people. It is not, however, to the Tariff Bill, or to any of its provisions, that I would now invite your attention and tha

thority to tax, coupled with that of regulating commerce, will you abjure and renounce the very oracle to which you have just resorted for truth? You have and renounce the very oracle to which you have just resorted for truth? You have and the process of the pr

Yet, I disclaim again, explicitly and utterly disclaim, the imputation of considering those words as containing either in themselves, or in their connection, with the right to tax expressly granted, and with the duty to provide for expressly enjoined, a grant of unlimited power. It does not appear from the letter of Mr. Madison, what was the special controverted object of legislation, with reference to which you had resorted to his opinions for the solution of your doubts. His recurrence to the charter, granted by the confederation Congress to the Bank of North America, and to the argument of Mr. Wilson to educe the authority to grant the charter from the nature of the Union, seems to indicate that your inquiries were specially directed to the power of chartering the Bank, as contained in this paragraph. For, even if a bank should be indispensably necessary for the common delense and general welfare, as I believe it to be, still the power here granted is merely a power of taxation, and to grant a charter of incorporation is not to lay taxes, duties, imposts, or excises. Before the acquisition of Louisiana, and its annexation to the Union, I did consider this taxing, power, injunction, and exposition of purposes, as sufficient, together with the treaty-making power, for the acquisition of the Territory by purchase, but not for exercising the powers of government over the inhabitants, nor for annexing them to the Union. At the session of Congress specially called by President Jefferson upon the occasion of the conclusion of that negotiation, which commenced on the 17th of October 1903, I first took my seat as a member of the Senate of the U. S. An accidental detention on my way to the seat of government, by illness in my family, prevented me from taking my seat until the 21st of that month. The advice and consent of the Senate to the ratification of the treaties had been given the day before.

Had I been present I should have voted in favor of the ratification; I had no doubt of the power to conclude the treaty.

rested in such person and persons, and shall be exercised in such manner, as the President of the United States shall direct, for maintaining and protecting the Iresident of the United States shall direct, for maintaining and protecting the President of the United States. I believed that the Constitution had not authorized Congress to confer upon the President such powers, and voted against the bill as unconstitutional. Mr. Jefferson signed the bill, as President of the United States, and assumed and exercised the powers vested in him by it. At the same session of Congress, an Act, was passed [24 Feb., 1804, Bioren's U. S. Laws, p. 569] for laying and collecting duties on imports and tounage, within the ceded Territories. An act erecting Louisiana into two Territories, and providing for the temporary government thereof, (U. S. Laws, Vol. III., p. 603, 28th March, 1804, and several others, exercising all the powers of taxing and legislation, over the people of Louisiana, and conferring upon them the rights and privileges of native citizens of the United States. Against all these acts I voted, as may be seen by the records of yeas and nays in the Journals of the Senate. I was under a sincer and conscientious conviction that the Constitution of the U. S. had conferred upon Congress no authority to enact those laws. I was under a sincer and consciention of the U. S. Ha. Jeffetson, the sum of the constitution of the U. S. Ha. Jeffetson of the U. S. sign all those acts, and did assume and exercise all the powers conferred upon him by them. In the debate in the House of Representatives upon the constitutional power of Congress, to consumnate the acquisition of Louisiana, Mr. Rodney expressly cited this identical article; the power to lay taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare, as containing the necessary grant of power. I did not subscribe to the doctrine. I believed an amendment to the Constitution indispencibly necessary to legalize the transacti

a neighborhood, would certainly have been a very wise and fortunate measure to provide for the common defence and general welfare; but the legitimacy of this exercise of Power, should carry with it as incidental consequences, the power of investing the President of the U.S. with all the despotic authority of a King of Spain; that it should imply the power of absolute legislation over a foreign nation; of holding in subjection a foreign people; taxing them without their consent, and fettering them into freedom, appeared to me to be inferences so transcendent, so inconsistent with the whole character of our institutions, so certainly unforeseen and uncontemplated by the convention which had prepared the constitution, and by the people who had adopted it, that I could not bring my mind to the conclusion that this clause of the constitution could be susceptible of such latitude of construction.

I opposed pertinaciously, by speech and by vote, the passage of all those acts. The debates of the Senate were not then regularly reported, and of my opposition, which was carnest and incessant, even to importunity, no record now remains excepting upon the Journals of the Senate. It will there be found, that on the 25th of Nov., 1803, I moved for the appointment of a committee, "to inquire whether any, and if any, what further measures might be necessary for carrying into effect the treaty between the U.S. and the French Republic, concluded at Paris on the 30th of April, 1833, whereby Louisiana was ceded to the U.S.," with leave to the committee "to report by bill or otherwise." This motion was laid on the table for consideration till the 9th of Dec., when it was rejected. When the motion was under consideration, I stated to the Senate my motive for making it, my full conviction that an amendment to the constitution was finded on the motion was under consideration, I stated to the Senate my motive for making it, my full conviction that an amendment to the constitution was indigenesable for the annexation of Louisiana to the

one.

No attempt was made to answer my reasoning, but my motion was rejected. Before offering the resolution, I had twice called upon Mr. Madison, then Secretary of State; had expressed to him my own opinious upon the constitutional points, and the wish that measures to the effect of removing the difficulties should be introduced into Congress, by some leading friend and supporter of the Administration. At our first interview, I left him under a doubt whether this course of proceeding would be taken by the administration or not; and I told him I should not move in the matter, if any friend of the administration would undertake it. At the second meeting he informed me that no such measure would be proposed on the part of the Administration, and it was in consequence of this information, that I made the motion in Senate for the appointment of Committee. The Administration, and its friends in Congress, had determined to assume and exercise all the powers of government in Louisiana and all the powers for annexing it to the Union, without asking questions about their authority. On the 10th Jan., 1804, I offered to the Senate the following resolutions:

"I. Resolved, that the People of the U.S. have never in any manner delegated

Committee. The Administration, and its friends in Congress, had determined to assume and exercise all the powers of government in Louisiana and all the powers for annexing it to the Union, without asking questions about their authority. On the 10th Jan., 1904, I offered to the Senate the following resolutions:

1. **Senate the power of giving its Legislative concurrence to any act for imposing taxes upon the inhabitants of Louisiana without their consent.

1. **2. Resolved, That by concurring in any act of Legislation for imposing taxes upon the inhabitants of Louisiana, without their consent, this Senate would assume a power unwarranted by the constitution and dangerous to the Liberties of the People of the United States.

2. **3. Resolved, That the power of originating bills for raising revenue, being exclusively invested in the House of Representatives, these Resolutions be carried to them by the Sec. of the Senate: That whenever they think proper, they may adopt such measures as to their wisdom may appear necessary and experience of the senate of

and of his reputation with posterity, to set it forth. The Alternative is, that Mr. Jefferson did pro hac vice, adopt the principle of liberal construction to the grant of powers in the constitution. That he concurred in the exercise of the power of taxation upon the people to the amount of fifteen millions of dollars, to provide (by the purchase of Louisiana) for the common defence and general welfare of the Union and that, after having completed the purchase, he was warranted in giving his sanction to all laws necessary and proper to carry the whole transaction into execution, however identified such laws might be with the principles of an absolute monarchy, and however irreconcileable with the fundamental principles of our republican institutions.

I have stated that upon the passage of this first act and for taking possession of Louisiana, and for the temporary government thereof, through the House of Representatives, this very paragraph of the Constitution was cited by Mr. Rodney, of Delaware a distinguished lawyer and statesman and then an ardent friend and supporter of Mr. Jefferson's administration, as containing the grant of power by which Congress was authorized to make the acquisition of Louisiana, I have said that by giving this construction an easy and natural, but very liberal construction to that paragraph, and calling to its aid the sweeping clause, the purchase of Louisiana, and all the laws of Congress enacted for carrying it into full execution were strictly constitutional. And I will now add, that from and after the close of the first session of the eight Congress—that is, from the 27th of March 1804—I have so considered, and do so consider them. It was not the construction which from the conduction of Congress resisted and oncosed.

the construction which from the conclusions of my own judgment I had given to that paragraph.

I had, through a long and interesting session of Congress, resisted and opposed the application of that construction to measures which in all other respects had my hearty approbation. That construction was, however, practically given, by large majorities of both Houses of Congress, and by Mr. Jefferson, as President of the U.S., in the enactment and execution of the five statutes of which I have given you the titles and the dates. That construction was acquiesced in by the People of the United States and by the People of Louisiana, and thereby, controlling my own judgment, became to me thenceforth a part of the fundamental constitutional law of the land. And hence in the years 1819 and 1821 I contributed, in the official station which I then held, without scruple or hesitation, to the conclusion of the Florida Treaty, and to the enactment of Laws precisely similar, with reference to that province and to its inhabitants, which I had resisted and opposed with regard to the province of Louisiana, and its people in 1894.

similar, with reference to that province and to its inhabitants, which I had resisted and opposed with regard to the province of Louisiana, and its people in 1804.

But the construction of the Constitution having thus been practically and definitely settled with regard to transactions of such import as the acquisition, government, and annexation to this Union, of a Territory equal to that of the whole Confederated republic before, I was left no longer at liberty to apply a narrow and contracted analysis of language to those "harmless words," which had conferred upon a President of the U. S. the despotic powers of a king of Arragon and Castile. I never did draw the inference—and I ask, in this respect, not to be misunderstood—I never did draw the inference from this succession of facts, and settlement of principles, that these words conveyed to Congress a substantive and "indefinite power," but I did draw the inference that as declaratory of the purposes for which the power of taxation was granted and as subsidiary to the duty enjoined upon Congress to provide for the common defense and general welfare, they were words efficacious in themselves and needing no further specification of enumerated power to give them life and significancy. The substantive and definite power granted, is the power to levy taxes, duties, imports, and excises.

The dutyenjoined upon Congress for the performance and fulfillment of which they are authorized to exercise this power, is to provide for the common defense and general welfare. Far from being a grant of indefinite power, these are themselves defining words; they limit the exercise of the powers of taxation in this respect to the object of providing for the common defense and general welfare. Now, the acquision of Louisiana by purchase, and the enactment of all laws necessary and proper for carrying that measure into execution, by fair and sound reasoning, without violence to language or abuse of terms, might be included in the obligation of Congress to provide for the common def

of rival commercial legislation, is as laithful a performance of the obligation to provide for the common defence and general welfare as was the purchase of Louisiana.

Such, sir, is the foundation of the reasoning upon which, in the report of the committee on manufactures of the House of Representatives upon the tariff, it is affirmed that the power of Congress to protect the domestic industry of the country, by taxation upon the competition with it, of foreign industry, is granted by the power of taxing to provide for the common defense and general welfare. I add that it is much more clearly included in this grant of power than the purchase of Louisiana and its consequent series of legislation, was so included. How strictly this power of protecting the native interest by countervalling legislation, is included in the requisition to Congress to provide for the common defense and general welfare, is signally illustrated by the following paragraph of the speech of Mr. Huskisson, to the British House of Commons, delivered on the 12th of May, 1826, upon the state of the navigation of the United Kingdom. Speaking of the British Navigation laws, he says:

"I am bound to say that those regulations are founded on the first and paramount law of every state, the highest ground of political necessity, PROVIDING FOR OUR OWN SAFETY AND DEFENSE." Here, sir. the very words of our constitution, employed as a direction to Congress, for the exercise of the granted power of taxing, are used by Mr. Huskisson as constituting the foundation of the whole system of the navigation laws of Great Britain; and the coincidence of the language used in the two cases is the more emphatically demonstrative of the power of Congress implied in the injunction, as it is very certain Mr. Huskisson used the words without reference to the constitution of the United States, of which there is in the same speech abundant evidence that he was wholly ignorant.

If, then, there is any essential discordance between the principles of constitutional law asse

or reflection. The author of the report has never asserted, nor does he believe that the power to charter a bank is contained in this particular grant, but he has no doubt that if in providing for the common defense and general welfare, Congress should find it necessary to levy taxes, duties, imposts and excises, to administer the finances of the country by means of a bank, the power, the duty and the purpose thus combined, would justify them in the establishment of such an institution. The general power to charter a bank must be derived from other grants.

If, however, by the denomination of "harmless words," applied to the terms common defense and general welfare, or, if the chronological tracing of the genealogy, through the stages of their progress in the constitutional convention, back to the articles of confederation, the purpose of Mr. Madison's argument is to shew that these words associated as they are in the constitution with the grant of power to tax and with the injunction of Congress to provide for, have no more vital efficacy than they had in the articles of confederation, where separated from the power of taxation, disburthened from the obligation to provide, they were confined to the exercise of an authority to settle accounts for expenses and charges incurred, then with the most perfect deference for the opinions of Mr. Madison, the reporter of the Committee of Manufactures, is constrained to dissent from them.

That the words were not in the articles of confederation themselves deemed altogether harmless, is proved by the consideration, that the power of the United States in Congress assembled, to ascertain the sums and expenses nesessary for the defence and welfare of the United States, or any of them, was one of the substantive powers which they were interdicted from expension, to have a seertain the necessary sums and expenses, and so substantive, though not indefinite, was that power deemed, that its exercise was prohibited, unless with the assent of nine States. The power granted to the C

levied.

In the Articles of Confederation, it was a substantive specific grant of power, in which the words defence and welfare, as indicating the purposes for which the power might be exercised, were so far from being thought harmless, that they warranted the expenses which Congress were authorized to ascertain, and so substantive, and so far from indefinite was this grant of power considered, that it was classed in the same paragraph with the powers of engaging in a war, of granting letters of marque and reprisal in time of peace, of entering into treaties or alliances, of coining money, of regulating the value thereof, of emitting bills, of borrowing money on the credit of the United States, of appropriating money, of agreeing upon the number of vessels of war to be built or purchased, or upon the number of land and sea forces to be raised, and of appointing a Commander-in-chief of the Army or Navy. For the exercise of any one of these powers the Articles of Confederation make the assent of nine States indispensable.

The terms defence and welfare, in this case, though unaccompanied by the

The terms defence and welfare, in this case, though unaccompanied by the epithets common and general, must be understood as of the same import as they bear in the Constitution, connected with them. They are the exponents of a definive specific power, as well in the Articles of Confederation as in the Constitution of the United States. In the Articles of Confederation it was a power to ascertain expenditures necessary for the specified objects, and the abuse of the power was foreclosed, by requiring a majority of two-thirds of the States for its experience.

the power was foreclosed, by requiring a majority of two-thirds of the States for its exercise.

In the Constitution it is a power to tax the People, granted to Congress, with the injunction to provide for the common defence and welfare, by the expenditure of the proceeds of taxation. It is as specific and definite as the other injunction, to pay the debts of the Union with the proceeds of the same taxation. It is a grant of power to Congress, like the other general grants to the same body, and is not one of those requiring more than a majority of the two Houses, with the sanction of the Executive, for its exercise.

The extent of the power conveyed to Congress by this grant, is undoubtedly dependent upon the construction given to them "to provide for the common defence and welfare." It is a question of more or less, and the opinion that they contain no intrinsic meaning, appears to me as erroneous as that which assigns to them indefinite and arbitrary power.

I have shown that Mr. Jefferson and the eighth Congress, practically gave to them by their acts for consummating the acquisition of Louisiana, a more enlarged construction than I deemed admissible. A construction, however, sustained by the acquisscence of the people, and in which I have therefore acquised. Before the acquisition of Louisiana, I should have held the power granted, to Congress in this paragraph amply competent to provide by taxation upon foreign competition, for the defence of domestic industry. Since the extension given to the constructive power by the Louisiana purchase Legislation, I have considered that power enlarged to the comprehension of all objects as clearly adapted to the common defence and welfare, as the purchase and annexation to this Union of Louisiana.

Indulging Mr. Jefferson and the eighth Congress in their liberality of construction to this paragraph, necessary to bring within the pale of the Constitution, the Statutes which they did enact and execute, to consummate the acquisition of Louisiana, I can not consent that the

Nation, and I will not deny that by its magnitude it warranted the application of a very liberal principle of construction to the powers of Congress for effecting it.

But I can not allow that Mr. Jefferson, as President of the United States, but at the same time a citizen of a Southern slave holding State, should adopt a broad and liberal construction of the terms, in which power had been delegated to him, for the accomplishment of one set of measures, transcendently advantageous to the Southern and Slave holding interest, and then retreat upon a narrow and niggardly construction of the same terms, to deny the power of Congress to protect the manufactures of the North, of the Centre, and of the West from foreign rivalry and competition.

That Mr. Jefferson did so, it is not my intention to affirm. That he had no doubt of the power of Congress to protect the native interest, not only by taxation, but by prohibition, has been amply proved, and particularly by one of his messages to Congress, an extract from which was read by me to the House of Representatives in the course of the debate upon the Tariff bill yet under the consideration of Congress, Mr. Madison doubts as little as Mr. Jefferson, and his letter to you, of which you have permitted the publication to refute the supposed heresy divulged in the Report of the Committee on Manufactures, proves by its date that it was written by him for no such purpose. The substantial argument of Mr. Madison's letter is, that the terms common defence and general welfare do not convey a grant of substantive and indefinite power. So say I.

Mr. Madison says that the power of Congress to protect domestic, by taxation

So say I.

Mr. Madison says that the power of Congress to protect domestic, by taxation upon foreign, industry is implied in the power to regulate commerce. So say I. And I add that it is also contained in the grant of power of taxing to provide for the common defense and general welfure. In both cases the power is implied. It is a constructive power—and so far as I am able to judge of the force of language, the derivation of the power from the duty to provide for the common defence

and general welfare is more direct, more immediate, less needing a winding staircase of argumentation to come to the result, than its derivation from the power to regulate commerce.

The publication apparently by your authority, of a private letter from Mr. Madison to you, with the avowed purpose of affixing the brand of heresy upon a principle asserted by me in a document prepared in discharge of a public duty assigned to me by yourself, will, I trust, be a sufficient apology to you and to the public, to warrant my addressing you in this manner, rather than upon the floor of the House.

I am yery respectfully, sir, your servant and follow sitted.

I am very respectfully, sir, your servant and fellow-citizen,

JOHN QUINCY ADAMS.

The Labor Question.

SPEECH



HON. RALPH PLUMB. OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 11, 1886,

On the bill (S. 1657) to legalize the incorporation of national trades unions.

Mr. PLUMB said:

Mr. SPEAKER: The bill before us authorizes any association of working people having branches in two or more States or Territories of the United States, and formed for the purpose of aiding its members to become more skillful and efficient workers, the promotion of their general intelligence, the elevation of their character, the regulation of their wages and their hours and conditions of labor, the protection of their individual rights in the prosecution of their trade or trades, the raising of funds for the benefit of sick, disabled, or unemployed members or the families of deceased members, or for such other object or objects for which working people may lawfully combine, to so organize and combine for their mutual protection and benefit.

Such organizations have the right to sue and be sued, to plead and be

impleaded, to grant and receive, in their corporate or technical names, property, real, personal, and mixed, and to use said property, and the proceeds and income thereof, for the objects of said corporations in their

charters defined.

Such organizations have, moreover, power to make and establish such constitutions, rules, and by-laws as they may deem proper to carry out their lawful objects, and the same to alter, amend, add to, or repeal at

These organizations are national, with power to define the powers and duties of all their officers and prescribe their mode of election and

terms of office.

This bill, having passed the Senate, was referred to the Committee on Education and Labor of this House, and being called up by the chair-man of that committee and passed by the House without a division needs no support from me; but having prepared some remarks on the subject of labor, I avail myself of the order of the House to place them on record here.

The provisions of this bill, Mr. Speaker, have my hearty approval, and I hail it as a step in the direction of a great and needed advance-

ment of the interests of labor in this country.

Mr. Speaker, I am not surprised that the labor question should occupy so large a place in the public mind. The agitation upon this subis universal. All ranks and conditions, from the laborer at his toil to the Executive of the nation, are studying the question with a view to reaching a correct conclusion as to the extent of the interests involved and the proper course to be pursued in dealing with them.

This must be regarded by every careful student of the progress of the human race toward a larger liberty as a cheering evidence that the great Republic in which we live is preparing to take one of the most important steps in history. The step to which I refer may well be termed the third in the grand march of the Republic. The first was national independence; the second, national unity and the abolition of chattel

independence; the second, national unity and the abolition of charter slavery; the third and impending step, the emancipation of labor.

Sir, it is not enough that we are at last able to say, "Slaves can not breathe our air, they touch our country and their shackles fall," the genius of our institutions, the spirit of our great charter, as well as every principle on which our Government is framed, forbids that we stop short of that perfect equality before the law which is the declared highly of all

birthright of all.

birthright of all.

The power to labor and the necessity for it came to man as a part of his inheritance, and both testify that the bequest was of priceless value. At every step of his development from infancy to age, and from weakness to strength, every individual feels the impulse of these forces, and by these alone he achieves for himself whatever of success justly between the him. longs to him.

To each individual labor is his capital, and it is his own, not another's. By it he supplies his necessities and administers to his ever-increasing

If there be those who are dependent upon him, from the fruits abor he supplies their needs. Whatever is his just proportion wants. wants. If there be those who are dependent upon him, or supplies their needs. Whatever is his just proportion of the expense of the Government which protects him, he contributes from his own labor. Not a human being on earth has the right to take from the laborer unjustly a single dollar of wealth earned by him.

None of these propositions deserve mention here because they are

new, but only to point out the fact that laboring men comprehend these principles, and are inquiring whether things as they now exist show that they as laborers have what actually belongs to them or not.

Sir, we are told that five hundred thousand Knights of Labor have banded themselves together for the purpose of elevating themselves, and for the further purpose of securing to themselves all that as laborers they are justly entitled to; and this movement fills many with alarm lest anarchy and misrule are about to come upon us, and some even talk as if we must needs have a stronger form of government, a larger army, and more guns to keep down these laboring men. For one, I not only have no such fears, but I rejoice that there is such an organization in this country. These men are not the enemies of order; they understand full well the value to them of a republican government based on the principle of justice as ours is. These very men are its sure defense in every time of trial and need. They must not be conformed with the conformal of the conforma founded with those who follow the red flag of the commune—they are not the bomb-throwers and incendiaries by whom the streets of our cities have been barricaded and our brave policemen murdered; they have as little sympathy with such as has any man on this floor, and none would rejoice more than the Knights of Labor, if I understand them aright, to see every communist returned to those European countries from whence they came and to the custody of those governments by whose oppression they have been made enemies of all government.

The Knights of Labor are men who work in our mines and factories, on our railways, and in our mills and shops, at the furnace, on the farm, and in every department of manual labor. They are organized, and they have a right to be organized, nay, more, they are under the necessity of organizing, for in no other way can labor in the present condi-

tion of affairs secure its just rights.

A half-century ago organized capital was comparatively but little known, especially in the employment of labor; but the ushering in of a new era—the era of invention—brought on by the scarcity of labor and the multiplication of human wants in a country of boundless resources like our own and among a people in whom the inventive faculty was thereby largely developed, has conspired to create a radical change in the relation between capital and labor. Machinery was made by which the power to produce was increased to such an extent that it necessitated the employment of aggregated capital by corporations.

This change of conditions from those in which the individual made

an article and sold it to the individual who consumed it, to the present, in which nearly every kind of business is now carried forward by corporations wielding aggregated capital, has been so universal and sweeping that the organization of laborers of all kinds became a necessity.

Mr. Speaker, I know full well that there are here and there corporations that carefully consider and protect the interests of their employés, but, sir, it is useless to insist that the general manager of organized industries will, as a rule, concede fair compensation to operatives at the expense of dividends; the operative must be in a condition to insist on a fair divide, and that he can not do standing alone.

But, Mr. Speaker, it is insisted by some that the laborer is well paid, that never in history in any country has the laboring man had wages so high or enjoyed so many comforts as in the United States to-day. I will not dispute the statement, but I insist that the question is not whether the past has not been worse for labor than the present, but whether the present is what it ought to be. The typical American does not look to the past for satisfaction; he dares to inquire for what is now just, and to demand it; and if there be one who more than another is justified in such demand it is the man who works.

It has somehow come to be assumed, Mr. Speaker, that capital is superior to labor, and that in the adjustment of questions arising between them the interests of capital must be conceded as of paramount importance; but the fact is, and must be recognized, that labor is above capital. In this connection, I beg leave to quote the words of Lincoln,

uttered in 1865:

There is one point with its connections, not so hackneyed as most others, to which I ask brief attention. It is the effort to place capital on an equal footing with, if not above labor in the structure of the Government.

It is assumed that labor is available only in connection with capital; that nobody labors unless somebody else owning capital somehow by the use of it induces him to labor. This assumed, it is next considered whether it is best that capital shall hire laborers and then induce them to work by their own consent or buy them and drive them to it without their consent. Having proceeded so far it is naturally concluded that all laborers are either hired laborers or what we call slaves. And further, it is assumed that whoever is once a hired laborer is fixed in that condition for life.

Now, there is no such relation between capital and labor as assumed, nor is there such thing as a freeman being fixed for life in the condition of a hired laborer. Both these assumptions are false, and all inferences from them are groundless.

Labor is prior to and independent of capital. Capital is only the fact that the second them are groundless.

Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital and deserves much higher consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, a relation between labor and capital producing mutual benefits. * * *

Again, as has been already said, there is not, of necessity, any such thing as a free hired laborer being fixed in that condition for life. Many independent men everywhere in these States a few years back in their lives were hired laborers.

No men living are more worthy to be trusted than those who toil up from poverty, none less inclined to touch or take aught which they have not honestly carned.

These, Mr. Speaker, are the words of that great President of the Republic who was inspired to proclaim liberty to four millions of laborers who were held as slaves, and who in every act and word from his youth in obscure poverty, to his untimely death in the very pinnacle

of greatness and power, was the laborer's stanchest friend.

Mr. Speaker, that labor is above capital, that it is the producer of all forms of wealth, let a few facts be submitted to prove: The Tenth Census gives the number engaged in 1880, in productive labor, and the same proportion shows that of our present population fifteen millions are engaged in gainful avocations. These, it must be remembered, include agriculturists, manufacturers, iron and steel workers, glass-blowers, miners, artisans, railroad employés, and every kind of work-

ingmen.

Now, let us suppose that these persons have employment two-thirds of the time, or say two hundred days in each year, at an avearge wage of \$2 per day, and you have a total of \$6,000,000,000 of labor earnings in one year in the United States, which is probably far below the actual facts. Then, to understand the tremendous significance of these figures, imagine if you can the consequences should this motive power on which human existence absolutely depends cease for one year. Why, sir, it would be like an eclipse of the sun or the cessation of the earth's revolution. Doctors and lawyers, preachers and teachers, State Legislatures, and even the United States Congress might be dispensed with for a twelvemonth and the nation would survive, but human labor is of such vital importance to society that it must bring its daily blessing to us all-it must save or we all perish.

THE PRESENT CONDITION OF LABORING MEN.

Mr. Speaker, it is useless to deny the existence of widespread discontent among laboring men—a feeling of unrest so general and so real as to challenge anxious scrutiny as to its actual cause. Why is it, we may well inquire, that in a land so full of natural productions of both soil and mine, so replete with all the rich gifts with which nature has blessed our own wide domain, a country in which neither the early nor the late rains are withheld, and where the genial sun brings to perfection in their season every variety of food for both man and beast, there are so many thousands of unemployed laborers, so many who are at their wit's end for a sure way to obtain a supply for the daily wants of themselves and those dependent on them?

Is it because our people lack the enterprise to engage in diversified industries, or is it because we have no ingenuity in devising methods by which nature's forces can be made to lighten toil? Sir, whatever may be the source of the trouble we are considering, it can not be maintained that the land in which we live is from barrenness the cause.

WHAT THEN IS THE CAUSE?

Let the countless millions possessed by the comparatively few answer the question. Sir, the number of very rich men now on the stage compared with fifty years ago is to the thoughtful a suggestive fact. I remember well that in my boyhood the wealth of Stephen Girard, of Philadelphia, was estimated to be \$4,000,000, a sum the contemplation of which filled the minds of that period with amazement at its colossal proportions; and yet, Mr. Speaker, \$4,000,000 is a sum counted as a small fortune by the rich men of this country to-day, hundreds of whom count their millions by scores.

Let me be understood. I am not here to charge the men of large

fortunes with being bad men; they have exhibited by their energy, perseverance, and shrewdness their capacity to avail themselves of the favorable circumstances which have surrounded them, men no worse nor better than the countless multitudes of less fortunate ones; but what I desire to point out is that while wealth has been produced on a scale justified by the vast resources and rapid development of our country for some cause it has found its way into the hands of the few.

HOW HAS THIS BEEN DONE?

The contest between labor and capital has not been an equal one, and

for the following reasons:

1. The laboring man has not hitherto fully comprehended the power and importance of labor either to himself or to society. Taught to consider labor a curse, it has been accepted as such, and endured with no hope of escape from its weary burden. He has but recently begun to awake to a comprehension of the true dignity of labor and of his own responsibility as a laboring man. In no previous period in history and in no other country but this has labor enjoyed so grand an opportunity to assume its true position as a leading force in civilization.

2. Labor has not been organized for its own advancement and defense. Organization, combined action, the gathering together of numbers, of elements of strength, has come to pervade almost every department of human effort save that of labor.

3. Organizations wielding capital under corporate powers have taken advantage of labor. In conferring corporate powers on organizations such wholesome and just restraint as should have been provided for by State and national legislation has been overlooked-I will not say for a purpose—and the consequence has been damaging to the interests of the public in general, and particularly of labor. Why, Mr. Speaker, the public in general, and particularly of labor. Why, Mr. Speaker, these corporations have claimed that they were persons in such a sense that the corporate powers conferred on them were so sacred and omnipotent as to put them beyond the control of the very powers by which

they were created.

Acting under these unjustifiable assumptions corporations, and especially railroad companies, have thrust into the channels of business an alarming amount of stocks that have neither cost nor real value-a fiction, in fact, as baseless as the fabric of a vision. To illustrate the proposition just made, here is a railroad which has been constructed at an actual cost of \$30,000 per mile, including rolling-stock and terminal facilities. Now, we find that this road is a really needed facility for the travel and transportation of the country through which it is laid, and no right-minded man wishes its projectors anything but good returns for the actual investment made. In times of general prosperity, when all kinds of enterprises are being pushed forward, when labor is fully employed and wages are good, everything moves off smoothly and with satisfaction to all.

But during all this time the law of things is at work and is bringing to its inexorable test every value, whether real or fictitious, that has been placed either on the railroad in question or the articles it trans-It turns out at length that the railroad of which we are speaking has been bonded for all that it would cost to reproduce it, and that in addition thereto there has been issued in shares a sum equal to what it would cost to build another road with equal facilities for business. These shares are held probably by innocent purchasers who expect their dividends to be paid as certainly as the holder of the bonds expects his interest. This railroad, it must be borne in mind, is run and managed by a company which has had conferred upon it strong corporate powers. It has a board of directors and executive officers chosen for their supposed ability to make the property pay interest and dividends on, if not double its actual cost, certainly double what it would cost to reproduce it.

Meantime agricultural products and manufactured articles, together with the output of the mines, which constitute the bulk of freight for the railroad we are considering, have become lower in price, and for that reason the owners of the freight ask a reduction of transportation rates. Enough remains of competition among railroads, in spite of all pooling arrangements, to secure a material decrease in freight rates, and in consequence the business qualities of railway managers are taxed to their utmost to work out the conundrum of making the property earn

enough to pay dividends on twice its value.

Now, Mr. Speaker, in what way does the manager of this corporation try to keep up the double payment expected of him? Why, sir, he turns his whole effort to a reduction of expenses, which, in the main, means a reduction of the wages of the men by whose skill and labor the railroad is made to do its work. He enters upon this business in the name of a corporation that can not sympathize with human wants. Looking through only corporate eyes, he sees an overcrowded labor market, and is easily persuaded that it is right to avail his principals of the necessity which impels men in their need to accept of wages totally in-

Now. Mr. Speaker, who can not see that the laborer, standing alone and without the aid of organization, would be powerless to resist any demand that the corporation might make, and who can tell to what straits

he might thus be driven?

Here, Mr. Speaker, the trouble begins. This opens the pandora box from which has sprung more of the depression that has prevailed throughout the country than from any other one cause. The mistake has been made of supposing it possible to depress labor without injuring manufactures, commerce, and in the end capital itself.

THE REMEDY.

Mr. Speaker, is twofold-first, from the action of the laboring man himself, and, second, from the action of the Government in his behalf; and from these two sources there must come a complete triumph of the

right and a great gain to all.

The first to consider is the action of the laboring man.

God has ordained that man shall be the arbiter of his own destiny. If he achieves results worthy of his superior nature, it must be done through persistent and well-directed effort; he must win for himself the crown that he must wear. The man of labor needs to understand this, and to accept in its full force the utterance of the world's greatest philosopher, "Whatsoever a man soweth that shall he also reap." conditions of his success are vigilance in maintaining the rights of labor coupled with industry, sobriety, and economy. Government can not legislate these qualities into his possession; they must be acquired by his own effort, and all that the true man demands is fair protection while he wins his own way.

But, sir, in thus winning his way it is the right of all men to combine with each other, if by so doing greater results can be achieved. It is the right of the capitalist to combine with others to carry through enterprises which promise good returns. The manufacturer and the commercial man enjoy the same privilege; in fact, combined effort is indispensable to material progress and a high civilization, and whoever seeks to deprive the man of labor of the benefits of combined organized effort is unwilling to concede to others what he claims for himself.

Co-operation is only a form of combination, and it is, in my opinion, one of the most effective methods by which labor can secure to itself a

fair share of the wealth produced.

Co-operation will secure to those who labor under it profits now enjoyed by others, but to be successful there must be a full exercise of those noble qualities of mutual confidence and trust which belong to no particular class. It will, moreover, tend to fasten in the minds of all who participate in it more accurate knowledge of business and higher ideas of individual responsibility. By co-operation labor will avail itself of the benefits of labor-saving machines, and to labor this benefit justly belongs. In short, it is in the power of labor through co-operation is production and distribution to make capital its faithful servant.

This brief statement of what must devolve on labor brings us to dis-

cuss the other source of remedy-the Government.

Mr. Speaker, I am not unmindful of that class of philosophers who maintain that the true functions of government are exhausted when it has so far acted as to become a persistent police force which effectively preserves the property of the citizen from being stolen and his life from being taken by the lawless; that all else is better achieved by the in-dividual himself, and that in the end the best results will be attained by surrendering every individual member of society to that law which is called "the survival of the fittest." This philosophy would expose labor to the same competition as cotton and wheat are subjected to, and as a result it must often occur that the laborer may be obliged to accept a wage so low that the loss of employment for a short period in consequence of sickness or any other misfortune must make him a pauper.

Sir, I protest against such a division of the proceeds of labor. The poorest born of all who toil have a right to more than will keep them They have a right to accumulate and to pass on from the poor-house. from the condition of dependence to independence; and I maintain that in our rich country under our institutions hopeless poverty should be

confined to the imbecile, the intemperate, and the sluggard.

The proper function of government is to protect the weak and restrain the strong, that all may have a fair chance in fighting the battles The mission of the Republic is to make its millions of citizens equal before the law-none so weak as to be forgotten or neglected by

it, and none so strong as to defy its power.

Sir, this law of "the survival of the fittest" applies to nations as well as to individuals; and, sir, the only condition upon which it is possible for our Government to survive is that we faithfully adhere to the principles of liberty, fraternity, and equality upon which it was

founded.

It is well, Mr. Speaker, for Congress to pass laws legalizing arbitration, providing for labor organizations, shortening the hours of labor, and, if you please, maintaining as far as possible the payment to Government employés of a fair wage; but, sir, I submit that all these enactments fall far short of reaching a true solution of the labor question. Sir, there are other and more far-reaching measures which should be adopted as the policy of the Government, and these measures the men

of labor in this country study and comprehend.

The true Knight of Labor asks for no special privileges; a fair deal is all he wants. He wants less of honeyed phrases and more legislation in

the interest of the whole people.

He wants an ample currency of gold and silver and Treasury notes issued by the Government and endowed by it with all the functions of money.

He wants a system of internal improvements carried steadily forward that shall serve the interests of agriculture, manufactures, and com-

He wants protection to American manufactures, to the end that labor may be diversified and employed.

He demands that the laws against the importation of contract labor-

ers and foreign paupers be rigidly enforced.

He asks that we build our own ships from the products of our own mines and forests, in our own workshops, to the end that we may not

only be a free but an independent nation.

He asks that a liberal expenditure of money be made to aid in carry ing the mails and manufactured articles of our citizens to such countries as are contiguous to our shores, where such articles are in demand, to the end that our exchange of commodities with those countries may give additional employment to labor and enhance the prosperity of all

He asks, moreover, that law and order be maintained; he has no sympathy with the incendiary, the dynamiter, nor the communist, and is in favor of settling labor disputes by arbitration instead of a resort to strikes, which are his last and least desirable means of redres

He claims that labor has as good a right to be organized under law as capital; and to show the necessity of such organization he points to the corporations under which railways, banks, manufactories, land companies, and cattle companies have carried on their operations and have grown rich, in many instances, as they believe, at the expense of labor; and for this legal organization of labor this bill provides.

He asks that the public domain be placed beyond the power of such

land-grabbers as have for years been engaged in unlawfully obtaining titles to large areas of the best lands, to the end that the actual settler only shall have for himself a home for his own tillage, and not for speculative purpose

In short, he asks that the legislation of Congress shall recognize the fact that in its grand march forward the Republic has safely passed the crisis of internecine war and has entered upon an era of peace, and that now and henceforth the tremendous power of the millions of our laboring men may be so directed as to promote the prosperity and happiness of all.

The present House of Representatives has passed an arbitration bill. The Senate has sent here this bill to provide for the legal organization of laboring men, which, when passed by this House, will, with the arbitration bill, be steps in the right direction.

We have before us another bill for the organization of a department of industries, to be presided over by a secretary who is to have a seat in the Cabinet. To this department it is proposed to confide the interests of agriculture, commerce, manufactures, and labor, with a commissioner for each, and through which correct statistics can be promptly furnished for guidance in required legislation. These are all important measures, which I trust may become laws that may prove effectual aids in securing to productive industry its appropriate influence in the councils of the nation.

Mr. Speaker, I will close by repeating that I am not alarmed by the agitation of the labor question; it is an agitation legitimate and inev-It is impossible to determine at this time the precise manner in which the great questions involved will be finally settled, but, sir, it is safe to assume that in the end labor will be exalted to its true position among the forces which move society forward. Whether labor be intelligent or not it produces all the wealth that exists; but with intelligence the laborer will not only produce wealth, but will wield it for his own advancement and for the happiness of all.

Sir, I look upon the organization of labor with intense interest. It

has, it seems to me, come to lead the nation in taking that great step in the onward march to a higher and better civilization in which the masses, the wealth-producers, the tax-payers, the musket-bearers, are to make their full impress on the policy of the Government. It is a new departure; nothing like it has been done in the past. In no previous period and in no other government have the conditions for success been furnished as is the fact here and now. This exaltation of labor to its rightful position is a necessary sequence to the abolition of slavery—it is the emancipation of labor itself. A fearful responsibility rests upon the leaders of the labor movement; they need intelligence and virtue; they need wisdom and forbearance; they must have unfaltering devotion to principle; and with these qualities the struggle will not be long-continued, nor the victory uncertain.

Oleomargarine.

SPEECH

HON. WILLIAM WARNER,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 28, 1886.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 2328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine—

Mr. WARNER, of Missouri, said:

Mr. CHAIRMAN: I have carefully examined the provisions of the bill under consideration. The remarks of the gentlemen who urge its passage with so much zeal and eloquence have received my earnest attention. We are conjured to pass this bill for the relief of the languishing agricultural interest of our common country. Eloquent word painters have held up to us the picture of the farm, once the home of prosperity and happiness, now desolated by the ravages of oleomargarine. The gentleman from Wisconsin [Mr. PRICE] makes the startling announcement that the manufacture of this vile compound caused "three hundred thousand milch cows" to be slaughtered in Chicago last year, while the gentleman from Illinois [Mr. HOPKINS] exclaimed:

The baleful results of these frauds (oleomargarine and butterine) are seen everywhere among the farmers and dairymen. Mortgages are being placed upon the farms. The once fine herd of cows, the pride of the farmer, is lessening in numbers. * * * The proprietors and managers of the creameries and butter and cheese factories are failing and making assignments for the benefit of their creditors. An almost complete prostration and stagnation of the dairy interest of the country is inevitable unless Congress comes to their relief.

The relief asked is the passage of this bill; it is the panacea for all the ills that now afflict the agriculturist of the land.

Representing as I do on this floor three of the most fertile counties

in the United States, I am the friend of all legitimate legislation in their interest. Yet, sir, without questioning the honesty of the gentlemen who advocate this bill, I am constrained to believe that in their zeal they drew largely on their imagination for their facts, and have no warrant in the Constitution for the remedy they propose. The distinguished Representative from New York [Mr. HISCOCK], in answer to the argument that the legislation proposed is in violation of the Constitution, says:

Do gentlemen tell us that in enacting this taxing law we are violating the Constitution? Well, Mr. Chairman, if we are I will take my part and I hope you will take your part in violating the Constitution in voting for the passage of this bill.

To what extremities are the champions of this proposed legislation driven when their leader is compelled to make such a declaration? Mr. Chairman, let me express the wish that neither you nor I will violate the Constitution upon the ground that one class of our citizens may derive a benefit at the expense of another or for any other reason. Be not deceived—the farmers, the bone and sinew of this country, do not ask that you or I violate the Constitution established by the fathers, even though the dairy interests of the land may be benefited thereby.

I, for one, do not believe in the doctrine that the end justifies the means. Nor am I here in my representative capacity the blind follower of any man. Therefore I can not go with the gentleman from New York [Mr. HISCOCK] in following the beck and nod of my distinguished colleague from Missouri [Mr. HATCH]. That I may do that gentleman [Mr. HISCOCK] no wrong, let me quote his language:

Whenever the Committee on Agriculture wish to change any of the provis-ions of this bill I shall, for one, vote with them, and I propose in voting to stand by this bill, letter by letter, line by line, section by section, until I receive a sign from the chairman of the committee.

Greater faith in a leader than this hath no man. Should be be like the children of Israel who looked in vain for a sign, how then will be and the faithful vote? Let me congratulate my colleague. He has a distinguished and unquestioning disciple—one that only awaits a sign to come or to go.

It is the plume of Missouri that is followed blindly and trustingly by the distinguished son of New York. I should feel proud of the honor thus conferred upon my State could I feel assured that my colleague was not being used as an instrument to crush out an industry in our country for the express purpose of building up another. may, being a new man, accustomed to voting for what I believe to be right and against what I believe to be wrong, holding myself responsible alone to my conscience and my constituents for my vote upon this bill or any amendment thereto, I must most respectfully decline to join those who stand with my friend from New York, however much I may and do admire him, in looking toward my colleague for a sign before

and do admire him, in looking toward my coneague for a sign before giving my vote. [Laughter and applause.]

Mr. Chairman, it is my purpose to notice some of the arguments that have been made during this discussion as to the wholesomeness of the product called oleomargarine. Not being a chemist, never having analyzed oleomargarine to find out its constituent elements, I must rely upon the opinions of those who are recognized authorities upon such constituents. As the result of my own investigations I know practically As the result of my own investigations I know practically questions. nothing as to the wholesomeness or unwholesomeness of oleomargarine, and I trust I may be pardoned for saying that I know just as much as many of the gentlemen who have been talking so learnedly and displaying so much knowledge of chemistry on this question. [Laughter.]
One gentleman [Mr. HISCOCK] says: "You can, and they do, in the

main, manufacture it (oleomargarine), so that it is a little less than poison." Not satisfied with that definition, he adds, "I amend my remarks and strike out 'little less than;" so that leaves it as manufactured, poison pure and simple. He is not satisfied even by branding it as poison, but goes on to say it has "collected in it the germs of all the diseases which afflict animals; " " it is absolutely a poison in the human which afflict animals; * * * it is absolutely a poison in the diseases which afflict animals; * * it is absolutely a poison in the human stomach, freighted with disease, freighted with death.'' He does not enumerate the animals that are used in the manufacture of oleomargarine; it is left for the gentleman from Wisconsin [Mr. PRICE] to enlighten Congress upon that question. He charges that "offal from the butcher shops, the decayed and decaying carcasses of the stock-yards, and dogs killed because suspected of being affected with rabies, are being worked up into the oils and fats that go to make up the infernal

These are but samples of, may I say, reckless assertions that have been made time and time again by the friends of this bill during the discussion. I might retort if I would that the gentlemen making these assertions know as little of the constituent elements of oleomargarine as did the "scarlet woman of Babylon of the immaculate conception." To such desperate straits are the advocates of this bill driven that they brand citizens engaged in the manufacture of oleomargarine—the men who conduct the great packing-houses of our country—as thieves, counterfeiters, and robbers. Some of these men I have the honor of knowing, and here hurl back the base slander and say that they are the equals in morality, integrity, and in everything that goes to make up a good citizen with any member upon this floor. No man would have the temerity to make such a charge against these gentlemen in the community in which they live; but if any one should he To such desperate straits are the advocates of this bill driven that

would be saying what every man, woman, and child in that community knew to be untrue. Yes, Mr. Chairman, each of them could truthfully exclaim against such charges—

And if thou sayest I am not peer To any lord in Scotland here— Lowland or highland, far or near, Lord Angus, thou hast lied.

I trust I shall be pardoned this digression, but, sir, I feel I could not have said less

Let us return to the "infernal compound," to use the language of my friend from Wisconsin. How are we to determine whether or not it is deleterious to health; whether or not it is freighted with disease and death; whether or not when it is taken into the human stomach it takes with it all the diseases which animal life is heir to; whether or not it is 'a poison pure and simple? All of these and more have been charged. What is the evidence in support of the indictment? Let us as legislators try if by searching we can ascertain the truth without regard as to which side of the controversy controls the most votes. In the investigations of this question let us apply two tests: our own observations of the effect of oleomargarine upon the human system; and, secondly, the opinions of those who are recognized as the best authority upon the wholesomeness of all food products.

It is asserted, and not denied, that the annual consumption by the American people of oleomargarine is 200,000,000 pounds, nearly 600,000 pounds a day. The popular impression is that a deadly poison, "freighted with disease, freighted with death, having collected in it all the germs of disease which afflict animals," when taken into the human stomach in sufficient quantities produces death. Certainly, if it takes with it all the diseases which animal life is heir to; whether

human stomach in sufficient quantities produces death. Certainly, if the oft-repeated assertions of the friends of this bill are to be believed, there is no longer any room for a reasonable doubt as to the deadly quality of this poison, commonly called oleomargarine. The quantity consumed by this people is sufficent to kill every man, woman, and child in the nation if the compound is "as black as painted." Either the assertions of the gentlemen are groundless, or our people "bear charmed lives."

Many of the champions of this bill seem to mistake invective and denunciations for arguments, bald assertions for facts, and to be governed by prejudice rather than reason. The facts are that our people are not killed or diseased by this food product called oleomargarine. It is not a poison, but a wholesome substitute for butter. If it is a poison as charged, and consumed in such large quantities by our people, is it not strange that our death rate compares most favorably with that of all other civilized countries? The tables on mortality do not show an extra

The low death rate in this country is considered to be due to the comparative absence of overcrowding and the more general and equable distribution of the means of supporting life, including especially the abundant food supply of good quality for all classes of people.—Compandium of Tenth Census, page 1706.

This legislation proposes by imposition of exorbitant licenses and levy of prohibitory taxes to strike down one of the articles that enters into the "food supply" of our people regardless of the fact as to whether it is wholesome or unwholesome, not for the purpose of cheapening any food product, but for the avowed purpose of protecting another interest and advancing the price of another food product.

I subscribe fully to the doctrines, each industry of America is for all, all American industries for each, but American industries against the

world. [Applause.]

I will not give my vote to array one industry of my country against another, to tax one industry out of existence that another may put money in its pocket, however worthy or honorable may be the industry thus sought to be benefited.

Sir, let us now consult acknowledged authority as to the constituent elements of that food product commonly called oleomargarine. It resembles butter, and is used by many for butter and as butter. The gentleman from New York [Mr. HISCOCK] says: "It is not within the power of any man unless he has scientific attainments and brings anal-

power of any man times he has scientific attainments and brings mar-ysis or the microscope to bear upon it [oleomargarine] to distinguish the poor article, the poison, from the good."

It is my purpose to produce for the consideration of this House the testimony of Prof. Henry Morton, president of the Stevens Institute of Technology, in Hoboken, N. J., a man of national reputation as a sci-entist. In his sworn testimony, given in a case in the northern district of Illinois, he says:

For more than twenty years the greater part of my time has been devoted to the study of subjects of chemistry and physics, involving constant experimenting in their lines.

That is, chemistry and physics in connection with the practical application of these sciences to the industrial arts. He further testifies:

substance having the constituency and essentially the constituents of natural butter, this being obtained from the ordinary animal fats by a treatment which may be naturally divided into steps or stages. The first of these consisted in rendering the animal fat under such conditions of cleanliness and temperature, as secured a pure fat free from membranous or like animal matter, and also from any of that peculiar odor well known as characterizing ordinary tallow. The second stage consisted in the removal from this pure and sweet rendered fat of the greater portion of the stearine which it contained, thereby leaving its composition, as to its main constituents, identical with that of natural butter. This second stage in the process was conducted by allowing the melted fat to cool gradually to a temperature of about 86° to 88°, thereby causing the stearine to crystallize, and so separate itself from the other constituents of fat throughout the mass.

the mass.

By pressure in cloths this separation of the stearine was completed, the stearine remaining in cloths, while the fatty matter freed therefrom ran through and was collected separately, producing a material which, as I have said before, as regards its main constituents, is essentially identical with butter. The preparation of this material, now known as oleomargarine oil, having been described, the Mege patent further directs how this shall be treated, mechanically and otherwise, so as to produce a product which not only as to its general constituents, but as to all its constituents, shall be identical with natural butter, the only difference being a slight difference in proportion of those constituents which chiefly affect the flavor of natural butter. This last-mentioned stage in the process is affected by an agitation of the oleomargarine oil with milk, cream, or similar aqueous fluid, by which a permanent solid emulsion is produced.

chiefly affected by an agitation of the oleomagrarine oil with milk, cream, or similar aqueous fluid, by which a permanent solid emulsion is produced.

Q. Prior to the discovery of Mége, what were the methods of rendering fatty substances for the various uses in the arts and for domestic purposes, which are known to you as a man of science, from the descriptions contained in the literature relating to the subject, or of which otherwise you have knowledge?

A. The most general and all but universal method, was to heat the fat more or less, thoroughly cleansed and broken up or comminuted beforehand, to a temperature above that of boiling water, which would drive off the water contained in the membranes inclosing the fat, and thus cause them to shrink and crack and allow the fat to escape, the shrunken or dried membranes being known as "cracklings." Occasionally the fat, together with water, was placed in a closed vessel and heated to a temperature much above that of boiling water, under which conditions the superheated water attacked and dissolved the delicate membranes, and so liberated the proper fat. Where, as in the case of perfumers, it was desirable to obtain a fat specially free from strong or offensive odor, it was customary to break up or pulverize the crude fat to a great degree, and then exercise great care in applying the heat, so as to render the fat at low temperature. But even in this case it would appear the heat employed was fully up to that of boiling water.

A. If the fat is rendered at a comparatively low and comparatively high temperatures in the rendering of animal fats upon the character and qualities of the contents of the membraneous cells containing a homogeneous mixture of the contents of the membrane and even of the fat are decomposed, a very strong empyreumatic or burnt favor will be communicated to the contents of the cells, as so extracted, will be entirely free from the peculiar flavor familiar to all as that of tallow. If however, a temperature high, as compared with this, is empl

Permit me now to call attention to the evidence in the same case of Professor Charles F. Chandler, professor of chemistry in the academic de-partment and in the school of mines of Columbia College, in the College of Physicians and Surgeons, and in the New York College of Pharmacy, and who was for fifteen years connected with the health department of the city of New York, at first as its chemist and for eight years as its president. Even the gentleman from New York [Mr. Hiscock must acknowledge the high standing of Professor Chandler, and wil not, I assume, contend that his opinions and evidence are not entitled to the highest credit. Professor Chandler says:

I was educated as a chemist at Harvard College and at the universities of Goettingen and Berlin, and attended the regular courses of lectures at the universities on general chemistry and upon the chemical arts. Since 1857 I have been engaged as an instructor of young men preparing to become professional chemists, and I have constantly had charge of chemical laboratories in which my students had been engaged in experimental study. It has been my duty to go over the whole field of theoretical and applied chemistry; and at the College of Physicians and Surgeons I am obliged to give a course of lectures on the chemical arts at the school of mines. For many years I was editor of the American Chemist, and I was the chemical editor of Johnson's Encyclopedia. I have also been frequently called upon to make chemical investigations for manufacturers, and have frequently been consulted and given evidence in patent litigation.

Q. State fully what experience you have had in the investigation of the prep-

aration, properties, and constituents of fatty substances, with a view to their utilization in the useful arts?

A. As I grew up in New Bedford the treatment of fatty bodies, especially whale and sperm oil, was the first chemical industry that I became familiar with, and this seemed to create a special interest in the chemistry of the fatts. From my connection with the health department of the city of New York, it has been my special duly, for the last dozen or more years, to pay particular attention to the various establishments in the city which are devoted to the treatment of the fats, and which are consequently liable to send out offensive odors. I was an expert in the famous Tilgham litigation with regard to the fatty acids, and I have been personally familiar with the chemistry of oleomargarine and artificial butter ever since the first sample prepared in this country was manufactured in my laboratory.

Q. State whether and, if at all, to what extent you have investigated by analysis or otherwise oleomargarine, or artificial butter made from oleomargarine?

A. I have frequently investigated both the oleomargarine and the butter

rine?

A. I have frequently investigated both the oleomargarine and the butter made from it. The first experiment in this country was made in my laboratory, if I remember right, in 1872 or early in 1873, and I have visited repeatedly factories in which either the oleomargarine or the artificial butter from it, or both, were manufactured. I have also conducted experiments at various times on this subject both in my laboratory and in the factories.

In speaking of the discovery of Hippolyte Mége, the celebrated French chemist, in the treatment and utilization of fatty substance for food purposes, that the French people might be supplied with a whole-some and cheaper substitute for dairy butter, Professor Chandler says:

Mége, from a course of inductive reasoning, made the brilliant dissovery that bovine fat could be converted outside of the animal into a sweet, inoffensive, palatable article of human food—a discovery which has revolutionized the industries which depend upon the utilization of bovine fat or beef suct. The re-issued letters patent, and the description contained therein, exhibit the processes which Mége invented for reducing his discovery to a practical industry. In carrying out his invention he seeks to secure three separate and distinct results:

In carrying out his invention he seeks to secure three separate and distinct results:

I. To extract from the adipose tissues in the animals the fatty substances, free from the peculiar and offensive odors and taste which had heretofore invariably characterized them as prepared by the previously known processes.

II. To divide the fat thus obtained into two portions, one of which, namely, the stearine, should be harder than the original fat, white the other, the oleomargarine, should be softer and more fusible, and should possess the peculiar consistency of the butter fat obtained from the milk of the cows.

III. To convert this eleomargarine into a product having all the physical and chemical properties of dairy butter.

In carrying out his invention he secures the first object by thoroughly disintegrating the fat, subjecting it to a slightly elevated temperature, and at the same time submitting it to the action of gastric juice. To secure the second result he cools the molten fat to such a point as to cause the stearine to crystallize out in solid particles which are separated from the still liquid oleomargarine by straining under pressure. This eleomargarine he then converts into artificial butter by incorporating it, while still liquid, with milk and cream, adding a certain quantity of mammary tissue and coloring matter, and working the product after it has been solidified between rollers.

Mr. Chairman, I do not flutter mysself that I shall change the precon-

Mr. Chairman, I do not flatter myself that I shall change the preconceived opinions of any member of this House who has determined to pass this bill "letter by letter, line by line, sentence by sentence," as it came from the hands of the Committee on Agriculture, unless a sign shall be given by the distinguished chairman of that committee to the contrary. The testimony of this distinguished chemist, as well as that of others of scarcely less eminence, established the fact beyond controversy that what is commonly known as beef suct can be converted outside of the animal into a sweet, inoffensive, palatable article of human food. What are the principal constituents of animal fats? What is the condition and how contained in the living animal, and what change in their physical constitution occurs after the death of the animals? Let Mr. Chandler

The principal constituents of animal fats are the three simple fats, stearine and palmatine, which are both solid at ordinary temperature, and oleine, which is liquid at ordinary temperature. In the older works on chemistry, and in the literature and patents relating to the discovery and invention of Mége, the term margarine is generally employed instead of palmatine, and in my deposition I shall therefore drop the latter term. In the living animal the fat is in a molten condition, being liquid at blood heat. It is contained in little cells composed of a thin membrane which are held together in masses by coarser membranes and which are penetrated in every direction by blood vessels, the whole constituting what is called the fatty or adipose tissues of the animals. After the death of the animal, when the temperature has fallen from a blood heat to the ordinary temperature of the atmosphere, the fat in the cells solidifies or chills, and the whole adipose tissue after its removal from the animal is known as beef suct.

Chemically considered, the identities and differences between oleomargarine obtained from animal fats and the principal constituents of dairy butter made by the ordinary processes from the cream of milk is thus described by Mr. Chandler:

thus described by Mr. Chandier:

The oleomargarine, after it has been separated from the stearine, is composed in greater part of exactly the same simple fats as the dairy butter, namely, oleme, stearine, and palmatine (margarine).

The dairy butter, however, contains, in addition to these, a small proportion of other simple fats which are not contained in oleomargarine. The chief and most important of these is butyrine.

The dairy butter also contains easeine, coloring matter, salt, and water.

Chemically considered, the artificial butter contains each and every one of the constituents found in dairy butter and the two exhibit the same degree of hardness and the same texture. The only chemical difference between them is found in the proportion of the less abundant simple fats, which I mentioned in my last answer, of which buttyrine is the characteristic example. Dairy butter contains a somewhat larger proportion of these minor constituents than does the artificial butter.

As an article of food the artificial butter is in all respects essentially identical with the dairy butter, and the two are not distinguishable from each other in ordinary use. It may be said, however, that the artificial butter does not exhibit the peculiar tasks and odor which usually characterizes the lower grades of dairy butter and which render them so offensive to the cultivated taste of consumers.

In 1880 the Legislature of the State of New York requested the board

of health of the city of New York to investigate the subject and report whether in its opinion the butterine is a wholesome article of food. In response to this resolution the board of health, after a careful and exhaustive investigation, stated "that in its opinion there is no sanitary objection whatever to the unrestricted manufacture and sale of this sub-

In support of the unqualified opinions given by Professors Chandler and Morton, indorsed by the leading boards of health of the principal cities, I wish to cite the result of the investigations of other chemists of undoubted probity and unquestioned scientific attainments, men whose statements are entitled to full faith and credit.

Professor George F. Baker, of the University of Pennsylvania, stated: In practice, the process of manufacture, as I have witnessed it, is conducted with care and great cleanliness. The butterine produced is pure and of excellent quality, is perfectly wholesome, and is desirable as an article of food.

Professor Charles P. Williams, analytical chemist, late director and professor Missouri school of mines, State University, gives the following:

In respect to its chemical composition it is fairly the equivalent of the best quality of dairy butter. I will add further that owing to the presence of a less quantity of volatile fats the keeping qualities of the oleomargarine butter are far superior to those of the dairy products.

The testimony of Dr. Henry A. Mott, of New York, analytical and consulting chemist, is that:

Having been acquainted for the past six years with the process of the manufacture of the product called oleomargarine butter or butterine, and having made numerous microscopical and chemical examinations of the product, I am clearly of the opinion that the product called oleomargarine butter is essentially identical with butter made from cream; and as the former contains less of those fats which, when decomposed, render the product rancid it can be kept pure and sweet for a much longer time.

The opinions expressed by the foregoing eminent scientist are fully sustained by the opinions by Professor S. C. Caldwell, of Cornell University; Professor S. W. Johnson, of Yale College; Professor C. A. Gressurman, of the Massachusetts Agricultural College. Their statements are set out in full in the four hundred pages of printed evidence in the case of The United States Dairy Company vs. Benjamin Shoeman et al., in the United States circuit court for the northern district of Illinois. A careful perusal of the voluminous evidence in that case might serve at least to demonstrate to the same of the chemist on this floor, how little the chemist and scientist, who are not members of this House, know as to whether the food products, known to the commercial world as oleomargarine and butterine, are noxious or innoxious. Yet I trust gentlemen who have talked so learnedly about these products, calling them "infernal compounds," "bull butter," made from the decaying carcasses of "dogs killed because suspected of being affected with ra-bies," "poisons freighted with disease and death," will forgive the chemist whose opinions I have quoted and may cite, because they diffor from them. They have never been membe They have never been members of Congress, therefore

Let me give other instances. Professor J. W. S. Arnold, of the medical department of the University of New York, in speaking of the manufacture of oleomargarine butter or butterine, said

That I have seen and tasted at the factory each and every ingredient employed; that I have made thorough microscopical examinations of the materials used and of the butter; and I consider that each and every article employed in the manufacture of oleomargarine butter or butterine is perfectly pure and wholesome; that the eleomargarine butter of differs in no essential manner from butter made from cream; in fact, the eleomargarine butter possesses the advantage over natural butter of not decomposing so readily, as it contains fewer volatile fats. In my opinion, eleomargarine is to be considered a great discovery, a blessing for the poor, and in every way a perfectly pure, wholesome, and palatable article of food.

Professor W. A. Atwater, of the Wesleyan University at Middletown, Conn., gave his opinion in the following strong language:

Conn., gave his opinion in the following strong language:

A consideration of the materials used, the process of manufacture, and the chemical and microscopical character of the butterine seems to me to justify the following statements: As to its qualitive composition, it contains essentially the same ingredients as natural butter from cows' milk. Quantitatively, it differs from ordinary butter in having but little of the volatile fats which, while they are agreeable in flavor, are, at the same lime, liable to rancidity. I should, accordingly, expect butterine to keep better than ordinary butter.

The best evidence within my reach indicates that just such is the case. The butterine is perfectly wholesome and healthy, and has a high nutrition value. The same entirely favorable opinion I find expressed by the most prominent European authorities—English, French, and German—who are unautmons in their high estimate of the value of the "Mége discovery," and approval of the material, whose production has thereby been made practicable.

Mr. BEACH. What is the date of that statement?

Mr. BROWNE, of Indiana. What has that to do with it? Mr. BEACH. It has a great deal to do with it.

Mr. WARNER, of Missouri. The evidence contained in the four hundred printed pages which I hold in my hand was taken in 1881. Mr. BEACH. They made it purer then than they do now.

Mr. WARNER. The remark of the gentleman would indicate that such eminent chemists as Professors Chandler and Morton if called upon now would give different evidence. It is strange that no word to the contrary is produced from either of these learned scientists. mission is that the oleomargarine made up to and including 1881 was all that these chemists claim for it. To break the force of that admission we are informed by the gentleman from New York [Mr. Beach] that "they made better then than now." Is not the contrary of that assertion true?

The fact is that the manufacture of oleomargarine has reached that point when the product looks like butter, tastes like butter, smells like butter, and answers all the purposes of butter. It competes to-day with dairy butter in the markets of the world. Were it not so this legislation would never be demanded. Yet the gentleman from New York [Mr. Beach] demands later evidence than that given in 1881. I will try to accommodate him. He and his colleagues from New York represent the largest dairy interest in the United States. In 1882 the Legislature of the State of New York enacted stringent laws furnishing ample protection against fraudulent imitations of dairy butter or the sales of such imitations as genuine. These laws require that every person who shall manufacture for sale, or offer for sale, or export any article in the semblance of butter, not the legitimate product of the dairy, must distinctly and durably stamp on the top and side of every tub, firkin, or package, the words, "oleomargarine butter."

Notwithstanding this legislation oleomargarine butter was manufact.

nred in that State, stamped and branded as such, sold in the open markets as oleomargarine and continued to compete with dairy butter. People bought and ate it knowing what they were buying and eating. Then the dairy interest of that State demanded additional protection against this rival. Accordingly, in 1884, the Legislature of New York, passed a law by its terms prohibiting the "manufacture out of any oleaginous substances, or any compound of the same, other than that produced from unadulterated milk or cream, * o * designed to take the place of butter or cheese produced from pure, unadulterated milk or cream of the same;" also forbidding the sale or offer for sale "of the same as an article of food." The rest of the section excepts "skimmed-milk cheese" from its operations, and subjects to severe punishments by fine and imprisonment "whoever violates the provisions of this section." Early in 1885 one Marx was arrested charged with a violation of this law. It is but fair to assume that the dairy interest of that State was active in the prosecution. I now cite from evidence in that case as given by the learned judge who delivered the

Opinion:

On the part of the defendant it is proved by distinguished chemists that olcomargarine was composed of the same elements as dairy butter. The only difference between them was that it contained a smaller proportion of fatty substance known as butterine; that this butterine exists in dairy butter only in a small proportion—from 3 to 6 per cent.; that it exists in no other substance than butter made from milk, and is introduced into eleomargarine butter by adding to the eleomargarine stock some milk, eream, or butter, and churning; and when this is done it has all the elements of natural butter, but there must always be a smaller per cent. of butterine in the manufactured product than in butter made from milk. The only effect of the butterine is to give flavor to the butter, having nothing to do with its wholesomeness; that the elements of the butter have ing nothing to do with its wholesomeness; that the oleaginous substances in the oleomargarine are substantially identical with those produced from butter and cream. Professor Chandler testified that the only difference between the two articles was that dairy butter had more butterine; that oleomargarine contained on over 1 per cent, of that substance, while dairy butter might contain 4 or 5 per cent.; and that if 4 or 5 per cent, were added to elementarine there would be no difference; it would be butter; irrespective of sources, they would be the same substances. According to the testimony of Professor Morton, whose statement was not questioned or controverted, elementarine, so far from being an article devised for the purpose of deception in trade, was devised by a French scientist who was employed by the French Government to devise a substitute for butter. (People vs. Marx, 99 New York Court of Appeals, 382.)

Testimony was also given in that case that "olcomargarine butter."

Testimony was also given in that case that "oleomargarine butter was precisely as wholesome as dairy butter." This evidence was given Is that late enough for my friend from New York [Mr. in 1885. Is that late enough for my friend from New York [Mr. Beach]? In 1883 the committee on health of the State board of Massachusetts, composed of gentlemen it is fair to presume of intelligence and integrity, after a thorough investigation, report as to oleo-

When well made it is a very fair imitation of genuine butter, being inferior of the best butter, but much superior to the low grades of butter too commonly tound in the market. So far as its influence on health is concerned, we can see no objection to its use. * * As to its prohibition by law, the same law which prohibited it should also prohibit the sale of lard and tallow, and, more especially, all low-grade butters, which are far more injurious to health than a good sweet article of olcomargarine.

The use of substitutes for butter seems to be stendily on the increase in this country. When good butter is at from 40 to 50 cents per pound, it has passed beyond the means of persons in moderate circumstances, and they have the choice of three things—to do without, to use poor butter, or to use some substitutions.

To the gentleman who has made the assertion on this floor that this food product is made out of the "decayed and decaying carcasses of the stock-yards and dogs killed because suspected of being affected with rabies," let me commend the following extract from the same re-

A great deal has been said in regard to the poor grade of fats from which the olcomargurine is made. Any one making such assertions in regard to the fats is simply ignorant of the whole subject. When a fat has become in the legast faintest it can no longer be used for this purpose, as it is impossible to remove the odor from the fat after it has once acquired it.

The leading manufacturers of eleomargarine in this country court the most rigid investigation both as to the manner of making and the character of the product produced by them. They claim, and their claim is supported by undisputed evidence, that they are engaged in a legitimate industry; that they manufacture a food product wholesome in every respect which is used as a substitute for butter. There is no hidden mystery in its manufacture. They tell you how it is made, and give its constituent elements. They manufacture and cell it for what it is. P. D. Armour, of the great packing-house of Armour & Co., in his sworn statement, tells you how and of what oleomargarine and butterine are made in his establishment, which is one of the largest in the world. His affidavit is as follows:

STATE OF ILLINOIS, Cook County, ss:

Philip D. Armour, being first duly sworn, deposes and says that he is a resident of the city of Chicago, in the State of Illinois, and that he is a member of the firm of Armour & Co.

Deponent further says that said firm of Armour & Co., in the course of their business, makes and sells oleomargarine and butterine, and that this deponent knows of his own knowledge the materials and the methods used by said firm in the making of said products. They are as follows:

METHODS OF MANUFACTURE.

in the making of said products. They are as follows:

METHODS OF MANUFACTURE.

The fat is taken from the cattle in the process of slaughtering, and after thoroughly washing is placed in a bath of clean, cold water and surrounded with ice, where it is allowed to remain until all animal heat has been removed. It is then ent into small pieces by machinery and cooked it a temperature of about 150 degrees until the fat in liquid form has separated from the fibrine or tissue; then settled until it is pericetly clear. Then it is drawn into graining vates and allowed to stand a day, when it is ready for the presses. The pressing extracts the stearine, leaving the remaining product, which is commercially known as olco oil, which, when churned with cream or milk, or both, mid with usmally a proportion of creamery butter, the whole being properly salted, gives the new food product, olcomargarine.

In making butterine we use neutral lard, which is made from selected leaf lard in a very similar manner to oleo oil, excepting that no stearine is extracted. This neutral lard is cured in salt brine for forty-eight to seventy hours at an ioc-water temperature. It is then taken and, with the desired proportion of oleo oil and fine butter, is churned with cream and milk, producing an article which, when properly salted and packed, is ready for market.

In both cases coloring matter is used which is the same as that used by dairymentocolor their butter. At certain seasons of the year, namely, in cold weather, a small quantity of salad oil made from colton seed is used to soften the texture of the product, but this is not generally used by us.

Deponent further says that no other material or substance except as above stated is used by Armour & Co., in making oleomargarine or butterine.

Deponent further says that he has read the statement made in a report of the Committee on Agriculture to the House of Representatives purporting to give the materials used in making oleomargarine and butterine, and he says that none of the materials

Dr. Cyrus Edson, food inspector of the New York board of health, and Dr. O. C. De Wolf, health commissioner of the city of Chicago, give evidence as follows:

CHICAGO, May 15, 1886

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Gentlemen: It gives us pleasure to say to you that we have recently visited your factory at the Union Stock Yards, in this city, and thoroughly examined the whole process of the manipulation and manufacture of butterine and olcomargarine. We cheerfully testify that we consider the products cleanly, pulatable, and wholesome food products, containing nothing injurious or detrimental to health, but, on the contrary, cheap and desirable substitutes for the medium grades of dairy butter.

Yours, respectfully,

CYRUS EDSON, M. D. OSCAR C. DE WOLF, M. D.

Mesers. Armour & Co., Chicago.

The board of health of the State of Illinois says:

OFFICE OF THE SECRETARY,
OFFICE OF THE SECRETARY,
Springfield, Ill., May 17, 1886.
Gentlemen: While engaged in an official investigation with regard to the
slaughtering of beefatthe Union Stock Yards, accompanied by Dr. Cyrus Edson,
food inspector of the New York board of health, and Dr. O. C. De Wolf, health
commissioner of Chicago, recently, I witnessed your process for the mannifacture
of eleomargarine and butterine. By what I saw I am convinced that it is conducted with the most scrupulous eleanliness; that nothing in the manufacture
or the materials used is detrimental to health, and that the products are wholeNery respectfully,
To Area

The opinions expressed by our chemist are fully concurred in by the leading scientists of England, France, and Germany, to which countries this product is largely exported and eaten by their people as a cheap and wholesome substitute for butter. Germany, although she has quarantined against the American hog, finds no fault with oleomargarine but-A few years since the butter interest of Great Britain made the attempt to restrict the sale in that kingdom of this food product which we exported to that country in large quantities. Dr. Fairplay, the recognized authority in England on sanitary questions and the healthfulness or unhealthfulness of articles of food, then a member of the House of Commons, gave it as his unqualified opinion that oleomargarine butter was wholesome and that its introduction into the kingdom was a blessing to that class of citizens who were unable to purchase butter that was lit to use at the prices asked for it in the market. The result was that the bill restricting the sale of oleomargarine was defeated by a decisive majority.

manufactured as a cheap and perfectly wholesome substitute for butter. Suct, natural lard, coloring matter the same as that used in choice, dairy butter, sometimes a small quantity of salad oil, such as you use every day on your table, and salt, these form oleomargarine when properly made, and in fact, as made by the large establishments. They are healthy, and so is the product compounded of them. Olcomargarine may be foul, butter may be rancid and dirty. The fact that one manufacturer perpetrates a fraud by making a foul substitute for pure oleomargarine, and sells in the market for butter, can not justify a tax in its nature prohibitory as to all. Oleomargarine does not depend upon butter for its value, it is of itself healthful and of use. It has been apply stated that "oleomargarine is no more artificial or manufactured than is butter. A cow secretes milk, from this cream is extracted, then follows churning, salting, washing, coloring, pressing, the result is butter. An ox secretes fat, from this margarine is abstracted, churned, salted, washed, colored, and pressed, the result is oleomargarine; from equally healthful animals equally healthful products result." Even the gentleman from New York [Mr. BEACH] is driven to this state-Even

is artificial butter deleterious to public health." If we are to believe the testimony of the expert chemists who have investigated the subject, it is not. *

* In the absence of any well authenticated case of injury to public health a loss of life from the use of artificial butter, although millions of pounds have been consumed, it would be unsafe to legislate on the subject upon the ground that we are going to protect the public health. I think the sooner we abandon that position the better. It is not tenable. The weight of fact and opinions is against it.

Thus this learned Representative from a strong dairy district flies in the face of his colleague [Mr. HISCOCK] on this side of the Chamber, who declared that this vile compound was poison, pure and simple, freighted with disease and death.

When such learned doctors disagree, who shall decide? The gentle-man [Mr. Beach], the duly appointed Moses to lead his followers out of the wilderness of doubt, exclaims:

If we are going to legislate upon the subject, let us take a position upon which we can stand and from which we can not be driven.

This is the advice of the sage, the chosen leader. They have been compelled to retreat from position after position; his suggestion is, "Lct us choose one that is impregnable. Such a position," he gravely adds, "will be found in the proposition that the people are deceived and defrauded in the sale of the spurious article." How deceived? Is it that when they purchase what they believe to be dairy butter they receive oleomargarine? That is a fraud? The purchaser has a right to know what he is purchasing. If he does not want oleomargarine he should not be deceived into purchasing it under the belief that he is purchasing dairy butter, although it may look, taste, and smell like dairy butter, and, in fact, may be as good. The purchaser is entitled to his likes and dislikes.

Some men there are love not a gaping pig; Some are mad if they behold a cat; As there is no firm reason to be rendered Why he can not abide a gaping pig; Why he, a harmless necessary cat.

So the purchaser has a right to complain when he does not receive the identical thing he bargains for. He may not be able to render a "firm reason." He is not compelled to; he may say, "It is my humor; so I can give no reason, nor will I."

The tastes, the prejudices, and even the superstitions of the pur-chaser and consumer are to be respected.

We know that all metals, leather, woolens, woods, all textures, surfaces, and fabrics are or have been imitated. The false is sold for the true; the imitation for the imitated. The universability of the practice does not diminish but increases the fraud. It is no answer to say that the imitated can not be told from the genuine, the false from the true, or that it answers the same purpose. Honesty and fair dealing demand that every article shall be sold for what it is. Food adulterations is one of the crying evils of the age. To remedy these evils and secure honesty and fair dealing between citizen and citizen is a consummation devoutly to be wished for. There is no remedy for these frauds whether in the sale of foul eleomargarine, rancid butter, or any other article save through and by the police powers of the States.

The police powers of a State in a comprehensive sense-

Says Mr. Cooley-

embraces its whole system of internal regulation by which the State seeks not only to preserve the public order and to prevent offenses against the State, but also to establish for the intercourse of citizen with citizen those rules of good manners and good neighborhood which are calculated to prevent a conflict of rights and to insure to each the uninterrupted employment of his own, so far as is reasonably consistent with like employment of the rights of others. (Cooley's Con. Lim.)

The police powers of the State is an authority conferred by the American constitutional system upon the individual States through which they, and they alone, are enabled to adopt such laws as shall prevent the commission of fraud, violence, or other offenses against the State, and to secure the health and property of the citizen. It is a recognized principle that the National Government can not, through any of its as that the bill restricting the sale of oleomargarine was defeated by decisive majority.

There is no longer any question that oleomargarine can be and is from New York [Mr. Beach], which in substance is, that as oleomargarine is sold for dairy butter, such a sale being a fraud upon the purchaser, therefore it is claimed Congress has the right to pass this bill to render the perpetration of such a fraud impossible. Strange doctrine! I had thought that such legislation could alone be had through the State Legislature. In this opinion I am fully supported by the Committee on the Judiciary of this House in an able report on bills similar to the one under consideration. They say:

committee on the Judiciary of this House in an able report on bills similar to the one under consideration. They say:

The questions submitted by these bills to this committee are of great importance and involve the fundamental principles of the Constitution.

For our purpose the evil consequences to the regular producer of butter or any other article by the permission of a product by the spurious competitor, and even the results to health of the people, may be conceded. The contention is not as to the existence of the disease, but what is the remedy find by what authority is it to be applied.

Your committee does not think that the evil complained of can finds its remedy from what Congress can do, except as hereafter stated. The legislation, if proper, must be sought from the States.

No grant of power to Congress in express terms or by fair inference from express grant can be found which would authorize any law by Congress to prevent the production of anything by a person in a State of the Union. Congress may have some power over production in the District of Columbia, or where its power of exclusive legislation extends, or in the Territories. But the power to forbid the production of butter, or wheat, or tobacco in a State will scarcely be asserted by any one.

Questions which concern the production of the soil or otherwise, the health and well-being of the people of the State, belong to that large class which, for want of a better name, has been termed the police power.

The powers of Congress refer to the foreign relations of the State, to their relations inter se, and do not pass within the confines of that interior life which constitutes the being and the civilization of a commonwealth. These are subjects for State legislation. A stranger to these local interests and internal concerns, under our system, must not intermedide with them.

The evil to result from the exercise of the power were directed against the production of butter. The question then of power is the primary one.

The concession will be ma

Again they say:

The judicial decisions have never impinged upon the power of each State to control the right of its citizens as to food, clothing, &c., under what is called its police powers, and the right of Congress to enact anything like sumptuary laws for the States is nowhere granted, was expressly refused by the convention (3 Mad. Papers, 1309, 1370), and has never been seriously claimed in this first century of our constitutional history.

Can it be believed—

Said Mr. Jefferson-

that under the jealousness prevailing against-the General Government, at the adoption of the Constitution, the States meant to surrender the authority of preserving order, enforcing moral duties, and restraining vice within their own territory? * * * Such an intention was impossible, and such a licentiousness of construction and inference, if exercised—

He claims

would endanger the foundations of the Union. (Jefferson's Works, volume 7, page 297.)

It has remained for a Democratic committee headed by a Jeffersonian Democrat [Mr. HATCH] in a latter-day Democratic House to question the powers of the State in matters of police regulations. Sir, conceding the power of Congress to enact legislation such as is contemplated in this bill, which I deny, I have prepared an amendment that will tear the mask from oleomargarine, if it is true as asserted, that it has been masquerading under the name and guise of dairy butter.

I read the amendment for the information of the committee, and give notice that at the proper time I shall offer it. It provides-

notice that at the proper time I shall offer it. It provides—
That nothing in this act shall be construed to apply to the manufacture, sale, or offer for sale of any substance known as oleomargarine which shall be shown before the same is sold or offered for sale, to the satisfaction of the Commissioner of Internal Revenue, under such rules and regulations as he may adopt, to be wholesome as an article of food, and what it purports to be, as shown by the marks and brands thereon.

And further, that the constituent elements thereof, separately and combined, are in no way deleterious to health: And provided further. That said substance, known as eleomargarine, shall be put in packages marked and branded as provided in this act. Any manufacturer, wholesale or retail dealer, or other person who shall knowingly manufacture, sell, or offer for sale any such substance as oleomargarine for butter, or as butter, or without the same being put in packages plainly marked and branded as in this act provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$5,000, or by imprisonment not exceeding five years, or by both such fine and imprisonment.

Will any gentleman scriously claim that this new food product when

Will any gentleman seriously claim that this new food product when shown to be wholesome, marked and branded so that it enters into an honest competition with other food products in the open market, shall be unjustly discriminated against because it cheapens the price of dairy butter? Is it competition and not fraud that you seek to suppress; If so, is not your bill a fraud, a false pretense? Is it not masquerading as a revenue bill when its purpose is not revenue, but a usurpation of the police powers of the States to the end that one industry may be stricken down in order to advance the price of dairy butter in the market? Assuming the fact, which can not be successfully controverted, that eleomargarine when properly made is a cheap, wholesome article of food, then I submit that this amendment should be adopted.

This bill does not pretend to tax oleomargarine because of any fraud in its manufacture or sale, upon the ground that it is unwholesome. It is taxed solely because when made it may be in imitation or have the semblance of butter. The nearer its approach to butter the more obnoxious it is to the taxing powers of the Government. In what that imitation or semblance shall consist the bill does not attempt to define.

SEC. 2. That for the purposes of this act certain manufactured substances, certain extracts, and certain mixtures and compounds, including such mixtures and compounds with butter, shall be known and designated as "oleomargarine," namely: All substances heretofore known as oleomargarine, oleo, oleomargarine-oil, butterine, lardine, suine, and neutral; all mixtures and compounds of oleomargarine, oleomargarine-oil, butterine, lardine, suine, and neutral; all lard extracts and tallow extracts, and all mixtures and compounds of tallow, beef-fat, suct, lard-oil, vegetable-oil, annotto, and other coloring matter, intestinal fat and offal fat made in imitation or semblance of butter, or when so made calculated or intended to be sold as butter or for butter.

We have shown that oleomargarine, as known to the trade, when properly made, looks, tastes, and smells like butter, having essentially all the elements of butter. The better the oleomargarine the nearer the resemblance. When a food product, made from any of the ingredients named, has the resemblance or semblance of butter, then it must pay a tax of 10 cents a pound under whatever name or for what-

ever purpose the same may be sold or used.

Its sin is in its semblance of butter. The fact that it is a desirable article of food, that it may never have been "calculated or intended to be sold as butter or for butter," does not relieve it from the payment of the tax. The product may be marked oleomargarine or axle-grease, if the tax. The product may be marked oleomargarine or axle-grease, if you please, and may have been calculated and intended to be sold as such, yet it must pay the tax if its ingredients unfortunately by the laws of nature give it even the semblance of dairy butter. "Semblance" in what? In form, figure, taste, smell, or in any or all of its component parts. This measure should be entitled a bill to prevent either the manufacture or sale in the United States of any cheap, wholesome food product as a substitute for butter made from milk, if the substitute bears in any respect a semblance to butter.

Again, if when made oleomargarine is "calculated or intended."

Again, if when made oleomargarine is "calculated or intended" to be either sold as butter or for butter, then it is liable to this tax which is not for revenue. If it has the semblance of butter, and may be used either on the table or in the kitchen for any of the purposes for which butter is used, then it must pay the tax of 10 cents a pound, for it is calculated to be "sold as butter or for butter." It may by its marks and brands be always distinct from butter, yet it may have the sem-blance of butter and by nature be fitted for many of the uses of butter, The tax is levied upon the product if, when manufactured from any of the ingredients named, it has the semblance of or may be calculated to take the place of butter in any of its uses. Fraud is not a feature essential to the tax. The evil aimed at is not that the product is in any way

injurious to public health or morals. Competition is the evil aimed at, the increase of the price of butter the remedy to be advanced. The dairy must be indiscriminately—the good with the bad—the whole-some with the unwholesome. These are some of the iniquitous featsome with the unwholesome. ures of the attempted legislation. Where, sir, is the constitutional warrant for this measure? I am

told that it is a revenue bill within section 8, Article I of the Constitu-

o " to pay the

The Congress shall have power to lay and collect taxes, * * debts and provide for the common defense and general welfare,

Taxation by the very meaning of the term implies the raising of Taxation by the very meaning of the term implies the raising of money for the public uses, and excludes the raising of it for private objects and purposes. It is true that of all powers conferred upon the Government that of taxation is the most important and at the same time most liable to abuse. "This power," says Justice Miller, "can as readily be employed against one class of individuals and in favor of another, so as to ruin one and give unlimited wealth and prosperity to the other, if there are no implied limitations of the uses for which the power may be exercised." That learned jurist then adds:

To lay with one hand the power of the Government on the majority of the citizens, and with the other to bestow it upon favored individuals to aid private enterprise and build up private fortunes, is none the less robbery because it is done under the forms of the law and is called taxation.

Let me, sir, commend the language of the learned justice of the Supreme Court of the United States to this House. Mr. Cooley, in his work "Principles of Constitutional Law," thus defines the limits of taxation under the Constitution of the United States:

Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful.

The spoliation of the few for the benefit of favored individuals is unwarranted, although done in the name and under the forms of law. This is not legislation; it is spoliation under legislative forms. Here, sir, I again cite from the exhaustive report of the Committee on the Judiciary made to this House on the 22d of last April:

Judiciary made to this House on the 22d of last April:

It remains to inquire whether oleomargarine or any other product may be subjected to an internal-revenue tax. If the power to lay taxes (Constitution United States, Article I, sections 8 and 9) involves the power in Congress to select any article for excise or other tax, as seems to be now settled by the practice of the Government (and no doubt properly so settled), then the right to tax oleomargarine is undoubted.

But your committee are constrained to add that this is a revenue power. The right "to lay" is conjoined with that "to collect taxes," and the right to lay and collect is conjoined with the purpose. To pay the debts and provide for the common defense and general welfare." The power is conferred in order to the duty imposed on Congress. It is a trust power and becomes a right only when used for the purpose in view. The tax is the means to the end, and is only legitimate and rightful when needful for the end.

To use the tax when needless for revenue merely to strike down a product or an industry is to abuse a constitutional trust; and while the power may be con-

ferred, the right to use it in such case can not be asserted. All power under our system is trust power; to use it for the trust makes it a rightful power; to use it diverse intuitue is wrongful perversion and abuse of power, and is contrary to the Constitution. In other words, as Congress can not forbid the production of an article in a State by direct legislation, it can not use a power conferred for another purpose to destroy and prevent such production. To do by indirect means what it could not do by direct legislation would be an unworthy evasion of constitutional limitation, which can not be sanctioned by an enlightened construction of the Constitution. It is true that in such case the judge dare not look into the intents of the legislator's breast, but the legislator who so abuses his trust and wrongfully misuses power can not avoid responsibility to his own conscience, bound as it is to support the Constitution; for by personal introspection he will find his motive not to be a tax for revenue to the Government, but a tax as a means of destruction to the product subjected to it; that is, tax used as an instrument of destruction and not as a means of revenue.

The propositions laid down in that report, in my opinion are sup-

The propositions laid down in that report, in my opinion, are supported by the entire and uniform weight of judicial authority. That Congress by the arbitrary, I might say tyrannical, exercise of the taxing powers may crush or weigh down one domestic industry for the purpose of protecting another domestic industry, none will question; but that it may rightfully doso, none, I apprehend, will have the temerity to claim. "The power to tax," says Chief-Justice Marshall, "involves the power to destroy." Admitting the power, he condemns the unwarranted exercise of it. He adds: "To carry it (i. e. the power) to the excess of destruction would be an abuse, to presume which would banish that confidence which is essential to all government."

Does not this bill carry the taxing power to the "excess of destruc-tion?" I know of no case from the foundation of our Government where Congress has placed a tax upon one domestic industry for the purpose of building up another. Certain it is that no instance has been cited by the friends of this new departure in protective legislation. The Agricultural Committee, in their report, cite as a case in point Veazie Bank rs. Fenno (8 Wallace). In that case Chief-Justice Chase, in delivering the opinion of the court, says:

It can not be doubted that under the Constitution that the power to provide a circulation of coin is given to Congress. * * Having thus in the exercise of undisputed constitutional powers undertaken to provide a currency for the whole country, it can not be questioned that Congress may constitutionally, secure the benefit of it to the people by appropriate legislation. To this end Congress has denied the quality of legal tender to foreign coins, and has provided by law against the imposition of counterfeit and base coins on the community. To the same end Congress may restrain, by suitable enactments, the circulation as money of any notes not issued under its authority. Without this power, indeed, its attempts to secure a sound and uniform currency for the country must be futile.

It is upon the dictum in that case that the committee relies.

There was and could be no such principle involved in that case as is invoked by the bill under consideration. The Congress, in the exercise of undisputed constitutional power, undertook to provide a sound currency for the whole people. Here there is an attempt to tax the manufactured product of one class of our citizens that the manufactured product of another class of our citizens may be advanced at least a like amount per pound. There is and can be no analogy between the

As against the United States a State municipality has no right to put its notes in circulation as money. It may execute its obligations, but can not, against the will of Congress, make them money. The tax is on the notes paid out—that is, made use of as a circulating medium. Such a use is against the policy of the United States. Chief-Justice Waite, in commenting on the Venzie Bank case, says:

Is it against the policy of the United States to permit any article to come in competition with butter if perchance it has the semblance of butter and the effect of that competition is to cheapen the price of butter?

It is claimed in argument that oleomargarine can be made for 7 cents a pound, and therefore the dairyman can not successfully compete with it. What is the remedy proposed to equalize this competition? It is by taxes and licenses to increase the actual cost of this food product to 19 cents a pound. It is the cheapness of this food product and not its unwholesomeness that is the cause of its offending. Advance its actual cost of production to 19 cents a pound, leave its quality as now or even reduce its grade, and the dairy interest will be satisfied. It is the price, and not the quality, that is to be advanced. If this product is a cheat, a fraud, a counterfeit injurious to the public health or morals, then the prepare authority, the States should now like it. a cleat, a fraud, a counterfeit injurious to the public health or morals, then the proper authority, the States, should prohibit its manufacture and sale—the General Government should not go into partnership with a cheat, a fraud, a counterfeit. If its manufacture or sale is a crime against society, Congress—if it assumes jurisdiction—should stamp it out by fines and penalties. Would you tax counterfeit money? Would you issue a license to parties to deal therein? The legislation proposed by this bill demonstrates that you do not record it as either a fraud. by this bill demonstrates that you do not regard it as either a fraud, a cheat, or a counterfeit, but that its cheapness and wholesome quality render it a dangerous rival to butter made from cream; therefore the necessity for this legislation.

Yet gentlemen tell us this is a revenue bill. Do we need more revenue? Is it desirable to collect more taxes to increase the surplus in our overflowing Treasury? The Committee on Ways and Means, whose duty it is to provide for raising revenue, have made no recommendation that the revenues should be increased. No branch of the executive department of the Government has asked it. The distinguished chairman of the Committee on Ways and Means [Mr. MORRISON]

I can not but think this bill is here under false pretenses and therefore I shall vote against it.

The eloquent, earnest, and persistent advocate of this legislation, Mr. BAYNE, frankly states:

I do not anticipate any troublesome amount of revenue from this measure, We do not want revenue.

He pleads guilty to the charge "that the bill is here under false pre-" Why is the bill here in the livery of the taxing power of the Constitution if revenue is not wanted? The tax it levies, the licenses it imposes are extraordinary and unusual. They are purposely placed so high in the hope that the oleomargarine industry can never pay them, thus forcing its product out of this country and into a foreign market, for when exported it pays no tax.

Sir, if gentlemen are sincere in their oft-repeated declarations that they only want this food product marked and branded and sold for what it is, why not place the tax and licenses at a figure to accomplish that purpose? No one will deny that I cent a pound with nominal licenses, such as are imposed on dealers in beer and tobacco, would be more than sufficient. Yet every effort to either lessen the oppressive tax or diminish the exorbitant licenses is stubbornly fought by the so-called friends of "honest butter." Their votes do not strengthen their declarations. They talk one way and vote the other. One cent a pound would yield a revenue of more than \$2,000,000 annually; but a 1-cent tax would not sufficiently advance the price of butter in the market—it would not shut out oleomargarine properly made, marked and branded as a competitor. This result would not be the end sought by branded as a competitor. the promoters of this bill.

the promoters of this bill.

Yet these gentlemen set themselves up as the champions of the consumer. He is to be protected they tell us. How protected by being compelled to pay 10 cents a pound more for every pound of butter or oleomargarine he eats. He may be unable to see wherein he is protected—it is a disguised blessing. If oleomargarine can be manufactured and sold under the burdens laid upon it by this bill, it is at last the consumer that must pay the tax. It is estimated that the license and tax will increase the cost of this food product 12 cents a pound before it reaches the table of the consumer; this he must pay. If oleomargarine is driven out of the market, which is the purpose of this bill, then the inevitable result is that the consumer must pay more for every ownee of butter that goes upon his table. Neither the dairy nor the oleomargarine factory are run as matters of philanthropy but for gain. oleomargarine factory are run as matters of philanthropy but for gain.

If, notwithstanding the heavy taxes and licenses imposed upon it, the product of the eleomargatine factory, by reason of its wholesomeness and desirability as an article of food, can successfully compete with the product of the dairy, then the gains of the former will not be diminished, while the profits of the latter will be greatly enhanced at the expense of the consumer. This bill is not to furnish a better food product, but a dearer one.

It was Colbert, I think, the celebrated finance minister of Louis XIV, who is reported to have said: "That the act of taxation consists in so plucking the goose (i. e., the people) as to procure the largest quantity of feathers with the least possible amount of squealing." This so-called revenue bill is designed to so pluck the goose that the least possible amount of feathers (i. c., revenue) shall be obtained with the largest possible amount of protection to the dairy interest. "The purpose of this bill," says its logical and frank advocate [Mr. BAYNE], "is to protect the dairyman and the consumers, and I, as a protectionist of all the industries of the country, gladly welcome our new friends." Then casting an admiring glance upon my colleague [Mr. HATCH] and his Democratic followers in ecstasy he exclaims: "I am glad to observe the accessions to the ranks of the protectionists which the promotion of this measure is evolving." By the process of evolution the free trader is the convert of this false, mistaken, and dangerous idea of protection.

The principle of this bill is no more like protection than the prince of darkness is like the angel of light. In the past all legislation looking to the protection of American industries and American labor from foreign competition with the half-clad and half-fed pauper labor of the Old World has received the merciless maledictions of my distinguished Old World has received the merciess manedictions of my distinguished and eloquent colleague [Mr. HATCH] from every stump in the State of Missouri, while on the other hand, in my feeble way, I have fought for the dignity of American labor and for the protection of American industries against the world, only to find myself snowed under by those who followed the free-trade plume of my friend [Mr. HATCH]. I have no doubt but when the fervor following sudden conversion shall have lost some of its zeal he will see the error of his ways and settle down as a consistent protectionist. Let me say to my colleague that in his effort to strike down or cripple one industry of our common country that another may prosper the more abundantly, he can not expect the support of those who understand the underlying principles of protective.

Sir, the manufacture of oleomargarine is one of the great industries of this country. When the product is wholesome, marked and branded, it is entitled to the same protection as any other industry. It is estimated that 200,000,000 pounds of oleomargarine butter are manufactured annually in this country. This is made largely from pure oleo extracted by an ingenious method discovered by a celebrated French chemical transfer of the country of the countr ist. Its manufacture enables our great packing-houses, that slaughter largely the beeffor the world, to pay from two to three dollars a head more for each bullock purchased than they could if the suet taken from the animal could only be worked up into tallow, as done before this discovery. Can any good reason be given why this part of the animal should not be thus utilized, or that when so utilized it should be discriminated against by being compelled to pay an unjust tax? That people use it as a substitute for any other article of food certainly is no reason for such action.

The agricultural interests of the country are as much interested in the price they get from their cattle and hogs as they can be in the price of butter. But, sir, the taxing of an industry because those engaged in it are in the minority and for the benefit of another industry that is in the majority can not be justified in any country where the rights of the citizen are respected. If the taxing power is to be invoked for the benefit of those who represent the most of power or political influence then shall we have returned to the condition of the Middle Ages when nobles were exempt from taxation because they were nobles and the common people were taxed because they were villains or bondsmen; "when Jews were assessed because they were not Christians, and Cath-olics because they were not Protestants."

This is class legislation. Each industry that is strong in political influence will demand protection against its less influential competitor. If when the weaker competitor in the market offers a cheaper substance in the "semblance of" or capable of being used or applied to the same purposes as those of his stronger rival, then his substance is to be taxed for the benefit of the stronger. Such a prostitution of the taxing power of the General Government, a power given for its maintenance and preservation, would, in the language of Jefferson, tend "to break up the

foundation of the Union."

There is no proposition more firmly settled than that it is one of the fundamental rights and privileges of every American citizen to adopt and follow such lawful industrial pursuits as he may see fit.

There is and can be no question as to the lawfulness of the pursuit of manufacturing and selling oleomargarine having the semblance of, and calculated and intended to be sold for, butter. This is acknowledged in this bill by proposing to tax and license the manufacture and sale. It will not be claimed, none have the temerity to do so, that the business you propose to license is unlawful or immoral, or that the product you propose to tax is unwholesome or injurious to the public health. The tax is levied, the license imposed because a large and very respectable portion of our citizens demand such action to protect an industry in which they are engaged. The language of the supreme court of New York in a recent case in passing upon the constitutionality of a law of that State prohibiting the sale of oleomargarine is worthy of our consideration and approval:

Who will have the temerity to say that these constitutional principles are not violated by an enactment which absolutely prohibits an important branch of industry for the sole reason that it competes with another and may reduce the price of an article of food for the human race?

Measures of this kind are dangerous even to their promoters. If the argument of the respondent in support of the absolute power of the Legislature to prohibit one branch of industry for the purpose of protecting another with which it competes can be sustained, why could not the oleomargarine manufacturers, should they obtain sufficient power to influence or control the legislative councils, probibit the manufacture or saile of dairy products? Would arguments then be found wanting to demonstrate the validity under the Constitution of such an act? The principle is the same in both cases. The numbers engaged upon each side of the controversy can not influence the question here. Equal rights to all are what are intended to be secured by the establishment of constitutional limits to legislative power and impartial tribunals to enforce them.

Illustrations might be indefinitely multiplied of the evils which would result from legislation which should exclude one class of citizens from industries, lawful in other respects, in order to protect another class against competition. (People vs. Marx, % N. Y., 387.)

If the principle contained in this bill is recognized by Congress, its result will be the arraying of one industry against another, placing the weaker at the mercy of the stronger. It will not be a "survival of the fittest" of the competing industries, but a survival of that which is supposed to control the greater influence at the ballot-box. A short time since the National Butchers' Association held a meeting in my State. They have a supposed grievance against the shipment of dressed beef from the great West to the East. This new industry has sprung up in the last few years. It has rapidly increased. The following table will show its growth from 1880 to 1884 inclusive:

	1880.	1881.	1882.	1883.	1881.
To New York To Philadelphia To Baltimore			Tons. 2,633 448 879	Tons. 16, 365 8, 601 4, 158	Tons. 34,955 12,815 4,282
To New England, including Boston	15,680	75, 250	89, 150	116,747	121,015
Total	15,680	75, 259	93,110	145, 871	173,067

It is estimated that over 200,000 tons were shipped in 1885. This innovation has diminished the price of the stall-fed ox of the East, but it has increased the price of the Western steer, giving to the people of the Atlantic seaboard cheaper beef. Kansas City and Chicago supply New York and other Eastern cities with their dressed beef. This enterprise gradually but surely shut up a majority of the small slaughter-

houses of the country, necessarily throwing many butchers out of employment. The cry against this Yankee innovation but a few years since was nearly as great as that now raised against oleomargarine, Charges were then made against this industry by those who knew nothing of what they were talking about equal, if possible, in extravagance to many of the charges made against the eleomargarine manufacture during this debate. It was asserted that the people of the seaboard were being poisoned by the diseased meats shipped from the West; that cattle afflicted with "Texas fever," the "black-leg," the "big jaw," and every other disease that the bovine kingdom is heir to, were being slaughtered and their poisoned carcases shipped in refrigerating cars as dressed beef to the East. Prejudice at length gave way to rea-The people of the Atlantic seaboard have learned that the West gives them better beef than they ever had before and for less money,

Nevertheless the butchers complain their business has been disturbed. They are unable to compete with the big packing houses. They should come to Congress and demand that a tax of 10 cents a pound be levied on all dressed beef shipped from the West to the East. This in the name of protection. The shipment of dressed beef gave an additional impetus to the business in the packing houses of Chicago and Kansas City, the great live-stock centers of the United States. The 60 pounds of suet taken from each animal had either to be tried into tallow or manufactured into oleo, from which a pure, wholesome substitute for butter is made. The value of the steer was enhanced to the farmer \$2 or more if the suet was manufactured into oleo, making an advance in the cattle received at Kansas City in the last seven years of \$8,448,466. This amount was paid to the farmer in excess of whathe would have received had not the suct of the animal been utilized.

It is urged that our foreign market for natural butter is ruined by the export of oleomargarine. In the last three years we exported \$13, \$38,913 worth of oleomargarine, while in the same period we only ex-

ported \$9,685,072 worth of butter.

It was manufactured, sold, and exported as oleomargarine. ple of England and other countries look upon it as a blessing, furnishing as it does a cheap, wholesome substitute for natural butter. Gentlemen claim that the butter market is paralyzed by the exportations of olcomargarine. Yet one of the purposes of this bill is to increase the exportations of that product. It is expressly provided that it shall It is expressly provided that it shall pay no tax when removed from the manufactory for the purpose of export. They would have this for a product furnished the consumer in England at 12 cents less a pound than to the consumer of our own coun-To insure this result the foreign manufacturer, if he ships his oleomargarine to our shores, is taxed 15 cents a pound. Oleomargarine made in the United States intended for use here is taxed 10 cents a pound to protect dairy butter, foreign oleomargarine is taxed 15 cents a pound to protect the home production; this is double-barreled, backaction protection.

Mr. Chairman, there are some other features of this strange bill that

I desire to notice briefly, and I am done. If it should become a law an army of additional office-holders will of necessity be created. It clothes the Commissioner of Internal Revenue with unusual and autocratic powers. His decree as to what substances, extracts, or compounds are to be taxed is made final. His construction of the law is conclusive. From his decisions, however arbitrary or tyrannical, there is and can be He is given more than kingly powers, and the principle no appeal.

"that the king can do no wrong" is freely recognized.

The due process of law by which a citizen may be deprived of his property under this bill is the will of the Commissioner. I do not share in the blind confidence as to the infallibility of that officer. His powers are not restricted to the product that is made taxable. He may by his agents invade the dwelling, the store, the shop, the dairy the manufactory in any State in the Union, and if any oleomargarine intended for human consumption be found therein which in his opinion contains ingredients deleterious to the public health, he is invested with plenary power to forfeit such product to the United States. Subject to the limitation that the citizen is granted the right to come to Washington and get the decision of a board composed of the Surgeon-General of the Army, the Surgeon-General of the Navy, and the Commissioner of Agriculture, the decision of that board is a finality on that class of cases.

In that case it is not essential in order for the Commissioner to exercise the police powers of the States that the oleomargarine is intended or calculated to be sold as butter; if in the opinion of the Commissioner it is intended for human consumption in any manner, the evil eye of the Commissioner may forfeit it to the United States. He is constituted the special guardian of the morals and health of the States. If this can be done as to oleomargarine, why then can not Congress invest the Commissioner with like powers as to all articles of food or clothing, found in any State, which in his opinion are deleterious to the public health ?

The States are no longer to be trusted with their police powers; they are to be turned over to an officer or board designated by the General Government. What warrant is there in the Constitution for this monstrons doctrine? In conclusion let me call the attention of the House to section 19 of this bill, which may be called the informer's section. Sir, I had hoped that the day of the informer was past and that his nefarious occupation was gone; that he was never again to be privileged to disgrace our courts with his perjury that he might share in the fines and forfeitures assessed against his victim. I had hoped that the informer, a name and occupation detested by all honest men, would never again be rewarded under the forms of law for his crimes. To secure his reward the professional informer is ever ready, if deemed necessary to obtain a conviction, "to swear without mercy and without end." This creature who pollutes the fountains of justice with his perjury is of foreign origin and flourishes best where the rights of the citizens are disregarded most. I am surprised that a committee of this House should report a bill resuscitating the professional informer with "ravening maw

I would not place the property or liberties of the citizen at his mercy. Yet this bill gives one-half of the fines and forfeitures to the informer. That part of the nineteenth section I apprehend will be stricken out, whether the distinguished chairman of the Agricultural Committee

"gives the sign" or not.

Mr. Chairman, I am not unconscious of the powerful influences back of this bill; yet, entertaining the opinions that I do of such legislation, I should be recreant to my duty and unworthy of the constituency I represent upon this floor did I not vote against this measure.

Protecting Public Lands.

SPEECHES

HON. JOSEPH M. CAREY,

OF WYOMING,

IN THE HOUSE OF REPRESENTATIVES,

June 28 and 29, 1886.

The House being in the Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 39, 1887, and for other purposes, the pending paragraph being, "for the protection of public lands from illegal and fraudulent entry or appropriation, \$90,000"—

Mr. RYAN. I yield to the gentleman from Wyoming [Mr. CAREY]. Mr. CAREY said:

Mr. CHAIRMAN: It is with reluctance that I occupy the time of the committee in relation to the subject under discussion. My excuse is that the questions involved are of the greatest importance to the peo-

ple of my Territory.

In this bill it is proposed to appropriate \$75,000 to prevent depreda-tions on the public timber, \$90,000 for the protection of public lands from fraudulent entries, and but \$50,000 for public surveys; in other words, \$50,000 only is to be appropriated for surveying the public lands in all of the land districts of the United States, when it will require alone for the support of the surveyors-generals' offices, including salaries, &c., during the next fiscal year, \$130,000. Such a policy is poor

The estimates made for public surveys for the next fiscal year require an appropriation of \$300,000. This amount should be appropriated. The lands in the Western States and Territories should be surveyed as rapidly as possible. The deputy surveyors should be paid a sufficient amount per lineal mile to enable them to properly mark and establish each corner with large and permanent stone monuments. These items of appropriation in this bill are in the line of the legislation which is now contemplated by Congress with reference to the public lands; that is, to wipe out the opportunities for the rapid settlement of the West, especially the settlement of the arid regions in the central part of the continent.

DISPOSITION OF THE PUBLIC LANDS.

It is true as asserted that a very large portion of the public domain has passed away from the control of the General Government. The millions of acres with which the United States has parted title are owned, occupied, and being cultivated and developed by the citizens of the Republic. No wiser disposition of these lands could have been made. But it may be instructive to inquire into the system under which the Government has transferred this large acreage. By an examination of the statistics it will be found that the Government, since its organization, has disposed of about 600, 000,000 acres of land. Nearly 70 per cent. of this amount has been disposed of or granted away to corporations, States, and individuals, not to settlers.

The principal items are-

Grants to railroad companies, 169,000,000 acres; under swamp acts to the States, 74,000,000 acres; under the graduation act, 27,000,000 acres, of which the people of the State of the gentleman from Indiana [Mr. Cobb] received some of the beating bounty land to the soldiers and sailors who have fought in the wars of the nation, 61,000,000 acres; under the several acts for the wars of the haton, 61,000,000 acres; under the several acts for the promotion of education, 74,000,000 acres; under various acts to encourage internal improvements, 30,000,000 acres. By a further examination it will be discovered that under the homestead, pre-emption,

timber-culture, and desert-land laws less than 30 per cent, of the lands disposed of by the Government have been entered. These figures do not justify the statement so often made on this floor and in the public press that the lands of the Government have been absorbed or are being rapidly absorbed under the land laws of the United States which require the acts of an individual to make the entry.

DESERT-LAND LAW.

A great deal is said of the abuses which have arisen under the desert-land law. This law has been in force for nine years, and less than 3,000,000 acres of land have been entered under its provisions, of which less than half a million of acres have been patented. Assuming that half a million of acres should be patented each year under this law, it would require nearly sixty years to dispose of as much land as the Government sold under the graduation act at 12½ cents to \$1 per acre. It would require more than one hundred and fifty years to dispose of the same amount of land under the desert-land law as has been given to the States under the swamp-land acts, and would require over three hundred years to sell as much under the desert-land law as has been given to aid in the building of railroads. Of the 700,000,000 acres of the public domain, exclusive of Alaska, remaining under the control of the United States, probably 450,000,000 acres are arid, none of which would produce a crop without irrigation.

The acreage can only be approximated. The vast area is west of the one hundredth meridian. It has been said that it would make a solid body 1,000 miles wide by 1,500 miles long. It comprises the Territories of Montana, Idaho, Utah, Wyoming, Arizona, and New Mexico, and the States of Colorado and Nevada, and parts of the Territory of Washington and the States of Kansas, Nebraska, California and Oregon. Population is already spreading over this country. Emigration from the great States of the East in great numbers has already reached the Rocky Mountains. Great canals and water ways are being constructed for the reclamation of these lands. In my Territory, under the stimulus of the desert-land law, nearly \$1,000,000 has been expended during the past three years in the construction of irrigation works. The acreage can only be approximated. The vast area is west of the

the past three years in the construction of irrigation works.

These improvements are not only expensive to construct, but require a large outlay of money annually for repairs and management. It is estimated that it costs from five to twenty dollars an acre to cut the necessary canals and to construct other works required to successfully reclaim arid lands. It is not probable that the General Government will ever undertake to reclaim these lands or to directly assist in their reclamation. The voting of money for public improvements is as un-popular to-day as it was once popular. The lands must be reclaimed by private enterprise. I do not believe that Congress can be too liberal in its legislation for the disposition of these lands, if liberality in this regard will induce the citizen to undertake the construction of such works as will make it possible to grow corps in the arid regions.

Professor Powell in his report of the arid region says: The arid region is the great Rocky Mountain region of the United States, and it embraces something more than four-tenths of the whole country, excluding Alaska. In all this region the mean annual rainfall is insufficient for agriculture, but in certain seasons some localities, now here, now there, receive more than their average supply. Under such conditions crops will mature without irrigation. As such seasons are more or less infrequent, even in the more favored localities, and as the agriculturists can not determine in advance when such seasons may occur, the opportunities afforded by excessive rainfall can not be improved.

sons may occur, the opportunities allorded by excessive rainfall can not be improved.

The limit of successful agriculture without irrigation has been set at 20 inches (of annual rainfall) that the extent of the arid region should by no means be exaggerated; but at 20 inches agriculture will not be uniformly successful from season to season. Many droughts will occur; many seasons in a long series will be fruitless; and it may be doubted whether on the whole agriculture will prove remunerative.

It is estimated that 90 per cent, of the entire cost of reclaiming arid lands consists of the labor. The size and number of the water ways can only be imagined when it is stated that there must be distributed through such means during each growing season over each acre of land reclaimed and cultivated an average depth of from 10 to 16 inches of water.

PAST POLICY OF THE GOVERNMENT WITH REPRESENCE TO THE PUBLIC LANDS THE WISEST ONE.

You should consolidate all of the legislation proposed by this Congress with reference to public lands and label it "An act to prevent the settlement of the Northwest, the central West, and Southwest." That country is growing, it would appear, too rapidly for the East. icy adopted by the United States in the past that the public lands should be disposed of not for revenue but in such a manner as to encourage their settlement and development has proven to be the wisest of statesmanship. The results of legislation best determine whether such legislation was wise. If you should go back fifty years and inquire into what has been accomplished under the land system of the United States, what has been done for the people of the nation through land grants and under settlement laws, I believe every one of you would say that had you been in this Hall half a century ago as legislators and could have turned over the leaves of the future and have seen the results that would follow, you would have voted for the legislation that has been so produc-

tive of good, but which to-day is so strongly condemned.

No other class of legislation enacted by Gongress has done more for the American nation. Under the liberality of this system, the great empire west of the Alleghany Mountains has been settled and made possible. Under the same system the States and Territories west of the Mississippi River are on the high road of progress. Unless Congress has time to study the whole question carefully and make laws applicable to the new condition of things in the arid regions the present laws should be permitted to stand and the Executive should see that the land officers not only interpret the laws righteously but most liberally. With such favorable conditions, the eight great Territories would soon be prepared for admission as States into the Union.

GROWTH OF COUNTRY WEST OF MISSOURI RIVER.

Bear with me while I call attention to the settlement of a country with which we all have much knowledge. I speak of the country principally west of the Missouri River, north of the Indian Territory, south of British America, and east of the main range of the Rocky Mountains.

Take Kansas first, as the base of the column, a State conceived and born amid many tribulations. The days of her youth were so full of trouble that her history during this eventful period is an important chapter in the nation's life. The first four years of her Statehood brought upon her all the calamities of a civil war. She suffered as a border State. She had in 1864 barely 160,000 population, only \$50,000,000 of wealth, and not a mile of railroad within her borders, and able only to spend a few thousand dollars for school purposes. To-day Kansas has nearly one and a half millions of population, five hundred and fifty millions of wealth, 5,000 miles of railroad. The State expended last year for educational purposes alone two and a half million of dollars. She has expended during her short life as a State nearly \$30,000,000 for the education of her youth. The value of her farm products during that time has been sufficient in amount to pay two-thirds of the national debt. Her growth and her present greatness were made possible by a liberal land system.

Let us go a little farther north and look at Nebraska, the Territorial sister of Kansas. In twenty years her population has increased from 100,000 to 800,000 souls. Her wealth from \$60,000,000 to \$350,000,000. She has within her borders 3,000 miles of railroad. Her public institutions would do credit to a New England State. Her growth has been

made under the public-land system of the United States.

Colorado, with less than 40,000 population in 1870, has grown to be a State of a quarter of a million of people. She has more than two hundred millions of wealth; 3,000 miles of railroad. The energy of her people and the development of her domain show she was fully prepared and entitled to become the first State admitted in the second century of American Independence.

But glance at that great domain which is yet without actual representation in either end of this Capitol, the people of which have not been permitted to be heard in their plea for Statchood on this floor at

this session.

Need I say I refer to Dakota? With one-half million of people, with hundreds of millions of wealth, with enough miles of railroad within her borders to reach from Boston to San Francisco, with good public institutions and an excellent school system in operation in every portion of her borders, she stands forth in her glory as the strongest argu-

ment in favor of the past land legislation.

Last I come to my own Territory, the least because she is the youngest. I feel it an honor to live within her borders and to be one of her people. She was carved out of the sage brush country in the arid regions in the heart of the great American desert. She had only a few thousand resident population in 1869, the date of her organization; she has to-day nearly 75,000 population. She has eighty millions of wealth, and by the end of the present year will have 1,000 miles of completed railways. She supports one hundred and twenty schools, the most of which are open for nine months in the year, by direct taxation under a system compelling every child to attend school. Vast enterprises have been undertaken by her people. The young blood, buoyant spirits, energy, and genius of her population are rapidly overcoming the difficulties which at one time appeared insurmountable so far as her settlement was concerned.

The five political divisions named make a grand column to bear testimony to the statesmen who inaugurated the land system of the United States. No monument can be more prominent and more enduring than the history and growth of the country described under the direction of the pioneers, encouraged by the liberal land laws.

If you will bring together all of the statistics of Kansas, Nebraska, Colorado, Dakota, and Wyoming, you will find that there is to-day in these States and Territories more free population, more wealth, and greater possibilities than could be found in the thirteen original States after they had adopted the Constitution under which we live.

Against the the cry repeatedly made that foreign lords and princes have absorbed much of the public domain in the countries named, I need but say that the native-born population bears the ratio of at least 7 to 1 to those of foreign-born, and that the number of the latter class who do not hasten to become good and patriotic citizens of the Republic is too trifling to take into account.

The percentage of the property owned by those of royal blood is too insignificant to be used by a politician as a bugbear to frighten even a most ignorant constituency. The property is owned and controlled by those who desire to be known by no higher title than that of American citizens. [Applause.]

Wednesday, June 30, 1886.

Mr. CAREY. Mr. Chairman, I move to amend by striking out the

last word of the paragraph.

Mr. Chairman, during this entire session I have listened to the abuses which have been heaped upon the men who are engaged in the cattle industry in the Western States and Territories, and thus far no man has on this floor defended this class of people. I am familiar with the men who are engaged in that business in an area of country at least 600 miles wide and 1,000 miles long. I am personally acquainted with very many of them. I have had the honor to be a member and the presiding officer of probably the largest active stock-growers' association in the world. This association represents at least one hundred millions of wealth invested in cattle, horses, and sheep in the arid regions of the United States. The members of this association come from twenty-five States and Territories.

The men who conduct this business are just as honorable and upright, have as much business honor, love their country just as well as the members of this House. They have as high a regard for the sanctity of an oath as either of you. They would no sooner attempt to induce others to commit perjury than would honest men elsewhere. Having cast my first vote in the district now represented by the hon-

Having cast my first vote in the district now represented by the honorable chairman of the Committee on Appropriations [Mr. RANDALL] I soon thereafter went West, and have spent about all my manhood there. I have been and am acquainted with the men of that country. If I went to that country an honest man, I am just as honest now as I was then. Association with the people in the West does not make men dishonest; it makes them more ambitious, more energetic, and more patriotic. The men who go West are representatives largely of the industrial classes from all of the States of the American Union. We have men there from the plow, from the workshop, from the counting-room, from the colleges, and from the mines. They are the offspring of your own households, and whether they come from the plantations of Georgia, from the tobacco fields of Virginia, the mines of Pennsylvania, the factories of New England, or the farms of Illinois they are equally welcome.

The pioneers of my country are intelligent, energetic, honest American citizens. Nothing good has been said of them. Sensational reports are the basis of your judgment so far as this people is concerned. A few years ago some villain, or wag, probably the latter, put a notice on a fence-post, somewhere I think in Kansas, threatening to shoot off the top of the head of any man who might break down the inclosure. This notice has been the subject for many newspaper articles and the text for demagogic speeches without number. I have heard nothing on this floor that is good of the people of the great live-stock country in the West. I have ridden over thousands of miles of that Western country. I have stopped and read the kind of notice that I hold up in my hand. This notice, you will see, is on heavy card-board, of a bright color, at least 8 inches wide and 16 inches long, printed in letters so large that he who runs may read. [Applause.]

[Here the hammer fell.]
Mr. CANNON obtained the floor and said: Mr. Chairman, I yield to
the gentleman from Wyoming.

Mr. CAREY. I thank the gentleman from Illinois on behalf of my people for his kindness.

Several MEMBERS. Read the notice.

Mr. CAREY. This notice is in the following words:

NOTICE.

All persons are hereby notified that this fence is not erected as a barrier to any party or parties who may wish to enter this inclosure for any legitimate purpose, settlement by pre-emption, or otherwise, the owners merely requesting that entries be made through one of the numerous openings.

I defy any man to produce any testimony except that of liars and perjurers to show where any man has been prevented from settling on any section of land in my Territory where he has had a right to settle, by any combination of cowboys or cattle-men.

by any combination of cowboys or cattle-men.

Mr. Chairman, we speak of the "iron age," the "golden age," and various periods in the history of the world. This present age, I believe.

will be spoken of as the age of demagogism.

A MEMBER. The "age of brass."

Mr. CAREY. There are men who belong to a party for a day. They sit upon a plank which they call a platform, always well oiled with some "ism," on which they can slide from one party to another. If it best suits their purpose they can be members of the Greenback party, of the anti-national-bank party, or of the labor party to-day, and to-morrow they can slide over into the ranks of a dominant political party and make earnest claim that they are in good standing in its ranks. It is this class of men who are trying to get up a new "ism;" and to-day their attacks are constant and repeated upon those who happen to be engaged in the stock industry in the Western States and Territories. Their motto is, "Down with cattle-kings, cattle syndicates, and cowboys."

Farming and cattle-growing are so closely allied that both are classed as agricultural pursuits. Both are very honorable and necessary industries, and each is worthy of the greatest encouragement. To raise cattle, horses, and sheep on the plains is just as respectable, no more so, as to plow and harrow the ground and grow corn in the Wabash Valley.

The country needs more beef. While the annual supply of grain and other farm products is so great that it scarcely pays to cultivate, the facilities for producing sheep and beef become less each year. The ratio of the production of corn, wheat, barley, and oats to the popula-tion becomes greater each harvest. The ratio of beef supply to the population is less than before the civil war and must become less each year. Everything we wear is cheap. The necessary articles that go upon our tables are as a rule very low in price with the exception of beef, which is so expensive whether on the table of the rich or the poor that it is indeed entitled to be classed as a luxury.

The statistics show that 30 per cent of all the beef sold in the great distributing markets of Kansas City, Saint Louis, and Chicago comes from the country west of the Missouri River. So important a part does that country play in the beef supply of the nation, that it is stated in the report of the Bureau of Animal Industry for 1885 that should this supply be cut off it would produce a beef famine in the United States. It is estimated that the steers brought from the plains and mountains to be fattened and prepared for the Eastern markets consumed not less than 5,000,000 bushels of surplus grain for which there was no market in the States of Missouri, Kansas, Nebrasta, and Iowa, during the last Year.

GRANGERS AND "COWBOYS,"

I want to state to the members of this House that there is no clashing between the farmers and cattle-men in my country. The broad gates of her plains stand wide open, inviting every class of people to come and make therein homes for themselves and their families. hear of difficulties existing there when we read the speeches and the newspaper articles that are prepared in the East. I want to say further to you that the cowboy of the Eastern newspaper is largely a creature of the imagination. The men who work with and take care of the cattle on the plains known as "cowboys" are young men, the sons for the most part of farmers of the Eastern, Western, and Southern States. They are a brave and generous class of young men. No sailor or soldier was ever more faithful in performance of duty than the "cowboy" of my country. During the past fifteen years I have known hundreds and hundreds of them, and I do not believe that you can find among any class of men engaged in any employment in the East fewer dishonest men than among that class of men in my country that we call "cowboys." They are too fond of fair play to interfere with any class of They come from too intelligent a class to be made the dupes of their employers if their employers should attempt to use them for dishonest purposes. They live a free and generous life, and as they grow older drift into other pursuits. In my country it is not a disgrace to be called a "cowboy."

In the Territory of Wyoming, wherever there is a valley that can be

cultivated, a good class of farmers are settling it and are receiving a most hearty welcome. The pioneers of Wyoming, whether you class them as cattle-men, cowboys, or grangers, will compare favorably with any class of men who ever went to either one of the States of the great West to better their condition in making homes for themselves and their families.

It comes with poor grace from the gentlemen in the States east of the Mississippi River to cast, by exaggerated statements, reflection upon the reputation of the men who have gone west of the Missonri River as settlers.

The people of Wyoming until 1878 were not safe with their lives or property in any section of that Territory. The cattle-men had to go well armed to protect their lives and their property from tribes of savages that were fed and clothed and supplied with the best improved arms by agents of the General Government. These cattle-men have made life and property as safe in that Territory as it is in any State in the Union. They have assisted in every worthy enterprise. Go among them and see what they have done and you will praise and not condemn them. You should not forget that the pioneers from the day of Braddock's defeat have had to fight and conquer every foot of soil west

of the Alleghany Mountains.

I have no doubt land frauds have been committed in every year since this Government commenced to dispose of its lands, but the per centage of frauds after all have been so small that they are scarcely worthy of consideration. I say to the gentleman from Indiana [Mr. HOLMAN] that I believe there were more frauds committed under the swamp acts in the State of Indiana than all the frauds that have ever been committed under the pre-emption, desert-land law, and timber-culture laws west of the Missouri River. This is equally true of most of the States that received lands under the swamp act. A frog pond or a puddle of water was sufficient out of which to make four sections of swamp land. [Laughter.]

Mr. RANDALL. In those days land was entered at one dollar and a quarter an acre.

Mr. CAREY. Yes, sir. But if you take the figures you will find that nearly 75,000,000 of acres were given to the States under the swamp-land acts. Florida alone obtained 15,000,000 of acres, Illinois 3,000,000, Indiana 1,300,000, Louisiana 8,000,000, Michigan 7,000,000, Misson 4,000,000, and so on through the Missouri 4,000,000, Wisconsin over 4,000,000, and so on through the list. Congress has been so generous with her lands in the past that

you can at least afford to be just, so far as the settlers of the day are concerned. If your constituents will not permit you to be generous to these people, since they have gone from your own home, you will at least see that they have fair play, and that the laws which affect them are not interpreted for their persecution.

Mr. HOLMAN rose.

Mr. CAREY. I am only given five minutes and I can not yield. The West is not understood; the population moves rapidly forward, and a great rush at a land office to enter lands is at once interpreted as an evidence that great frauds are being committed. The lands are without value until the settler makes them valuable. The more people come the more valuable each tract becomes. As soon as a country has arrived at a certain condition of settlement every man that has the right to enter land is anxious to avail himself of the privilege which is his

under the law. I believe that in ninety-nine out of every hundred entries made the intention to comply with the law in every respect is an honest one. The Rocky Mountain region is but little known by the people of the

East. The lands open for settlement there are not like the lands the Government sold and gave away, which had only to be tickled to produce a crop. Each acre of arid land requires hard work to turn it into a productive field. I quote the following extract from the Salt Lake

Tribune:

It is a sadly comical spectacle to see the American Congress undertake to handle the desert-land question. Members approach the question with a vague fear that the country will discover how little they know of the business, but in a day or two they are declaring with a mighty pathos against the policy which is so swiftly transferring the public domain in vast blocks to greedy land speculators. If the spectacle is sadly comical in Washington it would be a comically sad one to see one of those eloquent members compelled to make a living from 640 acres of desert land. What new ideas he would obtain if put to the test; how his respect for the public domain would break down; how he would change his views; how much his pocket would be depleted and his brain expanded by a year's trial of reclaiming desert land. With what pertinacity these men of the Last assume that if Western people are not out and out thieves, they are at least playing for unjust advantages. playing for unjust advantages

Notwithstanding the many difficulties, through the energy of our people the country in the Rocky Mountains is making rapid strides for-

Two weeks ago I read a letter saying a new town site had been surveyed on the North Platte River, Wyoming, in advance of the building of the Wyoming Central Railroad; that I should see in the establishment of the post-office that the name given the new town was the one selected by the people. The next mail brought an application for authority to authorize the organization of a national bank in the new town with \$100,000 of paid-up capital. In the same mail came an eight-page newspaper which had been printed in the town which had wisely been christened "Douglas,"

Mr. Chairman, two public men have lived in this century who were pioneers in the truest sense of the word. Each left humble homes, one in the North, the other in the South, and went to what was then the far West to better their condition. Representing different schools of politics, they became great leaders of men and parties. Their eloquent tongues were ever heard and their votes were always given in favor of liberal land laws and generous treatment of the people of the West. Their names will be known and revered as long as this Government shall last—I speak of Clay and Douglas. [Applause.] So deeply has their history been impressed on the hearts of the pioneer classes that almost every Western State and Territory has honored towns and counties with their imperishable names.

The land legislation must become as important in the future as it has been in the past. While I stated in my remarks yesterday that this Government had disposed of 600,000,000 acres most wisely, I have no hesitation in saying it will require broad and liberal laws to dispose of the 700,000,000 acres, including Alaska nearly 1,100,000,000 acres, remaining. Under the present land laws patents should be issued to those who are entitled to them, and every advantage should be afforded to those who settle the lands or by irrigation works make their settlement possible. Governor Warren, of Wyoming, in his report to the honorable Secretary of the Interior, ably says on this subject:

the honorable Secretary of the Interior, ably says on this subject:

While presenting the case of necessary aid for pioneer and bona fide settlers, I most respectfully recommend that the rules and regulations respecting the proving up upon public lands be generously and leniently applied, if the applicant be working in good faith. While fraud should not be tolerated nor fraudulent land entries permitted, the deserving applicant should receive every assistance and prompt issuance of United States patent for his land.

The settler, presumably poor, grows poorer in ready money while making the necessary improvement upon his land, in order to obtain title, and he is often compelled to borrow money to get his start, buy live-stock, implements, seed, &c., and with his patent to his land and consequent good security to offer, he can borrow money at living rates, when if delay in title occurs he is compelled to pay ruinous rates of interest until his entire plant is sacrificed. It special land agents are to be employed to inspect each entry, and the land under it (and there should be no objection to that), the number of such agents should be greatly increased, to the end that inspection may immediately follow final proofs. And the force where these patents must issue from should also be so increased that patents could immediately follow final proofs and favorable report of special agents.

Many a settler is compelled to leave his claim immediately upon final proof in order to earn by day or monthly labor sufficient means with which to continue improvements until his land is productive, and to support his family, and the inspector who visits his claim during this period of semi-abandonment might very naturally, and honestly enough, do the absent settler an injustice.

The Navy.

SPEECH

HON. GEORGE D. WISE,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 18, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8975) making appropriations for the naval service for the fiscal year ending June 30, 1887, and for other purposes—

Mr. WISE said:

Mr. CHAIRMAN: I did not propose to occupy the attention of the House during the pendency of this bill, preferring to wait until that for the increase of the naval establishment shall have been reached. But as it is possible, if not probable, that that measure may not receive consideration during this session, I have come to the conclusion to sub-

mit what I have to say in reference to it at this time.

I will not follow the honorable gentleman from Iowa [Mr. Hefburn] in the discussion of the issues of the war. I regret exceedingly that my friend from Alabama [Mr. Wheeler] furnished him the occasion. During the consideration of this bill making appropriations for the naval service for the fiscal year ending June 30, 1887, he has detained this House for nearly two hours with a revival of the memories of our civil conflict. No good can and much barm may result from attempts to rekindle the passions and prejudices of that unhappy period.

I have looked into the Congressional Directory and find there Mr. HERBERT. I hope the gentleman will not discuss that ques-

Mr. WISE. No; I am not going to do it. I find in the Congresstonal Directory a brief sketch of his life, in which it is stated that he was in the military service of the United States during the civil war. I do not question its accuracy, as it is to be presumed that the facts were furnished by himself. I do not doubt that he was a soldier of credit and renown, and have no disposition to depreciate his services, but I do not believe that such sentiments as have been uttered by him

will receive the approval of his fellow-citizens in Iowa.

This morning I received a communication from the Grand Army of the Republic, which I will insert in the RECORD, not having time to read it. It is an appeal to the representatives of the South on this floor to vote in favor of increasing the pensions of the wounded and disabled soldiers of the Union Army. In this we are assured that the brave de-fenders of the country stopped fighting when the war was concluded. To their honor, be it said, the people of my section have seldom heard from their lips bitter reproaches and revilings, and have often been cheered by their kindly acts. Generosity and magnanimity are characteristic of the truly brave.

Headquarters United States Maimed Soldires' League, 1262 Cheshnit Street, Philadelphia, Pa., June 18, 1886.

Dear Sir: The traditional generosity and kindliness of the Republic, Pa., June 18, 1886.

Dear Sir: The traditional generosity and kindliness of the Republic, Pa., June 18, 1886.

Dear Sir: The traditional generosity and kindliness of the Republic, Pa. Among these old soldiers, the men who lost legs and arms in the line of duty, have always joined heartily in admiring those time-honored characteristics. These men are at present as a class suffering severely from the effects of their wounds and physical debility. Their wants and necessities now appeal to your feelings of humanity to concede a small advance in the rates of their pensions as provided for by Senate bill No. 2056. This bill passed the Senate unanimously; and in their behalf we feel it to be due to you as a Representative to personally ask your support of the measure granting an addition of \$6 per month to this class of your countrymen.

President: John Stewart, U. S. Grant Post, No. 5, Grand Army of the Republic, Philadelphia.

Vice presidents: B. F. Widdecombe, Post No. 45, Grand Army of the Republic, Germantown, Pa.

Secretaries: A. G. Rapp, Post No. 2, Grand Army of the Republic, Philadelphia; James M. Magee, Post No. 12, Grand Army of the Republic, Phanixville, Pa.; Francis A. Osbourn, Post No. 2, Grand Army of the Republic, Phenixville, Pa.; Francis A. Osbourn, Post No. 2, Grand Army of the Republic, Philadelphia.

Treasurer: J. H. R. Story, Post No. 2, Grand Army of the Republic, Philadelphia.

Hon. George D, Wise.

Hon. GEORGE D. WISE

I will say now and here as my response to that appeal, pensions for the brave soldiers who received wounds or incurred disabilities in the service of their country; contempt for those who malign and spitefully use us.

The gentleman from Iowa has sought many occasions during this Congress to make flings at the men of the South. He knows that we are constrained to silence. In dismissing this subject I commend to his careful consideration the words of the old soldier "who stopped fighting when the war was concluded," and the imitation of their example. Brave and honorable men never strike a prostrate foe. Ido not know what part he bore in the Union Army except as I find it written in the Congressional Directory.

Mr. JOHNSTON, of Indiana. I hope the gentleman will not feel constrained, as he has stated, but will talk just as he feels.

Mr. WISE. The gentleman may rest assured that I will utter my feelings and thoughts without reserve. When I used the expression "that we are constrained to silence" I meant that we are not going to fight over again the issues of the civil war. I repeat, I do not know what part the gentleman from Iowa bore in that conflict, but it is certain that there are upon his person no scars as evidence of the fact that tain that there are upon his person no scars as evidence of the fact that he ever led a desperate charge, and, judging from his conduct here, I do not think that he ever will.

Mr. HENDERSON, of Iowa. Will the gentleman allow me a word?

Mr. WISE. Yes, sir.

Mr. HENDERSON, of Iowa. The gentleman may bear no scars, but I will say to him that no soldier from Iowa was ever more in the front where scars could have been received than my colleague. Mr. WISE. I do not know anything about where the gentleman

Mr. HENDERSON, of Iowa. But I ask, in view of the fact I have stated, that no slurs be cast upon my colleague.

Mr. WISE. I take his history as written by himself, and surely tho biographer can not be said to have been unfriendly-

Mr. WARNER, of Missouri. General Grant bore no scars.
Mr. DORSEY. Nor Phil. Sheridan.
Mr. PERKINS. And the same may be said of many other gallant

Mr. WISE. There is no occasion to pursue the subject further. Yesterday my honorable friend from Connecticut [Mr. BUCK], while commenting upon the statement of the gentleman from Alabama [Mr. HER-BERT] that the appropriations for the naval service for the next are considerably less than those for the current fiscal year, said that the difference is more apparent than real, and undertook "to show that, so far from there being a less amount appropriated in this than in the bill of last year, there is really more if we take into consideration the recommendations of the new-ship bill." In this connection he called attention to the fact that certain items are included in the bill for the increase of the naval establishment which might have been embraced in this.

I did not understand him to assert that it was improper to have placed them where they are, and I do not suppose that he meant to allege that the Committee on Naval Affairs, or its chairman, intended thereby to mislead the House or the country. He is too fair and liberal to indulge in imputations of that character. But his purpose seems to have been to prevent us, as he stated it himself, from making use of the transfer of items "as being in the line of economy." The chairman has told him that he has "never said we propose to appropriate less than was appropriated last year, taking the two bills together," this

and that for the construction of new ships.

So far as I am concerned I will take this occasion to say that I am in favor of liberal appropriations for the Navy, and do not care whether this carries more or less than former bills.

When assisting in its preparation I was actuated by no other consideration than to give enough to make the Navy useful and efficient, and I will go as far as any member on this floor to add to and increase But I call attention to one fact not mentioned by him, that since 1868 more than seventy-five millions have been expended to build and maintain a navy, and we have nothing to show for it. I do not allude maintain a navy, and we have nothing to show for it. I do not and to the annual appropriations for the naval service, but, in addition to them, seventy-live millions have been expended on the construction, repair, equipment, and ordnance of vessels during the last twenty years, and we are without a ship to compare with some in the navies of other nations. In the language of the Secretary of the Navy, this vast sum "has been substantially thrown away."

Mr. GOFF. Since what year does the gentleman refer to? Mr. WISE. Since 1868.

The statement is contained in the annual report of Secretary Whitney. I do not wish to arouse partisan feelings or prejudices, and therefore will not stop to fix the responsibility for this condition of things. I will content myself with the simple statement of facts, and leave the country to judge whether the necessity exists for other and better methods of administration.

The rehabilitation of the Navy and the revival of our merchant marine are subjects of paramount importance and should receive earnest and careful consideration. There is a close connection between them, and in dealing with the one it is not out of place to give some thought

By the encouragement of our ship-building and ship-owning interests and the development of a flourishing mercantile marine we would provide an efficient and powerful naval reserve from which to draw in times of peril and danger. We would thus secure not only a large commercial fleet, easily convertible upon occasion into ships of war, but what is of equal if not greater importance, a band of trained, disciplined, and experienced sailors.

In dealing with these subjects we should endeavor to rise above those considerations which usually influence our actions as members of political organizations, and recognize the duty to place the country in a condition of defense and provide facilities and protection for our vast and

increasing commerce

The people of the United States, with singular unanimity, are in favor of inaugurating a policy of naval and commercial progress, and all efforts directed to the accomplishment of those objects will receive their hearty approval. In this connection I will say to my political friends, who constitute the majority of this House, that they will be held responsible for any failure to satisfy the just expectations of the people. In my humble opinion we can not do anything which would contribute more to secure for us the continuance of the confidence and support of our constituents than the pursuit of these objects with intel-

ligent zeal.

We must have a navy for the defense of our seacoast, if not for aggression for the support of American policy in matters where foreign governments are concerned, and for the security and development of our commerce. We can not expect to have either a mercantile or a belligerent navy so long as we shall continue to depend upon foreign ships for the carriage of our exports and imports. The fact stares us in the face that the monopoly of our foreign carrying trade is enjoyed by ships which do not float the American flag; but from this it must not be inferred that our commerce is inconsiderable. On the contrary, it is immense, and steadily increasing, amounting annually to more than \$1,500,000,000. But the share of it carried in American vessels has steadily decreased since 1840 until it has reached the point of constituting a very small per cent. of the aggregate.

During the second session of the Forty-seventh Congress a joint select committee was appointed "to inquire into the condition and wants of American ship-building and ship-owning interests, and to investigate the causes of the decline of the American foreign carrying trade, and to suggest any remedies which might be applied by legislation," &c. In the able report submitted by this committee the astounding statement is made that little more than 15 per cent, of our exports and imports were carried in American vessels during the year 1882. I have not the statement for the present year, but am satisfied that a less per cent.

is carried now

Mr. FELTON. It is less—only 14 per cent. and a fraction.
Mr. WISE. It is less, the gentleman says. Formerly the shipping interests of the country were second in importance only to agriculture.

To exhibit to the House and the country its past and present condition, and to convey some idea of the necessity for the immediate application of vigorous measures to arrest, if possible, the speedy progress of decay, I insert here the following figures, for each semi-decennial year since 1840, relating to American shipping, taken from the report referred to:

Years.	Tonnage in foreign	Tonnage in const-	Value of exports	Per cent, carried in	Per cent, curried in	
	trade.	wise trade,	and imports.	American vessels.	foreign vessels.	
1840	702, 838	1, 176, 694	\$231, 227, 465	82. 9	17.1	
	904, 476	1, 223, 218	231, 901, 170	81. 7	18.3	
	1, 439, 694	1, 797, 825	530, 037, 038	72.5	17.5	
	2, 348, 358	2, 543, 255	536, 625, 366	75. 6	14.4	
	2, 379, 396	2, 644, 867	762, 288, 550	66. 5	33.5	
	1, 518, 350	3, 381, 522	604, 412, 966	27. 7	62.3	
	1, 448, 846	2, 638, 247	901, 896, 880	35. 6	64.4	
	1, 515, 568	3, 219, 698	1, 219, 434, 544	25. 8	74.2	
	1, 514, 402	2, 637, 686	1, 613, 770, 633	17. 4	82.6	
	1, 297, 035	2, 646, 011	1, 675, 024, 318	16. 0	84.0	
	1, 259, 492	2, 873, 638	1, 567, 071, 700	15. 5	84.5	

The year 1855 marked the "inception of the period of decay and retrogression." Prior thereto only a few iron steamships for ocean trade had been constructed, and our foreign commerce was carried principally in wooden sailing vessels. It was then that iron began to take the place of wood in the construction of ships for purposes of ocean transportation, and steam to be used for their propulsion instead of Up to this time, having cheaper materials for ship-building than any other maritime nation, we were able to enter into competition for the foreign carrying trade upon terms more favorable than those which now confront us.

I have not the time, Mr. Chairman, to pause to search for the causes of this decline and decay. Nor would the inquiry be in harmony with my present purpose, which is to call attention to the necessity of providing means for national defense and to urge early and favorable consideration of the bill for the increase of our naval establishment.

In this connection it will be interesting to state briefly what has been done in recent years toward the construction of a navy. In June, 1881, Secretary Hunt detailed a number of experienced and accomplished done in recent years toward the construction of a navy. officers to consider and report upon the need of appropriate vessels in the service. This advisory board confined its deliberations to the consideration of providing means for "the present exigencies of the Navy,"

built for the defense of the country in time of war, having determined that they were not within the scope and intention of the order by which it was created.

In the report, submitted November 7, 1881, this board expressed the opinion that seventy unarmored cruisers were required to perform efficiently the work of the Navy, "for surveying, deep-sea sounding, the protection and advancement of American commerce, exploration, and the protection of American life and property endangered by wars be-tween foreign countries." In addition to these, they decided that a pressing necessity existed for the construction of a limited number of rams and torpedo vessels, to provide the means for the defense of the country in the event of a sudden emergency.

I insert here a summary of the number, class, type, and cost of the vessels recommended to be built immediately:

Vessels recommended to be built immediately:

Two first-rate steel double-decked unarmored cruisers, having a displacement of about 5,873 tons, an average speed of 15 knots, and a battery of four 8-inch and twenty-one 6-inch guns; cost \$3,500,000.

Six first-rate steel double-decked unarmored cruisers, having a displacement of about 4,500 tons, an average sea speed of 14 knots, and a battery of four 8-inch guns and fifteen 6-inch guns; cost \$8,532,000.

Ten second-rate steel single-decked unarmored cruisers, having a displacement of about 3,043 tons, an average sea speed of 13 knots, and a battery of twelve 6-inch guns; cost \$9,200,000.

Twenty fourth-rate wooden cruisers, having a displacement of about 793 tons, an average sea speed of 10 knots, and a battery of one 5-inch and two 50-pounders; cost \$4,300,000.

In addition to these cruisers, it was recommended to build five steel rams of about 2,000 tons displacement and an average sea speed of 13 knots; cost \$2,500,000.

500,000. Five torpedo gunboats of about 450 tons displacement and a maximum sea speed of not less than 18 knots, and one heavy powered rifled gun; cost \$725,000. Ten cruising torpedo boats, about 100 feet long, having a maximum speed of not less than 21 knots an hour; cost \$380,000. Ten harbor torpedo boats, about 70 feet long, having a maximum speed of not less than 17 knots per hour; cost \$250,000.

The conclusions of this, the first advisory board, reached after careful and laborious investigation of the subjects submitted for its consideration, were communicated by the Secretary of the Navy to Congress at its next session. This intelligent effort on the part of the Department in the direction of inaugurating wise measures for the rehabilitation of the Navy has from time to time been supplemented by Congress, but not, in my humble judgment, to the extent demanded by its impor-

In the naval appropriation bill approved August 5, 1882, authority was given to build one each of the last two types enumerated, and the Secretary of the Navy was empowered and directed to organize a board of naval officers and experts, whose duty it should be to advise and assist him in all matters relating to their construction. This "naval advisory board" was organized November 13, 1882, and as the result of their advice and the recommendations of the Secretary of the Navy based thereon Congress provided in the naval appropriation bill approved March 3, 1883, for the construction of the steel cruiser of not less than 4,300 tons displacement (Chicago) already specially authorized by the act of August 5, 1882, and in addition provided for two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement each (Boston and Atlanta), and one dispatch boat of 1,500 tons displacement (Dolphin). On the advice of said board the larger cruiser authorized by the act of August 5, 1882, was omitted.

From a recent letter addressed by the Secretary of the Navy in response to a resolution of the House calling for information concerning the progress made in the construction of these vessels it appears that their hulls and machinery are well advanced toward completion, but that their armament may be delayed "partly by the unavoidable dif-ficulties attending the execution of the work and partly by the lack

of sufficient appropriations.

By an act approved March 3, 1885, Congress authorized the construction of four additional vessels, two cruisers of not less than 3,000 nor more than 5,000 tons displacement, one heavily armed gunboat of about 1,500 tons displacement, and one light gunboat of about 800 tons displacement. As to these we have been informed in the communication from the Sccretary referred to that the plans of none of them have been completed, but that satisfactory progress has been made, and the construction of all of them can be commenced within three or four

After this brief sketch of legislative and departmental action in the direction of providing new ships, let us turn to the official register to see what we have. It exhibits a beggarly account. In the list of scrviceable vessels, propelled by screws and paddles, we find one firstrate, ten second-rates, nineteen third-rates, and five fourth-rates. In addition to these we have fourteen fourth-rate ironelads, all requiring more or less repairs to make them serviceable, and one under sentence of condemnation, and twelve wooden sailing vessels. The five new double-turreted monitors, although faunched, are awaiting appropriation for completion.

This is the American Navy, with the exception of several receiving ships, unfit for further sea service, two torpedo rams, and a few fourthrate tugs. The Secretary of the Navy in his annual report to Congress

and made no recommendations concerning the types of vessels to be at the present time that could be trusted to encounter the ships of any impor-

tant power—a single vessel that has either the necessary armor for protection, speed for escape, or weapons for defense. This is no secret; the fact has been repeatedly commented upon in Congress by the leading members of both parties, confessed by our highest naval authorities, and deprecated by all.

We are without ships for offense or defense; and as to our fortifications, they are practically useless and incapable of resisting the attacks of modern artillery. We are surrounded by the naval stations of Great Britain, the most powerful maritime power in the world, and pos ing the largest facilities for the construction of vessels of every kind, the material, the plant, the shops, the tools, the appliances, "and, what is equally important, the experience resulting from the constant production of such work." In England the keels of one hundred fighting ships of the best types could be laid at once and speedily completed.

I find in a report submitted by the honorable gentleman from Pennsylvania [Mr. RANDALL] from the Commission on Ordnance and Gunnery a statement by a member of the firm of William H. Wallace &

Co., iron merchants of New York, that-

There is not to-day in the United States a plant capable of producing armorphate of the thickness, the width, the length, the weight, and quality demanded by the navies and for the fortifications of to-day.

We are far behind in iron-ship building, and are without experience in the production of guns of the largest caliber. With these facts staring me in the face, I can not agree with the statement made here in April last by my honorable friend from Indiana [Mr. HOLMAN] that the country "was never in as perfect a condition of defense as it is

now."

We are certainly not prepared to enter upon an aggressive policy should an occasion arise, nor are we for defense should we be attacked by any first or even second rate power. Such is our geographical position, such our resources and numerical strength as to insure immunity from attack by land.

Although our standing Army is insignificant, there is an innumera-ble host of disciplined and trained soldiers ready to respond to any call for the maintenance of the rights, the protection of the interests, and the defense of the honor of the country. The danger lies in the direction of fleets and squadrons, heavily armored ships with terrible armaments. A million of soldiers with the best equipment could offer no resistance to these. We have a long line of seacoast (5,700 miles in extent), and we are without the means of defending it.

Mr. Tilden, one of the ablest of our living statesmen, in a letter ad-

dressed to the Speaker of the House, says:

dressed to the Speaker of the House, says:

The property exposed to destruction in the twelve scaports—Portland, Portsmouth, Boston, Newport, New York, Philadelphia, Baltimore, Charleston, Savannab, New Orleans, Galveston, and San Francisco—can not be less in value than \$5,000,000,000. To this must be added a vast amount of property dependent for its use on these scaports. Nor does this statement afford a true measure of the damage which might be caused to the property and business of the country by a failure to protect these scaports from hostile naval attacks.

They are the centers not only of foreign commerce, but of most of the internal trade and exchanges of domestic productions. To this state of things the machinery of transportation of the whole country has become adapted. The interruption of the currents of traffle by the occupation of one or more of our principal scaports by a foreign enemy, or the destruction of then phybombardment, or the holding over them the menace of destruction for the purpose of exacting contribution or ransom, would inflict upon the property and business of the country an injury which can neither be foreseen nor measured.

It will not do to say that no danger threatens, and give as a reason for the refusal to provide the means of defense that we are safe from attacks by foreign powers. It is true that at present we are upon terms of amity with all the nations of the world, and there are no specks upon the horizon to give warning of a coming storm.

But the maintenance of a naval establishment sufficient for the assertion of our rights is the first step toward the preservation of friendly relations with other nations, and the best guarantee against aggression. We remove dauger to a greater distance by being in a state of preparation, and prolong the period of peace by being ready for the emergency

of war. Our naval establishment should be on a scale adequate for the defense and security of our vast interests, and commensurate with the importance and dignity of the Republic. Of the necessity for its increase there can be no doubt. I am convinced that it ought to precede the reduction of revenue, and that this work should be entered upon

at once.

at once.

There are those who weary our ears with discourses upon the necessity for the practice of economy. While opposed to wasteful extravagance and to appropriations for unnecessary objects, I do not hesitate to commit myself unreservedly to a policy that embraces within its scope the welfare and prosperity of the country. With a surplus of revenue in the Treasury, the present time is peculiarly favorable for placing the country in a condition of security and for providing the agencies to enable its Government to command respect in all its deal-

ings with foreign powers.

This is a period of universal depression, and there are thousands of idle mechanics and laborers watching and waiting for the opportunity to earn bread for themselves and families by the sweat of their brows. In every section of the Union are heard the mutterings of their discontent. The disorders which have appeared are the natural offspring of enforced idleness. By providing for this great national necessity we would do much to relieve them from hard and oppressive conditions

and bring cheer and comfort to thousands of American hearts and homes. The iron and steel industries would receive a new impetus, and the inventive genius of our people would be stimulated to renewed activity. As the result of the pursuit of an intelligent policy in the direction in-dicated we would soon be independent of foreign countries for the supply of the agencies and means of national defense.

The importance of this subject was fully realized by that old patriot, Andrew Jackson, as early as 1842, in a private letter addressed to a gentleman who was then a distinguished member of Congress, in which

he uses the following language:

The Navy ought to be increased, and the necessary fortifications for the defense of our large commercial cities, our ship-yards, and arsenals. Beyond this fortifications are useless on such extended sea-coasts as ours, and the revenue arising from our public lands ought to be applied to the increase of our Navy, and finishing our necessary fortifications, instead of bribing the people by distribution to create the necessity of taxing them to fill a bankrupt Treasury.

Until the question of the relative capacity of resistance of defensive armor for ships and the penetrating power of modern artillery shall have been satisfactorily determined it may not be wise to add largely to our naval establishment. But I am satisfied that we should not pursue the policy of inaction and remain in our present condition.

In all the wars in which our country has been engaged the Navy has borne an important and conspicuous part. Upon no other theater of action have American skill and valor been displayed to greater advantage than in the handling and fighting of our ships. The brilliant achievements of its Hulls, Porters, Perrys, and Decaturs on ocean and lake, and a long line of worthy successors, have illustrated its worth; their services and sacrifices, worthy to be commemorated in song and story, commend it to favorable consideration, and should make it an

object of peculiar pride.

During our civil conflict we entered upon a new era of naval warfare, and it is not likely that we shall witness a repetition of such engageand it is not likely that we shall witness a repetition of such engagements as those between the Constitution and Guerriere, the Wasp and the Frolic, the United States and the Macedonian. Those brave old ships, which once walked the waters like things of life and beauty, bearing our banners so proudly, would be useless to-day. They could not be trusted to engage in combat with a modern vessel of war, and could not withstand for a moment the fire of modern artillery. This was abundantly demonstrated when the Congress and Cumberland were attacked in 1862 by the confederate war steamer Virginia. They were able to make but feeble resistance to their powerful competitor, and although their broadsides were delivered with precision and vigor, they produced little or no effect upon the armored sides of the Virginia.

I pause to pay a passing tribute to the brave commander and gallant crew of the Cumberland. They refused to surrender, and went down firing their guns. They laughed death to scorn in broadsides and cheers, and when the dark waves, crimsoned with their blood, closed over the

Cumberland, the flag of the Union was still at her peak.

The occurrence teaches that the agencies of one era are not sufficient for the emergencies of another, and that we should not neglect to keep pace with the march of improvements in naval architecture.

Special Taxation to Pay Pensions.

SPEECH

HON. SILAS Z. LANDES.

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 24, 1886,

On the report of the Committee on Rules proposing an amendment to Rule XXIII, as follows:

"Resolved, That it shall be in order, when any general bill or proposition to increase the rates or amounts of pensions, or to grant pensions to persons not previously entitled thereto by law, is under consideration, to amend the same so as to provide by taxation or otherwise for the payment thereof; but no such amendment shall be in order unless the net revenue provided for shall be thereby set apart for the sole purpose of paying such increased pensions."

Mr. LANDES said:

Mr. SPEAKEE: I bail the proposition to amend Rule XXIII as proposed as the beginning of an effort to apply a principle that will finally result in the emancipation of the people of this country from the most unjust and unequal system of taxation that ever oppressed any people. I am contemplating results beyond those which may flow from the adoption of this amendment.

From the debate that has taken place on this proposition I am convinced the intention is to add the machinery of an income tax as a rider to the proposed pension legislation, by means of which the necessary money can be raised to pay the obligations created. Why not pass these bills first, and afterward pass the income-tax law? I favor this mode of proceeding. I am so heartly in favor of the income system of taxation that I shall, at the risk of seeming a little premature, submit some remarks in favor of it. But before doing so I shall offer some reasons why I am so anxious to see these pension bills enacted into law. The Congressional convention which assembled in my district a few days ago adopted a resolution favoring the repeal of the arrears limitation. This action accords with my individual views and is my command in the premises. I am in favor of liberal additional

pension legislation so pressingly demanded by every sense of justice.

The Republican party, having practically had control of all national legislation since 1861, failed signally to enact just laws granting pensions to a very large proportion of our late soldiers who are most descript of help from the control of the form the control of the control of the form the control of the contr serving of help from the public Treasury. This duty is now pressing upon this House, and I most sincerely hope that before we adjourn justice will be done to the old veterans heretofore unprovided for. We have now pending a bill to pension maimed and crippled soldiers; also a bill known as the Blair bill (Senate, No. 1886); also a bill to repeal the arrears limitation. All of these have my hearty approval, and I

hope to see them enacted into law.

I want to see the Blair bill stripped of the amendments recommended by our Committee on Invalid Pensions and enacted into law just as it came to us from the Senate. We owe this to the soldiers as an act of justice as well as an act of gratitude. Our solders have not, in my judgment, received fair treatment as compared with the bondholders and other favored and privileged classes, as I shall briefly attempt to show, and it is high time we Democrats should apply our doctrine of equal rights and fair dealing to the end that justice may be done to a long neglected, most deserving, and patient class of men. Suppose these men had hesitated as long before responding in 1861 to the call to arms as the Republicans have in granting them their just rights, what would have been the result? Sir, when the war of the rebellion was inaugurated and the confederate hosts were being mustered within a few miles of this capital, a call was made to two classes of our people, one to take the musket, and charging through the red rain of battle, drive the confederates into submission or perish in the attempt, and the other to furnish money to equip the Army for effective service. Both classes responded, and by their joint effort this matchless Republic has been saved to us in its integrity.

How have these two classes been treated during and since the war? The men who did the fighting, who bore the deadly brunt of battle, whose relentless persistence and dauntless courage won the victory, and a part of whom are still waiting, and have been patiently waiting for twenty years, with broken constitutions and disabled bodies resulting from that service, for the enactment of the just pension laws now contemplated, were paid in a currency depreciated 50 per cent. below What of the class who furnished the neccessary money? Have they been waiting twenty years for the enactment of laws giving them just recognition? Have they not received an interest pension? Let us see. June 30, 1866, the bondholders held \$2,381,530,000 interest-bearing bonds, for which they paid a currency worth only 50 cents in gold on the dollar. These bonds were then, and are now, exempt by law from every kind of taxation. The men who did the fighting are taxed in a most burdensome manner. Why this invidious dis-

tinction?

The Republican Congress in 1869 enacted a law making these bonds that cost the holders 50 cents on the dollar (coin value) payable in coin, worth 100 cents to the dollar. Thus by a monstrous crime, a wanton and cruel act of spoliation of the rest of the people, the value of these bonds was doubled and still untaxed. The fighting soldier, paid in a depreciated currency, has not been made whole in this respect, and is still waiting for a pittance to compensate him for actual loss of vital force while serving his country, being continuously taxed on every article he wears and uses in his struggle to keep the wolf from the door.

I ask again, why this invidious distinction? These bondholders have been paid in interest \$2,274,275,844, while the soldiers have been paid in pensions during the same time \$830,000,000; in other words \$1 in pensions to the soldiers and \$3 to the bondholders. I would call attention to another fact that stands out against the tax-burdened people of this country. There seems to be some mysterious alchemy within the power of these bondholders. Republican legislation has given them some magical power, as great as that possessed by Aladdin's lamp, by means of which they are enabled to swell their claims against the people in a ratio greater than that by which they are paid off. Behold the result of this power as revealed in the following statement: At the close of the war we owed the bondholders in round numbers,

\$2,381,530,294, which could have been paid then, if due, with less than 1,000,000,000 bushels of wheat at its lowest New York market price, which was \$2.40 per bushel. We have paid this debt down to \$1,210,-600,000 in round numbers, and it will now take at its lowest market price in New York, about 1,350,000,000 bushels of wheat. words, it will take about 350,000,000 more bushels of wheat to pay the balance of the amount we owe the bondholders now than it would have taken to have paid them at the close of the war. We have paid almost one-half the original debt and \$2,274,275,844 additional as the interest; adding the interest paid to the principal paid, we find the people have paid out of their earnings to the bondholders up to this time, in round numbers, \$3,445,000,000.

the people have been paying, and as they sold their produce to pay this debt year after year, they fondly hoped it was being reduced. The people can only pay the remainder by producing something to sell, and out of the proceeds of their produce the money must be realized. Oh, the power of money! The secret is, that under Republican legislation the bondholders have the power to increase the value of the remainder of the bonds they hold, compared with the value of produce, in a greater ratio than the amount is reduced by payments made.

The farmers and laborers, including those soldiers able to work, must

make the property that being converted into money will pay this debt. After twenty years of toiling and paying they find themselves out of pocket over \$3,000,000,000, and as compared with their ability to pay the burden has increased hundreds of millions of dollars. Behold, therefore, how Republican legislators have provided for the bondholder class, while the other class, the fighting soldiers, are waiting, many in the poor-houses, and many more while waiting have dropped into paupers' graves. The bondholders have been munificently treated, while the defenders of the old flag have been deceitfully cheated with promises.

It seems that the money in the Treasury amounting to over \$200,-000,000 is reserved there by virtue of laws enacted by the Republican party, and that it can not now be reached for the payment of additional or increased pensions. It further appears that an effort has been made by Mr. Morrison, of the Committee on Ways and Means, to report favorably a bill releasing part of this reserve, and that other members of that committee, including Mr. HISCOCK, of New York, have signed and reported to this House a protest against such action, and that this line of policy is likely to be pursued by the other side of the House, and by the Senate. I do not believe in keeping this great sum in the Treasury. The money belongs to the people and should be in their hands. So far as they are concerned it might as well be buried in the sea as to be locked up in the strong vaults of the Treasury.

The country will be better off, the Government just as rich, if we repeal these laws of restraint, release this money from limbo and set it free to circulate among those who own it. Trade will improve, enterprise will be stimulated, and the idle and anxious laborers employed in remunerative occupations. I would pour it out among the people through the pockets of the old soldiers who are to be beneficiaries under the proposed pension legislation, and I believe the country will respond with a quickened prosperity. But as the shadow of a Republican Senate falls across the pathway to these results, we must turn elsewhere to find the money needed to satisfy the demands of the proposed legisla-

We have the statement of the honorable chairman of the Committee on Ways and Means that we can not expect a surplus much greater than \$30,000,000 for the next fiscal year, and that this is the only fund that we can look to with which to pay additional and increased pensions. It will take \$100,000,000 to pay all the demands that ought to be paid the first year under the repeal of the arrears limitation and the Blair bill. How is the money to be raised? Not by adding additional burdens to the overtaxed people, whose substance has already been filched away, and now swells the plethoric treasury houses of Eastern millionaires.

These burdens must be lightened-in fact lifted from the necks of the farmers and laborers of the country and laid on those who are more able to bear them. I therefore do not hesitate to say we ought to impose an income tax; a tax upon the accumulating interest, rents, and profits of the rich people and rich corporations of the country. It will not touch the principal of the vast capital nor vast estates of the rich manufacturers and monopolists who own four-fifths of the wealth of the country, but reaches for a small percentage of the incomes they gather annually from the toiling millions of people. In the city of New York alone the railroad, telegraph, express, and canal companies will pay in dividends for the year ending June 30, 1886, an amount now espay in dividends to the Jacobson and net profit, or income, for the vear. The interest on United States bonds, dividends by banks and manufacturing companies will swell the amount to over \$300,000,000 per year. Why not tax this income with the same propriety that the earnings of the farmer and wage-workers are taxed by the indirect and unseen operation of the tariff law?

I am in favor of an income tax because by it we may reach the profits of these great railroad, telegraph, and canal companies, and other monopolies that annually rob the people of hundreds of millions of dol-lars. Congress has the indisputable constitutional right to regulate commerce, domestic and foreign. Yet great railroad corporations are permitted even now, heartlessly and with an unsparing hand, to exercise the equivalent of this power and levy tribute at will on the agriculture of the second cultural productions of the land. The actual cost in cash of all the railroads is less than three and one-half billions of dollars, but to represent which stocks have been watered and bonds issued to the amount of \$9,000,000,000. Rates on the freight and passenger traffic have been fixed at a scale to earn for the holders of this inflated and false valuation at least 10 per cent. net. As was aptly said by the gentleman from Arkansas [Mr. Dunn]:

The people are poorer by just that amount, and find that it will take more of their property now to pay out than ever before. Twenty years

actually invested, it would be one-half of what it is to-day and yet pay a liberal remuneration on the capital invested.

As it now is these roads, on an average, pay back to the owners their full cost every three and one-half years. They earn on an average nearly \$3,000,000 per day the year round, leaving out of the count Sundays and legal holidays, and every dollar comes off of the farmers and legal holidays, and every dollar comes off of the farmers and legal holidays. and laborers of this country. These great corporations do this by usurping and exercising the taxing power, levying tribute with a limit bounded only by their own capidity and avarice.

I would lay the strong hand of the law on these gigantic corporations,

and compel them to contribute of their unconscionable earnings so mercilessly wrung from the farmers and wage-workers, a just proportion to the revenues of the Government, out of which we would be able to pay liberal pensions to all deserving soldiers without burdening the

already overtaxed farmers and laborers,

I favor an income tax, because by it we may reach the protected manufacturers who have grown opulent, powerful, and plutocratic under the operations of the protective-tariff system by plundering with an unseen hand the farmers and laborers of the country. Availing my-self of the latitude allowed, I will allude to some of the evidence of wrong and robbery suffered by the many for the benefit of the few. I shall be brief. Let me observe, however, if we tax the soldiers to raise the money to pay them pensions it amounts to a mockery, while if we tax the rich it will add nothing to the burdens of the soldiers, farmers, and laborers, and every dollar received will be a help, in fact, not to the soldier element alone but to all the people. When we reflect, therefore, that we must raise additional revenues to pay increased and additional pensions, either by an income tax or by tariff taxation, it becomes a vital question to the soldiers and the citizens which shall be

A protective-tariff law practically means a law transferring to the hands of manufacturers within the United States the power to levy taxes (under the present law to the extent of 47 per cent. on the value of their goods) for their own gain on all the people who consume their Not one dollar collected by this mode of taxation goes into the public Treasury. But if a foreign manufacturer brings his goods here to sell, the people who buy from him pay into the public Treasury the same rate of taxation that the domestic manufacturer is authorized to exact for his own gain. Therefore, as the United States is the greatest manufacturing nation on the earth, and as the domestic or home manufacturers sell to our people more than six times the quantity of goods that the foreigners do, it follows that of all the money exacted by tariff taxation, counting the capidity of the home manufacturer to impose the full power of the law, \$1 goes into the public Treasury and \$6 into the pockets of the home manufacturers.

The power thus conferred on the manufacturers enables them under our present law to sell goods to the people for an average of 47 per cent. more than they are worth, and this is the protection afforded them and this is exactly what protection means. The pretense for this protection one hundred years ago was to help our manufacturers to make a beginning, as they were new and had no experience, and their business was called the infant industry. Now the false pretense is, to enable our manufacturers to pay wage-workers double the price for labor that they claim is paid in England. The force of the statement made by my distinguished colleague [Mr. MORRISON] some time ago can be appreci-

ated He said:

Whoever buys a nail, a hoe, an ax, a yard of cloth, or spool of thread in all the tens of thousands stores and shops where merchants sell their wares, meets there the tax-gatherer, taking taxes for the Government or bounty for the man-

The average tariff for 1789 was 81 per cent.; for 1792, 131 per cent.; for 1826, 37 per cent.; for 1861, 43 per cent.; and now over 47 per cent. Thus the growing power of the manufacturers to obtain legislation in their interest is marked. To-day instead of being infant industries, these manufacturers represent giant industries, the greatest on earth. So great has their power grown that they said to one hundred and forty of the people's representatives in this House the other day, "You shall not even consider the question of reducing our power to tax the people." The infants have grown to giants; the giants have turned on the people and defiantly say, "We are your masters." And it is true, and they and defiantly say, "We are your masters." And it is true, and they obtained and for the last twenty years perpetuated their power by false pretenses, false prophesies, and deceifful methods.

I shall refer to one or two of these pretenses. In 1870, on this floor, the distinguished leader of the protectionists [Mr. Kelley] said: "Keep your duties high enough to induce other men to build furnaces and rolling-mills, and before five years you will find American iron cheapened to the level of the markets of the world, and that without a commensurate reduction of wages." (Appendix to the Congressional Globe, volume 1, page 208.) Five, ten, yes, sixteen years have passed, and furnaces and rolling-mills have been built in Virginia and Alabama and other places, and has time proven the truth of Mr. KELLEY'S promise? Let us see. Steel rails are selling for \$34.50 in our market, in England for \$17, or less than one-half, and nearly the same ratio of difference is maintained in the price of iron of all kinds. Behold your

honored prophet!

In the same speech the same honorable and honored leader explained very fully how a high protective tariff tax would "create a home mar-

ket for the grain of Iowa and Illinois and the other States whose farm-

ers complain that they have no market for their grain."

While the honorable gentleman was speaking the wheat of these farmers was selling for \$1.90 per bushel in New York, while it is now worth but 84 cents per bushel in the same market. Again, in 1882, under a law made for that purpose, a "tariff commission," consisting of nine members, was created to investigate all questions, &c., the same may be necessary to the establishment of a judicious tariff or a revision of existing tariff upon a scale of justice to all interests."

This commission reported to Congress that after taking and considering much testimony it "sought to present a scheme of tariff duties in which substantial reduction should be the distinguishing feature. The average reduction in rates * * * at which the commission has arrived is not less on the average than 20 per cent., and it is the opinion of the commission that the reduction will reach 25 per cent." The revision proposed by this commission was enacted into law because the commission represented it would reduce the rates at least 20 per cent. The rate in 1882, which was to be reduced 20 per cent., was a little over 42 per cent. What is the result? Instead of a reduction we find it increased from an average of 42 per cent, to an average of 47 per cent. Behold your false prophets! They live by deception, and rob you with the assurance that it is doing you good. Thus by false pretenses and fraud have protectionists maintained themselves.

The two marked and distinguishing features are an increase in the rate of taxation and in the discrimination against the poorer class. On the finest broadcloth, worth in the markets of the world \$3.50 per yard. is imposed a tax of 50 per cent. This is for the rich. On cheap diagonal goods, worth 45 cents per yard, is imposed a tax of 180 per cent. This is for the poor; and so the schedules all discriminate. had a protective tariff for twenty-five years, and let us see where the money of the country is. It is estimated that there are \$1,571,000,000

in the United States.

Greenbacks
National-bank notes
Silver dollars
Subsidiary silver
Gold coin and bullion 215,000,000

Massachusetts according to her population is the greatest manufacturing State in the Union. Her soil is perhaps the poorest but her people have in the savings-banks \$274,000,000, and are increasing the amount by over \$12,000,000 annually, and this is not all the money that is in that State. Massachusetts has about one-third of the entire cash of the United States, and one-thirtieth of the population. If there are five people to each family in that State, then if the deposits in the savings-banks were divided equally among the families, each would have \$685, estimating the population at 2,000,000. If we divide the \$1,571. 000,000 equally among 60,000,000 of people, we have a little over \$26 to each person; if we divide the \$274,000,000 in the savings-banks of Massachusetts equally among her 2,000,000 people, each will have \$137. The same ratio holds in the other manufacturing districts. We have the statement of the honorable member from New York made the other day that "there is near \$600,000,000 in the savings-banks, trust, loan, and mortgage companies of New York alone," while the gentleman representing the Pittsburgh district of Pennsylvania [Mr. BAYNE] boastingly stated that in one bank in that city were deposits amounting to \$9,000,000. A protective tariff therefore undeniably puts, in twentyfive years, an average of \$685 to the credit of every family in Massachusetts, and an average of near that amount as a debt upon every farmer in the West. Add the deposits of Massachusetts to those of New York, and we have the grand total of \$874,000,000, or \$100,000,000 more than one-half of all the money in the country in two manufacturing States. Now, add to this \$238,630,815 in gold and greenbacks which are in the vaults of the national banks, as shown by a statement recently issued from the Treasury Department, and we can see where \$1,112,630,815 of the people's money is; leaving less than \$500,000,000 for the people, a large proportion of which is locked up in the United States Treasury. These are some of the results of protection,

Such is the contrast between the financial conditions of the people protected, on the sterile soil and barren, bleak hills of Massachusetts, and the people who are taxed to afford this protection, living in a country blessed by Heaven with a soil unsurpassed on the earth for its fertility and abundant harvests. In proportion as manufacturers are protected they grow rich, and in proportion as they grow rich the farmers and laborers grow poor. The census statistics show, from statements made by the manufacturers of the Eastern States themselves, and I doubt if they told the whole truth, that in Massachusetts they made a clear profit of 29 per cent. on their capital, in Pennsylvania 30 per cent., and in Maine 28 per cent. What do the farmers make on their invested capital, counting out the value of the labor of themselves and families?

The power of money in the hands of such a plutocracy as has been created and fostered by Republican legislation was admirably described on this floor the other day by that distinguished Massachusetts Republican, Mr. Long, when he said:

My experience and yours is that capital takes care of itself, under whatever-circumstances. Come gold or silver, come high rates or low rates, come boom or panic, come inflation or contraction, it cludes danger and improves oppor-

tunity. It is selfish, Argus-eyed, potential. I mean that capital which is so especially obnoxious to-day to public sentiment, and which is the selfish equipment of the plutocracy.

Plutocracy is the word. It embraces bondholders, national bankers, railroad, telegraph, telephone, and canal magnates, and the protected manufacturers. They have the greater part of the money, and they own four-fifths of the entire wealth of the country. Under Republican legislation they have been allowed to exercise control of such part of the taxing power as they wanted, which they have used in such manner that they reap where they have not sown. "Their incomes are ner that they reap where they have not sown. "Their incomes are plethoric with never-ceasing accretions. The golden streams that flow toward their doors continue with ever-increasing volume. Their tables are loaded with costlicst wines and the luxuries of all lands. Their pathway through life is strewn with earth's choicest flowers." What a contrast with the condition of farmers and laborers! Who dares say it is wrong to tax the more than princely incomes of these plutocrats, to raise money to pay additional pensions and for general governmental purposes.

I am opposed to protecting one class of our people at the expense of the others. I am opposed to a protective-tariff tax at the state our manufacturing interests have arrived, being the greatest manufacturing country in the world, manufacturing goods in a single year worth \$5,370,000,000, while the products of English manufacturers reach but \$5,370,000,000, while the products of English manufacturers reach but \$4,000,000,000. I think protection to such a gigantic enterprise is a ridiculous thing, and a cowardly crime against the people at whose expense it is maintained. It is a deceptive, indirect, unseen, insidious, and undemocratic method of taxation, by which the protected class is enriched by plundering all others. And the people who have borne this burden are restless, and will not continue to bear it without re-

taliation.

I will not warn these Eastern plutocrats with such a threat as the distinguished leader of the Iowa Republicans made on the floor of the House the other day when he said, "The Western country demands and will have protection—by argument if need be, but by war if necessary. I retract not a word." (Speech of Mr. HENDERSON.) But I will say I think you are trampling too hard upon the necks of Western farmers and laborers; your increasing exactions are being yielded up to you with greater reluctance, with greater pain. As you give your thumbscrews another and another turn, under the macerating crush of your tariff machine the golden blood-drops still trickle into your unsatisfied hands; but with each turn the life-blood of your victim quickens as it leaps from the heart to the extremities, throbbing hot, angry protests against your refined cruelty. Beware how you further pluck a suffering people, or you may drive them from the attitude of remonstrating to the act of retaliation, or to something worse.

The oppressed are numerically stronger than you are. try majorities can rule. Suppose the wheat-growers adopt your theories and arguments and demand substantial protection to the depressed industry of wheat-growing, to the end that wages may be increased to the farmers and farm hands. They could, in justification, quote Mr. Kelley, who in 1870 laid it down as a truism that "he who advocates protective duties pleads the cause of the American laborer," and the burden of his argument is that we must protect American labor against the pauper labor of Europe. With greater force the farmers and farm laborers can point out that they are in direct competition with the pauper labor of India. The price of wheat is fixed by the market in free-trade England; the farmers must take a free-trade price in a freetrade country in competition with wheat raised in India where laborers work for 8 cents per day and board themselves. Hear what Consul

Cooly laborers will work for from \$3.89 to \$4.38 a month, and provide their own food and lodging. In remote agricultural districts good labor is obtainable as low as \$2.50 per month, including food, or a little over 8 cents a day.

Suppose the farmers come, saying protect us from this pauper labor Suppose the farmers come, saying protect us from this pauper labor by paying us a bounty of 47 per cent, ad valorem (a little less than the rate at which you are protected) on every bushel of wheat we export. We have precedents from the First Congress down to the present time. A bounty was paid to New England fishing vessels for many years, and as early as 1799 the Fifth Congress enacted that on all provisions salted within the United States and exported "there shall be allowed and paid 25 cents per barrel, to be paid by the collector of the district from which the same shall be so exported without deduction or abatement." Here is the precedent, and the constitutional warrant is as strong now Here is the precedent, and the constitutional warrant is as strong now Here is the precedent, and the constitutional to the wheat-grower as it was then, and the necessity for such bounty to the wheat-grower more pressing now than it ever was to any class. How can you answer

as it was then, and the necessity for such bounty to the wheat glower more pressing now than it ever was to any class. How can you answer such demand? It is a business proposition. There is no politics in it.

All can join in the demand who raise wheat or work on farms. It will not be long, good masters of Pennsylvania, New York, and New England, if you do not reduce your rate of taxation with which you now oppress the people, until you will hear a cry coming out of the West, deepening in ominous tones like a troublous, invading sea, swallowing the carries—the gry of a mighty people driven to desperation by

interest must yield to the general good, and each individual's manhood must be left free, unhindered, and unhelped by Government to work out its own destiny," or that you give them also protection from the pauper labor of India by a bounty on all they produce for export. Then you can make ready to unlock the plethoric treasuries containing the booty of protection to the strong hand of a just law reaching for a fair proportion of the necessary revenue of this Government, not only to pay pensions but for other governmental purposes

In contemplating the financial poverty and deep distress of the peo-ple of the splendid West, and the splendor and opulence of the people of sterile New England, I call to mind the familiar lines of Goldsmith

and to which I invite attention:

Ye friends to truth, ye statesmen, who survey The rich man's joys increase, the poor's decay 'Tis yours to judge how wide the limits stand Between a splendid and a happy land.

Let us avert the irrepressible conflict by doing justice to all; let the burdens of government only rest on the people and be borne without discrimination. A tariff for revenue only is democratic and just. Reduce tariff taxation and the distress prevailing in the West will disappear, and contentment will take the place of discontent. All we ask is equality before the law. Let us pass these pension bills and follow them by an income-tax law and we will do our duty, merit and receive the gratitude of the waiting tens of thousands of the soldiers, and the applause of constituencies who will be greatly benefited by the distribution of millions of money that is otherwise gone from them forever.

Geological Survey.

SPEECH

HON. A. J. WARNER,

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 28, 1886,

On the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, and particularly the item providing for the Geological Survey, &c.

Mr. WARNER, of Ohio, said:

Mr. SPEAKER: By a provision carried through the House on an appropriation bill in the Forty-sixth Congress, and which became a law, the several separate geological surveys then in progress were consolidated under one management, in order, it was claimed, to secure better direction, save duplication of work, and lessen the expense of geological surveys.

Prior to this act there had been several independent surveys, each directed to certain districts in the Territories or to specific objects, as the Wheeler survey, the Hayden survey, the Powell survey, and a survey by Clarence King, under the direction of the Chief of Engineers, I be-These surveys were more or less independent, and, if not in conflict, did not work together as one survey or have a common purpose. I have never doubted the wisdom of the consolidation of these several surveys, and I believed at the time that it would lead to more uniform and better work at less cost, and it certainly ought to.

But instead of the work being confined to a geological survey proper it has been extended so as to include almost everything from economic and descriptive geology to statistics of production and other matters that have no direct relations whatever to geology proper, and apparently entered upon for, no purpose but to extend and magnify the importance of this bureau, increase its patronage, and spend the public

money

Originally the several surveys referred to were limited to the scientific examination of unexplored fields in the Territories, to examinations and reports upon mining regions, and the delineation of the geological structure of these districts. These surveys have been of great value, not only for what they have contributed to economic geological structure of the geology, but for their extension of our knowledge of the stratigraphical geology of the Rocky Mountain regions and the range and extent of our great mineral deposits in the regions west of the Missouri.

The continuation of this work upon a well-organized plan, and its extension beyond the limits originally applied to the second of the

tension beyond the limits originally prescribed, will have my support. But as it is being carried on the cost has gone on increasing until it is But as it is being carried on the cost has gone on increasing until it is out of all proportion to the value of the work done. The scope of the work, too, has been enlarged so as to include things that do not belong at all to the domain of geology. What has geology to do with the work of a blast-furnace, or the production of pig-iron, or the making of Bessemer steel, or of clay pipes, any more than with the number of hens' eggs laid or the quantity of meat product of the country? It does not require geologists, at high salaries, to gather such information. The gathering of statistics of production and trade belongs to other fields entirely, and ought not to be brought into a scientific sur-Work of a biast-nitrace, or the picture of pig from the lowing the earth—the cry of a mighty people driven to desperation by your relentless injustice, oppression, and spoliation. You may gaze on the gleaming splender of your colossal and ill-gotten wealth while you listen to the ominous and thundering voice of your millions of victims demanding that "private extertion must yield to public right, selfish

vey of the stratification of the earth's crust or the relation of mineral deposits to other formations.

Again, Government work ought to be rigidly restricted to those fields which private enterprise could not as well develop or to which it is not adequate. Private enterprise would not and could not undertake to minutely examine a whole continent and describe its stratigraphical features and the location and relation of mineral deposits. enterprise likely to gather from wide areas the material requisite for a right solution of important questions in paleontology, important in their bearing on stratigraphical and economic geology as well as on the ultimate solution of the order of development of life on the globe.

But when a geological survey carried on at public expense has done this work, has examined the field, gathered and reported the facts, and supplied the material, that is as far as it should go. The love of science, ever growing, is sufficient to prompt a full discussion of geological theories and the order of development of vegetable and animal life on

the globe.

The public treasure should not be used to enable a few favored persons, sometimes mere tyros in science, to acquire cheap reputations at public expense. There is danger that science itself, in the long run, may suffer by being taken entirely under the wing of the Government. The great geological discoverers, the Werners, the Suttons, and Lyells, the men who worked out the great geological problems and founded this great geological problems and founded this grand science, were not pampered pets of governments, but great students who for the love of truth and the interest they felt in the grand problems which this new-born science raised devoted their lives

to its study.

The work by Government, in my opinion, should be limited to the study of stratigraphical and economic geology, and to the collection of

material in paleontology.

The theoretical discussion of all geological questions should be left

to scientists interested in them.

To what extent topography and topographical mapping ought to be carried may be a matter on which opinions will differ. In my opinion a general outline of the topography of the country is all that should be undertaken.

True meridian lines should be laid down and properly marked by reference points. The main features in the physical outlines of the country might be delineated and levels determined, but the proposition to map the real estate of the country so as to indicate boundary lines between farms and to make such lines conform to true meridian

lines, is simply absurd.

I have seen it proposed to produce in thousands of sheets maps of this character. Such maps, if made and offered to the public, would not sell for what paper pulp unspoiled by ink would be worth. They would simply go to swell the pile of useless rubbish that is annually ground out at the Government Printing Office, and which nobody reads or looks at and which is not worth the time to read. I have somewhere seen among the reasons given for detailed topographical maps that by them railroads might be located. This is foolish and on a par with a good deal of what has been recommended. What railroad engineer would locate a railroad by a map? Topographical maps, when railroad engineering was carried on, as it is feared a good deal of this geological work is now carried on, simply to spend money, were sometimes made, but no practical engineer makes such maps now or uses them.

The criticism which has been justly made to the method of conducting the Geological Survey by the present director, is its great cost as compared with the limited amount of really valuable work. What is there to show for the \$400,000 appropriated last year? It has most of it gone for high salaries and highly paid employes—highly paid for what they really do. Some of it, I am credibly informed, for salaries where almost no services at all are performed. Twenty thousand dollars of it has gone to pay rent for offices luxuriantly furnished in this city. almost one-fifth of the entire sum paid by the Government for rents in Washington and three or four times as much as offices for any other Government office costs. Who fixes these rents I do not know, but it

is an item which shows how and where the money goes

Again, the fixing of salaries and the number and grade of employés

should not be left at the discretion of one man.

It is too great a power of patronage and too great a power to spend the people's money without a more direct and binding responsibility than now exists.

Indeed the criticism on the management of the Geological Survey is applicable in a greater or less degree to other scientific bureaus, espe-

cially the Signal Service and Coast Survey.

What is manifestly most lacking all through is good administrative control. Scientific men owe it to themselves, and they owe it to the country, and more than all to science itself, to see to it that when money is appropriated for scientific work, that it should be spent in a way to secure the best possible scientific results. As things have been going it would bankrupt the country to supply all the money the engineers, the architects, and the scientists would like to use.

This brings me to what I believe has become a necessity if we are to continue these various classes of scientific work, and that is the formation of a department with one capable administrative head, into which department should be gathered all these several bureaus, such as the

Agricultural Department, the Geological Survey, the Coast Survey, the Fish Commission, the Naval or National Observatory, the Bureau of Labor, the Bureau of Education, the Bureau of Statistics—to be enlarged, perhaps, to a bureau of statistics of production, trade, and commerce, the Signal Service, and, perhaps, the office of the Architect. This department might be called the department of science and instruction. But whatever it may be called, it would be a department of great importance and would call for the best administrative talent in the country to properly manage it. At the heads of the several bureaus should be men skilled in the line of duties pertaining to each respect-

Until such a department is organized and these separate bureaus brought into more reciprocal relations, and become better directed, I have little hope of any great improvement in the mode of carrying on the various works; and, for one, I shall favor limiting appropriations until we can be assured that money appropriated for scientific work will be wisely spent and not wasted on useless work or bestowed on favorites for personal reasons rather than for valuable services performed.

The Late Senator Miller.

REMARKS

HON. WILLIAM S. HOLMAN.

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, June 19, 1886.

The House having under consideration the following resolutions, submitted by Mr. Morrow, of California—
"Resolved, That the House of Representatives has received with great sorrow the official announcement of the death of John F. Miller, late a Senator from the State of California.
"Resolved, That the business of the House be now suspended, that opportunity may be afforded to members to give expression of the sentiments they entertain for the life, character, and public services of the late Senator Miller, and the loss sustained by the country in the death of so able and faithful public servant.
"Resolved, That at the conclusion of these tributes to his memory the House stands adjourned"—

Mr. HOLMAN said:

Mr. CHAIRMAN: JOHN F. MILLER, late a Senator of the United States, was a native of Indiana, and it seems proper that the voice of that State should be heard in this public expression of sorrow for his death. Mr. MILLER was of Virginia descent. His ancestors were Virginians. His father emigrated from that venerable Commonwealth to the then new State of Indiana, where JOHN F. MILLER was born and educated, enjoying, as I have been informed, such educational advantages as are common to the young men in a comparatively new settlement. His father and mother were eager to furnish him every opportunity that their circumstances would permit. He studied law under favorable conditions, entering upon the practice of that profession at an early age. In 1860, for the first time, so far as I am informed, he became prominent in the politics of the State, but before that time had visited California and practiced his profession in that State. No political contest in the history of Indiana was ever of more interest than that of 1860.

An unusually large number of young men came to the front who identified themselves with the fortunes of the Republican party, then in its early vigor. The great question soon to involve the nation in war was arresting the attention of all men, and gave unusual animation, anxiety, and earnestness to that contest throughout the whole Union, but in no State more than in Indiana. Mr. MILLER was elected to the senate, I think, from the county of Saint Joseph, at that time one of the strong young counties of Indiana. I was then a member of this House, and residing remote from his section of the State my knowledge of Mr. MILLER was slight; I only knew him as one of the promising young men who had just entered public life. He occupied in the senate a position with a number of young men of unusual ability, some to become known in arms and civil affairs.

He was not specially active or prominent in the current business of that body, for, from the time the senate to which he was elected assembled, the hurrying, remorseless events which were soon to involve the land in the misfortunes of civil war were arresting the attention and filling the minds of all men. When the tocsin of war was sounded he resigned his position in the senate and hastened into the Army of the Union without a moment's hesitation. Enough was known of Mr. MILLER at that time to warrant the belief that, if life were spared him, he was entering upon a brilliant career. The gentleman from Ohio [Mr. GROSVENOR] has rehearsed in eloquent terms his honorable and heroic record in the Army. I will not dwell upon that record. That heroic record in the Army. I will not dwell upon that record. The gentleman from Ohio, his comrade in arms, has well and ably presented the leading events of that honorable record, but I can testify that the

hopes of his friends were fully realized in his honorable career in the

Entering the Army as colonel of the Twenty-ninth Regiment of Indiana Volunteers, with the manly and gallant deportment and those qualities and sentiments of honor, courage, and prudence which secure respect, confidence, reputation, and distinction alike in civil and military life, Mr. MILLER, rapidly rose to the rank of brigadier-general and a higher grade by brevet for heroic deportment in battle. He attained that high position not by any favoritism, but by the force of character and qualification and capacity for military affairs. After the war was over Mr. MILLEE, having previously resided for a short time in California, returned to that State. I think the last time I saw him in the city of Indianapolis was shortly before he left Indiana for California. I then saw that the man of 1860 had grown in avon remost. I then saw that the man of 1860 had grown in every respect. Possessed of very fine social qualities and marked energy of character, he was then displaying that broad capacity, especially for business affairs, which afterward, even more than his career in politics, seems to have distinguished his life.

About the year 1870 Mr. MILLER came to this capital in connection with legislative matters affecting the State of his adoption—enterprises on the Pacific-the State which then seemed even more dear to him than the great State from which he had emigrated. While in Washington I saw him frequently. He called on me as an Indianian. He frequently appeared before one of the committees of the House of which I had the honor to be a member, and I was still further impressed with the scope and breadth of the views which he entertained and expressed touching the great interests of the Pacific coast. He saw clearly the magnitude of the resources to be developed there in the then early future; he comprehended the situation thoroughly, and seemed prepared and qualified to enter into all the great enterprises of the Pacific coast with the energy, hopefulness, and confidence which had marked his character in earlier life; so that, from the observations I made of Mr. MILLER at that time, I was not at all surprised when, soon afterward, he became prominently identified with the political as well as business affairs of the State of California.

His election to the Senate of the United States seems to have been the result of the confidence inspired by his intelligence, force of character, capacity, and patriotism. His career in the Senate is known to the country. He died in comparatively early life, at the period, perhaps, when most public men have but fairly entered upon the real usefulness of a public career. The death of an eminent and useful citizen connected with public affairs at such a period in life before the weight of age has rested heavily upon him, is always a melancholy event, to be deplored not alone in the home circle or the State of his residence

but by his whole country.

It would have been strange if the career of Mr. MILLER had not been a marked one. His abilities were of a very superior order. From my earlier acquaintance with him I should not have thought that he would be as eminent in states manship as in the field of business and affairs. He seemed to me to possess the capacity of comprehending in their widest extent, as well as in their minutest details, the great affairs of business, the enterprises that make and open opportunities, that create great in

dustries, that develop a great and prosperous community.

His capacity and powers as seen by me were of that character, rather than such as give men prominence in politics or statesmanship. He did not seem to me to be a man who would engage earnestly in political contests and rise to eminence by devotion to the principles and fortunes of a political party, but one who would achieve reputation and distinction in business enterprises and commercial affairs. He entered the Army, as I inferred from what I knew of his views, not so much by any special antagonism to the institutions of slavery, the cause of that fearful contest, as by devoted attachment to the Union, a sentiment

that filled the hearts of the young men of Indiana.

The men who migrated to Indiana from Virginia and others of the older States were in many instances strongly anti-slavery in their sentiments, but the great mass of the young men of that section of the country who rushed forward to support the tottering fabric of the Union were influenced more by a living sentiment of devotion to the Union of the States than by any settled convictions as to whether slavery should be abolished or not. The preservation of the Union of the States in-spired them. The motive seemed then sufficient to inspire the grandest

heroism, but how much grander now than even then!

In later years, however, as I inferred from a brief conversation with him on the Pacific coast last summer, his views had become much more confirmed and positive upon political subjects, and he seemed to cordially and heartily indorse the principles of the great party with which he had been associated from early life. And yet he seemed to me more a man of business and affairs than a politician or statesman.

I can only add, Mr. Speaker, that the death of a man of his broad views, his capacity for affairs, his devotion to country, is a great misfortune to the whole Union, and that in no one of the great sisterhood of States will the expression that will be made by this House, and has been in the Senate (so appropriate to the loss of so great a citizen), of appreciation of the qualities which made JOHN F. MILLER eminent, honored, and distinguished alike in war and in peace, find a larger body of earnest sympathizers than in the State which I have the honor in part here to represent.

The Surplus in the Treasury.

SPEECH

HON. PERRY BELMONT,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886,

On the joint resolution (H. Res. 126) directing the payment of the surplus in the Treasury on the public debt: to which several amendments were offered.

Mr. BELMONT said:

Mr. Chairman: The integrity and wisdom with which the affairs of the Treasury Department have been managed during the past sixteen months have contributed largely to the confidence undoubtedly existing throughout the country in President Cleveland's administra-I can not see, therefore, why the House should adopt a resolution withdrawing from that Department a discretionary power which has not been abused and which in practice has proved to be absolutely necessary for the proper protection of the credit of the Government—a power to be regulated by commercial laws and requirements, and which can not be safely subjected to political interference.

Protests have often been heard in this House against the power of the national banks. Why, sir, the national banks would be mere pigmies compared to the Treasury Department of the United States as a bank of issue, with both Houses of Congress acting as a board of directors, limiting and controlling its issues and reserve. As a Democrat, looking to the future of the party, I can take no part in promoting any action in this House having such a tendency, and I shall therefore vote

against the resolution.

A resolution very similar in character was presented for the consideration of the Senate in 1882 by a Republican Senator (Mr. PLUMB, of Kansas). It was as follows:

That the Secretary of the Treasury shall use all of the funds now held in the Treasury for the redemption of United States notes in excess of \$100,000 000 in the redemption of the bonds of the United States, such redemption to be made in not less than three installments; and the said sum of \$100,000,000 so left in the Treasury shall not be increased or diminished except in the redemption of United States notes.

The unwisdom of that resolution seems to have been effectively pointed out at the time. Nor have I heard in the present discussion any answer to the letter of Secretary Manning of February 13 last, which I will ask to have read:

TREASURY DEPARTMENT, Washington, D. C., February 13, 1886.

Sir: I have received a copy of the following proposed joint resolution respecting surplus revenue, now under consideration in your committee, and upon which you do me the honor to request my opinion:

"Joint resolution directing the payment of the surplus in the Treasury in excess of \$100,000,000 on the public debt.

cess of \$100,000,000 on the public debt.

"Resolved by the Sende and House of Representatives of the United States of America in Congress assembled. That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and is hereby, made the duty of the Secretary of the Treasury to apply such excess, in sums not less than \$10,000,000 per month during the existence of any such surplus or excess, to the payment of the interest-bearing indobtedness of the United States payable at the option of the Government."

during the existence of any such surplus or excess, to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government.

The language of this resolution is such as to include in the "surplus or balance in the Treasury" the amount held for redemption of United States notes. This is in no sense a surplus, but is set apart and appropriated as a minimum security and reserve for the redemption and payment of \$316,681,016 of United States notes which have been issued, both of which are specifically promised in the act of March 18, 1869 (R. S., 3693). This reserve, amounting to \$100,000,000, should, of course, be held above all possibility of an encroachment like that which my distinguished predecessor, Mr. McCulloch, in his last annual report (page 33), was constrained to exhibit and deplore.

The resolution now before us requires that there should be at no time a surplus in the Treasury available for the general needs of the Government to exceed \$10,000,000, and that when this sum is reached it should be immediately paid upon the public debt.

After nearly twelve months' experience in the conduct of this Department, and forecasting, as well as I am able, future requirements of the Treasury, as now defined by existing laws, and as they may be affected by legislation yet to come, and considering the course of future receipts, which are liable to influence from many causes, such as the fluctuation of imports, the prolonged depression of trade, and the marketing of more or less of our agricultural products abroad, I can not now foresee a state of things which will make it prudent to limit the surplus reserve in the Treasury to a sum runging from nothing to a maximum of \$10,000,000.

The legislation now before Congress relating to pensions will, if perfected, increase the demands upon the Treasury to a sum runging from nothing to a maximum of \$10,000,000.

The legislation now before congress relating to pensions will, if perfected, increase the demands upon the Treasury to a

DANIEL MANNING, Secretary.

Hon. WILLIAM R. MORRISON.

Chairman Committee on Ways and Means.

One argument advanced in favor of this resolution is that it will pre-

vent "improvident and wasteful expenditures." That is a meritorious object, but, in my judgment, this is not the proper way to attain it. It is an unwise plan for Congress to reduce the Treasury reserve to the danger point for the purpose of controlling its own expenditures. Another reason assigned for the passage of the resolution is that it will save one or two millions a year in interest.

The fact is that the Treasury Department has quietly and unostentatiously saved more than double that amount during the last fiscal year by the prudence with which it has administered its own affairs. I

have received a statement, which I will ask to have appended to my remarks, which shows in detail that, notwithstanding an increase in expenditures for construction and repairs of public buildings of nearly half a million there has still been a net decrease of \$4,600,000 in the expenditures of the Department for the fiscal year 1886 as compared with 1885. In view of these considerations I think the country can safely leave to the Treasury the discretionary powers with regard to the reserve fund which it has hitherto wielded with such admirable judg-I | ment and prudence.

Comparative statement of certain expenditures of the Treasury Department for the fiscal years ended June 30, 1885 and 1886.

Object.	1853.	1886.	Increase, 1886.	Decrease, 1886.
Salaries, offices of Treasury Department. Contingent expenses, Treasury Department. Salaries and expenses, independent treasury. Salaries and expenses, mints and assay offices. Salaries and expenses, mints and assay offices. Salaries and expenses. Internal-revenue service Collecting the revenue from customs and detection of fraud on customs revenue. Repayment to importers. Debentures or drawbacks. Furniture, and repairs of same, for public buildings. Furniture, and repairs of same, for public buildings. Fuel, light, and water for public buildings. Repairs and preservation of public buildings. Construction of public buildings. Mic-Saving Service. Light-house establishment. Coast and Geodetic Survey. Steamboat inspection service. Bureau of Engraving and Printing. Interest on the public debt.	111, 084 88 456, 707 80 1, 333, 708 52 4, 550, 623 21 6, 572, 543 00 4, 703, 787 30 8, 560, 435 43 204, 873 02 134, 821 07 555, 744 54 105, 120 54 404, 638 19 899, 193 17 2, 284, 858 97 557, 618 42 275, 747 70 544, 144 31 51, 386, 256 47	105, 770 24 451, 450 17 1,135, 957 96 4, 129, 293, 31 6, 448, 551, 19 3, 291, 956 13 8, 674, 429, 73 147, 657 88 122, 709 40 528, 571 08 177, 985 19 2, 895, 154 89 870, 691, 27 2, 962, 933, 46 518, 472, 83 200, 548, 25 256, 618, 73 50, 550, 579, 46	\$11,964 55 412,907 67 53,515 70 11,408 10	5,305 66 21,287 00 197,745 56 421,329 96 124,191 81 1,412,651 24 486,035 77 57,185 14 2,112 22 26,873 46 22,12 22 22,885 60 15,190 44 257,495 56
Total	3,756,955 81 92,959,800 41	88, 338, 676 14	489,976 92	5,091,191 19 4,601,214 2

The Public Lands Question and a Defense of the Commissioner of | uals were formed, possessing large capital, for the purpose of acquiring, the General Land Office.

SPEECH

HON. THOMAS R. COBB,

OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 28, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1887, and for other purposes, the pending paragraph being:

"Protecting public lands: For the protection of public lands from illegal and fraudulent entry or appropriation, \$90,000"—

Mr. COBB said:

Mr. CHAIRMAN: The public lands question is one of great importance to the whole country. Its importance is not confined to any particular section or locality. Any citizen, or foreigner, who has declared his intention to become such, may go and settle upon any of the unoccupied public domain, and, upon compliance with the provisions of law, which are easy, can acquire a title to 160 acres of land for a home for himself

and family.

This is the object and purpose of the homestead, pre-emption, and timber-culture laws. They were enacted in order that people too poor

to acquire title by purchase might secure homes.

As to how far the object of these laws has been accomplished, it is

now my intention to discuss.

In the early disposition of our public lands but little fraud was committed. The poor man who needed a home, and was not able to purchase one, moved his family to some part of the public domain not previously occupied, made a selection, and then settled down. He then commenced to improve the land so selected, with an honest intent of making it his future home, and he continued to reside upon it and add to the improvements until a strict compliance with the law was had, when he was entitled to a patent from the Government.

In those days there were but few attempts made to acquire title by

fraud.

After the war, however, the spirit of speculation began to manifest itself among our people, and capitalists and others turned their attention to the public domain for speculative purposes; and as the laws for acquiring title to the public lands were not enforced by the party in power during the twenty years succeeding the war, the "greed for gain" led men to commit all kinds of fraud in their endeavors to acquire title to the people's lands.

Corporations, syndicates, and all kinds of combinations of individ-

and who did acquire through every conceivable method, the title to large tracts of the best public land in the West. To evade the public land laws these combinations of men and capital have resorted to fraud and perjury in a most notorious manner.

Emboldened by such examples, private individuals have also embarked in the fraudulent acquisition of title to public lands with a zenl for gain, no matter what means are employed, that is astonishing. Indeed the fraudulent acquisition of our public lands seems to be looked

upon by many as a legitimate business.

Millions of acres of our best agricultural lands have been absorbed in this way, to say nothing of the vast areas of land granted by Congress to railroads and other corporations. This condition of affairs has continued until it is estimated that we now have only about 7,000,000 of acres of public lands left for settlement for the homeless.

These speculators in the public lands, alarmed lest Congress may "rise in righteous wrath" at their atrocities, keep constantly in their employ

an able array of legal talent as well as a subsidized press

They have able attorneys in this city, and their paid agents can even be found during the sessions of this House in the lobbies endeavoring to influence legislation which may pertain to the interests of their em-

The present administration has been exercising its power in driving the "cattle-kings" from the public domain, where, under the past administration, they had been allowed to occupy millions of acres of land, preventing the settler from a discharge of his rights under the law by driving him and his family off whenever he might seek to locate.

The Public Lands Commissioner, General Sparks, having had during the present administration the public lands under his control, has, with great credit to himself, exerted extraordinary energy and diligence toward the preservation of the public domain as a heritage for the

For his loyalty to his duty, the Commissioner now finds himself assailed by every "cattle-king," every "land-grabber," every fraudulent speculator in the public lands throughout the country.

The amendment now offered by the gentleman from Nebraska [Mr. LAIRD] proposes to strike out the \$90,000 contained in the bill to be used by the Commissioner in employing agents to protect the public lands from the illegal and fraudulent acts of the rings and speculators, thus effectually rendering the Commissioner powerless to prevent fraud and keep the lands for those for whom it was intended. These agents and keep the lands for those for whom it was included; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully are sent out to the various sections of the public lands; they go fully a section of the public lands are sent out to the various sections of the public lands. of their duties to examine into and report to the Commissioner all cases of fraudulent entries of land which they may be able to discover, taking the affidavits of witnesses to the facts which they file with their re ports.

It has been insisted upon this floor, and I presume it will be done again, that there has been but little fraud, if any, committed in the entry of the public lands, and that therefore these agents are unnecesgary. I now propose to show that there have been outrageous frauds perpetrated in the acquirement of title to the public lands and that they are now being committed.

In view of this fact I am surprised at the gentleman from Nebraska [Mr. LAIRD] moving to strike out this appropriation, since these frauds exist in his own State and under his notice, and in his own district.

Mr. LAIRD. Will the gentleman from Indiana permit me to ask him a question?

Mr. COBB. My time is limited. If I have any time left after I have finished my statement I will be glad to yield to the gentleman for the purpose he requests.

propose now to read from the reports of these agents, who were selected not only by the present Commissioner but by his predecessor under the Republican administration—the latter, especially, ought to satisfy my Republican friends on the other side of the House. In connection with these reports are also found the affidavits of witnesses to the statements they contain. In many cases the affidavits of entrymen

themselves admit fraud, perjury, and subornation of perjury.

I read now from the report of Inspector A. R. Green, who is a Republienn. His report bears date of November 3, 1884. He says:

Generally speaking, I believe that fraudulent entries of the publiclands include a large per cent. of the whole number, excepting possibly cash entries.

The idea prevails to an almost universal extent that, because the Government in its generosity has provided for the donation of the public domain to its citizens, a strict compliance with the conditions imposed is not essential. Men who would scorn to commit a dishonest act toward an individual, though he were a total stranger, eagerly listen to every scheme for evading the letter and spirit of the settlement laws, and in a majority of instances, Ibelieve, avail themselves of them.

of them.

Our land officers partake of this feeling in many instances, and if they do not corruptly connive at fraudulent entries, modify their instructions and exceed their discretionary powers in examinations of final proof. This is especially the case with entries under the timber-culture law.

I have traveled over hundreds of miles of land in Western Kansas, Nebraska, and central Dakota, nearly one-fourth of which had been taken under the "timber-culture act," without seeing an artificial grove even in inciplency, and can scarcely recall an instance in any one day's travel where the ground had been more than scratched with the plow for the purpose of planting trees.

As to the proportion of land entered under the timber-culture act that is not improved as required by that act, I give it as my opinion that in Kansas, Nebraska, and Dakota the proportion is 90 per cent. to 10 per cent. of bona fide and possibly successful cultivation.

A more vicious system of fraudulent entries has been successfully practiced by and in the interest of entile-men and stock corporations. If the law had been enacted solely for their benefit it could scarcely have been more successful.

I have been told that entrymen engaged in this character of frauds seldom make a pretense of plowing or planting trees, or complying in any particular with the law. My own observation confirms this statement, and I believe it to be true. This is largely the case in Colorado, Dakota, Montana, Nebraska, and New Mexico, where immense stock ranches have been established and all the valuable grass land and water has been secured. This system also obtains to no inconsiderable extent in Kansas, I believe.

The method is simple, effective, and infamous. I have had occasion to inquire into its details somewhat in the examination of land offices in connection with charges of collusion on the part of the officers. A "cattle-king" employs a number of men as herders; "cowboys" is the popular designation for them. The herd is located on a favorable portion of the public lands, where grass, water, and shelter are convenient, and each herder is expected and required to make a timber-culture entry of lands along the stream. These entries often very nearly if not quite occupy all the watered ands in a township and render the remainder undesirable for actual settlement or farming purposes.

stream. These entries often very nearly if not quite occupy all the watered ands in a township and render the remainder undesirable for actual settlement or farming purposes.

Thus an entire township, and frequently a number of townships together, are dominated by an interest the most inimical possible to ordinary agricultural operations and a development of the country. If a bona fide settler has located in advance of the cattle-man he is either bought off or scared off. Ifound one case where the evidence showed conclusively that bona fide settler has located in advance of the cattle-man he is either bought off or scared off. Ifound one case where the evidence showed conclusively that bona fide antrymen had been driven from the lands they desired to acquire by a party of men brought from a distant part of the State, who did not know the description of the lands they filed on until it was furnished by the man in whose interest the lands were being taken, and who furnished the money for the entry fees.

As regards the unlawful fencing of public lands, the evidence is of the most positive and convincing character. It is notorious that extensive inclosures of this kind have been made in Nebraska in the vicinity of North Platte, and south of there at inconsiderable intervals all the way to and into the Indian Territory, including large areas of the States of Nebraska, Colorado, and Kansas. There are doubtless other similar unlawful inclosures, but I speak of those with which I am familiar.

There inclosures occusionally included settlements, and the stock companies have in some instances bought the settlers' improvements and amicably induced them to leave. In other cases, bloody feuds have been originated, of which there could be but one result, and that against law and justice.

The effect of such domination upon immigration and settlements is the worst that can be imagined.

The best lands, and practically all the waters, are controlled by men who liave no interest in the development of the country, evade taxatio

I now read from the report of Special Agent Webster Eaton, dated Duluth, Minn., October 28, 1884:

Thus it will be seen that there have been over four thousand three hundred final entries of this kind made, to say nothing about the cash entries and entries at public sale; and I know that there are less than one hundred actual settlers living upon any of these lands in this land district who make a living by farming, or who are trying to make a living in that way, and although I have made diligent inquiry during my stay of over one year in this place I have yet to find one person who is making a farm or trying to make a farm upon a pre-emption claim. Therefore I think I am fully warranted in saying that less

than one-thirtieth of the claims taken in the Duluth United States land district are taken for actual settlement.

Less than one-tenth of the land entered in this way is now in the hands of the original claimants, and most of it is considered worth less than 10 cents an acre for agricultural purposes, and after the timber is taken off the land is looked upon as worthless, and men are not plenty who will pay the taxes upon this land for it. Nearly all of the land taken in this manner has been taken for extensive lumber firms in different parts of the State.

This shows the fraud committed under the pre-emption law upon the timbered land in Northern Minnesota. The timber in this region is pine, and it is a fact that lumber companies have obtained and acquired title to large bodies of these lands through fraudulent entries. I demonstrated how this was done in my report made to the House in favor of the bill repealing the pre-emption, timber-culture, and desert-land laws, which passed the House on a full vote by more than four to one. I then

Whole townships of the public domain have been acquired under this law by capitalists who do not reside within handreds of miles of the land, and never did. They have secured them through paid agents in their employ, who receive so much for their services when they make the proof necessary to entitle them to a patent from the Government, and assign their claims to their employers. This is done, of course, through perjury and subornation of perjury. For each one of these agents or claimants is required to make settlement on the pre-emption claim under the law, and he must make outh before the register or receiver of the land district in which the lands are situate, on which he claims to have settled for the purpose of pre-empting, and that he has never had the benefit of any right of pre-emption; that he has not settled upon and improved such land to sell the same on speculation, but in good faith, to approprate it to his own exclusive use, and that he has not directly or indirectly made any agreement or contract in any way or manner with any person whatsoever by which the title which he might acquire from the Government of the United States should intre in whole or in part to the benefit of any person except himself. And yet it is well known that this outh is daily taken by parties who make it under contracts such as we have indicated above. They like with the register of the proper land district their declaration, make their proof, affidavit, and payment required by the law, and receive their title, and transfer the same to the parties with whom they made the contract before they attempted to make the pre-emption.

The people demand the passage of this bill repealing these odorous

The people demand the passage of this bill repealing these odorous laws under which so much fraud has been committed, and those who

stand in the way of this repeal will be held accountable by the country.

Mr. Thomas W. Jaycox, special agent at Aberdeen, Dak., in his report of October 25, 1884, says:

port of October 25, 1884, says:

In my opinion, not more than 30 per cent, of the land in this district entered under the provisions of the pre-emption and homestead laws is occupied by actual settlers. The practice largely prevaits of immediately abandoning the land when each entry is made for the same. Fully 75 per cent, of the entries made under the provisions of the pre-emption laws are made for speculative purposes, and not for a home and for cultivation. The elaimants mortgage their claims for as large a loan as they can procure upon the land, then make a homestead filing, move in town, return to the East, where they came from when they entered the land, or offer the same for sale, when it is purchased by non-resident speculators. The result in either case is the same—the land is left unoccupied. I am of the opinion that 90 per cent, of the entries that are made under the provisions of the timber-culture act are made purely and simply for speculation. The autryman when he makes the entry intouds to relinquish the land at the end of three years at the farthest, when the relinquishment will be worth from \$200 to \$500. I am of the opinion that very few timber-culture entries will be proved up under the provisions of the timber-culture act. They will be turned into pre-emptions or homesteads, and pass out of the hands of the speculators as soon as it becomes troublesome to comply with the law.

William Y. Drew, agent at Wichita, Kans, says, in his report of

William Y. Drew, agent at Wichita, Kans., says, in his report of November 26, 1884, that—

November 26, 1884, that—

In some cases stock-raisers have had their employes prove up on lands on which their stock was ranging, and as fast as one batch would get through another batch would be employed, and in that way quite a large amount of the public land would be gobbled up. In some cases that have come under my observation the parties who it is claimed proved up on the land were never known or heard of in the vicinity, but the improvements made on the land have been done by parties who afterward obtained the land, and presumably hired the entryman just at the time proof was to be made to make the required affidavits. In other cases I believe that the entryman was a myth, and that the proof papers and deeds of the land were made out in the notary's office, fictitious names attached for both principal and witnesses, and acknowledgments taken by the notary as though the parties had actually been present.

There are other cases where parties made a business of proving up lands under different names, apparently for the purpose of obtaining from 50 to \$100 by mortgage more than the land cost them.

Some parties have fenced in large bodies of the public lands through which a water course is flowing, and by themselves and their employes have proved up the land adjoining the water course. They claim not to interfere with settlers going into the inclosures, but as their cattle are running at large inside the settler can not raise a crop without he goes to the trouble and expense of fencing in the tract he claims, and then there is always more or less trouble in other ways between the settlers and herders in regard to keeping gates closed and getting settlers' cattle mixed with the cattle belonging to the stockmen. It is reported that two men (father and son) were killed in Barber County by herders on account of leaving the gates open while going to land they were claiming inside the inclosure.

A. F. Ely, in his report from Pueblo, Colo., October 25, 1884, says:

As to the land entered in the Pueblo land district of Colorado, I have not sufficient knowledge or information to enable me to give any correct information. I can state that in the survey of the Arkansas I and and Cattle Company's inclosure we found no inhabitants inside of it except one or two near Granada and three or four near Holly Station, and this inclosure contains over 600,600 acres of land, and, as I am informed, all of the water privileges in it have been necessarily and the survey of the control of the water privileges in the control of the water pre-empted.

W. H. Goucher, agent, San Francisco, Cal., says in his report of November 17, 1884:

November 17, 1884:

I would estimate that but 5 per cent, of the entries made under the timberculture and desert-land laws are in good faith and with the intent of accomplishing the purposes contemplated in those acts. Ninety per cent, of all the
entries under these laws made in this district were filed within the past two
years. As the requirements of the laws during such period are preliminary to
the object intended, especially as to the timber-culture act, no estimate can be
made as to the proportion of such entries as are really improved by planting

and cultivating trees. My estimate of 5 per cent, is based on the number of entries that are relinquished and the general tone of the settlers from conversations, &c.

tions, &c.

As a rule, it is safe to assume that the entries made under the desert-land law in the Los Angeles district are for the purposes of speculation, for the reason, as I have before stated, that owing to prior appropriation of the water it would be almost impossible to procure the necessary water to reclaim such lands, even if the entryman was honest in his intentions. During the year 1877, shortly after the passage of this act, a large number of desert entries were made in this district of which not 2 per cent. have been reclaimed, as contemplated in the act.

T. H. Cavenaugh, Olympia, Wash., says in his report dated November 8, 1884, in regard to the condition of thepublic land question in that Territory, that-

I am convinced, from examination and investigation, that 90 per cent. of the homestead and pre-emption entries made within the territory named herein are made solely for the timber growing thereon, and because such lands are ready sale. By making use of the pre-emption and homestead laws the entrymen save in purchase of tract the difference between \$2.50 and \$1.25 per acre, which swells the profits when sold.

The fraudulent methods of obtaining title to the public domain have

not been confined entirely to our own people.

The manner in which many of these titles have been acquired has gone abroad and foreign capitalists, through their agents in this country, have acquired title to more than 20,000,000 of acres of our public land, much

of which has been effected by means of the grossest frauds.

In order to show the methods used by foreigners in acquiring title, I will refer to the Estis Park cases in Colorado. There a large quantity of the public domain, amounting to several thousand acres, was fraudulently entered at the instance of the agents of the Earl of Dunraven, and the Commissioner states that not a witness was produced on the day of hearing to sustain the entries, and that the affidavits of numerous citizens of that locality were overwhelming in character against the entries.

But it is said by those who would see these frauds continue, that the reports from which I have read were made over two years ago, and that the frauds therein cited do not exist now. To prove the fallacy of this assertion I refer to a letter written by the Commissioner of the General Land Office on the 19th of June, 1886, in which he says:

In many cases the agent furnishes the affidavits of the claimants themselves, in which they swear to their own and their associates' illegal and fraudulent acts. One agent alone within the last four or five months has transmitted to this office the affidavits of entrymen in eighty-three cases in which they admit that they never saw the lands and that they were hired by the agents of the speculators to make the entries.

And the same letter contains another very important statement. It

It will be seen that out of the 2,501 cases reported and examined 2,223 have been shown to be fraudulent. Of the 368 suspended cases a large proportion have also been shown to be of such character as to require further investigation. The foregoing does not include many hundreds of cases where entries have been canceled for fraud developed in contest proceedings between private indi-

And this shows also the great amount of labor which is being done

by the General Land Office.

It is unnecessary for me to read further. The reports are all on file in the General Land Office with hundreds of others, together with the affidavits of witnesses substantiating all I have said in reference to fraudulent land entries. That these things have been done there is no question; that men have perjured their souls and led others to do so in their endeavors to acquire wealth by robbing the people is equally indisputable.

The bitter attack made the other day by the gentleman from Ne-braska [Mr. LAIRD] on the Commissioner of the General Land Office was totally uncalled for. In his remarks on that occasion the gentle-

man made use of the following:

The Land Commissioner is running a vendetta against the best interests of all the territory beyond the Missouri River. * * * He is backed by a band of hireling spies, and is trying to unsettle the land and titles of half the continent and drive the peaceful possessors of the soil, supposed to be the common heritage of the people, forth from their homes, to the end that he may pose as a reformer and drink the paid flattery of his gang of spotters, spies, and poisoners of the tenures of the settlers of the West.

This is very strong language to use against an officer of the Government, and especially should not have been used unless the facts in the case clearly substantiate and confirm the charges. In justification of the Commissioner I freely assert that he has done nothing in the administration of his office which in any way makes room for such an invective or rather abusive tirade as was directed toward the Commissioner by the gentleman from Nebraska.

I think there must have been some peculiar reason, some hidden motive resting in the mind of the gentleman from Nebraska which en-couraged him to hurl such "dire and dreadful thunderbolts" at the Commissioner of the General Land Office. Filled with admiration, possibly, at his great fluency in command of language on that occasion, the gentleman to day has treated us again with an entertainment of a

somewhat similar character.

I now request the attention of the House, and especially the gentleman from Nebraska [Mr. LAIRD], to what I am about to say, for I think I can in some degree explain why the gentleman has assumed his very aggressive attitude. The gentleman in his remarks to-day read a letter or petition setting forth the imaginary grievances which the writer thinks might befall the people of the McCook land district, which lays in the

district represented by the gentleman from Nebraska, by reason of the orders and rulings of the Commissioner of the Land Office; and also in his remarks the gentleman from Nebraska took occasion to say that there had never been any frauds committed in his district against the public-land laws.

I have here the reports of two special agents who were sent into the McCook land district at different times by Mr. McFarland, a former Commissioner of the Land Office, with instructions to examine into some cases arising out of entries made at that office and to report as to whether there was any fraud connected with them. In connection with the reports I have also the affidavits of witnesses. I do not care to take up the time of the House to read the evidence, but will read a carefully prepared summary of the whole:

the time of the House to read the evidence, but will read a carefully prepared summary of the whole:

Itappears from evidence on file that on or about the 12th of June, 1883, Hon, JAMES LAIRD and one Kelley visited the country along the Sinking Water Creek, in Nebraska, in company with a surveyor and had fifteen or twenty tracts, containing 160 acres each of Government lands, located by survey with a view to entry. The tracts referred to embrace all the water in that vicinity and thereby control the range over a large body of public land.

The party returned to McCook after completing the survey and furnished a description of the lands to one Galen Baldwin, who thereafter acted as the agent for a party of men who were from that time known and designated as the "Laird outfit" or "Hastings party." One Hulbert claimed to have first hired the same surveyor to locate the lands for himself and friends and procured a plat from him describing each tract. The plat, however, was afterward ascertimed to be incorrect. The surveyor, however, appears to have furnished a correct plat to the "Laird outfit."

On the morning of June 15, 1883, Hulbert and his associates went to the land office and asked the register the privilege of examining the official plats, which request was denied for the reason that they were not subject to inspection until 9 o'clock, the hour for opening the office for business. They also notified said officer that they wanted to make entries and asked to be advised so that they could get in their applications as soon as the office was opened for business. They stationed themselves at the most convenient position for that purpose and shortly afterward Hulbert tendered his application, which was rejected because, as aleged by the register, it lacked five minutes of 9 o'clock by the office clock, although it appears to have been that hour by the railroad time.

It was observed that tweive or thirteen men, headed by their attorney, one Strobuck, were also in the land office what previously been seen examinin

elligent clerks.

The whole proceeding at the local office was treated by the claimants as a uge joke; one inquiring of his companion where the land was; another said, dann the land; I don't ever expect to see it."

Mr. LAIRD. Will you allow me to say something about that? Mr. COBB. Yes, sir. I am reading from the report. I am not saying whether it is true or false.

Mr. LAIRD. You are reading from the report of a liar in the em-

ploy of your commission.

Mr. COBB. I am simply reading a summary of the report. not saying whether it is true or false, as I have already stated. neither indorsing its truth nor denying it. The affidavits are on file, proving these facts, affidavits of men whose good character I presume the gentleman from Nebraska will not deny.

I proceed with this summary:

These facts are shown by Inspector Green's report and affidavit accompanying the same. Green says that "I have no doubt that the register and receiver were aware of the fraudulent nature of these entries; but whether they permitted them through a desire to accommodate an influential political friend (meaning JAMES LATED) or because they were in some manner the beneficiaries I do not know; but I am satisfied it was not through ignorance of their duties in the case."

This is the evidence taken by Green, backed by Agent Cobnrn, both being sent out, as I have already stated, by Commissioner McFarland to investigate the facts.

Mr. TOWNSHEND. What are Cobnrn's politics?

Mr. COBB. Republican. They were both Republicans. I read further from the summary of the evidence:

ther from the summary of the evidence:

Special Agent Coburn, who also investigated the cases, says that "it is a matter beyond question that such a friend as is before alluded to had taken a warm interest in the Hastings party." The "friend" before alluded to was clearly JAMES LARD, and he is described "as an influential political friend of the local officers." They were recommended for appointment to their respective positions by Mr. LARD, and he is shown by his letters on file to have taken a very warm interest in them as well as in the "Hastings party." He also made a strenuous effort to have Green removed after he made his report. Both Green and Coburn were Republicans and made their reports to their superior officers, who were also Republicans.

Mr. LAIRD. That is a falsehood; and your statement that there is such a letter of mine on file is a falsehood.

Mr. COBB. I did not say that.

Mr. LAIRD. The statement in that report is that there is a letter of mine on file.

Mr. COBB. I did not say so.

But the report says it.
Well, the proof shows it. Mr. LAIRD. Mr. COBB.

I beg pardon, the proof does not show it. Mr. LAIRD.

Mr. COBB. Well, you and the proof seem to differ. I am not going to have any controversy about it myself.

Mr. LAIRD. Well, it is a falsehood. I never said a word about it one way or the other.

Mr. COBB. Well, the proof shows it.

Mr. LAIRD. The proof does not show it.

Mr. COBB. It does.

Mr. LAIRD. It does not.

Mr. COBB. Well, it does not make any difference to me whether you deny it or not. I now proceed with the summary:

The "Laird outfit" commuted their homestead to cash upon proof showing continuous residence on the lands and valuable improvements, they being witnesses for each other in their final proofs.

Does the gentleman deny that?

Mr. LAIRD. It may be supposed that I know something of what I am

talking about.

Mr. COBB. I don't care what you know. The evidence is on file. I do not wish the gentleman to interrupt me. There is enough evidence on file to satisfy him if he will read it, and if he has not read it he had better not be talking about the honesty and integrity of other people. I proceed with the evidence.

I proceed with the evidence.

Hearings were afterward ordered and had for the purpose of determining the facts as to the invalidity of the entries. The evidence submitted shows that the claimants were residents of and engaged in business at Hastings and personally attended to their business during their alleged residence on the claims; that their improvements were of little or no value, and were made by Galen Baldwin above referred to; that they never lived on the land, and that the entries were made for the purpose of controlling the water rights and cattle range in that vicinity and with no intention of acquiring homes.

Does the gentleman deny that? If he does the proof is overwhelming against him?

You will hear what the gentleman denies when he Mr. LAIRD.

gets the floor.

Mr. COBB [reading]:

Mr. COBB [reading]:

It appears in brief from all the evidence that James Laird was the instigator of and leader in this great fraud; that the lands were surveyed under his direction; that at the opportune moment, and evidently in pursuance to a preconcerted plan, his brother and other friends were at the local office acting through a common agent in a scheme to enter the lands he had selected; that the local officers, who were appointed on his recommendation used their official positions to advance the scheme and to give them the prior right over others who had the better right, and that the same officers afterward allowed the final entries solely upon testimony of the parties themselves, when they must have known that such testimony was false.

It was a bold fraud attempted to be accomplished through political influence over the Government officers and without any pretense of compliance with law.

The entries made by the parties from Hastings on the day of the opening of the office at McCook are believed to be as follows, namely:

HOMESTEAD ENTRIES.

No. 3. Harry E. Randall, SW.‡ see 1, T. 6 N., R. 36 W.
No.5. August Schmidt, SE.‡ NW.‡ and NE.‡SW.‡ and lots 2 and 3, 31, 7 N.,
36 W.
No. 6. James B. Wallace, E.‡ SE.‡, 3. and S.‡, SW.‡, 2, 6 N., 36 W.
No. 8. John H. Clark, E.‡ NE.‡ and E.‡ SE.‡, 35, 7 N., 35 W.
No. 9. John G. Ballard, SE.‡, 32, 7 N., 35 W.
No. 10. Arthur Williams, S.‡ SE.‡, 2, and E.‡ NE.‡, 11, 6 N., 36 W.
No. 11. W. F. Schultheiss, NE.‡, 12, 6 N., 36 W.
No. 12. Alonzo W. Laird, NW.‡, 12, 6 N., 36 W.
No. 13. Hans M. Oliver, S.‡ NW.‡ and lots 3 and 4, 3, 6 N., 36 W.
No. 14. O. H. McNeill, S.‡ NW.‡ and lots 3 and 4, 1, 6 N., 36 W.
No. 15. Prank Stine, lots 3 and 4, sec.4; lots 1 and 2, sec.5, 6 N., 36 W.

TIMBER-CULTURE ENTRIES.

No. 8. Abraham Yeasel, S. ‡ NE. ‡ and lots 1 and 2, sec. 4, 6 N., 36 W. No. 9. Alonzo W. Laird, SW. ‡ 32, 7 N., 36 W. No. 10. Hans M. Oliver, W. ‡ SE, ‡ and E, ‡ SW. ‡ 3, 6 N., 36 W. No. 11. Simon Kelley, SE. ‡ 32, 7 N., 36 W. All of the above entries dated June 15, 1863.

Of the homestead entries the following have been commuted to eash, namely:

CASH ENTRY.

No. 237. Alonzo W. Laird, February 6, 1884. No. 238. John H. Ciark, February 6, 1884. No. 255. O. H. McNeil, February 19, 1884. No. 290. August Schmidt, March 11, 1884. No. 291. James B. Wallace, March 11, 1884. No. 440. Hans M. Oliver, May 27, 1884. No. 441. Arthur Williams, May 27, 1884. No. 442. W. F. Schultheiss, May 27, 1884.

Upon reference to the plats it will be seen that the tracts lie along the banks of the stream known as the "Stinking Water" for several miles.

It is hardly necessary to remind the House at this late day that in that region these valleys are the favorite points of the stockmen, and the lands are coveted for the water which they afford and for the reason that their possession renders the adjoining sand hills and plateaus useless to others, and thus secures an ample range without cost. The Commissioner, Mr. Sparks, has decided against these entries, and this accounts for the opposition against him of the gentleman from Nebraska [Mr. LAIRD].

The gentleman from Nebraska also read an article from the Omaha Herald which criticised Commissioner Sparks.

Without desiring in any way to imitate the gentleman from Nebraska, I find it quite seasonable to also read you quite an interesting little article which has considerable bearing upon what I have been referring to. It happens to be a clipping from the same newspaper referred to by the gentleman from Nebraska-the Omaha Herald. I also will add a short clipping from the Omaha Bee.

I read as follows:

CLEANING THE AUGEAN STABLES.

Seven or eight months ago the Herald printed a very complete exposs of the pre-emption methods of Mr. James Lairo (member of Congress by the grace of Republican voters) in the Stinking Water district.

This week Commissioner Sparks ordered the cancellation of the fraudulent

claims.

The world moves. The Stinking Water having been purified, he for the slaughter-house!

To the above all honest men, irrespective of party prejudice, must say amen. It was a corrupt effort on the part of the cattle-kings and land-grabbers' syndicates to gobble up the best of Uncle Sam's domain, inasmuch as they covered with fraudulent entries the most valuable, the water-laved lands of the district. That the claims were based on fraud even the land officers must have known, as well the day the entries were made as they do to-day, upon their cancellation, the difference being that under Republican rule it was impossible for an bonest settler to get a fair and impartial hearing, while the Democratic administration gives to each and every honest homesteader the full protection to which he is entitled.

[From the Omaha Rec.]

[From the Omaha Bee.]

"The cancellation of Mr. James Laurd's Stinking Water claims is an 'old settler' from Sparkville."

I deem comment unnecessary upon the newspaper articles which I have just read. Coming from the gentleman's own State, I am inclined to believe that some importance and credit should be given them.

According to the gentleman's own statement there was fraud intended in the Stinking Water entries, for he indicates that there was a struggle between the Laird party and the Hulbert party as to which might be the first to make the entries and "gobble up" this land along the Stinking Water for some 12 or 13 miles in the gentleman's district. He says that it was a race between rascals, and I quite agree with him.

Mr. LAIRD. Will the gentleman from Indiana allow me to correct

him just there?

Mr. COBB. I am only giving the gentleman's own statement.
Mr. LAIRD. I trust, Mr. Chairman, that neither the gentleman

from Indiana nor any other gentleman on this floor will undertake to denounce me or the men who are spoken of here as rascals. They are as clean and honorable as you can produce here or elsewhere—
Mr. COBB. Be careful; do not make any charges.
Mr. LAIRD. The gentleman need not undertake to threaten me.

Mr. COBB proceeded:

This is what the proof shows. The Commissioner seems to have been quite careful in investigating the case. He sent Agent Green, who seems to have fully investigated it and made report July 6, 1883. Afterward Agent Coburn was sent out. His investigation fully supported Green's report. He reported October 13, 1883.

Mr. LAIRD then addressed the House, and

Mr. COBB replied as follows:

Mr. Chairman, in stating this case a few minutes ago when occupying the attention of the House I stated that I knew nothing personally of the facts and would only state what the evidence shows which is on file in the General Land Office. I have done so, and it seems to have annoyed the gentleman. Whether these gentlemen who made these fraudulent entries are honest men or not, as asserted by him, I will not now discuss. I have presented the record, which speaks for itself.

Mr. LAIRD again interrupted.

Mr. COBB. I did not make any threats against you and you must

not make any against me.

Mr. LAIRD. I am not going to make any charges that I can not

sustain. The gentleman does not frighten me.

Mr. COBB. The gentleman does not frighten me either, but he must

be careful in his statements.

Mr. LAIRD. Then don't you make any unfounded accusations.

Mr. COBB. I have not made any charges, founded or unfounded. I have confined myself strictly to the facts as proven.

Mr. LAIRD. I hope the gentleman will do so.
Mr. COBB. Then I hope the gentleman will permit me to proceed without further interruption. I shall attempt to do the gentleman full

Notwithstanding the data I have presented, which strikes me as being extremely strong and conclusive, the gentleman denies that there is fraud in the entry of the public lands and has the boldness to denounce the Commissioner, when it is evident that it is going on in his own State and in his own district, and even he himself stands charged with being implicated in the committal of these very frauds.

A system of fraud is executed by going on when we have

A system of fraud is constantly going on wherever public lands are to be found. The Commissioner informs us that such is the case and his statements are substantiated by the reports of the special agents engaged in the detection of fraud and finally by thousands of letters from the honest citizen who resides in the vicinities of these appalling infringements on the rights of the people, and yet the gentleman says it is not right and proper to make an appropriation of money so that the Commissioner may employ aid to assist him in the enforcement of the I deem it extremely expedient that this appropriation be made and that this House should sustain the Commissioner who is making such splendid efforts in preventing the spoliation of the people's property.

I now desire to call the attention of the House to another case. in the RECORD of June 25 a letter which Senator Plumb, chairman of the Committee on the Public Lands of the Senate, read and commented

upon. It is as follows:

"[W. S. Tallant, clerk of district court, Nelson County.]

"LAKOTA, DAK., June 18, 1886."

After a little introductory paragraph, which it is not necessary to read, the

"IAKOTA, DAK., June 18, 1886."

After a little introductory paragraph, which it is not necessary to read, the writer says:

"The special agents of the Land Office have been causing almost every settler here trouble and expense, which they can not afford, and not doing the Government any good. Now, I speak from personal knowledge when I say that I do not think that any part of the public domain has ever been proved up with better intent and a better compliance with the laws. Yet we are told that ninetynine out of every hundred proofs made will be canceled.

"I can cite you my own case for one. I made a homestead entry on June 26, 1881, and moved on the land June 27, 1884, and made proof in October, 1885."—
Procured evidently in that case under what is called the commutation clause of the homestead law, which provides that a person who has made an entry under the homestead law may change his entry to a pro-emption entry at any time after six months, and instead of getting the land for nothing, as he otherwise would at the expiration of five years, by paying a dollar and a quarter an area for it, getting a final-entry certificate at the time he makes his payment and his proofs—
"having when I proved up 40 acres broken and cropped, and a good house thereon. Since that date I have build a barn that will cost me about 550 and have had the whole claim broken up and gotten ready for crop next year. I also have another claim which joins my homestead on the west, giving me 220 acres, all of which is now broken up and ready for crop, out of which I have in crop on the land this year about 170 acres, and have buildings on the land that altogether cost me nearly \$2,000. Every cent that I have made for the last three years has gone on the place, and I have refused at least half a dozen offers to sell at good figures.

"Now at this late day comes a special agent and says that he has reported my homestead for cancellation for the reason that I am not now living on the land."
"But I am keeping men there to work the place for me

"But I am keeping men there to work the place for me, and it is the only land that I own in the world, and I have had to undergo great hardships to get these claims and have acted in every way in good faith and intent.

"Yours, &c.,

"W.S. TALLANT."

This letter is calculated to play upon the sympathy of those who read without a knowledge of the facts. Doubtless the Senate was very much grieved when this letter was read, and I must confess that my sympathy was ready to go out toward the writer. On inquiry, however, I discovered that this man, Walter S. Tallant, was clerk of Nelson County, Dakota, land attorney and notary public, and resided in Lakota, said county, &c. The record shows that he stands charged with subornation of perjury and of willfully procuring the making of pre-emption cash entries which are fraudulent as shown by the subsequent affidavits of the entrymen themselves and other evidence now on file in the General Land Office. The examination of the case has not been entirely completed, but enough has been disclosed to satisfy our curiosity.

The disclosures are as follows: The filings made by the entrymen

who testify against Tallant were made in township 151 north, range 62 who testify against Tallant were made in township 151 north, range 62 west, adjoining the eastern boundary of the Devil's Lake Indian reservation and in the Grand Forks land district. Cash entries Nos. 10300, 10078, 10086, 11239, 10144, 10442, 10309, as made by Florence L. Waite, James H. Andrews, Frank M. Payton, George W. Price, William L. Bailey, John Hofer, and Joseph Hofer. It is disclosed by the individual affidavits of these parties, filed in connection with the reports of Special Agent Travis Rhodes, that they made their entries in the interest of Tallant, either personally or who was acting as the agent of William Tallant, of Chicago, and others. The pre-emption cash entries Nos. 10146, 10130, and 10308, as made by Walter S. Tallant, William Tallant, and John Olsson, and also homestead entry No. 8515, all have been investigated, and the summary of the evidence in the cases disbeen investigated, and the summary of the evidence in the cases dis-closes the fact that said Walter S. Tallant not only engaged in the promotion of fraud but was, as well, guilty of unprofessional conduct respectively as attorney, clerk of the court, and as notary public.

Such is the character of some of the persons who are assailing Com-

missioner Sparks. I believe that the great body of the complaints made come from such individuals as Tallant, because they are aware that the Commissioner is endeavoring to frustrate their attempts to acquire title in opposition to law. Many more cases such as I have illustrated can be had, but I think the cases cited are sufficient to show the expedi-

ency of this appropriation.

I have here also letters from citizens living in every State and Territory where any public land may be found, which cordially indorse the course of Commissioner Sparks.

Living in the locality of the alleged fraud, and knowing directly whereof they speak, their utterances have a peculiar significance which

can not be descried.

I hold in my hand more than four hundred letters, all indorsing the Commissioner. I have nineteen from the gentleman's [Mr. LAIRD's] own State, but I will not take the time to read them. I will first read a letter from a distinguished Republican of Illinois, whose long and

honored public life entitles him to the highest credit, after which I will submit a few others:

SPARKS INDORSED-HON, E. B. WASHBURNE COMMENDS HIM FOR AN HONEST, FAITHFUL, AND EFFICIENT OFFICER

The Chicago Tribune of January 28 prints the following:

CHICAGO, January 27.

Editor Tribune:

I see that Hon. William A. J. Sparks, Commissioner of the Land Office at Washington, is the subject of many violent attacks by certain newspapers as well as by stipendiaries of the land-grant railroads. I have no personal acquaintance with Mr. Sparks, and have never seen him, and we are as far apart politically as it is possible for any two men to be. But I desire to say that in all that I have read in respect to his administration of the General Land Office I see nothing which justifies the attacks which have been used upon him, so far as I can judge. In respect to his decisions, they are substantially just and in accordance with law.

If persons affected by such decisions are dissatisfied, it would be far better for them to exercise their right of appeal to have such decisions reviewed than to be assailing the Commissioner through the newspapers. They can be heard, if they are dissatisfied, before the Secretary of the Interior, Mr. Lamar, whom I have known since some years previous to the breaking out of the war as a member of Congress from Mississippi and a member of the Committee of Commerce of the House of Representatives, of which I was the chairman; and I can state that he is not only a very able man, but a very just and conscientious man, who can be trusted in any matter of appeal that may come before him. And then on law questions the opinion of the Attorney-General could be had, who is an able lawyer and, I believe, an honest man.

The General Land Office for the past fifteen or twenty years has, according to my judgment, been the most corrupt Department that ever existed in any government on the face of the earth. For years and years the land-jobbers and the *and-grabbers seemed to have had full sway there, and it is quite time they was rooted out; and I am glad to find that an Illinois man like Mr. Sparks has had the course to attack these supendous abuses and to attempt to recover for the benefit of the people at large some portion of the public lands which had been obtained from t

This letter needs no comment; it is strong and to the point, I now read a letter from Dakota:

FOREST CITY, DAK., February 19, 1886.

DEAR SIE: I thought I would write you giving you some idea of the sentiment of the people here.

I have been a Republican ever since that party was organized and thought that when Mr. Cleveland was elected our country was near ruined, but I now think different, and I think your honest and manly course has done a great deal to change public sentiment. All honest settlers are on your side, but land-grabbers are down on you to a man, regardless of politics.

J. P. PETERS.

Mr. SPARKS.

I also submit the following:

Tobias, Nebr., February 17, 1886.

FRIEND SPARKS: Having recently returned from a trip through the western part of this State, and having at one time been employed in surveying with a party of Government surveyors in Dakota, and having taken a special course in surveying white at college, I took especial pains to investigate the public surveys here concerning which there has been so much said of late, and I find the charges of fraud are only too true. And in my opinion the office of surveyorgeneral in this State should not be abolished. I also took occasion to inquire as to the opinion prevailing in regard to your recent rulings, and find that every honest homesteader is well satisfied and fully upholds you in your endeavors to prevent fraud.

Yours, truly,

I also submit the following letter:

LINCOLN, NEBE., May 22, 1886.

Dear Sin: Allow a stranger (and Republican at that), one that has traveled all over the States and Territories and has lived in the Territories most of the time for the last four years, to say that you have the good-will and patronage of all law loving and abiding citizens of the West for the course adopted and pursued by you to date. And you have my especial esteem and regards, for only those that have lived, traveled, &c., in the West can know anything about the frauds that are perpetrated under the cloak of honest homesteaders, &c.

Yours, very respectfully,

F. N. DATTEPSON

E. N. PATTERSON.

P. S. I do not expect a good word for this for any purpose, though I believe there are new land offices being created in State.

To Hon. J. C. Sparks,

United States Land Commissioner, Washington, D. C.

CUSTER COUNTY, NERRASKA,

Sin: I take this opportunity to inform you that there is a large scope of country here held by cattle-men. Claims similar to this they will give \$150 to a young man for his claim and do all the work, build his house, pay the money, furnish proof to prove vp. He goes on, digs a little in the side of a hill, covers it with a few poles and hay and a little dirt, and digs a well. Sometimes the well is on the quarter taken; sometimes one well answers for two claims. The most of this township is held in this way: this is township 13, range 20, Custer County, Nebraska.

There are several families coming out here this spring—they will want a farm. It keeps the country back. We can not have schools unless it is settled up, we are so far apart. What is a timber claim worth where a man takes a claim and sells timber off it for seven or nine dollars a tree. There are some of them, This wants to be looked after. This is a good farming country; it is a little rough, but there is not a quarter that a man can not make a living off of. If a man takes a claim they beat him out of it in some way.

G. W. GEOFFREY.

Mr. SPARKS.

I now come to the next order issued by the Commissioner of the General Land Office of which we have heard so much in this Hall and else-

In order to fully vindicate the Commissioner and forever put at rest the charge of injustice and illegality, a statement of the facts and what the law is will be sufficient.

When the present administration came into power and the present Commissioner took charge of the General Land Office, he found a large amount of evidence on file proving great frauds on the public lands which had been taken by agents under a former administration, which evidence has been greatly increased under his charge, much of which I have referred to heretofore.

There was also found an appalling state of things growing out of the unlawful fencing of the public lands by cattle "rings" and capitalists—30,000,000 acres of the public lands were fenced with wire fences, many of these erected by foreigners, and when the honest settler undertook to settle upon these lands and make a home for himself and family he was driven off by the "cowboys," who were in the employ of the men who claimed to own the premises, for the purpose of raising cattle thereon, thus illegally prostituting these public lands to their exclusive use to gratify their greed and avarice in the accumulation of wealth.

In this way they were enabled to produce hundreds of thousands of cattle annually at a mere nominal cost per head, which they put in the market in competition with the cattle of the farmers which had to be raised and made ready for market from the products and labor of the farm. No wonder at the outburst of approval from the farmers of the whole country which arose when the present Executive issued his proclamation last year ordering the "cattle rings" and capitalists to take their cattle from these lands, and the great body of the people throughout the entire country will stand by the President in his efforts to strictly

enforce the letter of this proclamation.

Why this was not done by a former administration I shall not stop to discuss. It was not done, however. Formal notice, I believe, was served on the parties to go from these lands, but no attention was paid to this, and they continued in unlawful possession of the lands. Some suits were also brought, but they were not prosecuted to effect. To give some idea of the enormity of these cattle ranches I read the following list which embraces only a part of them:

give some idea of the enormity of these cattle ranches I read the following list which embraces only a part of them:

The following localities, in addition to the counties above mentioned in the State of Nebraska, are referred to, namely:

Kingman, Pratt, Barbour, Butler, Harper, Comanche, and Lane Counties, Kansas; Billings County, Dakota; Cassia and Oneida Counties, Idaho; Carbon, Laramie, and Sweetwater Counties, Wyoming; Humboldt, Mendocino, and Plumas Counties, California; Madison, Meagher, Gallatin, and Yellowstone Counties, Montana; Sevier County, Utah; Colka and Mora Counties, New Mexico; and Rent, Las Animas, Pueblo, Fremont, Park, El Paso, Weld, and La Plata Counties, Colorado.

Among the cases specially reported additional to the Brighton Ranch in Nebraska, are those of the Arkansas Valley Cattle Company, in Colorado, whose inclosures embruse upward of 1,000,000 acres; the Prairie Cattle Company (Seoteh), in Colorado, upward of 1,000,000 acres; H. H. Metcalf, River Bend, Colorado, 200,000 acres; John W. Prowers, Colorado, 200,000 acres; McDaniel & Davis, Colorado, 75,000 acres; Garnett & Lamb, Colorado, 40,000 acres; J. W. Frank, Colorado, 50,000 acres; Routchler & Lamb, Colorado, 30,000 acres; Yrooman & McFife, Colorado, 50,000 acres; Beatty Brothers, Colorado, 40,000 acres; Chiek, Brown & Co., Colorado, 30,000 acres; Colorado, 60,000 acres; Colorado, 50,000 acres; Seatty Brothers, Colorado, 40,000 acres; Chiek, Brown & Co., Colorado, 30,000 acres; Wrooman & McFife, Colorado, 50,000 acres; Beatty Brothers, Colorado, 40,000 acres; Chiek, Brown & Co., Colorado, 30,000 acres; Wrooman & McFife, Colorado, 50,000 acres; Beatty Brothers, Colorado, 40,000 acres; Chiek, Brown & Co., Colorado, 30,000 acres; Wrooman & McFife, Colorado, 50,000 acres; Beatty Brothers, Colorado, 40,000 acres; Chiek, Brown & Co., Colorado, 50,000 acres; Colorado, 60,000 acres; Colorado, 60

The cases above referred to are to be regarded merely as indicative of the sit-

DEPARTMENT OF THE INTERIOR, Washington, March 3, 1884.

DEAR SIE: Referring to our conversation on the subject of foreign companies controlling inclosures of the public lands, I send you the inclosed memorandum, which I think contains the facts you wanted. The land described, with the exception of perhaps a few thousand acres, is all Government land.

Very respectfully yours,

H. M. TELLER, Secretary

Hon. L. E. PAYSON, House of Representatives.

The Arkansas Cattle Company have fenced in the following-described public tand in the States of Colorado and Kansas, namely:

Beginning on the north bank of the Arkansas River, on the line between Secs. 19 and 20, in T. 23 S., R. 41 W., and running a northerly direction to Sec. 20, in T. 15 S., R. 41 W.; thence a northwesterly direction to Sec. 20 in T. 15 S., R.

44 W.; thence a southwesterly direction to southeast corner of Sec. 36., in T. 15 S., R. 48 W.; thence a southerly direction to the northeast corner of T. 19 S., R. 48 W., and thence a southeasterly direction to the bank of the river in Sec. 26, T.22 S., R. 46 W. of the sixth principal meridian. Also all that other tract or parcel of land being on the south side of the Arkansas River, in Bent County, Colorado, and bounded as follows, namely: Beginning on the south bank of the Arkansas River on the east line of T. 23 S., R. 42 W., and running south on said township line to the south line of said township; thence west along the south line of said township to the middle of Sec. 33 in said township, and thence north to the Arkansas River on the north line of Sec. 21, in said township.

There appears to be about forty townships, or 921,600 acres, embraced in the inclosure.

The United States deputy surveyor, G. W. Fairchild, says in his re-

The whole country embraced in my contract (Northwestern Nebraska) is occupied and run by capitalists engaged in cattle-raising, who have hundreds of miles of wire fence constructed to inclose all desirable land, including water-courses, to form barriers for their cattle and to prevent settlers from occupying the land. They also represent that they have desert or timber claims upon the land they have inclosed. Upon their fences they have posted at intervals notices as follows: "The —— who opens this fence had better look out for his scalp." The fences are built often so as to inclose several sections in one stock ranch, and the ranches are joined together from the mountains clear round to the mountains again, Persons going there intending to settle are also informed that if they settle on the land the ranchmen will freeze them out; that they will not employ a man who settles on or claims land, and that he can not get employment from any cattle-men in the whole country.

All the facts which I have stated and many more confronted the in coming administration. Vigorous proclamations and orders, and their

These frauds had to be met in a way which would put a stop to them, else the absorption of our public lands would surely follow. To meet the emergency orders were issued by the General Land Office, and because of their issuance Commissioner Sparks has undeservedly been at-

cause of their issuance Commissioner Sparks has undeservedly been attacked. An order was issued suspending the further issuing of patents. Another order, suspending entries under the provisions of the preemption, timber-culture and desert-land laws was issued. The latter order was issued in anticipation of the speedy passage of an act by Congress repealing those laws. The action of the Commissioner in this instance, in thus anticipating the action of Congress relative to matters relating to the General Land Office is well established by numerous instances in former administrations, which I will show further commissions. stances in former administrations, which I will show further on when come to read a letter from Commissioner Sparks on this subject.

As a matter of fact, there was at the time that this order was issued a bill pending before Congress for that purpose, which, but a few days after the issuance of this order, passed the House by a vote of more than 4 to 1, and which ought to pass the Senate and become the law. The repeal of these laws has been recommended for four years by the General Land Office.

I introduced a bill in the Forty-eighth Congress, as well as in this, for the repeal of these laws.

In the last Congress, as well as in this, I also had the honor to report a bill for the repeal of these laws to the House from the Commit-tee on the Public Lands, of which I was then and am now chairman, which there passed but which was defeated in the Senate. Whether the present bill will pass the Senate without objectionable amendment remains to be seen.

For issuing his last order Commissioner Sparks has been most savagely denounced. All the land-grabbers in the country, together with their huge and organized array of agents and lobbyists, seem peculiarly

distressed and denounce it as unlawful.

That the Commissioner had the clear legal right to issue this order is fully shown by his letter to the Secretary of the Interior of June 21, 1886, in answer to a Senate resolution calling upon that officer "to inform the Senate by what act it is claimed that Congress has delegated to the Commissioner of the General Land Office or to the Secretary of the Interior, or to those officers acting jointly, the power to suspend by executive order the operation throughout the United States of the preemption, the timber-culture, and the desert-land acts." I read from his letter:

The authority to issue such circular was founded upon precedents deemed to be sufficient, of more than forty years' standing, sanctioned by judicial decisions and by Congressional recognition.

The legislative authority upon which these precedents were established appears to have been drawn from the general powers of supervision and administration conferred upon the executive department (act of April, 1812, 2 Statutes, 716; July 4, 1836, 5 Statutes, 107; 3 March, 1849, 9 Statutes, 395; Revised Statutes, sections 441, 453) and upon the special recognition of the power of the President to create reservations of public lands found in the pre-emption act of 1841 and similar acts.

to create reservations of public lands found in the pre-emption act of 1841 and similar acts.

The following are among the leading decisions of the Supreme Court of the United States in which the authority of the President to reserve public lands from entry has been affirmed, the acts of the officers of the Land Department in this respect recognized as the acts of the President, and the legal effect of such reservations upheld.

In 1827, in the case of Chotard vs. Pope (12 Wheat., 586), the court said:

"An authority" to enter" a certain quantity of land does not authorize a location on lands previously appropriated or withdrawn from the lands offered for sale."

sale."

In McConnell vs. Trustees (12 Wheat, 582), the court recognized "the reasonableness of reserving a public spring for public uses."

In Kissell vs. Saint Louis, an entry was held invalid because the land had been "reserved from sale" by officers of the Land Department." (18 How., 10.)

At the request of the Secretary of War, the Commissioner of the General Land Office in 1824 colored and marked upon a map a section of land as reserved for military purposes and directed it to be reserved from sale for those purposes. In the case of Wilcox vs. Jackson (13 Pet., 513), involving this land, the Supreme Court, reciting the foregoing, said:

"We consider this, too, as having been done by authority of law, for among other provisions in the act of 1830 all lands are exempted from pre-emption which are reserved from sale by order of the President. Now, although the immediate agent in requiring this reservation was the Secretary of War, yet we feel justified in presuming that it was done by the approbation and direction of the President. The President speaks and acts through the heads of the several Departments in relation to subjects which appertain to their respective duties. Both military posts and Indian affairs, including agencies, belong to the War Department. Hence we consider the act of the War Department in requiring this reservation to be made as being in legal contemplation the act of the President, and consequently that the reservation thus made was, in legal effect, a reservation made by order of the President, within the terms of the act of Congress."

In the pre-emption act of 1830 it is provided that the right of pre-emption con-

of Congress."

In the pre-emption act of 1830 it is provided that the right of pre-emption contemplated by the act shall not extend "to any land which is reserved from sale by act of Congress, or by order of the President." In the pre-emption act of 1841 (see, 2258 Revised Statutes) it is provided that "lands included in any reservation by any treaty, law, or proclamation of the President of the United States," shall not be subject to entry under the act. The act of 1853, extending the pre-emption laws to California, excepted from their operation lands "reserved by competent authority."

In Grisar es. McDowell (6 Wall., 381), the Supreme Court, constraing the foregoing acts, say:

going acts, say:

"The provisions in the acts of 1830 and 1841 show very clearly that by 'competent authority' is meant the authority of the President and officers acting under his direction."

going acis, say:

"The provision's in the acts of 1830 and 1841 show very clearly that by 'comgetent authority' is meant the authority of the President and officers acting petent authority is meant the authority of the President and officers acting and the court further said in this case "that it was of no consequence to the plaintiff whether or not the President possessed sufficient authority to make the reservation." It was enough that the litle remained in the United States. A legal entry could not be made while the lands were in thereserved condition. In 1846 Congress made a grant of lands for the improvement of the Des Moines River below the Raccon Fork. This grant was constructively held by the Commissioner of the General Land Office and the Secretary of the Interior to apply to lands above the Fork, and lands above the Fork, and office for the benefit of the river grant. It was afterward held by the Supreme Court that there was no grant above Raccoon Fork.

But under the excepting provisions of an act making a railroad grant, subsequent to the river grant, which subsequent act declared that lands reserved the courts have seedily held that lands so reserved by the Land Department for river improvement purposes, although under an erroncous construction of the law, did not pass with the railroad grant, and have also held that the withdrawal was an inhibition against settlement and pre-emption rights. (Volcott re. Des Moines, S Wall, 681; Homestead Company es. Valley Railroad, 17 Wall., 185; Wolsey vs. Chapman, 101 United States, 755; Dubuque and Sloux City Railroad company. On the same of business is the legal equivalent of the President's cown order to the same effect, and is therefore such a proclamation by the President reserving lands from sent out from the appropriate Executive Department in the regular course of business is the legal equivalent of the President's wow order to the same effect, and is therefore such a proclamation by the President reserving lands from entry down the hardy of the executi

alike, and such general suspension can be founded only upon public considerations.

Again, the question of principle is not a question of analogy but of identity. The circumstances under which one suspension is made may or may not be analogous to the circumstances of another; the causes and reasons may or may not be the same, but the principle must in all cases be identical, since if there is no authority for executive withdrawals in executive discretion, there can be no such authority in any case; while, if authority exists at all, it exists for any cause in which the Executive deems its exercise proper and expedient.

Withdrawals, reservations, and suspensions, applied to lands withheld from public entry, operate to prevent entries from being made upon the withdrawan or reserved lands while the withdrawal, reservation, or suspension exists. In the various instances in which suspensions of entries have been made for railroad purposes, the terms "withdrawal of lands from entry" and "suspensions of entries" are synonymously used, sometimes one phrase being used and sometimes the other. And all "withdrawals of lands from entry" and "suspensions of entry" constitute "reservations," more or less complete, of the land involved. Among the precedents relied upon as authority for the circular named the following are cited:

On March 3, 1883, Congress passed an act exempting the public lands in the State of Alabama from the operation of the mineral laws, and providing for the sale of lands previously reported as mineral, and for the disposal under agricultural laws of unsold lands of that character after an offering at public sale.

The operation of this act, so far as relates to sales and entries of lands previously reported as mineral, and for the disposal under agricultural laws of unsold lands of that character after an offering at public sale.

The operation of this act, so far as relates to sales and entries of lands previously reported as mineral, on to the present date in anticipation, I am advised, of amendator

The Brighton Ranch Company, a cattle corporation in Nebraska, illegally inclosed with fences a large body of public lands, estimated at some 125,000 acres, Suit was brought to compel removal of the fences. Upon the representations of the United States attorney that an attempt was likely to be made by the company to defeat the suits by causing a line of entries to be placed upon the sections and subdivisions on which the fences were standing, this office, at the suggestion of Attorney-General Brewster, directed the register and receiver by letter of December 16, 1884, to "allow no further entries" on the lands crossed by or contiguous to the line of fence, pending the suit instituted by the Department of Justice to compel the removal of said fence.

On Pebruary 23, 1886, at the request of Attorney-General Garland, this office, by order addressed to the register and receiver at Cheyenne, Wyo., directed a suspension of all entries in certain sections of land in that district to prevent the defeat of a similar suit against another party.

I omit further reference to numerous cases of special character in which suspensions have been made on account of possible private land claims, proposed military and Indian reservations, and contemplated appropriations by the Government for various purposes, and as precautionary neasures in view of anticipated fraudulent entries or the suspected character of public surveys, and for other causes, although these special suspensions necessarily depended upon the fundamental principle of the right of suspension for sufficient cause, and were assertions of that principle in its application to particular cases. The material line of precedents I deem proper to cite more in extense are those involving with-drawals of public lands from settlement and entry for the benefit of corporations having or claiming grants of land for railroads and canals.

As early as September 23, 1828, Commissioner Graham, by direction of the President, instructed the register of the land office at Piqua, Ohio, t

For and Wisconsin Rivers, in anticipation of a proposed grant by Congress to the State of Wisconsin to aid in the improvement of the navigation of said rivers.

The Congress then in session having failed to make the proposed grant, the withdrawal was revoked by this office under instructions from the Secretary of the Treasury dated July 14, 1845, having been in force for more than a year. This withdrawal covered about 500,000 acres.

During the years 1833 and 1854 a great quantity of land was withdrawn from sale or entry (except for valid pre-emption claims) by the Commissioner of this office, "by order of the President," "issued on the representations and at the solicitation of members of both Houses of Congress," in anticipation of grants being made to aid in the construction of certain proposed railroads. The lands so withdrawn were situated in ten States and thrity-four land districts, and amounted to about 31,000,000 acres, according to Commissioner Wilson's report for 1854, as follows:

"At the instance of many members of Congress and others, about 31,000,000 of acres in several of the land States had been withdrawn from market in anticipation of grants for railroad and other internal improvements. As such grants were not made, it was deemed expedient to restore these masses of lands to market, especially in view of the passage of the bill graduating the price of the public lands, and this has been done, except where the reservation was for a fixed period, or grants have already been made." (Land Office Report, 1854, page 6.)

Congress having failed to make the proposed grants, the lands were restored to market, by order of the President, during the months of October, November, and December, 1854.

In anticipation of a grant to the State of Iowa to aid in the construction of four railroads in that State, Commissioner Hendricks, on May 10, 1856, issued telegraphic instructions to the registers and receivers for the six land districts in said State, withdrawing from sale or location all lands south of the l

May 15, 1896.

During the year 1856, in anticipation of railroad grants to the States of Louisiana, Michigan, Wisconsin, and Mississippi, the Commissioner of the General Land Office issued telegraphic instructions to the local officers of twenty land districts in said States suspending from sale and location large bodies of land,

as follows

State.	Order of suspension.	Date of grant.
Louisiana	May 20, 1856 May 29, 1856	June 3,1856 June 3,1856 June 3,1856 Aug, 11,1856

The lands thus withdrawn in anticipation of proposed grants amounted to at least 50,000,000 acres, exclusive of lands previously appropriated.

During the same year railroad grants were made to the States of Florida and Alabama, and in 1837 grants for several roads were made to the Territory of Minnesota. Long before any of the roads provided for in said grants had been located, and consequently before any right to any particular lands under the grants had vested in the States, the Commissioner of the General Land Office issued directions to the local officers of nineteen land districts in said States and Territories suspending the sale and location of all lands within what was supposed would be the limits of the several grants, amounting to more than 28,000,000 acres, exclusive of lands previously appropriated, as follows:

State.	Date of grant.	Order of sus- pension,
Florida	May 17, 1856 May 17, 1856 June 3, 1856 March 3, 1857	May 17, 1856 May 23, 1856 June 9, 1856 July 8, 1856 Sept. 6, 1856 May 17, 1856 June 19, 1856 March 7, 1857

Representations having been made that pre-emption claims for speculative purposes were being placed upon the lands within the limits of the withdrawals in the States of Wisconsin, Michigan, Alabama, and Florida, the local officers in said States were, on December 16, 1856, February 2, February 13, and April

29, 1857, respectively, directed by the Commissioner of the General Land Office to refuse to receive any pre-emption claims, based on settlements initiated after the receipt by them of said orders, on large bodies of lands in their districts. These suspensions from pre-emption were prior to the location of the several roads in whose interest they were made, and consequently prior to the attachment of any right under the grant to any particular lands. This inhibition against the right of pre-emption affected more than \$0,000,000 acres of public land.

land.
On July 17,1862, the lands granted to the Leavenworth, Pawnee and Western Railroad Company by act of July 1, 1862, were withdrawn "from pre-emption, private entry, and sale" by order of Commissioner Edmunds. This withdrawd, which included both odd and even sections, was made at the request of the attorney for the company before the acceptance of the grant, and was based upon a paper map of Kansas and Nebraska, upon which the "probable" line of the road from the Missouri River to the one hundredth meridian of west longitude was indicated in pencil. About 5,500,000 acres were included in this withdrawa!

drawal.

On March 19, 1863, the Commissioner of the General Land Office, with the approval of the Secretary of the Interior, withdrew from pre-emption, homestead, private sale, or location all the odd-numbered sections within 10 miles on each side of the supposed routes of the Atchison, Topcka and Santa Fé and Leavenworth, Lawrence and Galveston Raifroads, in the State of Kansas, amounting to at least 2,000,000 acres. This withdrawal was made prior to the designation of any actual route, and at the request of the Senators and Representatives from Kansas.

of any actual route, and at the request of the Senators and Representatives from Kansas.

By acts of Congress approved March 3, 1865, and July 3, 1866, 490,000 acres were granted to the State of Michigan to aid in constructing the Portage Lake and Lake Superior Ship-ennal. By act of July 3, 1866, a grant of 100,000 acres was made to said State for the Lae La Belle Ship-eanal.

Although these grants were floats, not attaching, until selected, to the particular lands then vacant and subject to selection, and could easily have been satisfied from lands in market, all the lands in the odd sections in the upper peninsula of Michigan west of the line between ranges 15 and 16 (about two-thirds of the upper peninsula) were, on May 26, 1885, and July 14, 1866, "withdrawn from sale, location, or claim" by the Commissioner of the General Land Office, by direction of the Secretary of the Interior, in order to insure the ultimate satisfaction of the grant. This withdrawal embraced upward of 1,000,000 acres. In addition to the foregoing, withdrawals of indemnity lands, where no withdrawals were authorized by law, have been made from time to time as the several roads were located, in anticipation of losses within granted limits. Withdrawals of this character, covering fully 51,000,000 acres, have been made for sixty-seven roads. The largest withdrawals of this class for any one road are those for the Northern Pacific Railroad Company, which were made at various dates between 1871 and 1834, and are still maintained. Said withdrawals were from sale, location, entry, and claim of any kind, and embraced at least 12,000,000 acres, including unsurveyed as well as surveyed lands. In the Territory of Dakota alone about 2,400,000 acres of indemnity lands are withdrawn, while the records of the General Land Office show that the losses within the granted limits in said Territory do not exceed 30,000 acres. Equally excessive withdrawals for this road have been made in other Territories.

By act of August 11,1876, Congress opened to settl

these lands passed under railroad grants for the Leaseworth, Lawrence and Gaiveston, and Allssouri, Kanasa and Texas Railroad Companies, but had been afterward decided by the Supreme Court to have been excluded from those afterward decided by the Supreme Court to have been excluded from those afterward decided by the Supreme Court to have been excluded from those after one either of the General Land Office (Mr. Williamson), deeming that initied the amount they would be allowed to take to 160 acres.

The Commissioner of the General Land Office (Mr. Williamson), deeming that an injustice would be done purchasers from the companies after patent in quantities greater than 160 acres, on November 16, 1876, with the approval of the Secretary of the Interior, Mr. Chandler, directed the local officers not to receive filings or allow entries upon any of the lands which had been purchased from the railroad companies until the attention of Congress could be called to the matter in the form of a bill for the relief of said purchasers.

The bill was submitted to Congress, and no action having been taken thereon the Commissioner of the General Land Office, on March 28, 1877, invited the attention of the Secretary of the Interior to the subject, and suggested that the law should be executed.

The Secretary, after consideration of the matter, on April 13, 1877, concurred in the opinion of the Commissioner, and orders were issued to the local officers accordingly on of the act of August 11, 1876, was therefore suspended from Novancer 16, 1876, to April 14, 1877, or about five months, in anticipation of legislation by Congress.

I transmit herewith copies of the more material orders, including the above, suspending entries in various sections of country at different times throughout the public-land Statestand Territories for the benefit of railroad and other corporations, in advance of laws making grants; in anticipation of grants that never were made; in advance of the time when any right to any particular land attached under th

an act of wrong to the Government and an injustice to settlers, while of great and improper advantage to railroad corporations.

"Such withdrawals have, however, been made, such wrong and injustice perpetrated upon citizens and the Government, and such advantages secured by grantees upon whose requests and for whose benefit the withdrawals were ordered.

"In most, if not all, cases of railroad grants premature and unauthorized withdrawals have been made, the land held sacredly reserved for the railroad, and the legal rights of settlers arbitrarily and cruelly denied. The number of settlers having indisputable legal rights the lands occupied by them who have been forced to buy their homes of railroad companies or suffer eviction, because of official declarations of superior railroad right founded upon constructive withdrawals made before any railroad right had actually been acquired, can never be ascertained, since their applications for the most part died at the local offices, and the general failure of those who applied prevented even the assertion of rights by others."

And again:

been forced to buy their homes of railroad companies or suffer eviction, because of official declarations of superior valirond right had actually been acquired, not offices, and the general failure of those who applied prevented even the assertion of rights by others."

It have for no law authorizing or recognizing the location generally of railroads by sections or divisions. The entire line, helduling its branches, must be located before the law last found by the Superior Court you set in a railroad come the law is a found by the Superior Court you set in a railroad come liting in the General Land Office of the complete map of the whole line is the district of the companies of the control before the law last of the companies begin.

It is not the there are a so determined, settlement rights within railroad limits cease and the rights of the companies begin.

It is not controlled the companies of the location of the companies o

by the advertising columns of newspapers in such districts which overflow with announcements of "relinquishments for sale."

Can the public good or the rights of settlement on public lands be deemed injuriously affected if, in attempting to accommodate the business of overcrowded offices and to check speculative appropriations, registers and receivers are in effect instructed to give precedence to applications for homestead or more presumptively bona fide entries over, or to the temporary exclusion of, classes of applications in which the greater degree of fraud and misappropriation has been developed? The class of cases named in the circular are those in which the grossest frauds are habitually perpetrated, and which, as all the appearances indicate, are now being made for the prevailing purpose of covering up lands under laws expected to be repealed and so of defeating anticipated legislation by Congress.

developed. The class of osses mand in the direction are those in which the developed. The class of osses manded in the direction are those in which the developed. The class of osses manded in the direction are those in which the developed in the contemplate of the prevailing purpose of covering up lands under laws expected to be repealed and so of defeating anticipated legislation by Congress.

Attention is invited to the fact that measures for the repeal of the pre-emption, timber-culture, and desert-land laws have been pending in Congress since the commencement of the present session; that bills have been favorably reported to both Houses, and that at the first sitting of the House after the adoption of the Senate resolution now under consideration a bill repealing those laws was passed under a suspension of the rules by an almost unantmous vote.

Suspension of entries in anticipation of legislation had frequently been made, as the contemplate of the Executive Departments, like the practice and decisions of costs, when the purpose and effect of it was to save the heritage of the people in their public lands from indiscriminate spoliation.

The practice of the Executive Departments, like the practice and decisions of courts, is largely governed by the common law of established precedents. Precedents for suspending entries when the object wasto give to private corporations advantages in anticipation of law are of early origin, while suspensions where the object wasto give private corporations advantages not contemplated by the law are numerous, and such suspensions have been maintained for periods running back thirty years, and are still maintained. The effect of three withdrawing the contemplated to the public interests, its exercise in a milder and limited form was proper when the public interests, are exercised when the purpose was inimical to the public interests, are exercised in a mider and limited form was proper when the public interests, are exercised in a mider and limited form was proper when the pub

There are many other reasons in law and fact given in this letter for the issuing of this order, but enough has been read to convince the most skeptical of the legal right to issue it. That the facts fully warranted

its issuance but few will have the effrontery to deny.

I sincerely regret that the Secretary of the Interior felt it his duty to revoke this order, and the whole country will regret it; for in contemplation of the passage of the bill repealing the pre-emption, timber-culture, and desert-land laws the number of entries made at many of the land offices, as I showed in a speech in the House a few days ago, has increased in the last three months more than 900 per cent. in many cases. This would have been stopped for a time had this order remained unre-

Charges are made also that the Commissioner has made a new set of rulings controlling the entry, &c., of public lands. This I assert is not true; and to completely refute these charges and set the matter at rest I read the following letter, which may be found on the files of the General Land Office:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., February 25, 1886.

Sir: I have the honor to acknowledge the receipt of your letter of recent date inclosing a letter addressed to you by William Coleman, of McCook, Nebr., asserting that "the action of Hon. Mr. Sparks in his stopping the issue of patents has caused a wonderful amount of suffering this winter." You also allude to similar letters received by you from others and desire me to favor you with information for intelligent replies to these letters.

I have the honor to sinte that the case referred to by your correspondent is not affected by any order of suspension, and that this is the fact in respect to similar complaints of which I have heard. In the case mentioned the entry was made in 1885. The work of this office has for many years been at best between one

and two years in arrears, and frequently longer. Entries are now being examined in regular course that were made in 1884. The order of suspension complained of affects, therefore, only entries made before that date which would not and could not be patented if there had been no suspension.

Another "hardship" alleged by your correspondent is that my ruling prevent settlers from selling or mortgaging their homestead and pre-emption claims. I beg to say that no rulings of mine prevent them from doing so. Nor have I changed any rulings upon that subject, but am simply following the laws and the decisions of the Supreme Court in the matter. It is not held by me, as alleged, that no deed or mortgage can be given nuit after patent. Undoubtedly a man can sell or mortgage anything he has, and can give to another just as good a title as he has himself—and no better. This is the ruling of the Supreme Court, and it is my ruling.

leged, that no deed or mostgage can be given until after patent. Undoubtedly a man can sell or mortage any thing he has, and can give to another just as good a title as he has himself—and no better. This is the ruling of the Supreme Court, and it is my ruling.

In Myers vs. Croft. (13 Wall., 291) the court said that "the object of Congress was attained when the pre-emptor went with clean hands to the land office and proved up his right and paid the Government for his land," and that done proved up his right and paid the Government for his land," and that done nothing inconsistent with the pre-emptor was "free to seil his land after the entry, if at that time he was in good faith the owner of the land, and had done nothing inconsistent with the provisions of the law on the subject."

In this, as in all Federal and State decisions upon the subject, the primary proposition is that the entry shall be a good-faith entry, and the laws shall have been fully complied with. In such cases the transfer is good: not otherwise. Strenuous efforts have repeatedly been made to assest the doctrine that although a claim might be worthless while in the hands of the entryman, on account of his failure to comply with the law, or for other reasons, it may be strengthened and made a matter of absolute right by virtue of a transfer to a staird party. Such doctrine is without foundation in legal principle, and has never been admitted by the courts or by this Department. "The purchaser right is thus acquired is subject to the subsequent action of the Land Department." (B. M. Chrisinger, 4. L. D., 247.)

In Root w. Shields (I. Wool., 35) the court-said:

"I think it pretty clear that some at least of these defendants purchased and paid their money without any knowledge in fact of any defect in the title. Yet they are not bean fide purchasers, for a valiable consideration, without notice, in the assess. In which the terms are employed in courts of equity."

It is the universal rule of law that purchasers of an equity take no better title

can.

A particular case which your correspondent presents is the case of a man who, after an apparently doubtful "settlement" for six months and the most meager "improvements," wants to sell or mortgage his "asserted" home on the public lands in Nebraska for the most he can get and return to his actual home in some Eastern State. This is a very common case. I do not believe that the population of a State is increased by a settlement that is abandoned as soon as its temporary purpose is accomplished, nor that the wealth of the State is augmented by an influx of money that is immediately carried out of the State in this manner.

by an influx of money that is immediately carried out of the State in this manner.

Another case is where a man made an entry, sold the land for \$500, and the purchaser finds his title not good. The real hardship in this case is that an honest settler who wants to get a home upon the public lands is compelled to remain homeless or buy off a fletitious claim. This kind of hardship I am endeavoring to prevent.

The complaint of your correspondent is that of a loan agent. His letter shows such to be his business. There are very few complaints from entrymen on account of suspension of patents. In fact there are no complaints to this office by bona fideentrymen because of delay in the issue of patents. It is the experience of this office that bona fideentrymen are in no haste for their patents (thousands remaining in this and the local offices uncalled for). But the clamor for them comes from the procurers of frandulent entries who want patents issued before falsity of the claims can be ascertained by the Government. Regular homestead entries are not suspended, but are being examined for patent as rapidly as possible. As a matter of fact I am now causing the issue of a greater number of patents per month than have ever before been issued from this office, and in so doing am causing to be issued to lawful claimants as fast as they can be ascertained.

of patents per mount, that have ever beine been this olice, and in so doing am causing to be issued to lawful claimants as fast as they can be ascertained.

The suspensious that have been made are chiefly pre-emption and commuted homestead cases, of which very few are now found upon investigation to be genuine. My predecessor for three years laid before Congress in his annual and special reports the alarming prevalency of fraudulent entries of these classes. On assuming charge of this office I found reports from officers appointed under the late administration asserting as the general result of their examinations, experience, and information that a very small per cent, of such entries were valid, and that the public domain was being largely taken under cover of pretended settlement claims made for speculation, or in the interest of corporations and combinations of capitalists, foreign and domestic, who were acquiring title to public lands in wust bodies by fraud, bribery, and perjury. Under these circumstances I caused final action looking to the issue of patents on entries conditional upon settlement, improvement, and cultivation to be suspended in districts of country in which the evidence before this office is that such entries are so largely fraudulent.

In so doing I have excreised an authority which has always been excreised by the Land Department, and which was recognized as lawful and proper by President Jackson and by Attorney-General Buller as far back as 1850. (Laws, Opinions, and Instructions, 82; 3 Opinions Attorney-General, 93.)

These early instructions and opinions were given under laws existing prior to the act of July 4, 1856 (5 Statutes, 107), which act imposed upon the Commissioner of the General Land Office increased powers and duties of supervision and control over the sale and disposal of public lands.

My immediate predecessor suspended for two or three years certifying for the issue of patents on all lands in New Mexico, the greater portion of Colorado, and in certain classes of entries

of this office and Department in years past, especially in connection with Congressional grants for railroads and other causes. When this has occurred settlers have not been slow to make their complaints direct to the office. Any injustice or fancied injustice is at once followed by complaints. But actual settlers on public lands have not complained to this office of my action in suspending the issue of patents, or otherwise in respect to my rulings and decisions.

On the contrary, I have received many letters expressing the gratification of bona file settlers because of my efforts to protect the public lands against fraudulent entries, which are justly regarded by them to be inimical to their interests no less than frauds upon the Government. It is the universal testimony of gentlemen of disinterested observation who have visited me that the body of the people in the land States and Territorics approve my course.

It is equally the universal testimony that money-brokers, professional land locators and speculators, attorneys and managers of cattle corporations and timber syndicates, and the whole array of persons engaged in the promotion and procurement of illegal and fraudulent entries, or realizing the benefits thereof, are justas bitterly opposed to this course as bona fide settlers are heartly in favor of it. That multitudes of complaints have been poured in upon Senators and Representatives in Congress, purporting to be from settlers or from persous assuming to represent settlers, or pretending to speak in their behalf, I have reason to believe, and also have reason to know the motives by which such communications as a class have been inspired and the objects sought to be attained.

It was formerly a practice in this office to make cases "special" for patent; that is to say, to advance them out of their order at the instance of attorneys

It was formerly a practice in this office to make cases "special" for patent; that is to say, to advance them out of their order at the instance of attorneys backed frequently by political or official influence. Even suspended cases were thus taken up and patents procured in large numbers of cases. "Suspensions of patents" were not objected to as long as a way existed for getting cases through notwithstanding the suspension. On the contrary, the parties who now complain of "suspensions" were benefited by the former practice, for the ordinary attorney's fee of \$25 for getting a patent upon an unsuspended case was immediately increased by a demand for \$100 more as soon as a case was found in the suspended list. Now, no honest settler can afford, nor does he need, to pay \$100 or \$25 or any other sum to hasten the issue of his patent. It is not surprising, therefore, that these expedited cases turn out to be fraudulent after patents inve issued and it is too late to remedy the wrong by administrative action.

prising, therefore, that these expedited cases turn out to be fraudulent after patents have issued and it is too late to remedy the wrong by administrative action.

I found it necessary, as a matter of justice to all claimants not less than as a measure in the public interest, to refuse to make any case "special." That has been the fundamental grievance against my administration, of attorneys who thus found a profitable vocation cut off.

Again, my early rulings and decisions clearly indicated a purpose to hold landgrant railroad corporations to the line of the law, instead of permitting their agents and attorneys to continue control of the practice and policy of this office. In like manner it was seen that magnified claims under alleged Spanish and Mexican grants were likely to meet with a scrutiny they had never before received, and finally that all claims for public land would be judged by the laws and compliance with law insisted upon, and that robbery of public lands should be prevented so far as I had power to that end.

As soon as this was made clear an organ zed movement was started in this city with a view of attempting to break down any reform in the administration of the Land Department and to restore the era of successful frauds, favoritism, and fees. Circulars were issued and sent broadcast to local attorneys and land and money brokers, laying out a plan of campaign and advising them to cause letters to be written to Senators and Representatives in Congress protesting against my action in suspending final action pending the issue of patents, and representing the hardships to settlers resulting from such action.

That the letters with which Senators have been deluged are the products of this inspiration there is no manner of doubt. Individual money-lenders who, in their eagerness to exact a rate of interest that no cultivator of the soil can pay and keep his land, having loaned money without looking to their security, or loan agents who to get their percentages on the investments of their principals

ance.

What is complained of, Mr. Senator, to yourself and others is in reality, in my opinion, that, as an officer charged with the administration of the law, I have regarded it my duty to certify for patents to issue to those entrymen only who have made bona fide entries and have compiled with the conditions prescribed by law as conditions-precedent to entitle them to have patents, and that, to the extent of my official responsibility and the means which Congress provides, I am endeavoring to prevent the consummation of frauds upon the public downsin.

The letter of your correspondent is herewith returned.

Very respectfully,

WM. A. J. SPARKS, Commissioner.

Hon. CHARLES F. MANDERSON, United States Senate.

I now desire to call your attention to one more topic, and then I am done. It is in reference to the doctrine in land cases that the final certificate is title. Such is the doctrine held by many, but to my mind it is an erroneous one. I have always held that such is not the case. I have always been of the opinion that until a patent is issued the Department is at liberty to investigate any case, and where any disclosures of a fraudulent nature may be found I am most heartily of the opinion that the Department is at Iull liberty to deny the issuance of a patent. The decisions in support of my position are numerous, and I will here take occasion to cite some of the most prominent ones. Before, however, proceeding to a citation of judicial decisions I desire to say that the custom, or rather practice, of the Department in this matter has been influenced by a similar view of the subject.

An opinion rendered in 1834 by Attorney-General Butler (3 Op. A. G., 93) sets forth that the local-land-affairs act in a quasi judicial capacity in determining the question of fact on which the final certificate issues, but the issuing of patents, however, rests in the Commissioner, who may suspend them where the decisions of the local officers were obtained by fraud or founded on material errors of fact or law.

The doctrine laid down here has been uniformly observed by the Department, the most notable cases being the Charlemagne Tower cases de-

cided on review by Mr. Secretary Teller February 20, 1884 (Decisions, volume 2, page 780); the Coggswell case (volume 3, Decisions), July 21, 1884, by Secretary Teller, and the Chrisinger case by Mr. Secretary Lamar, January 25, 1886.

The judicial decisions upon this subject are very numerous in confirmation of the doctrine I have expressed, and it is also held in addition that the purchaser from the entryman takes no better title than the entryman possesses. I here cite a few decisions which are to the

the entryman possesses. I here cite a few decisions which are to the point:

If, before patent issues, the Land Department finds the entry erroneous it may treat the assignment as void, and, notwithstanding it, set the entry aside. (Franklin es. Kelley, 2 Nebr., 78.)

The act of 1841 provides that the entry shall be made with the register of the Land Office. The acts organizing the Land Department of the Government provide that the action of the register shall be subject to revision and supervision by the Commissioner of the General Land Office; an entry with the register is dependent upon the approval of his superior, so far as the course and order of the business go; and, without the affirmative action of the Commissioner, the patents issue. It would be a great evil if a party claiming a pre-emption right could, as soon as the entry was made, convey the land to a third party, and thereby prevent the Commissioner from re-examining and disapproving the entry if it was erroneously allowed. Such a course would expose the Government to serious loss, and pervert a statute conceived in a wise policy and a generous spirit into a means of perpetrating the greatest frauds. This is the mischief aimed at. The object was to protect the Government, and in this view the language—that the right secured by the act should not be assigned—is apt. As between the claimant and the Government, his interest is a right merely until the patent issues. It is subject to reinvestigation and, on inquiry, to be disregarded by the Department. Until the patent issues, it is treated by the Government not as a fille but as a right or a claim of right.

I admit that if an entry under the act is made with the register, and the Commissioner finds that it was illegally allowed, as, for instance, if the entry is upon lands not subject to pre-emption, and he sets it asside, a conveyance intermediate those two acts would not be within the mischief. But if a valid entry be made, and a patent issued upon it, a conveyance intermediate those two acts wou

Counsel for defendant in reply cited the language of the supreme court of Missouri (in Green vs. Hill, 9 Mo., 322):

"It is the duty of the Commissioner of the General Land Office to revise the proceedings of the register and receiver and vacate entries which may have been illegally made, and thereby arrest the completion of a title originating in fraud, mistake, or violation of law. And to the same effect: Perry vs. O'Hanion, 11 Mo., 885; Huntsucker vs. Clark, 12 Mo., 333; Nelson vs. Simms, 23 Miss., 383; Glen vs. Thistle, 23 Minn, 42; Mitchell vs. Cobb, 13 Ala, 137; Dickinson vs. Brown, 9 Smeade & Marshall, 130; Gray vs. McCance, 4 Ill."

The court (Mr. Justice Catron) said:

The question is again raised whether this entry having been allowed by the register and receiver could be set aside by the Commissioner.

This question has several times been raised and decided in this court upholding the Commissioner's powers. (Garland re. Winn, 20 How., 8; Lytle re. The State of Arkansas, 22 How.)

The two following also have a bearing on the question at issue:

The two following also have a bearing on the question at issue:

A purchaser of land must look to every part of the title which is essential to its validity. (Brush vs. Ware, 15 Pet., 112.)

States have no power to declare certificates of purchase of equal dignity with a patent. (Bagnell vs. Broderick, 13 Pet., 436.)

In Barnard vs. Ashley (13 How., 43), the court said that the power of supervision by the Commissioner of the General Land Office "is exercised by virtue of the act of July 4, 1836, which provides that from and after the passage of this act the executive duties now prescribed, or which may hereafter be prescribed by law appertaining to the survey and sale of the public lands of the United States, or in any wise respecting such public lands, and also such as relate to private claims of land and the issuing of patents for all grants of land under the authority of the Government of the United States, shall be subject to the supervision and control of the Commissioner of the General Land Office, under the direction of the President of the United States."

"The necessity of 'supervision and control,' vested in the Commissioner acting under the direction of the President, is to manifest to require comment, further than to say that the facts found in this record show that nothing is more easily done than apparently to establish, by et porte affidavits, cultivation and possession of particular quarter-sections of lands, when the fact is untrue. That the net of 1836 modifies the powers of registers and receivers to the extent of the Commissioner's action in the instance before us, we hold to be true. But if the construction of the act of 1836 to this effect were doubtful, the practice under it for nearly twenty years could not be disturbed without manifest impropriety. "The case relied on, of Wilcox w. Jackson (13 Pet., 511) was an ejectment suit, commenced in February, 1836; and as to the acts of the register and receiver in allowing the entry in that case, the Commissioner had no power of supervision, suc

In Shepley vs. Cowan (91 U. S., 340), the court say:

The officers of the Land Department are specially designated by law to receive, consider, and pass upon proofs presented with respect to settlement upon the public lands with a view to secure the rights of pre-emption. If they err in the construction of the law applicable to any case, or if fraud is practiced upon them, or they themselves are chargeable with fraudulent practices, their rulings may be reviewed and annulled by the courts when a controversy arises between private parties founded upon their decisions.

In Marquiz vs. Frisbie (101 United States, 475) the court say:

We have repeatedly held that the courts will not interfere with the officers of the Government while in the discharge of their duties in disposing of the public lands, either by injunction or mandamus. (Litchfield vs. Register and Receiver, 9 Wool., 532; Gaines vs. Thompson, 7 Id., 347; The Secretary vs. McGarrahan, 9 Id., 289.)

After the United States has parted with its title and the individual has become vested with it, the equities subject to which he holds it may be enforced, but not before, (Johnson as Towsley, 13 Id., 72; Shefley as Cowan, 91 U.S.,

We did not deny the right of the courts to deal with the possession of the land prior to the issue of the patent or to enforce contracts between the parties concerning the land. But it is impossible thus to transfer a title which is yet in the United States.

In the United States es. Schurz (102 United States, 395) the court sav:

The Constitution of the United States declares that Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States. Under this provision the sale of the public lands was placed by statute under the control of the Secretary of the Interior. To aid him in the performance of this duty a bureau was created, at the head of which is the Commissioner of the General Land Offlice, with several subordinates. To them, as a special tribunal, Congress confided the execution of the laws which regulate the surveying, the selling, and the general care of these lands.

In Irvine vs. Marshall (20 How., 555) it was held that although a certificate may be the subject of bargain and sale, yet the United States can take care that conveyance shall be to him who is in good faith its vendee, and the court said:

A reception of the certificate of purchase as evidence of title may be regular and convenient as a rule of business, but it has not been anywhere established as conclusive evidence, much less has it been adjudged to forbid or exclude proofs of the real and just rights of claimants.

A mere declaration in writing by a vendor that the vendee has paid the purchase-price of land, and that he intends to give him a deed, is not a document purporting to convey title. (Osterman rs. Baldwin, 6 Wall., 116.)

Legal title does not pass by contract of purchase without deed, and

one who holds or claims by contract only is not protected as a bona fide purchaser for value. (Boone vs. Chiles, 10 Pet., 177.)

It will not do for a purchaser to close his eyes to facts which are open to his investigation for the exercise of that diligence which the law im-Such purchasers are not protected. (Bonsh es. Wall, 15 Pet.,

Purchasers by quitclaim deed even are not regarded as bona fide purchasers without notice. (Oliver vs. Piatt, 3 How., 333; May vs. Le Clare, 11 Wall., 217; Dickerson vs. Colegrove, 100 U. S., 578.)

Clare, 11 Wall., 217; Dickerson vs. Colegrove, 100 U. S., 578.)

Party without title can not acquire it by payment of taxes on land.

(Homestead Co. vs. Valley R. R., 17 Wall., 153.)

A purchaser of land must look to every part of the title which is essential to its validity. (Brush vs. Ware, 15 Pet., 112.)

States have no power to declare certificates of purchase of equal dignity with a patent. (Bagnell vs. Broderick, 13 Pet., 436.)

In Quinby vs. Cowlan (104 U. S., 420) the court say:

nity with a patent. (Bagnell vs. Broderick, 13 Pet., 436.)

In Quinby vs. Cowlan (104 U. S., 420) the court say:

The laws of the United States prescribe with particularity the manner in which portions of public domain may be acquired by settlers. They require personal settlement upon the lands desired and their inhabitation and improvement, and a declaration of the settler's acts and purposes to be made in the proper office of the district within a limited time after the public surveys have been extended over the lands. By them a land department has been created to supervise all the various steps required to the acquisition of the title of the Government. Its officers are required to receive, consider, and pass upon the proofs furnished as to the alleged settlements upon the lands, and their improvement when pre-emptian rights are claimed, and, in case of conflicting claims to the same tract to hear the contesting parties.

The proofs offered in compliance with the law are to be presented, in the first instance, to the officers of the district where the land is situated, and from their decision an appeal lies to the Commissioner of the General Land Office, and from him to the Secretary of the Interior. For mere errors of judgment as to the weight of evidence on these subjects by any of the subordinate officers the only remedy is by an appeal to his superior of the Department. The courts can not exercise any direct appellate jurisdiction over the rulings of those officers or of their superior in the Department in such matters, nor can they reverse or exect them in a collateral proceeding between private parties.

In this case, the allegation that false and fraudulent representations as to the settlement of the plaintiff were made to the officers of the Land Department is negatived by the finding of the court. It would lead to endless litigation and he fruitful of evil if a supervisory power were vested in the courts over the action of the numerous officers of the Land Department on the mere questions of fact pr

The principles settled by the courts are that the action of registers and receivers in admitting an entry of public lands is not conclusive, but is subject to review by the superior officers of the Land Department, by appeal in cases of contest between private parties, and as a matter of executive jurisdiction in cases not of individual contest; that the latter are cases between the Government and the entryman alone; that assignees before patent have no standing as innocent purchasers; that until patent issues on public-land entries the legal title to the land remains in the United States; that the Commissioner of the General Land Office may reject and cancel unpatented entries for iligrality and fraud; that this is necessarily an act of executive jurisdiction; that the duties of supervising the disposal of public lands are executive duties and are not the subject of judicial interference; that the question of passing the title of the United States upon an entry of public lands under the public-land law is essentially a question of executive and not of judicial determination; that the point where the jurisdiction ceases, namely, after patent has been issued, when, in a proper proceeding, the courts may intervene to correct the errors of executive action; and that it is only after the conveyance of legal title by patent that purchasers for value are protected by the courts.

The courts have often ruled that where the right to a patent has once become vested in a purchaser of public lands it is equivalent, so far as the Government is concerned, to a patent issued. (Stark es. Starrs, 6 Wall, 402; Simmons es. Wagner, 101 U.S., 260). But none of these decisions hold that the certificate and receipt of the register and receiver is conclusive evidence that a right has vested, nor that a patent is not necessary for the conveyance of the legal title. In Myers as Croft (13 Wall, 291), the court says that the pre-emptor could sell afterenty if he came up and made his proof and payment "with clean hands." But he must be in

Counsel for defendant in reply cited the language of the supreme court of Missouri (in Green es. Hill, 9 Mo., 322):

It is the duty of the Commissioner of the General Land Office to revise the proceedings of the register and receiver and vacate entries which may have been illegally made, and thereby arrest the completion of a title originating in fraud, mistake, or violation of law. And to the same effect: Perry 25. O'Hanion, II Mo. 585; Huntsucker 25. Clark, 12 Mo., 333; Nelson 25. Sims, 23 Miss., 383; Glen 25. Thistle, 23 Minn, 42; Mitchell 25. Cobb, 13 Ala., 137; Dickinson 25. Brown, 25. Smeade & Marshall, 130; Gray 25. McCance, 4 Ill.

The court (Mr. Justice Catron) said:

Smeade & Marshall, 130; Gray vs. McCance, 4 Ill.

The court (Mr. Justice Catron) said:

The question is again raised whether this entry having been allowed by the register and receiver could be set aside by the Commissioner.

"This question has several times been raised and decided in this court upholding the Commissioner's powers. (Garland vs. Winn, 20 How., 8; Lytle vs. The State of Arkansas, 22 How.)

In Barnard vs. Ashley (18 How., 43), the court said that the power of supervision by the Commissioner of the General Land Office "is exercised by virtue of the act of July 4, 1836, which provides 'that from and after the passage of this act the executive duties now prescribed, or which may hereafter be prescribed by law appertaining to the survey and sale of the public lands of the United States, or in any wise respecting such public lands, and also such as relate to private claims of land and the issuing of patents for all grants of land under the authority of the Government of the United States, shall be subject to the supervision and control of the Commissioner of the General Land Office, under the direction of the President of the United States.

The necessity of "supervision and control," vested in the Commissioner acting under the direction of the President, is too manifest to require comment, further than to say that the facts found in this record show that nothing is more easily done than apparently to establish, by exparts affidavits, cultivation and possession of particular quarter-sections of lands, when the fact is untrue. That the act of 1836 to the powers of registers and receivers to the extent of the commissioner's action in the instance before us, we hold to be true. But if the commissioner's action in the instance before us, we hold to be true. But if the comstruction of the act of 1836 to this effect were doubtful, the practice under it for nearly twenty years could not be disturbed without manifest impropriety. The case relied on, of Wilcox vs. Jackson (13 Pct., 511) was an ejectment suit co

In Shepley vs. Cowan (91 U. S., 340) the court says:

The officers of the Land Department are specially designated by law to receive, consider, and pass upon proofs presented with respect to settlement upon the public lands with a view to secure the rights of pre-emption. If they err in the construction of the law applicable to any case, or if fraud is practiced upon them, or they themselves are chargeable with fraudulent practices, their rulings may be reviewed and annulled by the courts when a controversy arises between private parties founded upon their decisions.

In Marquiz vs. Frisbie (101 United States, 475) the court say:

We have repeatedly held that the courts will not interfere with the officers of the Government while in the discharge of their duties in disposing of the public lands, either by injunction or mandamus. (Litchfield vs. Register and Receiver, 9 Wool, 552; Gaines vs. Thompson, 7 Id., 347; The Secretary vs. McGarrahan, 9

Id., 289.)
After the United States has parted with its title and the individual has become vested with it, the equities subject to which he holds it may be enforced, but not before. (Johnson vs. Towsley, 13 Id., 72; Shefiey vs. Cowan, 91 U. S., 330.)
We did not deny the right of the courts to deal with the possession of the land prior to the issue of the patent or to enforce contracts between the parties concerning the land. But it is impossible thus to transfer a title which is yet in the United States.

In The United States vs. Schurz (102 United States, 395) the court say:

In The United States vs. Schurz (102 United States, 395) the court say:
The Constitution of the United States declares that Congress shall have the
power to dispose of and make all needful rules and regulations respecting the
territory and other property belonging to the United States. Under this provision the sale of the public lands was placed by statute under the control of the
Secretary of the Interior. To aid him in the performance of this duty a bureau
was created, at the head of which is the Commissioner of the General Land
Office with several subordinates. To them, as a special tribunal, Congress confided the executing of the laws which regulate the surveying, the selling, and
the general care of these lands.
Congress has also enacted a system of laws by which rights to these lands
may be acquired and the title of the Government conveyed to the citizens. This
court has with a strong hand upheld the doctrine that so long as the legal title
of these lands remained in the United States, and the proceedings for acquiring
it were as yet inferi, the courts would not interfere to control the exercise of
the power vested in their tribunal. To that doctrine we still adhere.

And again (Id., 411):

The question whether any particular tract belonging to the Government was open to sale, pre-emption, or homestead right is in every instance a question of law as applied to the facts for the determination of those officers.

In Quinby vs. Cowlan (104 U. S., 420) the court say:

The laws of the United States prescribe with particularity the manner in which portions of public domain may be acquired by settlers. They require personal settlement upon the lands desired and their inhabitation and improvement, and a deciaration of the settler's acts and purposes to be made in the proper office of the district within a limited time after the public surveys have been extended over the lands. By them a land department has been created to supervise all the various steps required for the acquisition of the title of the Government. Its officers are required to receive, consider, and pass upon the proofs furnished as to the alleged settlements upon the lands, and their improvement when pre-emption rights are claimed, and, in case of conflicting claims to the same tract, to hear the contesting parties.

In conclusion, it may and can with great propriety be said that the charges heaped upon Commissioner Sparks are totally groundless. To the poor and the homeless his acts have been of a special blessing; to fraud and dishonesty they have been of a blighting nature. who have the best interests of our country at heart, whose desire it is to see honesty and integrity the guides of official conduct, the acts of Commissioner Sparks will receive approval and hearty support.

Education.

That education is an object of national concern, and a proper subject of legis-lation, all admit.—Chief-Justice Marshall, 4 Wheaton, page 634, Supreme Court

SPEECH

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886.

On the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. WHEELER said:

Mr. CHAIRMAN: I offer the amendment which I send to the desk. The Clerk read as follows:

Add the following proviso:
"Provided, That before any bonds be purchased or redeemed under this resolution there be appropriated, from the surplus money in the Treasury, the sum of \$10,000,000 each year, to aid in the support of common schools, and that such money shall annually be divided among and paid out in the several States and Territories in that proportion which the whole number of persons in each who, being of the age of ten years and over, can not read bears to the whole number of such persons in the United States. Such computation shall be made according to the census of 1880. Said schools to be under the supervision and control of the State officials in the States where located, and of the Territorial authorities where located in the Territories."

Mr. MORRISON. I make a point of order that the amendment is

I hope the gentleman from Alabama [Mr. WHEELER] Mr. WILLIS.

will withdraw that proposition.

Mr. WHEELER. I am earnestly in favor of the object sought to be attained by the measure underconsideration, but I can not concur with my distinguished friend from Illinois [Mr. MORRISON] that my amendment is not germane to the resolution. The design of the resolution is to pay off a portion of the interest-bearing debt of the Government with money now lying idle in the Treasury and wholly unproductive. It is to release and put in circulation the surplus now in the Treasury, and my amendment directs that a portion of any surplus shall be applied to the praiseworthy and necessary purpose of aiding common schools in all the States of the Union.

This statement of the object of the amendment will show my friend from Kentucky [Mr. Willis] its propriety and importance.

I am most decidedly in favor of making the most advantageous use of all the idle money that may be available for any purpose. It is a matter of plain business judgment. I read from the last official report showing the condition of the Treasury on July 1:

Cash in the Treasury July 1.

Available for reduction of the public debt: Gold held for gold certificates actually outstanding. Silver held for silver certificates actually outstanding. United States notes held for certificates of deposits standing. Cash held for matured debt and interest unpaid United States bonds and interest.	actually out-	18, 250, 000 18, 999, 817 3, 789, 163	00
Fractional currency		2,667	17
Total available for reduction of the debt Reserve fund: Held for redemption of United States notes, acts Jan		205, 202, 247	73
-and July 12, 1882		100, 000, 000	00
Fractional silver coin	\$28, 904, 681 66 377, 814 00		
- December Connecticution - December 1	077,014 00	29, 282, 495	66
Certificates held as cash: Legal-tender. Gold	250,000 00 55,129,870 00 27,861,450 00		
		83, 241, 820 75, 191, 109	

From this statement it appears that we now have in the Treasury, available for the reduction of the debt, about \$200,000,000. The resolution provides that \$100,000,000 of this surplus shall always be retained in the Treasury, but that any sum in excess of that amount shall be applied to the payment and retirement of the interest-bearing debt. This is a proposition which must command the unqualified assent of any good business man. There is not a clear-headed and reputable merchant or banker in the country who will not recognize the advisability of using all idle and unproductive money for the reduction of the obligations upon which interest is constantly accruing.

But while we recognize and make the necessary provision for our outstanding debt, let us not forget the important fact that we have other obligations beside those due the bondholder; there is a debt due the people—the most sacred for which the Government can be held. All civilized governments now recognize it as an important duty to assist in educating the children of the laboring people; and that our Government shall do this is specifically demanded in the platform of the Democratic party adopted at Chicago in 1884, the demand being expressed

in these words:

We favor * * * the diffusion of free education by common schools, so that every child in the land may be taught the rights and duties of citizenship.

The purpose and the theory of this amendment is identical with the educational bill which I had the honor to introduce on the 21st day of December, 1885, and therefore I shall address the House upon this amendment precisely as though that bill was under consideration.

Mr. Chairman, I feel constrained by a sense of duty to my constituents and to the country at large to endeavor to impress upon the House my idea of the importance of this amendment, and the educa-tional bill to our general welfare and prosperity.

In my humble judgment the question involved in this amendment

and that bill is more important, more momentous in its relations to and bearing upon our future progress and prosperity than any that has en-

gaged our attention during the entire session.

appreciate as fully as can any gentleman the necessity for some carefully prepared and well-considered measures of revenue and administrative reform. Such measures are, I concede, of very great importance, for in them are involved the questions of economy, wisdom, and efficiency in all the public departments.

But in the educational measure we are confronted with the vital, the overshadowing question of the stability of the form of Government es tablished by our forefathers, and upon which depends the perpetuity of

free institutions among men.

For this reason, sir, I desire to enter my most earnest and emphatic protest against the adjournment of this House before it has enacted some bill of this character into a law.

THE POINTS IN THE CASE.

In asking the attention of the House to this subject I shall endeavor briefly to show:

First. That the theory of the educational bill has been the theory of our Government from its first inauguration.

Second. That the theory of this bill was fully recognized and continually acted upon by the Continental Congress.

Third. That all our early Presidents heartily concurred in and earnestly advocated the principle upon which this bill is based.

Fourth. That all governments have of late years recognized as an in-

Fourth. That all governments have of late years recognized as an indisputable principle of governmental action the fact that for a country to become prosperous and great it is necessary to educate the people. Fifth. That this law is necessary to equalize the benefits and advantages conferred by the General Government—some States having received from fifty to sixty times as much as others.

Sixth. That this bill is advocated by our wisest, most patriotic, and agreeing chilere.

sagacious citizens.

Seventh. That the purpose designed to be accomplished by this bill is essential to the highest prosperity of our people and the maintenance of that form of government under which they will be the recipients of the greatest blessings.

Eighth. That the bill in no wise contravenes the Constitution of the United States, but, on the contrary, according to the interpretations of that instrument by our highest judicial tribunal, is in strict conformity thereto.

Ninth. That the one ill-considered opinion and expression of Mr. Madison, in 1792, which has been so often iterated and reiterated by the oppouents of this bill, has been refuted and rejected by our greatest Democratic statesmen, including Monroe, Calhoun, Jackson, and finally has been recanted, repudiated, and apologized for by Mr. Madison himself; and that it is this repudiated doctrine upon which the opponents of education base their arguments in their efforts to show that the measure is violative of the Constitution.

Tenth. That it is in strict conformity with the usages, principles, and demands of the Democratic party.

THE THEORY OF OUR GOVERNMENT.

Our forefathers came to this country for the purpose of founding a Government in which the people should rule. They abandoned luxurious homes and all the comforts and conveniences which had resulted from centuries of civilization to encounter and struggle with the hardships and dangers of a land covered with dense forests, traversed by

wild beasts, and inhabited by savage Indians.

All they expected in return for their dangers, privations, and sufferings was the privilege to worship God according to the dictates of their conscience, and to establish a government which would restrain vice and encourage virtue. To accomplish this great and God-like purpose, they declared as the cardinal doctrine of their new government that all men are created free and equal; and to maintain freedom, they appreciated the necessity that all should enjoy the blessings of education.

Before leaving Europe schoolmasters were procured for every vessel, and classes were established and maintained on shipboard during the One of the first acts of the colonists was to enact laws donating both money and lands for educational purposes; and during the early period of American settlements as much as one-fourth of the income of some of the colonies was devoted to the maintenance of public schools. In addition to primary schools, grammar schools were established in many parts of New England. Harvard College was founded in 1638, William and Mary in 1693, and Yale in 1701.

During the war of the Revolution a temporary check was given to the pursuit of learning; but its importance was early considered upon the return of peace, and one of the first laws enacted by the Colonial Congress was to set apart one thirty-sixth of the great western domain for the advancement of this object.

LAWS OF THE COLONIAL CONGRESS.

As chairman of the committee on the organization of the Western Territory, in the Congress of the Confederation, Mr. Jefferson, in May, 1784, made a report upon that subject, in which it was provided:

That there shall be reserved the central section of every fownship for the maintenance of public schools, and the section immediately adjoining the same for the support of religion.

The proposition to provide in any way for the support of religion excited some opposition, and after debate that proviso was stricken out. A year later, after mature consideration, the Congress enacted a law on May 20, 1785, in which it was provided:

There shall be reserved lot No. 15 of every township for the maintenance of public schools.

I read from the Journal of the American Congress, volume 4, April 1, 1782, to November 1, 1788, pages 520 and 521, containing proceedings of May 20, 1785:

Congress proceeded with third reading of the ordinance for ascertaining the mode of disposing of lands in the Western Territories, and the same being gone through was passed, as follows:

"There shall be reserved the lot No. 16 of every township for the maintenance of public schools within said township; also, one-third part of all gold, silver, lead, and copper mines to be sold or otherwise disposed of as Congress shall hereafter direct."

RICHARD H. LEE, President.

The vote of the Colonial Congress upon this measure was unanimous. The report of the committee upon the ordinance, dated July 23, 1787, to provide for the sale of the Western Territory, ordered:

That the lot No. 16 in each township, or fractional part of a township, be given perpetually for the purpose contained in said ordinance (the ordinance of May 20,1785).

The ordinance passed during the same month for the government of the "Territory of the United States northwest of the River Ohio" contained these words:

ART, 3. Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged.

It is worthy of note that Mr. Madison was a member of the committee which reported the ordinance of July 23, and was one of its most ardent

It is interesting to find that the ideas of our colonial fathers on the subject of education were deeply impressed upon the minds of the founders of our Government under the Constitution. Nearly every one of the principal actors in the stirring events which resulted in the separation of the colonies from the mother country, the establishment of our independence, and the formation of a more durable Government un-

der the Constitution were open, bold, and persistent champions of the theory that education was not only important but indispensable to the welfare of a free people, and that it was the duty of the Government to provide the means of acquiring an elementary education to those of its citizens who were unable to provide it for themselves.

WASHINGTON AND ADAMS ON EDUCATION.

General Washington, in his first message to Congress, says:

Knowledge is in every country the surest basis of public happiness. In one in which the measures of government receive their impressions so immediately from the sense of the community as in ours, it is proportionately essential.

In his eighth annual message, he recommended the establishment of a national university and of a national military academy, and in his farewell address he again reverts to this subject in a most impressive manner, for he says:

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

Mr. John Adams, who succeeded Washington, though a Federalist, unable to bring himself to believe or trust in the intelligence, virtue, or integrity of the great mass of mankind, could yet recognize the advantages of state education in making better citizens and benefiting the whole people of the entire country, and was quite as earnest as his predecessor in his advocacy of general education. In his work on government, he said:

Laws for the liberal education of youth, especially of the lower class of people, are so extremely wise and useful that, to a humane and generous mind, no expense for this purpose would be thought extravagant.

Just before his death he wrote to a committee of the Kentucky Legislature in these words:

The wisdom and generosity of your Legislature in making liberal appropriations in money for the benefit of schools, academics, colleges, and the university is an equal honor to them and their constituents, a proof of their veneration for literature and science, and a portent of great and lasting good to North and South America and to the world. Great is truth, great is liberty, and great is humanity, and they must and will prevail.

THE APOSTLE OF DEMOCRACY ON EDUCATION.

Jefferson, the author of the Declaration of Independence, the great apostle of the democratic theory of the equality of man and of his inherent and inalienable right to self-government, was ever an earnest, eloquent, and efficient advocate of education by the State.

As a member of the Virginia Legislature he prepared and introduced three bills for State education, the first of which related solely to common schools.

The preamble to this bill is so cogent and unauswerable a presentation of the reasons why the measure now under consideration should be supported that I quote it:

be supported that I quote it:

Whereas it appeareth that however certain forms of government are better calculated than others to protect individuals in the free exercise of their matural rights, and are at the same time themselves better guarded against degeneracy, yet experience has shown that even under the best forms those intrusted with power have, in time, and by slow operations, perverted it into tyranny; and it is believed that the most effectual means of preventing this would be to illuminate as far as practicable the minds of the people at large, and more especially to give them knowledge of those facts which history exhibiteth that, possessed thereby of the experience of other ages and countries, they may be enabled to know ambition under all its shapes, and prompt to exert their matural powers to defeat its purposes; and

Whereas it is generally true that the people will be happiest whose laws are best, and are best administered, and that laws will be wisely formed and honestly administered in proportion as those who form and administer them are wise and honest; whence it becomes expedient for promoting the pulie happiness that those persons whom nature hath endowed with genius and virtue, should be rendered by liberal education worthy to receive and able to regard the sacred deposits of the rights and liberties of their fellow-citizens, and that they should be called to that charge without regard to wealth, birth, or other accidental condition or circumstance; but the indigence of the greater number disabling them from so educating at their own expense those of their children whom mature hath fluly formed and disposed to become nesting instruments for the public, it is better that such should be sought for and educated at the common expense of all than that the happiness of all should be confided to the wealth, or the public, it is better that such should be sought for and educated at the common expense of all than that the happiness of all should be confided to the wealth, or the means of all than

Mr. Jefferson, in his sixth annual message, opposing the removal of the tax on imports, uses these words:

Patriotism would certainly prefer its continuance and application to the great purposes of the public education, roads, rivers, and canals.

In his eighth annual message, in discussing the surplus revenue in the Treasury, he uses these words:

Shall it lie unproductive in the public vaults? Shall the revenue be reduced? Or shall it not rather be appropriated to the improvements of roads, canals, rivers, education, and other great foundations of prosperity and union, under the powers which Congress may already possess, or such amendment of the Constitution as may be approved by the States.

Mr. Jefferson was deeply interested in the schools of Virginia, and proposed a system which is expressed in these words:

First, Elementary schools, for all children generally, rich and poor. Second. Colleges for a middle degree of instruction, calculated for the common purposes of life, and such as would be desirable for all who were in easy circumstances, And third, an ultimate grade for teaching the sciences generally and in their highest degree.

I find in Jefferson's work (Volume VI, page 517) a letter to Mr. Yancey dated January 6, 1816, in which he says:

If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be. The functionaries of every government have propensities to command at will the liberty and property of their constituents. There is no safe deposit for these but with the people themselves;

nor can they be safe with them without information. Where the press is free and every man able to read, all is safe.

In the same volume, page 566, I find a letter to Governor Nicholas, dated April 2, 1816, in advocacy of elementary education. He says:

My partiality for that division is not founded in views of education solely, but infinitely more as the means of a better administration of our Government and the eternal preservation of its republican principles.

In a letter to Mr. Cabell dated November 28, 1820 (see Jefferson's works, Volume XVII, page 187), Mr. Jefferson said that-

More money from the people was not needed, but that the money raised for education should be employed understandingly and for the greatest good.

He also said:

That good requires that, white they are instructed in general competently to the common business of life, others should employ their genius with necessary information to the useful arts, to inventions for saving labor and increasing our comforts, to nourishing our health, to civil government, military science, &c. Would it not have a good effect for the friends of this university—

University of Virginia-

to take the lead in proposing and effecting a practical scheme of elementary schools, to assume the character of the friends rather than the opponents of that object?

In the same letter Jefferson said:

Surely Governor Clinton's display of the gigantic efforts of New York toward the education of her citizens will stimulate the pride as well as the patriotism of our Legislature, to look to the reputation and safety of their own country, to rescue it from the degradation of becoming the Barbary of the Union, and of falling into the ranks of our own negroes. To that condition it is fast sinking. * *

MADISON'S VIEWS OF ITS IMPORTANCE.

Madison, who was called the father of the Constitution, who was one of the originators of the idea and was more active than any of his associates in framing that great instrument, and who, therefore, it may be reasonably supposed, understood more fully than any one man who ever lived the full extent of the powers granted by the Constitution to the General Government, and the limitations imposed by that instrument under which those powers were to be exercised, steadfastly and earnestly upheld the idea that the education of the people was one of the first and most important duties of the Government.

I have shown that on May 23, 1785, the Continental Congress enacted a law which gave every sixteenth section in the public domain for the maintenance of public schools, and Mr. Madison was one of the members of the committee of the Congress which, in July, 1787, unani-

mously recommended that this donation, or grant, be made perpetual.

Mr. Madison stepped from the halls of the Colonial Congress into the convention which framed our present Constitution, and immediately upon the conclusion of its labors was elected a member of the first Conagrees held under the Constitution, and was re-elected to the second, third, and fourth Congresses, and with all the debates and discussions touching the duties and powers of the General Government under the Constitution fresh in his mind, all of his utterances—speeches or letters—prove him to have been a staunch advocate of popular educa-tion by the General Government.

And yet many of the opponents of this measure have endeavored to find in Mr. Madison's speech on the cod-fisheries a denial of the right of the General Government to make appropriations to assist in the cause of education.

Passing by, for the time being, the constitutional questions raised by this speech of Mr. Madison—which I propose to consider in another part of my argument—I beg now to call the attention of the House to other well-known utterances of this eminent constitutional authority npon the question of Government aid to education. My object in doing this is to enable gentlemen to construct these utterances with this iso-

lated expression regarding a bounty to a special industry.

On March 4, 1809, President Madison delivered his inaugural address, and alluding to the principles by which he pledged himself to be governed, he said:

To favor in like manner the advancement of science and the diffusion of information as the best aliment to true liberty.

In his second annual address he was, if possible, more emphatic, enforcing the importance of general education and the establishment of a national university. He said:

While it is universally admitted that a well instructed people alone can be permanently a free people, and while it is evident that the means of diffusing and improving useful knowledge form so small a proportion of the expenditures for national purposes, I can not presume it to be unreasonable to invite your attention to the advantages of superadding to the means of education provided by the several States a seminary of learning instituted by the National Legislature, within the limits of their exclusive jurisdiction, the expense of which might be defrayed or reimbursed out of the vacant grounds which have accurated to the nation within those limits.

During Mr. Madison's entire life the subject uppermost in his mind seems to have been the great importance of education. In volume 3, page 276, of Madison's works, I find a letter to Mr. Barry, under date of August 4, 1822, in which he says:

The liberal appropriations made by the Legislature of Kentucky for a general system of education can not be too much applanded. A popular government without popular information, or the means of acquiring it, is but a progue to a farce or tragedy, or perhaps to both. Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power which knowledge gives.

I also read from the same volume, page 523, a paragraph from a letter from Mr. Madison to Mr. Teakle, dated March 29, 1826:

The best service that can be rendered a country, next to that of giving it lib-

erty, is in diffusing the mental improvement equally essential to the preserva-tion and the enjoyment of the blessing.

MONROE AND QUINCY ADAMS ON EDUCATION.

On March 4, 1817, Mr. Monroe delivered his inaugural adddress, in which he said:

which he said:

Had the people of the United States been educated in different principles; had they been less intelligent, less independent, or less virtuous, can it be believed that we should have maintained the same steady and consistent career or been blest with the same success? While, then, the constituent body retains its present sound and healthful state everything will be safe. * * It is only when the people become ignorant and corrupt, when they degenerate into a populace, that they become incapable of exercising the sovereignty. Usurpation is an easy attainment and an usurper soon found. The people themselves become the willing instruments of their own debasement and ruin. Let us look to the great cause and endeavor to preserve it in full force. Let us by all wise and constitutional measures promote intelligence among the people as the best means of preserving our liberties.

Lohn Onincy Adams in his inaugural address March 4, 1825, em-

John Quincy Adams, in his inaugural address, March 4, 1825, emphasized and reiterated the recommendations regarding education made by Washington, Adams, Jefferson, Madison, and Monroe. He dis-cussed the specific power of Congress under the Constitution, and said:

If these powers and others enumerated in the Constitution, am saint of the powers and others enumerated in the Constitution may be effectually brought into action by laws promoting the improvement of agriculture, commerce, and manufactures, the cultivation of the mechanic and of the elegand arts, the advancement of literature, and the progress of the sciences, ornamental and profound—to refrain from exercising them for the benefit of the people themselves would be to hide in the earth the talent committed to our charge, would be treachery to the most sacred of trusts.

In 1805, soon after the acquisition of Louisiana, the Territory of Orleans petitioned Congress for a grant of lands for public schools. The committee of the House of Representatives made their report on February 27, 1806, which I read from American State Papers, Public Lands, volume 1, page 258:

Your committee are of opinion that it ought to be a primary object with the General Government to encourage and promote education in every part of the Union, so far as the same can be done consistent[by] with the general policy of the nation and so as not to infringe the municipal regulations that are or may be adopted by the respective State authorities on this subject.

The benefits resulting to society in general from the establishment and support of public institutions for the education of youth and the general diffusion of science, are too well known to all discerning persons to require any particular investigation on the present occasion. The National Legislature has by several of its acts on former occasions evinced in the strongest manner its disposition to afford the means of establishing and fostering, with a liberal hand, such public institutions.

Webster and Prenties.

WEBSTER AND PRENTISS.

In his celebrated speech of January 26, 1830, Mr. Webster referred to the ordinance of the Continental Congress of 1787, in these words:

It set forth and declared it to be a high and binding duty of government itself to support schools and advance the means of education, on the plain reason that religion, norality, and knowledge are necessary to good government and to the happiness of mankind.

In another speech, Mr. Webster said:

Education comprehends all that series of instruction and discipline which is intended to enlighten the understanding, correct the temper, and form the manners and habits of youth and fit them for usefulness in their future stations.

Sergeant S. Prentiss, one of the ablest lawyers and most eloquent speakers our country has produced, fully realized the necessity of providing means for educating a people who were charged with the responsible duty of perpetuating free institutions. In a speech delivered in New Or cans in December, 1846, this profound thinker and brilliant speaker expressed his convictions upon this point in these emphatic

The principle that society is bound to provide for its members education as well as protection, so that none need be ignorant except from choice, is the most important that belongs to modern philosophy. It is essential to a republicant government. Universal education is not only the best and surest, but the only sure foundation for free institutions. True liberty is the child of knowledge; she pines away and dies in the arms of ignorance.

The written and spoken opinions of these thoughtful, earnest, great men show that in their view education includes moral and religious, as well as physical, scientific, and literary training

Education is the guide to progress, and no civilization is worth having which does not crystallize around Christian virtue.

Knowledge is freedom. Knowledge is power.

INTELLIGENCE RULES THE WORLD.

When the Assyrian Empire was most cultured it was most powerful. When the Medo-Persians became most learned they overran and destroyed the Assyrians.

When learning made the Greeks most powerful they annihilated the Medo-Persians, and, finally, when learning elevated the Roman barbarian into greatness, Greece was conquered by victorious Rome.

While this intellectual struggle was in progress between Syria, Greece,

and Rome, Germany and England were inhabited by barbarians as savage and ignorant as the natives of Central Africa to-day.

This idea was very forcibly put by Disnell, who, when reproached on account of his Jewish extraction, retorted that he was proud of, gloried in, the knowledge that while his assailants' ancestors were savage, half-naked barbarians, living in holes in the ground, his (Disraeli's) ancestors were lawgivers and princes among the most intelligent and greatest nation on earth.

But we need go so far back for proofs upon this subject. Alabama has fertile soil and rich and abundant minerals. The soil of little Massachusetts is barren and her minerals are of little value. Yet her wealth is five times ours, and in comparison to the extent of her area her

wealth is fifty times as great as ours. While there are many reasons for this, education has had a great deal to do with it.

The same disproportion exists between the wealth of Alabama and that of Rhode Island. Give Alabama boys the same chance for education as is enjoyed by the boys of Rhode Island and Massachusetts, and I will guarantee that in twenty years the wealth of Alabama will exceed that of both these States combined. And if God spares my life I shall never cease my efforts until Alabama is as rich, prosperous, and happy as any State in the Union, and I believe that to reach this condition she must educate her children.

UNEQUAL DISTRIBUTION OF BENEFITS.

For one hundred years it has been the policy of our Government to d public schools. The donations, however, have been very unequal. aid public schools. The donations, however, have been very unequal.

Sometimes land has been donated and sometimes money has been given to States. The belt of Southern States, including Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, received in land 4,321,576 acres. These States had in 1880 a population of 13,665,654, and therefore were given less than one-third of an acre per capita. The belt of Northern and Northwestern States and Territories, and Texas, namely, California, Colorado, Kansas, Minnesota, Nebraska, Nevada, Texas, and Oregon, and Arizona, Dakota, Idaho, Montana, New Mexico, Utah, Washington and Wyoming Territories, received 112,893,919 acres

The population of these States and Territories was, according to the last census, 5,723,994; which shows that they received 20 acres for each We therefore see that the States and Territories last enumerated have received sixty times as much land per capita as the Southern States first mentioned.

As might be expected there is less illiteracy in the States where the grants have been liberal than in those States where they have been meager, and the proposed appropriation upon the basis of illiteracy tends in a slight degree to make compensation for the unjust and unequal distribution heretofore made.

Millions of acres of land have been sold and the money placed in the Treasury, and this bill seeks to appropriate a portion of this money for educational purposes.

It would be presumed that the States which have been given the liberal amounts would be willing to do justice to those States which have been neglected, but it is painful to see that some of them are most determined in their opposition to any measure having for its object a tendency to equalize these benefits.

THE SOUTH ACQUIRED THE DOMAIN.

The States which need this bounty at present furnished the men who contributed more than all others toward acquiring the vast territory which has rendered these liberal grants possible. Southern Presidents-Jefferson, Monroe, and Polk—acquired for us these vast territories.

The Louisiana purchase	Acres. ,961, 200 ,931, 520 ,443, 520
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It was the brave men from the extreme Southern States who formed the greater part of the army which won on the battlefields of Mexico very large part of this vast domain.

While there are very many people in the prosperous States who advocate this measure, yet, I regret to say, there are some who oppose it with unrelenting bitterness, and, what is still more painful, they endeavor to deceive our own people by false representations regarding the proposed law.

In 1836, just a half a century ago, there was a surplus in the Treasury, and under the act of June 23, 1836, \$28,104,464.91 was distributed to the States, and all or nearly all of this fund was used for public schools, and formed in many States the basis of the system of education which has made them great and prosperous.

Our average receipts from 1830 to 1840 were but \$30,461,109, while of late the revenues of the Government have in single years exceeded \$400,000,000. It is easily seen, therefore, that the cash distribution of surplus funds in 1836 was relatively more than twelve times as great as the amount asked to be appropriated by this bill. If that law, recom-mended by Andrew Jackson, was right then, certainly a similar law appropriating less than one-twelfth of the proportionate amount can not

But this bill provides that the appropriation shall be distributed over a period of eight years; therefore the sum taken from the Treasury under the law of 1836 was relatively about one hundred times greater than the sum proposed to be appropriated during any one year under the provisions of this bill.

THE BILL MISREPRESENTED.

The enemies of the bill falsely tell the Southern people that it provides for mixed schools. This is absolutely untrue. It specially provides for separate schools. The bill does not establish or control any school. It simply provides money to aid the schools established by the States. The schools are to be controlled by the State and county officials in every respect as they are now.

It is simply a donation of nearly \$6,000,000 to Alabama and large amounts to other States which have not received their equitable quota.

This is just and right.

Some States have heretofore received more than Alabama, and this law tends to equalize the fund. Alabama did not refuse her share of the \$28,104,464.91 in 1836, and she will not refuse her share of the \$77,000,000 appropriated to aid common schools by this bill. It taxes our patience, equanimity, and sense of decorum to listen to arguments against this bill by gentlemen from California, Colorado, Nevada, and Texas when we recall the fact that the first-named State has received from the people of the United States in aid of her public schools relatively more than twelve times as much as Alabama, and that the lastnamed State has received, for the same purpose, more than fifty times

The impatience and intolerance naturally provoked by the opposition of these States to this is likely to be emphasized, if not intensified, by the further reflection that the addition of these States to the Union and of an immense area of territory beside, was principally the work of

Southern men in support and defense of Southern policy.

When Texas sought to establish her independence of Mexico, we of the South rushed to her assistance and gave our best blood in her defense

and to secure her freedom.

TEXAS SHOULD NOT OPPOSE IT.

The joint resolution under which Texas was empowered to retain control of her own public lands was carried by the votes of Southern men and was approved by a Southern President. By this resolution the splendid Lone Star State was invested with the control of at least 150,-000,000 acres of land, not less than one-third of which-worth \$200,-000,000-has been used or is now available to foster and develop her system of public schools.

We rejoice in and congratulate Texas upon the magnificent results of her school policy and measures, but at the same time we hope her representatives will be sufficiently just and generous to vote with us for a measure which promises to give us an insignificant fraction of the immense benefits she has enjoyed, principally by and through our means.

And we are not merely hopeful upon this point, we are confident that such will be the final result. The generosity of the people of Texas has long since become proverbial, and her able and distinguished representatives upon this floor are known to represent the traits and characteristics of their constituents as faithfully as they guard their interests. This appeal for justice and generosity applies with almost equal force to the States of California, Colorado, and Nevada.

The opponents of this bill claim to have just made the discovery that such measures as the one under discussion are not constitutional

They flatter and praise our constitutional scruples, and contend that Southern men are too noble and generous, too earnestly devoted to the doctrine of State-rights to wish aid from the Federal Government.

By this and similar methods in times past many Southern men have been induced to oppose appropriations for the improvement of their rivers and harbors.

In such cases the further argument was advanced that the money to improve our rivers and harbors would be spent under the supervision of a Federal officer, who, coming into our States under authority from the General Government, assumed personal and direct control of all work done under such appropriations. Vain and foolish men contended that this was an invasion of the principle of "State-rights."

The new South has conquered this opposition, and without hesitation recognizes the fact that unless her rivers and harbors are improved by the General Government they will remain as they were when navigated by the Indians in their canoes, and that so long as our water navigation is obstructed we never can overtake the prosperous North which has received such munificent aid of this character.

Now, since the South is willing and anxious to receive such aid, and to have the works controlled by the Federal Government or its oflicers, is it not a direct insult to the intelligence of the Southern people to attempt to defeat the educational bill by the assertion that the South does not wish it?

SOUTHERN PEOPLE NEED AND WISH IT.

It has been contended here that the people of none of the Southern States desire the passage of this measure, and some Northern gentlemen give that as their only reason for opposing it, producing letters from prominent Southerners in support of their position. Many of them say: I admit the bill to be just; I admit that the insignificance of the aid extended to the South as compared with the benefits conferred upon many States of the North would constrain me to vote for the bill had I not been impressed with the belief that the South does not want it. Many of them say: Prove to us that the South really desires the success of this

measure and we will give it our support.

In reply to these gentlemen I assert that the South does want it; she needs it; she demands it. A gallant, struggling people, yearning for the fountain of knowledge, beseech you to accord them this just

and necessary measure.

She has never been backward in her duty. Whether in poverty or prosperity she has paid her tribute to the Federal Treasury. Her sons have always been prompt to give their blood in her defense. Nearly

a century and a half ago Southern men hastened to the defense of the Western settlers in the French and Indian wars. It was Southern men who started to Massachusetts the day they heard of the conflicts at Lexington and Concord. It was Southern men who were most lavish in their devotion during the war of 1812, in the many Indian conflicts, and in the war with Mexico, and even in the conflict of 1861-'65 Southern States gave as many men to the Federal as they did to the confederate army.

It is men of this character who now ask aid in the cause of education.

How can it be said on this floor that they do not wish it, when the records emphatically show the contrary?

HISTORY OF THE PRESENT BILL.

On January 16, 1882, I introduced a bill in Congress which appropriated \$100,000,000 for this purpose. It provided that the State officials should control the fund, and have exclusive control of the schools. On January 15, 1883, a resolution was introduced fixing a day to consider the bill as reported to the House by the Committee on Education. A second was demanded, and 117 members voted for the measure, and only 11 against it. (See Congressional Record, Forty-seventh Congress, page 1202.) The vote was then taken upon the resolution, and the affirmative vote was increased to 129. I was present, and state of my own knowledge, that on both votes the measure was favored by nearly every Southern Democrat except the gentleman from Texas.

In the Forty-eighth Congress Senator BLAIR introduced a similar bill which was referred to a committee of which Senator PUGH was a member. Mr. BLAIR recognized the fact that the South would, necessarily, be the largest beneficiary of the bill, and in his solicitude to have his bill so framed as to secure the accomplishment of the greatest possible good, and be, in all respects, entirely acceptable to the South, he requested Senator PUGH to make such changes in the bill as he thought necessary to secure the purpose he had in view. In compliance with this request Mr. Pugit undertook the revision of the bill, and the measure generally known as the "Blair bill" was reported to the Senate in the handwriting of that eminent Southern Democrat. This bill passed the Senate on April 7, 1884, being supported by the following Southern Democratic Senators:

Brown,	Hampton,	Pugh,	Lamar,
Call,	Jackson,	Ransom,	Vance,
Colquitt,	Jonas,	Williams,	Walker.
Garland,	Jones of Florida,	Gibson,	
Cleorge	Kenna.	Camden.	

(The last five being supporters of the measure, but "paired" with the same number who opposed it.)

A STAB AT THE MEASURE.

On January 23, 1885, Mr. Hurd introduced a resolution, which I will read (RECORD, page 1058):

Whereas certain bills, appropriating money from the Treasury of the United States, originating in the Senate, have passed that body, and have been sent to this House for its concurrence, which are now upon the Speaker's table, to wit, Senate bill No. 398, entitled "A bill to aid in the establishment and temporary support of common schools" and many others; and

Whereas it is asserted that these bills are in violation of the privilege of this House to exclusively originate bills for raising revenue: Therefore,

Be it resolved, That the Committee on the Judiciary be hereby directed to inquire into the power of the Senate to originate bills appropriating money from the Treasury of the United States, and report to this House at as early a day as practicable. And said committee shall have leave to report at any time.

This was a direct stab at the advantaged hill. The resolution was

This was a direct stab at the educational bill. The resolution was supported by all of its enemies, and also by some of its friends, who desired the success of the bill, but were yet jealous of the action of the Senate in originating the bill, which they regarded as an invasion of the exclusive rights of the House. A motion was then made to table the resolution, which was voted for by the following Southern Democrats, who thus gave emphatic and unmistakable expression to their advocacy of the bill:

Ballentine, Barbour, Bennett, Blackburn, Blanchard, Bratton, Breckinridge,	Covington, Cox, W. R. Crisp, Davidson, Dibble, Dibrell, Ellis,	Hemphill, Herbert, Hewitt, G. V. King, Lewis, Money, Nicholls, Oute	Reese, Talbott, Taylor, J. M. Vance, Warner, Williams, Willis, Wies G D
Breckinridge, Buchanan,	Ellis, Finley,	Oates,	Wise, G. D.
Cabell, Candler,	Forney, Garrison,	O'Ferrall, Peel,	Wolford.

Had I been a member of that Congress I should certainly have voted with these Southern Democrats.

Upon the first call of the States in the Forty-ninth Congress I introduced the bill (H. R. 43) to aid common schools which I will read:

A bill to aid in the temporary support of common schools.

A bill to aid in the temporary support of common schools.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That for eight years next after the passage of this act there shall be annually appropriated from the money in the Treasury the following sums, to wit: The first year the sum of \$5,000,000, the second year the sum of \$15,000,000, the fluth year the sum of \$15,000,000, the fourth year the sum of \$15,000,000, the sixth year the sum of \$9,000,000, the seventh year the sum of \$7,000,000, the eighth year the sum of \$5,000,000; which several sums shall be expended to secure the benefits of commonschool education to all the children of the school age mentioned hereafter living in the United States.

BEC. 2. That such money shall annually be divided among and paid out in the several States and Territories in that proportion which the whole number of

persons in each who, being of the age of ten years and over, can not read, bears to the whole number of such persons in the United States; such computation shall be made according to the census of 1830.

SEC. 3. That no State or Territory; the amount of money expended therein and the control of the such as the such revenues or in the common-school facilities afforded between the white and colored children therein, and, so far as is practicable, the sources from which such revenues were derived; the manner in which the same were apportioned to the use of the common schools; the number of white and the number of colored common schools; the average attendance in each class, and the length of the school term. No money shall be paid out under this act to any state or Territory that shall not have provided by law a system of free common schools for all of its children of school age, without distinction of race or color, either in Arvended. That separate achools for white and colored children shall not be considered a violation of this condition. The Secretary of the Interior shall therepanded the such as the su

cities, towns, parishes, and other territorial subdivisions for school purposes, and all corporations clothed by law with the power of maintaining common schools.

Sec. 11. That no second or subsequent allotment shall be made under this act to any State or Territory unless the governor of such State or Territory shall first file with the Secretary of the Interior a statement, certified by him, giving a detailed account of the payments or disbursements made of the school find apportioned to his State or Territory and received by the State or Territorial treasurer or officer under this act, and of the balance in the hands of such treasurer or officer under this act, and of the balance in the hands of such treasurer or officer under this act, and of the balance in the hands of such treasurer or officer under this act, and of the balance in the hands of such treasurer or officer under this act, and of the payment of the such and also the amount expended in such State or Territory, as required by section 8 of this act, and also of the number of public, common, and industrial schools, the number of the termination of the sumber of the treasurer of the year and in what branches instructed, the average daily attendance and the relative number of white and colored children, and the number of months in each year the schools have been maintained in each school district. And if any State or Territory shall misapply or allow to be misapplied, or in any manner appropriated or used other than for the purposes herein required, the funds, or any part thereof, received under the provisions of this act, or shall fail to comply with the conditions herein prescribed to be so reported, such State or Territory shall forfeit its right to any subsequent apportionment by virtue hereof until the full amounts on misapplied, lost, or misappropriated shall have been replaced by such State or Territory have been faithfully applied to the purposes contemplated by this act, and that the conditions herein. If it shall not be deemed a failure to

attending the common schools in sparsely populated districts where the local communities shall be comparatively unable to bear the burdens of taxation. Such school-houses shall be built in accordance with modern plans, which plans shall be furnished free on application to the Bureau of Education, in Washington: Provided, however, That not more than \$100 shall be paid from said fund toward the cost of any single school-house, nor more than one-half the cost thereof in any case; and the States and Territories shall annually make full report of all expenditures from the school-house fund to the Secretary of the Interior, as in case of other moneys received under the provisions of this act.

Sec. 14. That the Secretary of the Interior, through the Commissioner of Education, shall be charged with the practical administration of this act in those Ferritories which shall not have established by law asystem of free common-school education as provided in section 6 of this act. He shall report annually to Congress its practical operation, and briefly the condition of common and industrial education as affected thereby throughout the country, which report shall be transmitted to Congress by the Secretary of the Interior, accompanying the report of his Department. And the power to alter, amend, or repeal this act is hereby reserved.

Sec. 15. That no State or Territory that does not distribute the moneys raised for common-school purposes equally for the education of all children, without distinction of race or color, shall be entitled to any of the benefits of this act.

THE BLAIR BILL REVISED BY SENATOR PUGIL.

Simultaneously Mr. BLAIR introduced a bill, to aid in the support of common schools, in the Senate, which was unanimously reported from the Senate Committee on Education and Labor. It was similar to my bill in many respects, but did not contain the provision which is recited in section 13 in the measure introduced by myself. The bill as reported to the Senate was an exact copy of the bill prepared by Mr. PUGIT in the previous Congress. While being discussed in the Senate it was amended by the addition of a provision almost identical with it was amended by the addition of a provision almost mention with section 13 of the bill introduced by myself. The bill thus amended passed the Senate on March 5. Those Southern Senators present who voted for the bill in the Forth-eighth Congress again gave it their support, together with the following, namely: BERRY, BLACKBURN, EUSTIS, JONES of Arkansas, and WALTHALL. It will be observed, therefore, that the bill received the support of twenty-three Southern Democratic

As further evidence of the sentiment of Southern men on this subject I will read a resolution introduced by myself on March 22:

Mr. WHEELER submitted the following resolution; which was read, and referred to the Committee on Rules:

"Resolution directing the Committee on Rules to report a rule to the House, by which by a majority vote the House may instruct a committee in charge of a bill to report it back to the House.

"Whereas the Tenth Census of the United States shows that there are 6,239,235 persons in the United States over the age of ten years who can not write, and
4,923,451 over ten years of age who can not read; and
"Whereas during the first session of the Forty-sighth Congress a bill passed
the Senate, by a vote of 23 to 11, to aid in the establishment and temporary support of common schools; and
"Whereas said bill was never acted upon by the House of Representatives;
and

and
"Whereas during the present session of Congress, to wit, on the 5th day of
March, 18%, the Senate passed another bill to aid in the establishment and temporary support of common schools, by a vote of 35 to 11; and
"Whereas said bill was engrossed and reported to the House of Representatives, and on the 2th day of March the Speaker laid before the House the saidbill (namely, the bill S. 191) to aid in the establishment and temporary support
of common schools, which was read twice and referred to the Committee on
Education; and
"Whereas on the first day on which bills could be introduced in the present."

bill (mamely, the bill S. 191) to aid in the establishment and temporary support of common schools, which was read twice and referred to the Committee on Education; and

"Whereas on the first day on which bills could be introduced in the present Congress, namely, on the 21st day of December, 1835, bill H. R. 43, to aid in the temporary support of common schools, was introduced, read twice, and referred to the Committee on Education, and ordered to be printed; and

"Whereas send committee has failed to make any report upon said bills; and
"Whereas the Legislatures of the States of Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Virginia, and
West Virginia have passed resolutions requesting or directing their Senators and Representatives to aid in the temporary support of common schools; and
"Whereas Christian and educational associations throughout the United States have adopted resolutions urging that Congress emact a law providing for the temporary support of common schools; and
"Whereas the superintendents of public instruction for the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia have memorialized Congress, setting forth the immediate and pressing educational wants of the Southern States of the Union and praying for speedy action in aid thereof; and
"Whereas the passage of this bill is absolutely essential to the welfare of the children of citizens who are compelled to labor for low wages in farming and other occupations; and
"Whereas the non-action of the Committee on Education indicates that they will not make a report, as contemplated by the rules of the House, in time to secure action by the House during the present session; and
"Whereas the foundation of the Committee on Education indicates that they will not make a report, as contemplated by the rules of the House, in time to secure action by the House during the present session; and

I will also read the joint memorial which was unanimously adopted by the Legislature of Alabama:

That the Senators and Representatives in Congress from this State be requested to secure the passage of a bill granting aid to education in the several States upon the basis of illiteracy, the amounts so appropriated to be applied by the several States through their superintendents of education.

WILBUR F. FOSTER,

Speaker of the House of Representatives.

GEO. P. HARRISON, Jr.,

President of the Senate.

Approved December 11, 1882.

Hon. Joseph Wherlen, House of Representatives,

E. A. O'NEAL, Governor.

SOUTHERN CONGRESSMEN SUPPORT THE RILL

On March 29 a vote was taken to refer the Senate educational bill to the House Committee on Labor. Those who voted in the affirmative were advocates of an early consideration of the bill, and among them were the following-named Southern Democrats. Most of these distinguished Southern Democrats had expressed their approval of the bill itself in most emphatic terms:

Allen, Ballentine,	Croxton, Daniel.	Herbert,	Rogers,
Barbour,	Davidson, R. H. M.	Irion, Johnston, T. D.	Sadler, Singleton,
Barksdale,	Dibble,	Jones, J. T.	Snyder,
Barnes,	Dunn,	King,	St. Martin.
Barry,	Forney,	Martin,	Taulbee,
Blanchard,	Gay.	McCreary,	Taylor, J. M.
Breekinridge, C. I	R. Gibson, Eustnee,	McRae,	Trigg.
Cabell,	Glass,	Neal,	Turner,
Candler,	Green, W. J.	Norwood,	Wheeler,
Catchings,	Halsell,	O'Neill, J. J.	Willis,
Clements,	Hammond,	Peel,	Wise,
Cowles,	Harris,	Perry.	Wolford.
Cox,	Hemphill,	Reid, J. W.	
Crisp,	Henderson, J. S.	Reese,	

Who will insult this great body of Southern Democratic Senators and Representatives by maintaining that they advocate a bill which is objected to by Southern people?

Why, Mr. Chairman, the proposition is wholly untenable upon its ce. There are a few men in the South who oppose educating the rising generation, but they are isolated adherents to and representatives of the exploded and abandoned theories and ideas of a by-gone age; loiterers on the highway of advancement who have voluntarily placed themselves far behind in the onward and upward march which is the distinguishing characteristic of this great age of progress and improve-

These gentlemen also seem to have forgotten the principles upon which our Government was based. They have forgotten that we are all born free and equal.

They seem not to comprehend that every citizen of this Republic is a sovereign, and that in a government like ours, where all have sovereign power, all should be so educated that this sovereign power shall be wisely exercised.

ITS BENEFITS NOT LIMITED.

It has been objected by some of the opponents of this measure that. in effect, it calls upon the people of some parts of the country to pay out money for the exclusive benefit and advantage of those resident in other parts; that the people of the East, the North, the West, and the Northwest will, under the operation of this bill, be taxed to provide the means of educating the illiterates of the South, and that while they will have to furnish the greater part of the money, they will deri ve no corresponding benefit.

Sir, I deny this proposition in toto. Granting, for the sake of the argument, that the assumption is correct, that the greater part of the money to be expended under this bill in case it becomes a law will be supplied by the North, the East, and the West, I reject and utterly repudiate the conclusion that they will derive no benefit from the expenditure. It is simply impossible to raise the standard of intelligence in any portion of a free country without benefiting those of every portion.

In every land under the sun labor is the source of wealth, and this is especially the case in America. Here we may have a specially favored class who rejoice in the possession of immense fortunes—the bondholders. the railroad magnates, the monopolists of various kinds-but they add nothing, they can add nothing, to the sum of the general wealth of the country; they merely fatten upon the toil of others. With us, if nowhere else on earth, it is true that the only creator of wealth is he who labors. This being true, I take it for granted that no one will deny the proposition that the intelligent laborer, I care not whether the scene of his activity be in the factory, the mine, the field, or the workshop, will produce more wealth than the laborer who is not intelligent.

Supplement the brawn and muscle and endurance of the toilers of any portion of the country with the keen and comprehensive intelligence which education alone can bestow, and you necessarily add to their productive capacity, add to their productiveness, and of equal necessity you lighten the burdens which all must help to bear. Enable the laborers of the South to increase their products 25 per cent., and it must follow as a natural and unavoidable consequence that the rest of the country must participate in their increased prosperity. They will consume more of what is produced elsewhere, the interchange or exchange of commodities between the sections will be stimulated, every branch of industry become more thriving, and all must share in the improved condition of affairs which must be the result.

But disregarding for the moment any sordid considerations of mere pecuniary advantage to be gained by any augmentation of the sum of the productive power of any locality, and there will still remain vast and widespread benefits as the result of a more general diffusion of edu-

Knowledge is the handmaid of virtue, sobriety, order, and thrift and the deadly foe to vice, crime, and lawless disturbances. Educate any people in any section and you make them better citizens, better neighbors, and purer patriots.

How can it be possible to bring about this result without benefiting every part of the country?

THE IMPORTANCE OF THE MEASURE.

If the decision of the House upon this amendment and the educational bill involved only a question of constitutional law or construction I should feel it incumbent upon me to leave the discussion entirely to those gentlemen whose reputation as constitutional lawyers has been universally recognized.

But, sir, in my opinion the questions to which our consideration is invited by this bill are of too much practical importance to our people, and particularly to the people of the section I have the honor to represent in part upon this floor, to permit me silently to contemplate the possibility of their being deprived of the benefits of this measure by strained constructions, if not palpable disregard of the provisions of the

The scope and the limitations of the powers conferred upon Congress by the Constitution, what the General Government may lawfully do and what it can not lawfully attempt, are, I admit, questions of the ntmost gravity and importance, and it would, no doubt, be highly advantageous to the country if we could reach some conclusion regarding them which would be accepted and acquiesced in by all men of all parties.

But, sir, suppose it were possible to convince all those who have differed upon these questions that their disagreements were unreasonable, to induce them to lay aside inherited prejudices, party antagonisms, political distrusts, and intellectual convictions, and bring all men to the point of admitting, with absolute unanimity, that there was but one possible construction of the Constitution; suppose this impossibility to have been acheived, what practical effect would such conclusion have upon the happiness and the prosperity of the great body of the people of the United States?

But the passage or the rejection of this measure must have a direct, ositive, and practical effect upon the whole people of the United States. positive, and practical effect upon the whole people of the United States. There is no city so large, no locality so prosperous, that will not be benefited by the success of this bill; there is no hamlet so insignificant, no community so wretched, that will not be injured by its defeat.

The opponents of the bill may regard this as the extravagant proposition of an enthusiast; but I think it is clearly within the limits of even my feeble powers to convince any fair-minded man that, though

I avow myself an enthusiast upon this subject, the language I have

nttered is that of truth, of soberness, and of sadness.

The question which we are called upon to decide by our action on this bill is vastly more important than any that has been, or is likely to be, submitted to this Congress. And I say this with a full realization of the responsibilities that rest upon us at this time. I do not underestimate our obligations to devise such measures as may relieve an oppressed and overburdened people from the weight of unjust, unequal, and unnecessary taxation; the pledges we have given to reform the administration of the General Government by abolishing superfluous offices and to reduce the expenditures to the lowest point conscatible with efficiency in the various Departments. These are grave and most important duties, and the responsibility for their faithful performance is proportionately great.

But, sir, I maintain, that, serious as they are, they must be regarded as of only minor consequence when they are contrasted with the great consideration which underlies this bill. They relate to details in the financial administration of the Government; the purpose and object of this bill is to make it certain that we shall continue to have a govern-The object of this bill is to provide means for the ment to administer. dissemination of that knowledge without which no people can long be

IGNORANCE WRECKS REPUBLICS,

The pathway of time is strewn with the wrecks of republics and governments whose overthrow and rain have been directly traceable to their

ernments whose overthrow and ruin have been directly traceable to their failure to properly educate the masses of the people.

I do not propose to weary the House with a dissertation upon ancient or modern history, for the fact I have stated is too generally known, too universally admitted, to require proof. Every tolerably well informed school boy knows that the ignorance of the people has been the most fruitful source of the disasters that have overwhelmed the nations of the earth. The opponents of this hill believe and I halfer and I half the control of the careful of the state. of the earth. The opponents of this bill believe, and I believe, that it is impossible for disaster from this source ever to overtake this people. But the very foundation of this belief, the ground for this assurance, is to be found in our reliance upon and confidence in the intelligence and the virtue of our people. And that intelligence must not be permitted to diminish; it must be widened, deepened, strengthened; and to secure this result the opportunities for acquiring knowledge must be augumented as our numbers increase.

Why are governments instituted among men?

This is an abstraction; the discussion and decision of which can not, by any possibility, add anything to the sum of human happiness or subtract anything from the wretchedness of a single individual.

But take the question, What is the principal duty of the Government to the citizen? and we pass at once from the field of abstract intellectual speculation into the domain of practical human interests, the

decision of which is of vital interest and importance to every man, woman, and child from whom a government claims allegiance.

The first question may never be settled to the satisfaction of all who delight to exercise their faculties upon the elucidation of abstrase propositions, but the answer to the latter inquiry is a matter which comes directly home into the daily life of every individual member of a civilized community.

A man may get along through life very comfortably and very creditably without ever having attempted to find a solution of the vexed acity without ever having attempted to flad a solution of the vexed question, at what precise point does the obligation of the Government to the citizen absolutely terminate, but he will neither be prosperous himself nor contribute to the general prosperity if he be left in doubt

as to the security of his person or property.

In all free countries, where liberty is something more than a name, men have differed and always will differ in their views as to the rightful scope, the legitimate functions of government. There will always be those who, like Hamilton and Adams, will insist that the government must be strong if the citizen would be secure, and fortunately for mankind there will also always be those who, like Jefferson, will endeavor to reduce the powers of government to the narrowest limits compatible with the duties it must discharge, and leave the individual free and untrammeled by any restraints not supplied by his intelligence, his virtue, and the laws which they have established for the general

ALL AGREE ON THIS QUESTION.

But whether they be followers of Hamilton or of Jefferson, there is one point upon which all freemen are agreed, and that is that the first and paramount duty of all government is to protect the citizen in his

person and property.

However widely they may differ in opinion as to the rights and powers of the General Government, the Republicans and Federalists of 1800 and the Democrats and Republicans of 1886 meet upon this common ground. Whatever the extent of the powers intrusted to the General Government, and whatever the limitations under which these powers are to be exercised, the citizen has an undeniable right to expect that the Government will render him absolutely secure in his person and

This proposition is so obvious, its justice so manifest and so incontrovertible, that the failure of Government to afford this security is universally held to justify the overthrow of any system which has been shown to be unequal to its first and greatest obligation, and by the common consent of mankind the government which fails to afford this security is regarded as a despotism.

In a constitutional monarchy like England, or even in an imperial government like that of Germany or Austria-Hungary, the intelligence and the selfish interests of the ruling class were for centuries relied upon to furnish this security.

But in the last few decades this view has undergone an entire change, even in these imperial governments. They have found that security and stability are most certainly to be found in the education of the They have found also that education of the people supplies the surest road to prosperity; that an educated workman produces from the to twenty times more wealth than an ignorant one. Therefore, as the ruling classes in these countries are the almost exclusive possessors of the wealth of the country, and, like all other men, they desired to increase their wealth, they have learned that their selfish interests as well as the general welfare of the country could be most effectually promoted by education, and the result has been—in two of these countries at least, Germany and England—the inauguration and development of a system of popular education which is to-day far superior to our own in its efficiency and in its results.

This having been the experience of such governments as I have men-

tioned, how much greater is the necessity for recognizing the principle in a government like ours, where the people themselves are the rulers, under which all power is derived from the people; in which the equality of all men before the law is the very corner-stone of the structure. The only guarantee we can have for the purity and perpetuity of our institutions is to be found in the intelligence, the prosperity, and the virtue of the people; and as an ignorant people can not be either intelligent or prosperous it is clearly the duty of the Government to see that the people be educated.

RULERS MUST BE EDUCATED.

With us the people must always govern themselves, and to make it certain that the best possible results of such government are attained the agencies the people have selected and intrusted with the powers we recognize as pertaining to government must be active in increasing the intelligence and strengthening the virtue of the people.

In other words, as the people are intrusted with their own govern-ment for their own good it is the bounden duty of the government to see that they are not governed by their own ignorance.

I assume that it will be admitted by all—by the opponents of this measure as well as by its advocates—that the primary and paramount duty of every government is to protect the persons and property of the individual members of the community for whose benefit the government exists. This being so, it follows by necessary consequence that

the government is bound to adopt those measures, to pursue that line of policy which promises to be most effectual in securing this object.

This brings us face to face with the important question, What is the most effectual means of protecting the persons and property of the

Unhesitatingly and confidently I reply—the education of the people. The opinions of the profoundest thinkers, the greatest philosophers, the brightest essayists, the most gifted poets, the leaders and molders of thought, and the leaders of men in action, and the experience of mankind, all unite to establish the truth of this proposition.

Solomon, when offered his choice, preferred wisdom to honor, riches, and length of days, and, in the language of Holy Writ, the Lord assured

Lo, I have given thee a wise and an understanding heart, so that there was none like thee before thee, neither after thee shall any arise like unto thee. And I have also given thee that which thou hast not asked, both riches and honor; so that there shall not be any among the kings-like unto thee all thy days, * * * and I will lengthen thy days.

Lord Bacon, "the brighest, wisest of mankind," though he may not have uttered the opinion generally ascribed to him, "Knowledge is power," undoubtedly regarded knowledge as the most desirable possession man could acquire.

Pope has declared:

'Tis education forms the common mind: Just as the twig is bent the tree 's inclined.

Addison, Steele, Chapman, and even Swift, with most of the writers who shed such luster upon Queen Anne's reign, have all attested the importance they attached to education.

MACAULAY.

But I do not wish to fatigue the House with tedious citations of authorities upon this point, and will therefore adopt the comprehensive words of one of the most brilliant writers and thorough scholars of modern times, of whom it has been said that his mind was a vast storehouse of knowledge, an inexhaustible treasury of wisdom drawn from the writings of the ancient and modern world. Macaulay, in a speech upon this very subject, said:

Isay, therefore, that the education of the people ought to be the first concern of a state, not only because it is an efficient means for promoting and obtaining that which all allow to be the main end of government, but because it is the most efficient, the most humane, the most civilized, and in all respects the best means of attaining that end. This is my deliberate conviction; and in this opinion I am fortified by thinking that it is also the opinion of all the great legislators, of all the great statesmen, of all the great political philosophers of all ages and of all nations, even including those whose general opinion is and has ever been to restrict the functions of government.

In this speech, delivered in the English Parliament in 1847, Macaulay strove to enforce the proposition that it was the duty of the government to educate the people as the most effectual means of securing the persons and property of the community, citing the authority of Adam Smith, the great author of that great work, the Wealth of Nations, and referring to the disastrous experience of England in the Gordon

Upon these points I read at some length:

Upon these points I read at some length:

I ask can it be denied that the education of the common people is the most effectual means of profecting persons and property? On that subject I can not refer to higher authority or use more strong terms than have been employed by Adam Smith; and I take his authority the more readily because he is not very friendly to state interference, and almost on the same page as that I refer to he declares that the state ought not to meddle with the education of the higher orders; but he distinctly says that there is a difference, particularly in a highly civilized and commercial community, between the education of the higher classes and the education of the poor.

The education of the poor he pronounces to be a matter in which government is most deeply concerned; and he compares ignorance, spread through the lower classes, neglected by the state, to a leprosy or some other fearful disease, and says where this duty is neglected the state is in danger of falling into this terrible disorder. He had scarcely written this than the axiom was fearfully illustrated in the riots of 1780. I do not know if from all history I could select a stronger instance of my position when I say that ignorance makes the persons or property of the community unsafe, and that the government is bound to take measures to prevent that ignorance.

On that occasiom what was the state of things? Without any shadow of a grievance, at the summons of a madman, one hundred thousand men rising in insurrection, a week of anarchy, Parliament besieged, your predecessor, sir, trembling in the chair, the lords pulled out of their coaches, the bishops flying over the tiles, * * thirty-six fires blazing at once in London, the house of the chief-justice sacked, the children of the prime minister taken out of their beds in their night-clothes and laid on the table of the Horse Guards, and all this the effect of nothing but the gross, brutish ignorance of the population who had been left brutes in the midst of civilization.

*

A PREVENTIVE OF ANARCHY.

But it may be urged that the religious fanaticism which rendered the "no-Popery" cry of the Gordon riots so dangerous in England in 1780 can not possibly be re-echoed in the United States; that the ignorant ferocity and brutality of a London mob a century since can not justly be accepted as indicating a possible danger to any community in this country at this time.

I wish I could think so. But ferocity and brutality are just as certainly characteristics of ignorance toward the close of the nineteenth century as they were toward the close of the eighteenth. Privation,

want, greed, and envy will just as certainly excite an ignorant mob to violent and lawless acts now as they did in 1780. Then the cry of "no Popery," started by a madman, was caught up by demagogues and made the pretext for lawless attacks upon property and life, and it was only the other day that the cry of "no monopoly" in Chicago enabled a few miscreants to excite an ignorant mob to deeds of violence and bloodshed no less ferocious than those so graphically described by

What was the instrument which Parsons, Spies, and their associates found most potent in creating the tumult which drenched in bloodthe streets of that great city? What was the only thing that rendered that occurrence possible? I answer boldly and fearlessly it was the ignorance of the poor creatures who had accepted them as leaders.

Can any one imagine that under any stress of circumstance, under any extremity of bitter feeling, provoked by long-continued, patiently endured, and apparently irremediable wrongs, a crowd of educated, in-telligent American workingmen could have been goaded into the perpetration of such a treacherous, wanton, and cowardly attack upon the civil authorities as that of which these foreign anarchists were guilty

in Chicago?

"Ah," says one, "but these same anarchists are beyond the reach of "Ah," says one, "but these same anarchists are beyond the reach of any influence for good which education can exert. You might establish fifty schools in their midst, and not one of them would become pupils; they have passed the school age, and your sovereign panacea could not prove efficacious with them because they will not subject themselves to its influence."

Grant that this be true, is it any the less the duty of a humane, a civilized, a Christian government to at least make an effort to enlighten the ignorance which has been so revoltingly displayed?

A PLAIN, IMPERATIVE DUTY.

Make the effort. Give to these benighted, misguided victims of ignorance and passion the chance to learn the enormity of the offenses into which they have been betrayed by the arts of a few designing and cowardly miscreants who lacked the manliness to face the consequences of ardly miscreans who lacked the mainless to lace the consequences of the belief they professed, and if they will not accept it, if they persist in their lawless theories and practices, then let the full power and vigor of the State be invoked to suppress their ignorant violence. Let them suffer for their crimes, but let us at least make the effort to teach them so much as will enable them to know they are criminals. Let the State punish them for their crimes, not for their ignorance which the State has not attempted to remove.

Even if the effort to reach these criminals and to ameliorate their ignorance prove useless in these particular cases, the schools, which I maintain it is the duty of the Government—the State being unable—to establish in their midst, would be available for their children. The education which the father could not appreciate or would not accept may convert the son of an assassin into an industrious, honorable, ambitious mechanic, who may so improve his opportunities that in the future his vote in this Hall may decide whether the blessings of Government aid to education shall not be still further extended.

But it may be urged this bill does not propose to extend the benefits of Government aid to education to the Chicago anarchists or to their children, and that I have endeavored to fortify it by an inapplicable illustration.

I deny that this exemplification of the dangers to which persons and property are exposed by the ignorance of the people is not applicable to my argument.

If Chicago were the only locality in this broad land where ignorance could be found, and if it were the fact that Chicago could not benefit

by this bill, the objection might be pertinent.

I maintain though that every city, town, and hamlet throughout the country must be benefited by this bill, no matter whether the immecountry must be benefited by this bill, no matter whether the immediate effect of its passage is to plant a school-house in that particular city, town, or hamlet or not. Is not every community in every portion of the land interested in every effort which promises to give us greater security for persons and property? Do we not all possess a common interest in increasing the intelligence of our people, no matter where they may reside? Has not the whole country, North, South, East, and West, benefited by the system of popular education which we have always enjoyed since the outposts of civilization were first planted upon our shores? And would not the advantages of its further extension inure to all sections alike?

Unhappily, too, there are portions of our country where the ignorance of the mass of the people is even greater than it is in Chicago, or than it is in any of the prosperous and populous cities of the North-localities where there is one voter who can not write to every two who can; where only one voter out of every three can read the ballot which he deposits in the box.

ITS CONSTITUTIONALITY ESTABLISHED.

But it is claimed that the passage of this bill involves the usurpation by Congress of powers not delegated to it by our organic law, and that therefore, praiseworthy and commendable as may be its purpose, the measure is unconstitutional and should be defeated.

I have had occasion heretofore, Mr. Speaker, to deprecate what I have considered unwarranted and unjustifiable appeals to the Constitution

to obstruct legislation which, in my opinion at least, was clearly within the line which defines the duties, rights, and powers of the General Government. I have heretofore professed myself, and I wish now to repeat, that I am and wish to be considered as a Democrat after the straitest sect; that I never have been and never shall be willing to see Congress arrogate to itself any right or power not clearly deducible from the language and purposes of the great charter from which all its powers are derived.

I never have relied upon and I never shall exclusively rely upon the "general welfare" clause of the Constitution—that clause which has been so aptly designated as "the blanket clause"—as supplying of itself a warrant for the exercise of any doubtful or questionable right. On the contrary, I have always been a devout and firm believer in the principle and practice of strict construction of the terms by which the right to exercise our powers is conveyed.

WHEN TO CONSTRUE STRICTLY.

But, sir, I would apply this principle and practice of strict construc-

but, sit, a wonth apply this principle and plactice of strict construction only according to the purposes and within the usages of the great party within which this wise and salutary principle originated.

No fact in the history of the Democratic party is or can be clearer than that this great and necessary principle of strict construction has been invoked only when the reserved rights and the liberties of the people were imperiled, when the integrity and sovereignty of the States have been threatened, or when the encroachments of arbitrary power endeavored to subvert the fundamental principles of our system of gov-

It was to shield us from such evils that the Democratic party deemed It necessary to insist upon a strict construction of the terms of our great charter. That great and patrictic party, animated by the spirit of its immortal founder and influenced and controlled by its great leaders who have succeeded him, has always been too ardently devoted to the welfaire and happiness of the people to seek to limit the agencies through which alone that welfare could be promoted by confining those agencies to the exercise of only those rewards which are expressly granted.

to the exercise of only those powers which are expressly granted.

In other words, the Democratic party has always relied upon the Constitution to shield and protect the liberties of the people, but it has never desecrated that instrument by converting it into a barrier to the people's progress or a bar to their greater prosperity.

This, I maintain, is the spirit, the very essence of true Democracy as to constitutional construction and limitations, and under this conviction I assert that the most sincere and unfaltering Democrat, while insisting upon the principle of strict construction, yet has his party's warrant for advocating measures like this, designed to increase the hap-

piness and prosperity of the people.

And it is upon this theory that I say I would limit to the very narrowest bounds warranted by the language and manifest intentions of the framers of the Constitution the powers and privileges of the General Government. I am as keenly alive to the dangers to which our peculiar system of Government would be exposed by any infraction of the Constitution as any gentleman on this floor or in this country can be, and I am as firmly convinced as any one can be that the prosperity of our people and stability of our institutions depend largely upon the vigilance and fidelity with which we, the representatives of the people, guard and defend them against the unauthorized and insidious encroachments of power.

DUTY OF CONGRESS TO THE PEOPLE,

But, sir, our duties here call upon us to do something more than to merely guard against any and all infractions of the Constitution. It is our duty to protect and defend the Constitution, and that duty we are sworn to perform, but we have other duties no less obligatory. It is also our duty to serve the people of the United States. We are as much bound to devise such measures and enact such laws as our judgment tells us are calculated to promote the present positive benefit and advantage of the people as we are to render the negative service of pre-

venting any invasion of their reserved rights and powers.

And it is because of my anxiety to secure for the people these positive, present benefits that I feel constrained to enter my respectful but emphatic protest against the prevalent-and I must say, in my opinion, the unwarranted and unreasonable-practice of invoking the Constitution to retard or prevent the passage of measures designed to secure to the people somewhat of the positive, present advantages of our system of self-government to which they are clearly and lawfully entitled.

I wish to render it impossible for my position in relation to such questions to be misunderstood. I say benefits to which the people are clearly and lawfully entitled; and by this I mean such benefits as should be and may be conferred upon them without the slightest infraction of those wise and salutary limitations within which only can Congress exercise its constitutional powers. I am not of those who hold that we may be justified in doing a little evil now to secure great good hereafter. On the contrary, I am unalterably opposed to that doctrine—I care not how little may be the evil contemplated or how great may be the good anticipated. In legislation, as in morals, a thing must be either right or wrong, and a measure not sanctioned by law is a measure which can not possibly be right.

WHERE THE BURDEN OF PROOF RESTS

Let the enemies of this bill show that it is prohibited by the Constitution, and I will unite with them in securing its defeat.

But they must establish the fact of such prohibition—must show clearly and unmistakably that it is prohibited. I say they must do this, and I have very high authority for the assertion. In McCulloch es. The State of Maryland (4 Wheaton, pages 409, 410) Chief-Justice Marshall held:

The government which has a right to do an act, and has imposed on it the duty of performing that act, must, according to the dictates of reason, be allowed to select the means; and those who contend that it may not select any appropriate means, that one particular mode of effecting the object is excepted, take upon themselves the burden of establishing that exception.

Can this express constitutional prohibition be established against this bill? I think not. And I think further that it can be shown, not only that this bill is not prohibited, but that it is expressly sanctioned by Congressional action in innumerable instances, and by judicial interpretations of the Constitution as well as by legitimate implication from the language of that instrument.

AN OBJECT OF NATIONAL CONCERN,

In Dartmonth College vs. Woodward (4 Wheaton, page 634), Chief-Justice Marshall used this forcible and unequivocal language:

That education is an object of national concern and a proper subject of legislation, all admit. That there may be an institution founded by government, and placed entirely under its immediate control, the officers of which would be public officers, amenable exclusively to government, none will deny.

The foundation, the base, upon which those who oppose this bill on constitutional grounds rest their argument is simply this: Our Govern-ment is one of expressly delegated, clearly defined, and strictly limited powers, and all powers or rights not distinctly delegated, are, by the tenth amendment to the Constitution, expressly "reserved to the States respectively, or to the people," and as there is no distinct and express grant to the General Government of the right to appropriate money to the temporary support of common schools the exercise of that power must be regarded as prohibited.

That, sir, is the whole of the constitutional argument against this bill in all its strength, and all its weakness; no wealth of ornament or elaboration can make it stronger, and no process of refinement can render

it less forcible.

The object of the Constitution, as we learn from the preamble, was to form a more perfect Union * * * insure domestic tranquillity "to form a more perfect Union "to form a more perfect Union " " insure domestic tranquillity
" * " and secure the blessings of liberty to ourselves and our posterity." It will be observed that I have purposely omitted the "gencral-welfare" clause, together with others not bearing upon my subject,
as it is not my intention to appeal to that clause, even indirectly, to support or strengthen my argument in favor of the object sought to be accomplished by this measure.

accomplished by this measure.

The Constitution, then, was ordained and established in order to cement and perpetuate the bonds of Union, insure domestic tranquillity, and to secure the blessings of liberty to this people forever.

But, sir, this instrument, benignant in its purposes as it was, successful in its operation as it has been, the greatest and most perfect monument of human wisdom ever devised by the genius of man as it is, ument of human wisdom ever devised by the genius of man as it is, was yet the work of finite beings, inspired only by their devotion to the liberty and happiness of mankind. Wise, sagacious, and clear-sighted as the great framers of this great charter of our liberties were, it was impossible for them to have foreseen and expressly provided for all the necessities of an unparalleled growth in all that makes a people intellectually and materially great and prosperous. They could not have foreseen, and therefore they could not make explicit and distinct provision for all the necessities which are the legitimate and logical consequence of our growth. sequence of our growth.

OUR PHENOMENAL GROWTH UNFORESEEN.

They could reasonably anticipate that an asylum for the oppressed of all nations must necessarily increase in population out of all proportion to the increase in population of the rest of the world. But the man who had said in the constitutional convention of 1787 that he believed that within the first century of its national life the population of the United States would increase from less than 4,000,000 to more than 60,000,000 would have been deemed a visionary whose speculations were not worthy of a moment's consideration.

Inspired apostles of human liberty though they were, possessing and displaying in their acts, works, and words a wisdom I have often regarded as almost divine, our fathers were yet neither omniscient nor prescient—these are the attributes of Deity alone—and only by the gift of prescience could they have known that one State or several States of the Union they had so wisely and lovingly formed would be absolutely unable to provide adequate means for the education of the illiterate

poor within their limits.

poor within their limits.

Accepting their recorded opinions as to the vital importance of education in fostering and developing the sentiments, feelings, and principles indispensable to freedom and self-government, can we doubt what would have been their action had they conceived of such a possibility? We all know they would not have been content with embodying in the Constitution a positive permission, but would have used words the effect

of which would have been to make it obligatory upon the General Government to extend its aid to the States so circumstanced.

Fortunately, however, they have not left the friends of education in a position where they are forced to justify an effort to secure such Government aid to education by mere surmises or conjectures as to what the framers of the Constitution would have done in the present condition of the country. They have embodied that justification, that authorization in the Constitution itself.

WHAT THE CONSTITUTION REQUIRES.

As I have shown, the Constitution was ordained and established in order, among other things, to insure domestic tranquillity and to secure the blessings of liberty to the people. To accomplish these objects the Constitution created certain agencies, clothed with certain powers and vested with certain rights. The agency first specified is called into being in these words:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Mark the comprehensive and emphatic terms in which the rights of the Congress are conferred. "All legislative powers herein granted," not some legislative powers, or a portion of the legislative powers, but all of them shall be vested, not may be vested or will be regarded as being vested, but shall be vested in Congress. It has been claimed, however, by a very able and very distinguished opponent of this bill that the words "herein granted" constitute a distinct and express limitation upon the right of Congress to exercise the "legislative powers"

conferred upon it.

The distinguished gentleman to whom I have referred attached great significance to these words and argued that Congress has no constitutional right to exercise legislative powers except where the Constitution grants that right in express terms. The gentleman is justly regarded as one of the profoundest and most eminent constitutional lawyers who ever served in any legislative body in this country, and it is with the greatest possible diffidence that I venture to dissent from his opinion upon a question which his vastly superior natural ability and his much profounder study enable him to understand far more thoroughly than I can ever hope to do. But even Jove nods at times, and the greatest constitutional lawyer may be mistaken once in his life, and I think I can show that to have been the case in this instance.

IMPLIED POWERS RIGHTFULLY EXERCISED.

I agree fully with the opinion that the legislative power must be granted by the Constitution; but I venture to dissent from the idea that only those powers are granted which are given in express terms. I maintain that while this is a Government of enumerated powers, there

are some powers conferred which are not specifically enumerated.

In the case of McCulloch rs. State of Maryland (4 Wheaton, pp. 405, 406, and 407), which, the reporter informs us, was regarded as so important that "the court dispensed with its general rule permitting only two counsel to argue for each party," Chief-Justice Marshall, in considering this very question, used this very significant and unequivocal

If any one proposition could command the universal assent of mankind we might expect it would be this: That the Government of the Union, though limited in its powers, is supreme within its sphere of action. This would seem to result necessarily from its nature. It is the Government of all; its powers are delegated by all; it represents all, and acts for all.

The learned Chief-Justice then proceeds to enforce the proposition of the absolute supremacy of the Government, acting within its delegated powers, and comes to the question of the right of the Government to exercise any power which is not enumerated, upon which point he is especially clear and convincing, as gentlemen will see by the language to which I now ask their attention:

by thich I now ask their attention:

But there is no phrase in the instrument (the Constitution) which, like the articles of confederation, excludes incidental or implied powers and which requires that everything granted shall be expressly and minutely described. Even the tenth amendment, which was framed for the purpose of quieting the excessive jealousies which had been excited, omits the word "expressly," and declares only that the powers "not delegated to the United States, nor prohibited to the States, are reserved to the States or to the people;" thus leaving the question, whether the particular power which may become the subject of contest has been delegated to the one government or prohibited to the other, to depend on a fair construction of the whole instrument. The men who drew and adopted this amendment had experienced the embarrassments resulting from the insertion of this word in the articles of confederation, and probably omitted it to avoid those embarrassments.

A constitution, to contain an accurate detail of all the subdivisions of which its great powers will admit, and of all the means by which they may be carried into execution, would partake of the prolixity of a legal code, and could scarreely be embraced by the human mind. It would probably never be understood by the public. Its nature, therefore, requires that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects be deduced from the nature of the objects themselves. That this idea was entertained by the framers of the American Constitution is not only to be inferred from the nature of the instrument, but from the language.

In the same case the court held (pages 408, 409):

In the same case the court held (pages 408, 409):

Can we adopt that construction (unless the words imperiously require it) which would impute to the framers of that instrument, when granting these powers for the public good, the intention of inpeding their exercises by withholding a choice of means? If, indeed, such be the mandate of the Constitution, we have only to obey; but that instrument does not profess to enumerate the means by which the powers it confers may be executed.

WE MUST ACCEPT JUDICIAL INTERPRETATION.

Now, sir, I have always understood, and I do not think it has ever

been disputed by the most earnest and ardent upholders of the theory of strict construction of the very words of the Constitution, that an interpretation of any dubious clause of the Constitution—a construction of its meaning, intent, and purpose by the Supreme Court—was just as forceful and binding as though that interpretation and construction had been imbedded in the instrument itself; as if no dubiety had existed, and no construction required. There is no tribunal under heaven to make plain the doubtful or questionable things in the Con-stitution if the Supreme Court be not that tribunal. For this purpose, among others, was it created.

If, then, the Supreme Court, in a most important case, involving directly a question of constitutional law and constitutional construction. has declared that the General Government is possessed of certain unenumerated powers, legitimately deducible from the language in which expressly delegated powers are conferred, then I maintain it is practically a part of the Constitution itself that the General Government is clothed with the right to exercise powers which are not enumerated.

The Supreme Court has decided this point, as I have shown, and has decided that the Government has the right to exercise powers not expressly enumerated, and it is upon this decision that I base my dissent from the views of the eminent constitutional lawyer to whom I have referred.

The constitutional principle involved in this case is so important, and the decision of the court so fully vindicates the position assumed by the friends of this bill, that I venture to quote from it still further.

After having established the points already cited, the learned Chief-Justice goes on to argue that the fact of conferring certain powers necessarily and unavoidably carries with the grant an undeniable right to adopt such means as appear best calculated to render the grant of power effective for the general good. To illustrate his theory he cites the power to raise revenue as necessarily implying the right to transport money from place to place, though no such right is expressly granted; and (on pages 410, 411) declares his inability to "comprehend the process of reasoning which maintains that a power appertaining to sover-eignty can not be connected with that vast portion of it which is granted to the General Government, so far as it is calculated to subserve the legitimate objects of that Government."

And he concludes (page 411):

The power of creating a corporation is never used for its own sake, but for the purpose of effecting something else. No sufficient reason is, therefore, perceived why it may not pass as incidental to these powers which are expressly given, if it be a direct mode of executing them.

A QUESTION ADJUDICATED.

Now, sir, I submit that this language of the Supreme Court, a tribunal expressly created for the purpose of expounding any and all intricacies or doubtful points in the Constitution, has forever settled the fact that under our great charter the General Government is clothed with the power to exercise rights not expressly granted or enumerated. Such is the decision of the most august tribunal known to our judiciary system, and between a decision of the Supreme Court and an opinion of the most distinguished constitutional lawyer I think we are bound to accept and be governed by the decision of the court.

But, sir, the court is not content to rest its exposition of the constitutional rights of the General Government upon even so unanswerable an argument as that which I have cited. It goes further and demonstrates the fact that this right of the General Government has not been left to mereinference or construction. Says the Chief-Justice (pages 411-412):

mere inference or construction. Says the Chief-Justice (pages 411–412):

But the Constitution of the United States has not left the right of Congress to employ the necessary means for the execution of the powers conferred on the Government to general reasoning. To its enumeration of powers is added that of making "all laws which shall be necessary and proper for carrying into execution the foregoing powers, and other powers vested by this Constitution, in the Government of the United States or in any department thereof."

The counsel for the State of Maryland have urged various arguments to prove that this clause, though in terms a grant of power, is not so in effect, but is really restrictive of the general right, which might otherwise be implied, of selecting means for executing the enumerated powers.

In support of this proposition they have found it necessary to contend that this clause was inserted for the purpose of conferring on Congress the power of making laws; that without it doubts might be entertained whether Congress could exercise its powers in the form of legislation.

But could this be the object for which it was inserted? A government is created by the people, having legislative, executive, and judicial powers. Its legislative powers are vested in a Congress, which is to consist of a Scatate and House of Representatives. Each House may determine the rule of its proceedings, and it is declared that every bill which shall have passed both Houses shall, before it becomes a law, be presented to the President of the United States.

"Could it be necessary to say that a Legislature should exercise legislative owns in the shape of legislation? After allowing each House to prescribe its own course of proceeding, after describing the manner in which a bill should become a law, would it have entered into the mind of a single member of the convention that an express power to make laws was necessary to enable the Legislature to make them? That a Legislature, endowed with legislative opowers, can legislate i

The court then enters upon the consideration of the just and reason-

able signification of the word "necessary," as used in this clause of he Constitution, and concludes (pages 415, 416, 417, &c.):

able signification of the word "necessary," as used in this clause of he Constitution, and concludes (pages 415, 416, 417, &c.):

* * This word, then, like others, is used in various senses; and in its construction, the subject, the context, the intention of the person using them, are all to be taken into view.

Let this be done in the case under consideration. The subject is the execution of those great powers on which the welfare of a nation essentially depends. It must have been the intention of those who gave these powers to insure, as far as human prudence could insure, their beneficial execution. This could not be done by confining the choice of means to such narrow limits as not to leave it in the power of Congress to adopt any which might be appropriate and which were conducive to the end. This provision is made in a Constitution intended to endure for ages to come, and, consequently, to be adapted to the various crises of human affairs.

To have prescribed the means by which Government should, in all future time, execute its powers would have been to change cutirely the character of the instrument, and give is the properties of a legal code. It would have been an unwise attempt to provide, by immutable rule, for exigencies which, if foreseen at all, must have been seen dimly, and which can be best provided for as they occur. To have declared that the best means shall not be used, but those alone without which the power given would be nugatory, would have been deprive the Legislature of the capacity to avail itself of experience, to exercise its reason, and to accommodate its legislation to circumstances. If we apply this principle of construction to any of the powers of the Government we shall find it so pernicious in its operation that we shall be compelled to discard it.

The power vested in Congress may certainly be carried into execution without prescribing an oath of office. The power to exact this security for the faithful performance of duty is not given, nor is it indispensably necessary. The d

The lawful influence of this narrow construction on all the operations of the Government, and the absolute impracticability of maintaining it without rendering the Government incompetent to its great object, might be illustrated by numerous examples drawn from the Constitution and from our laws.

DISCRETIONARY POWER IN CONGRE

The court then holds that if this limited construction of the word "necessary" must be abandoned to establish the right of Government to inflict punishment it must also be abandoned with reference to the execution of other powers of the Government, and in finally determining the sense in which the word is used in this clause of the Constitution it is found that it is qualified by the word "proper" with which it is associated. Having established this point, the court says (pages 419, 420, and 421):

associated. Having established this point, the court says (pages 419, 420, and 421):

But the argument which most conclusively demonstrates the error of the construction contended for * * * is founded on the intention of the convention as manifested in the whole clause. To waste time and argument in proving that without it Cougress might carry its powers into execution would not be much less idle than to hold a lighted taper to the sun. As little can it be required to prove that in the absence of this clause Congress would have some choice of means. That it might employ those which, in its judgment, would most advantageously effect the object to be accomplished. That any means adopted to the end, any means which tended directly to the execution of the constitutional powers of the Government, were in themselves constitutional. This clause, as construed by the State of Maryland, would abridge and almost annihilate this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful and necessary right of the Legislature to select its means. That this useful have been and the descretion of the National Legislature under the Illimitations on those powers.

Second. Its terms purport to enlarge not to diminish, the powers vested in the Government. It purports to be an additional power, not a restriction on those already granted. No reason has been or an be assigned for thus concealing an inten

it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consist with the letter and spirit of the Constitution, are constitutional.

Having reached this conclusion as to the right of Congress to exercise incidental or implied powers-powers not expressly enumerated-the court decided that the bank must, as a corporation created by the National Legislature in the exercise of its legitimate powers, "be exempt from the power of a State to tax its operations." On this point the court held (page 426);

There is no express provision for the case, but the claim has been sustained on a principle which so entirely pervades the Constitution, is so intermixed with the materials which compose it, so interwoven with its web, so blended with its texture, as to be incapable of being separated from it without rending it into shreds.

LIBERAL CONSTRUCTION NECESSARY.

If any theory of constitutional construction has ever been officially and effectually exploded it is that which would insist that no power not expressly enumerated in the words of the Constitution can be lawfully exercised. The decisions of the Supreme Court which I have already cited suffice of themselves to show that this claim is not merely fallacions but absurd, and I have by no means exhausted the arguments by which the court has demonstrated the fallacy of the theory. I might easily fill the RECORD with additional citations all tending to establish this proposition. But I do not wish to weary the House, and will content myself with one further quotation, which, I think, must be admitted as convincing and conclusive upon the point.

In the important case of Gibbons vs. Ogden (9 Wheaton, pp. 137 et seq.) Chief-Justice Marshall delivered the opinion of the court in this

forcible and unmistakable language:

forcible and unmistakable language:

This instrument contains an enumeration of powers expressly granted by the people to their Government. It has been said that these powers ought to be construed strictly. But why ought they to be so construed? Is there one sentence in the Constitution which gives countenance to this rule. In the last of the enumerated powers, that which grants expressly the means for carrying all others into execution, Congress is authorized "to make all laws which shall be mosessary and proper" for the purpose.

But this limitation on the means which may be used is not extended to the powers which are conferred, nor is there one sentence in the Constitution which has been pointed out by the gentlemen of the bar, or which we have been able to discern, that prescribes this rule. We do not, therefore, think ourselves justified in adopting it. What do gentlemen mean by a strict construction? If they contend only against that enlarged construction, which would extend words beyond their natural and obvious import, we might question the application of the term, but should not controvert the principle. If they contend for that narrow construction which, in support of some theory not to be found in the Constitution, would deny to the Government those powers which the words of the grant, as usually understood, import, and which are consistent with the general views and objects of the instrument; for that narrow construction which would cripple the Government and render it unequal to the objects for which it is declared to be instituted, and to which the powers given as fairly understood render it competent, then we can not perceive the propriety of this strict construction nor adopt it as the rule by which the Constitution is to be expounded.

As men whose intentions require no concealment generally employ the words which most directly and aptly express the ideas they intend to convey, the enlightened patriots who framed our Constitution, and the people who adopted it, must be understood to have emplo

present case.

The grant does not convey power which might be beneficial to the grantor, if retained by himself, or which can inure solely to the benefit of the grantee, but is an investment of power for the general advantage, in the hands of agents solected for that purpose, which power can never be exercised by the people themselves, but must be placed in the hands of agents, or lie dormant. We know of no rule for construing the extent of such powers other than is given by the language of the instrument which confers them, taken in connection with the purposes for which they were conferred.

SANCTIONED BY A CENTURY'S LEGISLATION.

Our Government has now existed under the Constitution for a century, and during that time forty-nine Congresses have been elected and have enacted laws which have been in innumerable instances subjected to the consideration and construction of the Supreme Court, and the decisions arrived at by the court have had the effect of ingrafting the laws it has approved and upheld upon the Constitution and invest-ing them with the same power and effect as though they had been part of the original instrument. And the uniform construction of the Constitution by the various Congressional enactments must now be accepted and regarded as no less binding than the provisions of the Constitution itself.

If every successive Congress should construe the provisions of the Constitution in accordance with the views of individual members, or to accommodate the purposes of a majority, without regard to the antecedent construction of its predecessors, it will be manifest that we should practically have no constitutional guide whatever.

In 1816 in delivering the opinion of the Supreme Court upon the point of constitutional law involved in the famous case of Martin vs. Hunter's

Lessee, Justice Story used these words (1 Wheaton 304):

The Government, then, of the United States can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given or given by necessary implication. On the other hand, this instrument, like every other grant, is to have a reasonable construction, according to the import of its terms; and where a power is expressly given in general terms it is not to be restrained to particular cases unless that construction grow out of the context expressly or by necessary implication. The

words are to be taken in their natural and obvious sense and not in a sense unreasonably restricted or enlarged.

The Constitution unavoidably deals in general language. It did not suit the purposes of the people, in framing his great charter of our liberties, to provide for minute specifications of its powers or to declare the means by which those powers should be carried into execution. It was foreseen that this would be a perilous and difficult, if not an impracticable, task. The instrument was not intended to provide merely for the exigencies of a few years, but was to endure through a long lapse of ages, the events of which were locked up in the inscrutable purposes of Providence. It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter; and restrictions and specifications which at the present might seem salutary might in the end prove the overthrow of the system itself. Hence its powers are expressed in general terms, leaving to the Legislature, from time to time, to adopt its own means to effectuate legitimate objects and to mold and model the exercise of its powers as its own wisdom and the public neersts might require.

LAWS ENACTED UNDER IMPLIED POWERS.

LAWS ENACTED UNDER IMPLIED POWERS.

If we reject this theory of implied grants of power to Congress by the Constitution, upon what principle will we be able to justify the enactment of a large majority of the laws which we find upon our statute-

During the first four years of the existence of the Government under the Constitution Congress appropriated \$15,000 for the support of the refugees from the island of San Domingo. During Washington's second administration a law was passed appropriating \$4,000 to remunerate American citizens who had ransomed themselves from the Government of Algiers.

During the administrations of Adams and Jefferson laws were enacted appropriating money to aid American seamen in foreign countries.

During Madison's administration money was appropriated to purchase provisions and donate them to the relief of the sufferers from an

earthquake in Venezuela.

During Polk's administration Democrats enacted laws to purchase and convey provisions to famine-stricken Ireland. And since the war there is no limit to the laws authorizing the expenditure of money for

which no express constitutional warrant can be found.

There is no express authority in the Constitution for the establishment of the Department of Agriculture, or for the Fish Commission, or for the Geological Survey, or for the exploration of the Amazon or expeditions to the North Pole, or for the Signal Service Corps, or for the Smithsonian Institute, or the Life-Saving Service, or to make surveys in Panama or Nicaragua with a view to canal construction, or to establish schools for the education of Indians, or to erect monuments to distinguished citizens, or to donate \$250,000 each Congress to the employes of that body for which sum no services whatever are rendered or expected, or to loan the credit of the Government to the Pacific railroads, or to acquire the Territory of Alaska at a cost of \$7,200,000, or to donate the public treasure to promote a centennial exhibition at Philadelphia or a world's exposition at New Orleans, or to create a civil-service commission under the rules now in force, or to tax private banks out of existence and establish national banks. I might cite hundreds of laws for which not the faintest shadow of

authority can be found in the express grants of the Constitution, all enacted under the implied powers conferred upon Congress, and I insist there is no implication to justify any of these laws so strong as that which exists in favor of the educational bill. And in addition to the implications in favor of this measure, the Supreme Court has decided in numberless instances that its purpose is in strict conformity with

the Constitution.

DECISION BY EXTREME STATE RIGHTS DEMOCRATS.

The decisions I have already cited were rendered in 1824 and prior thereto. It is unnecessary for me to accumulate decisions of this character, but there is one delivered a short time before the war to which I will call attention on account of the character of the court at the time of its rendition. At that time the Supreme Court of the United States was eminently distinguished for its strict construction of the Constitution, opposition to centralization, and adherence to the principle of State rights; and yet while thus organized it announced a unanimous decision prepared and delivered by Justice Campbell, of Alabama, in which the court fully affirmed the constitutionality of Congressional grants for the aid of education, and the opinion even took occasion to commend the wisdom of such enactments.

The style of the case is Cooper vs. Robert, 18 Howard, page 177.

I read from page 178:

There is, obviously, a definite purpose declared to consecrate the same central section of every township of every State which might be added to the Federal system, to the promotion "of good government and the happiness of mankind," by the spread of "religion, morality, and knowledge," and thus, by a uniformity of local association, to plant in the heart of every community the same sentiments of grateful reverence for the wisdom, forecast, and magnanimous statesmanship of those who framed the institutions for these new States before the Constitution for the old had yet been modeled.

To realize the full force of this decision it must be remembered that Judge Campbell was so extreme in his views as a strict constructionist of the Constitution that shortly after, when the State of Alabama seceded, he felt constrained to surrender his high position as a judge of the Supreme Court of the United States and retire to private life in his native State.

A WISE AND MAGNANIMOUS MEASURE.

Note the language. Judge Campbell and all the Supreme Court of the

United States speak of "the wisdom, forecast, and magnanimous states-manship" of those who framed the law granting aid to education.

I wish I had a voice that could resound throughout our land, to re-

peat those words to all our people.

If the State-rights Democrats who sat on the supreme bench during Buchanan's administration call such laws evidence of wisdom, forecast, and magnanimous statesmanship, certainly it must be a kind of legislation it would be highly culpable in us to neglect under the country's present circumstances.

But beside being wise and magnanimous, we see that the Supreme Court has held such a law to be constitutional, and now the opponents of the educational bill are reduced to the pitiable extremity of a plea of confession and avoidance. They must confess that they are in error in pretending that the bill is unconstitutional in the face of the oft-repeated decisions of the Supreme Court and the uniform action of Congress upon the subject, but seek to avoid the effect of this confession by insisting that the Government has no lawful right to assist education by donations of anything but land or property—that so soon as Government converts the people's property or land into money its right to devote to the purposes of education the money equivalent of such land or property is destroyed.

That is, they attempt to maintain the absurdity that the General Government can lawfully give \$7,200,000 for Alaska, and then donate but that it is debarred by constitutional limitations from donating, for this purpose, the most insignificant fraction of this amount until it

has lost its monetary form.

A CLIMAN OF ABSURDITY.

Carried to its logical and unavoidable result their reasoning would lead us to the conclusion that the Government has ample constitutional warrant to bestow upon the several States and Territories all the land it possesses, and I might add all the old and useless hulks which constitute our feeble apology for a navy, with express authority to sell the land and ships for whatever could be realized and devote the proceeds to education, but that were the Government to make the sale itself not one dollar of the money could legally be taken from the Treasury to aid in providing our laborers with the opportunity of educating their children.

It is possible that I am in error, but to my understanding no proposition was ever more absurd than this.

To make the absurdity of the position of our opponents more apparent, let me recall to your attention the fact that much of the donation for educational purposes has not been given to the States in land at all, but in place thereof land-scrip has been given. Now, land-scrip is a paper issued by the Government which has a current value stable and defined. It can be converted into money almost anywhere and at any moment, and such property is frequently used as money.

When people argue that it is constitutional and right and democratic

for Congress to donate land-scrip for education, and unconstitutional and wrong and undemocratic to donate the money for which the scrip is sold for the same purpose, they have assumed a refinement of hairsplitting too acute for my reasoning faculties, and when they go further. and while upholding as democratic the law that gives land-scrip to universities, and oppose as undemocratic the law giving the proceeds of land-scrip to aid common schools, a climax of absurdity is reached which needs no refutation.

It refutes itself.

THE PRESENT CHIEF-JUSTICE.

In 1880 Chief-Justice Waite, William M. Evarts, and others were appointed a committee by the trustees of the Peabody fund to memorialize Congress upon the subject of its appropriating funds for education. In referring to the constitutionality of such laws, this distinguished committee say:

It may be regarded as res adjudicata. The laws of the United States present innumerable precedents in which Congress has exercised the power to contribute toward the general education of citizens of the new States, and in no instance has its constitutional right to do so been questioned.

Up to 1880 these distinguished gentlemen say:

In no instance has the constitutional right to make these appropriations been questioned.

But in 1886 the question is raised and urged by Senators from States which have received from the General Government for educational purposes forty times as much as has been given to States which will be benefited under this bill, and to attain their object they raise the cry of constitutional limitations.

In the same spirit New England, New York, and other States of the North, who have had millions upon millions appropriated for rivers, harbors, and public buildings within their borders, oppose on constitutional grounds the appropriation of a few dollars to improve the navigation of the Tennessee or build a public edifice for Government use in the Southern States.

I ask gentlemen to look on the map and see the 2,700,000 square miles of territory, which is bounded on the east by Pennsylvania, the Virginias, the Carolinas and Georgia, and the 60,000 square miles of Florida, and to bear in mind that all this territory, except about 40,000 square miles in the States of Wisconsin, Michigan, Illinois, In-

diana, and Ohio, was donated by Southern States or acquired under Southern administrations, and then ask the question if the vast domain of wealth should not be so distributed as to give the South her portion, and if not her full portion, at least some approximation to it.

HR. MADISON UNFAIRLY INVOKED.

In 1792 Mr. Madison made a strong speech against giving improper bounties to Massachusetts codfishery men, and in the earnestness of his oral argument he declared that the measure was unconstitutional. The substance of his objections was expressed in these words:

substance of his objections was expressed in these words:

I, sir, have always conceived—I believed those who proposed the Constitution conceived; it is still more fully known and more material to observe that those who ratified the Constitution conceived—that this is not an indefinite government, deriving its powers from the general terms prefixed to the specified powers, but a limited government, tied down to the specified powers, which explain and define the general terms.

It is to be recollected that the terms "common defense and general welfare" as here used are not novel terms first introduced into this Constitution. They are terms familiar in their construction, and well known to the people of America. They are repeatedly found in the old Articles of Confederation, where, although they are susceptible of as great a latitude as can be given them by the context here, it was never supposed or pretended that they conveyed any such powers as is now assigned to them. On the contrary, it was always considered clear and certain that the old Congress was limited to the enumerated powers; and that the enumeration limited and explained the general terms. I ask the gentlemen themselves whether it was ever supposed or suspected that the old Congress could give away the money of the States to bounties to encourage agriculture, or for any other purpose they pleased? If such a power had been a very different character from that universally ascribed to it.

The novel idea now annexed to those terms and never before entertained by the friends or enemis of the Government will have a further consequence, which can not have been taken into the view of the gentleman. Their construction would not only give Congress the complete legislative power I have stated; it would do more; it would supersede all the restrictions understood at present to lie in their power with respect to a judiciary. It would put it in the power of Congress to establish courts throughout the United States, with cognizance of suits between citizen and cit

There are consequences, sir, still more extensive, which, as they follow clearly from the doctrine combated, must either be admitted, or the doctrine must be given up. If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of the general welfare, they may take the care of religion into their own hands. * * In short, everything, from the highest object of State legislation down to the most minute object of police, would be thrown under the power of Congress.

This earnest and impulsive objection of Mr. Madison to a construc-tion of the general-welfare clause of the Constitution then sought to be enforced, but long since virtually abandoned and now advocated by but few, has been incorporated in nearly every speech made by the op-ponents of this bill, whether in or out of Congress. The construction which Mr. Madison was contending for was simply this: That this particular clause did not, of itself, constitute an undefined and unlimited grant of power. I wish it to be clearly understood that I am as inflexibly opposed to this construction of the clause as Mr. Madison could have been or as any opponent of this bill can be now; and I maintain that the deservedly great weight and influence of Mr. Madison's name and opinions have been unjustifiably invoked by the enemies of this measure inasmuch as they have studiously abstained from coupling with their persistent use of his speech any explanation of the par-But even were this appeal to the authority of Mr. Madison perfectly

fair and ingenuous, let me ask those who rely upon it so absolutely, how it is that they can be rigidly bound by Madison's idea of constitu-tional grants of power as expressed in this speech and yet be at liberty to disregard his views upon the same question as indicated in his actions

as the Chief Executive of the Republic.
In 1791 he maintained that the United States Bank was unconstitutional, and yet in 1817, as President, he approved the bill rechartering the Bank. In 1792 he held the cod-fishery bounty bill to be unconstitutional and made the speech against it which has been so frequently quoted, and yet in 1813, as President, he approved the bill granting a bounty on all exported pickled fish of the United States fisheries, both measures being identical in principle. In 1794, on the floor of the House, he opposed the appropriation for the relief of the refugees from San Domingo, asserting that the measure-

Involved the constitutional question whether the money of our constituents can be appropriated to any other than the specified powers.

And yet in 1812, as President, he approved a similar bill for the relief of the sufferers by an earthquake at Caracas, in Venezuela.

THE OPPONENTS' ARGUMENT REVUTED.

The opponents of this measure attach great importance and significance to the declaration of Mr. Malison, in the speech on the cod-fishery bounty already cited, that this is-

A limited government, tied down to the specified powers which explain and define the general terms.

They insist that this construction of the powers which Congress may lawfully exercise, by "the father of the Constitution," constitutes an insuperable and fatal objection to this bill.

I admit that there is great force in this argument; that had not the construction of Mr. Madison been shown to be erroneous it would, or necessity, be unanswerable. But, sir, I insist that this error has been shown by Democratic leaders whom the party hold in a reverence only less profound than that cherished for Madison himself.

In vetoing the bill passed in 1822 making an appropriation for continuing the Cumberland road, Mr. Monroe took the ground that the provision assuming Federal supervision and control of the work was unconstitutional, but took the pains to transmit to Congress, accompanying his veto message, a separate document in which the very question under consideration is discussed with marked ability.

In this great state paper Mr. Monroe said:

A power to lay and collect taxes, duties, imposts and excises subjects to the call of Congress every b anch of the public revenue, internal and external; and the addition, "to pay the desis and provide for the common defense and general welfare," gives the right of appropriating the money raised, that is of appropriating it to the purposes specified, according to a proper construction of the terns. Hence it follows that it is the first part of the clause only which gives a power, which affects in any manner the power remaining to the States; as the power to raise money from the people whether it be by taxes, duties, imposts, or excises, though concurrent in the States as to taxes and excises, must necessarily do. But the use, or the application of the money after its raised, is a power altogether of a different character. " " The right of appropriation is, therefore, from its nature secondary and incidental to the right of raising money; and it was proper to place it in the same grant and same clause with that right.

Further on he save:

Further on he says:

It is contended on the one side that, as the National Government is a government of limited powers, it has no right to expend money except in the performance of acts authorized by other specific grants according to a strict construction of their powers; that this grant in neither of its branches gives to Congress a discretionary power of any kind, but is a mere instrument in its hands to carry into effect the powers contained in the other grants. To this construction I was inclined in the more early stage of our Government, but on further reflection and observation my mind has undergone a change.

He then gives the reasons which have produced this change in his views. Among other things upon this point he says:

Muny considerations of great weight operate in favor of this construction, while I do not perceive any serious objection to it. If it be established, it follows that the words "to provide for the common defense and general welfare" have a definite, safe, and useful meaning. The idea of their forming an original grant, with unlimited power, superseding every other grant, is abandoned. They will be considered simply as conveying a right of appropriation, a right indispensable to that of raising a revenue, and necessary to expenditures under every grant.

If, then, the right to raise and appropriate the public money is not restricted to the expenditures under the other specific grants according to a strict construction of their powers respectively, is there no limit to it? Have Congress the right to raise and appropriate the public money to any and to every purpose according to their will and pleasure? They certainly have not. The Government of the United States is a limited government, instituted for great national purposes, and for those only. Other interests are committed to the States, whose duty it is to provide for them. Each government should look to the great and essential purposes for which it was instituted, and confine itself to those purposes.

MONROE VINDICATES OUR POSITION.

MONROE VINDICATES OUR POSITION.

Now, sir, I submit with the utmost possible confidence that the views of the advocates of this measure as to the rights and powers of Congress in making appropriations are fully vindicated by this exposition by Mr. Monroe of the constitutional question involved in this bill. "The right of appropriation," says Mr. Monroe, "is, from its nature, incidental to the right of raising money"—not a right to be exercised only in rigid adherence to the precise language in which the enumerated powers are expressly conferred, but a right to be exercised in ac-cordance with the judgment and wisdom of Congress; provided, and this is the only limitation upon the right of appropriation upon which Mr. Monroe insists, the appropriation be for an object of national concern by which the good of the whole country is to be promoted. This is precisely the interpretation for which the advocates of an appropriation in aid of common schools have contended, and that this is the rightful and proper interpretation is asserted by Mr. Monroe.

To appreciate the full significance of Mr. Monroe's opinion upon this point, we must remember that he was the contemporary of Jefferson and Madison, associated with them in the administration of public affairs, and presumably entirely familiar with their views upon all public questions, and a participant in the public discussions and private interchange of opinions which must necessarily have taken place at the time. It must be remembered, too, that he was a member of Mr. Madison's Cabinet and an associate of Thomas Jefferson, to whose vigilant solicitude we are indebted for the restrictive amendments to the Con-

stitution.

Is it at all likely that amid such surroundings, and under such influences, Mr. Monroe would have sanctioned any construction of the Constitution which would relieve Congress or any branch of the Government from any proper or necessary limitation upon its powers? Can it be imagined that the enemies of this bill are more careful to guard against any tendency to centralization than was Mr. Monroe?

CALHOUN'S COMMON-SENSE CONSTRUCTION.

The views held by Mr. Calhoun on this question are very forcibly expressed in a speech delivered in 1817, some paragraphs from which I

It is mainly urged that the Congress can only apply the public money in execution of the enumerated powers. I am no advocate for refined arguments in the Constitution. The instrument was not intended as a thesis for the logician to exercise his ingenuity on. It ought to be construed with plain, good sense; and what can be more express than the Constitution on this point?

Note the emphasis with which the great modern advocate of strict construction insists that the Constitution shall be "construed with plain good sense," not with "refined arguments."

Mr. Calhoun then calls attention to the plain significance of the language of the first clause of the eighth section. He said:

The first power delegated to Congress is comprised in these words: "To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States;" "but all duties, imposts, and excises shall be uniform throughout the United States;" First, the power is given to lay taxes; next the objects are enumerated to which the money accruing from the exercise of this power may be applied, namely, to pay the debts, provide for the defense, and promote the general welfare; and last, the rule for laying the taxes is prescribed, to wit, that all duties, imposts, and excises shall be uniform.

Mr. Calhoun then shows the absurdity of that construction of this clause for which the opponents of the educational bill now contend, in the forcible language which I will read:

the forcible language which I will read:

If the framers had intended to limit the use of money to the powers afterward enumerated and defined nothing could have been more easy than to have expressed it plainly. I know that it is the opinion of some that the words "to pay the debts and provide for the common defense and general welfare," which I have just cited, were not intended to be referred to the power of laying taxes contained in the first part of the section, but that they are to be understood as distinct and is dependent powers granted in general terms and are qualified by a more detailed enumeration of powers in the subsequent part of the Constitution. If such were in fact the meaning intended surely nothing can be conceived more bungling and awkward than the manner in which the framers have communicated their intention. If it were their intention to make a summary of the powers of Congress in general terms which were afterward to be particularly defined and enumerated they should have told us so plainly and distinctly, and if the words "to pay the debts and provide for the common defense and general welfare" were intended for this summary they should have headed the list of our powers, and it should have been stated that to effect these general objects the following specific powers were granted.

I trust that some of the advocates of their strained and narrow con-

I trust that some of the advocates of their strained and narrow construction of the powers of Congress under this clause will undertake the task of replying to Mr. Calhoun's arguments upon this point. Until they do this I hope they will cease to assert that the educational bill is unconstitutional.

Further on in his argument Mr. Calhoun shows that not only "plain good sense" but the uniform practice of the Government is wholly inconsistent with the theory upon which the enemies of this bill rely.

He said:

But suppose the Constitution to be silent, why should we be confined in the application of money to the enumerated powers? There is nothing in the renson of the thing that I can perceive why it should be so restricted, and the habitual and uniform practice of the Government coincides with my opinion. Our laws are full of instances of money appropriated without any reference to the enumerated powers. We granted by a unanimous vote, or nearly so, \$50,000 to the distressed inhabitants of Carneas, and a very large sum at two different times to the St. Domingo refugees. If we are restricted in the use of our money to the enumerated powers, on what principle can the purchase of Louisiana be justified? To pass over many instances, the identical power which is now the subject of discussion has in several instances been exercised. To look no further back, at the last session a considerable sum was granted to complete the Cumberland road. In reply to this uniform course of legislation I expect it will be said that our Constitution is founded on positive and written principles and not on precedents. I do not deny the position, but I have introduced these instances to prove the uniform sense of Congress and the country, for they have not been objected to, as to our powers, and surely they furnish better evidence of the true interpretation of the Constitution than the most refined and subtle arguments.

Having conclusively disposed of this branch of his subject Mr. Calhoun then considers the effect of the reasonable and proper construction for which he contends. Though habitually opposed to the idea of an unrestricted exercise of power by any branch of the General Gov-ernment, it will be noticed that his opinions were widely different from those entertained by the nlarmists of the present day. point he used this language:

Let it not be argued that the construction for which I contend gives a dangerous extent to the powers of Congress. In this point of view I conceive it more
safe than the opposite. By giving a reasonable extent to the money power it
exempts us from the necessity of giving a strained and forced construction to
the enumerated powers. For instance, if the public money could be applied to
the purchase of Louisiana, as I contend it may be, then there was no constitutional difficulty in that purchase; but if it could not, then we are compelled
either to deny that we had the power to purchase or to strain some of the enumerated powers to prove our right.

No language of mine can add force to this masterly exposition of the point at issue.

The right of appropriation is not only fully conceded, but it is demonstrated that the unwise attempt to subject it to undue restrictions and limitations is calculated to bring the cardinal principles of the Constitution itself into question.

OLD HICKORY ON OUR SIDE.

General Jackson also dissented wholly from the proposition of Mr. Madison, in his speech on the cod-fishery bounty, and maintained that under any such construction the successful administration of the Government would be impossible, though admitting that it might have been desirable had it only been feasible. In his veto of the Maysville road bill he said:

The symmetry and purity of the Government would doubtless have been better preserved if this restriction of the power of appropriation could have been maintained without weakening its ability to fulfill the great objects of its institution, an effect so likely to attend its admission, notwithstanding its apparent fitness, that every subsequent administration of the Government, embracing a period of thirty out of the forty-two years of its existence, has adopted a more enlarged construction of the power.

The extent of the discussion to which the question of the proper and legitimate construction of the rights and powers of Congress under this clause has given rise is referred to by Chancellor Kent in these words:

That Congress possesses the power to appropriate money raised by taxation

or otherwise for other purposes, in their discretion, than those pointed out in the enumerated powers, is a question that has given rise to very able and acute discussion; and the affirmative side of the question has been sustained and successfully vindicated by the practice of the Government and the weighty authority, among others, of Mr. Hamilton and Mr. Monroe, in celebrated documents under their official sanction.

I might go on and enumerate the various authorities alluded to by the eminent commentator, but it is unnecessary for me to do so, as there is one single authority who in this case must be accepted by all as absolutely conclusive, it being no other than Mr. Madison himself.

MADISON RECANTS THE THEORY OF HIS CODFISHERY SPEECH.

When he vetoed the bill setting apart the bonus to be paid by the bank and the Government's share in its dividends for certain improvements, Mr. Madison had so far modified his views regarding constitu-tional limitations as to concede that Congress had the right to appro-

priate money for such purposes. In his veto message he said:

A restriction of the power "to provide for the common defense and general welfare" to cases which are to be provided for by the expenditure of money would still leave within the legislative power of Congress all the great and most important measures of Government, money being the ordinary and necessary means of carrying them into execution.

As was to have been expected, this, the changed opinion in the matter of the Bank, and other marked divergences from the theory so vigorously maintained in the speech upon the codfishery bounty, provoked both criticism and comment. General Jackson, for one, referred to this change of Mr. Madison's views. In alluding to declarations of Mr. Madison on this subject President Jackson used these words:

I have not been able to consider these declarations in any other point of view than as a concession that the right of appropriation is not limited by the power of Congress to carry into effect the measure for which the money is asked as was formerly contended.

I am not disposed to regard this change as in any way justifying a charge that Mr. Madison was inconsistent. But it shows, I think, that, like Mr. Monroe, Mr. Madison's reflection and observation had convinced him that his early opinions upon this point were untenable, and like the wise and sagacious statesman he was, he modified his views, and brought them into harmony with the dictates of a calmer judgment, and the lessons of practical experience in the administration of the Government under the Constitution.

WHY MADISON'S VIEWS WERE REVERSED.

When the speech on the codfishery bounty was made in 1792 the Constitution was an experiment, but when he was President the Constitution had become an established, practical fact, and it was unavoidable that a man like Mr. Madison should have gained knowledge and wisdom by experience. And this view of the causes which had operated to produce this change in opinion is fully sustained by Mr. Madison's own letter, dated June 25, 1831, addressed to Mr. Ingersoll, in which he uses these words:

The charge of inconsistency between my objections to the constitutionality of such a bank in 1791 and my assent in 1817 turns on the question how far legislative precedents expounding the Constitution ought to guide succeeding Legislatures and to override individual opinions.

The weight Mr. Madison attached to judicial interpretations of doubtful constitutional questions is also shown in this letter, where he says: The case in question has its true analogy in the obligation arising from judicial expositions of the law on succeeding judges—the Constitution being a law to the legislator, as the law is a rule of decision to the judge.

It should be borne in mind that prior to the date of this letter there had been many important decisions by the Supreme Court affirming the more liberal views of constitutional construction; and these decisions, as well as the diverse legislation of successive Congresses, are urged by Mr. Madison as amply vindicating the modification of his views. quote further from the letter:

quote further from the letter:

Can it be of less consequence that the meaning of a constitution should be fixed and known than that the meaning of a law should be so? Can, indeed, a law be fixed in its meaning and operation unless the Constitution be so? On the contrary, if a particular Legislature, differing in the construction of the Constitution form a series of preceding constructions, proceed to act on that difference, they not only introduce uncertainty and instability in the Constitution but in the laws thomselves; inasmuch as all laws preceding the new construction and inconsistent with it are not only annulled for the future but virtually pronounced nullities from the beginning. * * Has the wisest and most conscious judge ever scrupled to acquiesce in decisions in which he has been overruled by the matured opinions of the majority of his colleagues and subsequently to conform himself thereto, as to authoritative expositions of the law? And is it not reasonable that the same view of the official outh should be taken by a legislator acting under the Constitution, which is his guide, as is taken by a ludge acting under the law, which is his?

There is in fact and in common understanding a necessity of regarding a course of practice as above characterized in the light of a legal rule of interpreting a law; and there is a like necessity of considering it a constitutional rule of interpreting a constitution.

After enlarging upon this point, the writer proceeds in this language:

Let it then be left to the decision of every intelligent and candid judge, which, on the whole, is most to be relied on for the true and safe construction of the Constitution; that which has the uniform sanction of successive legislative bodies through a period of years and under the varied ascendency of parties; not that which depends upon the opinions of every new Legislature, heated as it may be by the spirit of party, eager in the pursuit of some favorite object, or led away by the eloquence and address of popular statesmen, themselves perhaps under the influence of the same misleading causes. It was in conformity with the view here taken of the respect due to deliberate and referated precedent that the Eank of the United States, though on the original question held to be unconstitutional, received the executive signature in the year 1817.

It seems to me incomprehensible that contilement resemble families.

It seems to me incomprehensible that gentlemen presumably familiar

with this emphatic and unequivocal recantation by Mr. Madison of the views of constitutional construction advanced by him in the cod-fishery bounty speech of 1792 should now refer to that speech as an authoritative exposition of Mr. Madison's theory of the limitations of the power conferred upon Congress in the matter of appropriation. Can it be possible; that they wish to be considered as excluded from the number of the "intelligent and candid judges" to whom Mr. Madison so confidently appeals to decide this question; that they refuse to admit or recognize the binding force of judicial interpretation and legislative sanction?

THE BILL IS DEMOCRATIC.

But the enemies of the educational bill say it is not democratic. Let me ask them, one and all, is it not democratic to enable the children

of our laboring people to acquire the rudiments of education?

Let me ask my learned and esteemed friend from Texas, the gentleman who has championed the opposition to this bill-one of those on the committee who for months refused to report it back to the House, the member who stood on this floor and demanded that the bill introduced on March 29 should be confided to the tender care of his committee, eight members of which, by their dilatory motions appeared to justify the apprehension that they sought to deprive the three hundred and seventeen other members of this House of the privilege of voting on or expressing their views upon this great measure-let me ask him, does he say it is not democratic to teach the alphabet to the poor and lowly? Let me ask him if the bill be introduced on May 3, for the establishment of a high school in Washington, was more democratic?

Is it democratic and constitutional to appropriate money for a high school in Washington to teach agriculture and mechanical arts and other accomplishments to the children of comparatively well-to-do office-holders and the children of the many wealthy people-some of them being millionaires-who have congregated in our capital?

I know my gallant friend will concur with me that it is not. confident that his intelligence and generous sympathies will always be found among the advocates of education.

Let me ask some of the opponents of this bill if it is constitutional and democratic for Congress to appropriate or donate largely to universities where only the sons of the rich are educated and undemocratic or unconstitutional to give a small sum to common schools where

the sons of poor men are taught the elements of learning? It is a remarkable fact that nearly all the determined opponents of this bill, which is for the benefit of the poor and lowly, have been foremost in advocating bills to endow universities which the poor and lowly seldom enter. I know that upon reflection you all will say that true democracy tells us to espouse the cause of those who work; to give practice of the control of the production of the practice of the cause o tical effect to the words of the Declaration of Independence which assert that all men are created equal.

THE WAGE-WORKER THE BENEFICIARY.

If then, Mr. Chairman, this amendment and the educational bill be strictly and clearly within the limitations of the Constitution as that great instrument has been interpreted by the Supreme Court, if it does not transcend the most rigid limitations upon the rights and powers of the General Government as understood and explained by the most earnest and zealous advocates of limitations and restrictions; if, in its theory as well as in its effect, it be in perfect harmony and complete accord with the principles and practice of the Democratic party, and expressly sanctioned by the latest authoritative enunciation of Democratic faith, upon what ground can any sincere Democrat consistently oppose it?

I can understand any and all antagonism to such a measure on the part of the Republicans, because all, or almost all, of the legislation for which that party is responsible has had for its effect, if not indeed for its immediate which the for its immediate object, the material, the pecuniary benefit and advantage of the few at the expense of the many, to create a specially favored wealthy class whose peculiar privilege it shall be to bear no share, or the lightest possible share, of the burdens of Government, and to exact tribute in a myriad forms from the vast army of toilers who create the wealth in which these untaxed and pampered plutocrats are reveling.

DEMOCRACY AT WAR WITH PLUTOCRACY.

But, sir, between Democracy and plutocracy there exists in matters of legislation an endless and relentless war, and I think one is justified in feeling and expressing some surprise when he sees the Democrat uniting with the plutocrat to defeat a measure which must have the effect of improving the condition and increasing the prosperity and happiness of the multitude of laborers upon whom the plutocrat habitually preys.

What, sir, is the object of this amendment, and what is the object of the educational bill? It is to educate the people. To enable those whose lot in life, through no fault of their own, is hard and laborious, uncheered by comfort, and unilluminated by hope for themselves, to look forward to a brighter fate for their children.

The child is father to the man, and if the child grows up without enjoying the opportunities for education, he can not by any possibility become a prosperous citizen. Therefore, for the benefit of the child and for the good of the country, I appeal to the House to give to the children of our luborers those opportunities of obtaining an education which will be secured to them by this averagement or the educational hill will be secured to them by this amendment or the educational bill.

Education is necessary to free man from the dominion of his passions; to enable judgment to rise superior to prejudice; to enable man to obtain a clear perception of his duty to himself, his neighbor, his country, and his God—for strictly and logically, though, perhaps, not theologically conscience is at least in contract the multiple feature in the contract of th ically, conscience is, at least in a measure, the result of education.

Education dignifies and enlightens toil and sweetens its results by

enlarging the toiler's capacity to enjoy whatever he may have gained. Education makes a good man, a good son, a good husband, a good father, and a good citizen.

The lack of education, if it does not necessitate the lack of this goodness in all of these relations, at least renders its existence less likely. Ignorance engenders distrust, aggravates discontent, and ferments con-

troversy and turbulence.

OPPOSITION SHOULD BE IMPOSSIBLE.

What American Representative dares avow by his vote that he does not wish to do all in his power to make every man in the United States a good citizen? If there be any such Representative he can conscientiously vote against the proposition I advocate.

What gentleman upon this floor dare proclaim to the world that he

would limit the comforts and enjoyments of the great body of the people and doom their children to the hopeless bondage of ignorant, despairing servitude?

Let him vote against this measure, and he will take a long stride to-ward the accomplishment of his purpose.

What member of this House does not wish to raise the average stand-

ard of intelligence throughout our land and add to our country's greatness and prosperity?

If there be none who do not cherish this desire there can be no vote against measures designed to promote the cause of education.

Mr. Chairman, there may be, and possibly it is best there should be, difference of opinion among us as to questions of policy and measures of administration, but upon questions like this—questions which have for their sole and only possible object the alleviation of the sufferings, the mitigation of the hardships, the brightening of the hopes, the enlightening of the understandings of the poor but industrious laborers of this land of freemen-all differences should vanish and all should unite, not in the bestowal of a boon, but in the performance of this sacred duty to those who have made our country prosperous and great.

LOVE OF COUNTRY DICTATES ITS PASSAGE.

It is not enough, of itself, that man should be free; he should be able to fully realize and thoroughly appreciate the nature and extent of the blessings of freedom. It is not enough that a country should be prosperous and powerful; the virtue, the patriotism, and the manhood of its citizens demand that its prosperity shall be more generally diffused, and that its power shall be increased.

Adopt this amendment and you will have conferred the blessings upon the individual citizen; adopt this amendment and you will have insured that future grandeur of our country, which every patriot so proudly and

so confidently anticipates. We have sat here patiently, Mr. Chairman, and passed many measures the benefits of which would inure chiefly to our wealthy class. I now appeal to the House, let us devote a few hours to perfecting this measure so essential, so indispensable to the comfort, the happiness, the prosperity of the millions of toilers who have created the wealth of this great and prosperous Republic.

Fraudulent Entries of Public Lands.

REMARKS

OF

HON. WILLIAM S. HOLMAN,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, June 28, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (If. R. 9478) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 32, 1887, and for other purposes, the pending paragraph being:
"Protecting public lands: For the protection of public lands from illegal and fraudulent entry or appropriation, \$90,000"—

Mr. HOLMAN said:

Mr. CHAIRMAN: As a motion designed to perfect the pending paragraph appropriating \$90,000 to investigate the alleged fraudulent cutries of public lands, before the pending motion to strike out the paragraph is put, I move to amend so as to make the appropriation \$150,000.

It is not often that I submit a motion to increase the amount of an appropriation [laughter]; but I have listened to this debate with interest, and I certainly have not been convinced that there is not a widespread system of fraud extending throughout the land districts of

the United States. On the contrary, I am the more convinced that our public lands, which ought to be held as the sacred heritage of our people public lands, which ought to be held as the sacred heritage of our people for homes and freeholds, are rapidly passing beyond the control of our Government and being appropriated by speculators, and in securing large landed estates to unscrupulous men, defeating the end of securing homes for our landless people. There is no doubt that enormous frauds have been committed in the entry of land in the Western States and Territories. You can pass through regions hundreds of miles in extent in the Territories of Dakota, Montana, and the most beautiful sections of the great Northwest without seeing any evidence of human settlement or habitation. Yet on visiting the land office you would be informed that every acre of those lands has been entered in some former athermat an acre left for the actual settlers. Trayling over form or other-not an acre left for the actual settlers. Traveling over that region of country, which a few years ago was a vast public domain, you would have pointed out to you whole townships upon which there was not a settlement, not a house, not a shanty, no evidence of human life, yet every acre has been secured in some form or other by private parties, and in many instances in vast tracts-whole townships by a single citizen.

Is this anything new? Has not your attention, gentlemen, been called for years by the late Commissioner of the General Land Office, Mr. McFarland (whom I believe to have been an honest and upright officer), to the fact that frauds and fraudalent methods were widespread throughout the whole of the public-land district of the country? looking at the report of the Commissioner of the Land Office for 1883 I am struck by the fact that almost a dozen different classes of frauds are mentioned. As far back as that report we find this system of frauds mentioned in detail under the following heads, "fraudulent pre-emption entries," fraudulent pre-emption filings," "fraudulent homestead entries," "fraudulent mineral-land entries," "fraudulent timber-culture entries," "fraudulent desert-land entries," "fraudulent timber-land entries," "fraudulent donation entries," "illegal fencing of the public lands," &c. And under these heads we have a whole chapter of frands are mentioned. As far back as that report we find this system of frauds lands," &c. And under these heads we have a whole chapter of frauds upon the public domain, and that Commissioner called for \$400,000 to enable him to ferret out and defeat these frauds. Yet gentlemen propose deliberately to strike out this comparatively small appropriation of \$90,000 designed to enable the Commissioner of the General Land Office to ferret out these frauds and restore the millions of acres, fraudulently entered, to the people.

The present Commissioner of the General Land Office has been denounced here in unmeasured terms. Yet no public officer of our time has in a period of peace rendered this Government as much valuable has in a period of peace rendered this Government as much valuable service as that Commissioner, General Sparks; and in the name of every landless and laboring man in America, I for one thank him for the good work he has done in behalf of the American people. I cheerfully move an increase of the appropriation to enable him more effectively to carry on his work. It was to be expected that when General Sparks with sturdy and resolute purpose placed himself between the public domain and the men of wealth who were seeking to appropriate large portions of its rich fields, at a nominal price, through fraudulent entries, to their own use, a good deal of indignation would be exhibited, and that here and there disappointed greed and avarice would find expression in the public press; but when that incorruptible public officer with steady purpose began to rend from these public robbers the rich estates they had apparently already secured, abuse and denunciation knew no limit. tion knew no limit.

When, sir, the land-grant railroad corporations saw their titles to millions of acres of lands falling to pieces under the impartial rulings of this new Land Commissioner there was a burst of rage at the great railroad centers, in some degree intensified by the fact that these corpora-tions had apparently for years decided their own causes and had given construction to the laws under which they claimed the imperial estates which Congress had so lavishly granted. I pointed out years ago that one fatal result of these great land grants would be that under ordinary conditions the public corporations, created and enriched by Congress, would enter the great Departments of your Government and administer the laws under which their grants were held. With these great corporations and organized bodies of speculators and mercenary capitalists seeking to appropriate to themselves the remnants of all that was valnable in the once great public domain, what chance had the settler

single-handed and alone?

While the great body of our people had indulged unfortunately in the delusion that the public domain was inexhaustible, and Congress had shown no special interest in the subject and seemed to act on the belief that an outlet for our growing population was of no pressing moment, the fact at least came to the knowledge of men vigilant in the race for fortune that the body of the public domain adapted to agriculture without a vast expenditure for artificial irrigation was of limited extent, and the fact was manifest to all men who cared to examine the subject that when the lands adapted to agriculture could no longer be secured at the nominal price charged by the Government an enormous advance in the price of wild lands would occur. The land-grant railroad corporations seemed fully informed on the subject, and all men who were watching the rapid increase of our population. The value of lakes and streams of water in the arid regions of the Western and especially of the Southwestern section of the Union was fully comprehended.

The land laws applicable to all the land States and Territories (ex-

cept the five public-land States of the South) only permitted the entry of public lands adapted to agriculture on condition of settlement or improvement; such was and is the letter and spirit of the homestead, pre-emption, timber-culture, and desert-land laws. To reach, therefore, the agricultural lands, except for honest homestead settlement, these laws must be evaded. With such motives for seizing upon the valuable public lands every device to evade the laws that ingenuity could invent or cupidity suggest has been resorted to. Your public land system has been literally overrun and overmastered by capitalists of Europe and America and land jobbers of all nationalities in a flerce and unscrupulous struggle for your public lands, securing in a single year lands exceeding in the aggregate an average State of the Union, much the larger portion unsettled, showing conclusively that the land was entered in defiance of law for speculation and to found large private landed estates, and not for honest homestead settlement. gress has refused up to this moment to repeal or modify the laws which rendered these frauds possible. The report of your Land Commissioner for 1876, ten years ago, shows that during that year only 6,524,326 acres of your public lands were disposed of, while the last report shows the entry last year of the enormous aggregate of 33,436,-923 acres! Is there nothing in this to arouse public anxiety?

I ask you, sir, is it a matter of astonishment that in the midst of this high carnival, this riot of the unscrupulous and venal, of wealth and power, of British and Scotch lords, of incorporated capital, parceling out in great estates the grand inheritance of virgin lands which we received from our fathers and which they designed should become the free homes of free men, the appearance in your great Land Office of an upright public officer who could neither be overswed by power nor touched by the blandishments of great pretentions or purchased by wealth, but stood up resolute in the administration of his great trust in the spirit of the law-I say, sir, is it a matter of astonishment that such an event should have caused flery indignation, and filled the land with loud and bitter denunciation from the foiled plunderers? No, sir, it was a natural result. But the outcome of all this is most assuring to the friends of free government. It did not take the American people long to understand the real issue. It was soon seen that it was a war waged by audacious venality and unblushing fraud on an upright public servant, whose only crime was that he administered with fearless fidelity a great public trust.

It was seen by all men that even when an error was committed it was in an honest effort to resist a torrent of fraud; that the complaints

was in an honest enort to resist a torrent of Iraud; that the complaints did not come from the honest settler on the public land, but that, however disguised, it was the cry of baffled and disappointed robbers.

Watching as I have done for twenty-five years the great landed interests of the American people, conscious as I have been through all these years of the overwhelming importance of reserving every acre of the public domain to actual settlers in limited estates, believing as I have always believed that upon the sturdy and independent freeholders of the Republic rested the permanency of our institutions and that no republic can long exist unless the great body of its citizens are indeno republic can long exist unless the great body of its citizens are independent freeholders, resisting as I have done ever since I first entered this Chamber every grant or disposal of public lands except in limited estates to actual settlers, I rejoiced that even at so late a day as the 21st day of January, 1884, this House in response to the awakened interest of the people in the question of their public lands, adopted by an overwhelming vote the following resolutions, which on that day I had the honor to submit to the House:

had the honor to submit to the House:

Resolved, That in the judgment of this House all the public lands heretofore granted to States and corporations to aid in the construction of railroads, so far as the same are now subject to forfeiture by reason of non-falfillment of the conditions on which the grants were made, ought to be declared forfeited to the United States and restored to the public domain.

Resolved, That it is of the highest public interest that the laws touching the public lands should be so framed and administered as to ultimately secure free-hold therein to the greatest number of citizens; and to that end all laws facilitating speculation in the public lands or authorizing or permitting the entry or purchase thereof in large bodies ought to be repealed, and all of the public lands adapted to agriculture (subject to bounty grunts and those in aid of education) ought to be reserved for the benefit of actual and bone fide settlers, and disposed of under the provisions of the homestead laws only.

Resolved, That the Committee on the Public Lands is hereby instructed to report to the House bills to carry into effect the views expressed in the foregoing resolutions; that said committee shall be authorized to report such bills at any time, subject only to revenue and appropriation bills; and the same shall in like order be entitled to consideration.

I had surely some reason to rejoice over this action of the House when

I had surely some reason to rejoice over this action of the House when it is remembered how often an effort to secure a declaration of this House of its purposes in relation to the public lands had failed and that on the 18th day of January, 1869, the following resolution which I had submitted to the House was laid on the table by an overwhelming majority on a yea and nay vote:

Resolved. That grants of the public lands to corporations ought to be discontinued, and the whole of such lands ought to be held as a sacred trust to seeuro homesteads to actual settlers, and for no other purpose whatever.

The decision of the House on the 21st day of January, 1884, clearly indicated that this House and the country appreciated the importance of the land question and saw the mistake that had been made in the enormous grants to railroad corporations. Some progress has been made since the House declared its policy on the land question on the 21st day of January, 1884, in correcting the fatal mistakes of former years. Many millions of acres of land have already been restored to the public domain;

many millions more undoubtedly will be before this session of Congress adjourns; and the laws under which the great frauds have been perpetrated in the acquiring of the public lands for speculation and monoptrated in the acquiring of the public lands for speculation and monopoly—the pre-emption law, the timber-culture law, and the desert-land law—will undoubtedly be repealed. These measures of reform will be of great value, and will aid in postponing the day when the public lands will cease to be available for homes for our people; and yet that day, which with prudent statesmanship ought not to have occurred for generations to come, will soon be upon us.

Our people are not yet fully aware how nearly the public domain is already appropriated to private ownership, and they never will appreciate the value of that once grand domain until its conversion into pri-

ciate the value of that once grand domain until its conversion into private estates shall leave the great body of our laboring and landless people without hope of independent and prosperous homes. Then, sir, the first great peril to our free institutions will be upon us. The rapidity with which this great public resource is being exhausted will be seen by referring to the last report of the Commissioner of the General Land Office.

The Commissioner states the disposal of the public land during the last fiscal year as follows:

From the reports of the subordinate divisions of this office, which are appended in detail, it appears that during the last fiscal year the sales, entries, and selections of public land under various acts of Congress relating thereto embrace 20,113,663.37 acres, and of Indian lands 881,850.21 acres, making a total of 20,995,513.58 acres, being a decrease, as compared with the year 1884, of 6,535,636.41 acres, and an increase over the year 1883 of 1,565,480.78 acres.

The receipts from the disposals of public lands are \$7,686,114.80; from sales of Indian lands, \$933,483.52; a total of \$8,619,598,32, being a decrease, as compared with the year 1884, of \$4,159,532.01, and with 1883 of \$3,086,167.33, to which is to be added \$8,821.86 for certified copies of records furnished by the General Land Office, making the total receipts for the year from all sources \$8,628,420.18.

The following is a statement in detail:

Acres.		
		CASH SALES.
3,098.		Public sales
478, 023. 2, 311, 296.		Private entries
2.311.296.		re-emption entries
139, 301.		imber and stone land entries
928 250		Desert-land entries
928, 250. 35, 215.		figure land entries
04,610.	*******	fineral-land entries
3, 675.	****************	oal-land entries
60.	***************************************	'own-site entries
17, 209,		excesses on homestead and other entries
17, 209. 1, 318.	***************************************	bandoned military reservations
	The state of the	
3, 912, 450.		Total cash sales
		MISCELLANEOUS
	Anres	
25 50	7 415 005 50	[omestead entries (original)
50.00 05 57	4 7000 000 00	Imber outure entries (original)
10. 34	9, 700, 000, 07	imper-culture entries (original)
10,10	20, 833, 18	andres with minuty bounty-land warrants,
11,83	961,83	omestead entries (original)
14, 01	7, 944, 37	Intries with private land-claim scrip (Supreme Court) Intries with Valentine scrip
	400,00	ntries with Valentine scrip
7, 88	400, 00 477, 88	ntries with Israel Dodge scrip
8.85	358, 85	ntries with Sioux half-breed scrip
	2,200.76	onation entries
4.10	2 558 014 10	onation entriesailroad selections
00.04	3,558,914.10	James road coloctions
30, 34	128,000,91	/agon-road selections
50, 43	1, 286, 43	att spring selections
19, 68	128, 066, 94 1, 286, 43 299, 239, 68	tate selections-school, swamp, &c
37.77	3, 637.77	adian homestead entries
16, 201, 212.		Total miscellaneous disposals
The state of the s	The second second second	
20, 113, 663.	******************************	Total area of public land entries and selections,
		INDIAN LANDS.
19.70	119.70	herokee school lands
7 90	267. 86	herokee scrip lands.
11.00	7 201 70	Cansas trust and diminished reserve lands
1. 10	7, 391. 76	cansas truss and diminished reserve lands
14. 03	1,644.53	Cansas trust lands
10, 25	840, 25	Sage ceded lands
13, 30	825, 533, 30	sage trust and diminished reserve lands
78, 15	78, 15	awnee lands
55, 32	4, 455, 32	ionx lands
12.53	25 010 50	Tto lands
06.81	6, 306, 81	maha lands
881,850.		
881,850.		Grand total
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881,850. 20,995,515. The areas of white espective classe	ntries, the ar	The foregoing does not include the following final e
881,850. 20,995,515. the areas of white espective classe	ntries, the ar	The foregoing does not include the following final eave previously been reported in the original entries
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From fees for reducing testimony to writing From fees on donation claims From fees on State selections. From fees on railroad selections. From fees on wagon-road selections From fees on salt-spring selections	659 65 3,134 44,494 1,598 16	00 45 63 75
Total receipts from public lands	7,686,114 933,483	80 52
Receipts from fees for transcripts of records furnished by the General Land Office	8, 821	86
Total.	8, 628, 420	18

It will be seen from the foregoing statement that during the last fiscal year the lands disposed of by the United States and placed forever beyond the reach of the great body of our landless people of this and the coming generation, greatly exceeds in the aggregate the area of the great State of Ohio, and that too in a single year! A careful examination of the foregoing statement shows the following facts:

Cash sales Miscellaneous, including homestead entries Indian lands disposed of	Acres. 3, 912, 450, 49 16, 201, 212, 89 881, 850, 21
Grand total	20, 995, 515, 59 4, 441, 407, 83
embracing	8,000,000.00

All of this vast aggregate of our public land was finally disposed of during the last year or initiative steps taken for its acquisition. Thus, 33,436,923.41 acres, a body of land as large in the aggregate as the State of Indiana, and 12,000,000 acres more, all disposed of virtually in a single year!

It is hard for our people to appreciate the fact that in a few years the public domain, the magnificent gift of nature to mankind, the great factor in our progress and prosperity as a people, the grand possession that has rendered our republican institutions and national greatness pos-

sible will be a thing of the past, its conservative and life and hope giving power gone forever, and yet that is now inevitable.

The following table published in the last report of the Commissioner of the General Land Office embraces a statement of the public domain from the beginning, with a statement of the public land in every State and Territory in which the United States ever held or now holds pub-

Tabular statement showing the total number of acres of public lands surveyed in the following land States and Territories up to June 30, 1884; also the total area of the public domain remaining unsurveyed within the same.

Land States and Territories, 563, 38	Area of public lands in States and Territories.	Total number of acres of pub- liciands surveyed upto June 30, 1884.	Total area of public and Indian ands remaining unsurveyed inclusive of the private land claims surveyed up to June 39, 1881.
Alabama Arkansas California Colorado	Acres, 32, 462, 115 33, 410, 063 100, 992, 640 66, 880, 000	32, 462, 115 33, 410, 063 68, 130, 539	32, 862, 101
850.21 Florida	37, 931, 520	54, 088, 821 30, 549, 085	12,791,179 7,382,435
515, 59 Indiana	35,465,093	85, 465, 093	
which Iowa	21, 637, 760 35, 228, 800	21, 637, 760 35, 228, 800	
asses: Kansas	51,770,240	51, 770, 240	
Louisiana		26, 632, 681	
res. Michigan	36, 128, 640	36, 128, 640	*************
155.53 Minnesota		41,631,867	11,827,973
288, 22 Mississippi	30, 179, 840	30, 179, 840	
984.30 Missouri	41,836,931	41, 836, 931	
		46, 988, 259	1,648,541
A.C. Charles Control Control	71,737,600	31, 767, 405	39, 970, 195
407. 82 Ohio	25,581,976 60,975,360	25, 581, 976 36, 778, 775	24, 196, 585
rrent Wisconsin.	34,511,860	34,511,360	24, 190, 000
neous Alaska	369, 529, 600	01,011,000	369, 529, 600
Arizona	72,906,240	11, 795, 441	61, 110, 799
Acres. Dakota	96, 596, 480	41, 290, 300	55, 297, 180
47.946 Idaho	55, 228, 160	8, 887, 862	46, 340, 798
4,898 Indian Territory	40, 481, 600	27, 003, 990	13, 477, 610
— Montana	92, 016, 640	16, 225, 021	75, 791, 619
52,844 New Mexico	77, 568, 610	43, 673, 551	33, 835, 089
Utah	54,004,640	12, 269, 828	41,794,812
Washington	44,796,160	19, 950, 395	24, 845, 765
Wyoming	62, 645, 120	43, 054, 987	19, 590, 133
926 74 Public Land strip	3, 672, 640	***************************************	3, 672, 640
184 00 Total	1,814,965,179	938, 940, 125	876, 025, 054

cultural land in the entire public domain has already ceased to be subject to disposal by the United States; the lands have been surveyed and disposed of in the main in the agricultural regions. Not all of the land surveyed has been disposed of, but the agricultural portion in the main. This table shows a remaining region of unsurveyed land of 876,025,054 acres, an immense aggregate of land; but of this vast aggregate 369,529,-600 acres belong to Alaska, our northern possessions, where agriculture is impossible; it also embraces the vast mountain ranges lying between the Missouri and the Pacific Ocean, the millions of acres yet unsurveyed which you have granted to the Pacific and other railway corporations, the forfeiture of which is not yet declared, and a portion of which, many million acres, is now beyond your reach; it embraces also millions many million acres, is now beyond your reach; it embraces also millions of acres which must be recognized as the property of the Indian tribes, and which must be disposed of by sale for their benefit, and can not be treated as a portion of the public domain, the common property of the American people. It embraces also the wide extended region of arid lands in New Mexico, Arizona, and Southern California which can only be made productive by an expensive system of irrigation. All these portions are to be deducted. How fearfully do these reductions shrivel the once grand domain we received from our fathers. That pertion of that grand domain we received from our fathers. portion of that grand domain which has come to be the homes and freehold estates of our people in the great States of the Union and growing Territories is the pride and glory of the Republic. That vast portion surrendered to the greed of speculation, to venal and corrupt monopolists, and to the grasping and despotic power of corporations is a monument of national dishonor.

The one system of disposing of the public lands—that of our fathers—carried with it the freshness and vigor of youth; the other the decrepitude and feebleness of old age. The rapid development of resources and the activity in human affairs produced by consolidated wealth, which go hand in hand with the imperial estates which our land policy of recent years has produced, has no kinship with a republic in which the progress and independence of the individual citizen is the

source of stability and the element of power.

The reason urged for the new land policy, in which the leading feature was grants of large portions of the public domain to railroad corporations, was the opening up of the country west of the Mississippi to settlement. Specious and plausible, yet in striking contrast with the policy which had converted the public domain from the western slope of the Alleghany Mountains to the Mississippi into freeholds of moderate extent-prosperous and independent homes throughout the whole magnificent expanse, exempt from the curse of a single great private landed

Under the new policy a single generation has almost closed out the public possessions by a monopoly of lands in magnitude never before witnessed in the history of mankind, even where sovereigns have parceled out conquered provinces among the favorites of kingly or imperial courts. And to add to the misfortune, in this high-handed robbery of the people of their most valuable wealth, a new factor comes in, never known in the spoliations and robberies of former ages, by which multitudes of men become the serfs of a new imperial lordshipthat of corporate power. Even a despotic master might be humane and just, while corporate power is unconscious of the sense of justice and as remorseless as death. Let the dealings of these land-grant railroad companies with the settlers whose lands were claimed to be within the limits of their grants bear witness. For when has the settler who by patient labor has opened and improved a farm which unhappily was claimed by one of these land-grant corporations to be within the limits of the grant—when has be, unaided and alone (no matter how dishonest the claim of the corporation), ever obtained justice? Let your own public records answer.

I wish the last report of the Commissioner of the General Land Office was within the reach of every citizen. It would explain in some degree how excessive fortunes are made, and the advantage that capital possesses in controlling our affairs and of monopolizing opportunities to convert public resources into private fortunes. In speaking of the "deposit system," by which citizens depositing money in a depository of the Government for that purpose may secure the survey of a given body of land and secure land scrip, to the extent of the deposit made, at the rate of \$1.25 per acre, General Sparks, the Commissioner, in his

last report says:

last report says:

Wealthy speculators and powerful syndicates covet the public domain, and a survey is the first step in the accomplishment of this desire. The bulk of deposit surveys has been made in timber districts and grazing regions, and the surveyed lands have been immediately entered under the timber-land, pre-emption, commuted homestead, timber-culture, and desert-land acts. So thoroughly organized has been the entire system of procuring the survey and making illegal entry of lands that agents and attorneys engaged in this business have been advised of every official proceeding and enabled to present entry applications for the lands at the very moment of the filing of the plats of survey in the local land offices. Prospectors employed by lumber firms and corporations seek out and report the most valuable timber tracts in California, Oregon, Washington Territory, or else where; settlers' applications are manufactured as a basis for survey; contracts are entered into and pushed through the General Land Office in hot haste; a skeleton survey is made and full field-notes improvised for platting; the final acts of approval and acceptance are officially expedited; entry papers, made perfect in form by competent attorneys, are filed in bulk, and the manipulators enter into possession of the land and exploit its timber, which is shipped to foreign ports or sold to our own citizens at the market price of timber out from private lands, or, as the case may be, the lands are retained for the advance of price which is to come from forest monopoly. This has been the course of proceeding heretofore. In a single case reported by special agents in California it was

discovered that an English firm had obtained 100,000 acres of the choicest red-wood lands in the State, worth perhaps an average of \$100 per acre, while the cost of procuring surveys and fraudulent entries did not probably exceed \$500 per quarter-section, or at the rate of \$3 per acre.

Under the pre-emption laws, it is shown how men of wealth—Euro-pean as well as American capitalists—have employed multitudes of men to enter lands for their benefit, thus securing vast estates of valuable land at the nominal price of \$1.25 per acre, and by the same dishonest method monopolizing valuable streams of water and the lands sur-rounding magnificent lakes.

Millions of acres of the most valuable part of the remaining public domain have thus within the last few years-in fraud of the land laws laws which contemplated bona fide settlements for homes only-been entered by speculators and capitalists seeking great landed estates, every acre of which ought to be restored to the public domain for settlement under the homestead laws by actual and bona fide settlers. Surely Congress will furnish to this earnest and incorruptible Commissioner of the General Land Office the means necessary to secure this result, so important to the integrity of the public service, of such commanding interest to the American people.

The Surplus in the Treasury.

SPEECH

HON, WILLIAM WALLACE BROWN,

OF PENNSYLVANIA.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886,

On the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt; to which several amendments were offered.

Mr. BROWN, of Pennsylvania, said:

Mr. CHAIRMAN: I have voted for the amendment of the gentleman from Ohio [Mr. McKinley] because I was willing to throw every protection about the legal reserve of one hundred million, but I shall vote for the resolution without the amendment for the reason, first, it is a censure against the management of the present administration of the Treasury Department, and, second, it instructs the Secretary of the Treas-

Treasury Department, and, second, it instructs the secretary of the Freasury to do just what all his predecessors have done in relation to the surplus ever since the resumption of specie payment.

The gentleman from Ohio [Mr. McKinley] and the gentleman from Illinois [Mr. Cannon] have both given us the figures showing that on each 1st day of January since the year 1879 there has been only a balance of reserve above the one hundred millions provided by law for the redemption of the greenbacks-an amount running from five hundred thousand below to only fifteen million above. The policy was evidently always to pay out on the national debt just as fast as possible without invading the one hundred million reserve fund. When the present administration came into power this surplus was only about eight million. From that hour to the present it has been growing, until to-day it is over seventy million. If the present Secretary had been reducing the national interest-bearing-debt at the rate of his predecessors he might rest on his laurels and with some propriety hold on to cessors he might rest on his latters and with some propriety had on to his large reserve. But when it appears that the reduction he has made is less than one-third the average reduction of his predecessors since 1880, he should have used the utmost dollar he could possibly spare for the liquidation of the interest-bearing debt of the country.

All this talk about repudiation is the merest bosh. What lurking purpose to repudiate can be inferred from the actual payment of that debt to the extent of every dollar the Treasury can spare? If the seventy million surplus over that needed to fulfill the provisions of our statutes had all been paid over to the bondholders there would have been \$70,000,000 less debt to repudiate. The less national debt there is at the end of each fiscal year the less there will be for any party so

disposed to repudiate.

The present administration came into power pledged, so far as its stump orators could pledge it, to pay out all surplus upon the debt. They claimed that there was then a large surplus, some fixing the amount as high as \$400,000,000, and charged that it was held for the purpose of perpetuating the debt to the longest possible period. They have failed to keep their pledges. It is time their memory was jogged a little.

This resolution has been too tardy in coming. Democracy is bound to go wrong always when it fails to follow the example set by the party that has managed our finances so faithfully and successfully during and since the war. I only hesitate as to what course I should take on this question because I think that in general full discretion in a matter of this kind should be left in the Secretary of the Treasury. But, sir, six-teen months is long enough to wait for him to go about paying the debt. He should before now have paid at least one hundred and fif-teen million. He has paid a little more than fifty. This resolution will simply tell him to pay over the balance.

The Surplus in the Treasury-The Truth about Vice-President Hendricks.

SPEECH

HON. JAMES E. CAMPBELL,

IN THE HOUSE OF REPRESENTATIVES.

Wednesday, July 14, 1886,

On the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt; to which several amendments were offered.

Mr. CAMPBELL, of Ohio, said:
Mr. CHAIRMAN: There is an old saying to the effect that a lie well stuck to is as good as the truth. Probably no lie, political or otherwise, has ever had wider circulation or more persistent utterance than the one which ascribes to the late Vice-President Hendricks the authorthe one which ascribes to the late Vice-President Hendricks the authorship of the statement that there were \$400,000,000 of surplus money in the Federal Treasury. This allegation, which never had any foundation in fact, was originally made by the Republican newspapers in the campaign of 1884, and has been printed and mouthed so often, and so publicly, that many well-informed persons have believed it, and have honestly repeated it on this floor as well as elsewhere.

It would seem proper that a complete refutation of this charge against Mr. Hendricks should be spread on the CONGRESSIONAL RECORD and made a matter of public notoriety so that those gentlemen, if any, who hereafter arraign the late Vice-President as the fabricator of that monstrous statement may be known to have openly sinned against light and

knowledge.

I am moved to these remarks by reason of the debate this day, in which gentlemen of the highest reputation for probity have fallen into the error of charging to Mr. Hendricks the gross mistake just referred to. For instance, my colleague [Mr. McKinley] has alleged that this is charged, although no one would impute to him an intentional misstatement. The gentleman from Maine [Mr. REED] also undertook to twit the Democratic party with having sized-up the surplus in the Treasury in 1884 by the standing of the particular Democrat who might at

ury in 1884 by the standing of the particular Democrat who might at the time be spinning campaign yarns. I quote from his speech:

It will be remembered, and indeed has been repeated here, that gentlemen of the Democratic party fought the last campaign on the statement that there was a large sum of money in the Treasury which ought to come out, and the size of that statement always depended upon the rank the man held in the party. [Laughter and applause.] The candidate for Vice-President boldly put it at \$400,000,000, because the Democratic party would probably absorb more from him than they would from the gentleman from Pennsylvania [Mr. RANDALL], who only made it \$300,000,000.

When such great men fall into error and unintentionally asperse the memory of a departed statesman, it is time to effectually settle this question in the interest of common veracity. The truth is, that the Republicans themselves started this story about the \$400,000,000 surplus alleged to be in the Treasury. For years they have habitually boasted how little money the Treasury contained in 1861, when their party came into power, and how much had accumulated therein under Republican rule. In their anxiety to make a telling point in 1884— being hard pressed for campaign thunder—they put the sum then on hand at \$400,000,000. That excellent gentleman, Major Calkins, who was then the Republican candidate for governor of Indiana, thought to delight the good Quakers at Richmond, in that State, by the astounding recital that the "grand old party" had garnered \$400,000,000 into the Treasury, contrasting this fatness with the lean receptacle for publie funds under the economical sway of the Democracy. This statement of the gallant major was repeated and commented on by Mr. Hendricks. In the mean time, it having become apparent that the people were not pleased with the spectacle of so much idle money in the Treasury, the Republican press joined in an unanimous cry that Mr. Hendricks was the inventor of this tale and that the surplus was really

Now, let us see what Mr. Hendricks actually did say. On the 20th day of September, 1884, he opened the campaign in Ohio by a speech at the city of Hamilton, in that State. It was my pleasure to hear him there, and, that too, upon the very matter in controversy now. The stenographic report of that speech was published in all the leading newspapers of the country. I quote from the Cincinnati Enquirer of September 21, which announced, very truthfully, that Mr. Hendricks's speech was delivered before a great concourse of "the Lord's Anointed,"

meaning, of course, our Ohio Democracy. He said:

In the first place, are you aware of the revenue system and the amount of money that is being collected into the national Treasury? Are you aware that the money is to-day and has been for several years accumulating in the Treasury beyond the needs of the Government? I got myself into a scrape not very long since yery unexpectedly, and my Republican friends would hardly believe how it occurred. I quoted the Republican caididate for governor into State of Indiana in respect to the amount of money piled up in the Treasury. I supposed he had investigated the subject, and I was quoting what he said; and I have been abused very roundly by Republican papers for having made the statement. Whatdo you think the statement was? At Richmond, Ind., in his speech.

the Republican candidate for governor stated that when the Republican party came into power it found an empty Treasury, but now it has \$400,000,000 in the Treasury; and I repeated it upon his authority, and only upon his authority.

Thus it is seen that the vain glory of Republican stump speakers caused it to be generally circulated that there were \$400,000,000 in the Treasury in 1884, and that it was not the assertion of the late Vice-President.

Perhaps it would now be in order for my eloquent colleague [Mr. McKinley] and the sarcastic gentleman from Maine [Mr. Reed] to turn their batteries upon Major Calkins and the other Republican orators of that campaign in which they met such a deserved and disastrons de-

The Surplus in the Treasury.

SPEECH

HON. WILLIAM T. PRICE,

OF WISCONSIN,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886,

On the joint resolution (If, Res. 126) directing the payment of the surplus in the Treasury on the public debt; to which several amendments were offered,

Mr. PRICE said:

Mr. CHAIRMAN: This is a proposition to use all the available surplus in the United States Treasury in reducing the interest-bearing national debt; and as it seems to be the only way that such moneys can be released and put in circulation I will vote for it, because no money should lie idly there—that is, our own—and none that is held by us in trust should be used for any other purpose than to discharge that trust.

I would much prefer to use the fifty, seventy-five, or one hundred million for which we have no other use in building a navy or fortifying our seacoast or paying our non-interest-bearing debts, but as I can not do that I am willing to release it in this way.

But the amendment of the gentleman from Ohio [Mr. McKinley] ought to be adopted, because without it it would be possible for the Secretary to trench upon the \$100,000,000 which has been set aside by

law to redeem so much of the \$346,681,012 of national-bank notes as may be presented for redemption.

And the amendment of the gentleman from Ohio [Mr. WARNER] ought to be adopted, because without that amendment a contraction of our circulating medium would inevitably follow that would seriously

and disastrously affect the debtor classes, who, as a rule, are the classes who are controlling the creative influstries of the country.

And that raises the old question which has arrayed the debtor and creditor classes against each other since the organization of human government. Double the volume of money and you double the price of labor and labors products. Take one-half of our circulation out of existence and you reduce one-half of the value of labor and the products. ucts of labor. One course would be unjust to the creditor, the other to the debtor; both should be avoided, because each is unjust to one or the other of these classes of our citizens.

In the consideration of these financial questions, therefore, we should never lose sight of the underlying and fundamental principle that the relations of the volume of circulating medium toward the volume of our commerce should be maintained as nearly as practicable to those sustained by them at the time the obligations were incurred or debts

created.

To do this the most reliable basis of circulation would probably be upon our whole population; and taking that as the basis, and it is easily seen that our population is rapidly increasing, and under the pressure of the creditor classes, to which pressure our present and past Presidents and ministers of finance have continually yielded, a constant contraction has been going on.

July 9, 1885, there were on deposit with the United States Treasurer bonds to the amount of \$311,544,300, which authorized a circulation of \$280,390,870 national-bank notes. July 9, 1886, these bonds had shrunk to \$275,382,800 and the authorized circulation to \$247,844,520. In one year a shrinkage of \$36,161,500 of bonds and of circulation of

\$32,546,350, or \$2,720 per month.

I can readily see how the Representatives on this floor of the money centers of the country can advocate a further contraction, but I can not understand how the Representatives of the West, which in developing the natural resources of the country is in debt, can fail to jealously guard against such a policy.

You pass this resolution without the Warner amendment and you secure a further contraction of seventy-five or one hundred millions in the next seven or ten months, and nothing to take its place except the silver coinage, which is only about sufficient to neutralize our increas-

ing population.

I can not agree with gentlemen who claim that the surplus in the

Treasury was four hundred millions during the last political canvass, nor can I agree with the conclusions of those who claim that there is now seventy-eight millions, but in this last I may be mistaken, as under the present mode of making the balance sheets good book-keepers might very easily disagree as to the result.

I append herewith a balance sheet as I think it ought to be made; and if so, there is \$104,611,531 now in the Treasury that could be used without trenching on any of the trust funds or of the one hundred mill-

ions of reserve:

Condition of the Treasury of the United States.

We have got—		
Gold coin and bullion		\$232, 838, 123
Silver coin and bullion		184, 345, 765 41, 118, 316
National-bank notes and deposits, national-bank deposit	ories	14, 435, 199
Fractional currency, bonds, checks, and coupons		3, \$39, 203
National-bank notes in process of redemption		3,840,402
Interest on District bonds		29, 282, 495
Fractional silver.		29, 252, 490
All we have		509, 700, 093
And we owe—		
Gold certificates	8131, 174, 245	
Silver certificates	115, 977, 675	
Certificates	18,500,000 22,791,647	
Held for redemption of national-bank circulation	70, 693, 820	
Total liabilities.		359, 137, 387
Balance in Treasury not appropriated		150, 662, 706
Reserve to reduce greenbacks	***********	100,000,000
Balance		50, 662, 706
Add certificates on hand		83, 231, 320
		133, 894, 026
Deduct fractional silver not available to pay debts		29, 282, 495
Total sum lying idle and available to pay debts		104, 611, 531

The Surplus in the Treasury.

SPEECH

OF

HON. RALPH PLUMB.

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886,

On the joint resolution (H. Res. 126) directing the payment of the surplus in the Treasury on the public debt; to which several amendments were offered. Mr. PLUMB said:

Mr. CHAIRMAN: Secretary Manning reports the interest-bearing debt of the Government March 4, 1885, to be \$1,260,772,612. Assistant Secretary Fairchild, on the 1st of June, 1886—the administration then having been fifteen months in power-states the interest-bearing debt naving been fifteen months in power—states the interest-bearing debt at \$1,220,650,312, showing a reduction from the commencement of the present administration to June 1st of \$40,122,300. The same author-ity shows an increase of cash in the Treasury for the same period of \$105,510,341.50, exclusive of \$100,000,000 gold coin which has been kept on hand for the redemption of the Treasury notes in circulation.

These statements are here quoted for the purpose of getting at the condition of the Treasury, and of ascertaining, if possible, the financial policy of the administration—if, indeed, such a thing as a well-defined policy of administering the finances of the Government has an existence—and for the purpose of comparing Democratic promises with Democratic performances, as well as to show the enormous difference between the debt-paying record of the two great parties while each has been intrusted with the administration of the Government.

The Democratic party came into power on the cry of reform, and one of the important declarations in their platform was "that a change is necessary is proven by the existing surplus of more than \$100,000,000 in the Treasury." This declaration was supplemented by Democratic stump orators, headed by the late Vice-President Hendricks, who assured voters that not one hundred million only, but four times that sum lay idle in the Treasury and should be promptly disbursed for the benefit of the tax-payer; and, sir, it was on this false pretense industriously circulated and everywhere insisted upon, as much as any one thing,

that the Democratic party came into power.

These statements, Mr. Chairman, were all false; the money in the Treasury, amounting to over \$400,000,000, was held there in trust for the several purposes which were so clearly and correctly stated by my colleague, the chairman of the Committee on Ways and Means, Mr. MORRISON.

The balance available for the reduction of the public debt has been largely increased since the advent of the present administration, and,

as has been stated, amounted to over \$100,000,000 on the 1st of June, 1886.

As I have already stated, the actual reduction of the interest-bearing debt by the administration to June 1, 1886, is \$40,122,300, which shows a monthly reduction averaging \$2,674,820 each month.

Now, sir, the record made by the Republicans shows in four years of President Arthur's administration the interest-bearing debt to have been reduced as follows:

1881	\$120, 730, 800 162, 289, 150 115, 360, 300 80, 737, 700
Total	479, 117, 950

In four years, or an average monthly reduction of \$9,773,290, making a difference in favor of Republican debt paying of \$7,098,470 every month.

Mr. Chairman, we now begin to understand why it was that the remarkable method pointed out by the gentleman from New York [Mr. Hewitt] was adopted by the chairman of the Ways and Means Committee [Mr. Morrison], a method which was characterized by Mr. Hewitt as a "device" to do by indirection what could not be otherwise accomplished.

It is plain, sir, that the gentleman from Illinois who yesterday presented to the House in his usual clear and concise manner the arguments in favor of his resolution-arguments that I have no purpose or desire to refute in this discussion-I say it is plain that the leader of the Democratic party on this floor feels, and ever since the introduction of this resolution has felt most keenly the awkwardness of the dilemma in which his party is left before the people on this question of the reduction of the public debt.

Promises, high-sounding on the stump, and solemn promises in the party platform have not been kept; aye, sir, and what is worse, those promises can not be kept, for the reason that the counsels of the Demo-

cratic party on this, as on every other question of revenue and finance, are divided. The gentleman who sits in his office at the other end of the Avenue with his coat off vetoing widows' pensions, in the interest of what men of money call economy, is pledged to do the bidding of New York on this question, without regard to the promises made in the Chicago platform; and that, sir, is a fact so stubborn that the chairman of the Ways and Means Committee, and every other Democratic Congressman from the West, is obliged to recognize it and to govern themselves

What less could be do, Mr. Chairman, under the circumstances, than to report and advocate this resolution, with the hope that although it would never get to the President, and would never influence the Secretary of the Treasury, it would, nevertheless, be of service as the best apology in the power of these Western Democratic Congressmen to make to their deceived supporters on the important question of the promised rapid payment of the public debt?

Mr. Chairman, in my opinion there is nothing in this proposed legislation in the shape of giving direction to the Secretary of the Treasury. It is a farce from beginning to end, so far as any practical result is to be attained.

Why, sir, the Secretary of the Treasury is already authorized to pay off the public debt as fast as the accumulation in the Treasury will justify. If it were not so, then indeed it would be the duty of Congress to instruct him by proper legislation, for the people do not desire that large accumulations of money not required for reserves should lie unused in the Treasury.

If the question of paying out the gold now kept as a redemption fund for the three hundred and forty-six millions of Treasury notes was befor the three numerical and forty-six millions of Treastry hotes was before us in a serious way, if a vote on such a question meant anything, I
for one should be in favor of putting it where it would do the most
good—into circulation, paying off interest-bearing debt, relieving taxation, and increasing the volume of currency.

The greenback is the best money in this country; it is the safest and

most convenient of all money in use; it has conferred upon it by law every quality that money needs to equip it with the power to do the work of money for the American people. It is a legal tender for all amounts, made so by a law that the Supreme Court, with great unanimity sustains, not only for the purposes of war but of peace, and what is better still it enjoys the unshaken confidence of the people. Both gold, silver, and greenbacks are redeemed every time they effect an exchange of commodities or pay a debt; and it is in this way that all real money needs to be redeemed. Gold, silver, and Treasury notes, issued by Government—the former represented when need be by certificates for convenience in handling-make a currency than which there is no better in existence.

Mr. Chairman, the people of the United States have just reason to be proud of their financial system, and especially of the national banks,

which constitute an important part of that system.

This is no occasion for entering upon a discussion of the national-bank question, but in passing it may be said that, as the system stands, it is the best ever instituted in this or any other country. With a modification which would relieve them from issuing circulation, on such just

conditions as might be devised, the national-bank system would be perfected.

Mr. Chairman, I can see no necessity for the passage of the resolution recommended by a majority of the Ways and Means Committe. The Secretary of the Treasury has already all needed authority to call bonds as fast as the condition of the Treasury makes it advisable to do so; in fact, sir, the present Secretary must so regard it, for he has called just enough bonds to show that he knows how to do it. The fact is apparent that this is nothing more nor less than a "device," as the gentleman from New York [Mr. Hewitt] terms it, by which one faction of the dominant party seeks to control and direct the action of the Secretary of the Treasury

On the question of finance, as well as on that of revenue and of civil service, the party in power is hopelessly divided. They are represented on this floor by three distinct leaders, each able and uncompromising, and each faction seeks the aid of the minority to carry its points.

It may be a hopeless and useless endeavor for the minority here to aid in trying to make the Secretary of the Treasury fulfill the promise of reform on which his party came into power, and use idle money in reducing the public debt; but being willing to undertake the difficult task I shall vote for the resolution.

The honorable gentleman from my own State, who presides over the Committee on Ways and Means, is an able exponent of Western ideas on the subject of finance. He draws his inspiration from one of the great Republican States of the West; he is anxious, no doubt, to have the promises of the Chicago platform redeemed; but alas, for his hopes, the Executive he has helped to place in the Presidential chair gets his inspiration from a different source and as does the Secretary of the inspiration from a different source, and so does the Secretary of the Treasury; that source is the moneyed men of the East; and this influence will continue to control the course of the administration whatever may be the vote of this House on the resolution before us.

The Surplus in the Treasury.

SPEECH

HON. JOHN V. L. FINDLAY.

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886,

On the joint resolution (H. Res. 126) directing the payment of the surplus in the Treasury on the public debt; to which several amendments were offered.

Mr. FINDLAY said:

Mr. CHAIRMAN: I am opposed to this resolution, because it restrains the discretion of the Secretary of the Treasury in a matter over which it would be wiser, in my opinion, to give him full control.

The vice of the resolution consists in confounding a surplus with a reserve fund pledged by custom and strong implication of law to the redemption of the legal-tender notes. (See chapter 290, first session, acts of Forty-seventh Congress, July 12, 1882, section 12.) These notes in round numbers amount to \$346,000,000. To these are to be added In round numbers amount to \$340,000,000. To these are to be added \$311,000,000 national-bank notes, the two together constituting the paper or representative currency of the country; in all, say \$656,000,000. One hundred millions in gold is, in my opinion, too small a sum to be held in reserve for the redemption of this paper. In Great Britain the specie reserve is one of gold to two of paper, or about that ratio. In France it is still greater.

There is nothing in the resolution and the debate on the different amendments showing that it is not the intention of the resolution to restrain an invasion upon this reserve. All the amendments for this purpose have been rejected. But even if this were not true I believe that the Secretary should have a working balance in the Treasury, which the resolution will not allow him.

But the resolution is wrong, in my opinion, for another reason. has been stated that if the reserve is drawn down to the danger-point the Secretary may sell bonds and bring it up again. But what can be the sense of reducing the reserve to redeem bonds, and then issuing new bonds to add to the reserve? The reserve is to be taken to pay debts, and these debts are to be created to bring the reserve back again to its former condition. I see no sense in this seesawing.

What this House ought to do is to reduce revenues, or better still use the revenues of the country for the purpose of strengthening its posi-tion. Whatever surplus can be safely spared should be applied to building up the Navy and erecting new and strengthening old coast de-But if the House refuses to enter upon this policy, then surely it is wiser to stop the money coming into the Treasury, in other words, leaving it in the people's pockets, than it is to be forced to invent the means by which the surplus can be got rid of. The debt redeemable at the pleasure of the Government is about \$144,000,000, not taking into the account outstanding calls. When this sum is used up there

will be no debt to redeem until 1891, when the four-and-a-halfs will be

redeemable amounting to \$200,000,000, round numbers.

Between September 1, 1891 and 1907, when the fours fall due, there will be none of the public debt proper subject to redemption. Ought we not now to determine upon some fiscal policy by which the finances of the country are to be managed, instead of resorting to a nibbling expedient like this, which promises only annoyance and vexation to the management of the Treasury, without any corresponding relief to the people. It is said, I know, that these millions to be set free from the Treasury are to flow in an irrigating stream along the arid plains

the Treasury are to flow in an irrigating stream along the arid plains of industry and commerce, and make them blossom again as the rose. But who are the principal holders of the bonds? The banks undoubtedly. And if they were not, this demand for their immediate redemption would not be so noisy. It is notorious that the banks now are loaded up with idle money, and the only effect, therefore, of this resolution will be to increase the stock. Instead of more money getting into circulation by this means you will only add a few more millions to the idle sums now held by the banks; in other words, you will only change the place of rest and stagnation of this fund from the Treasury, where it serves a useful purpose, to the banks, where it will not only where it serves a useful purpose, to the banks, where it will not only be idle but functionless

It is a great mistake, I think, to suppose that a specie reserve is useless simply because it happens to be in a state of rest instead of motion or circulation. The idea underlying this fallacy is the basis of all the projects for paper currencies which have afflicted mankind. By the projects for paper currencies which have affilted mankind. By the constant use of paper representatives of money we come to regard the symbol as the thing itself, and mistake the shadow for the substance. Everything that passes as money is very naturally treated as money, and as long as credit and confidence are maintained there is no harm done by this kind of circulation. But notwithstanding this, it is nevertheless true that a legal-tender note commonly called the greenback is not money, but a promise to pay money. Every dollar of this currency so recites upon its face. It does not say "I am a dollar," but it says that the United States will pay a dollar to the bearer. by the strengthening-credit resolution of the 18th of March, 1869, is a coined dollar. By the provisions of that resolution these promises of the Government to pay are made expressly redeemable in coin. else is there to redeem a promissory note with?

Greenbacks, by the express decision of the Supreme Court, are a legal

tender in the discharge of private debts; and being the equal of coin by virtue of their convertibility into it, are received by the Government in payment of its dues. But the Supreme Court never held that a greenback could work out its own salvation and redeem itself. There must be specie behind it to be had on the asking, or the greenback will depreciate. The paper on which it is printed and the pictures and legends stamped upon it cost so little in each individual piece of money as to make it almost valueless. What gives it its value, and therefore its currency, is the faith that it can be immediately converted into that of which it is the representative—that is, coined money which is intrinsically valuable, the standard and measure of all other values.

It has been stated in argument that there was no use for the \$100,000,000 specie reserve, because not a single dollar of the greenback currency had ever been presented for redemption. It is difficult to notice that such an argument as that could either have been made or listened to by sensible men. Everybody, out of Congress at least, knows that the greenbacks have not been presented for redemption for the simple reason that their holders knew the Government was able to redeem them whenever presented. Everybody, with the same limitation, also knows that the very moment this belief was shaken and men began to doubt whether the Government could or would redeem, that moment there would be a rush and a panic conducted on the principle of the devil taking care of the hindmost. I will never give my consent to any financial theory which ignores a fair specie reserve as absolutely essential to the credit of a paper currency, and as I regard this resolution as a step in that direction it follows that the measure can not receive my approval.

But, as I have before intimated, now is the time for settling the terms of some broad, comprehensive, and permanent fiscal policy, if for no other reason, to get rid of these little teasing expedients, which if they were purely harmless accomplish nothing and determine nothing. A farmer with a bottom but fertile piece of ground, when he wishes to re-claim it from the waters that settle there, finds it more practical and economical to stop the flow than to be all the time engaged in draining the accumulations off. A ship-owner with a leaky vessel find at much more sensible to stop up the leaks than to expend his energies in pumping the water out of the hold. So, here, the United States ought to stop the surplus getting into the Treasury instead of resorting to doubtful expedients to get it out. Sooner or later it will be forced to adopt this policy. If the present ratio of expenditures and receipts is maintained after 1891, the surplus will be maintained and there will be no debt to which it can be applied. There is said to be a surplus of \$76,-000,000 over and above the specie reserve of \$100,000,000, which in my opinion it is a misnomer to call a surplus.

In his admirable report upon this subject Mr. HEWITT has stated what every business man will confirm, that a working balance equal to about a month's disbursements is absolutely essential to the proper administration of the uncertain and intricate movement of Treasury receipts and expenditures. He estimates roughly that \$30,000,000, on the basis of the receipt of \$1,000,000 per day, would not be an excessive balance for this purpose. This would leave some \$46,000,000 undis-

posed of.

On the 3d of May last I offered a joint resolution for the repeal of the tobacco tax, special and otherwise, inclusive of course of the tax on cigars, &c. This would have reduced the surplus about \$30,000,000, leaving about \$16,000,000 more, which could readily have been disposed of by some judicious tariff reductions. The Committee on Ways and Means reported this resolution back to the House on the 10th of

July with a recommendation that it should not pass.

The principle reason given for this adverse conclusion is that the abolition of this tax would render it impossible to remove the burdens imposed by the tariff upon the industries of the country. An elaborate argument is made to show that two things have been lowered in price. namely, wool and iron, in answer to one of the preambles to the resolution, that all things which enter into the present consumption of man have been so cheapened, and the further argument is then made that the tariff by the ruinous competitions it engenders, and not as the peaceful sequence of the protection it affords, has been the cause of this reduction in price in the two articles named.

I am not going to make a tariff speech, still less attempt at this time to answer the several propositions of the report. But I have this to say as bearing upon the subject immediately in hand, that the policy which refuses to remove one tax because it can not get rid of another, and at a time, too, when it has been twice demonstrated in the last two years, and each time with conspicuous emphasis, that the country is not yet prepared to adopt any line of tariff changes such as that indicated by the report, is, to say the least of it, of very questionable soundness. Why the farmers of Kentucky, Pennsylvania, Ohio, Maryland, Virginia, Missouri, North Carolina, Connecticut, and other tobacco-growing States, as well as the cigar-makers and manufacturers of limited capital, should be subjected to espionage and vexatious rules and regulations, and the last-named class to exacting taxes, both special and stamp, as well as to bonds, besides being the victims of the harassing regulations referred to, simply because the manufacturers of the

country enjoy the bounty of a protective tariff, is a question which I am sorry I can not answer with the same ease with which it appears to have been disposed of in this report.

Every tax is an evil. It may be contended that a man had better pay a tax on his cigar, or the tobacco in his pipe or pocket, than on the clothes on his back or the blanket on his bed. Granted. But suppose he is paying a tax upon both and asks to be relieved from one, is itany comfort to him to be told we can not grant you relief, because if we do we are afraid we will not be able to extricate you from the other? Suppose even the wisdom of this is conceded, what shall we say in reply to him if he asks the question, What is the prospect of my being relieved from the other? Will any one pretend that a Kentucky farmer or dealer in tobacco would say that he was content to stand both taxes on the remote contingency of an abatement in each rather than take what he can get now, the repeal of the one which galls him the most—the one to which he is the least accustomed, the one which is foreign to the traditions of a free people and has only been specially imposed in times of war to meet extraordinary emergencies?

But whatever may be the case with the farmer, or the dealer, or the payer of this tax, is it not plain as a mere fiscal proposition, disconnected with all other considerations, that when revenues are redundant taxes should be decreased or abolished; that a reduction of revenue is in the nature of things better than the distribution of surplus, and that any other policy is putting the cart before the horse?

In my opinion, if we appropriated the revenues in putting the country in a proper defensive position there would be no occasion to deal with this surplus; but failing this, and treating reduction as the fixed policy of the country, I will vote for no resolution defining the fiscal policy of the country which does not propose the means by which its redundant revenues shall be brought back to their ordinary volume and

channels.

Let us suppose 1891 upon us and nothing done in this direction in the mean time. What is proposed for the sixteen years of interval until the 4 per cent. debt matures in 1907? Will the same old tit-for-tat, dog-What is proposed for the sixteen years of interval until in-the-manger, do-nothing policy be pursued? Shall we hear it then as we hear it now, "If you are not willing to swap internal revenue as against tariff, or some parts of each, we will not trade at all?" As if this were a subject for bargain or barter! A tax is a tax. Thirty million dollars is just that sum to a cent, whether it comes out of tobacco or wool, and if the revenues are excessive by that amount there is no wisdom in refusing to reduce them simply because it is impossible to reduce some other tax, even conceding it is more onerous.

In making these remarks I have not thought of the national banks and the bearing of the resolution upon them. They must put their house in order and get ready for a change in a comparatively short time whether the resolution becomes a law or not. They are built upon foundations that will necessarily crumble into pieces in course of time, because the debt of the Government will eventually be paid. They have given us the best currency and the most stable banking system

we have ever had, but I do not believe that a national debt is a blessing, and I have, therefore, no desire to perpetuate the security upon which these institutions are founded. All that I have said or intended to say was, that a resolution vaguely drawn so as to be susceptible of a construction which would impair the specie revenue held for the redemption of legal-tender notes, and at the same time destroy the working balance in the Treasury which experience has demonstrated to be necessary, and all proceeding upon the indefinite continuance of redundant revenues, without any policy or provision for their diminution, could not receive my approval or support.

Tensas River and Bayon Macon.

SPEECH

HON. J. FLOYD KING,

OF LOUISIANA.

IN THE HOUSE OF REPRESENTATIVES.

Saturday, May 1, 1886,

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. KING said:

Mr. CHAIRMAN: I would like to submit a few facts to the House, and through it to the public whose car has been so often abused by com-plaints scattered broadcast against what has been called "the log-rolling river and harbor bill." I will take for my text lines 712 and 713 on river and harbor bill." I will take for my text lines 712 and 713 on page 30 of the bill now before the committee. They are:

Improving Tensas River and Bayou Macon, Louisiana: Continuing improvement, \$4,000.

The Tensas River rises in Lake Providence, in the northeastern part of Louisiana; flows in a southerly direction through a rich alluvial district, and unites with Ouachita and Little Rivers at Trinity, La. These three form the Black River, and, as united, continue (as the Black) to the southward, joining the Red River near its mouth. The length of the Tensas from its source to its junction with the Ouachita is 205 miles, and it is navigable from November to July, inclusive, for vessels drawing 3½ and 5 fect, between Dallas, La., and its mouth, a distance of 180 miles.

Bayou Macon rises in Desha County, Southeastern Arkansas; flows in a general southerly direction, and joins the Tensas 40 miles above the mouth of that river. Both streams drain a rich cotton and corn-producing and stock-raising country, and are navigated by steamboats which carry their products to the markets and bring back assorted cargoes of supplies, provisions, clothing, &c. Bayou Macon is 200 miles long to its junction with the Tensas.

For these rivers the appropriations have been made as one. governmental examination was made, pursuant to act of Congress, in 1880, and resulted in a project for removing snags, logs, wrecks, and leaning timber, for the purpose of securing safe navigation. And it was estimated that this could be done in both rivers for \$40,000—bewas estimated that this could be done in both livers for \$40,000—neing \$23,000 for the Tensas and \$17,000 for Bayou Macon. Up to 1885 we had appropriated \$7,000; that is, \$3,000 for 1881-'82, and \$4,000 for 1884-'85. Last year the appropriation failed along with the river and harbor bill itself. This year (1886-'87) we appropriate \$4,000. These sums are so small that the improvement works are likely to drag their slow length along in so lingering a fashion that few of us elders will be likely to live long enough to see them completed. The amount allowed each year is soon exhausted, the works are stopped, the en-gineers and workmen discharged, and the vessels annually laid up or sent to other streams more liberally treated, while yet whole months of profitable work might be theirs. Thus it is impossible, with the of profitance work might be theirs. Thus it is impossible, with any small portion of improvements thus far completed, to state with any certainty what amount of good has been done. And yet, annually down these two streams are carried from 20,000 to 30,000 bales of cotton and 100,000 sacks of cotton-seed, while the return freight is estimated at not less than \$35,000 a year.

It seems strange that objection should be made to an appropriation for the improvement of two streams whose annual commerce amounts to more than forty times the amount of the whole sum asked for; and which has thus far been doled out in pitiful morsels which are expended in a few months. But thus it is; and I think I have made it clear that there is no "grab game" intended to be played in the project for the improvement of the Tenas and the Macon. Since my advent in Congress I have repeatedly introduced measures looking to the annual appropriation of at least \$20,000 for the improvement of these streams, which sums I am satisfied could be profitably expended in procuring safe navigation throughout their entire length. The first appropriation ever made for them and all subsequent ones were made at my instance, and it was strongly against my desire that they were made in

such small and insufficient sums.

I take occasion to repeat here, Mr. Chairman, what I have said on other occasions on the subject of these improvements; that is, the work on them should be let out to local contractors under properly guarded They can be found in that section of the country, and men of industry, honesty, and competent to perform the work to be This and all kindred measures are for securing cheap freights for the people, who pay the taxes and are entitled to such benefits.

Treasury Surplus,

SPEECH

HON. GEORGE E. SENEY.

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886.

On the joint resolution (H. Res. 126) directing the payment of the surplus in the Treasury on the public debt; to which several amendments were offered.

Mr. SENEY said:

Mr. CHAIRMAN: Official reports, year after year, show that there is a large sum of money in the Treasury which plays no part in the financial transactions of the Government. This money is in underground vaults, behind bars and bolts and locks, and is carefully guarded day and night at no inconsiderable expense to the people. This vast sum of money we are accustomed to call the surplus in the Treasury. It is called the surplus, I suppose, because it is not needed to meet the demands, ordinary or extraordinary, of the Government. Why, then, should it be in the United States Treasury rather than in the pockets of the people? In the Treasury it is idle and useless, and can not possibly benefit the Government or the people. Outside of these vaults it is never seen, and inside it is seldom touched.

What good can come to the people, or the Government, by keeping money, bag upon bag, piled in the dark and dingy vaults of the Treasury? When, if not now, will it come forth from its dreary abode? As long as it remains where it is it is of no more value, practically, than

so many chips and whetstones.

As well might the vast pile be dumped into the Potomac. Sink it at some fathomless point in the ocean and the world will be as much benefited as it is by keeping it under constant lock and key in the vaults of the United States Treasury. The surplus out of the Treasury would in due time work its way into the channels of trade, and thus help, in some degree, to relieve the depression under which the business and labor interests of the country now suffer.

The Government is deeply in debt. We pay large sums of money each year as interest upon what we owe. Complaints reach us from all parts of the country that taxation is bardensome. We can give our people some relief by applying this surplus in the reduction of the in-terest-bearing debt. Appropriate of the surplus what is proposed by the resolution we are considering and we will make a yearly saving of

\$2,100,000 in interest.

In addition to this the debt itself will be reduced \$70,000,000. The question before us ought to be solved upon sound business principles. Others may consider it from a political standpoint; but for my part it shall have no thought not suggested by what I conceive to be the best interests of the people. If we can, by the use of this surplus, pay \$70,000,000 of our interest-bearing debt, and thereby save the people from the payment of \$2,100,000 yearly interest, why, sir, ought not

this measure to pass?

I am sure, sir, that no one of us would advise a friend to hold on to his money when he could use it in paying an interest-bearing debt. In a mere matter of business our advice to the Government ought not to be different from that which we give to our friends. If we do not apply this surplus upon the public debt there is great danger, sir, that it ply this surplus upon the public debt there is great danger, sir, that it will be legislated out of the Treasury for purposes in which the people have little or no concern. As long as it remains unappropriated, it is a strong temptation for extravagance in public expenditures. Scheme after scheme has been devised to get this money out of the Treasury. Not a great while ago it was proposed, if not by the Republican party certainly by its late candidate for the Presidency, to divide the Treasury of the States.

certainly by its late candidate for the Presidency, to divide the Treasury Surplus between the States.

We all know that those who say, and possibly, believe, that the peace and perpetuity of our Government is in great peril because a few of our population are unable to read and write, have been after this surplus for years. They tell us that they want it to build school-houses, cstablish schools, and to educate for school-teachers the young men and women of the country. This scheme for getting rid of all surplus money now in the Treasury, and all which may be accumulated for years, it will be remembered, passed the Senate in the last Congress and also in \$30,000,000 may be stopped.

this; and it is among the possibilities that before the close of the present Congress it may pass the House.

It may be, sir, that before winter sets in, or the coming spring opens, that under the pretense of aiding commerce between a few States, the Government will be spending this money in digging canals and the construction of other water ways. These are some of the organized schemes for relieving the Treasury of the money now idle in its vaults. View this matter as we may, it is very doubtful whether or not the people will get any substantial benefit from this surplus unless it is applied, and that soon, upon the public debt.

But we are told that if this surplus is taken from the Treasury it will weaken the credit of the Government. The public will have less confidence in the ability of the Government to pay its debts, says the dis-

idence in the ability of the Government. The public will have less confidence in the ability of the Government to pay its debts, says the distinguished gentleman from New York [Mr. HEWITT], if this money gets out of the Treasury and into the pockets of the people.

Mr. Chairman, it can not be possible that the public credit would be offerted in the appropriate deeps have been described.

affected in the remotest degree by the absence or presence in the Treasury of \$70,000,000. Why, sir, if the Treasury should be burglarized and the entire surplus be stolen, without hope of recovery, the Government credit at home and abroad would be then, as it is now, high and without limit. The payment of \$70,000,000 of our interest-bearing debt will strengthen instead of weaken public confidence.

The opposition discuss this measure as if the Government had no

resources except those now in the Treasury, and no ability to get more should more be required. I would remind the other side that there is \$50,000,000,000 of value pledged for the payment of all that the Government owes. It is these values, and not the gold and silver in the Treasury, that keeps high the public credit.

Nine years and more ago we resumed specie payment. We then owed nearly \$1,000,000,000 more than we do now, and the Treasury had no more coin than it has now. Still we resumed, and ever since have met our obligations when presented. Fortunately, perhaps, that all demands were not presented the same day, or, possibly, the same week or month, and equally fortunate that the notes of the Govern-

ment were more desired than gold or silver.

I repeat, sir, it is credit more than it is cash that gives to the Government its stability and strength. Why, sir, unless we use this surplus there is nothing in the Treasury to pay our 3 per cent. bonds, amounting to \$194,190,500. These bonds are payable at the pleasure of the Government, and ought to be paid from time to time from what the Treasury accumulates over and above current wants. Undesirable as these securities are in moneyed circles they are worth a premium, although there is no fund in the Treasury for their redemption and the interest upon them may cease at any moment. These 3 per cent. bonds are held largely by the national banks. They own \$138,920,650. This amount they have on deposit in the Treasury to secure their circula-

It is said if we appropriate this surplus as contemplated by this resolution these bonds, or \$70,000,000 of them, will be paid and to this extent we contract the circulation of these institutions. This we are admonished would be a public calamity and would greatly disturb the business interests of the country.

business interests of the country.

National bank-note circulation was contracted \$8,284,047 in 1883; in 1884, \$24,170,476; and in 1885, \$15,545,461. This contraction has not affected perceptibly the business of the country; and it will go on without disturbing values or interests whether the surplus remains in or is legislated out of the Treasury.

It is, sir, but a question of time when national banks will cease to issue circulating notes. This measure if it becomes a law will, I believe, hasten the day, and for this reason among others I favor it.

We can give the people better paper money than national-bank notes—paper money with legal-tender value, which for all ordinary uses our people prefer to silver or gold.

The passage of this resolution will not disturb in the least the monctary interests of the country. They who say otherwise are false prophets. The same gentlemen who prophesy that trouble will come if the surplus is taken from the Treasury and put where it will get back into the hands of the people told us eighteen months ago that the further coinage of silver would precipitate a financial crisis upon the country. Since then \$39,474,258 have been coined, and the crisis has not yet appeared. yet appeared.

yet appeared.

This crisis they predicted again in February last unless this coinage was immediately stopped. Still, silver dollars are being coined at the rate of \$2,000,000 a month, and no crisis has come.

The resolution, it will be noticed, proposes to apply the surplus in sums of not less than \$10,000,000 per month. Under the most favorable circumstances seven months must clapse before all of the surplus is paid out. Within these seven months, if the receipts of the Government for the current year be as large as estimated, there will be a surplus therefrom of \$17,500,000. So that at the end of the seven months the Treasury will be weakened but \$52,500,000. Surely the absence of this sum can work no embarassment to the financial meritions of

The opponents of this measure fear, so they say, that if the surplus be reduced \$70,000,000, even at the rate of \$10,000,000 per month, there may be times when the Treasury may be unable to meet current demands. Its receipts are over \$1,000,000 a day. If these receipts, with other resources not set apart for a specific purpose, will not make a sufficient working balance, there can be no tenable objection to using temporarily, and until this balance is obtained, what the Government may hold for a different purpose, if it be necessary for the proper administration of public affairs.

We have in the Treasury \$100,000,000 set apart for the redemption of the legal-tenders issued by the Government. This fund has been in the Treasury for this purpose since 1879. The amount of legal-tenders redeemed from this fund in seven years is very small. There is reason to believe that this money will be idle in the Treasury for many years. Although in one sense it is held in trust, and therefore, in strict law, can not be used except as specified in the trust, yet its use by the Government in whole or in part, temporarily only, to meet an unexpected or unusual demand upon its Treasury would not be regarded as dishonest or dishonorable by the considerate judgment of the country.

Plainly, no one, except he be the holder of greenbacks, could of right complain. The question is wholly outside of the law governing individual or corporate trusts, and outside, too, of what may be rightfully externed a breach of the public faith.

esteemed a breach of the public faith.

The chairman of the Ways and Means Committee [Mr. Morrison] told us on yesterday that the \$59,000,000 to the credit of the Post-Office Department, and in the lands of disbursing officers, might be used if needed in the current transactions of the Treasury. Relying upon this unquestioned statement, why should we hesitate to do what

the pending resolution proposes?

Is it not evident, Mr. Chairman, that any fears that may be entertained that the passage of this resolution may leave the Treasury without a sufficient working balance are groundless? The situation of the Treasury in the absence of this surplus need give no one alarm. mistake, if this measure should so prove, may be readily corrected.
Under the act to provide for the resumption of specie payment, approved
January 14, 1875, still in force, the Secretary of the Treasury is authorized to issue and sell the bonds of the Government, if necessary, to meet any demands made upon the Treasury. Therefore, I repeat, that in taking this surplus out of the Treasury we run no risk of embarrassing it, or putting it to serious inconvenience or disadvantage.

Apparently, sir, all of the objections made to taking this surplus from the Treasury come from the same quarter and in the same interest. The public good demands that it be put to some use; but private gain

seems intent upon keeping it inactive and unemployed.

Capitalists say it is best to keep this money in the Treasury. who hate silver and despise greenbacks say the same thing. The Government bondholder and the national banker press this view upon the country. Those who speak for these interests tell us that if we take up the 3 per cent. bonds with the silver surplus we repudiate the contract between the Government and the holders of these securities. bonds are payable in coin. In other words they are payable in silver or gold. This is the law.

We violate no contract, nor do we break faith in using silver instead of gold in paying these bonds. All of these 3 per cent. securities, except \$17,150, are held in this country. The silver surplus is a full legal tender. Why, then, should our bondholding people have gold and

legal tender. Why, then, should our bondholding people have gold and our non-bondholding people be compelled to take silver?

This feature of this controversy was well stated by my honorable friend from Iowa [Mr. HENDERSON], when he said:

It has been said that this resolution countenances repudiation—that it means paying off these bonds in silver. Upon this point, if the bondholder is not content to take the coin I have to take and which my people have to take for what the Government may owe them or me, I will shed no tears over his distress.

We are told that if the silver surplus is used in the payment of these 3 per cent. bonds the holders of our securities abroad will consider the act as a breach of faith, and home will come all the bonds which they hold. This, it is said, will shake public confidence and impair public credit.

It will do nothing of the kind. He who thinks otherwise underestimates the wealth and financial strength of our country. Of the outstanding bonds of the Government, amounting to \$1,260,778,612, only \$76,755,000 are held abroad. The balance are in the hands of our own people, and they have the ability to hold twice as many more. Whenever our friends on the other side of the waters feel that their securities are weak, a word from them to this side will enable them at once to get rid of what they hold, and at a large advance upon their cost.

My honorable friend from New York [Mr. Hewitt] tells the committee that in his city alone there is more than \$75,000,000 of unemployed money wanting profitable investment. If the passage of this resolution will start homeward the Government bonds now held abroad it seems to me that if advocated by that gentleman with the zeal and ability for which he is so eminently distinguished, his constituency would shower upon him their thanks and remember with gratitude his This prediction, sir, will create no alarm, nor will it be veri-

One word more, Mr. Chairman, and I have done. Gentlemen on the other side of the House who oppose this measure remind us that the Democratic party is divided upon this question. So, too, is the Republican party. They forgot to state what they surely know to be true—that the division is less in our party than it is in theirs. This division in opinion, to my mind, is strong proof that the question is one of business and not of politics.

Opinions once fixed and long entertained are not easily changed. Honest convictions after all are the only safe guide. Long before I had the honor to occupy a seat in this body I thought that the Treasury surplus would be best used if applied in the reduction of our interestbearing debt. Since, nothing has occurred to change but much to con-

firm the opinion then formed.

The resolution shall have my vote because I believe it to be right, and because it expresses the views entertained by the people I represent.

Fitz-John Porter.

SPEECH

OF

HON. PRESTON B. PLUMB.

OF KANSAS.

IN THE SENATE OF THE UNITED STATES,

Friday, June 25, 1886,

On the bill (H. R. 67) for the relief of Fitz-John Porter.

Mr. PLUMB said:

Mr. PRESIDENT: The events which have been the subject of discuswith the events which the venty-four years ago. They occurred under circumstances which, while we may feebly recall, we can never wholly appreciate. I do not believe it is possible that any one, however intimately he may have been connected with those great events, can ever as fully appreciate them as they were appreciated at the time

when they occurred.

I do not believe that it is possible to retry at this late date with fairness any question which was tried during the war either by the Commander-in-Chief of the Army under the authority which he had under the statute to dismiss officers or by the properly appointed tribunal known under military law as courts-martial. There are circumstances and belongings and surroundings peculiar to a time of war which can never be fully appreciated in a time of peace. The question as to whether a given movement was fast enough, prompt enough, thorough enough, and in perfect accord with what was intended by it, is one of those things which can not be properly settled in a time of profound

A few years ago I dropped into the room in which was being held the Warren inquiry in New York city. It will be remembered that at the battle of Five Forks (I believe that is the name of it, one of the last battles of the war) General Sheridan relieved General Warren from the command of his corps while under fire. General Warren appealed a number of years later from that judgment. He asked for the institution of a court of inquiry to pass upon his conduct at that time and to say whether or not General Sheridan was warranted in thus having arbitrarily relieved him from his command in the presence of the enemy, He asked that the stigma upon his character involved in his removal by General Sheridan might be removed. I happened to drop in, as I said. to the room where the inquiry was being held, and I think I never had anything come as vividly to my mind then as the fact that the question presented by General Wright could never be retried.

An intimate friend of mine was a soldier under General Warren, and was present when the general was relieved, and he had stated to me his belief that it was a great act of injustice, and I was prepared to believe this statement; yet sitting in that room, with the buzzing flies and with the drowsy atmosphere, and with everything as far as possible removed from the circumstances which existed at the time and the place when General Warren was relieved, I realized how utterly impossible it was that any one should ever put himself sufficiently connection and in harmony with the situation as it was on the field to determine whether General Sheridan was right or whether he was wrong. Some question was involved as to whether General Warren was bringing up his forces fast enough. Four miles an hour is a pretty good gait, and yet at that time 10 miles an hour might have been a snail's pace in view of the emergency of the situation.

Can we ever in cold blood, after the lapse of twenty-four years, and when, except for the maimed men whom we see around us, the arm-

less sleeves, the wasted frames—there is practically nothing to remind us that there was a war, and we are busily concerned with the events of peace, all our thoughts and all our conduct being gauged by the requirements of a time of peace—can we ever go back into that time of war and fairly disturb the judgments then rendered?

Under the statutes of the United States in a time of war the commander-in-chief may remove without court-martial any officer under his command. It is a great power, one that was exercised in hundreds of cases in the Union Army, exercised many times in a manner I have no doubt we would say, looking at it through the spectacles of peace, wrongfully, unjustly, simply because we can not adequately realize the tremendous stake which was then being played for, and the great and overwhelming demand that it made upon the men who were assisting in playing for it.

If I had a suspicion even, if I had that which amounted to a belief, that Fitz-John Porter was wronged, I never would put myself in the attitude of attempting to reverse the decision then rendered, because if we can not lift the entire cover from that period, if we are not prepared to do justice to private and officer alike, we ought never to touch it. Let all the events of the war be buried in one great trench with

the dead.

Fitz-John Porter was a professional soldier. He knew better than any man who served under him the consequences of the disobedience of orders. He knew the summary nature of trials by courts-martial, and the power of the President to remove him for even the slightest dereliction of duty. Being a professional soldier, he took all these things into account intelligently when he undertook military service in the Union Army. He is not the man who should complain.

Rather let there be brought up here the spectre of some man enlisted from the cross-roads or the farms of the country, who, lying in camp, with no batttle at issue, getting a letter from his wife that all of the supplies had failed, that the inexorable creditor was about to turn her out of doors, or some other misfortune was about to overwhelm her, not cowardly but simply mistakenly threw down his musket and went home-rather take up that class of men, to whom was applied the inexorable rule of the military law, which said that death should follow desertion of that kind, than to take the professional soldier, educated at the expense of the Government, who knew to the smallest parting of a hair exactly what that military law was under which he was serving and against which he offended.

It is admitted here by the advocates of the bill for the purpose of the decision we are to render that Fitz-John Porter did not obey orders; but it is claimed that he had a right to disobey them; and it is claimed that now by reason of newly-discovered evidence he did wisely in dis-I venture to say that there is not a man on the Democratic side of the Chamber who served the confederacy under arms that will not say that such a soldier in the confederate army would have been dismissed in disgrace, if not shot, for failing to perform the obvious duty which Fitz-John Porter failed to perform on the 29th and 30th

days of August, 1862.

Suppose he had no orders—upon that point there is no question nowbut suppose he had no orders, he lay within the sound of a battle which he knew was going against the cause of the Union and in which he must have known the service of his corps was needed. He was as he must have known the service of his corps was needed. He was as cool and collected and free from anxiety as ever he was on parade; he did not concern himself about what was going on at the front; he did not even ride forward or send forward to inquire. Leaving out the question of orders, suppose General Pope did not know he was there. He knew he was there and he knew what his duty was, being there with the best corps of the Army, the largest in the number of men, the best equipped, and the freest from fatigue. When General Sherman cut himself from his base of supplies at Chattanooga for the purposes of his Atlanta campaign, he congratulated himself that he had an army that could not be stampeded and that wherever and under whatever circumstances it might be found, a regiment, a brigade, a division, or a corps in a place separated from him, he knew they were going on fighting the fight they were appointed to do as well as though they were in communication with him, receiving his commands; and that is just exactly what they did over and over again, because in the long line which he commanded, spread out for miles and miles some days, it inevitably happened that if a fight was to be fought at all it was to be fought without specific orders. That army of men that conquered Atlanta and afterward marched to the sea never failed, as Fitz-John Porter failed, to find the fighting by the fire and to do their full duty in order that there might be victory.

Some years ago I introduced a bill for the relief of Richard H. White,

late lieutenant-colonel of the Third Regiment Wisconsin Cavalry Volunteers, who had been dismissed from the service because he did not obey an order, not an order to fight a battle, but an order to report himself at a certain place, he being ill. There was no fighting going on in that part of the horizon; he was not needed anywhere for duty of that kind; but he disobeyed an order, was court-martialed and dismissed, Upon a statement made by a friend of his in regard to the circumstances of the case, I deemed it worthy of investigation and introduced a bill granting an honorable discharge to Colonel White, which caused an investigation by the Military Committee of the Senate. It came out of that committee accompanied by a report dated on the 15th day of February, 1884, a report made by the Senator from Missouri [Mr. Cock-RELL], in which occur these two paragraphs:

It thus clearly appears that Colonel White was absent without leave, and was reported and summoned to appear before a military commission to answer the

charge, and made his defense by letter to the commission, and upon such defense rested the decision of his case; and that there was no undue haste in the proceedings, no refusal of time to make defense, and there is now no allegation of prejudice or improper conduct on the part of the commission. The commission rendered their decision; the Secretary of War, in pursuance thereof, dismissed Colonel White, and now, after the lapse of twenty years, Congress is called upon to enact a law removing the charge of absence without proper authority, which the records show to be true, and to revoke the order of dismissal and grant an honorable discharge.

It was in time of war; a terrible struggle, when punctual obedience to all orders and regulations and requirements of the service and strictest discipline were essential. Proceedings in such times are often a matter of necessity which in times of peace would be considered harsh, extreme, and unjust.

And so the committee considered harsh, extreme, and unjust.

And so the committee concluded that Richard White having disobeyed an order to report himself somewhere could not claim leniency at this late date and must remain forever under every dishonor which the sentence of the court-martial imposed. That report was made by a man who served the confederacy as a brigadier-general. He makes no parade of that service; but I have heard him tell about the closing fight at Franklin, how being ordered to make a charge which he and every man under him knew was absolutely futile, which he knew could only bring death to his men and disaster to the army, he yet threw himself against General Schofield's line, fighting as he said by the light of the flashes that came from the guns of the Union Army, only to go down, himself wounded, his division decimated, and that disaster which every man in the line foresaw and knew was inevitable overwhelming them. If you ask him to-day what the consequences would have been if he had refused to obey that order thus attended with inevitable disaster or if he had failed to obey, he would tell you that the confederate army was not big enough to have held him for a moment of time thereafter.

And so when the Senator from Missouri [Mr. COCKRELL] put in his report that brief but comprehensive statement of the requirements of a time of war upon those who had enlisted in an army, he simply stated that which he had verified by his own experience and emphasized by

his own blood.

The court-martial which tried General Porter was composed of Major-General Hunter, Major-General Hitchcock, Brigadier-General King, Brigadier-General Prentiss, Brigadier-General Ricketts, Brigadier-General Casey, Brigadier-General Garfield, Brigadier-General Buford, Brigadier-General Slough, every member of which, with two exceptions, has since died. We are sitting in judgment to-day upon the dead. That court-martial was composed of men any one of whom was the peer of Fitz-John Porter even as described here by his best friend; and is there any impeachment of the soldierly character of a single one of them? Has it been left to any one in behalf of Fitz-John Porter to say that that was a prejudiced court?

I will state a little circumstance related to me about General Hunter and his connection with the court, a few days ago by a prominent Army officer. General Hunter's family lived in Washington at the time this court was convened. He came here under orders for some time this court was convened. He came here under orders for some military purpose, and noticed in a morning paper that he had been made a member of this court. He left his house immediately togoto see the Secretary of War to ask to be relieved. He had not been fairly out of his house until General Porter came there in hot haste to ask him as his friend to remain on the court. Learning where Hunter had gone, Porter pursued him quickly, overtook him before he reached Mr. Stanton, and persuaded him to remain a member of the court as his per-

sonal and Army friend.

It is understood and it has become part of the common knowledge of all who had to do with the investigation of this matter that the court rendered a unanimous judgment, and it is also understood that it came within one vote of decreeing death to General Porter for the offense of which he was found guilty. Well, Mr. President, the Senator from New Jersey [Mr. Sewell] asks me who says it. Does he deny it? He has as much opportunity as I have for affirming it. Neither of us can in the nature of things have testimony on that point because the members of the court were of course sworn to secrecy; but, as I have said, it has gone into the common knowledge of men; it is part of that which gets into the atmosphere concerning such a Naturally of course the members of the court more or less talked about it among themselves. I have no doubt of the essential correctness of what I have stated.

We'are asked after twenty-four years have chased each other into the abyss of time to reverse the action of this court-martial thus composed, upon what ground? Upon the ground of newly discovered testimony, and not only that but testimony which Mr. Porter knew nothing at all about or supposed at the time was in existence; in other words, upon the testimony of General Longstreet, and other confederate officers, something that is new and which General Porter could

not have known unless he had been on the other side.

It is a new thing, if I may say so in the presence of those who are better qualified to speak about military matters than I am, that an officer is not to attack in obedience to orders for any reason whatever. Does any person who has given the most cursory examination to military matters, and especially to the position of troops, not know that General Porter could have attacked even if his force were less than one-half the force opposing him, to some effect at least; and that if he had attacked the enemy, as far as we can apply human judgment to a state of facts so far removed, he would have prevented that reinforcement by General

Longstreet of another portion of the confederate line which took place

and which resulted in a great disaster to the Union cause.

Mr. President, after all these men have gone into their graves, after Abraham Lincoln and Edwin M. Stanton, who knew more about this case than anybody else, who knew more showing that the conduct of Fitz-John Porter was disloyal and unsoldierly than others-after all these men have disappeared and nearly a generation of time has passed-we propose to do that which would never be done in any private cause, and we propose to do that which is a direct reflection upon the great and the honored dead. The vindication of Fitz-John Porter, so called, is a stab at the memory of Abraham Lincoln, who summoned the court and who approved its findings and sentence. There was no ill-feeling or malice in his action. No kinder or more just man ever lived than Abraham. Lincoln.

Mr. VOORHEES. Will the Senator from Kansas allow me to ask him whether then General Grant stabbed Abraham Lincoln? No man has said so much as General Grant has said in vindication of Fitz-John Porter; and if we are to be arraigned for stabbing Abraham Lincoln,

what are you to do with Grant?

Mr. PLUMB. This new-found love for General Grant is as marvelous as the conversion of Paul.

Mr. VOORHEES. I am professing no new-found love for Grant; but has the Senator lost his, if he ever had any?

Mr. PLUMB. I will get to that in a moment. It will not do for the Senator and men like him, who are going to vindicate Fitz-John Porter, to set up General Grant as their leader.

Mr. VOORHEES. I do not know why.

Mr. PLUMB. They abused him; they hounded him; they held him

up as the pattern of everything base; and it will not do for them now to shake his honored name at us.

Mr. VOORHEES. The question is not what we do, but what you

do with Grant and his testimony.

Mr. PLUMB. We will take care of that when the time comes. We have nothing to reproach ourselves with in regard to Grant. President, General Grant took the side of Fitz-John Porter at the last, and a gentleman here on my right [Senator SEWELL], whom I respect so far as manly qualities are concerned as much as I respected General Grant, takes the side of General Porter in debate and vote in this Chamber. I heard read here in the presence of the Senate the other day the request of some posts of the Grand Army of the Republic that Fitz-John Porter might be vindicated by the passage of this bill. Yes, Mr. President, there is a slight division among Northern soldiers and Northern people on this question. It is the division which occurs in the Mississippi River, the eddy going one way and the great full-handed stream going the other.

Does any man doubt that the great body of the men who fought at the second Bull Run believe that Fitz-John Porter's failure on that day to perform his duty was the cause of the disaster which came to our No man doubts that. Does any man doubt that the great majority of the men who followed the flag of the Union with their prayers

and their tears and their hopes, as well as those who followed it with their bodies, believe the same way?

It is not a new thing for the North to divide. The Senator compels me to anticipate what I was going to say later. Will the South divide upon this question? Is there nothing significant in the fact that in the other House as in this every single man who served the confederacy in war and peace, with determined zeal and without exception, votes to put Fitz-John Porter among the roll of heroes of the Union Army, and along with it and as a supplementand not in a minor strain either is an apotheosis to Jefferson Davis and a denunciation of Edwin M. Stanton. Is all this to vindicate Fritz-John Porter as a loyal, effective Union soldier? Or is there behind it all somewhere, unconscious to the minds of these honorable men, no doubt, a fellow-feeling for the man who helped them in the hour of battle? Is it necessary for this purpose that the martyred President should be brought into contempt and that the great war secretary should be defamed? This is what is being done. As Fitz-John Porter is praised they are blamed. The

two processes go together and are inevitably joined.

Mr. President, this bill may pass. It may receive a constitutional majority in both Houses of Congress and may be signed by the President, but the spectacle of the vote that will be given will not be lost to the country, and the country will not believe either now or hereafter that the motive for the votes that give this majority was simply the

vindication of a wronged man.

I beg to say to Senators on that side we have not attempted to put up or to put down the men who fought the battles of the confederacy You rate your heroes as you please; you put up Lee and Jackson and Hill and Longstreet and Hood, and we do not interfere with you in that. You write the history from your standpoint so far as it relates to individuals and the merits of different movements of armies and of the actions of legislative bodies and so on as you please. Let us do the same. We know where these men belong who fought on our side. We ask no help to fix their status or their merits.

And yet, Mr. President, in a manner which I will not further char-

acterize, the men who won the fight that Pope lost because Fitz-John upon, that while the men who served in the Union Army and the

Porter dallied and was insubordinate and unfaithful are now seeking to put Porter among the Union heroes and cast reflections upon Pope and men like him upon whose military escutcheon there is no blot. Senator from Missouri [Mr. VEST] some years ago in a debate in this body said, with that eloquence for which he is noted, that it was for the victors to write the history of the struggle in which the victory was won, and therefore the North had a right to write the history of the war of the rebellion. One of the offices of history is to give proper place and character to the actors in it, and it is for the North and not for the South to fix Fitz-John Porter's place in the history of the war of the rebellion. If I mistake not, whatever the motive may be, the reinstatement into the Union Army of Fitz-John Porter is the beginning of an attempt to rewrite the history of that great drama from the Southern standpoint, to put that which was practically disloyal and which at all events was unfaithful above that which was loyal and above that which was faithful. The indication can not be mistaken. One confederate soldier who sits on this side of the Chamber, detained from here now by illness, when this bill was before the Senate on another occasion said in a speech which became him and his manhood that in view of the fact that he had served on the confederate side he felt restrained from casting his vote on the passage of the bill, feeling that he had no right to sit in judgment in a case involving the relative merit of Union sol-

This is a question which concerns the Union Army, the doings of that Army, the consequences of that which grew out of their doings. It is our quarrel; it is something which I think the other side ought to refrain from entering upon or expressing an opinion about. But, after all, neither here nor elsewhere where the subject has been under consideration has there been cast anything but an affirmative ex-con-

federate vote.

Mr. BUTLER rose

The PRESIDENT protempore. Does the Senator from Kansas yield to the Senator from South Carolina?

Mr. PLUMB. Yes, sir.
Mr. BUTLER. I have sat here during the whole discussion of the Fitz-John Porter case, and I have not opened my mouth for or against it. I do not know of any man from the South who has opened his mouth; but I do submit that there is a point beyond which forbearance ceases to be a virtue, and that point has about arrived as far as I am concerned.

It has been intimated by innuendo, almost by direction, that we are casting our votes to restore Fitz-John Porter to the Army because he was disloyal to the Union. I not only protest against that, Mr. President, but, for one, I denounce it as absolutely and entirely and unqualifiedly untrue; and if we were in another forum I would denounce it Because we are here in the exercise of our constitutional as cowardice. rights as Senators upon this floor casting our votes as our consciences dictate, to be aspersed in this way is something beyond my comprehension among men and gentlemen.

I have not opened my mouth for Fitz-John Porter. man from the South or in the confederate army who has. We have taken the ground that it is not our fight or our quarrel. But are we supposed to sit here like dumb brutes when called on to exercise a constitutional duty to vote? And because we vote as our conscience dictates, without regard to his loyalty or his disloyalty, following in the track of Republicans who brought this question here, we are to be aspersed and our integrity impugued? I repeat, sir, that if that aspersion were put upon me in another forum I would denounce it as false and cowardly.

I care nothing about Fitz-John Porter; I know him very slightly; you may restore him or you may continue him in disgrace as you please; but I have heard for the last time, without protest at least, these constant aspersions upon the men from the South, who are here simply do-

ing their duty as they understand that duty to be.

I am the last man in the world, I can inform the Senator from Kansas, who would sustain a traitor to the Union cause. I am the last man upon this floor who would have respect for a man who I thought deserted his colors. But from the evidence which I have had, and which I have looked at I think judicially, I do not believe that Fitz-John Porter was a traitor, I do not believe he did desert his colors. Believing in that way, I shall vote for this bill.

Mr. PLUMB. Mr. President, I knew all that before the Senator got

Mr. BUTLER. Then I hope the Senator will stop throwing out insinuations

Mr. PLUMB. I knew there was a forerordained vote, and as the Senator has not restrained himself from some lively declarations of speech on this subject, I hope he will not restrain himself elsewhere.

Mr. BUTLER. I can say this to the Senator, that if he were to indulge in just such expressions as he has elsewhere he would be very

likely to hear from me.

Mr. PLUMB. Ah, Mr. President, we hear a great many things in these days; there are signs, and portents, and wonders, and all that sort of thing. It is just what the Senator has said that I was commenting

Northern people divide to some extent upon this question affecting the honor, the good name, the faithfulness, the loyalty of one of their own soldiers, no confederate soldier has any doubt upon the subject whatever, but all of them votes nem. con. that Porter was not guilty.

I do not know that I could make the statement stronger. The Sena-tor from South Carolina has done so, however. He has made it stronger than I could make it. It was the fact, as I said, that without speech, with a resolution that betokened a fixed, irrevocable conviction he and those who like him served in the confederate army march in solid phalanx to vote for Fitz-John Porter.

I leave the question as to what is the motive so far as I am to characterize it with them, but I had a right to say what I did say, and I will repeat it. While neither a prophet nor the son of a prophet, I will still venture to say what will be evidenced from day to day from now henceforth, that the Northern people will not believe that the men on that side of the Chamber vote to restore Fitz-John Porter to the Army solely for the purpose of vindicating him. That public opinion which rules the country, putting up and putting down, will not fail to penetrate all disguises and to place proper construction upon the action of those who exhibit this extraordinary zeal to vindicate an unworthy Union soldier.

A Senator sends me a memorandum to say, what illustrates to some extent the setting of the tide, that the President of the United States has just vetoed a bill giving Mrs. General David Hunter a pension of \$50 a month. I will not make any connection between that fact and the fact that General Hunter presided over the court-martial that tried Fitz-John Porter, and that he too is dead and in his grave. If Abrariz-John Porter, and that he too is dead and in his grave. If Abraham Lincoln can be stabbed, if Edwin M. Stanton can be defamed by those whom he condemned because they were disloyal, and if we can live to see that in this year of grace I do not wonder that along with it comes the veto of a bill giving a pension of \$50 a month to the widow of the major-general who was the chairman, the presiding officer of the court-martial which convicted Fitz-John Porter, and upon whose soldied a record there is no stair.

dierly record there is no stain.

Mr. HAWLEY. Not because the pension was made \$50 a month.

Mr. PLUMB. Not because it was \$50 a month, for the same President signed a score or more of bills giving \$50 a month to the widows dent signed a score or more of bills giving \$50 a month to the widows of naval and army officers at this session of Congress. A gentleman who sat in the seat in front of me for many years famed for his ability and eloquence would speak of this veto as a "decoration" of Mrs. Hunter. Mrs. Hunter has indeed been "decorated" by the veto of this bill giving her \$50 a month. The loyal people of this country will see to it abundantly that Mrs. Hunter does not come to want for the lack of a pittance of \$50 a month if the Congress of the United States should fail to do its duty and pass that bill over the President's veto.

I believe that Fitz-John Porter was unfaithful to the Union cause. I believe that he practically conspired that the Union cause should lose that battle. I believe the letters he wrote to General Burnside and to General McClellan would have furnished ample warrant for the President to have exercised the great power and prerogative conferred upon him by the statutes of dismissing officers whose services he believed were no longer useful to the cause of the Union, and whose example was pernicious. Among persons who speak about each other with that general glibness and freedom of comment which characterize the newspapers and men in private speech, there might be said in a time of peace what General Porter said about General Pope, and generally what he said of a discouraging character in regard to the fight of which he was not but ought to have been a part; but there are times when a nation being in peril, disrespect for a superior officer, the expression of it, however slight, is treason in point of fact. Every man, every gun, every agency of the Union Army was in demand. The Union, republican government, human liberty, hung suspended in the balance. a tremendous time like that, with these great issues at stake, with every loyal man with his blood on fire and his nerves at the highest tension, here was a soldier educated by the Republic, in command of the best corps in the Army, for whom the best that can be said is that he did not march to the sound of the fighting; that he lay idly by while disaster overtook the Union Army. But he received the order to march and in contempt of his superior officer requested that some wagons which he had control of should be taken out of the way, and with this sneering request on his lips remained in camp and failed to move. That was either a record of unfaithfulness or of criminal inefficiency

For the restoration of such a man I can not vote, and I believe the restoration of Fitz-John Porter to the Army will prove to be one of the most significant things that have occurred since the war and one which will come to divide the sentiment of this country in regard to the causes, the consequences, the rightfulness of that great struggle. If Fitz-John Porter is to be vindicated at the hands of the men whom he refused to fight, if he is to have the judgment of the confederacy in his

behalf, let him take it. Is there any other Union soldier who desires such a vindication? He has not been heard from to date.

Mr. President, this is the aspect this case presents to me. It is fairly and squarely presented here between faithfulness and unfaithfulness, and, as I said before, it is an issue that side of the Chamber have no sight to force. It is one charge in regard to a great and right to force. It is our fight, in our charge, in regard to a great and momentous part of the struggle for the Union

The Surplus in the Treasury.

SPEECH

HON, ARCHIBALD J. WEAVER.

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886,

On the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt, as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums not less than ten millions per month, during the existence of any such surplus or excess, to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government."

Mr. WEAVER, of Nebraska, said: Mr. Chairman: I offer the following amendment:

Provided, That the first payment under this resolution shall be for an amount at will reduce the surplus to \$100,000,000.

If the penalty for making false statements on political subjects of great importance wherein nothing but the truth should be stated, were banishment to that location which is spelled by affixing two ll's to the pronoun "he," the orators of both wings of the Democratic party would, in Democratic executive language, be in a condition of innocuous desuctude in the temperate zone of North America, and the firstnamed locality would have the benefit not only of a Democratic Executive, but would have a large majority in each branch of the legislative department of the Government; and while there would be a few members from the authracite and iron districts clamoring for protection yet in that country, under Democratic rule, you would always find a clear working quorum for free trade, free rum, and State sovereignty.

The Democratic party is just now in power by a systematic continuation of hypocrisy, duplicity, and falsifying that, for a moment, seized upon the credulity of the masses, who, as might have been expected, find that their votes were obtained under false pretenses. What did the Democratic orators say to the voters of this country as an inducement to get their support and suffrages? You said there was from three to five hundred millions of dollars in the Treasury that should be applied on the interest-bearing debt of the United States. That is what you all said from one end of the country to the other—you men who have been in public life for a long time and knew all about public affairs said that. The second man on the Democratic Presidential ticket proclaimed it most loudly of all, and you can not now deny it, because there are too many to bear witness to your statement; and now, having come into possession of the Treasury with all of this alleged amount of available surplus-because there is no complaint that you did not get the last cent that was shown to be in the Treasury by the statement from the Treasury Department on which you made the campaign-I say what is your record since you came into possession of that money?

On the 4th of March, 1885, you came into possession of this over-loaded Treasury, and one would have supposed from your professions and your talk of what would be done that the month of March would not have passed before all the \$194,000,000 (option bonds) would have been called and paid; but not so, nor was one cent paid on the interestbeen called and paid; but not so, nor was one cent paid on the interest-bearing obligation of the Government. April passed, and May passed, and June passed, and July passed, and August passed, and September passed, and October passed, and November passed, and Docember passed, and January passed, and at this time there has accumulated \$75,000,-000 more of money in the Treasury and yet not one dollar of the in-terest-bearing obligation of the Government had been paid, and to prove this allegation I here call attention to that part of the monthly statements from the Treasury Department which show that for all this time the interest-bearing debt of the Government was always the same, namely, \$1,260,778,162.

Neither was a dollar ever paid on the interest-bearing debt of the Government under Democratic rule until a resolution was introduced

in Congress to require such payment.

This is a true record of the Democratic party since it came into power on the payment of the debt or rather failing to pay the debt; but that is not the only thing this great party has failed to do. The Executive made a great effort to paralyze the industries of the country by an attempt to retire the \$346,000,000 of greenback currency and failed in all save the effort.

The head of the same great party conceived the brilliant thought of discontinuing the coinage of the silver dollar, but as a veto has no force on a law passed under Republican administration he could not make

it work and the coinage goes on. Another brilliant scheme of the Democratic party is to cut down the revenues of the Government while we have an interest-bearing debt of more than \$1,200,000,000 and while the estimated revenue of the Government-estimated by Democratic officials-is less than the estimated

Now, sir, when we consider that under the rule of the Republican party the interest-bearing debt of the nation was being paid at the rate of \$150,000,000 a year, what shall be said of a party that got the control of the Government under the pretension that this debt was not being paid fast enough and then failed month after month to pay a single cent?

I layor the resolution under consideration requiring the application of the available money in the Treasury in excess of \$100,000,000 on the

interest-bearing debt of the United States.

While there is power under the law as it now stands for the Secretary of the Treasury to do this without being directed so to do, yet from the record made by this Democratic administration we are fully advised there is no disposition to do this, but rather to continue to allow the money of the country to accumulate in the Treasury when it should be in circulation to revive the drooping industries of the country

It is stated by the leading Democrats on this floor, and especially by the chairman of the Committee on Ways and Means [Mr. MORRISON], that not more than \$70,000,000 will be paid out under this resolution, and computing the interest at 3 per cent.—because this is the rate drawn by option bonds, which are the only ones subject to call-it will radily be seen that to pay out \$70,000,000 at \$10,000,000 per month would require seven months, and computing the interest on the \$70-, 000,000 for one-half of the seven months, the average time for which the \$70,000,000 would continue to draw interest under the resolution, \$612,500 is the amount that would be paid out as interest, which amount would be saved if my amendment be concurred in to pay out the surplus at once.

Judging from the financial ability thus far displayed by the Demo-cratic party it is quite certain that this amendment will be rejected.

The amendment was disagreed to.

"Where there is no Mail there is no Trade."

SPEECH

HON. WILLIAM D. OWEN.

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, May 19, 1886,

On the amendments of the Senate to the bill (H. R. 5887) making appropriations for the service of the Post-Office Department.

Mr. OWEN said:

Mr. Chairman: This Congress is able to enact legislation that will help the country. No Congress for twenty years has had such an opportunity. There is want in many homes where want was never known before, and we have been promised that relief shall be had, so far as it can be brought by the action of this House. The panic of 1873 threw business out of gear, and since that date the products of the field and mill nave not had a profitable sale nor wage-workers profitable wages. If a man has anything to sell from a day's work to a farm he finds

buvers scarce. There is money in the land but it is hard to get. Money is the most sensitive thing on earth. On the slightest alarm it hides. The man that has money will not let you have it unless he absolutely needs what you have, because what you have is sinking in value, but his money does not shrink, and next year he can buy your article cheaper than now. When things get to going this way hard times get harder and the poor get poorer, and as the purchasing power of money increases the rich get richer. These are our times and they are evil The discontent in our country has been growing for years. Its voice has grown so loud it has even been heard in these Halls. There is trouble in the country when the laborers' cry gets so loud it can be heard in Congress.

More men are idle to-day than ever before in this land, and the idle have no hope for an early relief. We have been told that prices of things we buy are low, lower it is claimed than the average of 1860, but what is the benefit of low prices to the man who has no money to buy with? The laborer must be employed before he becomes a purchaser; to talk to him about the low prices of goods is to apply a salve that becomes an irritation. The continued unsatisfactory condition of his employment has caused the laborer to enter into a confederation to protect his own interests. He has endured all sorts of changes in the past, but never before has he organized for protection. This uprising against the present condition of things is one of the greatest revolutionary movements in history. It is twenty millions of people driven into an organized body by want, and requesting that the wheels of business start again, and giving notice that when the start is made they are to be partners in the

It was Wendell Phillips who said:

Toil has a brawny hand but a warm heart. It bears all things, believes all

things, and hopes all things. If the time ever comes when this great force shall refuse to be led any longer, and shall organize, it will likely lose sight of its own interests in hatred of its ancient enemy, and this country will find that the "blind giant" has seized the pillars of the temple, and capital and laber, and great and small, will be ruined together.

This undisciplined force has achieved an organization that astounds

Mute sentinels of the divine mandate that "man shall eat his bread in the sweat of his face," they gaze upon a vast scene of enforced idleness; upon mills shut down; factories stopped; spindles that are silent; wheels that hum no more; upon furnaces closed; mines without miners; molds without castings; blasts without flames; chimneys without belching smoke; upon women and children shamed by their need; upon men whose earnings are a pittance, and ask from whence can relief come? This is the great question before this House. Relief can only be found on this floor. Various wise and prudent measures have been introduced here which if enacted into laws would lift this blockade and open our doors to public confidence and a return of prosperity. What do you propose to do about it? Timidity and indecision have no rights you are bound to respect at this time. Do not in your doubts lay this matter over until after the election this fall. It will be a dangerous undertaking. This is a case where the man who doubts will be damned.

With the factories running on half time the tariff question should have been decided during the first sixty days of this session instead of holding it until the close, and then doubtless bring in a bill no true tariff reformer can support. The factories are not making goods except on order. They no longer manufacture and store for future sales, because the tariff may be reduced and bring them to bankruptcy. The great industrial interests are paralyzed into inactivity through fear of injurious legislation; and capital, menaced by the uncertainty of what injurious legislation; and capital, menaced by the uncertainty of what you will do, will not venture into new fields. Whatever is going to be done in the matter should be done promptly. If the tariff is to be reduced under a free-trade tendency, it had better be done now. Let the factories then close out, and business, knowing what it can depend on, will adjust itself to new surroundings; but you stand here week after week threatening what will be done, yet doing nothing. Some action ought to be taken to relieve this unfriendly attitude to labor and capital, or it should cease.

ORGANIZED LABOR NOT A MENACE.

Wendell Phillips could to-day see an organized force which, contrary to his prophecy, refuses to go blind and bring ruin to the country. With Powderly at the head this Samson is not blind.

With my belief in the destiny of this country and my trust in divinity I think that whenever a national crisis presents itself there will arise a man equal to the hour. Never has a man been better fitted for a struggle than this man for this great labor struggle. For eight months he has held back a storm which had it started would probably have thrown us into the terrors of the French commune. But he had the courage to withstand rash men, the generalship to organize a million men, the prudence to overlook many mistakes, controlling a revolution against the existing order of things, and supposed to be contrary to the interests of invested capital, he has guided its vast and involved movements with a wisdom so astute and a judgment so well balanced that he has won the confidence of the public and has been received with esteem into the councils of that element against whom he had organized for redress of grievances.

Mr. Speaker, the problem for us in this House is to do our duty as circumspectly and successfully. It is our duty to inaugurate a system of legislation that will result in making farming again profitable; that will again permit the workingman to receive wages that are living wages; that will move the now silent mill; that will call idle men to work; that will make every mechanic feel that he is pushed again; that will cover the ocean with our ships and with our flag as in the days gone by; that will give plenty to the people and prosperity to the

Oursisa government of the people and for the people. This Congress, the first after a new administration, has an auspicious opportunity to relieve this great depression and bring blessings to the people.

EXTRAVAGANCE.

We have been in session six months, and what have we done? We must adjourn now within a few days. We will go into history as having done less than any Congress before us. With the exception of the widow's pension bill no measure has passed entitled to the dignity of national importance. But idleness is not the greatest crime here. This This Congress is extravagant. My distinguished colleague [Mr. HOLMAN], the great Democratic economist, in a recent interview said:

We promised to decrease expenses and we have increased them; we promised to practice retrenehment and we have not done so; we promised to economize and we have not done so; we promised to introduce reforms, but where have we done so? We have not kept our pledges, and unless we change speedlily our party will be defeated at the polis this fail. We have increased the amount of the appropriations \$23,000,000, and this does not include the extra appropriation for pensions nor the \$6,000,000 deficiency bill voted last week.

This is what the best authority in this House says regarding our legislation. I think it is admitted the increase this year over the expenses of last year will be \$40,000,000. Forty million dollars is a large amount of money. The time was when the entire expense of the Government was less than \$40,000,000.

It might be supposed as a member of another party I would rejoice

at the record made by this Congress. It is a political victory that they have not kept faith with the public, but the condition of our country is too grave at this time for any man who has to deal with these problems to be a politician. When the interests of our common Government are at stake, then on this floor, under his oath, every member should forget his party and be a patriot.

There are interests here legitimate and beneficial of various matters aggregating the expenditure of millions of dollars which need not be passed this session. On these matters many members have set their hearts strongly. I am greatly interested in the erection of a public building at my city, but let this and all of these expenditures which are

not absolutely essential go over until next session.

Let us address ourselves to legislation that is productive. All methods of bringing money into the Treasury require some outlay at first. The farmer has this experience; so has the mechanic and the manufacturer. They plant, they water, they till, and then comes the harvest. I be lieve we can practice this same reproductive policy. Other nations have done it and made themselves great and rich. We can do it, and stir the stagnant blood of our depressed trades with a new life. It will bring the idle into employment and money into circulation. The country will not look upon appropriations thus made as pledges broken, but will receive it as the earnest of promises kept.

OUR FINANCES UNSATISFACTORY.

The bill before us has in it more ways of helping the country than anything that has been here for many a day. In seeking a relief from this industrial depression it is but fair for me to say the demonetization of silver in 1873 has been one of the great procuring causes of these times. While it was not strictly a party measure, it was a mistaken policy on the part of those engaged in it. Although the harn was intended to be atoned for by remonetization in 1878, it was but lamely done, for it decreed that no more than \$4,000,000 could be coined per month. To make the coining of gold free and limit that of silver was to disparage silver.

In addition to this the administration violated the law of remonetization by refusing to pay the nation's obligations in anything but gold coin. The result was that gold was hoarded by the few who had it, and under the nation's ban silver depreciated in value. Grenfell, the distinguished ex-president of the Bank of England, lays all our troubles to this disparagement of silver. Arendt, the great economist, says it "is the crime against silver, the people's money, which has brought this unspeakable commercial misery, which has now lasted ten years, and is becoming yearly more and more acute."

With the election of Mr. Cleveland it was thought we had come to

the dawn of better times, and weall remember how the telegraph wires prophesied a speedy resumption of business.

Every paper in the land spoke confidently of the revival of business. and thousands of depressed lines of trade looked forward to the day of

his inauguration as the beginning of a revival of industry.

If the advent of Mr. Cleveland to the Presidency was to reclaim business prosperity, restore our shattered finances, make the ships hives of busy workmen, bring good prices for labor and products, give plenty to homes and smiles to children, he was entitled to be received with

open arms.

In February before the inauguration it was surmised that Daniel Manning was to be made Secretary of the Treasury, and as he was known to be an ally of Wall street a letter was addressed to Mr. Cleveland asking him not to express any financial views in his inaugural address, but to first acquaint himself with the wants of the people. No answer was requested. None was expected. But Mr. Cleveland at once made a public reply asserting his position in advance. This was a remarkable thing to do. He announced himself against the further coinage of silver, and revealed a strong sympathy with the gold That Manning and Wall street were to have a champion in the new President was a surprise, and created the profoundest regret. Republican presidents had been regarded as allies of the money monarchs, but that a Democratic President should be one also created comment and grave apprehension lest the policy of his administration would be in harmony with this element, who however estimable as citizens do not in these problems of government have interests in common with the producing classes.

Within two weeks after the publication of that letter the papers ceased their prophecy of better times. The trusting confidence of business had received a wound from an unexpected source; the fires that were preparing in the mills were not lighted; trade suddenly retreated to its old paths, and all things continued as they had for years.

I venture the assertion that if Thomas A. Hendricks had been the

Chief Executive he would not have carried out the policy of Wall street.

All financiers agree that under a contracting currency prices fall. Goschen says that the amount of gold produced yearly in the world at this time is only \$90,000,000. He says the arts have \$60,000,000 of this, the East takes \$20,000,000, that the wear and tear is \$5,000,000, and there remains just \$5,000,000 for the monetary requirements of the world. Suppose we got every dollar of this. As our population is increasing at the rate of 1,000,000 per year, that would give \$5 to each person when they need \$35, but we receive only the merest fraction of this \$5,000,000. Now, to this shrinkage in consequence of increasing

population add the fact that our national bank circulation is being reduced at the rate of \$15,000,000 per year, and we have an enormous contraction of currency—a sufficient contraction to choke the life out of business in a very few years.

Only through the continued issuance of money can we hope for a monetary relief, and yet the President, unmindful of these facts, and of the fate of England in 1832, demands that we shall stop the further coinage of silver. To follow the administration here is to be led into panic and disaster.

Money never invests in industrial enterprises except for the hope of The peculiar effect of a contraction in the volume of circulation is to give profit to the holders of uninvested money. In a year or two's time its purchasing power has increased so much by reason of the fall in prices that hoarding pays better than investing. Money is simply worth its purchasing power. With a shrinking volume of currency the capitalist whose millions lie idle in his vaults is growing in wealth more rapidly than if he was running mills or building railroads or steamboats. Thus do falling prices rob labor of employment, and precipitate an unequal conflict between capital and labor, for all the time capital is increasing in value, while labor each day gets less and less for

For example, a farmer who owes \$300 pays it with 300 bushels of wheat at a dollar a bushel. If, however, he has a running mortgage, and when it falls due wheat is 75 cents per bushel, it takes 400 bushels of wheat to pay his debt. It is this that is bankrupting our farmers. A laborer who contracted a debt in 1880 of \$100, and has not been able to pay it, and undertakes to do so this summer, finds that instead of eighty days' work paying the bill it will take one hundred.

Thus we have idle money, idle capital, idle labor, idle machinery, standing and facing each other.

Mr. Manning was Secretary of the Treasury twelve months before he made a payment on the public debt, and then not until two resolutions demanding that he should do so had been introduced into Con-We lost six months of interest in consequence. In the last fifteen months \$21,000,000 of national-bank notes have been retired from circulation, and millions of one and two dollar bills have been called into the Treasury. There was \$8,000,000 surplus when Secretary Manning came into the Treasury; now he admits he has locked up \$65,000,000 in addition. The average of prices has fallen 9 per cent, within these fifteen months

It is in the shadow of a shrinking volume of money that disorders, social and political, gender and fester, that communism organizes; that capitalists conspire; that workingmen combine, and that stagnation spreads wider and wider. As long as the present storm continues to gather in the financial sky there is but little hope for the real 'pros-

perity of labor.

I appreciate the pain felt by earnest workers on the other side of this floor when they see the Executive refuse to recognize the coined silver dollar. His action would be a strange spectacle if it were not a serious grievance. It is a nullification of the Constitution. The Constitution says "Congress shall coin money and regulate the value thereof." Congress has coined silver money and established its value. Every citizen takes it without question. A piece of silver is worth 79 cents; the mint places the Government stamp on it, and it becomes a dollar. It passes for a dollar everywhere. It is a dollar. It is the coined money of the realm. If you had a million dollars in gold you could not buy a million dollars in silver at 991 cents on the dollar. You could not buy them for less than they are worth—100 cents on the dollar. The law means something, and before its sovereign majesty we all bow down.

No man in the country ever refused one of these dollars.

With the price of wheat, cotton, and other products so low as to dis-

courage the producer, with labor in a turmoil and Congress embarrassed it is within the power of the Executive alone to grant a financial relief. One stroke of his pen can better the condition of the whole country by ordering the mints to coin \$4,000,000 of silver per month as the law permits. As the people desire it for their convenience in using this silver, Congress can quickly furnish them one, two, and five dollar silver certificates, and this vast volume of money would then start into circulation. If the President would do this he would per-

form an act that would receive the applause of all parties.

Mr. Henry Watterson, who, as I take it, is the most brilliant of all editors, recently in his paper, The Louisville Courier-Journal, speaks upon the present condition of affairs in the following way:

To-day, putting aside all consideration of the Republican party, the danger is that the popular verdict concerning the Democratic party, and it is the Democratic party that is on trial, will be, "Weighed in the balance and found wanting." Ordinarily the party might hope to escape popular censure by forbearance, but the people are in no mood now for the exercise of forbearance. The Democratic leaders two years ago were rich in promises. They attributed all popular distress to the misgovernment of the Republican party; but two years have passed and the distress is as widespread as them. Every plan of relief has perished in the committee-rooms of Congress or fallen still-born in the House. The political situation is serious. The party must do something to regain public confidence.

If the President in the exercise of his discretion fails to give us the needed relief, Mr. Watterson says the country will look to Congress for help. With 41 majority you can pass any measure you desire to pass, but the House has refused to take any forward step to relieve the great

financial trouble; the interstate-commerce bill to regulate railroad traffic slumbers on the Calendar; the agricultural bill to make agriculture a Cabinet office is bitterly fought; the great labor complication has been set aside by a measure that is only a pretense and is already a dead letter; the promised rehabilitation of the Navy has got no further than the report; the much-criticised surplus in the Treasury has had millions added to it; the justly-condemned practice of hiring convict labor on Government works has greatly increased. If any plan for relief has been proposed I am not able now to recall it.

The restoring of our merchant vessels so that we can carry our mails to foreign ports and open up the trade of the world is now before us in the shape of a measure to pay \$800,000 for ocean mail transportation. The question is whether it will not also be carried over until next winter, or indeed killed outright. Not one great measure of relief has passed the House. Mr. Watterson said "every plan of relief has perished in the committee-rooms or fallen stillborn in the House." The campaign of this fall will not be a repetition of 1884. Then it was all politics; but this fall there will be less politics and more business. There is less politics to-day in this country than there has been for forty years.

ONE OPPORTUNITY REMAINING.

If this ocean-mail bill passes it can not then be said that every measure of relief has failed. Your majority of 41 can pass it. These ocean ships will be the opening gates to a trade with the South American states, that will take millions of our surplus productions and thus start a revival of trade. It is claimed that \$200,000,000 of our goods could be sold there the first year. The very thought of it would make the plow scour better and the mill-wheel run swifter. If you start this trade it will be an achievement so vital to the business interests of the country that this Congress will be made illustrious.

THE OCEAN MAIL.

I now turn to the ocean-mail bill, which is the only measure left by which we can bring help to the people in the present crisis. Our mails to foreign countries are carried almost entirely by foreign vessels. This bill proposes the establishment of a line of vessels between our country and Mexico, Central and South America, West Indies, Australia, China, and Japan. Its purpose is to restore, as far as may be possible, our old time supremacy of the seas, and to furnish to these countries our products. They are now chiefly supplied by England, Germany, and France. It is wise and prudent to restore our flag to the seas. On account of our overproduction it is business sagacity to take possession of the trade of these States.

The countries lying south of us, Mexico, Central and South America, are our neighbors, and by the laws of relation their trade belongs to us. If our commercial vessels are restored and the empire of the South added to our trade, we have conquered a new world. We will be as England, who looked upon India and saw an opportunity. She took her surplus products there, and while saving herself from overproduction was a blessing to India. So we may relieve the surplus of the farm and factory by developing a trade with these States, and while helping ourselves to prosperity elevate that people by furnishing them the best products of civilization.

THE EFFECT ON THE PARMER.

We will first consider the bill's effect on the farmer, as he is the basis of all industries. We have about the number of farmers that the experience of the world says is required by such a nation, but hard times causing people to buy less has given us an overproduction from the farmer. The farmer is one of the manufacturers in this country that is overproducing. Our agriculturists are raising a surplus. Millions of dollars' worth of their products can not be used by our people, and this overproduction, as a dead weight, has to be shipped to some foreign market for sale with the unavoidable result of lowering the price. If our home markets consumed all of these products their price would be better.

Whenever the demand for an article is fully equal to the supply prices are good. There is a tonic about an equal supply that helps prices. An oversupply is the reverse of a tonic on prices. After the discovery of gold in Australia and California its price rapidly declined. It was thought there was an oversupply. No matter how highly prized, how necessary to comfort or health, when there is more of an article than can be used its price declines. Political economists say the period when the supply is just equal to the demand is the time of best profits and healthiest preservity.

healthiest prosperity.

To pass from the philosophy of prices to their practical operation we find that when the farmer ships his products to a distant market he has to pay the freight, and coming into competition with others from other countries who ship to that point he has to stand the difference in freight charges; no matter if their distance is 500 miles and his 5,000 he must put his article in the market at the price of his competitor. If a farmer in Indiana has wheat to sell the shipper who buys it for Chicago pays him Chicago prices less the cost of carrying it to Chicago. The farmer in fact hauls his wheat to Chicago, and if the shipper means to sell the wheat at Liverpool he pays what the article is worth in Liverpool less the cost of carrying it there. The farmer thus conducts a free delivery. He could afford this if he could control the prices he receives, but this he does not do. No farmer ever controlled the prices he received for his crops.

The less shipping he does the better, especially if that shipping is to a foreign market where he comes in competition with people who can produce the article cheaper than he can. For illustration, in India they produce wheat for 9 cents a bushel. Their land is not worth half so much per acre as ours, and the ryot, the farm-hand, who raises it, works for 8 cents a day. The distance from these wheat-fields to Liverpool is very great, but England is equalizing that distance by covering India with railroads and hauling the wheat on the water in bounty-paid ships.

Twenty-eight million of our sixty million people are on the farm. There are five million farmers in America; one-half our population is engaged in agricultural pursuits. In view of the fact that they never dictate the prices they receive, and must pay the freight, however distant the market their products are sold in, they have the right to ask the shortest possible haul, and that in no event shall they cross the ocean and then be placed in competition with the ryot of India. There is no avenue open to us to shut off these long hauls except through a return of prosperity. In such event the increased consumption by the people would relieve our surplus.

When our incomes decrease we all reduce living expenses, and when the income increases we grow liberal and our consumption increases. A family that uses 4 barrels of flour in one year in hard times will use 5 barrels in good times. Four barrels of flour in hard times is more extravagant than 5 barrels in good times. With the wonderful growth of our population in the last six years I think if we had prosperous times we would consume every bushel of wheat grown on our shores. The same logic will apply to all our farm products.

The same logic will apply to all our farm products.

The price of an article is determined in the market where its surplus is sold. Our surplus is sold in Liverpool, and thus it comes about that Liverpool controls the prices of the labor of one-half the people of America. Liverpool is the master of the American farmer. Every bushel of your wheat, corn, oats, rye, or barley, is worth at your railroad elevator what it is worth at Liverpool, less the freight. Just as long as our farmer is an overproducer just that long will hebe the hired man of Liverpool. I would like to see him set free. I am willing to vote to have this Government pay something for his ransom. It is not fair to him to compete with the serf of Russia, who has a short haul, and more unfair yet to make him compete with the ryot of India, who has subsidized a hundred million of England's money to put his long hauls at a low rate.

There are two methods of getting rid of the farmer's overproduction. One is to do as the factories, when business is not at a profit, stop the manufacture; but the farmer can not stop his factory; he can not leave his fields idle. Like the wageworker, who must earn his wages, even if they are inadequate, in order that he may live, so the farmer must raise his crops. He lives by them. Plainly, the farm production can not be diminished.

The other method is to increase home consumption. This can be done by inaugurating a policy that will give idle men work. Our Commissioner of Labor reports one million idle men in our country, and each man represents a family of five persons. That means five million people out of employment. This population swarms in the cities, overflows in the towns; it is an enormous army, a frightful legion of idleness and want. If promoted to their various trades, such an increase of consumption will come that surplus will bother us no more. At work each of these men will buy one dollar's worth of this surplus a day; that is \$1,000,000 a day, and that will consume all the surplus.

Every member on this floor knows, every economist in the United States understands, that if we can give remunerative employment to this million men, we will consume every bushelof wheat we raise, and that we will not have a dollar's worth of farm products for foreign shipment. The solution of this problem is to give the idle men work, and within twelve months consumption will be equal to production.

THE PROBLEM STATED.

We can consume the farmers' surplus by calling the idle men to work; but suppose there is no work to call them to? What use to put them in the factories? These are already crowded with unsold goods. Grant, for the argument's sake, that the surplus has been consumed in these years of closed shops. With these men at work there would be a show of revival of business; but in six months we would again have a surplus. The fact is, we have reached the condition of the old nations. Our producing capacity is greater than our consuming capacity. When a country's capacity to produce is greater than its capacity to consume, the overproduction must be carried off to other countries, or its production ceases, and the land is filled with idle men. Our provision for disposing of surplus is so inadequate that America is filled with idle men. Is it better to continue this enforced idleness, or to construct a channel to convey our goods to a people who want them?

THE SOLUTION IN SHIPS,

There ought to be no divided opinion as to the line of policy to be pursued. With our exports fallen a hundred million dollars in the last two years, with a thousand factories closed and business stagnated, there is but one action to be taken. Senator MAXEY, of Texas, speaking on this subject, said:

The importance of securing the trade of Mexico and Central and South America can not be overestimated. We must have an outlet for our surplus manufact-

ures, or the shutting down of mills, the placing of workmen on half-time, the reduction of labor, and strikes will unavoidably follow. We can not hope for an extensive market for our manufactured goods in Europe, and the most inviting field is the country south of us.

Following the speech of that distinguished gentleman, the American Shipping League was organized at New Orleans; this league is composed of the representative men of all parties in the Gulf States, their purpose being to secure a commercial outlet for our surplus to this south country. They have grown tired of cotton and cane; with factories springing up all over the South, their cotton mills are rivaling Manchester, and Birmingham, Ala., is becoming a rival of Birmingham, England Under the influence of diversified industry that land is growing a new South. They ask for ships to carry their products. They, like we of the North, are now fighting the battles of industry and peace, and the market for our wares is all that is needed to bring a victory far greater than war.

It is to the wisdom of British statesmen in providing ships to carry their manufactured goods to foreign countries, and bringing back and expending in Great Britain the moneys received from this trade, and in manufacturing raw material, thereby increasing its value threefold, that the English people are indebted for their prosperity, their low rate of interest, and the employment of their people.

A great nation with her surplus products must take to the seas. Our people are slow to realize that the greatest of all industries is shipping.

OUR SHIP INTERESTS.

For years prior to 1850 we had the supremacy of the seas; our wooden ships were the best and fleetest on the ocean; they far surpassed Eng-land. That year the English builders decided to stop a hopeless competition with wooden ships and try another kind of vessel; they decided to make ships of iron and steel, and the experiment proved that iron and steel vessels could be made larger than wooden, stronger and fleeter, and more serviceable in every particular. Lindsay, a British member of Parliament, speaking at the launch of a vessel named after himself, in 1852, uttered these words:

I believe that in five or six years there will be very few ships built of wood, and what a start fron will give us over a nation which has most interfered with us as competitors. America has labored hard to maintain the supremacy of the seas, but we now have a material for building ships which America does not possess and for which she will have to come to us.

These words were prophetic; within six years we had lost our supremacy with wooden vessels, and England's iron ships were masters of the England had been developing her iron industries for centuries. Within ten years we had been ushered into a new era; we had moved from wooden wagons, stages, and ships into the iron age; commerce had become so great that the old appliances were not large enough nor rapid enough to transact the world's business. The iron horse now became the carrier for each continent, and we latticed the land with railroads more rapidly than any state ever built her dirt highways. But the nation with the best practical use of iron could take the ocean as its heritage; England took the ocean. The war turned our statesmen's attention to the value of our resources. We have a hundred times larger iron and coal deposits than England, and it was decided that these industries should be developed. The nation placed her strong arm around the coal banks and iron fields, and mills sprang into being and flames burst from the tops of furnaces.

In 1852 we could not build an iron ship because its most important parts had to be imported from abroad. In 1863 it cost twice as much to build a vessel here as in England; now, after twenty-three years, it only costs 10 per cent. more to build here than there. Lilley, the English ship-master, says we can never cover that 10 per cent., because our wage-worker on ships is paid 30 per cent. more here than in his country. But having developed this interest from 200 per cent. to within 10 per cent. of the English cost in twenty-three years, I think if Congress will leave the laws as they now are we can cover that fraction by 1890. In that year we will turn out iron and steel ships equal to any England launches on the Clyde or Tyne, at the same cost, and our wage-workers

not be reduced in their pay.

REVIVING THE INDUSTRY.

When France sought to restore her shattered commercial marine, she honestly admitted her decadence on the sens, and asked her capitalists to build vessels to be used for the purpose of her commerce. She entered into a contract with every ship company, granting 8 per cent. interest per year on the cost of the ship for ten years, and when the profits above the expenses for running the vessel and its insurance did not amount to 8 per cent. the Government supplied the deficiency.

I would not recommend such a measure. We do not need such an

extreme action. I am opposed to guaranteeing profits. But I am in favor of this Government, when it has any ocean carrying trade, giving it to American vessels and not giving it to foreign vessels as we are now doing; and I am in favor of saying to our vessels, "We want Government freight carried to foreign ports, and whenever you will build a vessel we will pay you what other governments pay their vessels for like service." If we will give to our vessels one-half for carrying Government freight to foreign ports what other governments pay their vessels, fifty

thousand men would be working on fresh keels along our coast within one year.

RESTORE COMMERCE.

This proposed act revives ship-building, restores our ships to the ocean, and establishes regular trips between our own and foreign ports, contracting that they shall be maintained for a given term of years. This opens up a channel through which commerce can flow back and forth with confidence, and it will increase every year. We will ship to them what they want, and they will ship to us what we want. Thus trade will become established. We would dispose of our surplus and restore our commerce.

THE OCEAN-MAIL BILL.

I will now read the proposed ocean-mail bill. It is as follows:

For the transportation of foreign mails by American built and registered steamships, to secure the greater frequency and regularity in dispatch and a greater speed in the carriage of such mails to Brazil, the Republics of Mexico, Central and South America, the Sandwich, West India, and Windward Islands, New Caledonia, New Zealand, and the Australian colonies, China, and Japan, \$800,000; and the Postmaster-General is authorized to make, after due advertisement for proposals, such contract or contracts with such American steamships, for a term of not less than five years, and at a rate of compensation not exceeding for each outward trip \$1 per nautical mile distance.

That is to say, 50 cents per mile for each mile actually traveled on the round trip-

In the most direct and feasible sailing course between the terminal points as shall be found expedient and desirable to secure the ends above set forth.

It will be observed this bill proposes to pay for ocean-mail service not exceeding \$1 per nautical mile traveled for each outward trip. That is, 50 cents per mile for each round trip.

The gentleman from Michigan [Mr. Burnows] has offered the following amendment:

Provided. That not exceeding \$400,000 of this amount herein appropriated shall be expended in payment of existing American steamship lines for the transportation of foreign mails according to the schedules heretofore enforced, and that so much of the balance as may be required shall be expended in increasing the frequency of the postal service of such steamship lines and in the establishment of postal service by American built and registered steamships between the United States and such ports of the foreign countries herein named not now connected with the United States by American steamship lines, as the Postmaster-General may select, including Bucnos Ayres and Montevideo.

This amendment provides that \$400,000 shall be paid to vessels we now have for carrying the mail to ports we now visit, but requiring that the service be increased in frequency, and that the remaining \$400,000 shall be paid to the vessels we now have and to new vessels for extending trips to ports we do not now visit. The countries with which this communication is to be made are named in the bill. Its purpose is to have vessels make systematic and regular and frequent trips to these ports, and that it shall be done on a time card, just as our railway trains are run.

The carrying of mails is a governmental duty, and in obedience thereto the Government last year paid twenty-three and one-half mill-ion dollars for carrying our inland mail. Sixteen and a half million of this was paid to the railroads; five and one-half millions to the starroute service; for steamboats and the service along the coast, or, as it is termed, the coastwise service, one half a million; and for carrying the mails from the depots to the post-offices \$879,000.

We do not advertise and let the contract for carrying our mail by railroad to the lowest bidder; but the Postmaster-General is authorized by law to arrange for this service, and the expenditure of this enormous

sum of \$16,500,000 is left entirely to his discretion.

The mail that is carried by stage or horseback, called the star-route mail, is usually let to the lowest bidder. The steamboat and coastwise mails are never put to bidders, the Postmaster-General contracting for the service on his own judgment.

The law controlling our mail to foreign ports is unlike that which provides for inland mails. No more than the amount of postage that is placed upon the letters that are in a mail sack can be paid for carrying that mail to a foreign port. In other words, the law says that "the pay to vessels for carrying our foreign mails shall be limited to the post-

Age."

Neither on the coastwise, the steamboat, or the star-route, or the railroad service is the compensation limited to the postage. There has never been a time in the history of the Government when the star-route, steamboat, or coastwise mail could be carried for the postage. The carrying of the mails is a duty enjoined by our highest law, and is provided for as one of the necessities of civilization. No man has ever dared to ask the question if it paid for itself. Now, sir, this measure proposes to put our foreign mail service on the same basis; it seeks to pay for carrying mails to foreign countries, whatever that service may be worth. This bill authorizes the Postmaster-General to contract with the lowest responsible bidder, and puts but one restriction on the contract, and that is that the vessel shall be an American vessel.

I am for this restriction. I am for American interests. I am for

every man in America as against every man in foreign lands. I am for the American farmer, the American laborer, the American trader, as against those of like occupations in any other country; and now, as the question of vessels has come into national importance, since the civilized governments have entered into competition for the commerce of the inferior nations, I am for every letter we send to foreign lands or receive from foreign lands, every bushel of wheat or manufactured ar-

ticle we send or goods we receive in return, being carried on a vessel built by Americans, owned by Americans, manned by Americans, and whose keel plows the ocean under the folds of the American flag.

On the coast of Florida are two cities, Tampa and Key West. They are 249 miles apart. Last year we paid for the coastwise service between them \$23,600. This same mail is taken from Key West across to Chiba, a distance of 100 miles. But Chiba is a foreign country, and tween them \$23,600. This same mail is taken from Key West across to Cuba, a distance of 100 miles. But Cuba is a foreign country, and this is foreign mail service, and for it we pay \$237. We pay \$237 from Key West to Cuba, and \$23,600 from Tampa to Key West. This is the work of a bad law, which only allows postage to be given as pay for carrying mail to foreign countries. While \$23,600 may be generous pay to one, I think it will not be claimed that \$237 is just compensation to the other. tion to the other.

OCEAN MAIL.

Last year we paid \$326,000 for carrying our foreign mails. How much of it do you think we paid to foreign vessels? Two hundred and eighty thousand dollars. And how much of it to American ves-

Forty-six thousand dollars.

Gentlemen on this floor talk themselves hoarse lamenting our decayed shipping; how can it but decay when its chief impetus to regular and quick trips, Government mail, has a pay grossly inadequate to the work done; for the service is exacting, and no wonder it is wrecked and ruined when that pittance is divided with foreign competitors at the rate of \$280,000 to the foreigner to \$46,000 to our home vessels. But, some one urges, the foreign vessels carry the mail much cheaper than our native vessels. Yes; and the foreign vessels, which are receiving millions of dollars bounty from their governments, can afford to carry our mails cheaply; they would gladly carry them for nothing if thereby they could drive us from the commerce of the seas.

NOT A NEW QUESTION.

This question has been discussed in our country before; it has engaged the ablest men at the other end of the Capitol; but there have always been obstructionists who, like the distinguished gentleman from Missouri, say there is "no patriotism in a ship," and have refused to give just pay to our vessels because the work could be done cheaper by some one else. We now see its results. We are without ships, without foreign trade except to Europe, and we are groaning under an overproduction, while England owns vast shipping facilities, has established a trade at every port in the world, and under our very eyes has grasped the trade of our next-door neighbors, the South American states. She sells them \$200,000,000 worth of goods annually—a trade so large it would bring relief to our distress. Yet we see men here shut their eyes to our prostrate commerce, stop their ears to the cries of an oppressed country, and object to opening commerce by way of our vessels because they can get mails carried cheaper by British ships.

Let me quote the words of some of the fathers on this subject. Mr.

Bayard, father of the present Secretary of State, then in the United

States Senate, said:

States Senate, said:

The mail service in this and all countries on land is a governmental duty, and with all great maritime nations which have the power to control that service on the ocean, it is as much a governmental duty where their extensive commerce is concerned as is on land the proper transportation of correspondence. The mail service with foreign countries, on any principle that I can appreciate, is as much a governmental duty, and demands as much expenditure, as transportation of correspondence in the interior of the country. Will you adopt a policy which will place the entire transportation of our mails under British control; which will put into British lands the transportation of passengers; which will lay a tax on American citizens for the advancement of British commerce? Such may be the judgment of the honorable Senator, but it is not mine, and I trust will not be that of the American Senate.

The first Bayard is in the grave, but his son now sees American citizens taxed for the advancement of British commerce; he sees America without a single American ship crossing the Atlantic carrying the American mail; he sees us paying \$326,000 a year for ocean mail, and \$280,000 of that paid to British ships. These are the things which make a thoroughbred American's blood boil.

James K. Polk, the President of the United States, once said:

It is strange, sir, that men who are presumed to embody the wisdom of the land should have to be reminded that they are pandering to British power, forgetting American interests, and losing sight of that greatness and grandeur which attaches to this American Government.

I stand upon the floor of the American Congress and I find men who are willing to measure our greatness by the circumference of a dollar—a dollar, sir—measure American prosperity and American greatness by a round dollar, and thus pander to British interests, bow the pliant knee, and say to the power that assailed us at Lexington, that flashed the first guns from Bunker Hill, that fought us upon the sea and land in 1812, and that has been jealous of our prosperity and our greatness ever since—say to her, "Good mother, won't you please carry our mails?" Why, sir, I scorn, I despise that anti-American feeling and sentiment. The men who stand battling upon these principles are behind the progress of their country; they know nothing of its power or its influence, and are contributing to a combination of foreign policy designed to overslaugh us.

THE REVIVAL OF TRADE.

Ocean mail service is the basis of foreign trade, because it is only as you have frequent and regular communication that trade can be built We all agree that frequent and regular ship connection between the South American states and the United States will build up a trade

with those countries. The people of this great country lying at our very doors are not manufacturing people; they have neither the genius nor the invention nor the industry that creates manufacturing interests. We want their raw products, nearly all of which are admitted here free of duty. That is all they have to sell.

This bill is proposing to give our people relief through the same channel that has been sought by every people who have found themselves embarrassed by overproduction. Civilization and trade follow mails; where there are no mails there is no civilization or trade. Our great West would have remained a wilderness, for no company of men could control the capital necessary to build a railroad across the continent; but the Government, in its wisdom, provided the necessary assistance, and the nation's highway was built. Doubtless it cost more than was necessary. Within twenty years the West has become an empire of people; its riches are enormous; and the Government's revenues therefrom have paid for the expense of that road many times over. Our fathers did well when they made the mail service a governmental duty. The gentleman from New York [Mr. Hewirr] uttered a great truth in this discussion when he said the Postal Union was one of the grandest triumphs of civilization.

No great line of steamers has ever been successfully established between two or more foreign ports without government aid. The reason is that it costs several hundred thousand dollars to build an ocean steamer; the expenses of the crew and running the vessel average a hundred and fifty dollars a day. A trip of 5,000 miles to a distant port, as to Rio, in Brazil, is made at great cost, so heavy that where trade is not already established that furnishes a cargo each way the company

has in every instance bankrupted.

HOW IT WORKS.

The great ship companies of Eurpoe, as soon as they find one of our new ships looking for business in a port they have had the monopoly of, cut down the rates below what it costs to carry the goods. Backed by the bounties of their governments, they suffer no material loss, but our ship "freezes out" and drops back to the coastwise trade of Boston and New York. If we shall pay to our ships a fair compensation for the mail service upon a five-year contract to the points named in this bill, the foreign lines would see that our ships had become permanent between these ports; knowing that our companies had given immense bond for the faithful performance of their contract, and that it must be carried out, they would not enter into a five-year crusade on . The bids for freight would resolve themselves into the ordinary competition between common carriers, the result being we would be relieved from the extortionate rates now charged by the foreign ships, and we would open a direct avenue to these desirable ports.

When the House bill was first considered, and you refused to give more than \$60,000 for the mail service described in the bill before us, the following telegram was received in New York by the agent of the

English mail line within three days:

LONDON, April 3, 1886.

The Imperial Government of Great Britain has decided to subsidize a new line of steamers between British Columbia and Hong-Kong and Australia by paying a hundred thousand dollars annually for ten years. The steamers must be first class, capable of carrying guns and troops, and if required the Government shall have the right to use the steamers in event of war.

On our western coast, where the British possessions north of us are insignificant in a commercial sense and ours are of the first value, reaching from our northern line down to Mexico, backed by a farming area of surpassing fertility and mountains rich in oil and coal, an extent of territory larger than any nation in Europe, unless it be Russia, and to which the commerce of China, Japan, and Australia is priceless—here we find England paying a hundred thousand dollars to open up a new mail line of steamers, and little Canada has just now supplemented it by adding \$60,000 to the line. The purpose is to compete with and break down our struggling line between San Francisco and these points. Yet this House refused to vote the sum named in the first bill before

Yet this House refused to vote the sum named in the first bill before us to our line for this same service. And do you remember how much that sum was? I will tell you. Twenty-three thousand dollars.

Last year we paid for ocean freightage, \$150,000,000. That is a stupendous amount of money for one people to pay for carrying their goods over the water. These goods went and came from almost every port in the world. We were driven out of all the most important ports by foreign competition. We paid \$150,000,000 for freight. How much did we pay to American ships? Fourteen million dollars. And how much to foreign ships? One hundred and thirty-six million dollars. Not 10 per cent. to American ships. Millions for tribute, but not one Not 10 per cent. to American ships. Millions for tribute, but not one

dollar for home support.

Go home, gentlemen, you Republicans and Democrats who will vote against this measure, and in your campaigns this fall tell the people these facts, and tell them you voted to keep all these things as they are; tell them you voted to pay foreign vessels \$280,000 for carrying our mails, and only \$46,000 to our home vessels; tell them you voted for them to pay \$150,000,000 for ocean freightage—\$136,000,000 to go to foreign vessels and \$14,000,000 to American vessels; tell them that the visual vessels are the recent for the control of civilized nations pay their vessels for ocean mail \$11,000,000, and that you voted for our mails \$326,000; tell them foreign vessels bid to carry our mails cheaper than our vessels, and you voted they should have the

contract; tell them those vessels could afford to do this, with the vast home guarantees they receive, and that they did it in order to break down our efforts to secure foreign trade, but that you voted for these because they worked cheap, and that if there is anybody you dote on it is somebody that works cheap.

Tell them this bill seeks to inaugurate a policy that will increase the number of our merchant vessels and grow us a trade with South America, China, and Japan that will largely result in calling our idle men to But this was work, consume our surplus, and insure our prosperity. to be done by cultivating foreign trade, and you voted against it. Tell them you voted against it knowing that it gave up to foreign countries the rule of the seas and the control of commerce, while our toilers were idle and our farm and manufactured products were a drug in the market at half prices. Tell them that this is your policy, and if they want these things continued they should send you back to Congress.

This measure does not provide for sending the mails to Europe; that ought not to be undertaken at this time. It only proposes to go to the seaport cities of our south continent and to the countries lying west of seaport clates of our south continent and to the countries lying west or us, to the nations that are not in competition with us in the great race of national development. It proposes to give \$800,000 for carrying the mail to these countries. Should this be considered a large sum to carry the mails to these distant places? In view of the service to be rendered the price is remarkably low. We pay \$879,000 for carrying our mails from the post-offices to the depots, but to cross the ocean we hesitate to pay \$800,000.

AN EVIDENT INJUSTICE.

I will cite a few illustrations of the injustice done vessels going to foreign countries as compared with our coastwise service. The distance foreign countries as compared with our coastwise service. The distance from San Francisco to Japan is 6,000 miles. In the round trip the vessel travels 12,000 miles. And how much do you suppose we pay for this service? Twenty-three thousand dollars. A little steamboat line runs from Norfolk to Baltimore, a distance of 200 miles, and what do you suppose is its mail pay? Even \$18,000. The vessel at San Francisco plunges into the ocean and has no station for 6,000 miles, surrounded by great dangers, carrying costly insurance, and making a trip equal to half around the world. The vessel from Norfolk to Baltimore has an insignificant pouch of mail, has a station every few miles. more has an insignificant pouch of mail, has a station every few miles to take on and let off passengers and freight, and has a 200-mile trip.

Our New York and Cuban line travels a distance of 1,174 miles, and we paid for that service last year \$2,600. At the same time a steamer running from Norforlk to Cape Charles—38 miles—received \$10,970. We paid the New Orleans and Central American line, running from

New Orleans to Nicaragua-1,065 miles distance-the magnificent sum of \$24.50! At the same time we paid this line \$24.50 we paid another line running from New Orleans to Port Eads \$22,719.

Now look on the other side of our continent. From San Francisco to Hong-Kong-6,080 miles distant-we paid \$3,506 for last year's service, and at the same time another boat starts from San Francisco, and goes up the coast to Eureka-216 miles distant-and we paid that line \$6,500. The vessel that crossed the ocean and traveled 12,000 miles received The coastwise vessel that traveled 432 miles received \$195 for the trip. \$125 for its trip. The Hong-Kong service cost the Government about 11 cents per mile.

FAIR PAY.

No man contends that the pay of the line from Norfolk to Baltimore is too much, or from Tampa to Key West, or the line to Sitka or to Port Eads; but if they received a just compensation, what shall we call the compensation paid to the line from New York to Brazil, or to Venezuela, or Rio, or to Hong-Kong?

The Postmaster-General pays the coastwise vessels whatever he thinks is right, and no citizen has ever laid a complaint against this exercise of official discretion. I have yet to hear the first gentleman assert that the pay of the line to Rio in Brazil was fair pay. But more than the postage can not be given to ocean steamers running to foreign ports, as our law now stands. The Postmaster-General has no discretion in this case; we therefore ask to amend the law and pay a reasonable compen-We ask to pay it to our vessels that are now struggling against

Some one has said this is a subsidy. The man who raises the cry of subsidy here has raised the cry of a demagogue. I think that cry was first raised by an imported editor of a New York paper. I am opposed

Senator Voornees, from my own State, who is one of the leaders of the Democratic party, was too ill to speak on this subject when it was in the Senate, but published an interview in the Cincinnati Enquirer, in which, speaking of this charge of subsidy, he denounced it roundly, asserting that he would not support any subsidy, but that this measure had no such element. In England the word subsidy has no such meaning as it bears in America; there it means nothing more than government pay to individuals or companies who perform the government service. With us, however, subsidy is a vicious word; it carries with it a combination to rob the Treasury and corrupt and pillage the state under the guise of a Government contract. So I was greatly pleased to see the plucky Senator rebuke the prattlers in his own State for trying to incite the people by an insincere use of this word. It is true that this measure has no element of subsidy in it.

WHAT IS A SUBSIDY?

It is a gift or pay vastly greater than is just. There is no gift in this case. We made gifts of land to the Pacific Railroad. Is this an excessive payment? Not a man opposed to the measure has so said. mitting the present compensation to be inadequate, it is an effort to make it just. How are we to arrive at a fair compensation? Not by weighing the mail carried. The Government does not weigh the mail on star routes, steamboat, or coastwise service. If she did the mails could never be carried. A trip that costs a hundred dollars frequently does not carry a hundred letters. The Government pays on the distance traveled. It is only on a few of the great lines of railroad that we pay for mails by the amount carried.

How shall we arrive at the proper amount to be paid each line? The bill says advertise for bids. The contract is to be let to the lowest bidder, but shall in no case exceed 50 cents per mile, and the Postmaster-General has the right to reject any and all bids. How shall we decide upon a basis for these contracts? Has no one a method to propose for

arriving at a just compensation?

The answer is easy: do as we do in other cases where we want work performed and do not know what it is worth—go where the labor is performed and learn what is customarily paid for it.

Usual and customary prices for labor are the law for wages the world over. Anywhere that a man labors for another and no price is agreed upon, the laborer may sue and recover the price that is usual and customary. The usual and customary price is by all people deemed to be just and fair. It is never regarded as extravagant. It is based on the understanding that experiments have been had, and results obtained, and the business can afford this price. When we go into the markets of the world to find the usual prices paid for carrying ocean mail, we find the indignant words of Senator VOORHEES are fully sustained. Every one of the great nations is this day paying much more for this service than we provide for in this bill. The difference between what these nations pay and what we propose to pay is so great, that, if we compare them, we must see theirs is extravagant and ours is fair pay.

FOREIGN PAY.

Let us examine the ocean-mail pay of a few of the foreign govern-ents. The shipping world is familiar with the German line to Aus-This line was running an ocean tramp's life, sometimes getting a load that paid, but usually not so fortunate. The German people arose to the requirements of the Australian trade and contracted to give their line for increased and regular trips to Australia \$1,000,000 per year's service. If any member should rise in his place and seriously offer to pay our mail line to Australia the half of \$1,000,000, such a howl would break loose here that the visitors in the gallery would think that a section of a Chicago mob had got possession of the floor. Germany, which is financially the best managed of any of the great nations, the most prudent and conservative in investments, puts a million a year into the Australian line and finds that it pays. How much do we pay for our Australian service? Twenty thousand dollars; and we complain that it does not pay. Well, it does not. "There is a withholding that tendeth to poverty."

Suppose we wanted to establish a line to Havre, France (which we do not, as we only seek the ports that are near us), but suppose we did—the round trip is 6,000 miles, and if the limit of this bill was paid (50 cents a mile)—the line would receive \$3,000 per trip. Now, sir, France wanted to increase her vessels to this country, and under contract five new steamers were built and received \$14,500 per trip, nearly \$3 per mile for their service. France is now giving \$14,500 for a round trip, while under this bill we could give but \$3,000. Because we are ashamed to confess that the pay in our bill is parsimonious and

niggardly, we call it fair pay.

Pay every cent we propose, and it is the least pay of any nation for ocean mail service. We boast that we pay the best wages in the world to the toiler; this is true, but we have come to an overproduction, and unless we pay the toilers on the sea a reasonable wage the toilers on the land will soon be reduced to the European laborer's diet of black

the land will soon be reduced to the European laborer's diet of black bread and potatoes for his daily table, and meat once a week.

Take the case of England's South American line. When England saw France had established a line there and was securing a trade likely to become enormous, she atonce contracted with a new line for that country, and yearly pays it \$495,000. We pay our line that is trying to run to South America \$15,000. England pays nearly as much for one trip as we pay for a year's service. England pays half as much to her mail line to Brazil as we ask in this bill for all the ports named. England keeps up this pay year after year. If the business did not warrant the outlay her sagacious statesmen would promptly curtail it. She pays \$495,000 for this service, and we pay \$15,000. I believe it is \$15,-136.16 we pay for carrying the mails from Louisville, Ky., to Evansville, Ind. England pays \$1.03 per mile to her South American line. Our bill forbids paying more than 50 cents per mile, and competition may make it less. may make it less.

France pays her South American mail-line, which also goes to the West Indies, \$728,000. We pay for this same service \$15,000, for our South American line also goes to the West Indies. The French pay on

this route is \$3.80 per mile.

Take Germany's North German Lloyd line, called the Australian line, going by way of China and Japan. For this \$1,000,000 is paid. We are now paying \$23,000 for the same service. The German pay on this route is \$1.48 per mile.

Take the English Peninsula and Oriental line, to China and Japan,

and England pays to it the enormous amount of \$3,250,000.

English pay on this line is \$3.38 per mile.

We find that the great nations, seeking to extend their commerce, have obeyed the law of civilization-where there is no mail there is no trade-and have extended mail communication to every point where trade was valuable. We find they have paid large sums of money to secure regular and speedy mail connections with these ports. We find that the usual and customary price paid for this service is from \$1.03 to \$3.38 per mile; this for each mile traveled by the vessel. We find that in no case does a mail vessel journeying to the points named in our bill receive less than \$1.03 per mile. We find, thorefore, that a bill proposing to give not to exceed 50 cents per mile for ocean mail service with the ports of South America, Central America, China, Japan, and Australia is very conservative and far below what is usual and customary in such service.

This measure will everywhere command the favor of enlightened patriotism. We are in competition with England, France, and Germany, They have an agricultural, manufacturing, and toiling class, as we have: they have a surplus production, as we have. They have established lines along which they carry their goods to non-producing countries. which we have not. It would be an act of wise statesmanship for us to establish such a line. It would be an act of legislative prudence to do this, when it can be done at one-balf what it costs other governments.

I have cited these ocean mail lines because they run to the countries we propose to reach. But their lines run to other countries, and at the same rates; even colonies maintain lines at a cost going up into thousands of dollars. I print herewith a table furnished the House by the gentleman from Georgia [Mr. BLOUNT], which shows the oceanmail pay of various countries during 1884:

[From General Statistics of the Postal Service, published by the International

Different, Deffie, 1000, page 13.	
Argentine Republic	\$6,220.07
Austria	43, 106 55
Belgium	134,793 32
Brazil	2, 223, 958 10
Denmark	32,469 54
Prance.	5, 152, 288 98
Great Britain	3,006,766 67
Brusa india	350,724 42
Japan	241,250 00
Netherlands	101,975 60
Portugal	23,964-61
Deither Handana (Collis)	081 87
British Honduras (British colony)	23,320 67
Hong-Kong (British colony)	31,314 82
Cochin China (French colony)	2,895 00
Gnadaluna (French colony)	202, 044 00
Guadalupe (French colony)	22, 204 07
Martinique (French colony)	2,123 00
Sangral (Franch estens)	10,072 67
Senegal (French colony)	11,042 68
Cano Varde Islands (Portuguese salens)	29,635 15
Cape Verde Islands (Portuguese colony)	7,854 43

11,661,118 22

United States pay is \$326,000.

We stand midway between pagan India, whose pay is \$350,000, and Cochin China, whose pay is \$202,000; but business sagacity is with the Cochin and Indian, for they pay their own lines alone, while we pay \$46,000 to our line and \$280,000 to foreign lines.

DOES IT PAY?

Has the ocean-mail investments of these countries paid? Have they opened a commerce that has made a demand for their goods so great that these nations have been stirred with a new life, and at the end of each decade have found their prosperity so enhanced that all the people demanded the continuance of the system? I know their legislative bodies would not dare to continue these vast appropriations unless the results were apparent. I know if they continued to vote this money as a mere party policy, when its results were unprofitable, the people would soon vote to leave them at home; and I also know if the results were profitable the people would defend them by a majority large enough to keep them in their places.

I know party lines are strong, but you convince a man that a certain man stands for the country's best interests and he will quietly vote for that man, no matter if his party man should make large professions in the same direction. Whatever party lines may cause one to do in a general way, there is a deep sense of justice in the citizen to support the man who has proved himself by trial. It is this patriotic virtue that ultimately saves a country in its great struggles. When I see the that ultimately saves a country in its great struggles. When I see the men in England, Germany, and France who have labored and voted for this great shipping service, and have made it paramount to every other question, holding their places year after year, undisturbed through all the political changes of those countries, I know the agriculturist and manufacturer and toiler have found that service to be a blessing.

This mail service is wanted here because it is believed it will give us ships and trade. These are our greatest wants. Give us these and the commercial change will be so great it will force on this Government a

proper action on financial questions. Give us these and we will obtain the like result with every nation that has tried this service. This has been the policy of all European nations, and has always had the same results. A nation wanted ships and wanted trade; they paid their money, after this fashion we are speaking of, and got ships and trade, and almost in the ratio in which they paid their money. Eng-

land paid the most, so England got the largest returns.

England has pursued this policy for nearly half a century. In forty years she has paid \$250,000,000 for her ocean mail service, and yet this enormous amount has proved the best investment she ever made. To-day she controls 55 per cent. of the foreign tonnage of the world. To-day she controls 55 per cent, of the foreign tonnage of the world. We ship across the ocean 25,000,000 tons of products annually. The average price for carrying this freight is \$6 per ton. We, therefore, pay \$150,000,000 a year for ocean freight tonnage. One hundred and thirty-six million dollars of that is paid to English ships; \$14,000,000 only to American ships. We pay \$136,000,000 a year to this masterly policy. of English statesmanship. Do not consider the millions of profit she makes by selling her products in all the markets of the world (and this is what the service was established for); do not consider the maritime supremacy it gives her; do not consider the millions of tons she carries for China and other semi-civilized nations who have no ships; but only consider the \$136,000,000 we pay her for freight, and the profits on that alone will pay seven times over the three millions she gives for her entire mail service this year.

AN ILLUSTRATION

My Democratic friend from Delaware [Mr. Lore] says that two years ago he saw on the Delaware River four elegant ocean steamships, owned and run by American capital from Philadelphia to Liverpool. They were the Pennsylvania, Ohio, Indiana, and Illinois, competing as ocean carriers with European lines. He watched them with patriotic pride as they steamed out to ocean and back on the trips to England; he thought they had come to stay, and were the nucleus of our return to the foreign scas. But the United States Government turned its cold shoulder to the enterprise, and what became of those splendid vessels? They were driven from the regular ocean service. This Government renewed its mail contract with English ships, which now under the pay of two governments dropped rates below a living figure. This young line, denied a crust by its mother country, saw her feed with a free hand a foreigner, who had been already fed to fatness by its own mother. These ships are now ocean †ramps, picking up work where they can find it, and are at times employed by speculators, who buy up a cargo of goods for an obscure port, and intend there to purchase a junk-load for return.

ANOTHER CASE,

We have a struggling line from our western shore to Australia, and a growing trade with that country. If we give the sea and inland postage to our Australian line it would pay them \$41,000. This would be fair compensation, and about as much as I think they ought to have, The reason the mail pay to Australia amounts to this much is because that country is not a member of the Postal Union, and postage there is 12 cents a letter, which amounts on the average to \$41,000 a year. But does the postal bill, as reported to this House, propose to give this line that is doing so much for our trade with that country this fair compensation? An examination of the bill does not show this line to

be mentioned at all. It is left out without any provision whatever.

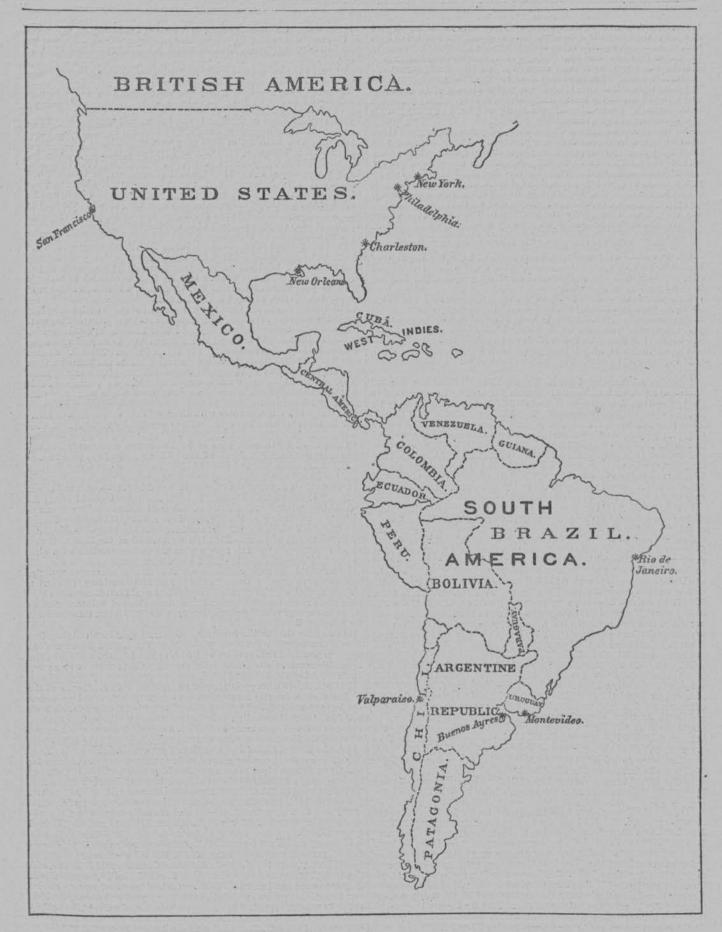
But an examination of our postal records discloses the fact that we have made a contract with the government of New Zealand to carry this mail. Now New Zealand lies southcast of Australia. I have cited the fact that New Zealand pays her Australian mail line \$150,000 a year. Their vessels make the trip up by way of San Francisco, and our Government pays them for carrying our mail to Australia \$20,000. The New Zealand line has to make the trip anyhow. It can carry our mails at comparatively little cost or trouble; it is supported by large home bounty; it is in competition with our American line, and, by reason of the situation of New Zealand, is an interloper. And yet we give it an additional bonus of \$20,000. Is there any other government on earth that would do such a thing?

WINNING TRADE.

Forty-six years ago, in 1840, England, as an experiment, paid \$450,-000 to a line of vessels to carry her mails to Boston and New York, to the intent that she might have more frequent and rapid trips. Palmerston said, "Where there is no mail there is no trade." tablishing of more frequent communications was so successful in creattablishing of more frequent communications was so successful in creating trade that the next year the pay was increased 50 per cent. It was about this time that the crafty Disraeli said, "Trade follows the flag." Then England said, "We will put our flag into every port in the world." She has done so. To-day she has 55 per cent. of the foreign tonnage of the ocean, and 45 per cent. of the foreign trade of the world. The important question is, has it paid? It has wonderfully paid. It has been the salvation of England's industrial life. The ocean-mail reliev of England has been the master commercial stroke of this cenpolicy of England has been the master commercial stroke of this century. She has doubled any other nation in her ocean-mail pay, and in the same ratio has controlled trade.

SOUTH AMERICAN COMMISSION.

Four years ago the United States sent a delegation of eminent citizens



to the countries of our south continent to learn from official sources the amount of their imports from foreign governments, and how much from each government, and the value of their exports and their ratio among the people they imported from. The commission was also to ascertain if there was any international cause why we should not export our products to them. The two volumes of the report of that commission lie on my desk. The time allowed me will not admit of an extended review, and I will in the main confine myself to the summary presented to the House by the gentleman from Michigan [Mr. Burrows] in his able discussion of this question.

Our wisest men agree that we can not have permanently good times until we have a better outlet for our products. If we put our idle men into employment and our producing power should work ten hours a day we would be smothered with unsold goods inside of ninety days. revival of business for ten years has revealed this fact. But this report presents us a country whose demand for manufactured products is simply boundless. You ask where will we dispose of our products if we cultivate new fields, fire our furnaces, and set the looms in motion; and the answer comes, "To the people who live at our very door." We have the market at hand if we are only wise enough to control it.

HR. BURROWS'S STATEMENT OF THE SOUTH AMERICAN TRADE.

Within a stone's throw almost, right south of us, is the Republic of Mexico, with its twenty-seven States, with a government patterned after our own, with ten millions and a half of people. Her imports

last year were more than \$35,000,000.

Who controls the trade of Mexico, lying right upon our border? Why. sir, Spain took over twenty-six millions of it, Germany over eighteen millions and a half, France nearly sixteen millions, while the United States controlled less than ten millions; England took nine millions, and the Central American countries two and a half millions. So that of this entire trade with Mexico the United States controlled but a trifle over one-tenth, while nine-tenths of it was held by foreign coun-

Take Central America, with its five republics. Those five Central American republics have more trade with England by far—yes, double the trade—than they have with the United States, although they lie at our very doors, easily accessible from the ports of the Gulf States. Their principal imports are cotton goods. We could furnish every yard of cotton goods that the Central American countries need, but Great Britain in 1880 sold them 31,000,000 yards, while the United States sold them only 688,000 yards—a little over half a million, while England sold them over 31,000,000. The balance of trade with Mexico if 1894 was against us by over \$3,000,000. The import trade of Central America has increased rapidly in the last fifteen years. In 1870 it was only \$730,000; in 1884, it was \$6,500,000.

In 1883, the United States sold the Central American countries man-

ufactured goods amounting to less than \$2,000,000, while Great Britain sold them over three and a half million dollars. Of cotton goods the United States sold them \$124,000 worth, while Great Britain sold them \$2,500,000 worth. The United States sold them only \$4,000 worth of candles, Great Britain \$13,000 worth. We sold them \$16,000 worth of china and glassware, Great Britain \$28,000 worth. Of wearing apparel the United States sold them but \$24,000 worth, England \$148,000 worth. Of iron and steel we sold them \$300,000 worth, while England sold them \$500,000 worth. Of wood manufactures we sold Central America but \$4,000 worth, England \$121,000 worth. And in the last twenty years our entire trade with the Central American countries, so far as exports are concerned, has amounted to only sixteen millions, while that of Great Britain alone has been more than \$46,000,000, and with France more than ten millions and a half.

Why, sir, look at these countries south of us—Mexico, Central and South America, embracing within their confines forty-three million South America, embracing within their confines forty-three million people substantially without manufactures—fifteen republics, fashioned after our own, and the great Empire of Brazil. I have referred to the commerce of Central America alone. Take the commerce of Central and South American countries together. Of her \$420,000,000 imports, they bought of the United States only \$40,000,000—one-tenth—the balance, \$380,000,000, was purchased of foreign countries other than our over the states of the second product. Of the \$500,000,000 our own; yet all she consumes we can produce. Of the \$800,000,000 merchandise exported last year from the United States less than 7 per cent. went to Central and South America.

Tron and steel those countries buy of Europe by millions while our mills are shut down. What is the reason of this? What is the tron-

ble?

Why, sir, to those South American countries we have two lines of steamers—only two. We have one line, the Red D line running from New York to Venezuela, and another line running from New York and Newport News to Brazil. Outside of these lines there is not a single American steamer entering a port of the South American countries or flying an American flag. The Brazilian line has three steamers, every one of them American built; the Venezuelan line seven, all of American construction. We thus have ten steamers on two lines running to Venezuela and Brazil, the only two countries of all the South American republics to which our steamers run. And for the mail service to these two countries we paid last year the magnificent sum of \$5,603.08. At the same time we paid from Tampa to Key West \$23,600.

Take the Republic of Venezuela, with her population of 2,000,000 of people. Our exports of manufactured goods are small. In 1883 we sold her, of cotton goods, \$214,000 worth, while England sold her \$1,-500,000 worth.

We sold her of chemicals \$107,000 worth, \$278,000 of iron and steel,

\$77,000 of petroleum, and \$75,000 of furniture.

France sold her of leather goods, boots and shoes, \$70,000 worth, and the United States, with her great factories, sold the people of Venezuela

only \$1,700 worth.

The establishment of the Red D line has opened that country to us and done much to increase our trade. In 1870 our imports from Venezuela were two millions, in 1884 they were six millions and a half. Our exports in 1870 were \$866,000; in 1884 two millions. In 1870 we our exports in 1870 were \$566,000; in 1884 two millions. In 1870 we imported 11,000,000 pounds of coffee; in 1884 53,000,000 of pounds. In 1870 we shipped to her \$15,000 worth of furniture; in 1884 \$80,000 worth. In 1870 we bought of her \$440,000 worth of hides; in 1880 \$1,052,000 worth. In 1870 we sold her \$23,000 worth of oil, and in 1880 \$82,000 worth. This gives some slight idea of what the Red D line has accomplished. Yet of the entire import trade of Venezuela England to-day controls one-half of it, and the United States a little less than one-third than one-third.

The Red D line has advanced our interests with this country, and yet thas but seven vessels. It made thirty-four trips last year, sailing 6,000 miles each trip; yet we paid that line only \$1,300, while at the same time we paid to the steamer running from Brunswick to Simon's Mills, in your State of Georgia, Mr. Chairman, 12 miles, \$1,000, and we pay only \$1,300 to this Venezuelan line.

The United States of Colombia, how about our trade with her? Not

a solitary American steamship entering her port, yet her trade is great. England sells her annually three and a half millions of cotton goods, while the United States only half a million. Of boots and shoes she bought of the United States \$112,000 and of France \$750,000. France sells her \$828,000 worth of wearing apparel, while the United States sells her but \$55,000. She imports annually \$20,000,000 worth of manufactured products, every single article of which we produce in this country and might sell her, but we have not a single steamship connecting with her ports.

Go down to Peru, a country with three millions of people and institutions modeled after our own. She is practically without manufac-

The United States sold Peru in 1882 of cotton goods only \$42,000 worth, while Great Britain sold her \$2,325,000. In 1882 we sold her of hardware-iron and steel-but \$73,000 worth, while Great Britain

sold her \$811,000 worth.

Of the article of paper the United States sold \$1,170 worth and Great Of the article of paper the United States sold \$1,170 worth and Great Britain \$46,000 worth. Of manufactured hemp the United States sold her \$7,000, while Great Britain sold her \$100,000. Of wearing apparel Great Britain sold her \$58,000, France \$178,000, and the United States not a dollar's worth. Of woolen goods she bought of England \$481,000 worth, of France \$719,000 worth, and of the United States not a dollar. Why is this? We have no communication with that country.

Now and then by a stray sailing vessel American goods reach her ports, but they are shipped generally to Liverpool and Hamburg and carried under a foreign flag around the Horn. The Royal Mail Steamship Company and French line monopolize this entire trade, and do it not by being paid the sea and inland postage, but are aided by liberal compensation

for carrying the mails.

How easily the Pacific Steamship Company could extend her line from l'anama down the western coast, but the United States says to her, "If you take that venture we will give you half the postage on the letters you carry, though these letters may lay the foundation for a great trade with the Republic of Peru."

Take Chili, with her population of two and one-half millions, and the trade with that country is enormous. I can not go into it at length, but she buys annually \$35,000,000 worth of manufactured goods. Think ofit; \$35,000,000 annually! She has more trade per capita than France, twice as much foreign trade as Mexico, and four times as much as the

whole of the Central American states.

Yet the United States has less than 4 per cent. of this trade; England, France, and Germany control more than 80 per cent. of her trade; and Great Britain alone takes more than 50 per cent, of it. In 1882 our trade was only \$3,500,000 with Chili, while Great Britain's trade that very year was \$73,000,000, and France and Germany \$13,000,000. And yet we stand idly by and refuse to do anything to secure this trade. Germany sold of sewing-machines—for they are not savages down there—in 1883 Germany sold of sewing-machines \$109,000 and the United States \$7,000.

Germany sold her of pianos \$112,000 worth and the United States \$7,000. Of cotton goods Germany sold \$1,645,000 worth, and the United States \$300,000 worth. Of boots and shoes Germany sold \$234,000, and the United States sold none! In 1882 England sold \$7,000,000 worth of cotton goods and one-half million dollars' worth of woolen goods, and two millions of iron and steel, every single yard and pound of which could have been furnished by the looms, mines, and mills of the United States. From 1863 to 1882, in twenty years, England sold her \$213,000,-000 worth, France \$135,000,000, and the United States \$36,000,000.

In 1882 Chili bought \$10,000,000 worth of cotton goods, only \$300,-000 of which came from the United States; \$4,000,000 worth of woolen goods, \$6,000 of it from United States; \$319,000 worth of carpets, none from United States; \$470,000 worth of silks, none from the United States; \$1,289,000 grain and flour bags, \$114 worth bought of the United States; she bought \$722,000 worth of hats and caps, from the United States none; \$1,261,000 furnishing goods, \$125 of this came from the United States; she bought \$400,000 worth of watches and jewelry, we sold her \$21,000 of it; \$428,000 worth of boots and shoes, \$11,000 worth of which came from the United States; she bought \$892,000 worth of glass and crockery, \$15,000 of it from the United States; she bought \$2,000,000 worth of hardware and cutlery, \$200,000 of it came from the United States; \$2,300,000 worth of iron, of which the United States sold her but \$306; she bought \$164,000 worth of watches, but no portion of them came from the United States. What is the trouble? this paucity of trade? Why, we have no communication with Chili! And when it is proposed to extend the steamship lines carrying American mails to that country by permitting the Postmaster-General to contract for this service the same as for the domestic service the cry of "subsidy" is raised.

In 1881, thirteen hundred and eighty, and in 1882, fifteen hundred and sixty vessels entered the ports of Chili, more than twenty-five hundred craft in all. Four-fifths of them were under the English flag and not a single steamship from the United States carrying the American flag.

It is easy to extend our Pacific mail down the coast and touch at Chili, but the reply comes "if you take the venture we will give you only 5 cents a letter for carrying American mails."

What does Chili say in her public press? And let me say right here that many of these foreign countries are anxious to establish mail communication with us. They never refer to us but as the "great Republic," and they have standing offers of a hundred thousand dollars if we will do something to establish mail communication with them; but we have refused. When we try to do it we are met with the cry of

I read from an article, an editorial, published in a Valparaiso paper, the Journal of Commerce, which will give you some idea of the thought of Chili upon this subject:

The political economists and manufacturers of the Grand Republic [as they call the United States] are beginning to realize the small amount of trade they do with the South American countries in comparison with England, France, and Germany. Without exaggeration we may say that these nations rule our market, and the commerce of the first named exceeds that of all the other nations of the Old and New World together, forming a painful contrast with the Valued States.

tions of the Oid and New World together, forming a painful contrast with the United States.

In the last twenty years, commencing from 1863, the exports from Germany to Chili have increased from \$772,515 to \$10,015,564, those from France from \$4,301,838 to \$8,333,309, and those from England from \$1,090,069 to \$31,638,000. From the United States they have decreased from \$1,810,846 in 1863 to \$1,774,615 in 1882. More notable still are the exports, for to Germany they increased from \$12,313,029 to \$58,961,622, but to the United States they only increased from \$1,332,672 to \$1,666,978.

352.672 to \$1.666.978.
We can therefore say that, should the commerce with the other nations continue in the same proportion, before twenty-five years shall have chapsed the products of the Grand Republic will be excluded from this coast, as the North American flag now is, being represented last year by only two steamers—vessels of war—in the presence of 10 Spanish, 12 Italian, 78 French, 109 German, 1,948 English steamers. The United States yields in nothing to other nations, neither in population, richness, nor industrial products. It rather surpasses them in most respects, and should have our trade by reason of its proximity and the international sympathy engendered by common institutions and aspirations. It is therefore a case which excites our curiosity, wounds our self-estem, affects our commercial interests, and needs careful consideration and efficacious remedies.

The people of the United States no doubt to the contract of the contract of the United States no doubt to the contract of the United States and doubt to the contract of the United States and doubt to the contract of the United States are doubt to the contract of the United States are doubt to the contract of the United States are doubt to the contract of the United States are doubt to the contract of the United States are doubt to the contract of the contract of the United States are doubt.

our commercial interests, and needs careful consideration and efficacious remedies.

The people of the United States no doubt believe, as they have good reason to, that the humiliating condition of their commerce in South America is neither natural nor fatal, and there is an easy method of improving it, by overcoming the artificial obstacles which stand in the way, in order that the great Republic may take the first place in rank and honor. The distinguished commissioners will commit a grave error if they attribute the prostation of their commerce to antipathies or bad feeling toward their country, or to a predilection for European manufactures. On the contrary, there is no one in Chili who does not recognize the superiority of American products, natural and manufactured, and as regards price and quality they are preferred to European goods, with perhaps the exception of articles of fashion and fine arts, which they themselves import. Yet in spite of this the English and Germans have almost a monopoly in all the South American markets.

Whenever we have established and maintained steamship communication with foreign countries, increase of trade has rapidly followed. As the result of venzuela, our trade with that country has rapidly increased from \$1,783,000 in 1876 to \$2,953,000 in 1884, and \$3,043,393 in 1855.

Onthe the eastern side of South America the Brazilian line stops at Rio.

On the the eastern side of South America the Brazilian line stops at Rio. Fifteen hundred miles beyond lies the great Argentine Republic, with a population of 3,000,000, with fourteen sovereign states confederated into a central government, with her president and national congress, her capital, Buenos Ayres, having 500,000 people, 40,000 of whom speak the English language. We are scarcely known there as a nation.

In 1884 this great republic bought \$94,000,000 worth of manufactured goods. Of this amount \$38,000,000 came from Great Britain; from France, \$17,000,000; from Germany, \$9,000,000; from Belgium, \$7,-500,000; from Spain, \$5,000,000; from distant Italy, \$4,000,000, and from the United States seven and one half million dollars' worth-only about 8 per cent. of the United States.

Last year she bou; oit \$20,000,000 worth of clothing, every article of which could be manufactured in the United States; \$8,000,000 worth of furniture, all of which we might have furnished. In the last twenty

years we have bought of her \$110,000,000 worth of raw material and sold her but \$47,000,000 worth, paying her \$63,000,000 in cash, which has gone to enrich our foreign rivals. But with whom does the Argentine Republic trade? In the last twenty years we have sold her \$40,000,000 worth; Great Britain, \$254,000,000, and France, \$313,-000,000. In 1883 Great Britain sold her of cottons alone \$6,665,000 worth; while the United States sold her but \$150,000 worth. United States sold her of woolen goods but \$7,500 worth; while Great Britain sold her \$2,169,000 worth. The United States sold her of iron and steel \$500,000 worth; while Great Britain sold her \$6,725,000 worth. Her total commerce with European countries is 90 per cent. of her whole trade, and with the United States only 10 per cent.

What is the trouble? We have no communication with the Argentine Republic, and her great capital, Buenos Ayres, or with Uruguay, and the beautiful city of Montevideo. Twenty-one lines connect her ports with Europe.

In 1884, 3,629 steamers arrived at the great city of Buenos Ayres. How many from the United States? Not one; 3,629 steamships and 3,445 sailing vessels.

Of the total tonnage that entered the port of Buenos Ayres, 24 per cent. was under the British flag, 16 per cent. under the French flag, 9 per cent, under the German, and 24 per cent, under the flags of other countries, and the United States had the miserable representation of 2 per cent. of the sailing vessels. Two hundred ocean steamers ply between Buenos Ayres and European countries, and if you want to reach Buenos Ayres you must take passage across the Atlantic and sail from England. Forty to sixty steamships arrive in Buenos Ayres every mouth. English, German, French, and Italian lines have over one hundred steamships carrying the mail into her ports, with freight and nundred steamships carrying the mail into her ports, with freight and passengers. Italy has a fast mail line running in fifteen days. We must send our mails, passengers, and freight by Europe. All these lines are liberally paid for carrying the mails.

How easily the Brazilian line could be extended down to the Plate.

Yet we refuse to encourage this line in such an undertaking. And if she takes the venture we will promise to pay her only the sea and inland postage on the mails carried.

Look to Uruguay with her seven hundred thousand people and her capital of one hundred and four thousand. The annual value of her commerce is \$50,000,000, her imports \$26,000,000. In 1885 she imported from Great Britain \$8,000,000 worth, from the United States \$1,500,000. She imports annually \$20,000,000 of manufactured products, more than one-fourth of which comes from England and 18 per cent. from France. Between 1862 and 1882 she bought of the United States \$21,500,000 worth, of Eugland \$115,000,000, and of France \$118,500,000. In 1882 England sold her of cotton goods \$3,000,000 worth, the United States \$580,000; of iron and steel \$1,269,000, the United States \$93,000; of woolen goods \$865,000, the United States \$1,350. England sold her \$350,000 worth of coal, the United States \$2,000 worth; \$286,000 worth of hemp, the United States \$38,000

Twenty-one lines of steamers from Europe enter her ports-eight British lines, four French, two Spanish, one Italian, one Belgian, one with the Netherlands, none with the United States-only an occasional sailing vessel. The result is we have no trade with this country and can not have until we have regular communication. Merchants can not order goods of us with any certainty of receiving them in time for their trade. The South American Commission say in their report that if a merchant in Uruguay orders goods from the United States he must wait from five to nine months for returns, while he can cable an order to Europe and receive his goods in forty-five days. The commission note an instance where a nine months' order had not been received and the last cargo from New York was one hundred and twenty-five days to Montevideo, six months after the order was mailed. We had no mail communication except via Europe; hence the delay. But a cablegram was sent to England and in sixty days the goods were there.

The advantage of mail communication is that the foreign merchant in ordering goods knows they will arrive in time to meet his trade, as mail lines run upon regular time between intermediate and terminal ports; come up the eastern coast of South America to the great Empire of Brazil with its population of 13,000,000, with which country we are connected by the New York and Brazilian Steamship Company.

This empire bought of England in 1885 \$34,000,000 worth, and of the United States only \$7,317,000. We import from this country annually about \$50,000,000 and sell her only eight or ten millions. Her total imports are \$140,000,000 annually. Of this, England farnishes 45 per cent., France 17 per cent., and the United States only \$8,500,-

In 1883, she bought of England \$15,778,098 worth of cotton goods, of the United States \$612,828; of England \$95,613 worth of hats and caps, of the United States only \$119 worth; of England \$1,446,572 worth of flax manufacture, and only \$49,000 from United States; from England \$5,674,407 of iron and steel, \$1,034,648 worth from the United States; \$1,000,000 of manufactures of leather goods from England, and \$36,000 worth from the United States. She bought of Great Britain \$1,618,000 worth of woolen goods; of the United States only \$2,842 worth. She bought \$1,500,000 worth of wearing apparel from France, and only \$17,000 worth from the United States.

I need not follow these comparisons at greater length. In view of their startling disclosures it is amazing that any American citizen should seek to obstruct the passage of this bill before us, which looks to securing to the United States a fair share of this great trade.

The able Secretary of State, in commenting on the report of the South

American Commission, said:

I. It seems to be very evident that the provision of regular steam postal communication, by aid from government, has been the forerunner of the commercial predominance of Great Britain in the great marts of Central and South America, both on the Pacific and Atlantic coasts of the continent. It is no less apparent that the efforts of other European nations, Germany, France, and Italy, to share in this profitable trade have been successful in proportion with their adoption of regular steam postal communication with the several markets whose trade they someth.

adoption of regular steam postal communication with the several markets whose trade they sought.

II. These papers show, also, that the enterprise and sagacity thus shown by European nations have actually reversed the advantages which our geographical position gives us in relation to this extensive commerce of the American hemisphere. The commercial correspondence of our merchants with the trading points on the east and west coasts crosses the Atlantic twice to make a postal connection in a circuit of trade which has its beginning and its end on our own continent. The statistics of our limited trade, under this extraordinary disadvantage, show that the growing preference for our products in these South American markets insists upon being gratified, even at the cost of a circuit of importation which carries our merchandise to Europe and incorporates it as a contribution to the volume and profits of European South American trade. No stronger demonstration of the tendency of commerce to follow in the train of postal communication can be conceived than this wast and expensive circuit of importation resorted to in default of direct opportunities between the countries of demand and supply.

WILL THEY USE OUR GOODS?

. The goods made in this country are sought after by the people of this south country. Everything American is regarded by them with favor and sells readily. It frequently happens that the English manufactured goods are branded "American-make." One of our commissioners found large quantities of English-made cotton at Rio branded "Augusta mills," in imitation of the celebrated fabrics of the Augusta (Ga.) mills. We have at this time a favorable opening with this people, for nearly all the products they buy are of the cheapest grades, or such kinds as we can produce at as low a figure as any other people.

It costs more to produce certain kinds of goods here than in foreign countries, where labor is at pauper prices. All goods that we can not produce as cheaply as these countries we could not ship from home and sell in the world's competition; but I say the most of the goods used by this south country are of the class that we can manufacture with the world. Proficiency of manufacture is acquired more quickly in cheap goods than expensive, in the goods everybody uses than in those of rare Hence in all the cheap fabries we are to-day competing with the world. Those people use cotton almost exclusively; they are the cotton users of the world. We are the cotton producers of the world. The cheap and coarse grade of cotton we can put into their markets against the factories of Europe.

In the common cottons 70 per cent, of the cost is in the raw material. The labor is a small item, and we can sell as cheaply as any nation. When we go into the higher grades labor enters more largely, and because of the high prices of labor here we are unable to compete successfully with the old countries; but we can and we do compete successfully with the old countries; but we can and we do compete with the world in all cheap goods. In all the fabries of iron, steel, wool, cotton, and leather goods, largely made by machinery, and in which manual labor is comparatively a small element, we invite an open market.

Other countries are lacking in machinery, because with them human hands are cheap; hence that which machinery can not do, or can only do a small part of, they produce at a lower price than we. That which do a small part of they produce at a lower price than we. That which machinery can do largely we can put onto the market at their prices and yet pay our workers American wages.

At this time, when there is such a desire to keep up the prices to our laborers, it seems most auspicious that we have an opportunity to open trade with a people who want the very goods that we can make against the world and yet pay the workmen the best of wages.

We can not ship silk, fine woolens, fine cottons, nor fine goods of any kind to England or elsewhere. There is too much work of the hands in them. Whatever the human hand touches in our country it dignifies, even in price. The human hand is the prophecy of all that can be achieved by human endeavor; it is the incarnation of man. Man is a sovereign on this soil, and the labor of his hand must receive a just remuneration. It is the duty of this House to recognize and protect the dignity of that hand. I shall not ask to strike it down, that the greed of cheap purchase may take its handiwork to the ports of older civilization and lay it beside a pauper's work.

Let us sell what we can to European countries with fair pay to our

workmen; but we can ship the coarser goods everywhere, and our Southern neighbors are inviting us to come to them. We need no other trade.

The gentleman from New York [Mr. HISCOCK], in discussing the question of goods we could ship to this country, said:

This is so true in the iron and steel industries that I believe the exportation of iron and steel goods to those and other foreign markets within the last year amounted to over \$16,000,000; and yet we can not compete with England in all the steel goods; but in machinery, in agricultural instruments—the hoe, the ax, the shovel, the angur, the bit, nails, wire, and mowers, reapers, plows—in all an agricultural people consume we can and do.

These are goods that Mexico and Central and South America demand and will buy from us and are buying from us to a certain extent to-day and will continue to buy if we can ship them there. This is also true as to cotton fabrics. All the cheaper grades of cotton goods we can produce in this country and compete successfully with the manufacturers of the world. I have been told within the past

year our producers of the cheaper, coarser cotton fabrics have been able to produce and export and sell in the English colonies their goods in competition with the English manufactured goods, because they were enabled to produce them cheaper by the aid of labor-saving machinery. And this is proved by the fact our yearly exports of them amount to \$12,000,000. Of many products of leather

our yearly exports of them amount to \$12,000,000. Of many products of leather this is equally true.

Of leather goods we export to a foreign market about \$10,000,000 in value, and you may go through with lines of goods those people buy and consume and you will establish the fact that by the development of our manufacturing industries, by the use of machinery, we are able to make and sell to them as cheap as any one else those goods of which they consume considerable quantities and which make up their foreign commerce, but which they now the more largely buy in Europe, and, we are unable to compete with Germany, and with France only when they control the carrying trade."

On examination of the commission's report of the goods we export to this south country, I find mentioned alcohol, rice, sugar, lard, hams, butter, cheese, cotton goods of all kinds in the cheaper grades; woolen goods of all kinds in the cheaper grades; clothing, wire, agricultural implements, paints, paper, flour, provisions, hats, caps, coal oil, tobacco. and the manufactured articles of iron, steel, and leather. In fact, this people want the goods and products that we produce in the greatest surplus. We have the goods they want and at the prices they are accustomed to pay for them.

ILLUSTRATION.

I shall particularize only an article or two. The people of Brazil annually import \$500,000 worth of butter and cheese. But where from? Not from this country; and yet we are the greatest producers of butter and cheese on the globe. Not one pound of either of these has ever been shipped from the United States to Brazil. Butter sells off the ves. sel there at 75 cents per pound; at my home butter, this week, is worth 15 cents a pound.

The coal trade has grown to vast proportions in South America.
Millions of dollars' worth are imported annually, but not a single ton from America. It all goes from England. Yet our coal mines are running on half time or closed up altogether. Just across the Gulf of Mexico from South America lies our State of Alabama, and a recent geological survey says that beneath her soil is coal enough to supply

our entire concinent for three thousand years.

In Brazil, Chili, and Buenos Ayres the representative citizens complain much to our visiting commissioners that the United States did not open proper commercial relations with their country. Their papers and orators always allade to this country as the great Republic; their highest ambition is to pattern after us. Brazil says she is ready to meet us to the full extent of her ability in supporting an ocean mail A year ago when it was supposed this country was going to inaugurate an ocean mail line to the south, they offered an additional pay of \$100,000 a year. A Canadian line promptly offered to perform this service for \$60,000 and extend the line up to Canada. It is well known how our proposed measure failed, and Canada then withdrew her offer.

In every instance the chief dignitaries expressed a desire for closer relations with us. They feel, as we ought to feel, that there should be a close compact of fraternal sentiment and business interest between the countries on this side of the water. Especially is this commercially profitable when climate, geography, and a difference in civilization makes each of our Americas the complement of the otherwhat we have not, and can not grow, by reason of our climate, they grow bounteously and can furnish us. All that they need and are unable to produce we manufacture in a surplus, and can furnish them. With a population nearly as great as our own, and a territory twice the extent of ours, directly adjoining us, and part of our own continent, they ask us to open the gates of commerce and let the tide of prosperity roll through. And yet some men here cry, "Shut the gates; we can save some thousands of dollars by sending our mails on English ships." Did ever evil genius more unfortunately blind the judgment of men!

ONE SHIP LOAD.

Let me give an illustration from the manifest of a vessel (the Finance) of the Brazilian line which sailed from New York on the 28th of l'ebruary last. She had on board, going from the United States to those South American countries, \$250,000 worth of American goods.

Where did that quarter of a million dollars' worth of products come

from? It came from twenty-four States of this Union. Look over the list of articles—hardware, scales, and fur goods from Connecticut; axes, organs, and printing-presses from New York; locomotives, cars, steel tires, and machinery from Pennsylvania; wagons and sewing-machines from New Jersey; ranges from Maryland; cotton cloth from Georgia; steel springs and furniture from Michigan; car-wheels, sewing-machines, and furniture from Ohio; rosin and tobacco-cutters from North Carolina; scales and axes from Khode Island; engines and machinery from Illinois; sheetings from South Carolina; furniture and slates from Vermont; watches and clocks from Massachusetts; bacon and hams from Kansas; scales and wire from Missouri; flour from Wisconsin and Minnesota; canned fruit and hominy from Maryland; fish from Maine; canned fruits from Delaware; oysters from Louisiana; flour from Virginia; rosin and hominy from Oregon; agricultural implements from Iowa; wagons and plows from Indiana.

Products representing twenty-four States, amounting in value to a quarter of a million of dollars, taken from our farms and factories and going to this southern market. So diversified are the wants of this people that one vessel reaches out its arms and gathers its cargo from twenty.

four States. What a company of men that \$250,000 worth of goods had kept employed for one year in its preparation! Estimating the labor in these goods at an average, and I suppose it would be fair to estimate them at that, we have 50 per cent. of this amount paid for labor to the men who work in the field or in the shop, not counting either of the extremes, as, for instance, in diamonds, where the raw material is worth 99 per cent. and the labor 1 per cent., nor that chiseled statue of Garfield in the grand Rotunda, on which the labor was 99 per cent. and the raw material 1 per cent.; but taking goods in the ordinary use, labor runs from 20 per cent. to 80 per cent. of the value.

The London Economist puts the average of labor in the average goods used at 50 per cent. This \$250,000 worth of goods furnished labor for two hundred and fifty men for one year at \$500 per year. Had all the work been confined to a city of 20,000 inhabitants with a surrounding country population of 5,000, it would have given employment to every

one of their idle men for one year.

Who will say the name of that vessel, Finance, was not a good omen? Who will say that people were not helped when these goods were sold to that ship? Who will say a quarter of a million dollars more of goods would not have been left with us had that vessel not sailed? will say he does not want more vessels to sail with \$250,000 worth of goods from twenty-four States? Who will say it is not a wise economy for our people to accept the policy so profitable to other countries and let trade follow the flag? Who will say he is willing to see thirty-six hundred and twenty-nine steamers enter Buenos Ayres another year, and not an American steamer? Who will say he is willing twenty-one lines of steamers shall continue to ply from foreign countries to Uruguay and not one American steamer enter her port, only an occasional sail-

ing vessel?
Who will say the statesmanlike sagacity pleaded for by the elder Bayard and President Polk forty years ago predently followed out would not have maintained our prestige on the ocean. Instead of nine-tenths of the trade of the southern continent crossing the ocean, we would today be controlling five-tenths of it; we would this year have \$300,-000,000 of that trade. We are entering upon this contest after other nations have established themselves; it is a late start, but to Americans all things are possible. We have the advantage of Europe in location; connection is quick and easy; we are producing everything these people need; we have the incentive of a million unemployed men to enter this field. On what other field can we enter with such invitation of prosperity? The passage of this bill would be a measure of sound Gov-

ernment policy.

Sixteen vessels a week leaving our shores for these south ports would carry \$4,000,000 worth of goods; this would give us \$200,000,000 worth We could within a short time raise this to of exports there a year. \$300,000,000. We could easily supply another \$100,000,000 to Australia, China, and Japan. This \$400,000,000 a year for our products means \$200,000,000 for our labor. Where, then, would be the Labor Commissioner's million idle men, and where would be the burdensome surplus? As those vessels steamed daily from New York, Charleston, New Orleans, and San Francisco they would form the grandest argosy that over floated on the waves; they would have caught up the burden of the nation between their iron sides and sailed away with it.

THE MEANS OF COMMERCE.

The Central and South American Governments have few ships of their own. Hence, wanting a certain kind of goods they buy of the vessels that bring them to their doors, and thus naturally the trade of these countries is controlled almost entirely by those nations which have the largest merchant marine. The control of commerce is in the hands of the nations who control the means of commerce. What are the means of commerce? They are mail facilities, ships, bankinghouses, commission-houses, and agents. There must be steamers to mail and merchandise with speed and regularity; there must be all the varied exchange, credit, draft, and the large lines of accommodations afforded by banks; and then commission-houses must be established where each line of goods, as it is landed by the vessels, finds reception; then agents must travel the country, after the manner of our drummers, and the goods they sell by sample must be delivered with regularity and certainty.

So it comes to pass that the people who seek important commerce with foreign people must have ships, mails, banks of exchange, commission-houses, and agents. Having the means of commerce, they can control commerce. Wherever the English ship goes laden with the manufactures of Great Britain, she finds at the end of her journey an English commission-house ready to take her goods and dispose of them among the people of that country. It is by all of these means that she controls trade.

Of what avail is the generally favorable sentiment of South America for us if we have not the appliances to furnish them goods? Our mails to them are far between and always irregular. We have but ten steamers going to the entire southern continent, when we should have more than that sailing from our ports every week. We have nothing like regular commission-houses and agencies, and as to banking all our exchange is through English houses. When England, or France, or Germany contract to establish ocean mail to a foreign port it is for a term of years, and it is well known that it will be permanently continued.

Thereupon her pushing business men open houses at these ports and exhibit their wares. If they need supplies from home they are received with promptness. A local commission agent from Brazil visited this country and among other things took back a large number of harvesting machines. They were received with great favor, and sold so readily that he at once ordered three hundred more. They took the usual course of American shipping to that country and were received seven months after the order. It is proper to infer that the harvesting season was over when they got there.

If we will make a five-year contract to carry our mail to these southern ports our merchants will flock to Rio, Buenos Ayres, Montevideo, and the great cities of that country, and open commission-houses. The restless agent for American goods will push his way to every tradingpost and store in all that land. When the wholesale buyer wants an article the commission-house does not have the drummer will reply: "We will order it for you from America, and have it here inside of

thirty days.'

Their merchants will open trade with ours because they will know we have come to stay. I know it requires time to get all these appliances at work, and that we can not in a year reach full control of this Yet the first year will beyond, all doubt, yield gratifying re-When the word gets out among these people that the great Republic has recognized them and asked for the fellowship of barter, which next to the kin of citizenship makes a united people, the American ship will be the welcome guests in their harbors

England has made of herself the workshop of the world, and by sailing her own ships, and maintaining rapid mail communication with all the nations of the earth she is enabled to control commerce to a larger extent than any other nation. She buys less and sells more than any other government. She buys nothing but raw goods; she sells nothing but manufactured goods. She sells to every one of the south countries more than she buys; in some instances six times as much as

she buys. Last year she bought \$5,000,000 worth of products from

the Argentine Republic, and sold that country \$30,000,000 worth. Not so with us; we buy from these countries more than we sell, and the

triangular ship system helps to keep us in this rut.

English lines of vessels loaded at Liverpool for Brazil discharge their cargo there, and loading with coffee and other goods sail up to New York, discharge their load and sail across to Liverpeol. They take a cargo to Brazil, and having no order for a return load home, and as we have no ships there, they take on board the order for a load of goods to America. And this is how we sell to Brazil only \$8,000,000 worth a year, and our imports from her amount to \$50,000,000. We ought

to get rid of British triangular ships.

Now, sir, we ask that this country rise from her criminal inactivity and assert a place on the high seas, and put in her bid on the world's commerce. The Post-Office appropriation bill before us proposes to pay \$800,000 for ocean mail service to Mexico, Central and South America, China, Japan, and Australia-\$400,000 to be paid to existing vessels for making increased trips to the ports where we now have mail com-munications, and \$400,000 to existing vessels and new vessels for extending our mail communications into ports with which we do not have mail facilities. We have scores of vessels like the Delaware steamers already alluded to that could be called from their tramp trade into this national commerce.

This service is to be let out to the lowest bidder, but not more than 50 cents can be paid for each mile traveled. For this entire service and its extension but \$800,000 can be paid. This is less than Germany pays to one line of steamers, and but little more than France pays to the West Indies and South America. If every contract should be made at 50 cents per mile we will then have the cheapest mail service in the world, not another of the great governments paying less than \$1.03 per

For carrying the mails from Port Townsend, to Neah Bay, 102 miles, we pay \$6,303; yet from San Francisco to Mexico, a distance of 1,520 miles, we pay \$208. Does any man believe the latter to be a just compensation?

For carrying the mail from Tampa to Key West, a distance of 249 miles, we pay \$23,600. These are American ports; but from Key West to Cuba, a distance of 100 miles, we pay \$237, the latter being a foreign island and called foreign mail. Do you approve of this as prudent business management when we seek the trade of that island?

We pay the New Zealand line \$20,000 for carrying our mail to Australia, when we have an American line making exactly the same trip, and the New Zealand line is already paid \$150,000 by its own government. Their purpose is to secure the trade of Australia and break down our line, which is seeking to secure that trade for America. Is this acting in good faith with American interests?

When we pay \$280,000 for carrying our mail in foreign vessels and

\$46,000 to our own vessels, is that prudent management?

When for carrying commerce from and to our shores we pay to foreign vessels \$136,000,000 per year and but \$14,000,000 to American vessels, is that the statesmanship that builds a powerful government? When in 1858 we were masters of the ocean, and in 1886 find our-

selves without a vessel crossing the Atlantic with our mail, is it not loyalty to plead for the restoration of our commerce?

South of us lie fifty million people, their country bursting with natural

wealth, an empire richer than India, from which Augustus Cæsar brought back \$40,000,000 in excess of values exchanged, or of that field of commerce where Solomon sent one voyage which returned him gold valued at \$14,500,000. These people are inactive and without genius. They import \$500,000,000 worth of manufactured products annually. They have asked to be recognized in commerce by the Great Republic, for they want to believe that their destiny moves with ours. We view the steamers from England, Germany, and France, loaded to the water's edge, bearing to their ports, into many of which the American flag has never entered, and unloading that merchandise whose sale and profit alone makes the vessel's native country tolerable to live in. We gaze upon this continent of measureless wealth that lies at our very door, and are surrounded at home by fields untended, by furnaces unfired, by a million idle men, by woman's face made white by anxiety and want, and are, like Tantalus, "doomed to parch with thirst in the midst of waves, and viewing banquets, to starve to death."

Rivers and Harbors.

SPEECH

HON. RANDALL LEE GIBSON.

OF LOUISIANA.

IN THE SENATE OF THE UNITED STATES,

Tuesday, July 13, 1886,

On the bill (H. R. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, the Mississippi River amendment being pending.

Mr. PRESIDENT: If Senators had read the various reports of the engineers of the Army, of the Mississippi River Commission, and of Captain Eads upon the subject of the improvement of the Mississippi River, I would not at this time make any reply to the observations of the Senator from Kansas or tax the patience of the Senate while I attempt to set forth the facts and principles involved in the correct solution of the problem which concerns so vitally the people of the whole Mississippi Valley.

The idea that led to the purchase of the Louisiana territory originated in the earnest aspiration of the people of the Western country, I may say of the whole country, to gain control of the Mississippi River, that was even foreshadowed in the Farewell Address of George Wash-

If there be anything which is peculiarly the property of the United States, and over which the Government possesses exclusive and absolute jurisdiction, it is this great highway of commerce, for not only was it purchased out of the common Treasury but by the treaty under which it was acquired it was dedicated to the free and common enjoyment of the people of the whole country, and the enabling acts by which the riparian States were admitted into the Union specially denied to these States the right to levy any tax of tonnage or to exercise any jurisdiction whatever over it. And whatever might be the disasters or emergencies threatening the welfare of the riparian States, growing out of the extraordinary phenomena of this inland sea, they are prohibited by the Constitution of the country from any co-operation or agreement whereby they might protect themselves.

This undisputed and unqualified jurisdiction reserved to the Government of the United States, I submit, carries with it corresponding obligations and responsibilities. If it can be demonstrated that radical changes have occurred in the conditions of the lower river in consequence of the improvement of the upper rivers by the Federal Government, the destruction of the forests, and the settlement and cultivation of the country under the security and the settlement. of the country under the sanction and authority of the Government, it might well be held that the people of the lower valley possess an equitable claim that the Government shall at all events interpose to mitigate these newly created conditions that tend to destroy not only the navigation of the river but their homes, lives, and property, the very exist-

ence of civil society itself in the alluvial region.

Ownership carries with it responsibility sicutere tuo non alieuum lædas. I do not propose at this time to discuss that aspect of the question. If merely suggest it. Indeed, I may say that the Government of the United States has accepted the duties and responsibilities arising from the possession and jurisdiction which it holds over this the greatest single highway of commerce within its borders or in the world. For hardly had the national authority been extended over it before engi-

hardly had the national authority been extended over it before engineers were appointed to explore the phenomena with a view of ascertaining the laws to which these phenomena were subordinate.

The first report was made by Major Bernard, an exile from France, appointed a major in our Army, who afterward became Secretary of War under Louis Philippe. He announced the doctrine that if the channel be contracted the velocity would be increased thereby and the channel

nel deepened. This same view was taken by General Barnard, recently deceased, one of the most distinguished engineers of the Army of the United States, who was for many years employed on the Mississippi River, and whose able and comprehensive reports I hold in my hand. The people of the Mississippi Valley owe to this officer a debt of grati-

Generals Humphreys and Abbott were for more than ten years engaged in service upon the river, and at the conclusion of their investigations they explicitly condemned and rejected the outlet system and advised that the only way to improve the river was by the establishment of a system of levees. Similar investigations were made and results announced until about the year 1875, when Captain Eads applied the jetty system at the mouth of the river.

Two parallel jetties were extended out over the bar at the mouth of the Mississippi River conforming the water to a narrower channel, and

where there had been 8 or 9 feet depth there is to-day 30 feet, affording an entrance for the largest ships to the harbor of New Orleans.

Mr. VAN WYCK. Will the Senator allow me a moment right

there?

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Nebraska?

Mr. GIBSON. I prefer not to be interrupted until I shall have finished my remarks.

The PRESIDENT pro tempore. The Senator from Louisiana declines

to be interrupted.

Mr. GIBSON. I will support all statements I may make by the latest reports of the engineers of the United States in respect to this matter, and would prefer not to be interrupted, as I have not reduced my remarks to writing, and might be led into extraneous discussions that would detain the Senate beyond proper limit,

Mr. VAN WYCK. I desired to make a remark in regard to the

work of Captain Eads.

The PRESIDENT protempore. The Senator from Louisiana declines

to yield.

Mr. GIBSON. I know some persons deny the existence of the jetties at the mouth of the Mississippi River, just as Berkley demonstrated by analysis that no such thing as matter existed, and as Dr. Johnston replied to him that he stamped his foot on the earth and that was demonstration enough to convince him of the existence of matter, so I will say to the Senator from Nebraska [Mr. VAN WYCK] that if he will visit the mouth of the Mississippi River and look at the jettles he will no longer deny their existence, that is if he is willing to be controlled by the evidence of his senses.

When I myself in the year 1875 went down to the jetties and saw precisely how that system operated, I conceived the idea that it might be adapted to the whole river, for I saw no reason why, if by holding all the water in the river through one of its passes the channel should be deepened, the same process of contraction would not if applied uniformly and gradually up-stream deepen the river every foot of the way

throughout the alluvial region.

In order to give practical effect to this system I framed a bill for the establishment of a Mississippi River commission, which I introduced in the House of Representatives in the year 1876, and in favor of which Captain Eads addressed the Committee of Commerce in April of that year, demonstrating as I thought then and still think that the application of that system to the river was practicable and feasible and economical and would not only give deep water, a ship-canal, if you please, to Cairo and Saint Louis, but would at the same time lower the bed and surface of the river so as to protect the people throughout the alluvial region from its disastrous floods.

The bill for a commission finally became a law, approved June 28, 1879, but it was found necessary to recognize the engineers of the Army, the Coast and Geodetic Survey, as well as Captain Eads and the engineers who agreed with him. Some of the most distinguished en-gineers of the Army were appointed members of that commission. General Gillmore was made its president; Mr. Eads himself was placed upon it in a subordinate position. General Comstock, who had always combated the views of Mr. Eads, was also appointed upon the commission by the President, and the distinguished Senator from Indiana [Mr. HARRISON], and the engineer in chief of the State of Louisiana, Mr. Harrod. In fact every member of the commission had a reputation for high character and ability and devotion to public duty. The act establishing the commission directed it especially "to report in full upon the practicability, feasibility, and probable cost of the various plans known as the jetty system, the levee system, and the outlet system, as well as upon such others as they may deem necessary."

There had been for years discussions of these various plans, and the Government had declined to attempt the execution of any one of them

because of this difference of opinion.

I felt that it was but just and right that an end should be put to these academic discussions and that the day should be no longer postponed when the skill and resources of the General Government should be applied to the actual improvement of the river.

I knew that the trade and commerce of the river were suffering, that taxation fell more heavily upon the people of the valley of the Mississippi in consequence of these obstructions in their great natural high-

way, and that great injustice was inflicted upon the people of the lower valley by the indifference or rather inability of the Government to come to their relief.

Hence it was that the Mississippi River Commission was created, and a system has been adopted which in the main commends itself to the common sense of the people of the valley and the scientific men who have examined it. The commission have submitted their reports annually to Congress, and they are here before the Senate to-day to speak for themselves.

Now, it may well be asked, what has that commission accomplished? But in order to answer that question satisfactorily the difficulties to be

overcome must be briefly and clearly set forth.

Many Senators representing States distant from the Mississippi Valley express wonder at the idea that there should be any necessity for work upon a stream so large as the Mississippi River. They can well appreciate how necessary it is to improve the smaller rivers of the country and the harbors on the Atlantic and Pacific coast and lakes, but they express amazement when it is suggested that the resources of the common Government should be invoked to improve the channel of the Mississippi River from the Gulf to Cairo, which presents a coast line over 2,000 miles long, longer than one whole foreign commerce larger than one whole foreign commerces. I hope the Senate will bear with me if I go somewhat into detail in

this matter. There were in the Upper Mississippi the following sand-bars between Cairo and Saint Louis. I will name them: Alton, Arsenal Island, Horsetail, Twin Hollows, Pulltight, Chesley Island, Jim

Smith, and Cairo.

Smith, and Cairo.

There were at every one of these points difficulties to be overcome and a depth of only 3½ or 4½ feet of water for from two to four and sometimes five months in the year.

This interruption of commerce for such long periods of the year between Saint Louis and Louisville, between the Ohio and Mississippi Rivers, was not that an obstacle to challenge the attention of the Government? And below Cairo what were the difficulties?

I will state them from a data before me furnished by the commis-They consisted of sand-bars that stretched out, some of them, 40

miles long.

The commission speak of six of these reaches, called, respectively New Madrid reach, 40 miles long; Plumb Point, 38 miles; Bentley, Helena, Choctaw, and Lake Providence. There is one also of my own personal knowledge at the month of Red River, which I do not see mentioned in the report.

These reaches or sand-bars place an absolute embargo upon trade, traffic, and commerce, not only upon the Upper Mississippi, between Cairo and Saint Louis, but on the Lower Mississippi, even as far down as the mouth of Red River, just above New Orleans.

I will not attempt here to estimate the increased tax that these obstructions impose upon the country. I hold in my hand a document on the internal commerce of the United States, issued by the Bureau of Statistics, which shows how many days in the year there is less than 6 feet of water over the shallow places and how many days less than In some instances navigation is closed for one hundred and forty-six days, in others one hundred and thirty-six days, and in others one hundred days, but during every year the average is nearly three months. So that here we have the greatest highway of commerce in this country directly closed and navigation suspended on it for three,

this country directly closed and havigation suspended on it for three, four, and five months in the year.

These are not speculative but practical difficulties, plainly visible, well known and appreciated by the people in the Mississippi Valley. The same document from which I quote declares that the actual cost of transportation in vessels drawing only 4 feet is nearly twice as great as one loaded to 8 feet. I am well prepared to believe this statement, because when the river is shallow the navigation is difficult and perilons and impossible to the larger boats that carry the staple productions of the valley. Who can estimate, therefore, what a tax these shallow ons and impossible to the larger boats that carry the staple productions of the valley. Who can estimate, therefore, what a tax these shallow reaches impose upon the people of that valley, nay upon the people of the whole country? It can not be less than \$150,000,000 a year.

Hence the improvement made by the Mississippi River Commission

on that river has reduced the price of freights one-half by giving full 8 feet of water through the channel which they have improved. I sieet of water through the channel which they have improved. I nardly think it necessary to do more than call the attention of Senators to the fact that this operates not only to reduce the price of freight on the Mississippi River but to bring down the price of freights all over the United States, for the Mississippi River itself regulates the cost of transportation on every commodity produced in this country. Nor will I weary the Senate with statistics showing the popula-

try. Nor will I weary the Senate with statistics snowing the population and productions of the Mississippi Valley.

The Mississippi River Commission was organized to remove these difficulties, to lift this tax, this burden from the labor of the industrious and frugal people who inhabit the great valley from its gateway at the sea to Lake Itasca. Is it not a legitimate purpose, a public purpose, a national purpose, and highly patriotic purpose? Are we to be sneered out of the Senate because the powers of the Government are invoked in respect to a matter that concerns the vital interests and hapinvoked in respect to a matter that concerns the vital interests and happiness of the people interested in this the greatest highway of commerce in the world? Mr. President, the removal of any serious obsta-

cle to navigation on the Mississippi River releases every producer, every home, however humble, in the valley, and every consumer throughout the length and breadth of this country from an onerous tax.

Now what have the commission done? I have stated what the difficulties were and I will now endeavor with equal frankness to exhibit how far the commission have succeeded in removing them. What are the actual results? My statements are not drawn from newspaper telegrams springing from the imagination of some sensational reporter, and which, when analyzed, will be found to be entirely erroneous, as I shall presently show was the case with the dispatch just read by the Senator from Kansas [Mr. Plumb]. I have before me the official reports of the commission submitted to the Government on their official responsibility, and for one I am disposed to accept them as authentic and true. They can not be denied. Congress has appropriated \$8,000,000 for the improvement of the river from Port Eads to Cairo, and about \$2,000,000 from Cairo to the mouth of the Illinois. It is proper that I should say that not one farthing of this money has been expended by the commission, but every dollar of it has been expended under the direction of the Secretary of War by the engineers of the Army of the United States.

United States.

If Senators will turn to the last page of the last report of the commission they will find an itemized statement of the expenditures of every dollar of the appropriations already made.

On page 2875 will be found the financial statement to which I refer, giving an account of every cent that was expended under the direction of the Secretary of War by the Engineer Corps of the Army of the United States for the improvement of the river in accordance with the plans of the commission.

I will read it for the satisfaction of the Senate:

I will read it for the satisfaction of the Senate:	
Act of March 3, 1881	\$1,000,000 00
Act of August 2, 1882	4, 123, 000 00
Act of January 19, 1884	1,000,000 0
Act of January 19, 1884	2,065,000 0
Act of sury s, 10.2, 10.5 (0,000 transferred to sing-boat service	2,000,000 0
Total	8, 188, 000 0
Balances from former appropriations for works below Cairo, July	STATE AND STATE OF
1 1882 less \$123 42 reverted to the Treasury	272,504 9
Balances from former appropriations for works above Cairo, July	ATTICATION OF
1.1884	22,632 5
1, 1884	411 0
Expended to June 30, 1885: Des Moines Rapids to Ulinois River	8, 483, 548 5
Denoviled to Tune 90 1005.	
Des Moines Rapids to Illinois River	120, 949 2
Illinois River to Obio River	389, 339 5
Protection to easterly bank of Mississippi River near Cairo	
Protection to easterly oank of Mississippi River near Cairo	27, 839 9
New Madrid reach	210, 364 7
Plum Point reach.	2,379,019 1
Memphis reach	477,073 0
Memphis Harbor	198, 580 9
Lake Providence reach,	2, 240, 285 7
Vicksburg Harbor, dredging	61, 812 1
Vicksburg Harbor, Delta Point	115,573 7
Survey of Helena reach	8,000 0
Survey of Saint Francis front, first district	4,873 1
Survey of Saint Francis front, second district	4,000 0
Survey of unleveed fronts, third district	
Survey of unleveed fronts, fourth district	
Survey of Cubitt's gap	137 1
Survey of Choctaw bend	2,679 8
Observations at Carrollton	3,000 0
Closing Bonnet Carré crevasse	15,000 0
Lerees.	
Second district:	
Yazoo front	80,950 0
Long Lake.	
Third district:	20,000 0
Opossum Fork	25,000 0
Yazoo front	364, 875 4
Tensas front.	
Fourth district:	411,107 7
Atchafalaya front	133, 503 9
Tensas front	
Mouth of Red River.	98, 386 3
Natchez and Vidalia Harbors	6, 626 C
New Orleans Harbor	149, 334 4
270 VIII SILAND AMERICAN AMERI	110,001 0
· m-1-3	0 000 ==0 =

J. H. WILLARD,

Captain of Engineers,

Secretary Committee on Construction, Mississippi River Commission.

But I recur to the question, let it be admitted that the money has been honestly accounted for, let it be admitted, as all Senators will admit, that these gentlemen have spent every dollar of the money to the best of their ability, what is the measure of that ability? What practical results have they achieved? What fruits have the commission borne that will justify further appropriations? I will state these results from their own results from the results from their own results sults from their own reports.

In the first place, the commission have in their possession a plant (including vessels, machinery, utensils, everything necessary to conduct these vast operations) estimated to be worth to-day to the Government \$1,267,000. Speaking of the improvement between Cairo and Saint Louis, they tell us—

The revetment of the head of Arsenal Island has been finished, and the protection of the new banks formed by the system of works below has been continued. Additional hurdles have been put in at Horsetail, Twin Hollows, Pull-

tight, and Jim Smith's. Large deposits have been formed by these works, as expected, and the navigable channel defined by them has continued to improve, the least depth now reported being 12 feet at Arsenal Island, 9 feet at Horsetail, 8} feet at Twin Hollows, and 10} feet at Jim Smith's.

These are the results. The river from Cairo to Saint Louis has a minimum depth to-day of 81 feet along its entire length, where there were but 31 feet before these works were undertaken and executed. The commerce of the river instead of being carried on to-day in vehicles that draw 4 feet or 3½ or 3 feet of water for three months in the year may be carried on by vessels that draw 8 feet of water, and thus the cost of transportation upon that end of the river is reduced one-half, a fact that the people of the upper valley have manifested their appreciation of in every way in which it was possible by popular conrentions, by memorials and petitions, and by the action of their Legis-

What has been done below Cairo? The commission have begun work on two of these reaches, Plum Point reach and Lake Providence reach, as I have already informed the Senate; and now we will hear what has been accomplished. I will let them speak for themselves, quoting from their last report:

their last report:

**SEW MADRID AND PLUX FOINT REACHES, 220 MILES.*

Since the last report work in this district has been confined to the Plum Point reach, and has been conducted in accordance with the general project described in the report of the commission for 1883.

The works of contraction at Gold Dust, Plum Point, and Bullerton have been repaired and extended, and foot-mats have been sunk along the faces of the principal lines.

Mattress work and upper bank revetiment were vigorously prosecuted to the close of the season at Fletcher's field, Oscoola Bar, Bullerton Towhead, and Craighead Point. The revetiment work has remained in generally good condition, except at Craighead Point, where, although the foot mattresses appear to have kept in place, the upper bank revetiment has disappeared.

This last work was undertaken in an emergency to protect a caving bank, was prosecuted under great difficulties, and was suspended before completion when severe cold weather prevented the delivery of stone. The general effect of the contraction works in this reach has been good, the main channel from Plum Point giving 12 feet depth. The deposits within the areas inclosed by the dikes have continued, although there has been no rise of any considerable duration. Builerton Chute is filling up rapidly and the average fill within the Plum Point lines is about 15 feet. The fill within the Gold Dust system has continued, changing from a depth of 33 feet at low water to a height of about 12 feet above low water, since October, 1884, a fill of about 45 feet, obtained mostly in one small flood.

Losses in this district have been confined chiefly to the earlier work, the dikes and revertments of later construction having suffered but little damage when completed and secured before floods set in. The present value of the plant used in this district is estimated at about \$300,000. The expenditures during the time covered by the report were about \$3500,000. The expenditures during the time covered by the report were about \$3500,000.

We have through that reach, where there were only 44 feet of water, a uniform channel 12 feet deep, the work of the Mississippi River Com-

LAKE PROVIDENCE REACH-220 MILES.

Before this improvement was undertaken the navigation of Loke Providence Reach was poor, the depth in low water being reduced frequently to 5 feet.

The general project consisted in preventing dispersion by closing the chutes and reducing the low-water width to about 3,000 feet by the construction of permenble dikes and the formation of artificial banks by deposit, and the preservation of the natural curves of the river by revetting caving banks. This reach has been improved so that there is now a navigable depth of 15 feet throughout its length.

The greater portion of the work done in this district since October 1, 1884, has been the extension of the revetment in Louisiana Bend (Pilcher's Point), the repair of revetment at Mayersville, and the revetment of Delta Point, Louisiana.

No additional works of contraction were undertaken, operations having been limited to repairs of former work, the construction of three cross-dikes in chutes, and raising the screen work on main lines. The necessity for holding Louisiana Bend and Delta Point has been stated in former reports, but is briefly repeated again on account of their im-

It was five feet when they began their works and now we have a pavigable depth of 15 feet throughout its length.

These are the practical results which the commission have achieved with the appropriation already made by Congress. Is it not something that they give double the depth and more than double the depth from Cairo or wherever they have applied their work? The reports show that they have been successful wherever they have made a test of the plan which they have adopted. Not only do the reports show this, but I have here the memorials from the commercial bodies of cities on the Mississippi River, one of which I will read, for they all are of the same tenor:

The undersigned, representing the commercial and industrial interests of the city of New Orleans and the State of Louisiana, are deeply interested in the prosecution of the improvement of the Mississippias inaugurated under act of June 28, 1879, creating the Mississippi River Commission, and do herein respectfully petition that that body be continued in the full exercise of its powers for the following reasons:

First, Its members are so selected as to guard against the control of local motives and influences.

Second The graves and investigations undertaken by them are and will

second. The surveys and investigations undertaken by them are and will always be necessary for any improvement. They should be continued and completed.

Third. The general principles of improvement adopted by them are in harmony with all investigation, all experience, and the successful works on allusial stress.

Fourth. That while the limited appropriations have necessarily localized their work on so great a river, yet whenever work has been done under their plan its correctness has been proved by the results obtained. In evidence, we point to the excellent navigation at and below Horsetail Bur and through the Plum Point and Lake Providence reaches, where low-water depths have been doubled; also to the successful protection of Memphis Harbor.

Fifth. The alleged losses, so far as true, have mainly been where the work was incomplete, and where there was no appropriation to complete and protect them. We make this petition convinced of the mitional importance of the work, and with confidence in the commission, its plan, and the results.

There are men engaged in the commerce of the Mississippi Valley, and they testify to the practical results of the plan which has been adopted and bear witness to the statements which have been made,

But I have something even stronger than these reports, namely, the testimony of the captains of steamboats, men who are engaged in commanding the steamboats upon the river. They say:

For years the river through the reaches at Plum Point and Lake Providence has been difficult, dangerous, and almost impossible of navigation at certain sensons except to the lightest class or of partially loaded steamers because of shallow waters, sand-bars, and other obstructions. But now, and as the direct result of the plans of the Mississippi River Commission to improve the navigable condition of those two reaches, fully loaded and the heaviest class of steamers can pass through them at any stage of the water, free from danger or detentions of any kind whatsoever.

Mr. GEORGE. Both reaches?
Mr. GIESON. Both reaches. We have before us not only the official statements in the reports of the engineers who compose this commission, not only the testimony of commercial bodies in the different cities upon the Mississippi River, men whose commercial relations extend throughout the whole valley, but we have the statements of the captains of steamboats who navigate that river testifying to the results which have been produced by the work and plan of the Mississippi River Commis-

I am reminded that I promised to reply to the criticisms of the hon-orable Senator from Kansas [Mr. Plumb] based upon certain anony-mous newspaper dispatches declaring that the works at Osceola Chute had given way.

There was some loss in the works at this point when struck by the flood when they were in an incomplete state, but it was soon repaired. In their report, December 19, 1884, page 2541, the commission say:

Of the system of works designed to close Osceola Clute and to hold the two head dikes, Nos. 1 and 2 are in good condition. Behind No. 1 the chute is now dry at 10 feet stage and a growth of willows has started over a large portion of the old river bed. A gap in No. 3 has been closed and general repairs made. This dike is now in good condition.

I have now, Senators, laid before you facts taken from the official re-ports of the commission, and I feel certain the conclusion has been reached that they justify further appropriations.

It must be borne in mind that though many of the improvements have been made many yet remain, and that the river can not be made fully available until navigation is restored throughout its entire length.

General Gillmore, in a letter addressed to me, dated June 11, 1886, presents this view of the question more forcibly than I can. He says:

presents this view of the question more forcibly than I can. He says:

It is neither desirable nor expedient that the plan of the commission should be further "tested," as the House bill directs, by the completion of the work on the Plum Point and Lake Providence reaches. The plan has been tested there already with amply successful results; there are 50 per cent, greater-low-water-channel depths now over the stretches of river covered by the works than the commission originally promised to accomplish, and quite enough to insure transportation at the lowest water rates when it shall be extended to the shoats above and below. What is needful there at present is that the works should be repaired and maintained at the stage of most advanced progress reached by repaired and maintained at the stage of most advanced progress reached by them. It is not necessary to deepen the channel to 20 fect to prove that a 16 foot channel is attainable.

It must be admitted, however, that the through navigation of the stream has not as yet received any practical benefit, for the simple reason that the improvement is restricted to localities hemmed in by bad river above and below. Two or three additional reaches of shoats and barsshould be attacked with onney that first becomes available, with a view to gradually extending the limits of improved navigation. As we already have a fine plant, fully equipped for service, nearly all the money allotted for works of improvement would be applied directly to them.

directly to them.

OUTLETS VERSUS CONTRACTION.

The honorable Senator from Kansas refers to the many conflicting theories and opinious that prevail as a reason why no further appropria tions shall be made. Let us, he says in effect, wait until some plan is proposed upon which all shall agree.

Well, if we wait until that time we shall wait forever.

Macaulay has observed that a man's interest may sometimes lead him even to dispute the law of gravity, and, strange as it may seem, this scheme for the improvement of the Mississippi River is based

wholly upon the law of gravity, as I will attempt to show.

There have been but two theories suggested for the treatment of the river-one is the outlet plan first offered by Mr. Charles Ellet, jr., civil engineer, in 1852 (see Executive Document 20, Thirty-second Congress, first session), in an elaborate report to the Secretary of War on the inundations of the Mississippi River, the object of which is to take the water at its flood stages out of the river. The other is the plan of contraction, the object of which is to hold all the water in the river, especially in its flood stages. When analyzed it will be clearly seen that these two plans not only differ from one another, but that they antagonize one another; and if there be any principles in hydraulies they are wholly irreconcilable; if one be founded upon the truth, the other must be founded upon error.

The outlet hypothesis, for it does not rise to the dignity of a theory, has been rejected and condemned by every civil engineer who has ever sought to ascertain a knowledge of the laws which control the river. It was condemned and repudiated by Generals Barnard and Totten-by General Bernard, who died but a few years ago, the senior officer of the engineers of the Army of the United States, and who spent most of his life upon that river. It was rejected by Humphreys and Abbot, who spent ten long years in surveys of the river. It has been again con-demned by the Mississippi River Commission, by Captain Eads, and indeed everywhere up and down the Mississippi River by the scientific engineers and by the people who have brought their plain common sense to deal with its phenomena.

Sir, it is contrary to reason and repugnant to every fact that has been elicited by the investigations of the river. What is the problem presented by the Mississippi River between Cairo and the Gulf, a distance of only 600 miles in a direct line, though 1,170 by the river, into which forty-three rivers, navigable by steamboats for 16,000 miles and by bateaux and flat-boats for 50,000, penetrating the valley from the Alleghany Mountains to the Rocky Mountains, bringing down from every city and hamlet and cultivated field and workshop and mountain slope débris and waste and sand and détritus and emptying them into this basin or trunk line, which has a very slight declivity and slope, millions and millions of cubic feet of sand-the wastage of a continent?

The question is how will you carry these deposits to the sea? they remain in the channel it is very evident that the channel will be filled up and destroyed, for as it shoals it will widen and as it widens it must shoal, and the reports show that during the periods when the river was neglected and its waters unrestrained it shoaled and widened When Eads proposed to build his jetties it was held by many eminent engineers that the effect would be merely to transfer the bar further out into the Gulf and that there would be no end to the length of the jetties themselves. Others held that the erosion of the current would undermine the jetties and that they would topple

over into the stream. But what has been the result?

The latest reports of engineers made under the orders of the Government show that neither of these consequences has followed, that they stand firm and fixed in the positions in which they were first placed, that the vast deposits have been lifted up and carried into the Gulf, and that not a trace of them remains, while the navigable channel contracted for by the Government has been steadily maintained and preserved.

Investigations made within the last few years have discovered just off the month of the Mississippi River a vast basin 21 miles deep and equal in area to the State of Georgia, a receptacle prepared, as it were, for these deposits of sand that are brought down from the upper country.

Humboldt declared that the configuration of the coast of Texas and

Mexico disclosed that there must be a littoral current bearing from the east to the west, and recent investigations have confirmed this prediction of the great scientist. Hence it is we need not give ourselves any concern about what shall become of the débris and sand which may be swept by the current of the river into the Gulf of Mexico. There is ample room to receive it and forces to dispose of it.

I suggested at the outset of my remarks that the Government itself contributed directly to increase the amount of sand and débris which was emptied into the short basin between Cairo and the mouth of the river by the works undertaken to improve the streams in the upper valley, and that the people who inhabited the upper valley, by the destruction of the forest and the cultivation of the fields, vastly increased the floods and sand poured down into the lower river, and that an interesting question might arise whether there was not an obligation springing from these facts imposed upon the Government to give some protection to the people dwelling upon the 1 ver river against these extraordinary conditions which have been created either by the action of the Government itself or under its sanction by the people of the highlands. I do not mean to say that the maxims of the law apply to the Government and may be enforced against it, but I do say that there is ground in this view of the matter for the people to appeal on equitable considerations to the Government itself for the speedy improvement of the river.

It must be clear that we can not prevent by legislation the people in the valley from pursuing their lawful avocations nor from draining into the rivers that empty into the Lower Mississippi. We must deal with the results of this vast system of drainage.

But to recar to the question. It is a simple one. How can these vast deposits be removed from the channel of the river? In considering the Mississippi River we must regard it as a river of sand as well as of water.

Now, there are three forces constantly operating upon the Mississippi River upon which the plan of contraction reposes. The main force, as I said a moment ago, is the force of gravity. The fall of the water from the higher to the lower level—that constitutes velocity. ond is the force that checks the current of the water, and that is friction. It diminishes velocity. The third is the relation that exists between velocity and the capacity for transporting the sediment in the river and the amount actually carried along. If these three factors are borne in mind I believe they will enable any one to solve the problem of the improvement of the Mississippi River. We are to depend upon the force of gravity to improve the Mississippi River—in other words,

upon its velocity. The greater the velocity the greater its capacity to carry the sand and sediment in it. Wherever the current is checked deposits occur, and wherever the current is quickened a larger amount of sediment is picked up and carried along.

This is apparent to every school-boy who watches the creek in the meadow. Whatever, therefore, multiplies the velocity will increase the force of the river to carry this burden to the sea and whatever increases the friction diminishes the power of the current. The greater the friction the less the velocity. The wider the river the greater the friction and less the velocity, and the more shallow the river will be found in such places.

All general propositions of this kind must be qualified by certain limitations within the bounds of reason. Wherever you find wide places in the Mississippi River, as in the shallow reaches that I have named, which are 10,000 feet wide you will find shallow water and slackest current, and wherever the channel is narrow and the velocity of the current is great you will find not only deep water, but uniformity of

I hold in my hand two reports embracing facts established by observations made on different points of the river more than a quarter of a century apart, and though not made for that purpose they verify in a remarkable degree the theory that I have announced. The first may be found in the report of Humphreys and Abbott, made during the floods of 1851 and 1858. I will content myself by referring to the observations made at Columbus, 20 miles below Cairo, and at Carrollton just above New Orleans.

It is shown by the first table that when the river at Columbus was 83 feet above low-water mark an additional rise of 2.1 feet was sufficient to increase the current nearly 1 foot per second, and that the discharge was one-sixth greater. The depth of the river at the time was about 96 feet. Therefore 16 per cent. increase of discharge was obtained with the addition of only one-fortieth part of its depth.

The fifth table which I hold in my hand, taken from the same report, shows that with a difference of only 6.8 feet the discharge of the river at Carrollton was more than double. The river there at its lowest stage was 115 feet deep. Hence there was an increase of only one-seventeenth part of its total depth required to produce this astonishing difference in the discharge of the river. The velocity was at the same time increased 85 per cent. In commenting upon these tables, which are the result of actual observation and careful measurement, Captain Eads says:

result of actual observation and careful measurement, Captain Eads says:

They represent stubborn facts without any theorizing, and they show how absurd are some of the statements made as to the effect of outlets in lowering the floods of the river. For instance, the fifth table shows that when the river (March 19, 1851) was nearly up to the highest water-mark known at Carrollton, it would have required an outlet larger than the Mississippi itself to lower it 6.8 feet. Such outlet would have had to discharge 577,000 cubic feet per second, while the whole iver could only discharge 572,009 feet when its surface was 6.8 feet lower.

This enormous quantity of water (577,000 cubic feet per second) would cover a square mile 1 foot deep in about forty-eight seconds. In twenty-four hours it would cover 1,800 miles to the same depth, and in less than a fortnight it would put an average depth of 3 feet over the area as large as the entire State of New Jersey. To lower the river only 2 feet at Carrollton when in flood would require an outlet as big as Red River. This is because such loss of volume lowers the slope and increases the frictional resistance in the main stream below the outlet, and this causes it to flow more slowly and thus prevents that great reduction in its height which the thoughtless would expect.

These observations illustrate in what a wonderful degree a slight elevation of the surface of the river tends to increase its velocity and enables it to carry off the greatest floods.

Now I turn to observations taken by the Mississippi River Commission, and you will see how facts that are remote from one another justify and uphold a theory that is based on truth. Frefer now to a report of certain observations made by Maj. C. B. Sutter, a member of the Mississippi River Commission and one of the most accomplished engineers in the service of the Government. In speaking of the effects of an overflow upon the progress of the current Major Sutter says:

engineers in the service of the Government. In speaking of the effects of an overflow upon the progress of the current Major Sutter says:

The general effect is one of retardation. My attention was first attracted to the subject in the spring of 1881. * * We have records of gauges which have been kept up by the Engineer Department of the river since 1871. I got all these records and selected from them the data concerning all well-marked floods or rises. I wanted to get at the law if possible. From these records we were able to trace the progress of each flood from the head of the valley down, and to ascertain its rate of progress from gauge to gauge all platted in. These rates of travel or times of transit from Cairo to each particular gauge were thus platted, and the gauge height reached by the rise at that gauge and the mean curve was computed for that station.

From these curves the mean rate of travel of crests of rises or floods of greater or less degree coming from above may be ascertained.

I have had these diagrams prepared, but I have not got them here. Still I can give you the general results. They show that from low water up to high water there is a gradual increase in the rapidity of transmission of the crests of floods until a certain limit is reached, varying in different localities, which corresponds as nearly as I can find out very nearly with the point where the kirger outlets begin to draw off water from the river. At that point the rate of progress begins to show a tendency to slow up. As the river rises the outlet discharge becomes larger and the curve shows a further slackening. Then when the top of the bank is reached, or when a general overflow begins, there is an abrupt change, and from that on I find that as the river rises there is constantly increasing retardation.

To give an illustration in figures I will say that prior to the great flood of last year in November there was a sharp and sudden rise which came out of the Ohio. Its elevation was just about the crests of the banks, about

Orleans and so on with each succeeding rise until finally the highest rise of all was one hundred days in traveling the same distance.

The sequence of that is just here—if you have water in any channel like that of a river, flowing off at the lower end as fast as it is supplied at the upper end, you will have no rise of the surface at all. If the channel is obstructed you will have more or less rise depending on the extent of the obstruction. The explanation of this is when a river is within its banks, even in those portions where its condition is the worst, you have a channel which is certainly better for the purpose of discharge than when it extends more or less across the whole valley and a large part of the section is obstructed by trees, bushes, and the thousand and one things which influence the flow of water under these conditions. That being the case, you must have retardation.

It is impossible to expect anything else. The conditions are precisely the same, though varying in degree, as they are between a wide and shallow section where the relative proportion of resistance of frictional surface to are is greatest, and what it is in the case of a narrow and deep section where the relation of area to frictional surface is minimum. When you have an overflow of the valley this frictional resistance is largely increased both absolutely and in its relation to the increased area. The area is not proportionately increased, and consequently you must have retardation of the water.

These observations must carry the conviction to every reflecting mind.

These observations must carry the conviction to every reflecting mind that the only plan by which the vast accumulations of sand and water precipitated into this trunk line may be borne to the sea is that which will induce the greatest velocity, and that the maximum velocity can be acquired only when the river is confined to its channel at its flood stage. Nor can any one doubt its capacity to discharge the greatest floods by its own channel.

The friction does not increase by the weight of the water as if it were a solid mass. The deeper the current and the greater the volume in proportion to frictional resistance the greater the velocity. tion is not increased by the depth or weight of the water but by the surface of the bed, by the extension of the channel over the wide spaces

in the valley of the Mississippi.

Not only is the velocity greatly increased by the increase of the depth and diminution of the surface with which the water comes in contact, but its power of transporting sediment rapidly increases with the increase of velocity. An increase of 6.8 feet, as was shown by the observation at Carrollton, presents to us the spectacle of a river flowing upon top of another river down an incline plane with an ever increasing momentum, for the friction is very slight-one Mississippi River flowing on top of the other by an elevation of 6.8 feet only above its mean depth. It is estimated that the smallest inclination capable of giving motion to water is the descent of 1 foot in a million, or about one-fifteenth of an inch per mile. A fall of 3 feet per mile makes a mountain torrent. Three inches per mile ordinarily gives a velocity of about 3 miles per hour. The quantity of water and of sand, therefore, that the Mississippi River may discharge depends upon its velocity; and the instrumentalities by which the greatest velocity may be obtained are jetties in the wide places of the river and levees on its banks. Captain Eads says this power increases with the square of the velocity

and diminishes in the same ratio; hence if a shallow shore current move at 2 miles per hour, while the central current moves at five, the shallow water can carry only four units of sediment per unit of volume, while the other will carry twenty-five; hence all silt-bearing rivers have a tendency to deposit sediment in the shallow parts and to take up sed-

iment from the deeper parts of their beds.

He further says:

He further says:

The theory upon which the jetty system is based is that the shoals, shifting channels, caving banks, and inundations result from these excessively wide parts of the river, and from the escape of its flood waters through lateral outlets and over its banks; and also upon the fact that the greater the volume flowing in one channel of uniform width, the greater will be its excavating or crosive power, and therefore the deeper will be its channel and the lower will be the height of its flood line. The logical remedy for these evils consists in the contraction of the wide places, and in the conservation and concentration of all the flood waters into one single channel of uniform width, by the closure of lateral outlets, the repair of defective levees, and the closure of island chutes.

The grand essential feature of the jetty system consists in bringing the highwater banks to a uniformity of width. The contraction works, costing probably one-fourth as much per mile, do not require to be strong, or kept in repair. Having performed their duty during one flood, the next year's work consists in building other similar structures on the deposits caused by those of the previous year. In some parts of these reaches the deposits caused by these works during the flood of 1883 were over 30 feet deep.

It is a mistake to suppose that when breaches occur through these permeable works the deepening produced in the channel by the parts left uninjured will be lost again if they be not repaired. The tendency of the river, she fore stated, is to deepen its deepest channel and to deposit in its shoalest parts. Crevasses through the levees and outlets interrupt this natural process by diverting more or less of its volume into abnormal channels. This interrupts the uniformity of "its velocity and a reduction of its volume also takes place. The excavating power of the river depends wholly upon these two, namely, velocity and volume. Therefore its natural tendency to deepen and contract its channel is interrupted and less

These observations all rest when analyzed and weighed upon the doctrine of the force of gravity which alone creates velocity, and they further demonstrate that all the water and sediment may be carried along through the channel of the Mississippi River by invoking the power of the river itself.

To my mind these facts and principles constitute a demonstration clear and conclusive and permit no escape from the proposition that the river is competent to do its own work, to take care of itself, if the

skill of man will only aid in directing it.

Mr. President, there is some slight difference, not very great, be-tween a majority of the Mississippi River Commission and Captain

A majority of that commission held that it is necessary to carry on an extensive plan of revetment of the banks of the river, and their reports show that this plan is expensive. They show a loss of 26 per cent. of such work so far. The amendment offered by the Senator from Kansas [Mr. INGALLS] is intended to discourage the execution of this system of revetment, at least until it is seen whether the works of contraction, which are simpler and less expensive, may not, by holding the current in the river, accomplish the desired results of themselves.

I have agreed with the honorable Senator from Kansas because I believe that it is of great importance that a rigid economy should pravail in the plans and methods for the improvement of the Missisippi River, and that not a dollar should be expended which did not bring a good return. It will require but a little time to show whether the dikes and jetties may not answer all the purposes, and that revetments, if necessary at all, may be employed merely to protect the banks at the exposed angles of the contraction works. The amendment will not embarrass the commission, for they are authorized to disregard it if ex-

perience should not justify it.

It can not be disguised, Mr. President, that the efficiency of the commission has been impaired by divisions of its councils. There are officers on that commission who, as I am informed, had condemned the plan upon which the jetties were constructed and do not approve its application to the river They have no faith in the plan adopted by the commission for the improvement of the river. They are very far from suggesting outlets, but they submit minority reports condemning the plan which a majority of the commission have adopted. By their influence they have secured compromises by which, in my judgment, the best results have not been secured, and steps that were illogical and inconsistent have frequently been taken.

I do not think that officers ought to be required when any one of them is conscientiously opposed to the plan of the commission to execute the plans which have been adopted and which are contrary to his judgment. Such officers should be relieved from duty on the commission. The logic of the plan of the jetty system or the plan of contraction, as well as the very language of the bill which created the commission, would have constrained the commission to begin its operations at the passes near the mouth of the river and to work up stream. I understand that proposition was defeated by a tie vote in the commission in the absence of Captain Eads. The civilian on the commission defeated a majority of the engineers who were present.

If as the current is confined to the channel the channel be deepened, why necessarily that deepening ought first to be effected in the lower parts of the river so as to increase the velocity not only there but in the middle and upper portions of the river. If the bed of the Missis-sippi River should be lowered 10 or 15 feet from the mouth of the Red sipple fiver should be lowered to or 10 feet from the mouth of the Red River to the gulf it must be very plain that the surface of the river would be correspondingly lowered and that the velocity of the upper river where these vast reaches prevail would be largely increased. Hence the compromise plan by which the commission began its operations in the middle river at Plumb Point and Lake Providence reaches, while it has produced excellent results, can not be defended as in entire keeping with the principles which have been advocated by the commission itself; that is, by a majority of the commission.

It is shown by the report of the commission that below every one of the crevasses in the lower river accumulations of deposits have taken place which have tended to check and enfeeble the current of the river.

General Gillmore says that there has been a maximum fill of 10.8 General Gillmore says that there has been a maximum fill of 10.8 feet between the years of 1866 and 1877 covering an area of 2½ square miles in the river below Cubitt's Gap, and that this does not include the fill which took place the first three years after the gap was opened.

Mr. G. W. R. Bayley, one of the most distinguished engineers of the State of Louisiana, says that soundings taken in 1856 at the Bell crevasse, 2 miles above New Orleans, 120 feet was the maximum river depth

at that point, but that in 1859 in consequence of the crevasse the maximum depth was only 78 feet.

Mr. Bayley further says:

The mean depth in February, 1859, below both of these crevasses, and before the river had again risen to its ordinary high-water mark, was ascertained to be 42 feet less than in 1856, and beyond question the diminution was caused by the two great outlets of 1858.

Professor Forshey and others made examinations in the great Bonnet Carré crevasse which took place in 1850, which showed that the section of the river below the crevasse had 12 feet less mean depth than the section above.

These facts serve to illustrate the principle that if the velocity of the current and its carrying power and scouring power are increased by contraction they must be necessarily weakened and destroyed by dif-

fusion and dispersion.

That plan, therefore, which will produce the greatest velocity is the true one necessarily for the sure and economic improvement of the Mississippi River, and it must be evident that the maximum velocity may be obtained by beginning the improvement and contraction at the mouth of the river and working up stream rather than by beginning operations in the middle of the river, the effect and tendency of which must be to check the current in the lower river and raise its surface and its bed.

But in the main the results which have been obtained by the com-

mission justify its existence and show that the plan of contraction, however applied and wherever applied, is the only one by which the phenomena of the Mississippi River may be made subservient and useful to man. I do not mean to say that the commission have not met with losses in the execution of their plans. It was novel and difficult to them, and at the outset experimental as to details.

But the plan itself is as old as hydraulic engineering. All the im-

portant rivers of Europe have been treated on the plan adopted by the Mississippi River Commission for the treatment of the Mississippi River. I was traveling on the Rhine some years ago and saw the effects of this plan of contraction, which was adopted in the last century, and I borrowed the idea of a river commission from a commission which was charged with the improvement of the Rhine, and I have been gratified to observe that the plans are about the same, or at all events founded

on the same principles.

By shortening and contracting the channel of the Rhine the Rhine commission have not only improved its navigation and secured deep water where the river was shallow before this process was applied, but they have recovered vast tracts of country that before were given over to the inundations of the river. They have made Cologue almost a sea-port, just as Cairo and Saint Louis will be made seaports in the course of time. The French Government has expended upon the river Rhone, between Lyons and Marseilles, a distance of not more than 150 miles, three times as much as we have voted for the improvement of the Father of Waters, and the plan adopted by the French engineers for the improvement of the Rhone is the plan of contraction.

Mr. EDMUNDS. With what results?

Mr. GIBSON. The results are admirable. I have been over it, if the Senator will pardon the personality. I have conversed with the engineers who are engaged on these works. I can bear personal testimony to their success.

Mr. EDMUNDS. Has not the mouth closed?

Mr. GIBSON. I was not speaking of the mouth of the river but of the river itself. The mouth of that river is a very difficult one, and I do not think the jetties have been applied to it, but they have been applied to the mouth of the Danube with remarkable success. By the same plan the Clyde has been converted into a navigable, noble river, the seat of the best ship-yards in the world, and the Victorian embankments on the Thames have produced the best results. So that the plan proposed by the Mississippi River Commission is not a new plan, though the conditions of course vary somewhat from those that prevail in Eu-

rope.

Mr. President, perhaps I ought, in conclusion, to make a passing reference at all events to what is called the outlet system, which appears

to find favor in the mind of some Senators.

It is very natural that persons who do not live upon sedimentary streams should look upon the outlet system as the correct one. Senators who reside in the upland country upon clear-water courses as a matter of course would say in seasons of flood the way to deal with the water is apparent, it would be to get rid of it by an outlet; but on a stream like the Mississippi where we are not subject to freshets but to vast accumulations of water for many months in the year, when you let the water out you let the force out, and the sand and détritus remain in to fill up the channel.

I do not know of a single engineer who does not unite with General Gillmore in condemnation of the outlet system as applied to the Mississippi River. It is not heard of in the valley of the Mississippi, but it comes to us from a distance, and, so far as I know, is commended only by persons who imagine that it would serve their private purposes by filling up swamp lands where the crevasse or outlet might be made. A crevasse below the city of New Orleans at Lake Borgne would inflict a loss upon the people of that community of not less than \$50,-

000,000.

If you will take away for a few days only the guards who stand watching the levees for three or four months every year when the river is full to prevent a crevasse or outlet you would find that a crawlish would make one without expense to the National Government in that

When a crevasse threatens at a particular point in the neighborhood everybody, old and young, will rush to the rescue just as you would

to a fire in the town in which you live.

I served once as levee commissioner on the banks of the Mississippi River with General Richard Taylor as my colleague and obtained some practical knowledge of this thing; and I believe to-day if an attempt were made by anybody to cut the banks of this river and let in the floods upon the people it would require an armed force to prevent them from rising en masse and inflicting punishment upon the authors of such a calamity. That is the practical view the people take of it.

I know that a great many good men imagine that the people in the Mississippi Valley and the Senators and Representatives in Congress who are senthere to speak and work for them do not know what is best for themselves. I do not pretend to say that we all may not be mistaken, but my observations in life, wherever I have wandered, have taught me that the judgment of the people of the place where I happened to be on any particular matter concerning their personal and so-cial welfare was the best judgment that could be brought to bear upon

the solution of any practical problem concerning their own comfort and

happiness.

I do not believe that the people of the Mississippi Valley constitute any exception to this rule. From the time that valley was first settled by chivalric Frenchmen, followed by the adventurous Spaniard, and after them by Americans, as they are called, that community put forth its best efforts to restrain and keep the river in its channel from its mouth as high up as Baton Rouge and Red River.

The coast, as we call it, was first settled. The land has been culti-

vated like a garden for more than a hundred years, and it is one of the most beautiful countries upon which the sun shines. The levees along the plantations and homes that border on this part of the river were made substantial and strong and it is rare that a crevasse has occurred

upon them.

Behind them was large wealth, a cultivated and enlightened population. What has been the result, Senators? Why, the engineers declare that the river from its mouth to Baton Rouge is an ideal river and it has become an ideal river because the waters were kept by these restraining walls in the channel so that no vast reaches have been formed there and no great sand-bars, but the navigation has been preserved.

But go above Baton Rouge and above Red River, where there was a sparsely settled community of cotton planters who began the levee system after 1840, and what do you find? There it is that the obstacles to navigation exist, and there it is that the rise and fall of the river is three or four times as great as in the lower river where the bed has been sunk by the scouring force of the river, preserved by the dikes upon its banks. You could have no better illustration of the effects of the plan of contraction than by comparing the lower river where that plan has been more or less kept up with the middle river where it has not been fully applied and has not been preserved.

But in order to achieve the best results it is necessary if there be any truth in the theory of contraction that the work to induce the maximum velocity should be begun at the mouth of the river and that the line should be made continuous and complete throughout the alluvial region. I do not believe that it would require very large or expensive works if they were made continuous. An unbroken thin line is more effective than the most powerful works consisting of detachments separated from one another. The momentum once acquired should never be lessened by a gap or outlet, but steadily and constantly increased by inclining the plane and fall without interruption.

I have already referred to the fact that examinations have established

the truth that wherever there is a crevasse there is a deposit below it and that whenever a crevasse is closed the deposit is removed by increased scouring force of the river, so that I will not delay longer upon what is called the outlet system.

I have endeavored to place before the Senate in a plain and businesslike way the reasons which led to the formation of the commission for the improvement of the Mississippi River, how the idea originated in the successful application of the jetties at the mouth of the river.

I have endeavored to show what the obstacles to navigation were in the bed of the river throughout its entire length, how the commission which was created have sought to remove these obstacles and how far they have been successful. I have attempted to show that the appropriations have not been misapplied, that they have not been expended by the commission at all, that they do not handle a dollar of the money, but that they have been expended under the direction of the Secretary of War through the Engineer Corps of the Army. I have endeavored also in a desultory way to explain the principles upon which this plan of contraction rests, and how, if properly and legitimately applied, it is fully capable of disposing easily of all the water and all the sand and the debris brought down from the immense valley into this basin from Cairo to the Gulf, which bears the same relation to the 50,000 miles of streams tributary to it that the pass in which the jetties were placed does to the lower river.

Interstate Commerce.

SPEECH

HON. CHARLES S. BAKER,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 21, 1886,

On the bill (S. 1532) to regulate commerce.

Mr. BAKER said:

Mr. SPEAKER: Not with any antagonism to railroad corporations should we approach the subject of governmental supervision of that class of common carriers, but rather as the friends and conservators of the publie welfare—of the great commercial interests and prosperity of the whole country. We are in duty bound to bring to the consideration of this most important subject our best and maturest judgment. I hold that he is the best friend of railroad corporations who stands squarest

by the rights and interests of the public.

It has been well said that the corporation "has become the all-important factor in the social arrangement of modern civilization." the growth of the present system of railway transportation in our country there have crept in so many abuses-such disregard of chartered duties and obligations-that within a dozen years past many of the States have, through their Legislatures, asserted their constitutional right to exercise a voice in the supervision of common carriers, to the end that the public should be protected against the evils and injustices which are so apt to creep in where large powers are exercised under corporate management.

In many of the States there already exist boards of railroad commissioners charged, as a rule, with supervisory or advisory powers concerning common carriers, representing in their organization public sentiment and the law, clothed with power to investigate abuses, to let light into dark places, an ever-present agency, prepared to arbitrate between railway carriers and their patrons—the public.

The constitutional right of the States and of Congress to deal with

these questions is no longer doubted.

The proposition so ably advocated by the distinguished chairman of the Committee on Commerce is to my mind of that character which may be denominated inflexible legislation. It would deny to common carriers that reasonable elasticity of judgment common to all other corporations and most essential to prompt transportation conclusions, because, as has been well stated, transportation deals more or less directly with the interests of most business men.

The existence of the evils hitherto sought to be remedied by State legislation, and now by Congressional enactment, is notorious. have been proven before investigating committees raised by and acting under the authority of State Legislatures, and most recently before the Committee on Commerce of the Senate of the United States, which submitted an elaborate report (No. 46) to that body in January last, accompanied with a bill, which, as passed by that body May 14, is before us as S. 1532, and embodies their recommendations to this Congress.

Of the existence of the abuses which have grown up under our present railway management, I need only to cite the evidence of two eminent witresses, themselves distinguished railway managers both theoreticall and practically. The first, Mr. Adams, in a discussion before the committee of Congress several years ago, said:

all and practically. The first, Mr. Adams, in a discussion before the committee of Congress several years ago, said:

So far as the railroad system and the railroad business of the country is concerned I propose to argue to this committee, and endeavor to convince it, that hitherto in the case of the vast body of legislation enacted in respect to them no attempt whatever has been made to study anything except outward manifestations; that almost uniformly the symptoms have been mistaken for the disease, and the remedies intended to remove the evil have consequently only tended to aggravate it. That I may have any chance of success in this effort I must ask you to dismiss all preconceptions from your minds and to fairly consider what is the real cause of the inequalities, the injustices, the discriminations of the existing railroad service—those ills of the body-politic for which you are now undertaking to prescribe. I will not stop to dwell upon them or to denounce them. It is not necessary to do so, for I hold them to be proven and their existence notorious. The record is full of evidence on the subject.

We all know, every one knows, that discriminations in railroad treatment and charges do exist between individuals and between places. We all know that railroad tariffs fluctuate widely, not only in different years, but in different seasons of the same year. We know that certain large business firms—the leviathans of modern trade—can and do dictate their own terms between rival corporations, while the small concern must accept the best terms it can get. It is beyond dispute that business is carried hither and thither, to this point, away from that point, and through the other point, not because the would naturally go to, away from, or through those points, but because rates are made on an artificial basis and to serve ulterior ends. In regard to these things I consider the existing system nearly as bad as any system can be.

Studying its operations, as I have, long and patiently, I am ready to repeat now what I

The same gentleman on another occasion has said upon this subject:

The same gentleman on another occasion has said upon this subject:

Each road or combination of roads is now a law unto itself. It may work in concert with other roads or combinations, or it may refuse to do so. It may make rates to one place, where it may think for interest that business should go, and may refuse to make them to another place where it is for its interest that it is should not go.

All this is essentially wrong. Yet the business community of America, from one end of the country to the other, has been from the beginning so thoroughly accustomed to the extreme instabilities of railroad competition that it has wholly lost sight of what its own interest requires.

What it needs is certainty, a stable economy in transportation, something that can be reckoned on in all business calculations, a fixed quantity in the problem. This, of all results the most desirable, is now even looked upon with apprehension. There is an idea, the result of long habit, in the public mind that so far as transportation is soncerned prosperity is to be secured through a succession of temporary local advantages and unending cutting of rates. The idea of a great system of internal transportation at once reasonable, equitable, and certain, permitting traffic to flow and interchanges to be made just how and where the interest of buyer and seller dictate, never discriminating, rarely and then only slowly fluctuating—this is a conception very far removed from the reality, and it may well be doubted whether it even now commends itself when stated to the average man of business. He clings, on the contrary, to the burden of inequalities to which he is accustomed, and is inclined to doubt whether he could live without them. It is as if a mariner had become so habituated to a constant succession of squalls and simooms that he questioned whether it would be possible to satisfactorily navigate a ship in trade winds, especially if the trade winds blew for all.

The second witness I quote, Mr. Fink, of still more experience and knowledge in railway affairs, has said:

knowledge in railway affairs, has said:

The practice of making special contracts with some shippers, the larger shippers generally, at lower than regular rates, and charging the regular rates to all other shippers, constitutes one of the most unjust discriminations. It is practiced to a great extent. The rate of transportation between two points should be the same to all shippers. There is no ground for discriminating in favor of the large shipper, * * * Any discrimination made in his favor is entirely arbitrary. * * * There is no rule, no principle, on which it can be established or defended. All arbitrary discrimination works injustice to others. A common carrier has no right to make itself a party to such transactions. Moreover it is not to its advantage to do so. This policy of discrimination prevents the employment of small capital and prevents the building up by slow degrees the industries of the country. Only large capitalists can afford to carry on business, and they are not always to be found. From small beginnings, if properly fostered, large enterprises are built up. The larger manufacturers enjoy already sufficient advantages over the smaller. Being able to produce cheaper, they do not require the aid of railroad companies to still further discriminate in their favor.

The experience of every State thus far has demonstrated that inflexible legislation will not work a cure of the existing evils. It must be remembered that the problem of transportation is an unsolved one, and from its very nature must ever remain so. Each generation must determine for itself. The constantly shifting conditions which surround it, the ever-changing elements that enter into it, the continual offerings which genius contributes to cheapen and facilitate transportation, present an ever-shifting phase to this kaleidoscopic question, calling for an ever-varying solution. The telegraph, the steel rail, the improved motor, the Atlantic cable, and kindred causes have revolutionized and are continually revolutionizing commerce. The tariff of a dozen years

ago seems extortion in the light of present charges.

The bill urged by the honorable gentleman from Texas is simply declaratory and penal, while experience has abundantly demonstrated that an administrative measure—a power representing at once public sentiment and the law, has in every State and country where created proven far more efficient in the prevention of unjust discriminations and in securing due regard for existing common-law obligations.

In discussing this proposition, or one of similar character, Mr. Adams

well stated:

It is declaratory of the law and it is penal, but how is it to be put into exe-

It is declaratory of the law and it is penal, but how is it to be put into execution?

Like any other law, you answer, by parties sustaining injury, through the courts of justice. I respectfully submit that the answer is a practical begging of the whole question. The parties in this case are not equal before the court. In wealth, in organization, in power of injury, in power of obstruction, in power of terrorism, if you please to say so, one is infinitely greater than the other. The thing speaks for itself. It is mere waste of time to argue it. In the hands of the railroad companies the law's delay alone is an advantage equivalent to the mastery of the situation.

A bill declaratory and penal in its character is, therefore, defective in that it fails, and fatally fails, to meet the existing exigency. It is giving a stone in answer to a cry for bread. More than this, it is defective also that it ransposes the natural order of things. Entering upon a new and wholly untrodden field of legislation, it undertakes to declare principles and to impose penalties, not only in advance of any thorough and systematic investigation of abuses, but without providing any machinery at all for their investigation hereafter. Everything is referred to a committee of the whole people—a sort of town meeting, forty millions strong. It is for this reason I submit that any bill you pass, to be really effective in immediate working and fruitful of future results, should be administrative rather than declaratory and penal. Indeed, so far as railroad corporations are concerned, I can not say that I regard your merely declaratory statutes, no matter how penal you make them, as of any considerable moment.

Practically they are mere harmless thunder. What is needed, in my opinion, is something of a very different character; it is thorough, immediate, searching investigation, throwing the keen light of publicity into the secret places of railroad management. It is there the abuses lurk, and they do not love the day. Indeed, when they are dragg

I believe the ultimate solution of the railroad problem must come through a federation of the railroad system, supplemented by an ndministrative measure.

ministrative measure.

It is based upon a thorough study of the subject, and relies on investigation and publicity rather than upon a continued wranging in the courts. The necessary penal legislation—and on this point I would not be mistaken, I think penal legislation will be necessary—should follow and not precede legislation. The concrete cases should first arise and be made the subject not of slow and profitless litigation, but of swift inquiry on the spot; and from these concrete cases the body of general legislation should gradually be developed. A governmental machinery would thus by degrees be built up corresponding to and competent to cope with that federation of the railroads which is to check the process of consolidation and preserve the essential principle of competition.

On the one side we would have the federation rendering all the members of the system amenable to control, while over against this organization, confronting it, would be the Government tribunal representing the community, public opinion and the law. This is almost the precise result which was arrived at in Greet Britain in 1873; and since then the chief cause of complaint in Parliament has been, that there were not a sufficient number of complaints preferred against the railroads to keep the commissioners reasonably occupied.

These considerations, Mr. Speaker, lead me to oppose the proposition

These considerations, Mr. Speaker, lead me to oppose the proposition of my friend from Texas, and to urge in lieu thereof the creation of an interstate-commerce commission, charged with the powers and duties as provided in the Senate bill recently passed. I desire moreover to suggest some amendments. I would advise an amendment thereof so as to constitute the board of nine instead of five members. interests with which the board will be called to deal can hardly reccive due consideration by less than nine men, and they should be men of no ordinary mold. In section 10, page 12, between lines 26 and 27, I would insert the following:

Said commission may in like manner investigate any differences, disagreements, controversies, or disputes that may at any time exist or arise between any railroad company or corporation and the employes thereof, and in case of any differences or di-agreements involving the hours of, or the compensation for, labor by the employes of any railroad company or corporation, said com-

mission shall immediately upon receipt by them, from a duly recognized representative of such employes of any such railroad corporation or company, of a statement in writing of the differences existing and of the demands or requests made, proceed to investigate and determine the same, exercising therefor all the powers conferred by section 9 of this act, and the decision or award of such commission shall relate back to the date when such differences arose: Provided, Such employes shall not pending such investigation, by striking or otherwise, prevent the usual operation of such railroad and the prosecution of the business thereof as fully and freely as if no differences existed.

In my judgment the interests of the people, through whose patronage has come, and must continue to come, all the prosperity of the great and growing railway interests of the country, demand the enactment of a measure embodying the powers proposed to be created by this bill. More than that, the best and highest interests of common carriers demand legislation which, while rigidly guarding the welfare of those who are while carrying on the business of the country compelled to employ the services of railways, shall at the same time tend to promote their welfare and prosperity.

to promote their welfare and prosperity.

These corporations represent great aggregations of capital; they, like the money represented by them, are but the fruits of labor.

We say of the railways of our country—now more than 125,000 miles in the aggregate—they represents on many billions of dollars. True, but all those billions are merely consolidated labor; and if they are to be further employed in the service of man must be supplemented by other labor. If, therefore, by ill-considered, unwise enactments we cripple the free employment of all this aggregate capital, do we not at the same time strike a deadly blow at labor? We point with just pride to the growth and prosperity of our country. We see that labor has the growth and prosperity of our country. We see that labor has spanned the continent with highways of steel, and as the States have become populous and great we recognize the fact that railways, more than anything else, have contributed to such greatness. Indeed, our first resources, all the gifts of humanity, are the conquests of labor; and nothing is truer than that commerce and industry, capital and labor perform a single and similar function despite their different tools and processes.

If, therefore, we legislate in the best interests of the producer we are fostering the highest welfare of capital itself. If by our act we enhance the security, prosperity, and usefulness of the transporting companies of the country and of the capital employed, it is plain that we subserve the welfare of that class without whose aid the Representations this floer from the golden shores of California would have atives on this floor from the golden shores of California would have experienced a tiresome journey indeed when transporting themselves from their homes to these Halls. The timidity of capital is proverbial. To be profitably employed it owes to labor profitable employment also. Wise legislation is such as while conserving the interests of one will

promote and secure justice to the other.

These objects can not be secured through inflexible legislation, whether affecting common carriers or their patrons. That legislation

is necessary, that it is demanded, is no longer an open question.

The grange legislation in the West some years ago was to my mind of the character proposed by my friend from Texas. That was repealed and superseded by an administrative supervisory power, such as is now proposed by the Cullom bill. Under this we may confidently calculate upon an intelligent investigation of the whole great problem as now confronting us.

The proposition to invest the board with the power and duty to investigate, arbitrate, and make award in cases of differences between railway companies and the employés is in some respects new. Its trial will involve no expense to Government or subjects. The disinterested agency most likely of all to be prepared at a moment's notice to consider cases and differences of the character mentioned, and which is likely at all times to be familiar with the conditions and circumstances surrounding common carriers and those whose labor keep the wheels of commerce in motion, it seems to me will always exist in a well-consti-

tuted board of interstate-commerce commissioners.

I believe such a provision would go far to reconcile the differences and avoid the dangers of the past. Nothing can be conceived more cruel than a general labor strike. It stops the wheels of commerce. It is not a specific or the past of the past. war carried on by suspended labor at its own expense and at the cost of the families of the laborer.

When justified by the facts and circumstances it is a wrong the responsibility whereof rests upon the employer in refusing to labor its fair remuneration. The amendment proposed by me does nothing more than afford an immediate and disinterested means of arbitration without cost to either party and holds out a most persuasive inducement against strikes.

I am asked, where is the power to enforce the award in such cases? My reply is, the highest court in the land. It is always in session, and

its decrees are more binding than any statute—public sentiment.

This court, if we consider a moment, renders many statutes mere dead letters, and is potent for the enforcement of its edicts always. Through the agency proposed public sentiment is concentrated upon a given case, and a railway corporation, if adjudged to be in the wrong in a controversy involving, if you please, the hours of, and compensation for, labor, would hardly dare bid defiance to a decree or award so made and so disregard public sentiment, for if it did then a strike could be made which would be justified in advance and merit the moral support of every fair man in the whole land.

The Navy.

SPEEOH

OF

JOSEPH WHEELER. HON.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, June 18, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8975) making appropriations for the naval service for the fiscal year ending June 30, 1887, and for other purposes—

Mr. WHEELER said:

Mr. CHAIRMAN: I fully concur with the gentleman from Rhode Island [Mr. SPOONER] that something more than sentiment should actuate us in considering the naval question.

I also desire to say that the first duty of Congress is to extricate the question from the domain of political controversy, and, for one, I intend to vote for building up our Navy; and we now have an administration which the country feels confident will do it with that bonesty of purpose which will attain the desired result.

In 1865 the Navy of the United States was superior, in many respects,

to that of any other country, not excluding that of Great Britain.

We had built iron ships which were looked upon with amazement by the naval architects of Europe; and it appeared to a confiding people that the United States was prepared to assert and maintain its supremacy in the open sea, and that the Stars and Stripes floating to the breeze would command the respect due to so great and powerful a Republic.

From the early days of this Government up to 1865 the Navy of the

United States was equal to any exigency. Our own people were confident in its strength, and it was respected by all nations.

Its efficiency was not due to any extravagant expenditure.

WHAT OUR NAVY HAS COST.

From 1789 to 1861, a period of seventy-two years, we expended on our Navy \$360,042,169, an annual average of only \$5,000,585. During the four years of war there was expended \$314,223,986, an annual average of \$78,555,996, and during the twenty years of peace, commencing with the year ending June 30, 1866, there has been expended \$417,779,965, an annual average of \$20,888,998.

The question is not what has been done with this vast sum. It is expected for us to know that it has not here indiciously expended.

enough for us to know that it has not been judiciously expended. If during these twenty years we had used one-fourth of our annual expenditure for the construction of first-class ships and armaments we would now have an effective navy, fully adequate to all the require-ments of our position, and it behooves us to adopt without delay a new and wise policy.

DANGER OF DELAYS.

I think it may be worth considering in this connection if the very wisest policy for a country anxious to remain at peace with all the world is not to be ready at any time to go to war with any power.

I am aware that some gentlemen entertain the idea that it will be time enough to engage in preparations for an armed conflict when, by some means, we shall have become embroiled with a foreign government. In my humble judgment it will be most unwise for us to pursue any such policy. I am firmly convinced that perfect readiness for war is the surest means of maintaining peace.

History is filled with illustrations of the truth of this proposition.

Any of us may readily conceive how it might happen that, being wholly unprepared for war, we would be plunged into hostilities that

mere readiness for the contest would have avoided.

Should differences arise with England (or any other power), the mere fact of our engaging in unusual and hurried preparations for war would be immediately followed by similar preparations on the part of our possible opponent. This would inevitably engender bad blood, stimu-late ill-feeling, and intensify antagonisms to such a degree that all preexisting spirit of conciliation or concession on either side would probably be swallowed up in the sentiment of national pride, jealonsy, and passion, and a contest would be precipitated which diplomacy might have avoided had not the necessity of preparing for war rendered peace impossible.

I insist, Mr. Chairman, the way to preserve peace is to be ready for

ECONOMICAL SHIP-BUILDING.

Those who have been accustomed to read of the hundreds of millions of dollars expended upon a navy, would be surprised to learn at what a comparatively small outlay first-class iron men-of-war can now be con-

The superior and cheap iron now being developed within easy access of the Gulf coast will, of itself, enable us to construct iron vessels on the Gulf at about one-half the amount heretofore paid for such ships. Another important feature of economy in the construction of such vessels is the fact that the temperature on the Gulf is such that iron ships

can be constructed in navy-yards on the Gulf at all seasons of the year, while in the colder climate where iron vessels have heretofore been constructed, much time is lost and additional expense incurred in locali-

ties which are subject to great changes of temperature.

When vessels were built of wood they were very properly constructed at points near where the timber grew, and Maine, on account of its vast forests, became the great ship-building State of the Union. Now that iron has become the material of which ships are built, a due regard for economy requires that such vessels should be constructed as nearly as possible to the great iron beds where that metal is most abundant and least expensive.

This is a proposition which can not be questioned, and therefore no gift of prophecy is required to foresee that within a comparatively few years the gulf ports must become the center of the bulk of our ship-building industry. Not only can iron be obtained here more cheaply than elsewhere, but, singularly and significantly enough, these ports are surrounded by the very timber which for years past has furnished a very considerable portion of the masts and spars for the ship-builders of all the world.

OUR INFERIORITY AS A NAVAL POWER,

The great bulk of our expenditure for the last twenty years has been for the maintenance of the Navy and for repairs of old ships.

I find that since the war we have expended for repairs of vessels and

machinery and equipments \$43,385,593, while less than \$40,000,000 has been expended in constructing new vessels. The amount spent since 1886 is stated by Secretary Whitney, on page 33 of his report to Congress:

The country has expended since July 1, 1868—more than three years subsequent to the close of the late civil war—over seventy-five millions of money on the construction, repair, equipment, and ordnance of vessels, which sum, with a very slight exception, has been substantially thrown away, the exception being a few ships now in process of construction. I do not overlook the sloops constructed in 1874 and costing three or four millions of dollars, and to avoid discussion they may be excepted also. The fact still remains that for about seventy of the seventy-five millions of dollars which have been expended by the Department for the creation of a navy we have practically nothing to show.

It is not necessary for us to discuss what navy we have. The Ad-

It is not necessary for us to discuss what navy we have. The Admiral of the Navy, in his last report, says:

At the present time we have literally nothing in commission but so-called "vessels of war" that can scarcely perform the duties of a peace establishment, and in case of a conflict with any naval power the aforesaid war vessels would have to go into r tirement until peace was declared, the largest of them having neither speed nor battery that would enable her to contend successfully against a two-gun modern French or English gunboat.

This matter was clearly stated by the Secretary of the Navy in his annual report to Congress. He said:

At the present moment it must be conceded that we have nothing which deserves to be called a navy,

And as proof that this lamentable condition of our Navy was not a recent discovery, Secretary Whitney says:

The highest official authority in our service said in 1876:
"There is no navy in the world that is not in advance of us with regard to ships and guns, and I, in common with the older officers of the service, feel an anxiety on the subject which can only be appreciated by those who have to command fleets and take them into battle."

And so recently as 1883 the same distinguished authority stated that it was universally admitted that "we have no navy, either for offense or defense."

And after commenting upon the money which has been spent, the Secretary further says on page 33 of his report:

It is questionable whether we have a single naval vessel finished and afloat at the present time that could be trusted to encounter the ships of any important power—a single vessel that has either the necessary armor for protection, speed for escape, or weapons for defense. This is no secret; the fat has been repeatedly commented upon in Congress by the leading members of both parties, confessed by our highest naval authorities, and deprecated by all.

Secretary Chandler, in his report of 1882, said:

It is not the policy of the United States Government to maintain a large navy, but its reputation, honor, and prosperity require that such naval vessels as it possesses should be the best which human ingenuity can devise and modern artificers can construct. Our present vessels are not such, and can not be made

A year previous, Secretary Hunt, in his annual report, in referring to the Navy, used language which I will read:

Emergencies may at any moment arise which would render its aid indispensable to the protection of the lives and property of our citizens abroad and at home, and even to our existence as a nation.

We have been unable to make such an appropriate display of our naval power abroad as will cause us to be respected.

SPECIFIC DANGERS SHOULD HE CONSIDERED.

While the reports of our Secretaries of the Navy for many years past have clearly and conclusively demonstrated the inefficiency and inadequacy of our naval establishment, it seems to me they have not pointed out the specific dangers to which we are exposed by our absolute helplessness against hostile vessels provided with all the improvements in means of offense and defense which are the distinguishing features of modern maritime warfare. Our want of ships, the humiliating inferiority of our armaments as compared with those possessed by nearly every other power on earth, have been eloquently and forcibly dwelt upon. But this has been done in general terms, and the result of this absence of datailed and definite intermediate as to care defenseless condition has been detailed and definite information as to our defenseless condition has been to create on the public mind the idea that while we ought to have a better and more efficient Navy, yet our not having it exposes us to dangers so shadowy, vague, and undefined that by many they are regarded as

non-existent and consequently there has been no such carnest, imperative demand for the best vessels and the most powerful armaments as would have followed a just appreciation of the humiliation, disgrace,

and pecuniary loss to which we are exposed.

And it is but natural that this should have been so. Americans are a proud, self-reliant people, more prone to overconfidence than to even a reasonable distrust of their power to grapple with and overcome any difficulty or danger, and therefore they are slow to take alarm, especially not the state of the state cially when the danger is so vague and undefined that it is regarded merely as a threatening possibility.

But courageous and self-reliant as they are Americans are neither reckless nor fool-hardy, and while they may be constitutionally and habitually indifferent to dangers to which their attention is invited in general terms, if we can only make it clear to their understandings that the peril is positive and specific they can safely be relied upon to

take prompt and effective measures for their protection.

I may be in error in my estimate of this trait in the character of our people, but, right or wrong, that is my opinion at this time. I have therefore regretted to observe that in the able discussions upon this bill, as well as in the reports of our Secretaries, there has been too much adherence to generalities and too little definite and specific presentation of the evils which our defenseless condition is hourly inviting.

A great deal has been said, Mr. Chairman, that has been interesting and instructive. The able and eloquent advocates of the theory that we should have and must have an efficient navy have illustrated and enforced their arguments in a manner which is very convincing. shall therefore only briefly allude to some points which have not been considered in the discussion. Before doing so I wish to premise that all the facts I state regarding the condition of our defenses are thororoughly known to all the European governments, and are matters of the most detailed record in their archives.

To make the point I desire to present perfectly clear to the comprehension of every one, it is necessary we should have specific and accurate knowledge of the naval strength which could be brought against us in the case of war. For this purpose I have prepared a table to which I now ask attention.

Naval strength and annual expenditure of different countries.

Nations.	Total ships.	Available ships.	Total personnel.	Annual expend-	Population.
Great Britain	388	836	58,000	\$56, 928, 850	35, 246, 633
France	436	308	67, 636	46, 884, 161	37, 405, 290
Russia	197	185	28, 400	25, 326, 000	98, 356, 100
United States	89	68	11,300	16,021,080	60,000,000
Italy	76	60	12,032	11, 529, 710	28, 452, 620
Germany	99	96	13,000	9, 802, 880	45, 194, 172
Spain	145	142	21,700	7,466,538	16, 625, 860
Brazil	34	34	5,800	6, 100, 000	10, 108, 291
Austria-Hungary	49	44	9,800	5, 369, 295	37, 741, 413
Holland	138	138	10,500	5, 032, 450	1,400,000
China	49	49		5,000,000	431, 626, 000
Chili	10	10	1,600	4, 359, 893	2, 400, 396
Turkey	100	100	40,400	4,000,000	25, 036, 480
Denmark	59	59	1,300	3,081,892	2, 096, 400
Argentine Republic	25	25	1,500	2,915,000	2, 400, 000
Japan	31	29	7,000	2, 103, 630	36, 700, 118
Portugal	26	26	3,500	1,918,789	4, 550, 699
Sweden	58	57	4,000	1,448,061	4, 465, 668
Greece	25 32	25	3,450	885, 635	1, 979, 423
Norway	10	32	1,000	470,000 123,000	1,806,900
Mexico	5	5	720	123,000	5, 376, 000 9, 389, 461

This table gives only a very imperfect idea of our relative naval strength as it will be observed that the Navy Department has, for many years past, called the attention of Congress to the inferiority of the few vessels which we have.

NAVAL ARMAMENTS.

But another great difficulty is the inferiority of our armaments. have relied mainly upon the old smoth-bore guns. The largest throw a projectile weighing 450 pounds a distance of from 2,000 to 3,000 yards.

We have just completed two 8-inch breech-loading guns which will throw a projectile weighing 250 pounds a distance of nearly 8 statute miles, and six more similar guns are being constructed. Two 10-inch guns to carry projectiles weighing 500 pounds, and one 101-inch gun the projectile of which will weigh 550 pounds, are now being constructed. The range of these guns will be about the same as that of the 8-inch gun.

But even with these improved guns we are very far behind other nations. There are now mounted upon vessels of foreign navies one hundred and twenty-nine guns which will throw a projectile 10 miles and upward. The caliber of these guns varies from 12 inches to 17 inches, and they throw projectiles which weigh as high as 2,000 pounds. There are also afloat, in foreign navies, sixty-six guns which throw projectiles weighing from 900 to 1,250 pounds a distance of at least 9 miles.

The charge for the largest named gun is nearly 1,000 pounds of powder, and the projectile is charged with 83 pounds of powder to explode this huge mass of metal at any given moment. Each of these guns can be discharged every ten to fifteen minutes.

I will now read a table, compiled from official reports, showing the vessels which carry guns such as I have described. The reports from which the table is prepared are based upon data more than a year old. From these reports it appeared that some of the guns were shortly to be affoat, and it is believed that all, or nearly all, are now in actual

GUNS AFLOAT RANGING POSSIBLY TEN MILES OR UPWARD.

Nation.	Ship,	Maximum armor.	Draught.	Guns.	Caliber.
		Inches.	Ft. in.	No.	Inches.
England	Conqueror	12 18	24 0 26 3	2 4	12
	Colossus	18	26 8	4	12
STORY I - LITE	EdinburghCollingwood	18	26 3	4	12
A Charles	Rodney	18	25 3	4	13.5
	Benbow	18	27 0	2	17
	Camperdown	18	27 3	4	13.5
The state of	Howe	18	27 3	4	13.5
A STATE OF THE PARTY OF THE PAR	Anson	18	27 3	4	13.5
	Hero	12	24 0	2	12
	Renown	18	27 3	2	16.25
	Sanspareil	18	27 3	2 4	16.25
France	Amiral Duperré	21, 6 15	26 9 24 11	2	13.4
	Dévastation	15	24 11	4	13.4
	Foudroyant	19	24 7	2	16,5
	Terrible	22.4	16 9	2	13.4
	Vengeur		16 9	2	13, 4
	Am. Baudin	100.1	26 0	3	16.5
	Formidable		25 0	3	16.5
	Furieux	192	21 7	2	13.4
	Indomptable		24 7	2	16.5
	Caiman		24 7	2 2	16.5
	Requin	191	24 7	2	16,5
	Marceau	174	27 3 27 3	2	13.4
	Hoche	174	27 3 27 3	2	10.5
	Magenta		27 3	3	18.5
	Neptune		26 8	4	13.4
	Charles Martel	171	26 8	4	18.4
Italy	Italia	18.9	30 3	4	17
	Lepanto	18,9	29 6	4	17
	Ruggiero di Lauria		25 11	4	17
	Andrea Doria	17.7	29 6	- 4	17
	F. Morosini		25 11	4	17
Germany	Salamander		10 2	1	12
	Natter	8	10 2	1	12
en fire	Hummel		10 2	4	12
China	Ting Yuen	100	20 0	4	12
Russia	Chen Yuen		27 0	4	12
Russin	Tchesme		25 0	4	12
	Sinope		25 0	4	12
Denmark	Tordenskiold		15 0	î	13.8

GUNS AFLOAT RANGING POSSIBLY NINE TO TEN MILES.

England	Inflexible	24 7‡	25 4 29 4	4 2	16
2002	Redoubtable	14	24 10	4	10.6
	Dugueselin	97	24 10	4	9.5
	Bayard	91	24 10	4	9.5
	Turenne	97	24 10	4	9.5
	Vauban	91	24 10	4	9.5
	Fulminant	13	21 4	2	10.6
	Tonnerre	13	21 4	2	10.6
Y4-7-2	Dullio	21.7	28 0	4	17
Italy		91 7	28 9	2	17
F1	Dandolo	17.25	19 8		10.2
Germany	Sachsen	17, 25	19 8	3	10.2
	Baiern			9	
	Wurtemberg	17.25	19 8	4	10.2
	Baden	17, 25	19 8	4	10.2
	Wespe	8	10 2	1	12
	Viper	8	10 2	1	12
	Biene	8	10 2	1	12
	Mücke	- 8	10 2 10 2	1	12
	Scorpion	8	10 2	1	12
	Basilisk	8	10 2	î	12
	Cameleon	8	10 2	Ŷ	12
		8	10 2	7	19
Brazil	Riachuelo	11	20 0	A	0

We therefore see that the vessels of any of these nations could lie beyond the range of any guns we have and destroy any ship of the American Navy.

But this is not the worst. They could float unmolested off our coast and bombard nearly all our scaport cities.

NEW YORK AND BROOKLYN.

These cities have a population of 1,772,962. One of these vessels could float in 30 feet water off Coney Island, beyond the range of any guns in our forts, and throw projectiles into the business part of the city of New York and to nearly every point in the city of Brooklyn.

I would like to ask what would be the effect if a shell weighing 2,000 pounds should drop and burst at the corner of Wall street and Broadway, and what would be the further effect of a few hundred such shots And yet such an occurrence is at this in New York and Brooklyn. moment a mechanical possibility.

This city has a population of 369,832. An enemy's vessel could lie in 30 fect of water 5 miles from the State-house in Boston, and throw these massive shells into Lynn, Chelsea, Charlestown, the navy-yard, East Boston, Boston, Cambridge, South Boston, Roxbury, and Dorchester.

PORTLAND, ME.

This city, with a population of 35,080, could be shelled by any one of the vessels described in the table, lying off to the northeast of the city, or the southeast, in more than 30 feet of water, at distances varying from 3 to 4 miles.

NEW BEDFORD.

This city has a population 26,845. Any vessel with such an armament as I have described could lie off in the outer harbor, at almost any point to the southward of the city, in 27 or 30 feet of water, at any distance the commander might select, from 2 to 6 miles, destroy the bridge to Fairhaven, and either exact a heavy contribution or lay the city in ruins in a few hours.

PROVIDENCE.

The harbor at this point has numerous shoals, which, in the absence of a pilot, would render it impossible for a hostile ship to approach it safely nearer than $6\frac{1}{2}$ miles (Conimicut Point), but the high-powered guns I have referred to could readily destroy the vast and important manufacturing industries which center at Providence, with its population of 104,857, from even a greater distance.

This city has a population of 62,882. Vessels could rest securely 4 miles from the city, in 30 feet of water, and destroy it in a very few

The population of this city is 21,926. Vessels drawing 26 feet of water can approach to within 7 miles, and, with high-powered guns, shell every fort of the city.

BALTIMORE. This city, with a population of 332,313, is, in a great measure protected by the difficulties of access, but it would be possible for vessels drawing not more than 15 feet to sail abreast of the city, and some of the vessels carrying guns of 10 miles range draw but 10½ to 15 feet.

The capital of our country was once in the hands of British troops. It is 200 miles from the ocean, but vessels drawing 19 feet can sail to the city. Its population is 159,871.

RICHMOND.

This city has a population of 63,600. It is 150 miles from the mouth of James River, which has 13 feet of water to the city.

This city has a population of 49,984. There are many points not more than 7 miles from the city from which vessels drawing 25 feet could shell the city.

SAVANNAH.

This city, with a population of 30,790, could be easily protected. Only very light-draught vessels can approach nearer than 10 or 12 miles.

PENSACOLA.

This city has but 6,845 population, but it is important on account of its excellent harbor. A position could be taken in 30 feet of water south of Santa Rosa Island, the distance being not more than 5 miles from the city.

MOBILE.

This city has a population of 29,132, and could very easily be protected, but at present there is water sufficient to float vessels drawing less than 16 feet to within 4 miles of the city.

NEW ORLEANS.

This city has a population of 216,090. It is 110 miles from the sea, but the largest vessels could sail abreast of the city. The control of the jettics would be a strong element in the defense of the city. Small craft not drawing over 5 feet could enter the lake in rear of the city.

GALVESTON.

The population is 22,248. Vessels drawing 30 feet could select any position not more than 3 miles off and shell the city.

SAN FRANCISCO.

The population is 233,959. The harbor, which is one of the finest in the world, could in the present condition of the defenses be entered, but even if this could not be done, vessels carrying high-powered guns could rest outside the bay in 30 feet of water, at a distance of 6 or 7 miles, and shell the city

I have referred to the larger cities, but it might be well to mention

that our smaller scaports are equally defenseless.

Each of the following-named cities could be shelled by the foreign vessels I have named:

PACIFIC COAST.

Port Townsend, Steilacoom, Seattle Harbor, Olympia, New Dungenness, Astoria, Kalama, Portland, Newport, Empire City, Crescent City, Trinidad, Mendocino, Benicia, Vallejo, Santa Cruz, Monterey, San Luis Opispo, Santa Barbara, and San Diego.

GULF COAST.

Brownsville, Clarksville, Brazos Santiago, Appalachicola, Saint Mark's, Tampa Bay, Cedar Keys, and Key West.

ATLANTIC COAST.

Saint Augustine, Jacksonville, Fernandina, Saint Mary's, Port Reyal, Georgetown (S. C.), Smithville, Wilmington, Beaufort, Plymouth, New Berne, Edenton, Annapolis, Hampton Roads, Lewes, Atlantic City, Little Egg Harbor, Perth Amboy, Bridgeport, New London, Stonington, Bristol, Newport, Fall River, Vineyard Haven, Nantucket, Provincetown, Barnstable, Plymouth, Lynn, Marblehead, Salem, Gloucester, Rockport, Neburyport, Portsmouth, Saco, Bath, Camden, Bucksport, Bangor, Belfast, Rockland, Eastport, and Calais.

I mention these places merely for the purpose of corroborating the statement I have previously made relative to the defenseless condition of all our scaports—to show that, in case of war, every scaport of the United States would be exposed to naval guns; that no less than eight foreign nations have ships and guns which could bombard our cities; that neither natural obstructions nor artificial defences give them ade-

THE LAKES.

In this connection it will not be wise for us to omit from consideration the exposed condition of our great commerce upon our lakes as well as of the many populous and prosperous cities on their shores.

Under treaty stipulations both the United States and Great Britain are prohibited from building or keeping a fleet of war vessels on the lakes, and the only national protection to the immense commerce which floats upon their bosoms or to the great cities by which that commerce is conducted is afforded by a few feeble, old-fashioned, and, in case of war, ineffective revenue-cutters of the type and class of the Michigan Norway is the property in great of heatilities to exceeding the conductive revenue-cutters of the type and class of the Michigan Norway is the conductive to exceed the conductive revenue-cutters of the conductive revenue-cutters of the type and class of the Michigan Norway is the conductive to exceed the conductive revenue-cutters of the conductive revenue-cutter gan. Nor would it be in our power, in case of hostilities, to speedily improvise a navy for the protection of these waters. On none of the lakes does the Government possess the facilities or appliances essential to the rapid construction of war vessels. And it should be remembered to the rapid construction of war vessels. And it should be remembered that if it will be difficult to build a navy for the protection of the lakes, it is impossible to place there any portion of the Navy which we may have elsewhere. The outlet of the lakes into the sea is in the possession and under the exclusive control of England.

Now, though we are at peace with England at present, and I, for one, sincerely hope the existing friendly relations may never be disturbed, we can not be assured that these terms of amity and friendship will be maintained forever, and it is the part of wisdom to be prepared for the worst the future may have in store.

the worst the future may have in store.

Wise men, my lord, no'er wail their present woes, But presently prevent the ways to wail.

WHAT ENGLAND COULD DO.

While the case stands thus with the United States as to the lakes while the case stands thus with the United States as to the lakes what is the condition of England in this regard? Widely different from our own, as we shall see. By means of the Saint Lawrence, the Welland Canal around Niagara Falls, the Lachine Canal, and other artificial water ways, that power would be able within a very short time to concentrate upon Lake Erie a most formidable navy. From official reports I learn that the English vessels available for service on the lakes are as follows:

Three iron vessels, armored, drawing less than 12 feet of water, each carrying two muzzle-loading rifled guns of 7-inch caliber, and two how-

Forty-five gun-vessels and gunboats; two iron, three wood, and forty composite, drawing from 9 feet 6 inches to 10 feet 11 inches, the combined armament of which is twelve 7-inch muzzle-loading rifled guns; fifty-six 64-pounder muzzle-loading rifles, one 40-pounder breech-loading rifled gun; fifty-eight 20-pounder breech-loading rifled guns; two 6-inch breech-loading rifled guns; twenty-six 5-inch breech-loading rifled guns; twenty 4-inch breech-loading rifled guns; one 4-inch breech-

loading pivot and two 4-inch breech-loading chases.

Three "special and unclassed" vessels, wooden, drawing from 10 feet 5 inches to 11 feet 1 inch, and carrying four 20-pounder breech-

loading rifled guns and one 6-pounder mortar.

Nine gun-vessels and gunboats, one iron, two steel, and six composite, drawing from 7 feet 3 inches to 8 feet 10 inches, and carrying two 7-inch muzzle-loading rifled guns; two 64-pounder muzzle-loading rifled guns; sixteen 20-pounder breech-loading rifled guns; four 4-inch

breech-loading rifled guns, and one 43-ton breech-loading rifled gun.
Three torpedo vessels, two steel and one iron, drawing 11 feet, and carrying two 6-inch breech-loading rifled guns, and six 5-inch breech-

loading rifled guns.

Forty-four vessels-thirty-eight iron and six wood-drawing from 6 feet to 6 feet 9 inches, and carrying twenty-two 10-inch muzzle-loading | steam merchant marine of Eugland.

rifled guns, two 9-inch muzzle-loading rifled guns, forty-two 64-pounder muzzle-loading rifled guns, one 94-inch breech-loading rifled gun, five 6-inch breech-loading rifled guns, and one 4-inch breech-loading rifled Summarizing these figures we find that a possible antagonist could, in a short time, bring to bear upon our lake commerce and cities two hundred and ninety-nine guns, to oppose which we have-nothing, practically nothing whatever.

Debarred as we are by treaty obligations from maintaining a fleet upon the lakes, impossible as it is and must forever be for us to carry to their waters any of the armed vessels which the Government has now or may have hereafter, is it not manifest-so obvious that no argument can be required to uphold the proposition—that the only means within our power to effectually defend the lakes is to have such a navy upon the high seas as will suffice of itself to deter any commercial power on earth from engaging us in an armed contest.

TRANSPORTATION OF ARMIES.

But there is another question which merits careful attention. In my speech upon the Army I alluded to the possibility of two or more nations allied against us landing large armies upon our shores.

In considering this matter we should deal with the actual facts, and

not indulge in generalities and vague surmises.

I shall not take the time to go into an extended account of the navies of all nations, but as an example I will say a few words regarding the

transport service of England.

The permanent imperial transport service of England includes nine troop-ships borne on the navy list, officered and manned by the navy. These vessels have an aggregate displacement of 45,655 tons, which is equal to something more than 30,000 registered tons. For voyages of not more than a week's duration these vessels will transport with the greatest comfort 17,400 officers and men and 300 horses. For long voyages the number of men should, when practicable, be reduced.

In addition to this there are borne on the admiralty list four hundred steamers, of which nearly one hundred are rated as first-class—that is, having a sea speed of 13 knots and upward, with coal capacity, in many cases, sufficient to enable them to steam (economically) nearly around the world. These vessels are constructed in accordance with the admiralty requirements for water-tight subdivisions, &c.

As illustrative of this statement the following figures may be quoted: In 1882 England hired forty-seven steamers, aggregating 120,000 tons, in English, Mediterranean, and Indian ports, for the conveyance of troops, stores, and material to Egypt.

These vessels, aided by two men-of-war and four troop-ships, conveyed 23,989 officers and men, 6,227 animals, and the field equipage for this force from England, Gibraltar, and Malta. The average interval from the date of these vessels' entry into pay until their arrival in Egypt with the troops and material was twenty-four days.

The English Government also hired forty-nine steamers, which conveyed 13,469 officers and men and 7,272 animals from the Indian

ports to Egypt.

During the Soudan camgaign, 1884, eighty-nine private steamers were chartered by the government, and were engaged in the transpor-

tation of men, animals, stores, &c.

In preparation for the expected war with Russia in April, 1885, the admiralty hired for service as cruisers sixteen steamers of the highest sea speeds, varying from 131 to 181 knots, of an aggregate gross tonnage of 78,543 tons (average tonnage of each, 4,900 tons). One hundred and three steamers of various types, in addition to these, were chartered for service as transports, additional cruisers, &c.

TONNAGE FOR EACH SOLDIER.

It is usually estimated that in transporting troops on long voyages, with their necessary army equipage and stores, there should be allowed about $3\frac{1}{2}$ to 4 tons for each man; that is to say, a transport of 2,000 tons should convey about five hundred or six hundred soldiers. But when But when horses are also transported, it is estimated that about double that ton-nage should be allowed for the comfortable transportation of men, horses, stores, ordnance, equipage, &c. That is, to transport an army of 100,000 men, with horses, &c., all equipped for service upon landing, we should provide transports aggregating 800,000 tons.

I desire, however, to call attention to the fact that when ample trans-

portation was available forty-seven steamers, two men-of-war, and four troop-ships, all aggregating not over 135,000 tons, transported 23,989 officers and men and 6,227 animals, together with all the field equipage

and stores for these forces.

It will be observed that the proportion of horses was full, if not excessive; and yet about 51 tons per man was amply sufficient. And I also desire to call attention to the fact that the troop-ships are so constructed that 30,000 registered tons will convey 17,400 men and 300 horses, equipments, &c., which is less than 2 tons per man.

But to be liberal in such estimates, assume 5 tons per man to be necessary, and let us see what England's capabilities are in the great mat-

ter of transportation.

While the troop-ships register only about 30,000 tons, and the admiralty list has but four hundred steamers, aggregating 1,000,000 tons, we must bear in mind that this does not pretend to include the great

The official reports show that in 1883 the total steam tonnage of Great Britain was 4,000,000 tons. Take half of this amount, 2,000,000 tons, and divide it by five, about the proportion required in carrying troops to Egypt, and we find that one-half the steam tonnage of England alone could, in a single voyage, transport to any given point an army of 400,000 men, equipped and ready for service immediately upon disambaylation. disembarkation.

In my anxiety to keep within the inside figures I have given the reported tonnage of 1883. It has been increased very much since that time, and a recent official publication by the French Government states that Great Britain possesses 22,500 trading vessels, with an aggregate tonnage of 11,200,000 tons. Of these vessels 4,649 are steamers, with

n tonnage of 5,919,000 tons.

It will therefore be observed that all the steam vessels of England could transport an army of 1,200,000 men, with horses and equipments, ready to land and commence offensive operations. But when we consider the risks nations are willing to incur in war might we not expect that even these numbers could be exceeded.

POSSIBILITIES WORTH CONSIDERING.

Let me ask how long it would take to place a large army at Nassau, or Cuba, or some point in England's American colonies, and when once there how long would it take to put such an army at any desired point in the United States?

in the United States?
Gardiner's Bay would not be the best point; but suppose a large army should be lodged there, what would we do about it? The bay would hold all the transports and the naval guns would protect them.

We would whip them out finally, but it would be uncomfortable for New York to have such an army four days' march from the city, and none of us could tell how near they could get to New York before they were whipped.

I think all will admit that the best plan would be to make such an invasion impossible, and that could easily be accomplished.

We must fortify important points of course, but we must do something more. We must build a navy which can cope with that of any other power on earth. When that shall have been done, and it is other power on earth. known that we possess such a navy, no attempt at invasion will ever be made. If any nation were foolhardy enough to make such an attempt, our Navy, manned by our matchless officers and sailors, would

steam out of our ports, defeat the convoys, and sink the transports.

I think no one will deny the proposition that if, in the present condition of our coast defenses and Navy, England, with the aid of her unequaled naval establishment, should place an army upon our shores, we would, temporarily at least, be on the defensive, and any nation necessarily limited to purely defensive operations is half whipped before the first gun is fired.

I wish it were in my power to impress upon every one my idea of the importance of aggression in everything which pertains to warfare—whether on the land or on the sea.

MUST MAINTAIN OUR PRE-EMINENCE.

We are now the most important government in the world, and we must have a naval establishment which can cope with any adversary, and which is able to defend our commerce, protect our seaports, and maintain the dignity and honor of the line sovereignty among the nations of the earth.

This is an important, a vital question. It is one into which no mere party considerations should be allowed to enter, for I take it for granted that each party is willing to credit the other with being animated by a sincere desire to do all that should be done toward upholding the dig-

nity and maintaining the honor of our common country.

They may differ, they will differ, and I think it advantageous that they should differ, as to the best means to be employed for securing this object, but as to the unanimous purpose there can be no disagreement. Every American, whether he belong to the Democratic majority or the Republican minority of the voters of the country, anxiously desires, above and beyond any mere party triumph, to do that which is best calculated to secure the triumph of American principles, the protection of American interests, and the maintenance of the just and proper pride of the American citizen.

If then, Mr. Chairman, all parties be agreed in their wish to secure this result, I can not conceive it possible that there can be any difference between them as to the necessity for the United States to be the equal of any other government in the effective force which defends and

maintains the honor of our country upon the high seas.

THE PATHWAY TO PROSPERITY.

War may be the direst enemy of industry and commerce in the immediate scene of operations, but it is an undeniable fact, established by the experience of all nations during the last two centuries, that an effective armed force upon the ocean is at once the midwife and the handmaid of foreign commerce.

If then we shall all unite in the effort to secure to our people such a navy as we should have-if, in the presence of this overshadowing question we can, momentarily at least, sink all party rivalries and only vie with each other in hastening that result-it will not be long ere we can once more rejoice in the knowledge that the sails of our birds of

steamers is ascending to the heavens which bend above all portions of the globe where their presence is possible; shall once more rejoice in the days wherein labor finds ready and remunerative employment, and .

capital gains the just and legitimate reward for its enterprise and risk.

Give us such analy and we shall have taken the first step toward bringing about the return of those halcyon days when discontent in this land of plenty and promise was unknown, when all were satisfied, and all were happy because all were prosperous. [Applause.]

Eight Hours to Letter-Carriers.

SPEECH

HON. BENTON J. HALL,

OF IOWA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, July 15, 1886.

On the bill (8, 2076) to extend to letter-earriers the advantages secured to other employes of the United States by section 3733 of the Revised Statutes, relating to the hours of labor.

Mr. HALL said:

Mr. SPEAKER: In listening to the discussion which has thus far been devoted to this bill I have observed that it has been confined exclusively to the question of expense-how much will it cost the Govern-In the report furnished by the Postmaster-General and the letter of Mr. J. F. Bates, superintendent of the free-delivery system, the increased expense of adopting the eight-hour rule among the letter-carriers would be about \$1,350,000. It is claimed by gentlemen who have given the subject very careful consideration that there are errors in these figures and that the additional expense would not exceed \$750,000 per annum.

Now, sir, I am not sufficiently familiar with the data to have an opinion as to the correctness of these various calculations, but this bill should have something else about it to commend it, and if it has not it should be rejected, whether the increased cost would approximate the larger or the smaller sum. I am as anxious as any member can be to

limit and reduce expenditures and oppose extravagance.

But I confess I do not understand why this measure receives no other explanation or consideration. It is a simple proposition to extend the definition of a legal day's work to the employment of letter-carriers of the United States. It is another move in recognition of the demand of laboring men for help and recognition in their efforts to better their condition. I have no doubt it will increase the expense of the service, and will be beneficial to the letter-carriers individually. But I am not prepared to oppose it because of its expense, nor do I favor it because of its immediate benefits upon a class of men. I favor it because I espouse the cause of labor generally, and am anxious to unite in the great movement—the great experiment that is slowly formulating—to see if the general condition of laboring men may not be elevated, and if they can not be enabled to receive better wages and enjoy a more rational and equal participation in the enjoyment and comforts, which are in fact the not wholly rewarded products of their toil.

On the 25th of June, 1868, the Congress of the United States enacted

that "eight hours shall constitute a day's work for all laborers, workthat "eight hours shall constitute a day's work for all laborers, workmen, and mechanics who may be employed by or on behalf of the Government of the United States." (Section 3738.) This has been since extended to departmental employés and others. Besides, we have provided for leave of absence, for vacation, holidays, &c. But in consequence of the phraseology of the law letter-carriers are not embraced in its provisions. It may be said that the eight-hour law should apply only to wagemen—laborers at daily wages; but I am not quite able to see the distinction. In my judgment it matters little whether the wages are payable monthly, weekly, or daily, and the true criterion is

rather the nature and character of the work.

It has been often said that the rate of wages which employers will pay and laborers receive depends upon the great law of supply and demand, and that any system which attempts to fix the length of a day's work or provide that the wages for ten hours shall be the same as for eight must inevitably fail. Let us attend to these suggestions for a moment. I concede that so long as the labor of the world or of any great people is unorganized and incapable of regulating itself, it will always be true that wages must depend upon supply and demand. And this will be true whether the rate of wages is involved or the number of hours of work per day. For unorganized labor is hungry, anxious to secure employment, and competes with itself.

In the world there have always been more men seeking employment than there have been places to employ them. There have been men in place, and men out of place. Those out, with hungry wives and crying commerce are whitening every sea, that the smoke of our merchant little ones behind them, unrestrained by system and without help or hope, have been and are willing to underbid those who are in by either working more hours or at lower rates. And those in place, rather than go unemployed and have renewed the cries of their dependents, have submitted to the reduction. And thus bitter competition and nurtured selfishness have grown and increased. The rule of demand and supply has governed and will govern under such circumstances, because the greater the number of laborers unemployed the more there were under the duress of poverty and necessity ready to rush in and underbid their fellows in place.

Now, sir, I am not one who believes that it can ever come to be that the man who works eight hours should receive the same compensation as the one who works ten hours; and I would always oppose any legislation that arbitrarily attempts to so provide. Not only this, but in my opinion there should be no restriction or prohibition against any citizen working as many hours as he chooses, or receiving such compensation as his labor was worth based upon his hours of labor. Thousands of frugal and industrious men work extra hours and earn extra wages. There are besides many classes of employment of such character that it would be impossible to limit it with the eight-hour rule as to duration of work, and the limit could operate only as a measure

of compensation.

But, sir, this is not the principle of the eight-hour rule as I understand it. Laboring men, appreciating that in the economy of the world they have never been fully or fairly compensated, seeing day after day the results of their labor and toilgathering and accumulating in the hands of a few, who without skill or competency have simply happened to be at the right place and time to have thrust upon them the results of other men's toil, are slowly arranging and organizing with the view of changing and arresting some of the old laws and processes which have always operated so unjustly and oppressively upon them. They are proposing tentatively to modify in a certain sense the old rule of supply and demand. It is insisted that as between men with capital and laboring men the former have an advantage—they do not meet upon equal terms.

The man of capital can wait; the laborer, with no bread or meat in the house, can not. The former can fix the wages and say, "Take that or starve, and I will look for some one else," and if the laborer hesitates another starving workman comes in and takes the place. It is also insisted that in consequence of this disparity the general average of wages is lower than it should naturally be everywhere. Now, sir, the eight-hour rule, or I may say a limited day's work rule, has been suggested and adopted as a means of giving to all men who will work employment. Its purpose is by giving work to all to destroy the competition among laborers, who have heretofore been their own worst enemies in this respect. But to accomplish this it is necessary there shall be organization, understanding, harmony, and a brotherly love

among them.

When properly understood and appreciated, I know of no more sublime or noble charity than that which lies at the foundation of the eight-hour rule. It is a concession by the men in place to the men not in place. One class says to the other, let us be friends and divide. We will reduce our time and work less hours so that you can partake in the day's labor and cease your suffering and your bitterness. first we will necessarily get lower wages, for it must always be true that eight hours' labor can not be the equivalent of ten. But when we have fully established the rule, when all men have employment, when in each home there is bread and meat, when the great family of laborers is no longer divided and inimical to itself and competition ceases in our midst, then we will request the gradual and just restoration of wages for the eight hours' work to a rate justified by principles of right and true economy. Whenever the eight-hour rule shall be generally adopted, so that time to work shall be given to all, the demand for laborers will necessarily be increased, more men will be needed, and wages will be

There are, as just stated, sir, frugal and industrious men now who work extra hours and receive additional pay. Such men will at first naturally be disinclined to limit themselves to eight hours, and there will and should be no law or regulation to compel them to so limit them-It is possible that there never will be a time when a large number of laborers will not work in excess of the limit. Indeed it is not a "limit," for any one can work as many hours as he chooses. But the theory of the rule is that social organization and the necessity of giving each individual an equal chance to secure his share of employment will ultimately induce all to observe the charitable rule, and devote the remaining hours to recreation, study, and the development of mind and These ideas are not theoretical or chimerical, but have been already found of practical operation.

There are several great unions and organizations of labor in the United States and England where competition between artisans in the same trades has practically ceased, in consequence of the social organization, which sees to it that each member shall have his share of labor. And in consequence they have been able to largely regulate and in-

crease the rate of their wages.

Then, sir, I know of no reason why the Government should not, in establishing a rule of this character, be the first to set the example of

laborers and employés. Since I have had the honor of a seat upon this floors everal propositions have been presented to increase the wages of some of the laboring men in the employ of the Government, and I have heard eloquent and conscientious appeals against such proposi-tions, made in the supposed interest of the millions of laborers in the country who are not thus paid, but who by burdens and exactions

help to pay the taxes thus applied to the employes here.

But, sir, in some respects the people, by reason of their remoteness from our individual action and the vastness of their numbers, is like Deity. We can never approach or draw near to them. Neither as legislators nor as individuals can we lay our hands beneath the thighs of the people and elevate them in a mass either in wages, morals, or otherwise. Neither can we be charitable, or generous, or just to them in any such sense. We must deal with those of them whom we can see, with whom we come in contact, with whom we immediately deal. We must be we come in contact, with whom we immediately deal. We must be just and generous to individuals. And when we deal justly, humanely, just and generous to individuals. And when we deal justly, humanely, and generously with these, we so deal with the whole people. The example of our action, the influence of our conduct, extends beyond its immediate results. The United States can not act here at the Capitol either justly or unjustly with its employes without its action being felt in the remotest quarters of the Union. And the millions of laborers and tax-payers far out beyond our vision will not complain that we here have recognized our laborers as worthy of a generous and just rate of wages,

I regard with the same conscientions scruples the rights of the taxed people of this country. I favor the closest and most prudent economy. But I believe the laborer is worthy of his hire, and in my opinion the Government should itself, as the exemplar and great exponent of all usages and sentiments, pay its employés the highest rate of wages consistent with the circumstances and nature of the work, and thus by law and example help in this great movement of bettering the condition of the laboring man with regard to both the hours of work and the rate

of his compensation.

I grant that the passage of this bill would cost something, but it would be in the direction of increasing the wages of men, reducing their hours of toil, and extending to all an equal chance for employment. Is not that worth the additional cost? Sir, if in fact the labor is worth the increase, it is not an additional cost, but we simply pay what we would otherwise unjustly withhold from our employes. do not believe we have burdened the statute with enactments for the benefit of labor, except as they might flow, indirectly, from the larges and grants to capital and combinations. Land grants for railroads, subsidies for steamships, tariff for protection to monopolists and wealth have always in some indefinite sense indirectly benefited the laboring classes, but it has done so subject to the cruel conditions alluded to. They have made capital the master, who has dictated the terms to its employés, who, by reason of the poverty and competition among the laboring classes, has itself fixed the hours of toil and the rate of its It is time, sir, now, that we have some legislation in the direct aid of labor. I do not mean to say that experience may not prove the application of the rule to the case of letter-carriers inexpedient, but I am willing to try the experiment. In my judgment the legislation is in the right direction, and I must support it.

Cyclones.

SPEECH

HON. JOSEPH WHEELER.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 30, 1886.

The House having under consideration the sundry civil appropriation bill-

The Clerk read the following paragraph:

For expenses of storm, cautionary, off-shore, cold-wave, and other signals on the sea, lake, and Gulf coasts of the United States, and in the interior, announc-ing the probable approach and force of storms, including the pay of observers, services of operators, lanterns, and flags, \$10,000.

Mr. WHEELER. I offer the amendment which I send to the desk. The Clerk read as follows:

Insert after the word "dollars," in line 1344, the following:
"To establish and maintain not to exceed six signal stations at such points upon the West India Islands as the Secretary of War may think advisable for the purpose of observing eyelones, hurricanes, and storms of like character, and telegraphing warning of their character and approach, \$1,000."

Mr. RANDALL. The point of order is reserved.
Mr. WHEELER. The importance of this subject, bearing as it does directly upon the lives and property of our citizens, more than justifies my effort to have the amendment I offer incorporated in the bill now being considered. It is substantially the same as the bill which I inaiding the great body of the people in increasing the wages of its troduced, and which was reported favorably from the Committee on

Military Affairs three months ago. That bill is now upon the Calendar, but the immense accumulation of business will, I fear, prevent its being reached this session.

THE TERRORS OF THE TEMPEST.

We are all aware of the alarm which has been caused throughout the country by the terrible cyclones which have from time to time passed over our land, destroying life and property, and in a moment, as it were, sweeping away entire towns and villages. We are also familiar with the harrowing accounts of the disastrous effects of these tornadoes upon the high scas, wrecking vessels, augmenting the dangers of those who "go down to the sea in ships," and inflicting almost incalculable losses upon owners and underwriters. This measure is designed to enable our people to guard against and protect themselves, so far as human foresight and wisdom can do so, from these perils; and it is universally admitted that it is the highest function, as well as the most sacred obligation of governments, to protect the persons and property of its

Those who have never encountered a cyclone can hardly imagine the terrors of these manifestations of the irresistible force of the elements when let loose upon their missions of devastation and death. The darkening of the heavens, the appalling stillness of the air, the oppressive sulphurous odor, followed by the furious bursting forth of the unchained winds, must be experienced to be understood and fully real-

The characteristics of a hurricane are an advancing, generally circular, storm, in which the wind blows with almost inconceivable violence, attended by torrents of rain and terrible electrical displays of thunder and lightning, with a calm space at the center, with constantly recurring fresh outbreaks of extreme violence immediately following the passage of the center, these latter winds always blowing from a direction contrary to those that preceded them.

When these storms sweep the ocean the sea rises in a confused and

raging mass, frequently overwhelming the stanchest vessels.

When passing over the land these cyclones not infrequently sweep away forests, houses, and entire villages in a few minutes, the catastrophe being almost invariably attended with deplorable loss of life.

Their repeated occurrence of late years has led the inhabitants of the

localities most frequently visited to construct places of refuge in the ground in which their families can find safety during the storm.

HOW AND WHERE CYCLONES ORIGINATE

As yet science has developed no means of preventing these dreadful visitations, though it has succeeded in discovering their cause, the local-

ities in which they originate, and their general course.

I beg to call attention to a map which I have had prepared, indicating the general track of the most destructive cyclones which have occurred in the last one hundred years. I regret that the map does not extend sufficiently far inland to show the course of these cyclones in traversing the Southern States; but their general track, as shown on the map, indicates approximately the line they follow while moving northeasterly before reaching the Atlantic coast.

From investigation and observation we learn that these cylones originate in the heated belt of the Atlantic Ocean east of the Caribbean Sea. They commence moving westerly or northwesterly, sometimes sweeping over the West India Islands and Gulf of Mexico, and sometimes bear ing to the north and sweeping over the Atlantic Ocean. Those that pass over the Gulf of Mexico strike our Gulf coast, and after moving northwardly they are most generally deflected toward the northeast,

traversing the Gulf or border and the Atlantic States. By establishing the signal stations provided for in my amendment all

the people of the United States would be given from three to four days' warning of the approach of these cyclones. The first dispatches would inform us that a cyclone was approaching from Trinidad, Martinique, or some other of the Caribbean Islands. These dispatches would be or some other of the Caribbean Islands. These dispatches would be followed by others from San Domingo, Cuba, or the Bahama Islands, announcing the progress and direction in which the cyclone was moving. When it struck our coast its probable course would be supplied to all our and definite information upon this point would be supplied to all our When it struck our coast its probable course would be determined

WHAT THE STATIONS WOULD ACCOMPLISH.

It is a well-established fact that a rapid and decided fall in the barometer always precedes the approach of a cyclone; therefore if the residents of any locality had received warning that a cyclone had crossed, or was crossing the Gulf, and noticed a fall in the barometer, they would be able to decide that the storm with which they were threatened was a cyclone, and could take all necessary and available precautions against its destructive effects. If, on the contrary, no information of the progress of a cyclone had been received, they would take it for granted that any lowering of the clouds, or winds, or rain, indicated the commencement of a storm of only local character, which was in no way dangerous. The advantage which every community would derive by being relieved from the bewildering apprehensions necessarily attendant was now and controlled the commencement. necessarily attendant upon uncertainty on this point would compensate an hundred-fold for the trivial cost of the signal stations I propose.

Cyclones have also originated in British America, and at other points

in the Rocky Mountain region, and near the Pacific coast, but they have never proved so destructive as those to which I have referred.

It is also worthy of our consideration that the cyclones from the Caribbean Sea are fraught with great danger to our Atlantic and Gulf coast, through the effects of what is known as the "storm-wave." The violent disturbance of the atmosphere, and the diminished pressure, and possibly other forces, cause the water to rise above the ordinary level of the ocean, and the wall of water thus occasioned is driven along with or before the hurricane, resulting in fearful inundations, which destroy vast amounts of property.

Interstate Commerce.

SPEECH

HON. FREDERICK A. JOHNSON

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES.

Wednesday, July 21, 1886,

On the bill (S. 1532) to regulate commerce.

Mr. JOHNSON, of New York, said:

Mr. Speaker: The matter of the regulation of interstate commerce has been before Congress for many years. Aside from the tariff and currency perhaps no other subject has of late years received more attention at the hands of the National Legislature than this. Congress after Congress has considered and debated it, and its importance has been generally conceded. The debates have been so long continued, and participated in by so many able men who have spoken on both sides, and that, after careful thought and study, that the ground would seem to have been already entirely covered; indeed, I very much doubt whether anything new can be presented in the discussion on the bill now before the House from the Committee on Commerce.

The rapid growth and vast extent of the railway system of our country is one of the wonders of these later times—a system so interwoven with the business, the comfort, and the pleasure of all the people, rich and poor, capitalist and laborer, producer and consumer of every section, as to make everything pertaining thereto matters of common interest and consideration. The regulation of a commerce carried over 125,000 miles of railway, representing an investment of \$8,000,-000,000, with a great army of employés numbering hundreds of thousands, carrying in 1884 350,000,000 passengers and 400,000,000 tons of freight, all must concede to be of such importance as to deserve the most careful thought and consideration at the hands of those who take part in such attempted regulation; and discussion thereon should be had as far as possible without prejudice and in such a spirit of impartiality and fairness as gives the most promise, and in the "long run" always does bring about, the most desirable results.

The greatest care should be taken lest in seeking to remedy known evils we do not unintentionally bring about others which in due time

will require other legislation to correct.

None will contend that the system of railway management in this country is free from defects, or deny that some legislation is desirable as well for those who ride and ship and consume as for those who furnish the means of transportation; but I do not believe, as one would be led to suppose from much that had been said and written on the subject, that railroads almost deserve to be classed as great evils and as enemies of the general public, or that railroad managers are all unprincipled and grasping, conducting their business with no thought

except for themselves, blind to the interests of the people and regardless of the rights of those who give them patronage.

I can not overlook the great part borne by the railroads in the development of this country. The bringing together of widely separated sections by easy and rapid communication; the opening up and peopling of vast regions of our territory which otherwise would have remained uninhabited; the cultivation of unnumbered millions of acres of our soil, heretofore barren and waste, now made productive under the hands of industrious and thrifty proprietors whose crops find ready and cheap transportation to the markets of the world, and the consequent addition in almost incolorable labels. tion in almost incalculable amount to our national wealth; the appli-ances for the rapid, comfortable, and luxurious transportation of man and beast, appliances that are being constantly improved and enlarged and which are far in advance of those enjoyed by any other people—all this will be readily conceded and the question possibly be asked why enumerate these things which all acknowledge to be facts; to which I would answer that such an enumeration of resultant benefits would seem to be sufficient to exempt the railroad management from at least some of the harsh judgment and many of the hard names that are so easily applied. Nor can I forget another thing, not so often mentioned by those

who so easily and readily call these hard names, namely, that year by year a large and increasing competition and the inevitable working of the law of supply and demand have caused a steady decrease in the rates of passenger and freight traffic, until to-day they are lower than

in any other country in the world.

Human nature is selfish, and men everywhere are looking out for "number one;" but no man or body of men can long pursue a course which ignores the rights and privileges of those about them without paying dearly for it. All men know this and none better than railroad managers, and though among them there may be, as in every business, had men, bold and unscrupulous, who in their eager rush for wealth and power would ride over everything in their way and disregard the rights of the public so far as possible, yet they are the exceptions, and among the railroad managers of to-day I believe there are men of high character and honorable purpose in as large proportion as can be found in any other line of business. The capital in railroads is there for profit, as is the case in all business investments, and the roads are run to make money while accommodating the public.

If while thus seeking an appropriate return on investment the rail-road management shall look only to their own profit and turn a deaf ear to the reasonable demands of the public, a day of reckoning will surely come, and public opinion will certainly compel reform, and that too, if need be, by severe measures and "heroic treatment;" but I believe and am confirmed in such belief by what I have heard and read on the subject, that these managers, many of them as capable and suc-cessful business men as we have, are not so blind to their own interests as to persistently disregard public sentiment and opinion; but that same self-interest, as well as their better judgment as honorable men, will lead them to meet at least half-way all efforts for the settlement of grievances, the redress of wrongs, and the correction of unjust and

arbitrary discrimination.

The gentleman whose name the bill now before us bears, Mr. REAGAN, of Texas, has for many years been at the front in the debates and attempted legislation on this subject of interstate commerce. I have the highest respect for his ability, and not a doubt as to the sincere and honorable motive and purpose actuating him in all that he has said and done in this regard, and yet I do not favor his bill and did not join the majority of my associates on the Committee on Commerce in their favor-

able report.

After hearing the discussions on the subject in the Forty-eighth Congress and listening to the arguments made before our committee during this session, with such information as I have been able to obtain in other channels, together with my own limited observation and experience as to general business, I am led to the opinion that the way proposed by the Reagan bill, so called, for the regulation of interstate commerce, is not the best way, but recognizing the demand for some action by Congress, and believing the wise course will be to beed such demand, I therefore favor some legislation; but in my humble judgment the best way now is to attempt such regulation by the means of a board of interstate commerce commission, such, for instance, as the one proposed by a majority of the Committee on Commerce of the Forty-eighth Congress, or as named in the bill introduced in this Congress by Mr. BAKER, of New York, or as provided in the Cullom bill recently passed by the Senate.

I believe that it is unwise to attempt to regulate interstate commerce by enacting laws to reach all the endless and every day details of a bus-iness which reaches out toward every point of the compass, that has "gridironed" the land from end to end, and that enters directly or indirectly into every channel of trade, that requires the constant care and closest attention of practical men educated to the business, and so qualified to prepare for and provide for the needs of the ever-varying trade and commerce of the country. Iron rules to govern a commerce so vast, so intricate, so endless in detail, it seems to me, would be impracticable, and would in many cases embarrass rather than help to improve the situation. It may be said that such detailed results are not the intent of the legislation proposed, and possibly such statement would be true so far as the intent is concerned; but I can not see how any other construction can be put upon it.

In place of such legislation why not by a commission covering the whole country provide a channel for the presentation and the candid and careful consideration of complaints, and the righting so far as possible of real wrongs and grievances; a commission with powers wisely restricted, and yet given such discretion in their judgment and decision upon the ever-changing and widely differing phases of the questions presented to them as can safely be intrusted to men likely to be clothed by the appointing power with such responsibilities? Laws have been passed in various States of the Union creating boards of railroad com-

missioners, and in the main results have been satisfactory.

Shippers have carried their grievances and made their complaints to these commissioners, which have been in that way brought to the atten-tion of the railroad managers; have as a rule been met by such managers in the proper spirit, investigation has followed, parties have been brought together, suggestions have been heeded, recommendations followed, awards accepted, and in almost all cases the results have been satisfactory to all concerned. satisfactory to all concerned. We have had such a commission in New

York for three years past, since 1883. The law was framed by and enacted largely through the efforts of a member of this House, my colleague, Mr. BAKER, and so far as I know the well-nigh unanimous opinion in our State is in approval of the work of said commission and in favor of its continuance

I quote as follows from the message of the governor of the State (now the President of the United States) transmitted to the Legislature Jan-

uary 1, 1884:

Since the organization of the board of railroad commissioners they have done a vast amount of work of a character which demonstrates the need and usefulness of such a department and with results which are creditable to the zeal, fidelity, and intelligence of the commissioners. During the cight mouths next following the organization of the board seventy-five complaints were preferred, all of which were fully investigated. Some of these involved a thorough examination into the financial affairs and history of large railroad corporations, while others had reference to the comfort and safety of passengers and citizens as relating to the operations of the roads. Many recommendations have been made to the railroad companies in order to protect the people in life and limb, most of which have been cheerfully adopted.

I quote as follows from one of the reports of the New York railroad commissioners:

Our brief review of commissions and their results may thus be stated: Through their well-directed efforts more has been done than through any other known method of State procedure to raise the milronds and the people to the plane which each must occupy before any satisfactory settlement of their relations can begin to be accomplished; each must first learn that their interests are mutual and not conflicting. That railrond which regards its transportation opportunities as prey is digging the grave of its prosperity and is prohibiting its own growth. That community which seeks the correction of railroad shuses through destructive measures is killing the patient as a cure for disease and is losing the very advantages which it theoretically seeks.

In the light of such testimony, to which we might add the experience of other States; in these days when the principle of arbitration scems so popular, as illustrated in the recent debates and vote on this floor on the labor arbitration bill; now when there seems to be a growing sentiment favorable to the bringing together of nations, corporations, and individuals between whom differences have arisen, that by conference and perhaps mutual concession the interest of all may be promoted, is not the proposed correction of all real or fancied evils and real harmony between all the parties more likely to be brought about in regard to the question of interstate commerce through the channel and on the plan of a national commission, whose methods can be changed if need be as shall be suggested by that best of all teachers in such matters, the experience of daily business, rather than by the means and in the manner proposed in the Reagan bill. It is wise statesmanship that seeks to harmonize opposing elements and forces, remembering that there are two sides to every question.

The labor question has of late been very prominent in this country and has properly received attention at the bands of the representatives of the people here assembled, and as a friend of labor and anxious to do all in my power to promote its true interests the recent legislation had my sympathy and support; but in all the eloquent and carnest speeches made on the subject on this floor I do not remember to have heard one word in protest against the taking of the law into their own hands by one side, obstructing travel, disarranging business, and destroying life and property—crimes, and high crimes deserving severe punishment—acts, however, which I am bound to say I believe were not approved, and were condemned by the great majority in the ranks

of labor in this country.

At present the popular side is the one against railroads. member, however, that shippers and carriers both have rights, and the duty of protecting such rights is as binding on the one side as the other. How shall all this best be done? Not, in my judgment, by multiplication of our laws; not by the enactment of statutes at once arbitrary and exacting; but rather by means of a commission wisely selected, simple and practical in its methods, that will recognize the rights of all, and in a spirit of conciliation and right doing will seek to bring the parties together for such settlement of differences as become honorable men.

My friend, Mr. RICE, of Massachusetts, in the course of one of the ablest speeches on this subject in the Forty-eighth Congress, said: The government of a free and civilized people must not govern too much

And, in my judgment, that is just what we are doing in such legislation as that proposed in the Reagan bill.

The honorable gentleman from Pennsylvania, Mr. RANDALL, in the last Congress, in a speech on another question, said:

Shall we unsettle business interests by constant tinkering? Shall our meeting here be the cause of terror, and our adjourning the cause of rejoicing?

I think such questions may well be asked in connection with the legislation proposed by the Reagan bill for the regulation of interstate commerce; for it is of such a character as to make the business public anxious when Congress convened and relieved when it adjourns. I be-lieve the legislation proposed by the Reagan bill, so called, is of a class that is disturbing, that tends to unsettle and derange the general business of the country; that it is too exacting and far-reaching; and that we can not embarrass and confuse the workings of a business so vast and complicated as the railroad system of this country without a reaction injurious and damaging to the interests of the general public as sure to follow as that the sun will rise and set to-morrow.

Forfeiture of Northern Pacific Land Grant.

SPEECH

HON. BINGER HERMANN,

OF OREGON.

IN THE HOUSE OF REPRESENTATIVES,

Monday, July 26, 1886.

On the bill (8, 2172) restoring to the United States certain of the lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound, and to restore the same to settlement, and for other purposes-

Mr. HERMANN said:

Mr. SPEAKER: As to the policy or impolicy of creating this immense grant of the public domain over twenty years ago it is not now essential grant of the public domain over twenty years ago it is not now essential to discuss. It is sufficient to know it was done. We do not, however, forget some of the leading inducements. It was in a time of civil war, and in the deadliest of its hostilities. The existence of the nation was in peril. An immense coast line on the Pacific Northwest was exposed and defenseless. Three thousand miles separated it from the center of population. Foreign nations awaited the fatal moment when the Republic should fall in dismembered fragments a prey to the enemies of free government on earth. Great Britain, ever on the alert as to our weakness, and with her rich colonial possessions adjoining us, patroled the high seas with her floating armaments, prepared to seize as well as defend every advantage in the critical hour.

Here was an immense domain constituting west of the Rocky Mount-

ains one-fifth of the whole national area, and separated from the rest of the Union by lofty mountains, uninhabitable wastes, and with no means of rapid transit. Without transportation facilities in the near future, but few inducements were offered the pioneer. Much of the country was rugged and roadless and largely occupied by roving Indian tribes, constantly on the war-path, and requiring the ceaseless vigilance of United States troops at enormous expense to the Government. The entire intermediate country was worthless to civilization without some commercial outlet. The populous communities along the sea-board and in the earlier settled valleys were longing for railway connection with their old homes in the East. Having subdued the country adjacent to the coast after long trials, privations, and suffering, and the display of courage, fortitude, and endurance such as has few parallels on the historic page, they conceived it a duty of the nation to aid them in the realization of their fondest desires. They grew impatient in their seclusion.

Every section of the Union was pushing ahead with giant strides. The Pacific Northwest alone remained uncared for. With railway transit the pioneer was promised a return journey to the Atlantic in six days, which with the slow plodding ox-team he traversed in six months! He was also reminded of the quickening life which railways would impart to every remote section of the great forest and mountain expanse then before him. Is it surprising, sir, that everywhere there was an earnest, enthusiastic desire for the transcontinental railway, even though it cost what was granted to obtain it?

The great benefits to accrue to the citizen and the nation as well were deemed ample consideration for the price paid. These views were expressed by the leading statesmen of the nation at the time. Mr. Hendricks, late Democratic Vice-President, whose sad death this Congress recently, in common with all the people, so profoundly mourned, when speaking in the United States Senate June 27, 1864, on the passage of

this very grant, said:

Everybody can see at a glance that it is a work of national importance. It proposes to grant lands in a northern latitude where, without the construction of a work like that, the lands are comparatively without value to the Government. No person acquainted with the condition of that section of the country supposes that there can be very extensive settlements until the Government shall encourage those settlements by the construction of some work like this.

The man in the West who raised his voice against this generous and patriotic sentiment was at once regarded as an enemy to progress and civilization. He was pointed at as a "fossil" and old "fogy," "a moccasin man," a friend of the cabin, the ox-team, and Indian trail. He was voted an obstructionist. These reflections are submitted not to spologize for but rather to soften somewhat the harsh criticism of the present day for the liberality of the generation of a quarter of a century ago.

A NATIONAL NECESSITY.

The struggling nation painfully realized the necessity of reaching with quick transit those distant portions of the Republic, that it might in future perils be enabled to render rapid and adequate aid. This could best be afforded by a continuous railway communication between the Mississippi and the Pacific Ocean. The task and the required expenditure involved seemed appalling. The object to be accomplished was deemed a sufficient inducement for the sacrifice. The prize was well worth the cost. Our sister republic was already floating an im-

perial flag in defiance of our cardinal Monroe doctrines, and an emperor exacted allegiance from those who but a few days before were citizens of a free nation.

The States and Territories on the Pacific trembled in hourly anticipation of domestic violence by those who were secretly plotting with the enemy to wrench the feeble authority of the National Government there and proclaim the existence of a Pacific republic. But the great nation was itself in the throes of dissolution. Every man and every dollar was utilized in exerting the supremacy of the Constitution and laws. Every resource of the country was strained to the utmost tension. The last hour seemed to have come. In these dismal days only results were looked for, and little heed paid to the means that led to the end. In these extremities Congress willingly bartered away the rich prize of the public lands that it might strengthen and preserve the Union of the great domain between the Rocky Mountains and the Pacific Ocean. Grants of lands and subsidies were promptly and generously voted the Union and Central Pacific Railroad Companies that communication might be had with California and Nevada on the Pacific. That a like advantage should be extended to the great Pacific Northwest a grant was also made to the Northern Pacific Railroad Com-

THE GRANT AND ITS BENEFITS.

The charter was granted July 2, 1864, for the building of a railroad through that immense region of almost uninhabited country from Lake Superior to Puget Sound, with a branch road to Portland, Oreg. The distance was over 2,000 miles. The grant allowed two years in which to commence work, and required a completion of the road within ten years. After several amendments and extensions of time the last limitation for completion was fixed at July 4, 1879. Financial misfortunes overtook the company, and by the time limited they had only completed 531 miles, to near Bismarck in Dakota. Had Congress seen fit to re-enter by declaring a forfeiture of all the grant westward of this point it is generally conceded this portion of the public domain could and would have been restored.

But no action was taken and the construction of the road proceeded

rapidly. As sections of 25 miles were completed they were inspected rapidly. As sections of 25 miles were completed they were inspected by United States commissioners, accepted and certified by the Presi-dent for patent. Towns and cities were built, great mines were devel-oped, population rapidly followed in the van of the army of railroad builders, homesteads and pre-emptions were made of choice places, United States land districts were created, and everywhere a new life was breathed in this hitherto almost trackless waste of 2,000 miles. While this long line was approaching the Cascade Mountains active work was also in operation connecting Portland, Oreg., with Puget Sound and the western foot-hills of the Cascade range. These two ends are rapidly nearing each other, and now it remains to close an interval of but 75 miles when a direct and continuous line will have been completed by this company from the lakes on the Atlantic to the waters of the Pacific. This gap of unfinished road is mainly on the top of the Cascade Mountains, and requires a continuous tunnel of about 2 miles in length. At this point the greatest resistance is met and stupendous work night and day is in progress.

THE PROPOSED SENATE FORFESTURE.

It is this portion of the grant on the Cascade Mountains it is proposed to forfeit, and also the grant along the 214 miles in Oregon, from near Wallula to Portland, within which the company have constructed no road. This was originally known as the branch line. It leaves the completed road running toward Puget Sound at Wallula on the Columbia River and follows that river to Portland, Oreg.

Another road having been built along the Columbia River between Wallula and Portland, and no efforts having been made to earn this portion of the grant, there is a universal desire for its restoration to the public domain, and no equities can be urged for further delays. opposition, however, is made to the forfeiture of the grant on the Cascade Mountains, as there it is claimed active work is in progress, energetically directed to a completion of the remaining 75 miles. This is urged as an equity.

THE PROPOSED HOUSE FORFEITURE.

The measure recommended by the Committee on Public Lands of this House includes the restoration of all the great west of Bismarck coterminous with the line of road constructed and not constructed after the expiration of limit named in the grant, and embracing, it is estimated, 26,000,000 acres of land. Of this about 1,000,000 acres are in the 75 miles of unconstructed Cascade division, and about 2,000,000 acres are in the unconstructed 214 miles of the Wallula-Portland division.

THE EXTEST OF THE GRANT.

The company was originally granted twenty alternate sections on each side of the road in the Territories, and ten alternate sections on each side of the road where it passed through any State. This embraced 12,800 acres per mile in the States and 25,600 acres per mile within the Territorics. The estimated available quantity of the grant is 42,000-000 acres, or 65,620 square miles. There was 531 miles of road constructed before the date fixed for completion of the entire line.

THREE PROPOSITIONS.

In the adjustment of this grant there are three propositions advocated

First, the entire forfeiture of all that portion of the entire grant westward of Bismarck in Dakota Territory, to which point the road had been constructed July 4, 1879, the maximum limitation named in the grant for completion of entire road. The second proposition is confined to a forfeiture of all unearned lands at this time, which comprise the grant of the 75 miles of unconstructed Cascade division and 214 miles unconstructed Columbia River division in Oregon (Wallula to The third proposition only includes the Oregon division between Wallula and Portland.

The majority of the Public Lands Committee of this House report in favor of the first proposition, while the minority of that committee favor the third proposition. In the mean while the Senate passes a bill which is submitted to this House, and which with some additional details constitutes the second proposition; that is, forfeiting all lands coterminous with the lines of road not constructed at the date of the passage of the act. This Senate proposition is accepted by the minority of the House committee. There is, therefore, immediately before us for consideration but the two issues: Shall we declare forfeited all the lands westward of Bismarck, in Dakota, which includes about 1,500 miles of constructed road now in operation, or shall we confine our forfeiture to that portion of the grant within which the company has failed to construct its line of road?

ARGUMENT OF COMMITTEE.

It is argued in favor of an entire forfeiture that the original grant as amended limited the completion of the road to July 4, 1879; that this was a condition, and that this condition was an entirety; that time can not run against it, nor can there be a waiver by the Government, and that laches can not be imputed to it in the assertion of its rights; that while the Executive Departments may have recognized a continuing grant, this can not be urged as an estoppel of Congressional action—the executive can not bind the legislative; that the corporation had notice of the limitation and suffered all the consequences which such limitation imposed upon its default; that the road was not completed strictly within the time limited, and that the grant can not be construed to protect any of the road constructed out of time, nor continue title to any of the lands coterminous therewith; that time is of the essence of the contract; that a legislative act of forfeiture is the entry on condition broken, and is likened to the common-law entry by the grantor, and that, as in that case, all transfers and alienations are avoided and the grantor reinvested of all his estate so forfeited.

ARGUMENT FOR SENATE BILL.

Those who antagonize these views assert that this is by its words a grant in præsenti with a condition-subsequent; that such condition being performed by the grantee before a judicial or legislative declaration of forfeiture, the grant continues effective. An instance cited is that of a mortgagee before foreclosure and after condition broken, who may avoid the penalty, condition, or forfeiture by subsequent payment. In further illustration, the Government of the United States may be compared to an individual-a grantor who stands by and allows another to comply with a condition after default, and thus he disables himself to take advantage of it. That non-action is an implied waiver. While it is admitted that under the old common law the principle obtained that no performance of a condition, after the day fixed for it, could save the forfeiture, yet in modern times it is construed that such a grant is charged with a trust rather than affected by a condition, and that such construction is based largely in the disfavor of courts to forfeitures upon breach of conditions-subsequent. Confirmatory of these propositions, several leading cases decided in the Supreme Court of the United States are cited.

It is further contended, as to the road constructed out of time, that Congress never asserted its right of forfeiture, but that it did allow the company by an implied assent to extend its road. Notice was brought to Congress of the expiration of the granting time and of the unfinished road, and committees were appointed to investigate, and they reported against forfeiture. It is further shown that by express acts of Congress after this and as late as 1882 the right of way for over 100 miles in the Crow Indian reservation was granted the company that the construction of the road might proceed. In further recognition the Government by its inspectors examined and approved the sections of road completed, and each administration, including the present Executive, have accepted these roads constructed out of time. ment continues its double minimum price on the even sections by reason of the grant. Settlers have been induced by the company to settle on these lands, payments have been made to it, and contracts of sale negotiated with thousands. In the event of a sweeping forfeiture this great and wealthy corporation will seek redress in the courts, causing uncertainty, anxiety, and expense, with the consequent standstill of much progress and improvement along that immense distance.

THE MOST PRACTICAL.

I do not propose to enter into a discussion of the merits of this proposed general forfeiture, nor do I venture an opinion at length as to the abstract right of the Government to forfeit or the corporation to claim in law or in equity this grant. I take my stand and am controlled in this matter by that course which I conceive will produce a concurrence of both Houses of Congress in some forfeiture. This will give us suc-

cess at this session. No other course will. A failure to effect a forfeiture now will allow the railroad company to earn the lands on the present unfinished Cascade branch before we can act at the next We know that the Senate will not concur in the House bill, but we know we can concur in the Senate bill and pass it now, and save all the grant unearned along unconstructed road. Why, sir, do we not do this? I ask an opportunity to vote on this. If we decline this we lose all. We shall be like the dog, gazing in the placid waters with a slice of meat in his mouth, and seeing the shadow of the meat, he opened his mouth and leaped at it and thus lost the savory substance

I can see no relief in this persistent and useless struggle. But on the contrary it does seem to me we invite in our defeat a further loss of the public domain by postponing forfeiture of the unearned lands, with continued anxiety and loss to thousands of poor people settled on these grants and inconceivable discouragement to the public progress along the line. Firmly impressed with this belief, I can not believe it advisable to support the measure. To disdain what is possible, indeed what is now offered us, is to directly and practically aid and perpetuate the very system we pretend to abhor. The result of our action is a direct benefit to the corporations and an injury to the people. We prevent a restoration of these uncarned lands and enable the grantees by our delay to complete their roads and then to invoke the aid of the courts for their title. For one I do not propose to be hoodwinked in any such scheme. Let us not do by indirection what we would not do by direction. If we are the friends of the settler let us say so by our acts. If we are sincerein our professions of preserving the remainder of our public lands, let us not delay action.

PEOPLE DEMAND FORFEITURE ALONG UNCONSTRUCTED LINE,

It would be well if Representatives would consult the real wishes It would be well if Representatives would consult the real wishes of the people, rather than the ravings of demagogues, who have no conception of what is practical from the impractical, but do have an utter misconception of the subject as well as the real interests of the people. As to this particular grant I now submit to this Congress a petition signed by nearly three thousand people of Oregon and all within the 214-mile limits. I call these people and settlers into court over their own signatures, and they shall speak for themselves. They ask for a forfeiture of the 214-mile division between Wallula and Portland.

As further showing the sentiments of the people directly affected I now quote from the Bunch-grass Blade, a people's paper (not a railroad organ), and published in the town of Lexington, within the 214-mile grant, and widely circulated among the homestead settlers, the stock-raisers, and farmers. The earnest enthusiasm manifested is indicated in this extract:

MAKE YOURSELVES HEARD.

There is no question about the force of Congressman Hermann's remarks upon the necessity of the people of Bunch-grass making some demonstration toward influencing Congress to early action on this railroad forfeiture. Every town in Oregon within 40 miles of the Columbia, between the Cascades and the Blue Mountains, should be the scene of an enthusiastic mass-meeting of men who will make it their business to memorialize Congress upon the wrongs people are suffering under in consequence of this criminal neglect on the part of two bodies of representatives paid to see to their interests. The duty of peaceably meeting and earnestly urging immediate action on Congress is imperative. This is a subject of more importance to us than either Democratic or Republican victory in State or county politics. God helps those who help themselves. Good full meetings should be held in Heppner, Lexington, Hardman, Ione, and Ella, in Morrow County, right away. Raily, organize, and appeal!

The advice here given was acted on and rousing petitions from these people are before us.

The sentiment of the people as to the impracticable House substitute for the Senate bill is well expressed in the Daily Oregonian, of Portland, Oreg., of June 21, as follows:

The Senate passed a bill proposing to declare forfeit those parts of the grant where the road has not yet been constructed. This was sent to the House, which body has substituted for it its own more radical bill to declare forfeit all those portions of the grant where the road had not been constructed up to the time the grant expired, some four years ago. The result of this disagreement very probably will be total failure to do anything, and as a further consequence the company will keep its hands upon all the lands it loosely and widely claims, including those along the Columbia River, where it has no intention or thought of ever building a road.

Within the limits of this grant in Washington Territory in the prosperous town of Goldendale is published the Goldendale Sentinel, and from the issue of June 17 last I extract the following editorial as a fair presentation of the public sentiment in that great section of the Columbia River valley:

River valley:

It seems that the bill for forfeiting the railroad lands between Wallula and Portland, which tract embraces nearly half the lands of this county, is, like Casar, to die by the hands of its friends. The ultra-forfeiture men in Congress, headed by Senator Van Wyck, whom the people have heretofore looked to as the champion of their rights, seem determined to avoid a square vote on this bill for the purpose of making it a sort of propelling our to a general forfeiture-bill, claiming that if they pass this bill disconnected it will be an implied abandonment of their right to demand the forfeiture of other lands. We wish the friends of forfeiture would bring a little common sense to bear on this question, and not disdain that which they can get because they can not get all they ask. As we have before frequently stated, the question of the forfeiture of the railroad lands down the Columbia River is an independent proposition; and on this proposition there is no division of opinion, or if there is it is a hidden opinion.

So far as the question of the forfeiture is concerned along the line where the road is already built and operating, there is a difference of opinion among the settlers themselves. Many of them have purchased their lands of the company,

and they don't wish their titles disturbed. The road is in operation and they have the benefit of it; and if it were left to a vote of the people, it is doubtful if they would vote for forfeiture, not because they have any respect or love for the railroad, but because, looking at their own interests alone, they would probably doubt the propriety of disturbing the title to the possessions which they hold under the title of the company. But here the case is entirely different. We neither have a road, or the promise of a road. Not only has there never been the stroke of a pick in furtherance of the enterprise, but there has been a continued and pronounced abandonment of the enterprise for years.

Our position is certainly anomalous. For nearly a quarter of a centurry, half our lands have been tied up from public settlement; the growth of the country has been retarded; itis material interests cramped; and its people kept in a perpetual fever of expectancy. We want the grantforfeited, and the company claim that they are willing that it should be forfeited, and yet the forfeiture bill makes no headway. The assertion of Senator Van Wyck that he should oppose this bill because it was only forfeiting what the company was willing should be forfeited, is as silly as it is unjust to the interests of the people. What difference does it make to the people who are affected by the grant, and who desire the forfeiture, whether the company are in favor-of forfeiting it or not. They are not asking for the forfeiture in a spirit of spite toward the company, but because the interests of the country demand the forfeiture. How illingical it is to clamor for a certain right until the party withholding it accedes to our demand, and then refuse to accept it because they do accede. Such performances savor either of demagogy or idiocy. The sensible thing for the forfeiture men in Congress to do is to secure the restoration of this grant to the people while they can, and then contend for more.

I quote now from a prominent Democrat, a leading citizen of Eastern Oregon and along this Columbia line, and whose speeches in the recent campaign in favor of a prompt forfeiture of unearned and fraudulent railway and wagon-road and swamp-land grants were applauded by the settlers and people of all partisan politics. I select his letter as a sample of others received by me and of the prevailing sentiment. It is dated Dalles City, February 11, 1886. He says:

As you suggest, this portion of the grant (Wallula to Portland) is clearly uncarned, and on that point there can be no controversy. To go beyond Wallula would be to enter upon controverted ground and would be to invite such complications as would almost certainly defeat the measure. And even if a bill to forfeit the grant beyond Wallula should become a law the whole question would be taken into the courts, and even though the law should be finally sustained, yet it could be keptfor years in litigation, and thus keep the lands closed against settlement for an indefinite period.

By undertaking too much nothing will be accomplished. So palpable does this seem to me that I should suspect those overzealous advocates of forfeiture who seek to include too much in their measures to be really in the interest of the railroad company and laboring to defeat forfeiture. If Oregon Representatives in Congress succeed in getting through a measure restoring to the public domain the unearned lands of the Northern Pacific grant lying between Portland and Wallula they will satisfy the utmost expectations of their constituency in this respect. And if they do this without having their measure killed by efforts to drag it beyond Wallula they will do well indeed.

The most valuable portion of this 214-mile division I should think from a personal knowledge is that between The Dalles and Wallula, especially on the John Day River. There is a fine scope of country which the past few years of experiments have shown to be highly productive and canable of experiments have shown to be highly productive and canable of experiments have shown to be highly productive. ductive and capable of sustaining a large and prosperous agricultural community. There is really no waste land in the whole vast region, for the lands not suitable for plowing are in every instance, even to the breaks of the Columbia, fine grazing lands. This country, when once settled up, is destined to be one of the chief stock-growing sections of Oregon, an industry even now one of the most profitable of our State. The soil is fertile to the summits of the highest elevations, the climate is equable, and the seasons free from violent storms, from drought in summer and excessive cold in winter. Destruction by blights and insect pests is unknown. Such are the inducements to the home-seeker, and many hundreds have been tempted to make settlements. cabins are seen located here and there for a distance of 200 miles along and interior from the Great Columbia in Oregon as well as in Washington Territory. These people are looking wistfully to this Capitol for a remedy. On tiptoe they are listening for some welcome tidings announcing the restoration of these lands to the public domain and the near approach of the day when they can call their present possessions by that dearer and more cherished word-home!

ACTION IS DEMANDED.

They have appealed to this Congress for relief. Petitions, legislative memorials, correspondence, newspaper editorials, resolutions of conventions, and personal appeals have all been made. How much longer shall they be denied? All concede that this portion of the grant is clearly forfeitable, and none deny the power of this body to declare a Then why decline a compliance with the urgent, unani-

mous, and long-repeated appeals of the people?

To insist on tying this portion of the grant, along which no road has been even commenced in or out of time, with that portion along which a road has been constructed and long in running order is to mock the a road has been constructed and long in running order is to mock the demands of the people. It does even more; it inflicts positive public and private wrong. It invites these poor settlers to a long and uncertain litigation in some future year with wealthy and all-powerful corporations. It ties up the titles of the country, it discourages settlement of the public domain within the granted limits, and it retards the prosperity of that whole country. To insist on a forfeiture of the whole grant westward of Bismarck is to insist on something impracticable. This is self-evident even to those who so persistently demand this extreme measure. They prate of their love for the settler, of the this extreme measure. They prate of their love for the settler, of the rights of the people, of grasping monopolies, and then, after coming in at the closing hours of the session, stubbornly refuse to accept meas-

ures which all concede are practicable and will afford relief and save millions of acres of public land from further control of corporations. Is it surprising people should become weary of such legislative jug-

In the early days of the session I introduced a bill exclusively for a restoration of this 214-mile grant and for the protection of settlers' rights. No reference was made to the Cascade or any other portion of the grant. Even if desired it was deemed impracticable. It was thought Congress would not agree to anything more radical. A Senate bill is now submitted to this House granting this and adding a forfeiture of all lands coterminous with the uncompleted portions of the Cascade branch of the Northern Pacific railroad. This comes to us now in the nature of a compromise. It is a great concession on the past position at the other end of the Capitol. It is the most liberal, as well as most radical, the country can expect. We are now offered a practical and immediate solution of this great problem. To refuse this is to postpone the hopes of the country indefinitely. For one, I accept it as the only possible hope for adjustment. I express no opinion as to the justice or injustice, the rights of the company or the interest of the people in reference to a restoration of the incompleted Cascade branch. It is enough for me to know that the pending proposition will bring success if accepted

Should this House decline this last alternative, let us hear no more eloquent panegyrics about the rights of the people. Such flimsy pretenses can no longer deceive. The country can well say, the voice of Jacob, but the hand is the hand of Esau." "The voice is

The majority of the Public Lands Committee of this House have so far persistently declined to submit as an independent proposition the forfeiture of the 214 miles of Northern Pacific land grant between Wallula and Portland, Oreg., along the Columbia River. Here the company have never commenced operations and do not even now propose to do anything, hence the people of Oregon claim and have constantly demanded the restoration of all this grant, embracing over 2,000,000 acres, to the public domain. No construction of law or equity can even remotely favor the right of the Northern Pacific Railroad Company to retain any portion of this acreage. There is not a voice in this entire Congress sustaining such claim. The law, the facts, and public sentiment all unite in the justice of a restoration. The people along this line and the settlers—those who are the most deeply and directly interested—are clamoring for Congressional relief.

The poor man who has ventured to settle and construct his cabin in the face of the threatening and overhanging grant is in constant anxiety. The capitalist, the manufacturer, the merchant, the builder, all are forbidden to euter. The great mass of the lands are exempt from revenue support to the counties and State. The settlement and progress of the country is retarded and a great cloud has settled over this rich The people, restless and impatient at repeated delays, ask of Congress why they are denied relief. They are informed by the House committee that they can not be segregated from the general grant; that they propose to forfeit all west of Bismarck or nothing; that the lands coterminous with the completed road out of time shall fall the same as those along the line unconstructed; that a principle is involved, and they must have all or nothing.

The committee are reminded that a different principle operates in this case of a grant with a road completed out of time, and a grant or part of a grant with no road commenced or completed. If the law is not positively conceded, at least not much contention exists as to the definite status of a grant coterminous with a road constructed out of time. A discussion of the controverted question is not essential to my purpose in this debate.

As to a grant like the Wallula-Portland branch, coterminous with no constructed road, no possible doubt is advanced by any one. For this reason the action of the committee in blending the two divergent propositions in one bill and imperatively requiring that the House shall apply the same remedy in the case of both not only antagonizes a conscientious sentiment of the country, but actually jeopardizes the whole plan of forfeiture by the inconsistency and unreasonableness of the position assumed. They require the people of Oregon to suffer the indefinite withdrawal of over 2,000,000 acres of public lands, clearly and unjustly under a suspension and a great blot in the public progress, until both Houses of Congress shall be in a mood to declare a forfeiture of other lands coterminous with a road completed and in running order and furnished and with accommodations such as has few other roads in the world. Is such a discrimination just, is it statesmanship, is it even good sense? And above all is it fair dealing to the thousands of people, the pioneer and American home-seeker? Between man and man is it even honest? We can well indulge in astonishment at such a determination when the committee, when this House, when we all know that the Senate has declined to submit to a like proposition and will never consent to it,

No one can object to restoring these unearned lands in Oregon. Then in the name of right, of justice, and of fair play, why not restore this division at once? The extreme measures of the majority are not justified by the leading statesmen of the Democratic party.

By reference to the Senate report of the Judiciary Committee, on a

bill providing that the Attorney-General shall institute suits for for-

feitures, we find as late as January 2, 1883, Senators Thurman, Mc-Donald, and Garland (now Attorney-General) uniting in this language on that bill:

It is believed by the committee such a law will enable the Government to get rid of all these grants of land to railroads that are not being used for legitimate purposes or are misused, or in which no efforts are being made to build roads; and at the same time to have carried out all these grants in which the companies in good faith are trying to finish their roads.

President Cleveland uses the following language in his message on the question of land grants and subsidies:

A faithful application of the undiminished proceeds of the grants to the construction and perfecting of their roads, an honest discharge of their obligations, an entire justice to all people in the enjoyment of their rights on these highways of travel, is all the public asks, and it will be content with no less.

In accordance with this sentiment, the President only a short time since accepted the last 50 miles constructed of the Northern Pacific Railroad east of the Cascade Mountains in Washington Territory

In considering recently the Senate amendments to House bill declaring forfeited in one bill seven grants of lands to railways in the Southern States, the House committee recommended excepting from the bill the grant to the "Gulf and Ship Island Railroad." This exception was originally added in the Senate on the ground that in this road work was commenced about one year ago and is still progressing. In the case of the six other grants no work was ever done. By indorsing this amendment the committee recognize the distinction. In the debate on the Gulf and Ship Island Railroad amendment the chairman of the Public Lands Committee said:

Every particle of information that the Committee on the Public Lands has upon the subject is that the Senate will not agree to the forfeiture of that grant now. This bill with the Senate amendment leaves that forfeiture out. It proposes to forfeit the other 7,000,000 acres, as I have said, and leaves the half million to be the subject of an independent proposition; and the Committee on the Public Lands have agreed to the Senate amendment, which leaves the question practically this; Shall we accept the seven million forfeiture and let the other remain to be determined hereafter, or will we, by rejecting the Senate amendment, lose the whole? * Let us then take the practical question presented, pass this bill, and hereafter take up and consider, and if proper pass, the independent bill for the forfeiture of the Gulf and Ship Island lands.

Another member of the committee [Mr. PAYSON] in the same debate said:

All the committee now asks is to eliminate that question from this bill, and declare the forfeiture of this immense body of land, as to which there is no possible question, leaving the other to be determined hereafter.

Now I ask, with the same distinction and with like reasoning, how can this same committee vindicate its action in considering adversely the Senate bill which confines the forfeiture of the Northern Pacific grant exclusively to such portions whereon no road has yet been constructed? The bill postpones for future consideration that portion of the grant coterminous with the completed road. This is "the practical question presented." The committee must be and is satisfied "that there is no possible chance of getting through the Senate a bill for the forfeiture of the 'grant west of Bismarck' at this time." Now, in their own words, where is the consistency of accepting the Senate Gulf and Ship Island road amendment, and now, on precisely the same reasons of the Senate, refusing to concur in the Senate forfeiture of the unearned lands of the Northern Pacific Railroad Company? The committee can not escape the conclusion that their course is inconsistent and inexcusably unjust, and an unfair discrimination as to the Wallula-Portland The opposition of a large majority of this House to the Senate bill will I fear defeat any forfeiture. By accepting the Senate bill we secure a forfeiture now of all the grant along the unfinished roads, and the same bill expressly saves any future action as togrant coterminous with constructed road. Can anything be more fair? Had we not better take part of a loaf when it is offered us? No injury can arise by deferring action as to the forfeiture along the line already constructed. For these reasons I feel it my duty to favor the Senate bill and to vote against the House bill.

THIS IS NO PARTY QUESTION.

The object of the present proposed legislation is to preserve as much as possible the public domain for homes for actual settlers. Senate bill proposes to do now along the unconstructed line and saves any right to do more hereafter. And this bill we can pass at this ses sion. In the discussion of these questions the air is burdened with charges from one party against the other of extravagance and profligate waste in the disposal of the public lands. Such allusions are not called for; neither are they pertinent to the present deliberation. The record identifies both of the great parties in land-grant legislation. In their platforms they each favored aid to the Pacific railroads. In Congress we know that these grants passed by the votes of both parties. record of the Republican party being more familiar to the public as it is the more recent, we are reminded that while in the majority immense grants of lands were voted away by it. But what do we find on the other side? Up to 1860, before the advent of the Republican party to power, over 48,000,000 acres of land had been voted away for railroads. The grant to the Illinois Central Railroad Company, embracing not mountains, as chiefly in Montana and Idaho, but the finest lands

ern Pacific Company. There were also numerous other grants made, such as in Mississippi, Alabama, Florida, Louisiana, Arkansas, Missouri, Michigan, Wisconsin, and Minnesota. Large grants were also voted Indiana, Ohio, and other States for canals.

In addition to these, 75,000,000 acres were voted to various States as swamp lands, and then largely parceled out to syndicates and jobbers. But of all systems permitting speculation in public lands the cash entry was the worst. Here there was no limitation in amount. The great speculators of the country, as soon as lands were proclaimed for sale, rushed to the land districts and there purchased at \$1.25 per acre all they had the money to pay for. In this way some of the most fertile lands of the Western and Middle States were secured and held for many years awaiting exorbitant prices. Numerous attempts were made to repeal these laws and restrict sales to actual settlers, but were invariably voted down. Public sentiment was fast changing. In 1852 the cry of free homes for free men resounded over the nation. In a na-In a national convention of the Free-soil Democracy, held in Pittsburgh in 1852, in which John P. Hale, of New Hampshire, and George W. Julian, of Indiana, were nominated, respectively, for President and Vice-President, there was adopted in the platform a resolution declaring that the public lands of the United States "should be held as a sacred trust for the benefit of the people, and should be granted in limited quantities, free of cost, to landless settlers."

In every national campaign this forms one of the leading questions. Resolutions and petitions were being submitted to Congress at every session from all parts of the nation. The population was increasing at a marvelous rate. The demand for homes was the demand of the hour. Forming in the East, the great column was already moving to the wide expanse of forest and field of the unoccupied West. The public demand finally culminated in the introduction of a bill in Congress February 1, 1859, entitled "A bill to secure homesteads to actual settlers on the public domain." Various tactics were resorted to in order to defeat it. A motion to lay on the table was lost—yeas 77, nays 113; and the bill passed—yeas 120, nays 76. But one of that House is in this, and he a prominent leader on the other side of this Chamber, and now always ably defending the settler, but then I am sorry to find voting to defeat the homestead bill. In the Senate the consideration of the bill was defeated. In the next Congress the attempts were renewed, and on March 12, 1860, the bill passed—yeas 106, nays 67. Being amended in the Senate, it likewise passed that body.

In all its struggles its warmest defenders were of the North and West. It met its death at the hands of James Buchanan, who justified his veto on the ground that it was unconstitutional; that it was unequal in its operation among settlers; that it was unjust to old soldiers, as it reduced the market value of their land-warrants; that it was confined to one class of people, or, in his own words, "it is a boon expressly conferred upon the cultivators of the soil;" that it is unjust to the old States of the Union; that it would open one vast field for speculation; that it would be open to foreigners on declaring their intention to become citizens; that it would reduce the revenues of the Government; that it would "go far to demoralize the people and repress this noble spirit of independence; that it might introduce among us those pernicious theories which have proved so disastrous in other countries." These were the sentiments expressed by the last Democratic President previous to Mr. Cleveland in apology for his denial of free homes for the landless

THE PARTY THAT GAVE PRES HOMES TO THE PEOPLE.

A bill was again introduced in the Thirty-seventh Congress, and passed both branches, and on May 20, 1862, it received the willing approval and signature of the first Republican President—that poor man's friend, the immortal Abraham Lincoln. Over 60,000,000 of acres have been entered under this act, and it has furnished free homes to over three-quarters of a million voters and a population of about three and a half millions of grateful people. These exceed the population of California, Minnesota, Oregon, Kansas, Nebraska, Nevada, Colorado, and Florida—eight States of this Union! What a grand and enduring legacy from that great party of freedom to the poor and landless of the nation! A generous and thankful people have erected towering monuments of bronze as well as of marble to the memory of Lincoln, yet in the revolving circle of time these will fall prostrate and crumble in decay. But a more imperishable memorial will still survive in this glorious and monumental ordinance of the nation; and only when the lands shall have dissolved in the sea and human life shall have faded from earth, then and then only will the homestead act cease to be cherished and indissolubly united with that patriotic—that revered name-Abraham Lincoln.

RESTRICT LAND DISPOSALS.

No, sir; this is not a party question, and in view of past legislation it comes with poor grace from the one party to criticise the other for extravagance in the disposal of the public lands. Let us rather engage our thoughts and most earnest efforts in the one intelligent direction of preserving what remains as a trust fund for the landless of our comon the face of the carth, was passed largely through the earnest efforts of such distinguished Democrats as Stephen A. Douglas. Though far less in quantity, it was worth more than the entire grant to the North-less in quantity, it was worth more than the entire grant to the North-less in quantity, it was worth more than the entire grant to the North-less in quantity, it was worth more than the entire grant to the North-less in quantity with which corporations, monopolies, and syndicates

can acquire immense blocks of public lands. And for one, I shall vote for any practical measures which will restrict this license. Whatever may have been deemed the policy and necessity of the past by the ablest statesmen of the times as to this system, the moment has at last arrived when there must be a halt. Our population is increasing at a marvelous rate. In our own day we shall behold a nation of one hundred millions, and the child is now born who will be one of two hundred millions. dred millions of souls, of one nation, under one flag and under one Constitution! We look to foreign lands for scenes of overcrowded humanity, of squalor and wretchedness, of class distinction, of arrogant imperial

landlordism, and of the galley-slave under the name of tenant.

Let us beware that the scene be not soon shifted to our own beloved country. A nation is strong, happy, and prosperous only in proportion as her people are the proprietors of their own homes. Such a people have a fixed interest which is ever alert for a vigilant enforcement of the municipal law. They are themselves the conservators of the peace. Behold those engaged in riot, in tumult and anarchy, and we find the landless, the idle, the unanchored of society. The pure air of home is a disinfectant to the germs of disorder and crime. It is the nursery of a disinfectant to the germs of disorder and crime. It is the nursery of the patriot, the statesman, the virtuous, and the wise. The prayerful sentiment, "God bless our home," is more than a sentiment. It is a blessed realization. Home, the first, the best place on earth! Of all sweet words few leave such a lingering cadence as the word "home." Let us then so shape the legislation of the country as that we shall become as far as possible a nation of homes. To do this let us restrict the excellent and moneyalist and more videous than the statements of the statement of the stateme the speculator and monopolist, and open wider ajar the doors to the poor man and the landless of the nation. Encourage them to pitch their tents in the forest and prairie, and when there protect them by just and impartial, yet inflexible and ready, laws, and enforce a vindication of their rights when assailed by the strong.

THE DANGERS OF ALIEN LANDLORDISM.

Profound as can be the regret that so large a portion of the public domain has been acquired by corporations, syndicates, and individual holdings, inexpressibly more painful is the fact that alien proprietorship of immense tracts of lands is permitted under our existing land system. Over 20,000,000 acres have been purchased and are now owned in large estates by various foreigners and foreign syndicates whose homes are in other nations. Is the Public Lands Committee doing nothing toward reporting a bill which shall restrict aliens holding real estate in this It seems almost incredible, but it is true, that in one of the States of this Union there are two English syndicates, the one holding 4,500,000 acres and the other 3,000,000 acres. Seven million five hundred thousand acres of American soil in one State owned by British land monopolists! In Florida Sir Edward Reid owns 2,000,000 acres. In another State the Marquis of Tweedale Land Company of London owns 1,750,000 acres. Lord Dunmore owns 100,000 acres, Lord Houghton 60,000, Lord Dunraven 60,000, Duke of Sutherland 425,000, Phillips, Marshall & Co., of London, 1,300,000 acres, and so on. Is the committee insensible to these ominous facts?

Much of the time of this Congress and the labored efforts of the committee have been spent in modifying or repealing the pre-emption law so as to restrict American citizens to the limit of 160-acre holdings, and that only under the homestead law; and yet the doors are open for English lords to prey upon the public domain of our country, secure titles to millions of rich acres of our broad lands, and here to establish their accursed tenantry system. We express cordial sympathy for the oppressed of Ireland and denounce in fiery tones and with warlike gestures the tyrant oppressor, the English landlord. With strange inconsistency we invite the same oppressor to our own soil, convey estates of millions of acres into his lordly hands, and then deprive the poor, daring American settler the privilege of securing 320 acres of land by actual settlement on the remote frontiers of his own country! This may seem right to the committee, but to me, sir, it seems like such an atrocions discrimination against our own people and such an alarming admonition to the nation that I deem it high time loud voices were raised against the further continuance of such a system, and, Mr. Speaker, this is the time and this is the place.

In our own nation experience has already demonstrated that large estates acquired in one generation seldom survive the second, and furthest the third or fourth, but under the conditions of English aristocracy, where the rules of primogeniture encourage and great and long-hoarded wealth permits the holding of unbroken estates for indefinite periods, we can easily conceive the difficulties which must ultimately arise from this unpolitic, unrepublican, extravagant, and dangerous li-

cense in a free country.

In Ireland over half a million people are tenants under certain English lords, and yet Ireland is about the size of Indiana. Of the people themselves only 68,716 own land, and yet 36,141 of those own less than one acre each. Only 1 man in 79 owns any land, while in the United States 74 per cent. of the farmers own their own land. So rapidly have the lands of England become released from small holdings that now 523 persons own one-fifth of all England and Wales. One-third of Ireland is owned by 292 persons.

This tendency must soon manifest itself in our own nation, if already We find that in 1880 over one million American it does not exist.

farms were tilled by tenants. There are between five and six million people engaged in agriculture who have no proprietorship in the land tilled. We read of the barons of the Middle Ages, of their immense estates, and their arbitrary power and exclusive domain, but we have only to refer to Texas, Colorado, Wyoming, Dakota, Montana, and Indian Territory to find their prototypes in the rich and lordly cattle kings, manufacture who are supreme masters of millions of monopolies, and syndicates who are supreme masters of millions of acres of the grassy valleys and water courses of the surveyed and unsurveyed lands in wide ranges.

Maria Hunter.

SPEECH

HON. ROBERT SMALLS.

OF SOUTH CAROLINA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, July 30, 1886,

On the bill (H. R. 7167) for the relief of Mrs. Maria Hunter,

Mr. SMALLS said:

Mr. SMALLS said:
Mr. SPEAKEE: In the consideration of the pension claims passed by
this Congress and vetoed by the President I have thus far remained
silent and should have continued so, contenting myself with the expression of my opinions by the vote I should feel constrained to cast; but having introduced this bill and the peculiar relations I bore to this distinguished soldier and patriot for whose widow this bill provides, I would be doing injustice to myself, injustice to history, and an unpardonable injustice to my constituents, constituting most largely that race of American citizens of which I am one, if I longer remained silentor neglected as a member of this body to state the reasons why this bill should become a law notwithstanding the objections of the President.

Mr. Speaker, it is due the beneficiary of this bill that I should say that it was introduced without consultation with or knowledge on her part. I knew it was the custom to pension the widows of eminent sol-

diers, not so much because of the necessities of their condition but as the grateful tribute of a country saved by their heroism and valor.

During my service in Congress I had invariably voted for such bills. With pride and pleasure I favored the pension to the widow of that magnificent soldier and courtly gentleman, General Hancock, whose death was lamented throughout the land. Who to-day regrets that legislation? Who to-day would not have been indignant at so ungracious and unpatriotic an act as a veto? It was the nation's tribute to the heroic dead. He was the country's pride while living, and it is just that his bereaved widow should be the nation's ward; and actuated by these sentiments I felt that the claim of General Hunter's widow had been forgotten or neglected, and therefore introduced this

I knew, Mr. Speaker, that the pittance of \$50 per month was more than would have been allowed by existing law, and yet fall far short of a proper estimate of the eminent services rendered by General Hunter during a long, eventful, and illustrious career, but it was an expression of national gratitude, and it accorded with the almost universal precedent of the Government since the close of the war. So just and meritorious was the claim regarded by the Committee on Pensions that it was unanimously reported and passed both Houses without criticism or opposition.

Mr. Speaker, to me and to my people the circumstances surrounding this case are singularly exceptional. Less than a quarter of a century ago that class of which I am a representative were "hewers of wood and drawers of water." Our importance seemed to consist in the money value we represented. Ownership in our blood and of our labor had long existed. Our lives were one long eternal night, not even an occasional silver lining in the sky of our existence to bid us hope for a brighter future or a happier day. The convulsion of 1861 aroused our minds to active thought and operation and bade us hope for a more useful and grander experience in the affairs of life. We heard words of hope even amid the din of battle and the clash of arms. We were told and began to realize we were human beings made after God's image, and possessed of the same inalienable rights attaching to other citizens of a great and free Republic.

Mr. Speaker, we are not an ungrateful nor unappreciative people. We can never forget the Moses who led us out of the land of bondage, and when the following order was issued it sounded like silver bells upon our startled ears.

[General Orders No. 11.]

The three States of Georgia, Florida, and South Carolina comprising the military department of the South having deliberately declared themselves no longer under the protection of the United States of America, and having taken up arms against the United States, it becomes a military necessity to declare them under

martial law. This was accordingly done on the 25th day of April, 1862. Slavery and martial law in a free country are altogether incompatible. The persons in these three States, Georgia, Florida, and South Carolina, heretofore held as slaves are therefore declared forever free.

DAVID HUNTER, General Commanding.

ED, W. SMITH, Acting Adjutant-General,

Mr. Speaker, these were immortal words. Then and there freedom unfurled her standard to the air. A new inspiration was imparted to us; a new heaven was opened to our vision. The horrors of the slave-pen and the auction-block began to diminish. All honor to such senti-ments coincided with by General Frémont in his famous proclamation of freedom that became the bugle blast of universal emancipation. Nor was this a vain and ineffectual order. It had its birth in a natural love of liberty developed by the necessity of the circumstances. That it was faithfully enforced is demonstrated by the following order:

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Port Royal, S. C., August 1, 1862.

The bearer, Prince Rivers, a sergeant in First Regiment South Carolina Volunteers, lately claimed as a slave, having been employed in hostility to the United States, is hereby, agreeably to the law of the 6th of August, 1861, declared free forever. His wife and children are also free.

D. HUNTER, Major-General, Commanding.

Mr. Speaker, Generals Hunter and Frémont were freedom's pioneers; and so far advanced were they that their proclamations failed to command the approval of freedom's martyred President. Ere long, however, he became alive to the great issue involved, and added to the efforts of his generals the great weight of his mighty brain and grand Christian heart.

Mr. Speaker, I might stop here and rest our obligation to General Hunter on the record already made; but as an additional reason for our gratitude and as cumulative evidence of his sense of justice I call attention to the following:

attention to the following:

At Fort Pulaski, Georgia, the following general order was issued by command of Maj. Gen. David Hunter, United States Army:

"All persons of color lately held to involuntary service by enemies of the United States in Fort Pulaski and on Cockspur Island, Georgia, are hereby confiscated and declared free, in conformity with law, and shall hereafter receive the fruits of their own labor. Such of said persons of color as are able-bodied, and may be required, shall be employed in the quartermaster's department at the rate heretofore established by Brig. Gen. W. T. Sherman."

General Hunter also addressed to Mr. Pierce, the Treasury agent in charge of the Sea Island plantations, a letterasking for "the names of the former owners and the number of persons formerly held to involuntary service," in charge of the Government agents. On receiving this information it is the intention of General Hunter to afford said owners a reasonable time to prove their fealty to the Government, and then in case of their failure to do so, and upon sufficient proof of their treason, he will at once restore these slaves to freedom.

Mr. Speaker, I will not ston to recite acts of personal beneficence and

Mr. Speaker. I will not stop to recite acts of personal beneficence and kindness practiced by General Hunter toward the down-trodden of my race. They were made without parade or ostentation. His relief of the needy, his education of the ignorant, and his encouragement of the oppressed have made his name and his memory dear to every colored man's heart, and they regard with much regret this denial of that jus-tice to his widow which with lavish hand has been extended by this Congress to so many others, and that, too, with the assent of the President. To me, Mr. Speaker, the rejection of this bill is full of significance. No one challenges the brilliancy of General Hunter's record during his forty-four years of active service, including two great wars and several intermediate Indian wars, as appears from the following

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, Washington, D. C., March 20, 1886.

Washington, D. C., March 20, 1886.
Statement of the military service of David Hunter, late of the United States Army, compiled from the records of this office.

He was a cadet at the United States Military Academy from September 14, 1818, to July 1, 1822, when he was graduated and appointed second lieutenant Fifth Infantry; promoted first lieutenant June 30, 1828; appointed captain First Dragoons, March 4, 1833; resigned July 4, 1835; appointed additional paymaster November 13, 1841; vacated appointment as such March 14, 1812, having been appointed major and paymaster United States Army from that date; appointed colonel Sixth United States Cavalry, May 14, 1861; brigadier-general United States Volunteers, May 17, 1861, and major-general United States Volunteers, August 13, 1861; honorably mustered out of the volunteer service January 18, 1866; retired from the active service with the rank of colonel July 31, 1886.

He was brevetted brigadier-general United States Army, March 13, 1865, 'for gallant and meritorious services in the battle of Piedmont and during the campaign in the valley of Virginia,' and major-general United States Army, March 13, 1865, 'for gallant and meritorious services during the war.'

He joined his regiment in January, 1823, and served therewith in Minnesota to April, 1825; on leave to November, 1825; with regiment in Minnesota to June, 1829; at Jefferson Barracks, Mo., to October, 1828; at Fort Dearborn, Ill., to May, 1831, and at Fort Howard, Wis., to June 28, 1831; on leave to June, 1832; with regiment and served therewith at Jefferson Barracks, Mo., to November 20, 1833, and in the Indian Territor's and Kansas to January 20, 1836; on leave to July 4, 1836, when he resigned.

He served in Florida from date of reappointment in the Army as additional paymaster until April, 1812; at Washington, D. C., to June, 1842; in Arkansas to July, 1846; in the war with Mexico to July, 1816; at New Orleans, La., to March, 1849; at Washington, D. C., betroit, Michael and Mexicon of the Western Departme

Department to November 19, 1861, the Department of Kansas to March 11, 1862, and the Department of the South from March 15 to August 22, 1862; on leave to September 23, 1862; member of a military commission at Washington, D. C., to September 29, 1863; commanding Department of the South to June 12, 1863; on special duty at Washington, D. C., to March 29, 1864; awaiting orders to May 19, 1864; awaiting orders to January 31, 1865; on special duty and awaiting orders to muster-out of volunteer service January 15, 1866; on leave of absence to July 31, 1860, when he was retired at his own request, being over sixty-two years of age (act July 17, 1862).

He served as a member of the special claims commission from August 9, 1866, and also of a board for the examination of eavalry officers to June 16, 1868, from which date he was unemployed until he died, February 2, 1886.

R. C. DRUM, Adjutant-General.

Can it be that there is secret and sinister motive either personal or political? Is it because of his hostility to slavery before and during the war? Is it because of his proclamations freeing the slaves? Is it because of his official action as a member of the court-martial that tried and convicted Fitz-John Porter for treason to a government which General Hunter aided to preserve? Can it be that this is your revenge for all his patriotic conduct? Mr. Speaker, the future historian of this country's legislation will not be charitable toward you for your treatment of this bill. But after all the action of the Democratic party in this House is not without a useful lesson. It exposes the hypocrisy of its assurances of friendship for the colored man by striking a blow at the nation's brave defenders and the colored man's best friend.

Mr. Speaker, I trust I may be excused in referring to my personal intercourse with General David Hunter. After the surrender by me of the confederate steamer Planter to the United States naval authorities, then under the command of that noble gentleman and splendid officer, Admiral Dupont, I met General Hunter, then in command at Hilton Head, S. C., where he had organized a regiment of colored troops. Not having been authorized to do so, they were disbanded. I was then intrusted by General Hunter with a letter to our country's great War Secretary, Stanton. Proceeding to Washington I was honored with several interviews with President Lincoln and Stanton, and from them bore an official letter to General Hunter authorizing the formation and mustering in of several regiments of colored soldiers. Their records are part of the country's history which I need not repeat here, further than to say that as we were faithful to the Union then we will be true to its defenders now.

Mr. Speaker, by the variations and methods of modern politics, my Mr. Speaker, by the variations and methods of modern pointes, my race of upward of seven millions of people are represented on this floor by the honorable gentleman from North Carolina [Mr. O'HARA] and myself. How long this injustice will be tolerated I will not dare to prophesy; but so long as one of us be permitted on this floor our voice and our vote will not be withheld from any measure of legislation which will add to the prosperity and happiness of all the people, without regard to color or condition, and the permanence and greatness of a common country.

Interstate Commerce.

SPEECH

HON. THOMAS RYAN.

OF KANSAS.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 21, 1886,

On the bill (S. 1532) to regulate commerce.

Mr. RYAN said:

Mr. Klan shid:
Mr. Speaker: I want to say a word. The subject of regulating interstate railway traffic by Federal law has been a theme of discussion in both Houses for several years. The demand for such legislation has been and is still pressing. In the past both Houses have legislated upon it. The House had its scheme of control. The Senate had a different plan. The House said to the Senate, Take our plan or nothing.

The Senate said to the House, Take our scheme or nothing. The result has been nothing. Neither body seems in the past to have had so much regard for the public interest as for some supposed partisan advantage that might result to one party or the other from the adoption of one plan or the other. Neither body seemed willing to make concessions to the great principle of legislative control. Neither body seems to have been willing to make such concessions as would crystallize that great and important idea into public law.

There never has been any Federal legislation upon the subject. Therefore any law we may enact must be more or less tentative-to a greater or less degree an experiment. No plan may be expected to be perfect as first formulated. The operation of any law we may enact is likely to develop imperfections. They can be corrected from time to time as experience may demand. Therefore it would seem to be the plain duty of both Houses to come together on this important subject in a spirit of mutual concessions, having in view the primary importance of the assertion by law of Federal control.

The salutary influence of any rational scheme of legislative control, it being the will of sixty million of people, constitutionally formulated into law, would be productive of incalculable benefits to the people of this country. And yet in the past the two Houses seem to have been influenced less by a consideration of that principle than by some supposed partisan advantage to be gained on the one side by the Senate and on the other by the House.

Has not this thing been going on until the people have become doubtful about the sincerity of either body? How much longer will it continue? I prefer the Cullom or Senate bill. If I can not have that, I will take the Reagan or House bill with all its imperfections. I shall vote for the Cullom bill for first choice; failing in that I shall vote for the Reagan bill, confident that some of its most objectionable feat-

ures will be removed or modified in conference.

The iron-clad provision of the Reagan bill in regard to long and short hauls is likely to be hurtful to the extreme West, should it become a law. In this respect the Cullom bill is preferable. This bill leaves that subject to the discretion of the board of commissioners. surplus products of the West are subject to the long-haul rates. These are by all odds more favorable than the short-haul rates. tendency of the Reagan bill is to increase long-haul rates and decrease short-haul rates. The Cullom bill will leave the board of commissioners the fullest discretion to protect the West in this regard.

In regard to long and short haul rates the railroad commissioners of

my State, in their annual report for 1883, say:

The cost of hauling a train-load of freight between distant points is much less than is the cost of hauling a similar load a much shorter distance, when the train must make frequent stops to deliver freight at way stations. Besides the loss of time by detentions on the way, which will consume at least one-third of time in transit, the extra labor involved in frequent switching, unloading cars, and the loss of haulage on that part of the train dropped out at places not remote from the initial point, are elements that greatly swell the cost of this part of the service.

In addition to this, the roads east of the Missouri River, besides the local traffic that is thingary to their lines, transport over them the great volume of com-

of the service.

In addition to this, the roads east of the Missouri River, besides the local traffic that is tributary to their lines, transport over them the great volume of commerce that is gathered from the States and Territories west of the Missouri River by our local roads. There are local causes for lower freights east of the river than can, in the present condition of things, be reasonably expected over roads west. The trafficeoming to railroads bear a pretty uniform ratio to the number of population to each mile of railroads in operation. In the State of Illinois the ratio is 367, in Missouri 489, and in Kansas 299, to each mile of railroads in operation in each State respectively.

If local and through rates were equal and uniform over all the roads in the country, irrespective of distance and the other elements of cost of the service, the through rates upon the surplus productions of the West would be enhanced to a figure that would consume the whole of the profits of the Western farmer. As it is, the low through rates for long distances enables the Western farmer to derive from the capital invested in Western lands a profit equal and in many instances greater than the Eastern farmer.

In the report of the select committee of the United States Senate upon transportation to the seaboard there is copied a table showing the decreasing cost per ton as the distance increases, which we will transcribe here for illustration:

The regularity of decrease in rates charged corresponds with a general law governing all railway service, namely, cost of loading and unloading, and fixed expenses being the same, whether the trip is long or short; cost of transportation per ton per mile regularity decreases as distance increases, being cost of haulage (in tintenance of track, repairs, &c., included) being eighty-three one-hundredths of I cent per ton per mile, the cost of different distances will be 83+60 cents divided by distance.

The committee go on to say:

The committee go on to say:

Now, if it actually costs 5.83 cents per ton per mile to transport freight 10 miles and only eighty-nine one-hundredths cents to carry it a thousand miles, it is evident that a law establishing equal mileage rates, without regard to distance, would prove a failure, because of its manifest injustice both to the public and to the company. The enforcement of such a rule of charges, instead of bringing relief to the producers in the distant interior of the continent, would add very largely to their present burdens. The average rates for transporting all freights on the leading trunk lines between Chicago and New York in 1872 was about 11 cents per ton per mile, which on the bushel of wheat would amount to about 44 cents.

The actual average charge by rail per bushel that year was 33.5 cents. Hence an equal mileage rate on those lines, if adjusted upon the basis of their average charges, would have reduced the value of the 213,000,000 bushels of wheat and corn moved that year about 10 cents per bushel, amounting to an aggregate loss to producers of \$21,300,000, with no compensating gain to comsumers. And as the price of wheat and corn at the West, as well that part which remains at home as that which is sent abroad, is fixed by the market price in Liverpool, less the cost of transportation, the loss to the Northwestern States on the entire crop that year (estimated at over 1,000,000,000 bushels) would have amounted to the enormous sum of \$100,000,000.

A permanent reduction of 10 cents per bushel on the value of the cereal crop of the Northwest would reduce the value of the farms in that section by an amount which would build and equip all the trunk lines of railroad from the interior to the seaboard.

The provisions of the Reagan bill are rigorous enough, but it leaves all violations of them to be prosecuted by individuals at the peril of paying costs, expenses, &c., if they fail. Individuals will prefer to suffer considerable unlawful injuries rather than engage in interminasuffer considerable unlawful injuries rather than engage in interminable litigation with a powerful corporation who may protract such litigation for many years. In this respect the Cullom bill is preferable. It organizes a board of commissioners consisting of five members to see the law is faithfully executed. The injured party is not left to cope alone with associated capital, but he has only to inform the board of the violation of law by the railway company and the board enforces the remedy. The board is the embodiment of the law. It is the tribunal that voices the law—voices the will of the people of the whole nation. No railway corporation is likely to disregard its orders; no

railway corporation could afford to defy its just demands. The rights of the individual are protected by this plan without serious inconvenience or cost to him.

Again, it is probable the two Houses will disagree. The subject will again be thrown into conference. I can only express the hope that a due regard for the public interest will move the conferees to mutual concessions to the end that this Congress shall by law assert legislative control over interstate railway commerce.

Alien Landholders in the Territories.

SPEECH

HON. JOSEPH K. TOOLE.

OF MONTANA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 31, 1886,

On the bill (H. R. 3289) to restrict the ownership of real estate in the Territories to American citizens, &c.

Mr. TOOLE said:

Mr. Speaker: Upon the general principle that American soil shall be owned by Americans I am in full accord with the views of the committee. Public policy and expediency, however, in my judgment, do not demand the extremity to which this bill goes. It provides as fol-

Be it enacted, &c., That no non-resident alien or foreigner, nor any resident alien or foreigner who has not declared his intention to become a citizen of the United States, nor any corporation or association where, at most, one-tenth of its stock or right of property is owned or controlled by aliens or foreigners, shall acquire or own, hold, or possess, by right, title, or descent accruing hereafter any real estate in any of the Territories of the United States: Provided, That the provisions of this act shall not apply to the real estate necessary for the construction and operation of any railroad.

It will be observed that its provisions are sweeping and comprehensive, and cover all mineral as well other lands. The principle upon which this bill rests finds its support and exposition in the following language from the report of the Public Lands Committee, to which the attention of the House is directed:

language from the report of the Public Lands Committee, to which the attention of the House is directed:

The Committee on the Public Lands in this Congress, as well as in the last, is thoroughly committed to the policy of so adjusting and administering our public-land system that the agricultural lands of the nation shall be parted with, without cost, to be held in small tracts by actual settlers only, for the purpose of cultivation by the owner, securing thereby the thrift of the citizen and economy in his management which ownership always stimulates.

This policy, we submit, should become the national one.

The experience of so many thousands of our people in the securing of homes on our vast area of public lands has been so successful that the desire for ownership of a home capable of producing support for the family is more universal here than in any country in the world.

It was the prevalent idea when the homestead law was passed—one of the most beneficent acts ever adopted by Congress—that it was the duty of the Government to furnish to its people cheap homes; to aid the actual settler whose labor would make the land fruitful and productive, giving added wealth to the locality, and stability and strength to the country; and it had the great, magnificent possession, the public domain of that time, which under proper management would have afforded such grand results for generations to come. But different counsels prevailed and a different course was followed. Areas of land sufficiently large to make great States were donated with a reckless liberality, indeed prodigality, to railroad and other corporations, and by a lax, easy administration of injudicious laws men of wealth and companies have been improperly, illegally permitted to acquire other great areas of the public lands, until now, out of the vast empire of teritory we had at its beginning, this generation has seen it so reduced that less than 5,000,000 acres of arable, agricultural land—upon which crops can be raised without Irrigation—remain for

Every argument or suggestion deducible from the foregoing pertains to the agricultural lands of the United States. It is designed to prevent the concentration of estates in the hands of the few and the wealthy, estates which by improvement and the lapse of time are enhanced in value.

I contend that the same rule which applies to this character of estates and the reason for its adoption and enforcement does not apply to our mineral lands.

In the first place, it is difficult to acquire large estates of this character by reason of the fact that the Government will not part with the

title to any greater amount than 20 acres to one individual, and the result is that such lands are never held in unnecessarily large quantities by individual or corporate purchasers.

Secondly, this character of land can never subserve any purpose of a home. It is barren and unproductive of food products and valuable

only for the mineral it contains.

I submit that there is nothing in the argument of the committee which justifies extending the provisions of this bill to the mineral lands. The best part of my life has been spent in a mineral country, and I know how fatal to the development and prosperity of the mineral regions the passage of this bill will be. Territories which to-day boast of their inexhaustible mineral resources and furnish employment to hundreds of thousands of men would be trackless, unproductive wastes if it had not been for foreign capital. They have invested, developed, and reaped where we would dare not, and thus stimulated and advanced our material prosperity. This is the experience of every mining region in this country. The inhibition proposed is unwise, inexpedient, and not justified by any past, present, or threatened danger.

The development and explorations of our mineral resources require an outlay of vast sums of money—sometimes millions of dollars before a dollar is received in return. These great enterprises are of too great magnitude to entice private capital, and home capital, always timid, seeks less hazardous investments. Our mine-owners, who have been unable to prosecute their development, have uniformly turned to Europe, where accumulated capital has ever been willing to take some

chances in the purchase and development of such properties. But why is it that such restrictive legislation is saddled exclusively upon the Territories of the United States? If this is good and necessary legislation, why is it not made applicable to the District of Columbia? No question of State rights is involved, and the same reasons which apply to the Territories pertain with equal force to the District of Columbia. If this measure becomes a law it ought to be perfected so as to include the District of Columbia within its operation, and the following amendment should be added:

Provided, That this act shall not be construed to apply to mineral lands.

Repairs to the Treasury Building.

SPEECH

HON. JOHN M. GLOVER,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 28, 1886,

On the amendment of the Senate to the sundry civil bill appropriating \$67,000 for repairs to the Treasury building.

Mr. GLOVER said:

Mr. CHAIRMAN: The necessity for some immediate remedy to be applied to correct the evils arising from the defective sewage and plumbing of the Treasury building is apparent to any one who ever visited that building. It is one of the oldest Government buildings in the District of Columbia, and all of its sanitary arrangements and appliances District of Columbia, and all of its sanitary arrangements and appliances are of the most ancient and primitive order. There are no scientific or modern means for its proper ventilation, such as forcing out the impure air in any manner and forcing in the pure air, such as are now very generally employed in public buildings, and especially new ones.

To keep pure the air of this room, in which little over three hundred members are congregated when all members-elect are present, an elaborate and costly machinery, requiring the services of a considerable number of engineers and workmen, is constantly in activity. But no such

ber of engineers and workmen, is constantly in activity. But no such appliances exist in the Treasury building, into which are crowded, breathing over and over again the same contaminated atmosphere, two

thousand employes.

My own attention was called to the bad sanitary conditions there by My own attention was called to the bad sanitary conditions there by the illness of an acquaintance who was an employé. Inquiry disclosed that the air he breathed was positively putrid. Foul gases flow into the building from the half-open sewers which would extinguish a miner's safety lamp. Sewer-pipes run under the corridors in the subbasements of the south and west wings, the air ducts above which have not been cleaned for a decade. These breed pestilence and death, the wind blowing the effluvia from the sewers directly into the breathing area of the hive of human beings which crowd the small and unventilated rooms. In the composing room of the printing office there ventilated rooms. In the composing-room of the printing office there is a distinct stench when it is opened for work in the morning. That not only means disease, it means languor and listless and ineffective labor. A sewer-trap pours its deadly exhalations into the same room. The sunlight, it is said, never strikes there except for a day or two in midsummer.

One of the most conscientious and effective men ever connected with the Treasury Department, Mr. E. B. Youmans, the chief clerk, made in the early part of this year, at the request of the Secretary of the Treasury, a report on this subject which I will now read:

TREASURY DEPARTMENT, OFFICE OF THE CHEEK,

Washington, D. C., March 26, 1886.

SIR: Directed by you to examine as to the necessity of and plans for the ventilation of the Treasury building, I beg leave to make the following statement and report.

TREASURY DIFFARTMENT, OFFICE OF THE CHIEF CLERK.

Size: Directed by you to examine us to the necessity of and plans for the ventilation of the Treasury building, I beg leave to make the following statement underport:

In my judgment, the subject demands immediate attention and some speedy the building that is deplorable and dangevous and should exist no longer.

Sewer-plees run underneast the corridors in the sub-basement of the wings named, and I am assured that the air-ducks above them have not been cleaned the corridors of the sub-basement of the wings named, and I am assured that the air-ducks above them have not been cleaned the corridors of the sub-basement of the wings named, and I am assured that the air-ducks above them have not been cleaned there is a space of about 10 inches, mostly filled with earth, pleess of brick, and there is a space of about 10 inches, mostly filled with earth, pleess of brick, and there is a space of about 10 inches, mostly filled with earth, pleess of brick, and there is a space of about 10 inches, mostly filled with earth, pleess of brick, and there is a space of about 10 inches, mostly filled with earth, pleess of brick, and there is a space of about 10 inches, mostly filled with earth, pleess of brick, and there is a space of about 10 inches, mostly filled with earth, and advise for many feet from where they are.

In my examination of the matter there was one spot, and that near a grated the earth and advise for many feet from where they are.

In my examination of the matter there was one spot, and that near a grated the earth and advise for many feet from where they are.

In my examination of the matter there was one spot, and that near a grated the earth and grateful for the state of the sub-state of the building through crevitees in the sewer-plees by a southwest wind.

In the north-analysis of the sub-state of the building through crevitees in the sewer-plees by a southwest wind.

In the protest of the sub-state of the building through crevitees in the sewer-plees by a

least \$50,000 would be necessary, and in my judgment a practical and successful system of ventilation applied to the Treasury building would be cheaply attained by the expenditure of such a sum, or by half that named added to it.

Yery respectfully,

E. B. YOUMANS, Chief Clerk,

Hon. DANIEL MANNING, Secretary of the Treasury.

My statement as to the putridity of the air and the dangerous lack of ventilation rests upon the authority of Surgeon-General Hamilton, as contained in the following letter:

of ventilation rests upon the authority of Surgeon-General Hamilton, as contained in the following letter:

Treasury Department, Washington, D. C., April 1, 1885.

Sir: I have the honor to make the following report on the sanitary condition of the sub-basement and basement of the Treasury building, and to state that on Thursday and Priday of last week, the Tth and 28th ultimo, in company with the Supervising Archivol of the seek. The Tth and 28th ultimo, in company with the Supervising Archivol of the Supervision of Supervision Supervision of Supervision of Supervision Supervision of Supervision Supervision Supervision Supervision Supervision of Supervision Supervis

JOHN B. HAMILTON, Surgeon-General, Marine-Hospital Service.

Hon. D. MANNING, Secretary of the Treasury.

The letter of the chemical expert referred to is as follows:

1012 G Street, Northwest,
Washington City, March 30, 1885.

Sig: In accordance with your request, I have made chemical examinations of
the air on three floors of the Treasury building. First, I determined the carbonic
acid in outside air taken simultaneously with that taken within the building,

and found, in sub-basement: Volumes in 10,000 volum	mes of air.
Outside air. Printing-room, first floor. Passage near-door. Press-room Waste-paper room. Smithy	CO== 3.40 CO==16.21 CO==13.07 CO==15.75 CO==12.89 CO==16.07
Average for first floor	CO ₂ =14. 99

I determined the oxygen at four stations on first floor: Per cent, of air volume
 Station No. 1
 Station No. 2

 Station No. 3
 Station No. 4
 O=18,00 O=18,00

... 0=17.83 Average for first floor.....

Average nitrogen by difference, N=80.50 per cent. of air.

The average temperature of first floor, 78° F.

I determined O for outside air=20.49 per cent. of air. The general average for pure country air is about 20.79 per cent.; purest mountain air O reaches 20.99 per cent.

SECOND FLOOR, BASEMENT.

Volumes per 10,000 volu	imes of air.
Canceling-room	$CO_2 = 9.25$ $CO_2 = 7.99$ $CO_2 = 12.31$
Average for second floor	CO ₂ = 9,69
Oxygen at three stations on second floor, namely:	
Per cent. of	
Station No. 1	O=19.06 O=19.15
Average for second floor	O=19,05
CO ₂ taken at four stations, namely: Volumes per 10,000 volumes	imes of air.
Station No. 1 Station No. 2 Station No. 3 Station No. 4 Overall along two stations on third floor namely	CO == 6.90 CO == 7.15

Per cent, of air volume. Station No. 1......

Average for third floor

disease, indigenous or imported, the result would necessarily be calamitous in the extreme.

I do not know what the sick rate and death rate, as hitherto kept, may show, but if there were in the civil service commissioned medical officers, as in the military and naval service, whose certificate on honor is equivalent to an affidavit, I make not the smallest doubt that it would be shown that it costs the Government as much to occupy that building in five years as it would to build a new and modern one, which would scarcely be left entirely without any pretense of ventilation, except as the air may creep in by hook or by crook, by way of the ground, and through such cracks and crevices as may happen to exist.

Very respectfully submitted.

M. G. ELLZEY, M. D.

M. G. ELLZEY, M. D.

Dr. J. B. HAMILTON, Surgeon-General, Marine-Hospital Service.

A letter on file in the Treasury Department of date May 3, 1886, from Samuel A. Robinson, inspector of plumbing for the District of Columbia, emphasizes the gravity of the situation and declares that the atmospheric conditions are simply "vile" and the sewage conditions atrocious. Says Mr. Robinson:

Notwithstanding Congress has enacted laws for the regulation of the disposal of waste from private property, which have been enforced for years with every beilding erected in this city, yet the most primitive methods are continued in this vast building, hazarding the health and reducing the efficiency of the Government employés.

Mr. Chairman, there is here referred to obscurely the most disagreeable phase of this whole question, and it would not be agreeable nor is it necessary to allude to it circumstantially here. It is sufficient to say that independent inquiry convinces me that the building is in a disgraceful condition demanding immediate attention, and that this House can not with a good conscience fail to make the appropriation which has been asked by the Secretary of the Treasury and ordered by a vote of the Senate.

Physicians, architects, and experts on the subject all unite in the expression of their opinion that something should be done, and done at once, to remedy the evils that are so apparent, and there should in justice be no one who would be willing to set his face against the proposed and greatly needed improvements.

As to the amount desired, it seems to be within reason. The build-

ing is a very large one and the changes required might be a little more expensive than if the improvements were being introduced while the walls were being put up, but for what is required, in my judgment, the sum is moderate, would be a wise and economic expenditure of money, and is sufficient, if expended with care, as it doubtless will be, to reach the end desired.

Treasury Surplus.

SPEECH

HON. GEORGE E. ADAMS,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886,

On the joint resolution (H. Res. 126) directing the payment of the surplus in the Treasury on the public debt, to which several amendments were offered.

Mr. ADAMS, of Illinois, said:

Mr. CHAIRMAN: The amount of the available surplus which should be kept in the Treasury as an ordinary working balance or as a provision against an anticipated deficit ought to be regarded as a question of administration. It should be left to the discretion of the Secretary of the Treasury. If the Secretary of the Treasury abuses this discretionary power Congress should intervene, not by taking away this discretionary power from the Secretary and his successors, but by a resocretionary power from the Secretary and his successors, but by a resolution of inquiry or a resolution expressing the opinion of Congress as to what ought to be done at the particular time. If Congress thinks that at the present time the available surplus of \$75,000,000 is too large the very most that it ought to do is to direct its reduction to \$30,000,000. Something of an available surplus there always ought to be. It ought never to sink so low as to incur the danger of a deficiency even for a day. This is the opinion of the Secretary of the Treasury. He says: He says:

After nearly twelve months' experience in the conduct of this Department, and forecasting, as well as I am able, future requirements of the Treasury as now defined by existing law and as they may be affected by legislation yet to come, and considering the course of future receipts which are liable to influence from many causes, such as the fluctuation of imports, the prolonged depression of trade, and the marketing of more or less of our agricultural products abroad, I can not now foresee a state of things which will make it prudent to limit the surplus reserve in the Treasury to a sum ranging from nothing to a maximum of \$10,000,000. of \$10,000,000.

The difficulty of forecasting the future requirements of the Treasury and the course of future receipts is illustrated by a striking difference in opinion between the President and the Secretary of the Treasury in regard to the fiscal year 1887. In his annual message the President estimated that at the end of the fiscal year 1886 there would be a surplus of \$70,000,000. He thereupon proposes a reduction of taxation, evidently supposing that the surplus of 1886 affords a criterion by which to estimate the surplus of following years. The Secretary of the Treasury, however, in his annual report laid before us about the same time, estimated the surplus of the fiscal year 1886 at \$24,500,000. He included in his estimates of expenditures \$45,750,000 for the sinking fund, which the President apparently overlooked or disregarded. But the Secretary instead of inferring that there would be a large surplus for the year 1887 estimates that if \$45,659,000 were to be placed in the sinking fund there would be a deficit of \$24,589,552.34. Certainly it can not be a matter of very exact calculation where there is so wide a difference of opinion between the President and his chief financial adviser.

One element of uncertainty as to the future receipts of the Government is to be found in the proposed revision of the tariff and internal-revenue laws. One of the leaders of the majority of this House, the revenue laws. One of the leaders of the majority of this house, the chairman of the Committee on Ways and Means, has reported a bill for the revision of the tariff, and that bill is now on the Calendar, and under the rules of the House can be considered at any time by a majority vote of this House. Another leader of the majority, the chairman of the Committee on Appropriations, has also reported a bill for the revision of the tariff and internal-revenue laws, and that bill is

Moreover, to add to the difficulty of the problem, it seems difficult to determine beforehand with any accuracy the effect of such a revision upon the revenues of the Government. With regard to the revenue upon the revenues of the Government. With regard to the revenue bill last reported by the Committee on Ways and Means, one eminent financial authority in this House declares that it will reduce the customs revenues about \$8,570,576, while another eminent authority declares that it will increase them \$5,500,000.

The chairman of Ways and Means, in his somewhat caustic review of the revenue bill of the chairman of Appropriations, declares that "apparently the bill was presented in the belief that a necessity existed for a reduction not of taxes but of revenues, and that the desired end is reached both through higher and lower taxes. The estimates with the bill are made on this arbitrary assumption and are entitled to no respect whatever." If the "arbitrary assumption" referred to is the general proposition that custom revenues may be reduced both by raising and by lowering the rates of duty, instead of being "entitled to no respect whatever" it is on the contrary a sound and fundamental principle of finance. If the existing rate of duty stands exactly at the revenue point, as it is called, then the revenues will be reduced by a moderate increase as well as by a moderate reduction of the rate. If the existing rate be above the revenue point any increase of the rate will diminish the receipts, while a moderate reduction will increase them. If the existing rate stands below the revenue point, then any reduction of the rate will reduce the revenues while a moderate increase of the rate will increase them. Where the revenue point is, however, in the case of any article of necessity or luxury is not to be ascertained by exact calculation beforehand. It must be determined by experiment. Take the case of steel rails for example. The rate of duty is now about \$17a ton. Suppose it were reduced to \$14, as some have proposed. This reduction in the rate would undoubtedly cause a larger importation of steel rails and thereby cause a loss to American capital and labor now employed in the steel industry. It would also check the development of the new iron and coal fields of Alabama, Tennessee, and Georgia. It would not benefit the Treasury, however, unless the number of tons imported were enough larger to make up for the smaller amount of duty paid on each ton. Whether the reduction in the rate would cause so great an increase in the amount imported is not to be determined by calculation beforehand. That is to say, there is a large chance of error in all estimates of the effect of a tariff revision upon the receipts of the Treasury, and this is true whether the estimates are suggested by the chairman of Appropriations or come to us with the awful sanction of the Ways and Means.

With two revenue-revision bills now on the Calendar, one of them favorably reported by the Ways and Means Committee, and each of them alleged on good authority to represent the platform of the party which controls this House with a majority of 40; with another revenue bill likely to be reported by the same committee repealing the tax on fruit-brandies and thereby reducing the demand for tax-paid whisky; with still another bill already reported exempting small distilleries from Government supervision and thereby threatening a still further change in the internal-revenue receipts, can it be denied that we are altogether at sea as to the probable income of the Government in the near future? What wonder that the Secretary of the Treasury looks askance at the project of reducing the surplus "to a sum ranging from nothing to a maximum of \$10,000,000," when he has reason to believe that the surplus of one year is likely to be swallowed up in the deficit

Besides, there is the question of expenditure. That is equally uncertain. Take pensions, for example. It is morally certain that there will be an increased expenditure for Mexican pensions, and there are some signs that even the soldiers of the Union are to receive consideration and occasion a large addition to the annual expenses of the Government. If this were not so, what motive could the Committee on Rules have had for providing for the levy of additional taxes to pay them? What could have induced the Committee on Invalid Pensions to go even so far as to suggest a return to the odious income tax which bore with full weight on the honest merchant and manufacturer and let the rogue and the speculator go free? If the action of these two committees was not intended merely as a clog on pension bills, which the majority did not dare to vote on one way or the other, then it must have been intended as a necessary provision for a considerable increase

under the rules of the House can be considered at any time by a majority vote of this House. Another leader of the majority, the chairman of the Committee on Appropriations, has also reported a bill for the revision of the tariff and internal-revenue laws, and that bill is also on the Calendar, and under the rules of the House can be called up for immediate consideration in the same way. It also appears that not only the two leaders of the Democratic party in this House but the Democratic administration also are in favor of a revision of the tariff. The Secretary of the Treasury in tendering his resignation to the President is reported to have declared for a tariff for revenue only, a more explicit declaration than has been suffered to escape from the lips of any leading Democrat for several years. This declaration appears to have received the indorsement of the President.

Can we say that the income of the Government is not likely to suffer a great change in the near future, when the President, the Secretary of the Treasury, and the leaders of the two wings of the majority of this House lift their voices in unison and declare for a revision of the tariff?

If we pay off \$50,000,000 of 3 per cent. bonds we save \$1,500,000 in annual interest. If we could put the \$50,000,000 into a navy and an efficient system of coast defenses, the money that we should have to charge to interest and repairs would be an insignificant premium of insurance on the four or five thousand millions of property now exposed to attack in the ocean harbors of the United States. Mr. Tilden, at least, believes that to put the money into guns and monitors, instead of put-ting it into 3 per cent. bonds, would be not only more patriotic, but a more prudent and business-like investment than the other, It is true that the majority of this House refused the other day to concur in a Senate amendment to an appropriation bill by which the completion of the monitors would have been insured, although the appropriation had been urged by their own Secretary of the Navy. They preferred to take the chances of the passage of the new-ship bill rather than accept an amendment from the Republican Senate. It is said, too, that the ruling powers of this House, against the indignant protest of members of their own party, have decided to cut down the new-ship bill one-half. short-sighted and unpatriotic policy can not long continue. If the Republican party gains the next House the new Navy will be built without delay. Even if the Democratic party continues to control it, it ought not to be presumed that they will disregard, for more than a year or two, the wise and patriotic appeals of the sage of Greystone. We can not tell, therefore, whether the surplus of 1886 will not be needed to supply some urgent need of the near future.

National expenditures and national income being subject to much uncertainty, there are two ways of adjusting the one to the other. One is the American way, the other is the English way. One is adapted to a fiscal system like ours, in which the revenues of the Government largely come from a tariff and other forms of indirect taxation. The other is adapted to a fiscal system like that of England, in which the revenues are derived to a considerable extent from taxes which, like the income tax, can be raised or lowered from year to year to meet the changing requirements of the Treasury. Our method has been formany years to maintain a fair working balance of about \$30,000,000 in the Treasury to meet emergencies and avoid a deficiency, which, be it remembered, the Secretary has no power under the law to meet by means of a temporary loan. Under this system we have prospered. American industry has developed. The weight of Federal taxation has not borne heavily upon the laboring population, whatever free-trade theorists may say to the contrary. The financial history of this country has for nearly a generation elicited the admiration of the civilized world. We can

well afford to continue the system for a time.

The English system, which we have heard extolled by one or more of the advocates of the pending resolution, is altogether different. The English plan is to avoid an annual surplus almost at all hazards, and take a deficiency almost as a matter of course. They meet a deficiency first by the issue of exchequer bills, which our Secretary of the Treusury is not authorized to resort to, and next by a change in the revenue laws. From 1876 to 1885, both inclusive, the English treasury never had a surplus of £1,000,000 in any one year. In four of these years there was a deficit, the smallest amounting to £1,049,773 in 1885, and the largest amounting to £2,840,699 in 1880. During the ten years the aggregate of the deficits amounted to £8,822,486, and the aggregate of the surpluses to £2,536,616, leaving a deficit for the whole period of £6,285,870. There was not a single one of these ten years in which Parliament did not make some change in customs duties or in internal taxes. In 1875 there was a reduction of £4,186,007, and an increase of £61,250. In the next year there was a reduction in excise and stamp duties of £58,000, and no increase. In 1877 there was a reduction of £422,950, and an increase of £1,881,500. In 1878 stamp taxes were repealed amounting to £6,000. In 1879 there was a reduction of £80,150 and an increase of £4,236.787.

In 1880 there was an increase in the tax on cigars; amount not stated. In 1881 a reduction of £8,444,401 and an increase of £11,524,777; in 1882 a reduction of £2,639,085 and an increase of £653,100; in 1883 a reduction of £11,000 and an increase of £2,926,766; in 1884 a reduction of £3,410,000. In 1885 a reduction was made amounting to £22,000 and an increase in the income tax estimated at £2,000,000. The taxes affected by these various changes were customs, excise, income tax, stamp tax, land tax, house duty, beer duty, licenses, and a few others. There were only two years from 1876 to 1885 in which there was not a change made in the rate of the income tax.

I have heard gentlemen speak with admiration of this system. They say it is far more scientific than ours. That may be. But are we so fond of a revenue revision that we are willing to make one every

year as regularly as we make the annual appropriations?

Until we are ready to resort to direct taxation as England and France do, and give up our tariff system which can not be frequently changed do, and give up our tariff system which can not be frequently changed without injury to American industry, we may well put up with the inconvenience of a surplus which, according to the estimates of the Secretary of the Treasury, is likely to disappear by the end of the fiscal year 1887, even if no calls of bonds are made beyond the requirements of the sinking-fund act.

The effect of adopting the joint resolution now pending will be either that we shall have no working balance in the Treasury to meet emergencies or else that we shall be connelled to meet emergencies by draw-

gencies or else that we shall be compelled to meet emergencies by draw-

ing upon the greenback redemption fund, which ought to be set apart

and maintained unimpaired for the security of our paper circulation.

I believe with the Secretary of the Treasury that the amount held for redemption of United States notes "is in no sense a surplus; but is set apart and appropriated as a minimum security and reserve for the redemption and payment of \$346,681,016 of United States notes.

I agree with him when he declares that "this reserve, amounting to \$100,000,000, should be held above all possibility of encroachment.

The same reason which should restrain us from authorizing the addition of a single dollar to the total amount of \$346,681,016 of United States notes ought to restrain us from subtracting a single dollar from the \$100,000,000 held for their redemption. To issue twenty-five or fifty millions of additional United States notes might do no great harm The danger is that it would pave the way for further issues, and so ultimately lead to a very serious evil from which we have once escaped, to the astonishment of European financiers.

So the temporary encroachment to the extent of ten or fifteen millions upon the redemption fund of \$100,000,000 might do no great harm of itself. The danger is that it will tempt to further encroachment. am not surprised that the proposition of the Committee on Ways and Means to encroach upon the redemption fund should be promptly followed by the proposition of the gentleman from Ohio [Mr. WARNER] to authorize the issue of more greenbacks. The one proposition is as dangerous as the other, and is dangerous for precisely the same reason. The issue of paper money has usually led to the issue of more paper money. The temptation to supply the needs of Government by setting a printing-press at work is so strong and becomes so much stronger the more it is yielded to, as the experience of the world has shown, that we ought not to go a single step on that slippery and downward road. The recent decision of the Supreme Court that we have the constitutional power in time of peace to authorize new issues of legal-tender paper money makes no difference in the question of policy. It only makes more urgent our duty to refrain from the unnecessary exercise of a dangerous power now that the restraint of the Constitution appears to have been taken away. The historian Bancroft, in a pamphlet published last winter, has clearly shown that the framers of the Constitution not only thought that the power of emitting bills to circulate as money was a dangerous power not to be exercised in time of peace, but also thought that the Constitution as they framed it had withheld this dangerous power from Congres

The Supreme Court has decided that on the latter point they were mistaken, but the decision of the framers of the Constitution on the question of policy can never be overruled. The greenback circulation has come down to us as a relic of the war, just as the uncovered issues of the Bank of England are a relic of the war against Napoleon. It may be safely maintained within the existing limit, but when we have once passed that limit by a single step, as the gentleman from Ohio would have us do, the same arguments which he now uses would lead us on and on till there would be no retreat. Suppose we narrow the margin of safety, either by enlarging the greenback circulation or by reducing the redemption fund, where shall we stop? If we reduce the redemption fund from \$100,000,000 to \$75,000,000 and public confidence remains unshaken, shall we go on until we find that public confidence

has been impaired?

If the further reduction from \$75,000,000 to \$50,000,000 causes a withdrawal of gold from the Treasury, either through honest apprehension of danger or through the schemes of speculators, who, like pickpockets in a crowd, pretend to be alarmed themselves in order to excite and profit by the alarm of others, what will follow? Contraction will follow, contraction of the circulation, contraction of commercial credit. The harm that might be done in this way to the legitimate business The harm that might be done in this way to the registimate business of the country might in a single week outweigh tenfold any possible advantage which the people of this country could derive from the proposed payment of bonds and the reduction of the annual interest account. The object of keeping a greenback redemption fund of \$100,-000,000 in the Treasury is not merely to redeem all United States notes on demand which may be presented in the ordinary course of business. The further and more important object is to make the holders of United States notes so secure of their redemption on demand that no holder or clique of holders will ever dream of presenting them and drawing gold from the Treasury, either to secure themselves or to cause a feeling of insecurity in others.

How much does it cost us in annual interest to keep unimpaired the redemption fund of \$100,000,000? Hardly a million a year. Those who oppose the pending joint resolution in its present shape only conthe special point resolution in its present snape only contend, first, that the \$100,000,000 shall, in the words of the act of 1882, be "reserved for the redemption of United States notes," and, secondly, that there shall be a working balance in the Treasury at all times of about \$30,000,000 of available funds to meet emergencies and prevent the necessity of resorting to the redemption fund for any other purpose than the redemption of United States notes. Accordingly the difference between the supporters and the opponents of the joint resorting to the purpose that the content of the purpose that the supporters are the opponents of the joint resorting to the purpose that the purpose that the purpose that the purpose that the purpose the purpose that the purpose the purpose that the purpose the purpose the purpose the purpose that the purpose the p difference between the supporters and the opponents of the joint resolution, so far as relates to the amount of available surplus to be kept in the Treasury, is simply a difference of \$30,000,000. The interest on \$30,000,000 at 3 per cent amounts to \$900,000 per annum. It is an insignificant price to pay for the absolute security which now enables

us to keep in circulation at the same par the various elements of our

heterogeneous currency.

What do we gain by the passage of this joint resolution to compensate us for the risk? The chairman of the Ways and Means Committee thinks "it would tend to make money cheaper, increase the means of exchange, and help in the transaction of business." How can that be? Suppose the expansion of the circulation by the payment of bonds is greater than the contraction of the national-bank circulation due to the payment and cancellation of the bonds on which the national-bank circulation is based—suppose, that is, that there is a net addition to the volume of our entire circulation—will it permanently "cheapen money and help in the transaction of business?" A large part of our circulation consists of gold coin. Prices of commodities in the American markets are gold prices, and will be so long as gold remains in circulation here. To expand the currency by adding more paper, more silver, or more gold is to raise the gold prices of all commodities in the American market. To raise gold prices in this country is to stimulate imports of foreign goods. It would have precisely the same effect as a reduction of the tariff.

American manufacturers would suffer, importers would flourish. Gold coin would go abroad until the equilibrium, disturbed by the expansion of the currency, had been restored and the total volume of our circulation had once more sunk to what the gentleman from Ohio [General Warner] aptly calls "our distributive share of the world's A permanent expansion of the currency can not take place money." till our gold circulation has disappeared and some other medium less exportable than gold has taken its place. A temporary expansion followed as it would be by contraction would injure rather than benefit the

legitimate industry of this country.

No one in this House contends that the national debt ought not to be paid. But as we have only about \$400,000,000 of bonds that will be subject to call before 1907, there is no strong necessity for paying them more rapidly than according to the requirements of the sinking-fund act. Even at that rate the bonds subject to call would all be redeemed in about nine years. It is not fair to contend that those who oppose the joint resolution in its present shape are opposed to the prompt payment of the national debt. It is equally unfair to say that we are in favor of the accumulation of an unnecessary surplus in the Treasury. The real question is this: Shall the redemption fund of \$100,000,000 of gold coin and bullion be "reserved for the redemption of United States notes," as recited in the act of 1882? Secondly, shall there be at all times in the Treasury a working balance of \$30,000,000 of available funds to meet all emergencies, and so remove the temptation to resort to the greenback redemption fund for any other purpose than that for which it has been created? The difference between those who favor and those who oppose the pending resolution is simply a difference of \$30,000,000 in the amount of the available surplus to be kept in the Treasury. can be said for and against the proposition to maintain this working balance of \$30,000,000?

Against this proposition the only thing that can be fairly said is that it costs \$900,000 a year in interest, which we could save by using it in the redemption of 3 per cent. bonds.

In favor of the proposition it may be said: First, that under our tariff and internal-revenue system of indirect taxes, which can not be raised and lowered from year to year without injury to the capital and labor of this country, we are required to keep a working balance in the Treasury to meet the danger of a deficit such as is even now not unlikely to occur before the end of the next fiscal year. Secondly, the mainte-nance unimpaired of the greenback redemption fund of \$100,000,000 of gold gives stability to our currency, and thereby benefits American labor to an amount in comparison with which the annual interest charge of \$900,000 sinks into utter insignificance. With the amendments I have suggested the resolution could do no harm. Without these amendments it ought not to become a law.

Presidential Vetoes of Pension Bills.

SPEECH

HON. BYRON M. CUTCHEON.

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Friday, July 9, 1886.

On the message of the President returning with his objection the bill (H. R. 1059) granting a pension to Jacob Romiser.

Mr. CUTCHEON said:

Mr. Speaker: I desire briefly to give some of the reasons why I think the House ought to sustain its own committees, and why this bill should be passed and all these vetoed pension bills reported back to the House at this session for its final action.

The President has had his day and his hearing, not only before the House but before the country. The clerks of the Pension Office have furnished him with the reasons why these cases were rejected, but they have not furnished him with the evidence upon which the Committee on Pensions reported them favorably, and upon which the Flouse passed them.

It would seem from what appears in Senate Report 1424 in the case of Mary J. Nottage (Senate bill 2005) that when the President referred to the Pension Office for information one hundred and eighteen House bills and eleven Senate bills he did not ask for points in favor of the bills, but only for objections to their approval. So that it is apparent that his examination was rather an ex parte than an impartial one. instructions were as follows:

Please cause the same to be critically examined and report to this Department whether in your opinion any objections to their approval are known to exist. In cases where objections exist, they should be specifically set forth.

The President's criticisms and objections, his partial and sometimes erroneous statements, have gone out to the country and have created public opinion, while the roports of the committees of this House and the evidence upon which they are based are wholly unknown to the country, and the greatest injustice is done to the painstaking and con-scientious members of the Pension Committees.

It is due, Mr. Speaker, to the Pension Committees of the House, and it is due to the House itself, that the other side of this question should The pension vetoes have undoubtedly left the Commitbe fully heard. tee on Invalid Pensions in a very embarrassing and unjust light before the country—in the light of having recommended frivolous and foolish pension cases to the House, and of having attempted to abstract the money from the public Treasury for improper and fraudulent purposes.

I submit that the Pension Committee should report back each one of these cases with such recommendation as it now deems proper to make,

In a few cases, as where the relief has been already granted at the Pension Office, or where it is pending and undetermined, or other technical reason exist, of course no time would be consumed. In the other cases the House should have the opportunity to consider the questions of public policy involved. Judgment ought not to be rendered upon an ex parte hearing. The country should have the opportunity to know whether the Pension Committee has really reported favorably improper and fraudulent bills.

We have before the two Houses vetoes of eighty-eight private pension It seems to me, Mr. Speaker, that the significance of these vebills. It seems to me, air. Speaker, that the significance of these ve-toes is much broader than the simple question whether these eighty-eight bills shall become law or fail. There are questions involved far transcending that—questions of the right or wrong of our pension sys-tem, and the whole question of what is and shall be the public policy of our pension laws.

I think I am justified also in saying that, in some degree, a question of comity and courtesy in communications between co-ordinate branches of the Government is involved. It has been said here, Mr. Speaker, that the office of President of the United States is a great office. Yes, Mr. Speaker, it is a great office, the greatest held by one man on this

But Congress is a greater office. Here around me sit the immediate and chosen representatives of sixty million freemen. And while respect is due from Congress to the Executive, a greater respect is due from the Executive to Congress, which stands closer than he to the fountain of all power, the people.

The gentleman from Pennsylvania [Mr. CURTIN] said the other day that the President is "entitled to decent respect and decent speech."

Let it be granted. And I submit that the Congress of the United States, the supreme law-making power, the greatest legislative body in the world, is also "entitled to decent respect and decent speech."

Mr. Speaker, for one I am not inclined to split hairs with the Presi-

dent upon the question of the extent and constitutional limits of the veto power. Let it be granted that as a matter of constitutional right the President may return any bill to Congress with his objections. He may return it for constitutional objections or on the ground that the proposed legislation is defective or unnecessary. The extent to which he will exercise this prerogative is largely a question of taste, and we know the old maxim, de gustibus non disputandum. There can be no no dispute about matters of taste because there can be no common standno dispute about matters of taste because there can be no common standard or standpoint, and the taste of one President may differ from that of another. Lincoln vetoed one bill in four years; Cleveland has vetoed one hundred bills within three months. But that is a matter of taste, and it measures the distance between the two men in their judgment of their relations to the law-making power of the Government.

When Mr. Cleveland penned his letter of acceptance of the nomina-

tion of his party the people of the United States had no reason to expect such extraordinary use of the veto power. Mr. Cleveland then declared that the office of President was "essentially executive in its nature." Hesaw "nothing in the character of the office" which required from him a statement of his opinions on matters which concerned the legislative branch of government. The laws were enacted by Congress; the only duty of the Chief Executive was to enforce them faith-His conceptions of the Presidential office seem to have greatly changed since then, and the question arises, was he right then or is he

right now? We appeal from Cleveland, President, to Cleveland, candidate.

Article 1, section 1, of the Constitution provides that-

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

So it may be safely asserted that it was the intention of the framers of the Constitution that the policy of the laws should be determined by the Congress, the lawmaking power.

Section 1, Article II, provides that "the executive power shall be vested in a President of the United States."

It is significant that the power to return bills without his approval is not found among the enumerated executive powers, but is found in section 7, Article I, among the provisions for the exercise of legislative powers. It may be safely inferred, also, that the framers of the Constitution expected that the veto power would be invoked only upon grave and momentous occasions when serious danger should be threat-ened to the Constitution or to the general welfare. It can scarcely be imagined that under section 1, Article I, they intended that the policy of the laws should not be left and intrusted to the lawmaking power. By those Presidents who lived in the era of the formation of the Con-

stitution, and who may be presumed to be most familiar with its spirit, the veto power was very sparingly used. The whole number of vetoes from the foundation of our Government to the present administration

was 109, an average of about 11 per year.

	Years.	Vetoes.	Average per year.
Washington to Lincoln	72	46	-
Lincoln Johnson Grant Hayes Arthur	4 8 4 4	1 17 29 12 4	4 1 3 3 3 1
Lincoln to Arthur, inclusive	24	63	213

The first session of Congress under the present administration is not yet completed, but the President has already returned under his veto the following acts of Congress:

1. The bill to restore Lieutenant McBlair to the retired-list.

The DesMoines settlers land bill.

The bill for the furtherance of anatomical science in the District of Columbia.

4. To extend the benefits of the immediate-transportation act to Omaha.

- 5. To make Springfield, Mass., a port of delivery.
 6. For a public building at Sioux City, Iowa.
 7. For a public building at Zanesville, Ohio. For a public building at Duluth, Minn.
- For a public building at Dayton, Ohio.
 For the relief of Martin L. Bundy.
 For the right of way through the Indian reservation in Northern

11. For the right of way through the Indian reservation in Northern Montana.

12. For a public building at Asheville, N. C.

In addition to these twelve bills of a general nature, the President has vetoed twenty-three Senate and sixty-six House pension bills, making a grand total of one hundred and one vetoes, all within three months, except the one case of Lieutenant McBlair.

In the few days yet remaining of the session the present incumbent will have no difficulty in getting the other ten, which will enable him to swamp all the Presidents from Washington down to this administration combined.

tration combined.

Were all his illustrious predecessors, including such names as Washington, Jefferson, Madison, Jackson, Lincoln, and Grant, grossly ignorant of their constitutional duty, or grossly recreant to their constitutional prerogative; or was the present incumbent correct when he said in his letter of acceptance that the office of President was "essentially executive," and wrong now when he seeks to constitute himself a member of Congress with a vote equal to one-sixth of both Houses of

I said, Mr. Speaker, in the beginning of these remarks, that a question of comity and courtesy between co-ordinate branches of the Gov-

ernment might to some extent be involved in this matter.

The President, in some extent be involved in this matter.

The President, in some of his veto messages, assumes to know and to criticise the number of members present in the two Houses when some of these pension bills were passed. It is hardly necessary to say that the opinion of the court is the opinion of the whole court, unless a dissenting opinion is filed. The act of the House of Representatives is the act of the entire House, if no question is raised that a quorum has not acted. not acted.

In one of his later messages, that on the Francis Deming case, the

President uses this language:

The blatant and noisy self-assertion of those who, from motives that may well be suspected, declare themselves above all others the friends of the soldier, can

not discredit or belittle the calm, steady, and affectionate regard of a grateful

As this is addressed to Congress, it must be supposed to have some reference to some portion of the membership of Congress.

Suppose that one branch or the memoeranip of Congress.

Suppose that one branch or the other of Congress should send a message to the Executive, in which it should assert that "the flippant, undignified, and egotistical self-assertion of the Executive who, from motives that may well be suspected, declares himself the special and infallible guardian of the pensioners, can not discredit nor belittle the calm, steady, and affectionate regard of Congress for the defenders of the Union, " would it be contended that such a message would be the courtesy due from the legislative to the executive department of the Government?

Mr. Speaker, in what I shall further say of these vetoes I shall confine myself to the pension bills. And first I wish to say a few words in regard to the Committee on Invalid Pensions of this House, and its

capacity and facilities in investigating these cases:

1. It is a large committee, composed of fifteen members, and by a proper division of the work they are enabled to investigate with greater thoroughness than any one man can.

2. It is an able committee, selected by the Speaker with express reference to this especial work.

3. Several of the members have had large experience in former Congresses and have become genuine experts.

4. At least two of them are physicians of learning and large experience, and capable of judging and advising in regard to the medical phases of cases before them.

5. These fifteen gentlemen devote their entire time, as committeemen,

to pensions.

6. Several of them, including the chairman, have served with distinction as soldiers, and are familiar with the life, hardships, habits, and disabilities of soldiers, and can judge of a given state of facts much more accurately and justly than one who has never seen military service.

7. The reports of this committee are in the nature of the special findings of a jury, and are entitled to much the same respect as the verdict

of a jury upon a case submitted to them.

8. This committee has been selected to represent and formulate the general policy of the House in regard to the important matter of pensions, as the Committee of Ways and Means represent the revenue policy of the House.

That policy has been declared in the House Report on Senate bill 1886—which passed the Senate by a very large majority (34 to 11) and which has been reported by the House committee favorably, and, as I understand, unanimously—to be that no man who honorably served as a soldier of the Union and was honorably discharged shall be permitted to dishonor that country by becoming an inmate of a poor-house so long as a small pension from the Government will prevent it.

It is against this policy that the President has set his face and directs his vetoes. And he warns us in advance that Senate bill 1886, or any similar bill, will encounter his veto by vetoing these private pension bills, for a large proportion of them would come within the principle of Senate bill 1886, and would be allowed at the Pension Office were that bill or a similar bill to become law.

Among the vetoed bills which come clearly within the principle and

scope of that act are those of John W. Farris, Philip Arner, James H. Darling, Andrew J. Wilson, Giles C. Hawley, John S. Kirkpatrick, William H. Beck, Joel D. Monroe, Samuel Miller, and many others.

But in his veto message returning the bill of Francis Deming (H. R. 2971) the President puts his position beyond all question or doubt.

In that message the President says:

I am satisfied that a fair examination of the facts in this case justifies the statement that the bill under consideration can rest only upon the grounds that aid should be furnished to this ex-soldier because he served in the Army, and because he a long time thereafter became blind, disabled, and dependent.

The question is whether we are prepared to adopt this principle and establish this precedent.

But with all this, and with the hundreds of special acts which have been passed, granting pensions in cases where, for my part, I am willing to confess that sympathy rather than judgment has often led to the discovery of a relation between injury or death and military service, I am constrained by a sense of public duty to interpose against establishing a principle and setting a precedent which must result in unregulated, partial, and unjust gifts of public money under the pretext of indemnifying these who suffered in their means of support as an incident of military service.

GROVER CLEVELAND.

GROVER CLEVELAND.

EXECUTIVE MANSION, July 5, 1886.

It will be observed from the foregoing that it is against the principle that the President inveighs and treats us in advance to a veto of Senate bill 1886.

That bill announces the general principle that it shall not be necessary for a claimant to trace his disability to the incidents of the service, but if it be shown that he was an honorable soldier of the Republic, and was honorably discharged, that he is under a present disability to gain a livelihood, and is dependent, he shall be pensionable. The President on the contrary insists that the soldier must be able to trace his disability with precision to his military service in the strict line of duty, or he shall not be pensionable. Not only must he be doing military duty under orders, and in the line of duty, but he must have gone through the formality of being sworn in, as in this case of Joseph Romiser, or he shall not be pensionable; and that even Congress, the supreme lawmaking power of the nation, shall not be permitted to adopt

a different policy of law.

The President's line of reasoning seems to be, "If your case does not come under the general law and does require special legislation, then I will veto your bill, because it does not come under the general law. If your case does come under the general law and does not absolutely require special legislation, then you must go to the Pension Office, or I will veto your bill.

It is very much like the old Calvinistic theological formula:

You'll be damned if you do, and you'll be damned if you don't.

The President in all these vetoes assumes that under the policy of our laws no one is pensionable but those disabled in the military service and in the line of duty, and who can make that appear by positive

Upon that proposition I join distinct and complete issue with the President. I say that has never been the policy of our pension laws,

is not now, and never will be.

The soldiers of the Revolutionary war were granted a service pension without regard to disability incurred in line of duty or otherwise.

The soldiers of the war of 1812 have been granted a service pension

without reference to disability in the service, or otherwise, without ref-

erence to dependence or otherwise.

This House has at this very session passed a Mexican war pension bill by a vote of 157 to 69, in which 121 Democrats voted in the affirmative and only 11 in the negative, by the terms of which every man who was borne upon the muster-rolls even for one day, though he never went within a thousand miles of Mexico or a Mexican, though he never had a pin's scratch on his skin, and never saw a day of illness, and though he may be now in robust health and worth a million dollars, and beyond all need of aid of the Government, shall each receive a service pension (for no service it may be) at the rate of \$8 per month as long as he lives.

And does anybody suppose that if that Mexican pension bill had passed the Senate as it passed the House it would have encountered a Presidential veto because the beneficiaries had not been disabled in the service and in the strict line of duty? I tell you nay. Do you ask me why? I leave you to meditate upon that question.

Moreover, it has been the settled practice for several Congresses past to pass hundreds of private pension bills for the very reason that the claimants have not been able to make the required proof at the Pension Office that their disabilities were incurred in the line of military duty.

The last Congress passed more than five hundred of such bills and not one of them was vetoed by President Arthur, because he looked upon Congress as the high court of chancery of the nation, to adjudge

the equity of each particular case.

I therefore utterly and absolutely deny the truth of the President's premises that a man is not pensionable unless he can prove that he was disabled in the military service and in the line of duty. It is not true. It never was true. But suppose that were not so, and that up to this

time there were no law, general or special, allowing pensions except for a disability traced directly to military service in the line of duty.

In the name of humanity and national honor shall we be precluded as the supreme lawmaking power from making a law that shall meet the exigency of individual cases that appeal to our sense of right and equity? Because, forsooth, a surgeon is dead, or a fellow-prisoner at Andersonville has answered the last tattoo, or a record is lost, or comrades have been swept away, are our hands bound from doing such meager justice as we may? Shall we be compelled to stand by in imbecility and helplessness and see our old veterans in their age and feebleness and poverty go to the poorhouse, and this great Congress of the people's representatives for-bidden by the iron grip of the veto power from reaching out to them a supporting hand to steady their faltering steps and smooth their brief pathway to the grave? God forbid! It is not so. It can not be so. If we be true men, true to our country, to our manhood, and to humanity, it shall not be so! Our appeal is to the people, who make and unmake

I have spoken of the facilities of the Committee on Invalid Pensions for investigating pension cases. I now wish to contrast them with the

President's want of facilities.

First. He is burdened with many cares, both of state and of a domestic character. The crowds of "the hungry and thirsty" dog him and press upon him by day and by night. He has all the legislation of Congress upon his hands for consideration as well as all his proper executive duties. Long into the weary and wakeful hours of these sultry summer nights he is obliged to sit in his shirt-sleeves to hunt out the flaw in some poor widow's case—perhaps like that of Sally Ann Bradley or Louisa C. Beezeley—over seventy years old, or he is obliged to rise up at the voice of the bird in the early dawn, leaving the bride of a fortnight to her lonely couch for the purpose of running down "the ingenuity developed in the constant and persistent attacks upon the Treasury by those claiming pensions," as he says in the case of that gallant soldier and Democratic senator, John W. Farris, of Missouri, whose bill is among the vetoed. It must be manifest from the very

nature of the case, from the number of bills presented to him and the length of time given to them, that the President can give but a few minutes to the consideration of each bill, and that not to the evidence filed but rather to the brief of objections furnished by the clerks of the Pension Office

Second. Another disability under which the President labors is the want of experience in army life. This is well illustrated in the case of Alfred Denny (Executive Document No. 176), in which the President concludes that "those saddles were very dangerous contrivances." This is a brilliant stroke of humor, especially when aimed at the lifelong injury of a faithful officer; but I apprehend that if the incumbent of the Presidency had ridden in a few cavalry charges with drawn saber, or had been mounted on an artillery horse when its mate was torn limb from limb by shot and shell, as I have seen them, or had even ridden a spirited horse under a good, warm musketry fire, as many gentlemen on both sides of this House have done, he might have found that being in the saddle was a dangerous thing. But I forbear. The case is not a supposable one. It might have been well had it been otherwise; but, unfortunately for the country and the soldiers, he is totally wanting in that experience.

unfortunately for the country and the soldiers, he is totally wanting in that experience.

The President also shows that he is liable to errors of fact. In this case of Joseph Romiser he vetoed the bill upon the ground that no claim had ever been made in the Pension Office, when in fact all the papers in the case were at that moment on file there. In the case of Carter W. Tiller the bill was vetoed upon the ground that the soldier was a deserter, when the record clearly showed that so far from deserting was he that he died a horrible death in Andersonville prison.

Third. Again, he is greatly wanting in a knowledge of the diseases of the camp. This is well illustrated in the case of Andrew J. Wilson, in which he says—andif any other man had said it it would have been cruelly flippant when spoken of an infirm old soldier:

cruelly flippant when spoken of an infirm old soldier:

Whatever else may be said of claimant's achievements during his short mili-ary career it must be conceded that he accumulated a great deal of disability.

Had the present incumbent of the Presidency himself been a soldier in the field he would have known that it does not take a soldier many months sleeping in rain and sleet, subsisting upon villainous and halfmonths sleeping in rain and sleet, subsisting upon villainous and half-cooked rations, making forced marches, weighted down with knapsack, haversack, canteen, musket, cartridge-box, and forty rounds of cartridge, and subjected to the terrible strain of the shock of battle "to accumulate a good deal of disability."

Again, in the case of William Bishop the President says:

This claimant was enrolled as a substitute on the 25th day of March, 1865; he was admitted to a post hospital at Indianapolis on the 3d day of April, 1805, with the measles; was removed to the City General Hospital, in Indianapolis, on the 5th day of May, 1865; was returned to duty May 8, 1865, and was mustered out with a detachment of unassigned men on the 11th day of May, 1865.

Fifteen years after this brilliant service and this terrific encounter with the messles, and on the 28th day of June, 1880, the claimant discovered that his attack of the measles had some relation to his Army enrollment, and that this discase had "settled in his eyes, also affecting his spinal column."

Those who served in the Army of the Potomac in the winter of 1861-'02 in front of Washington well know that many a grave on Arlington Heights is tenanted as the result of a "terrific encounter with the measles." And in view of certain other circumstances the sneer at "substitutes" might well have been omitted.

Fourth. In the next place the President is deficient in the necessary medical knowledge which would enable him to judge with reasonable intelligence of the probabilities of certain disabilities. Take, for instance, the case of John W. Farris, already alluded to. The President fairly hoots at the idea that impaired vision and sore eyes could be the result of the general debility resulting from long and exhausting chronic

The President in his message (Executive Document No. 285) says:

In September of the same year, and after this pension was granted, he filed an application for an increase of his rate, alleging that in 1884 his eyes became affected in consequence of his previous aliments and the debility consequent thereupon.

The ingenuity developed in the constant and persistent attacks upon the public Treasury by those claiming pensions and the increase of those already granted, is exhibited in bold relief by this attempt to include sore eyes among the results of distributed.

Contrast this with the report of the medical examining board at Lebanon, Mo., October 21, 1885, as follows:

anon, Mo., October 21, 1885, as follows:

We find the conjunctiva of both eyelids thickened and in a state of chronic inflammation. There is an opacity of the cornea of both eyes, resulting from ulceration, which is of the nebulous variety. The vessels of the conjunctiva of the cornea are very much enlarged. The opacity of the left cornea extends over the pupil and almost completely obstructs the vision. That of the right eye is less extensive, about two-thirds. He can not distinguish the largest test type with the left eye, but with the right eye can distinguish it at a distance of 17 inches. He is totally incapacitated for manual labor. He is in our opinion entitled to a second-grade rating for the disability caused by chronic diarrhea and resulting general debility and sore eyes.

On this form Dr. Mishal of the Missouri Medical Callege, one of the

Or this from Dr. Michel, of the Missouri Medical College, one of the most eminent oculists in the Southwest:

That he has been treating Senator J. W. Farris for chronic conjunctivitis with granulation since January, 1885, and that I am satisfied that a vitiated constitutional condition is to blame for his impaired vision and prolonged eye affection

This claimant enlisted at the age of only fifteen; served four years; by gallantry rose to be a commissioned officer; was discharged at twenty with an incurable disease which has resulted in blindness.

Is it any wonder that in his indignation and humiliation he should write to the Saint Louis Republican as follows:

Ordinarily it is enough to be a victim of disease and conscious of approaching permanent disability or early dissolution; but when this is accompanied with the brutal exparts judgment of a President whom the sufferer has added in electing, the withdrawal of personal and political sympathies, and the rude and vulgar taunts of the press, only faintly illustrates the extraordinary dilemma in which

ing, the withdrawal of personal and pollucats ylapasses, ing, the withdrawal of personal and pollucats ylapasses.

I am at a loss to know how a conservative public can justify the brutality displayed by the Chief Executive of a Government to which I gave four years of active military service, hazarding life, imperiling health, and making myself prematurely old. And yet such seems the result. One of my competitors, Mr. J. B. Rackliffe, possessed of about the same degree of patriotism that induced Grover Cleveland to hire a substitute rather than fight his country's battles, ruled by the same brutal instincts which impelled the President to assault me so unjustly in his message, has gone over the district and covertly, yea, in a cowardly manner, used this veto message to manufacture sentiment against me and build for himself that character and reputation which he had not been able to attain save through the misfortunes of another. I am content with the defeat which will probably come to me, but I am not content to remain silent and be branded by a President—even a Democratic President—with having devised an "ingenious plan to attack the public Treasury."

I am proud of the record I made as a soldier. I left the Army at the end of four years' service, when only twenty years old, bearing two commissions won by meritorious service in battle. Though in impaired health as the result of that service I am nottoo feeble to resist the criticisms and denounce the reflections of Presidents and Senatorial candidates who seek to cast aspersions on my character or impute dishonesty to my motives.

I have yet to find any medical man who denies that defective sight may result from long-continued chronic diarrhea.

Take for a further illustration the case of Francis Deming (H. R. 2971), where the claimant after suffering from rheumatism for many years became almost totally blind. Of this sad case the President

Thereupon, and after nineteen years had clapsed since his discharge from the Army, a pension is claimed for him upon a very shadowy allegation of the incurrence of rheumatism while in the service, coupled with the startling proposition that this rheumatism resulted, just previous to his application, in blindness. Upon medical examination it appeared that his blindness was caused by amanrosis, which is generally accepted as an affection of the optic nerve.

The President scouts the idea that the blindness can be referred to rheumatism, because the medical examiner called it "amaurosis;" ignoring the fact that amaurosis, which is an affection of the optic nerve, may be produced by rheumatism.

In the case of William H. Beck (Executive Document No. 181), where it was claimed that epileptic fits or spasms had resulted from the heavy firing of artillery over the man's head, the President says:

If this disease can be caused in the manner here detailed, its manifestations are such as to leave no doubt of its existence, and it seems to me simply impossible, under the circumstances detailed, that there should be any lack of evidence to support the claim upon which this bill is predicated.

Doctors will disagree, and I have yet to find a doctor who will agree with Mr. Cleveland that in a case of recent epilepsy, where the spasms are many days apart, "the manifestations are such as to leave no doubt of its existence.

Fifth. His knowledge of military law seems to be as faulty as his knowledge of therapeutics, when in the case of James Butler (Executive Decument 180) he says in one sentence that the claim was rejected because "the claimant was on individual furlough, and therefore not in the line of duty," and in the very next sentence declares "that he was in no sense in the military service of the United States." Exactly how a man could be "on furlough" and at the same time "in no sense in the military service" is something that passes my understanding.

In this same case, as well as in the Joseph Romiser case, he makes the

further mistake of supposing that under the general laws of the United States a soldier has not been pensionable unless he has been regularly mustered into the service of the United States.

The Revised Statutes provides (section 4693) that the following classes shall be pensionable:

First. * * * Any culisted man, however employed, in the military or naval service of the United States or its Marine Corps, whether regularly mustered or not, disabled by any wound or injury received or disease contracted while in the service of the United States and in the line of duty.

This provision was in force until July, 1874. And again, the third subdivision of the same section provides that "any person not an enlisted soldier in the Army * * * who volunteered for the time being to who volunteered for the time being to soldier in the Army serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service," shall be pensionable. (Section 4693, Revised Statutes.) This provision has also expired by limitation.

Sixth. Even more yet is he wanting in a knowledge of the habits and

qualities of good soldiers.

He frequently and grievously complains of the want of "a hospital I do not think he appreciates as those who have commanded troops in the field do that it is not the men who have the most brilliant and voluminous hospital record who did the hard fighing and are the most deserving of pensions.

Every man on this floor who has commanded troops knows that the

even when wounded would endure almost anything in quarters rather than encounter the foul air and depressing influences of a hospital ward.

The incumbent of the Presidency has very much to learn about sol-

And lastly, unless I greatly err, he has much to learn of the feeling of loyalty and the spirit of patriotism which inspired our soldiery, and which is worth more to this nation than all its millions of gold and

silver piled in the vaults of the Treasury.

Take the case of that old man, Nathaniel Beezeley, the old farrier, Take the case of that old man, Nathaniel Beezeley, the old farrier, whose widow's bill is among these vetoes. At the age of 60 years he heard the call of his country. He wanted to have some share in the grand and patriotic work of upholding its flag and saving the Union of the States to posterity. So, while the young and strong and the prosperous hesitated, the old man said to his wife, "Louisa, I believe I must go. I've got a good deal of strength left yet, and if the old flag must go down I want to go down with it. If anything should happen to me this Government will see that you don't come to want." So he shouldered his musket and marched in the grim ranks of war. He thought he could endure the hardship, and for a year he stood at the post of duty like a man, as best he could. But "he accumulated a good deal of disability," and at the end of a year he was mustered out, as the report of Colonel MATSON, the chairman of the committee, says, "a wreck of his former self." says, "a wreck of his former self."

The old man died at length, and now his aged widow, past seventy, dependent upon charity, recommended by the governor of her State and by ex-Senator Joseph E. McDonald, comes here with trembling hands and tottering steps—comes here to ask of the great, rich Government to which her husband gave the remnant of health and life to assist her in eking out her few remaining days with a paltry pension of \$12 per month, and the President of that country says to Congress, "I forbid!"

I would to God that some younger and stronger men had possessed that same spirit of patriotism which the old man Beezeley had, and which led him to the perilons edge of battle. Such patriotism is not so superabundant in these days that we can afford to sneer at it or refuse to recognize it or reward its loyal sacrifices. It was not so we promised these brave men when they went out to battle. It was not so we promised them when they turned their backs upon home and wife and child whom they might never see again; turned away from all the brightness and sweetness and hope of life to do, to suffer, and, if need be, to die in untold and unspeakable anguish for the flag of their allegiance and the country of their love. We told them then to go without fear and without faltering for those they left behind. We pro ased them that the nation would be husband to the widow and father to their orphan children; that the nation would raise their helpless ones in its great, strong arms and bear them ever in its heart of hearts.

Under that promise they went out. Under that promise they trod the red and slippery fields of carnage down to the blood-besprinkled

doors of death.

Their work is done; their duty is fulfilled. But the wrecked and maimed, the widows and the orphans are with us still and claim our

helping hand. Our promise remains.

May God help us to be true to the promises we pledged when patriotism was more than gold, when loyal sacrifice was more than place or power, and manhood was worth all that a nation had to give.

Land and Labor Legislation.

SPEECH

HON. JOHN J. O'NEILL,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, July 19, 1886:

The House having under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 7887) to repeal all laws providing for the pre-emption of the public lands, all laws allowing entries for timber culture, the laws authorizing the sale of desert lands, and for other purposes

Mr. O'NEILL, of Missouri, said:
Mr. SPEAKER: I hope that the House will not concur in the Senate amendments but will adhere rigidly to the bill that we have passed here. No injury can come to any one who now holds land from the operation of this law, and we simply propose to preserve for the future that immense body of land which one gentleman on this floor has stated amounts to four-tenths of all the entire land in the United States exclu-

sive of Alaska.

In reading this bill, I was amazed to find that while we were trying to get rid of one set of land robbers they were very willing to turn our bravest and best soldiers would rather fall in their tracks from exhaustion and be helped into camp by comrades than go to hospital; and

panies for the irrigation of the arid lands, a few men could absolutely control that entire belt. I agree with what gentlemen have said on this floor about the difficulty of reclaiming those lands. I have been over that country and I realize that sooner or later the Government of the United States must directly interest itself in the subject of reclaiming those lands for cultivation.

The tide of immigration has already gone beyond the borders of that portion of the country where there is a regular rain-fall, and its pressure has become so great that we shall have to interest ourselves before long in reclaiming the arid region in order to make homes for future settlers. As the traveler stops by the wayside at the few small spots in that arid region that have been reclaimed by irrigation, he is reminded of the fabled oases of the desert, and that is perhaps the best description that can be given of the effect of irrigation.

The introduction of water transforms that land into the most fertile of any in your country. But the work of irrigation can not be done by private enterprise except in a few isolated cases, and unless it is done by the Government the great mass of that land will remain idle. Let us leave those lands untouched for the present; let us keep the hands of the land-sharks off them; let us preserve them untouched until we adopt some general system for their reclamation. If the representatives from that portion of the country would only organize and come before Congress with a proposition for a general system of irrigating those lands by the sinking of wells, I have no doubt that it would be favorably considered, for I hold that it is as much for the interest of the people of the United States to improve those arid lands and make them available for human settlement and sustenance as it is to improve the water ways of the Mississippi Valley where I live.

By concerted action on their part, by simply exhibiting to this country the advantages which would follow from a change of that kind, I am confident there is enough patriotism in our people to aid them in that effort.

By the passage of land-forfeiture bills we have rescued from the rail-roads within the last two years over 40,000,000 acres of unearned public lands. House bills embracing nearly fifty millions additional are now pending in the Senate.

The land and labor legislation of the present Congress stand out in bold relief, marking a sympathy for the working classes unprecedented in the annals of legislation.

I append the following sketch of labor legislation, believing it to properly combine with the land question:

LABOR LEGISLATION.

The House of Representatives of the Forty-eighth Congress inaugurated labor legislation by creating among its standing committees a Committee on Labor, to which should be referred proposed legislation affecting the working classes.

As a result of its labors you now have upon the statute-books the law creating the National Bureau of Labor Statistics, and the law prohibiting the importation of contract labor.

I submit a list of bills reported from the Committee on Labor of the present Congress (Forty-ninth) which have passed the House and are now pending in the Senate, with the exception of the bill to legalize the incorporation of national trades unions and H. Res. 142, relating

the incorporation of national trades unions and H. Res. 142, relating to convict labor, which have passed both Houses and become laws.

Arbitration bill (H. R. 7479) provides that in all controversies between railroad companies and their employés, if submitted to arbitration, the United States would give the arbitrators the power to send for persons and papers, administer oaths, in fact all the power of United States commissioners, and would pay all the expenses of the arbitration, the award to be filed with the Commissioner of Labor and to be made amblic by him. be made public by him.

TO LEGALIZE THE INCORPORATION OF NATIONAL TRADES UNIONS (SENATE BILL).

The term National Trades Union, in the meaning of the act, to signify any association of working people having two or more branches in the States or Territories of the United States for the purpose of aiding its members to become more skillful and efficient workers, the promo-tion of their general intelligence, the elevation of their character, the regulation of their wages and their hours and conditions of labor, the protection of their individual rights in the prosecution of their trade or trades, the raising of funds for the benefit of sick, disabled, or unemployed members, or the families of deceased members, or for such other object or objects for which working people may lawfully combine, having in view their mutual protection or benefit.

TO PROTECT MECHANICS, LABORERS, AND SERVANTS IN THEIR WAGES (H. R. 5310).

By providing that for all personal services rendered by any person acting in the capacity of mechanic, laborer, or servant, in the District of Columbia and Territories of the United States, no property shall be exempt from seizure and sale under execution.

CONVICT LABOR (H. RES, 142).

Authorizing and directing the Commissioner of Labor to make a full investigation as to the kind and amount of work performed in the penal institutions of the several States and Territories of the United States and the District of Columbia, as to the methods under which convicts are or may be employed, and as to all the facts pertaining to convict labor and the influence of the same upon the industries of the country.

CONVICT LABOR (II. R. 1622).

To prohibit any officer, agent, or servant of the Government of the United States to hire or contract out the labor of prisoners incarcerated for violating the laws of the United States.

CONVICT AND ALIEN LABOR (H. É. 5541).

To prevent the employment of convict labor and alien labor upon public buildings and other public works, and convict labor in the preparation or manufacture of materials for public buildings and other public works, and to regulate the manner of letting contracts therefor.

IMPORTED CONTRACT LABOR (H. H. 9232).

To amend an act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, approved February 26, 1885. The Secretary of the Treasury is charged with the duty of executing the provisions of the act, and may enter into contract with such State commission, board, or officers as may be designated for that purpose by the governor of any State to take charge of the local affairs of immigration in the ports within said State or may designate any person in any State to execute the provisions of this act, and it is their duty to examine into the condition of passengers arriving at the ports, to go on board of any ship or vessel; and if on examination there shall be found among the passengers any persons included in the prohibition in the act, such persons shall not be permitted to land.

All persons included in the prohibition in the act, upon arrival, to be sent back to the nations to which they belong and from whence they came; he expense of return of the persons not permitted to land to be borne by the owners of the vessels in which they came; any vessel refusing to pay such expenses not to be thereafter permitted to land at or clear from any port of the United States, and such expenses to be a lien on the vessel.

Sufferers by Overflow in South Carolina.

SPEECH

HON. ROBERT SMALLS,

OF SOUTH CAROLINA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 31, 1886,

On the joint resolution (H. Res. 210) for the relief of the sufferers by the overflow of the Santee, Pedee, and Waccamaw Rivers in South Carolina.

Mr. SMALLS said:

Mr. SPEAKER: In presenting this resolution I am sure a brief and candid statement of the condition of things in the inundated country along the Santee, Pedee, and Waccamaw Rivers in South Carolina will so far appeal to the mercy and benevolence of this House and its committee as to secure for this measure early and favorable consideration.

The recent overflow of these rivers has inundated all the adjacent country, destroying the crops, devastating the country, and rendering houseless and homeless a large number of citizens. This being in a rice-growing locality, the people entirely depended upon the growing crop for their subsistence. By the destruction of this crop they are now confronted with starvation unless immediate relief is afforded.

The following letter from a reliable and respectable gentleman living in that vicinity depicts the suffering to which the people are subjected:

EXCHANGE, July 13, 1886.

Editor of the Enquirer :

Latter of the Enquirer:

I returned home this morning to find the country one mass of water. When
I left I could look out from my door over hundreds of acres of green fields and
busy laborers, all suggestive of prosperity and plenty. To-day I look over the
prospect and behold only one dull, dirty, yellow mass of water. No sign of
life presents itself, except the fast-running current and the bird of prey that soars overhead.

infe presents itself, except the fast-running current and the bird of prey that soars overhead.

Men have been to me already asking for work and saying they had eaten the last in their houses. I can not find them work. Thousands are in the same condition here and elsewhere. The disastrous result of last year's cropping caused many to begin this year in debt and they are estopped from what they might otherwise do. What are we to do? The disaster is widespread. I do not know that it will be as severely felt in other sections as here, but here we stand to-day on the brink of a famine.

What are we to do? The State is the only power we can appeal to. She is the legitimate protector of her citizens. It is her part to secure them in life, prosperity, and liberty.

We should have concerted action and we should act before the dire emergency of a starving people is on us.

Let the Legislature be called together to devise the ways and means. Some will say it will cost too much. Well, if the necessary relief can be given without this expense, by all means let us have it. If not, the expense will be but a bagatelle in comparison with the relief to be given or in contrast with the suffering that will ensue.

There are yet three and a half months to the meeting of the next Legislature, and in this space of time relief ought to be found for many.

I offer these as suggestions in order that attention may be directed to the condition of affairs and some means devised for relief.

Respectfully yours,

Respectfully yours,

BENJ. ALLISON.

No immediate relief can come from the State authorities, as the Legislature does not convene until November of the present year.

Mr. Speaker, Congress has not been deaf to similar appeals. the terrible conflagrations desolated Portland, Me., and Chicago, Ill.; when the yellow fever made such fearful ravages in Memphis, Tenn., and in frequent cases when the Mississippi Valley was submerged by the overflow of the river, Congress with humane and generous heart and sometimes with lavish hand responded to the appeal for relief and saved many of its citizens from the agonies of starvation.

Mr. Speaker, this is no time for argument or hair-splitting constitutional disquisition. Through a visitation beyond their control we are informed citizens of this Republic are starving to death, and in the plenitude of its riches and the surplus in its Treasury you are humanely appealed to for a pittance which may save them from the terrible fate which threatens them, and in view of the emergency whose delay is death I earnestly appeal to the committee and the House to facilitate the consideration of this measure.

Increase of the Naval Establishment.

SPEECH

HON. JOHN R. BUCK,

OF CONNECTICUT,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 24, 1886,

On the bill (H. R. 6661) to increase the naval establishment.

Mr. BUCK said:

Mr. SPEAKER: The people of this country are far in advance of the legislative branch of the Government on the subject of constructing an efficient navy. They are ready to have it built and are willing to pay

Their interest in it has now reached the point of a most urgent demand for the necessary legislation. State Legislatures, commercial associations, and cities exposed to attack from foreign war fleets, have united

in urging speedy action on this subject.

National pride is by no means the principal foundation for this interest in the Navy. It is believed to be a necessity, a means of national defense, a protection to coast cities, and to commerce on both ocean and

Our people have the traditions of the mother country in regard to the retention of power on the seas as a means of home defense. separated from a country that maintained its national power by its ships of war, and to-day England relies on its navy to support its power abroad, while its great ironclads are used to defend its coasts

In 1775 Congress provided for a navy, and authorized the construc-tion of fourteen vessels. It was the business of this Navy to cruise along our coast and intercept hostile vessels that came here to bring troops or to prey upon our commerce. This Navy comprised the following vessels:

First Navy.

Gt	ms.
Ship Alfred	24
GLis Columbus	24
Ship Columbia	10
Brig Lexington	10
Brig Cabot	16
Brig Reprisal	. 16
Brig Andria Doria	. 14
Brig Hampden	14
Brig Providence.	. 12
Schooner Wasp	. 8
Schooner Fly	. 8
Sloop Hornet	. 10
Sloop Independence	. 10
Sloop Sachem	
Sloop Musquito.	4

Considerable attention was paid to the Navy after the war of the Revolution, and when the war of 1812 broke out we had seventeen

cruising vessels and a few gunboats.

Our Navy did good work in that war, and the President, Essex, Hornet, Niagara, Detroit, and Lawrence are well-remembered names of

vessels that added renown to our nation as a naval power.

The character of modern naval warfare, however, dates from the war of the rebellion. That conflict changed the character of war vessels throughout the world.

The Virginia, a confederate vessel, sailed out of Gosport navy-yard on March 8, 1862, and when off Newport News in turn attacked and destroyed the Cumberland and Congress, and was attacking the Minnesota when the day closed and the contest stopped. That evening the Monitor, an iron vessel, constructed by John Ericsson, came to the rescue of the Federal fleet. The next morning (March 9) the Virginia attacked this strange-looking craft and endeavored to run her down, but without suc-

The shells of the Virginia made no more impression on the little Monitor than the shells of the Cumberland and Congress made on the Virginia. Neither of these vessels could do the other much harm. However, the Virginia, together with the whole confederate fleet, retired from the scene of conflict, and although the Virginia returned to Hampton Roads some time afterward no contest followed

This singular naval battle attracted the attention of all naval powers. The Virginia was an iron-clad ram, constructed ont of the Federal vessel Merrimac which had been partly burned at Gosport navy-yard in April, 1861. According to the descriptions given of her she had an armored casement, constituted by a wooden backing which was 7 inches thick and covered with two layers of wrought-iron plates each 21 inches thick, disposed horizontally and vertically one above the other. She also had a cast-iron stem or prow which projected 4 feet.

This armored casement was new to naval warfare and was a complete protection from the shot and shells of an opposing vessel. They struck its sides and fell harmless into the water.

The Monitor is described as a vessel which lay low in the water, of light draught, the top of the propeller near the water line, the propeller blades being protected by a projecting deck or stern overhang. The machinery and quarters of officers and men were below the water line and also protected by a side overhang. This side overhang, called "armor timber," consisted of armor and wood backing, bolted to the iron hull and supported by a horizontal girder placed along the side, assisted by vertical gussets of iron secured at intervals to the side by angle-irons. The wood backing was in two layers between these gussets, and the armor consisted of five 1-inch plates of iron and was bolted on outside

Such was these character of the two vessels. Neither of them did much harm to the other; but it is quite probable that with guns of equal power in all respects, the Monitor would have overcome its adversary in the end.

This contest substantially changed the character of naval warfare. Foreign nations had experimented with iron-clad ships, but this naval

Foreign nations had experimented with iron-clad ships, but this naval battle demonstrated their utility.

In 1843 our Government had contracted with Mr. Stevens, of New York, for an iron-clad vessel or battery for the defense of that harbor, This was probably the first iron-clad vessel known. In 1858 the French Government constructed some iron-clad vessels. That Government built the Warrior and the Gloire, the general characteristics of which are indicated in a table which I will print with my remarks.

Name.	Length.	Веали.	Displacement.	Draught for-	Draught aft.	Thickness of armor at water line.
Warrior	Feet. 380 252	Feet, 58 56	Tons. 9,681 5,530	Ft. in. 25 6 23 1	Ft. in. 26 5 27 10	Inches. 41 4.72

During this same period England had also built ironclads. The following table shows the characteristics of her iron-clad vessels at this

Name.	Length.	Beam,	Displacement.	Draught for-	Draught aft,	Thickness of armor at water line,
Agineourt	Fect, 400 300 280 325 280 325	Feet, 59 56 54 59 60 61	Tons. 10,395 7,540 6,034 8,700 7,323 9,492	Ft. in. 26 0 21 0 22 0 23 0 24 2 26 0	Ft. in. 27 0 26 0 23 0 26 5 24 2 26 6	Inches. 5½ 6 8 to 6 9 to 3 9 12 to 8

At the close of the war we had fourteen ironclads, which we had constructed while the war was progressing, and which for that day were efficient ships. These still form a part of our naval establishment, but they are of but little use as against modern ships. Their speed, the material with which they were built, the small-powered guns they carry, will scarcely admit of their being called war-ships when compared with the steel-armed, fast-sailing, heavy-armed ships of the navies of to-day. Counting these ships and all others, except those commenced since 1874, and we had at that time eighty-one ships belonging to our Navy which could be used for the transportation of troops, and possibly for some other purposes in connection with the defense of our coast, but which For some time prior to 1874, the Secretary of the Navy gave special

attention to the subject of repairing the vessels of the Navy.

It was believed at that time that the best policy was to repair cer-

tain vessels which the Government then owned, and use them for coast Our ironclad fleet had been useless since the war, and to utilize what there was left of it was thought to be good policy at that time.

The Navy Department proceeded to repair fourteen single-turreted monitors, and the expense was defrayed out of the appropriations for the Department. All that could be repaired, were repaired. vessels are still in service.

Under authority of the appropriation acts of 1874-'75, the Department commenced the construction of five double-turreted monitors. These were the Amphitrite, Miantonomoh, Monadnock, Puritan, and Terror.

One of them, the Miantonomoh, lacks only her ordnance to be ready for service. The others are not as far advanced in construction.

It would not be considered as good policy to commence the building of such ships to-day; but they are nearly completed, and will be use ful for coast defense or inland service.

The side armor of the Puritan amidship is 11 inches thick, her turret armor is 15 and 17 inches, and her displacement is 6,060 tons.

The Miantonomoh, Terror, Amphitrite, and Monadnock are vessels of similar type but of smaller displacement (3,815 tons) and power. Their side armor is 7 inches thick, armor on turrets 11½ to 12½ inches, and their armament consists of four 10-inch breech-loading rifles. Their speed will be from 10½ to 11 knots. The superficial area exposed (as a target) in broadside is about 820 square feet.

These ships will do very good service, and are probably as good as any of their class that would be brought against us in case of war.

In fact, England, which claims to take the lead in naval warfare, is building ships of the class of the Puritan.

The English double-turreted iron-clad vessel Conqueror, not quite completed, has been compared with the Puritan by our Navy Department and with the following result:

Comparative statement of Puritan and Conqueror (English).

	Puritan.	Conqueror.†
Displacement tons	6,060	6, 200
Length p. p. feet Extreme breadth do	280 60	270 58
Mean draughtdodo	18	23
Immersed midship sectionsquare feet	1,037	1,145
Indicated horse-powerknots	4,167	4,500
Maximum speedknots	131 514	13 650
Coal supplytons	2	000
Thickness of turret armorinches	15 and 17	12
Thickness of deck armordodo	3 and 2	21 and 11
Thickness of side armor amidshipsdo	11	12 81 11
Thickness of side armor, bowdo	10 10	81
Thickness of side armor, quarterdodo	8	11
Freeboard feet feet	2)	10
Superficial area exposed (as a target) in broadside		
(about)square feet	907	3,900

^{*} Armament, four 10j-inch B. L. R. † Armament, two 12-inch and 4,6-inch B. L. R.

The armament, armor, and speed of the Puritan are superior to those of the Conqueror, while the individual heavy guns of the latter are superior to those of the Puritan.

The Hero, a sister ship of the Conqueror, has been launched within the past six months. The Puritan is a better ship to-day than the Con-queror, for she draws less water and has better speed and more impenetrable armor, being inferior in respect to her guns, which are not as

heavy.

It is estimated that the following sums will complete these vessels,

For the Puritan For the Amphitrite. For the Monadnock, including engines For the Terror.	\$969, 232 651, 084 918, 942 638, 788
Total	3, 178, 046

The Miantonomoh is at the Brooklyn navy-yard substantially completed. She needs an appropriation of \$206,531 for ordnance, which is also provided for in this bill.

The cost of these five monitors up to the present time is as follows:

It has been twelve years since these vessels were commenced and it is time they were finished, and out of the ebbs and flows of party poli-

In 1881 the advisory board, then first appointed, considered the question of putting our Navy upon a more efficient footing. That board reported on November 7, 1881, that this Government should have a navy consisting of seventy vessels, counting thirty-two already in the service that il which could be used in certain kinds of service, and that thirty-eight them.

new vessels should be built. Congress was asked to carry out this reeommendation in part; but nothing was done until 1883, when an act was passed authorizing the construction of three steel cruisers and one dispatch boat. These were the Chicago, Boston, and Atlanta and the now well-known dispatch boat Dolphin.

This latter vessel is not designed for a fighting ship. She is now completed and is in commission. She is built entirely of steel of domestic manufacture, draws 14.25 feet of water, and has a speed of 15 knots per hour. The three cruisers are also built of steel, but none of these vessels have armor, and consequently are incapable of resisting the fire of modern guns. The material of which they are built, however, affords a certain degree of protection, and these ships will be useful and efficient in coast defense and for the destruction of the enemy's commerce. The Chicago will draw 19 feet of water, is to have a speed of 14 knots per hour, and will carry four 8-inch steel breech-loading guns, eight 6-inch and two 5-inch steel breech-loaders. The Atlanta will draw 16.10 feet of water, is to have a speed of 13 knots, and will carry two 8-inch steel breech-loading guns and six 6-inch guns. The Boston is built in all respects like the Atlanta. All three of these vessels will soon be in commission.

On March 5, 1885, Congress authorized the construction of two cruisers, On March 5, 1885, Congress authorized the construction of two cruisers, one heavily-armed, and one light gunboat. Plans for these vessels are subtantially perfected, and it is expected that they will soon be put under contract or built by the Department. These vessels, with the five monitors, the Dolphin already finished, and the Boston, Chicago, and Atlanta approaching completion, thirteen in all, form the most effective part of our present naval establishment.

The bill under consideration is an important step in the direction of adding to this small beginning, and placing the Navy of the United States on a footing of respectability commensurate with the enterprise, the power, and the grandeur of a great nation.

on a footing of respectability commensurate with the enterprise, the power, and the grandeur of a great nation.

It is a timely concession to a strong public sentiment that has at last made itself felt in the legislative body. Backed by the whole people, political parties need no longer fear to take the responsibility of appropriating money to construct ships of war.

The bill as originally reported from the committee, provided for the construction of three protected cruisers, 3,500 to 5,000 tons displacement; four first-class torpedo boats, one torpedo cruiser, and two armored vessels, 6,000 tons displacement. It also provided for the completion of the four double-turreted monitors, Puritan, Amphitrite, Monadnock, and Terror. One million dollars was appropriated toward the armament of the unfinished monitors and four vessels authorized by act of March 3, 1885, and of the vessels authorized by this bill and of by act of March 3, 1885, and of the vessels authorized by this bill and of the Miantonomoh. One hundred and twenty-five thousand dollars was appropriated to purchase torpedoes and \$250,000 to improve navy-yards; in all, \$6,425,000. This bill was the unanimous report of the Committee on Naval Affairs; but the managers of the majority of this House refused to give the committee a hearing unless the amount appropriated was reduced to \$3,500,000 and the number of ships provided for in the original bill reduced one-half. It has accordingly been cut down. It was an unwise, injudicious, and unpatriotic conclusion and a great disappointment to the country, which is anxious that we should have a respectable Navy to defend our coast and protect our commerce.

In the substitute bill the two armored cruisers have no specific appropriation, and there is no provision for the torpedo cruiser. Section 8 appropriates \$1,000,000 for armament of three vessels and of vessels authorized by act of March 3, 1885, and unfinished monitors, including the Miantonomoh.

The Secretary of the Navy is authorized to finish the monitors at an expense of \$3,178,046.

Those provisions in the bill which allow the armor and other material to be purchased abroad in certain contingencies are unnecessary and should be stricken out. We must make our own armor and our own armament.

The bill also provides for the purchase of a boat armed with the pneumatic dynamite gun, a gun which if it accomplishes the results claimed for it by its inventors and owners, and which they are willing to guar-

antee, will make a radical change in respect to armament.

This gun placed at an elevation of 10° throws a projectile of dynamite a distance of 1 mile, which, when weighing 100 pounds, strikes a blow of 6,500 pounds to the square inch, and falling within 21 feet of the largest ship now known will sink her. If the projectile weighs 200 pounds and falls within 33 feet of the ship it will produce the same result. The use of this projectile will make short work of naval engagements.

The credit of the development of this destructive weapon is due to Lieutenant Zulinski, of the United States Army.

Mr. BUTTERWORTH. As I understand this provision it simply authorizes the Secretary of the Navy in his discretion to make this con-

Mr. BUCK. That is all; and it is provided that he shall take a bond

from the inventor and owner.

Mr. BUTTERWORTH. This matter was investigated somewhat by by our committee and was favorably considered, but we thought it best that if this "board" should be appointed the matter should be left to

Mr. BUCK. The amendment proposes simply to appropriate \$350,-000 to be expended for this purpose if the Secretary of the Navy deems it proper. If this provision should become law I am inclined to think it would revolutionize the question of armament of all war vessels, for this invention is, in my judgment, altogether the most deadly projectile ever discovered. It would destroy the largest ship of war afloat by throwing a charge of 100 pounds of dynamite, which, falling within 21 feet of the vessel, would certainly sink her.

Of course the ships provided for in this bill and the others in process of building can only be considered a beginning. We should be obliged to build some larger and more powerfully armed ships, if we expect to make adequate provision for the defense of the larger cities on the coast. Many of these cities can not be defended by shore fortifications and shore batteries, however powerful. Floating batteries, torpedoes, submarine mines, and dynamite shells will in the future be great factors in the question of the proper defense of our shores. At present we have no guns, no ships, no fortifications capable of doing effective work.

We have a few fortifications scattered along our seacoast which can be battered in pieces in a few hours if it was any object to do it. They are not capable of any resistance. The United States does not own a single gun that can pierce the modern compound armor of vessels like the Lepanto, Duillio, and other vessels of their rank. Such is our Navy and such the condition of our fortifications.

Admiral Parter declares in his last

Admiral Porter declares in his last annual report that—

In considering our fortifications and naval vessels it is difficult to determine which are most behind the time. But all the forts we have at the Narrows in New York Harbor and all our present Navy could not prevent two first-class ironclads from entering the harbor and laying the city under contribution.

He could have said the same of Boston, Portland, New Orleans, and San Francisco. Our whole coast is completely at the mercy of any nation having a respectable navy. The fact is, we have no guns capable of penetrating a first-rate armored vessel of modern construction. And our fortifications and forts are in such a condition that we need some effective ships of war to protect them.

In the future this country will increase its trade with foreign counies. The trade from the South American states is naturally ours. It is the same with Mexico; and yet the great bulk of the South American and Mexican trade passes by us on the ocean and seeks other markets.

This can not continue. It is against the natural laws of commerce. More intimate relations will be cultivated between these states and our own country, and our merchants will in the future participate in the trade of these countries. Nor will the growth of our foreign commerce be confined to these sections of the world. We shall have something to sell to European and other countries. Our trade is on the increase and our exports exceeded our imports last year. The account is as follows:

Balance in our favor.....

This growing commerce necessarily involves large amounts of property, and it will often happen that our merchants will be the owners of both real and personal estate in distant countries, the outcome of business complications, or representing the capital necessary for their business

This property should be protected by our own flag. We should have a navy sufficient for this purpose, and citizens who are pursuing their avocations in foreign countries, are entitled to the same protection, both in person and property, as though they were pursuing it within our own borders. At home or abroad, on land and on sea, each citizen of the United States is entitled to the full and complete protection of its laws, and our Government is a failure if it does not furnish that protection at whatever cost.

Mr. Speaker, the interest which our Government had in the Panama Mr. Speaker, the interest which our Government had in the Panama difficulty was a property interest. It was believed that if the insurrection succeeded the United States property there would be damaged if not destroyed. Accordingly our fleet appeared on the scene and did good work in quelling the disturbance. It was, however, a fortunate thing that the fleet had no opposition. It was not attacked by any first-class modern ship of war, and so it came off safe, the expedition costing the Government about \$21,000. Just now we are needing one two first-class ships to aid diplomacy in the fishery question. We or two first-class ships to aid diplomacy in the fishery question. We construe treaties and issue our decrees and proclamations, but how can we enforce them? What power save a land expedition could force our neighbor to respect our rights in her waters.

The Dominion of Canada claims that the treaty of 1818 determines the commercial rights which our citizens have within its waters, and have recently enforced their statutes in accordance with this view. Our Government, however, claims that legislative arrangements made since 1818 having the force of treaties determine this question. They seize the vessel property of our citizens, and the question of confisca-tion is being tried in the local courts, defended by attorneys sent there and paid by the United States Government.

Attorneys are all very well, but one first-rate steel-armored ship with

armament of modern make and efficiency, cruising in northern waters |

would be a powerful help in bringing about a mutual understanding, especially if backed by a fleet of steel armored ships at home.

In case of war we need fast-sailing and powerful ships to patrol the sea and destroy the commerce of the enemy, as well as to visit his own harbors and seacoast, and by engaging him at home cripple his power of offensive warfare on our own coast, and compel him to use his resources in self-defense.

The defense and protection of our citizens when engaged in commerce with foreign countries, is but a small part of what a navy is needed for.

The property along our coast is inadequately protected. The cities and border towns, and all vessels engaged in the coast and river trade, comprise wealth almost untold, and are the sources of large revenues to the Government.

These have substantially no protection from a hostile fleet. No duty of the Government could be plainer than that of defending the property

of its own citizens on its own soil.

The shelling of New York, Baltimore, New Orleans, Boston, or San Francisco would be a calamity to the whole country. From these cities the lines of commerce and trade reach to every portion of the inland country, and any damage to them would be felt in every part of our

Mr. Speaker, I believe there is no division of opinion on this subject in any part of the country. The gentleman from Ohio [Mr. BUTTER-world], broad-minded and broad-shouldered as he is, in his speech a few days ago on the floor of this House, on the subject of fortifying our coast, placed the argument on the proper ground, and bore a grateful message to those living on the seacoast, and who have sometimes thought that the inland States failed to fully appreciate the danger to which we are exposed in case of war with foreign countries

The power of modern guns and their range are constantly being improved. England, including those in service and those now building, has twelve ships which carry thirty-eight of the heaviest high-power guns, with a range of over 10 miles. France already has five ships carrying sixteen guns with equal power and range, and has in process of construction twelve more, carrying twenty-five guns of the same range. Other nations have guns which are the equals of any of these in power and range, making in all forty-three war ships, carrying one hundred and seventeen guns, all available against us in case of war. Sixteen of these ships draw less than 26 feet of water, and consequently can enter the harbors of New York and Boston. Of course they can also enter the harbors of Portland, Narragansett Bay, Long Island Sound, New London, San Francisco, and some other ports.

While there are few, if any, ships now affoat which could endure the strain produced by firing the heaviest high-powered gun placed at an elevation necessary for the range of 10 miles, they can be constructed with sufficient strength for that range, and probably will be in the near

Experiments have shown that armored vessels as at present constructed are unable to endure the effect of the heaviest guns, when mounted in forts, within a distance of 2 miles. It follows from these facts that any harbor would be defended by the construction of forts and shore bat-

teries at a distance of 8 miles from the place to be defended.

Of course floating batteries could be built that would answer the same purpose as shore batteries, or guns mounted inside of fortifications. purpose as gnore batteries, or gains mounted inside of fortifications. These could also be aided by torpedoes, submarine mines, and vessels of the type of Ericsson's Destroyer, a submarine craft carrying a heavy submarine gun for the discharge of a projectile torpedo. With these facts in mind, by an examination of the characteristics of different ports, we can readily see to what danger we are exposed.

Portland Harbor, with a depth of water of 21 feet and the mean rise and fall of the tide being 8 feet 9 inches, could be approached by an enemy's fleet within 6 miles and yet be 2 miles from any fort that could be built near the entrance.

be built near the entrance.

Boston, 21 feet 9.4 inches, could be approached within 61 miles of the State-house, although heavy guns were mounted at the east point of Nahant, and on the outer islands of the harbor. They could get into Broad Sound. This would be a little more than 2 miles from these heavy guns on the points named.

Newport inner harbor, 19 feet 3.9 inches, would be within shelling distance from deep water.

distance from deep water.

New York, 23 feet 4.8 inches, outer defenses on Sandy Hook, Dry Romeo, and Coney Island. Brooklyn could be shelled even with proper defenses at the above points. The soundings off Coney Island indicate that some of the largest ships in the world from this point could shell the lower part of New York, or place that city under contribution.

Philadelphia (20 feet 6 inches), Washington, D. C. (19 feet 1.4 inches to Greenleaf Point), Baltimore (24 feet 1 inch), Savannah (9 feet 7 inches, southwest part of the river), can all easily be defended at no very great expense, but they have no defense at present.

New Orleans, at head of passes, 26 feet .6 inch: The bed of the entrance is constantly changing and the nature of the ground is such on the shore that forts would be impracticable. It is not now defended at all, and is incanable of defense except by mines, torpedoes, floating bat-

all, and is incapable of defense except by mines, torpedoes, floating bat-

teries, and ships of war. San Francisco, 33 feet 3.6 inches: This harbor has great depth of water with a strong current. The city is within range of heavy guns

for some distance on the shore. It can only be defended by floating batteries and ships of war on account of the depth of water.

These are only the leading harbors on our coast.

Long Island Sound can be occupied by the navies of the world. With deep waters and safe anchorage it invites the presence of a hostile fleet. New Haven and Bridgeport and all the rich towns that are situated on the coast of Connecticut are within shelling distance of deep water, and could be destroyed by a hostile fleet, while one of the main approaches to the city of New York from the sea would be cut off if this body of water were occupied by an enemy. Daniel Webster once said of this body of water that it was such a busy place of commerce the Govern-

nent should keep it lit up like a ball-room.

New London, 21 feet 2.5 inches (inner harbor): The outer harbor has about 30 feet on the barat mean low water. This would admit the largest ship. Long Island Sound is indefensible by shore batteries or forts. Floating batteries and large ships only can afford adequate protection.

Chesapeake Bay, with its numerous commercial connections, is also incapable of shore defense. The defense of this important section of the country must be by floating batteries and ships, torpedo boats, &c.

Narragausett Bay is in similar condition.

For the defenses of Long Island Sound, Hampton Roads, Mississippi River, and San Francisco, the board on fortifications or other defenses have recommended three different types of vessels.

The first, of "7,000 tons displacement, and carrying two 16-inch guns in a turret and one 10-inch gun in barbette." "The hull is protected by a belt of steel armor 18 inches thick and 175 feet long, with a backing of 6 inches of wood and an inner plating of 2 inches of steel."

The second, having a displacement of "6,500 tobs, mounting two 14-

inch guns in a turret and two 10-inch guns in barbette, and protected

by 16 inches of steel armor for a length of 160 feet."

"The third type has a displacement of 4,000 tons, mounting two 12inch guns in a turret and two 10-inch in barbette, on a draught of 14 feet 6 inches. This type is protected by side armor 12 inches thick extending for 132 feet of her length."

Cost of vessels for the defense of Long Island Sound, Hampton Roads, Mississippi passes, and San Francisco.

	v	esse	ls.		Gu	ns.	sach		
Posts.	First type.	Second type.	Third type.	16-inch.	14-inch.	I2-inch.	10-inch.	Total cost port.	
Long Island Sound	2	2 23	2 2	4	4 4	4	8 8 2 6	\$11,550,000 11,550,000 8,150,000 10,725,000	
Total	2	7	4	4	14	8	24	41, 975, 000	

This plan of defense involves a large expense, and it is a serious question whether adequate defense could not be obtained for these localities

The first care of the Government should be to prepare for attack, New York, Boston, Baltimore, New Orleans, and San Francisco.

The custom of modern warfare is to levy contributions and stipulate

for indemnity to defray the expenses of the victorious army or fleet. Of course every one knows that all along our coast are to be found cities rich in manufactures and commerce, of vast banking and commercial capital, and containing beautiful and costly buildings

It is, however, an indisputable assertion that within three weeks from a declaration of war against us by either England, France, Italy, or Spain, the cities of Boston, New York, Baltimore, New London, and Portland could be put under contribution or else suffer bombardment.

It is, of course, impossible to get at the value of the property that would be exposed in case of war.

The report which accompanies this bill gives a statement taken from paper by Lieutenant Griffin, of the Army, of property on our coast which would be within reach of an enemy's guns in case of war. The statement is as follows:

Portland	\$33,000,000
Boston	471,000,000
New York	1, 855, 000, 000
Jersey City	113,000,000
Philadelphia	789, 000, 000
Baltimore	219, 000, 000
New Orleans	176, 000, 000
San Francisco	180,000,000

This list omits all mention of Wilmington, Charleston, Savannah, Jacksonville, Mobile, and in fact of the entire Texas and Pacific coast, except San Francisco. It also omits the cities of Newport, Providence, and places on Narragansett Bay, as well as New London, New Haven, and Bridgeport, and other towns on the shore of Connecticut.

In addition to the property on the land, our people have a large amount of property invested in vessels engaged in the coast and river trade, not including vessels used entirely on inland waters. This property would be swept from the ocean in ninety days after war was declared against us by any respectable naval power.

Notwithstanding the general impression that our merchant marine of little value, and notwithsfanding the fact that it is not as large as it should be, it still commands a large amount of capital and is doing a vast business

The total number of sailing vessels is 14,489, with a tonnage of 1,918,067.13, and we have 2,693 steam-vessels with a tonnage of 755,-752.84; besides these, we have 256 canal-boats, 940 barges, and many

Most of these vessels are engaged either in the coast trade or are on rivers having a navigable outlet, and in case of war would be exposed to destruction by a hostile fleet.

These vessels, in case of war, must all disappear from our coast at

once, for we can not protect them.

It is a great mistake to suppose that many of the best war ships owned by foreign countries can not enter our ports. A somewhat vague impression exists that owing to our shallow ports no vessel of any considerable size and power could enter them. This is true of some of them, but a large majority of the war fleets of other nations can enter any of our ports, and many of the best ships that float, carrying the most powerful guns, can come into New York and Boston Harbors, most powerful guns, can come into New York and Doston Harbors, and nearly all of them can easily come into the harbors of Portland, Narragansett Bay, New London, Long Island Sound, Hampton Roads, and San Francisco. With the permission of the House I will print in the RECORD a table taken from figures and statements from official sources and found in the report of the Endicott board, including soundings made by our Government, showing what vessels owned by leading nations can enter our principal ports.

Table showing number of vessels owned by leading nations which can enter ports of the United States, the number of guns they carry, draught of water, &c.

			England, France. Italy.						Russi	n.	Germany,					
Ports.	Draught of ships which can enter.	Number of ships.	Guns which will penetrate 12 to 20 inches.	Guns which will penetrate 20 to 33 inches.	Number of ships.	Guns which will penetrate 12 to 20 inchesa	Guns which will penetrate 20 to 33 inches.	Number of ships.	Guns which will penetrate 12 to 20 inches.	Guns which will penetrate 20 to 33 inches.	Number of ships.	Guns which will penetrate 12 to 20 inches.	Guns which will penetrate 20 to 23 inches.	Number of ships.	Guns which will penetrate 12 to 20 inches.	Guns which will penetrate 20 to 33 inches.
Portland Narragansett Bay Hampton Roads San Francisco	do	97 15	589	50	51 16	235	44	18 9	116	36		56			65	
Boston	Less than 26 feet	72 2	348	4	28 7	82	15			**********		56			65	
Baltimore		69	316		26	74			14						49	
PhiladelphiaNorfolk	Less than 23 feet	61	259	a	1000	82		7	14		18	26		18	41	*********
Pensacola		51	165		11	14		7	14		18	26		18	41	**********
Washington		43		***********		14		240	14	***********		26			41	

of penetrating from 12 to 20 inches of wrought iron, and 2 ships carrying 4 guns which can penetrate from 20 to 33 inches, all of which can | ships in the world.

It will be seen that England has 72 ships carrying 348 guns capable | enter the harbors of New York and Boston so far as depth of water is concerned. These two ships owned by England are among the best war

Our Government, however, is the owner of no vessel which could offer any obstruction to any one of these vessels.

France has 7 ships of the best type carrying 18 guns which can penetrate from 20 to 33 inches, all of which can enter these two great harbors of our country.

It is unnecessary to state further details. I need only to say here that, according to the report of the Committee on Ordnance and War Ships, there are 198 ships of war owned by foreign countries which are available for hostile demonstrations on our coast, with 42 more in process of construction, making a total of 240.

We can not expect to cope with England, in the present generation at least, as a naval power, but we can at least build a navy capable, in connection with forts, torpedoes, and shore batteries, of defending the most important points on our seaboard.

The only point where we could start on an equal footing with the mother country is on the great lakes between this country and Canada. But unfortunately we made a treaty with England in 1817 by which we are prohibited from building or maintaining a navy on any of these

This treaty, which was proclaimed April 28, 1818, provided that the

naval force on those waters should be reduced as follows: On Lake Ontario, to one vessel not exceeding 100 tons burden and armed with one 18-pound cannon.

On the upper lakes, to two vessels not exceeding like burden each and armed with like force.

All other armed vessels on these lakes shall be forwith dismantled and no other vessels of war shall be there built or armed. Such has been the improvement in war vessels and their armament

since this treaty was made, that these provisions and stipulations amount to an absolute prohibition of the building and maintenance of any respectable naval ship or force on these inland waters.

Judging from the past, we may reasonably expect that our country will not be an exception to other nations in settling disputes by a resort to arms. The history of our country shows that we have had our full share of war. We have been engaged in wars with foreign countries and within our own territorial limits. Besides the war of the rebellion, we have had numerous cases of calls by States on the Government for military aid in suppressing riots and unlawful assemblies, too powerful for the State authorities to cope with. We have on our pension-rolls 345,125 pensioners, calling for an expenditure of \$64,933,-288.12 last year.

The day of universal peace, when men will learn no more war, may come, but there is very little indication of it now.

As we have already shown, the late civil war developed a new class

of war ships. It tested some of the new ideas that existed in the minds of mechanics and inventors on this subject, and it turned the efforts of all nations into new channels in reference to ship-building. tions were not slow to appreciate the lessons taught by that contest. Our own country stands alone in not making use of the experience which cost us so much. We demonstrated the utility of iron ships, built fourteen ironclads, and then, the war being over, stopped all work in that direction while other nations took up the subject where we had left it, developed our discoveries, and perfected our inventions. It has been said that by waiting we have profited by the experiments of others. In some respects this may be true, but iron-clad ships built by us during the war, have been copied by England and other nations for twenty years, and although the thickness of the armor has been increased and steel has been partially substituted for iron, still the class of ships known as monitors, and constructed substantially on the same plan as our own, are still considered as the best war ship afloat, and England

is building thirteen of them the present year.

However much we may have profited by this policy of waiting for others to make experiments for us, it is clear that we can now with safety venture to build ships both for defensive and offensive warfare.

It is not probable that war ships will ever be built of any better material than steel, or that they will carry guns very much more powerful

in range or penetration than they now carry.

Steam has taken the place of sailing power, but sailing apparatus is still retained in connection with steam power as being less expensive, especially in time of peace. Wooden vessels have been superseded by those constructed of iron, and iron as material for construction is being set aside for steel.

Steel armor is taking the place of iron, but wrought-iron armor is still used, and has been found very effective in resisting some of the most

powerful guns.

powerful gans.

We should at least make a beginning, and we should begin at that point of perfection already reached by other nations, both in respect to gans and ships. We do not need to wait longer for experiments to be made for us. We can enter upon the work of building and experimenting for ourselves. Our mechanics are as skillful and our material as good as any in the world. We are not too poor to defray the expense of the preparation for war; and while we are a nation of peace, and are encaged in the pursuits of peace, experience teaches us, as it has taught all gaged in the pursuits of peace, experience teaches us, as it has taught all other nations, that mankind will resort to war and bloodshed for the settlement of disputes which the arbitrament of peace should determine the settlement of the settleme mine, and that military conflicts with and without cause are still to be expected and provided for.

Interstate Commerce.

SPEECH

HON. JOSEPH G. CANNON.

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 21, 1886,

On the bill (S, 1532) to regulate commerce.

Mr. CANNON said:

Mr. SPEAKER: I only have time to say a word touching this bill.
On the 12th day of May last what is known as the Cullom interstatecommerce bill passed the Senate and it has been pending in this House
since that time. I believe it is a wise bill. It was fully discussed in the Senate. The gentleman from Texas [Mr. REAGAN] with the Democratic majority have allowed eight months of this session to pass without considering and passing any bill upon this subject, and now, just as Congress is ready to adjourn, not intending to secure legislation upon this subject, bring forward what is known as the Reagan bill and seek to rush it through under the spur of the previous question without debate and without amendment and consideration. The object is to enable them to make a poor excuse to the people for not at an early day in the session intelligently considering and passing a wise bill.

I believe the Reagan bill if enacted into law would not give the re-

quired relief, and fear it would work absolute harm to the producers and consumers of the country. This House has refused to accept the Cullom bill, and has substituted against my vote the Reagan bill for it. It is an open secret that the Democratic majority of this House will not accept the Cullom bill. They seem determined to have the Reagan accept the Cullom bill. They seem determined to have the Reagan bill or nothing. However, there may be a bare chance in a conference with the Senate that some bill with apt and wise provisions may be agreed upon, and for the purpose of taking the chances of such agreement I vote for the Reagan bill so as to get both bills in conference between the House and Senate. I shall be agreeably surprised if the other side of the House shall do one wise thing before this Congress adjourns in agreeing to an apt bill upon this subject.

Local Railways in the Indian Territory.

SPEECH

HON. JAMES BUCHANAN,

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

June 16, 1886.

On the bill (8.1486) to authorize the Denison and Washita Valley Railway Company to construct and operate a railway through the Indian Territory, and for other purposes.

Mr. BUCHANAN said:

Mr. SPEAKER: This bill ought not, in my judgment, to become a

law, at least without serious amendment.

It proposes to authorize the construction of a railroad from a point on the Red River, near Denison, Tex., through the southeastern portion of the Indian Territory about 65 miles in length, to a point on the proposed Saint Louis and San Francisco Railroad. It is one of a series of bills pre-sented to this Congress the passage of which will cut the Indian Terrisented to this Congress the passage of which will cut the Indian Territory in every direction. A partial list of these bills comprises the Kansas City, Fort Scott and Gulf Railway, the Chicago, Kansas City and Nebraska, the Kansas and Arkansas Valley, the Saint Louis and San Francisco, the Fort Worth and Denver City, the Saint Louis, Baxter Springs and Mexican, the Southern Kansas, the Pacific and Great Eastern, the Wichita and Arkansas Valley, the Denison and Washita, the Rogers, Siloam and Muscogee, the Saint Joseph, Kansas City and Arkansas, and the Winfield and Fort Smith. These bills show that in spite of solomy treaty obligations in violation of the plainest principles of instalment. solemn treaty obligations, in violation of the plainest principles of justice and fair dealing, greedy corporations are seeking to overrun this Territory. If more were needed to demonstrate the readiness of the whites to take possession of this country the numerous bills introduced

whites to take possession of this country the introduced here and in the Senate looking toward the overthrow of the power of the Indian legislatures in that Territory would be confirmatory proof.

Some of these bills are: A bill conferring civil jurisdiction on the United States courts; a bill to authorize the execution of civil process; a bill establishing United States courts therein (seven bills); a bill to open to homestead settlement certain portions thereof; a bill to estab-

lish Territorial government for said Territory.

In favor of the passage of bills of the character of the one under consideration it has been urged that the Territory should not lie in the path of progress; that great through lines connecting great sections of the country with their large and important interests should not be hindered.

However much force may lie in this argument, it can not be applicable to this bill. It is no through line. It connects with a road not yet built, and which when built will of itself furnish a through line. House Report No. 769, first session Forty-eighth Congress, adopted by the Committee on Indian Affairs of the present Congress, speaking of the road authorized by this bill, says:

That the road sought to be built will secure to Texas an independent and competing outlet for its rapidly increasing commerce. It is about 65 miles in length, and will connect the Saint Louis and San Francisco Railway with the three lines of road in Texas now having their northern termini at Denison—

Naming those roads. But this outlet will be secured by the Saint Louis and San Francisco road, and this connection can be secured by way of Paris and Dallas by building a road entirely in the State of Texas, and no greater in length and no more expensive to build than

the road sought by this bill.

The true reason for this bill is found, I am confident, in another part of that report which says:

It passes through a portion of the Indian Territory in which there are large deposits of excellent coal that is much needed by the people of Northern Texas, who are now paying more than double the price at which coal can be profitably laid down at their doors as soon as this road is constructed.

That the timber along its line, now valueless, is and will be much needed by the country seeking to reach it by means of this road.

Texas wants this coal and this timber. There is no timber there to spare. Recent personal observation enables me to say that the portion of Texas affected by this bill is as well, if not better, supplied with timber as is this portion of the Indian Territory. If Texas wants timber, let her use her own, and not seek to despoil her neighbors, even though those neighbors happen to be Indians. Having objected on Saturday, June 12, to the consideration of this bill, I was favored June 13 with the following telegram:

DENISON, TEX., June 13, 1856.

In the name of thirteen thousand citizens of Denison we beg you not to deay the passage of the Denison and Washita Valley bill. The company is ready to commence work, and it will give immediate employment to thousands of idle men here who are suffering for work. Its passage is of vital importance to this

P. O'DONNELL,
B. N. CARTER,
H. TONE,
J. A. TUPER,
J. D. YADCUM,
G. G. RANDELL,
TOBIAS PORTER,
W. B. BOOS,
Councilmen.
EAM'L HANNA,
Mayor.

Hon. J. Buchanan, House of Representatives, Washington, D. C.

I have the pleasure of a personal acquaintance with a number of these gentlemen, and know them to be among the most respected business men of the citizens of Denison. I have visited them at their places of business, and know their standing. It will be noticed that they say nothing about the interests of the Indians. They urge solely the interests of their own section. As truthful men, they could do no more; as honorable men, they have done no more. Much as I admire the business enterprise and sagacity which has in so short a time built up their thriving and enterprising city, I can not forget that Indian treaty obligations set apart this Territory for the use and occupation of the Indians, not of the inhabitants of Texas. This bill is for a local purpose. Local interests are behind it, and will receive the

But even if the construction of the road were justifiable, the details of this bill are in many respects improper and should be amended. The bill grants a right of way 100 feet in width for a road-bed, with an ad-ditional width of 100 feet on each side, 300 feet in all, at "cuts" and "fills." It also grants an additional strip 200 feet in width by 3,000 feet in length for station purposes every 10 miles along the road. This additional strip the company can use for railroad purposes only, but the bill authorizes the company to locate thereon their "officers, servants, and employés." Under this provision the company may fill this strip with buildings and dwellings, and effectually cut off the Indian inhabitants of the Territory—the owners of this land—from occupancy of any but the back streets. It would seem but simple justice to put some limitation upon this provision.

The provisions for the condemnation of, and compensation for, the lands to be taken are justly subject to criticism. The title to these lands is in the Indian tribes, each tribe holding collectively the title to the portion occupied by such tribe, and each individual being allowed to own his improvements, with privilege of sale and transmission by inheritance. I will not stop to inquire as to the nature of the Indian title further than this. The question whether the fee-simple reverts to the Government or has passed by treaty to the tribes need not concern us here. The use—the permanent use—was, all agree, granted by treaty to the tribes.

The provision for condemnation of, and compensation for, improvements made by the Indian farmers is peculiar.

The commissioners to appraise these damages are to be three in numone to be appointed by the President of the United States, one by the chief of the tribe, and one by the company. Is that just? Is that fair? Who will be the more likely to reach the President with suggestions as to names, the influential corporation or the obscure and poor Indian farmer? The question answers itself. The third commissioner is to be appointed by the company. In other words, the party direct in interest is to select one-third the jury. If this privilege is accorded to the company, why is it not given to the claimant also? Why taken from him and given to the chief of his tribe? If he desire the services of his chief in the selection nothing now prevents his calling upon such chief.

Why compel him to submit to such selection; even chiefs are not beyond suspicion. Either give both parties this privilege or deny it to each. In case the decision is not satisfactory, either party may appeal to the United States court sitting either at Fort Smith, Ark., or at Dallas, Tex. This provision will work hardly on the claimants. These courts are held a long distance away, and the expenses of an appeal will be heavy. The claimant will be compelled to pay heavy transportation charges for himself and witnesses, to pay lawyers' fees, and endure the expense attendant upon a protracted trial, fought with all the pertinacity and annoyances which the counsel of corporations know so well how to employ. He must also face a jury of white men with all the antipathy to his race held by the settler on the frontier. He may get justice, but the conditions will all be against him.

For the use of the land itself—and as this is a permanent use it is equivalent to the grant of the land itself—the company is to pay the munificent sum of \$50 per mile and the further annual payment of \$15 per mile per year, or a total price of \$3,250 for a strip of land of the per mile per year, or a total price of \$5,200 for a strip of land of the widths named and 65 miles in length, and charged with the annual payment of \$975. These amounts are to be paid to the Secretary of the Interior, who is to apportion them among the several tribes. These amounts are ridiculously small. In case any tribe is dissatisfied with this such tribe may have the value of the land determined in the same manner provided for the determination of the value of improvements, with the same objectionable machinery and methods.

The bill contains no provision for fencing the line. word "fences" is used in the bill, but in such a blundering way as to leave the company without obligation to fence save at road crossings. There should be a provision clearly and definitely requiring the company to fence their whole line. The Indians in this portion of the Territory are civilized and engaged in farming. They have herds of cattle which graze upon the rich pastures of the prairies and river bottoms.

In May last, while in the Creek Nation, noticing that but few of the Indian farmers were located near the line of the railroad, I asked the chief of that nation, Mr. Perryman, a well-educated and very intelligent gentleman, the reason for this. He informed me that the cars had killed so many of their cattle that they were compelled to move back away from the line of the road. By the way, it may be well to say right here that the Indians in the Territory are civilized. They have their churches and schools, their chiefs, legislatures, judges, and other officers; and person and property are as safe there, save from white ruffians and desperadoes, as anywhere else in this country.

There should be in this bill effective means to secure to these Indian farmers recovery of damages for cattle killed on the road or for destruction of grass, hay, or other crops, timber, or bulidings by fire from the locomotives. In each such case, without such provision, the claimant must go out of the Territory to a strange court, before a jury of a strange people, at great expense and trouble, to secure his

Another question arises as to the power of Congress to grant the rights conferred by this bill without the consent of the Indian nations occupying that portion of the Indian Territory through which the proposed road will pass. This question has as yet received no considera-tion whatever at our hands. The right has been taken for granted. In this connection the following words from a protest against the passage of some other bills authorizing the construction of railways through the Territory, which protest is signed by the representatives of the Choctaw and Chickasaw Nations, would seem to be worthy of thought:

Although it is clear that the right of eminent domain over the Indian Territory is vested in the United States, and that this right is incapable of alienation while the Territory remains subject to the jurisdiction of the United States, it is, at the same time, certain that in the tranty of April 28, 1986, the United States gave their implied promise not to exercise that right any further for the benefit of railway corporations. Only in a case where great and urgent public interests require a line of railway between given points through the Indian Territory can the United States be justified in exercising the right of eminent domain in favor of a railway corporation, even in the absence of this implied promise of the treaty of 1866.

I suppose there is no hope of preventing the passage of this bill. The white man's greed seems to stop at no treaty stipulation or honorable restraint. The "wants of commerce" is the ever-ready excuse for fresh spoliations, and at the present rate the day is not far distant when this Territory, solemnly set apart by treaty for homes for these people, will be cut in every direction by railroads built, not in the interests of commerce but in the interests of greedy and soulless corporations, seeking not to carry simply a commerce across the Territory from border to border but to seize upon and appropriate the

natural resources of that Territory.

Whatever may be said as to the policy of allowing lines for through traffic there ought to be no question about restricting these grants to such and I desire to put on record my protest, not only against this particular bill, but against that whole class of similar bills not yet acted upon but ready to be brought forward at any time, and to demonstrate by such protest that there is at least one who believes that there are some rights possessed by these nations which even the American Congress is bound to respect.

Hennepin Canal.

SPEECH

HON. THOMAS J. HENDERSON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES.

Tuesday, July 20, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the amendments of the Senate to the bill (H. It. 7480) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes—

Mr. HENDERSON, of Illinois, said:

Mr. CHAIRMAN: This amendment provides, first, for the acceptance of the Illinois and Michigan Canal by the United States from the State of Illinois, and, secondly, for the construction of a canal from the Illinois River at or near Hennepin to the Mississippi River, at or near Rock Island, so as to give a continuous line of water transportation from the head of navigation on the Mississippi River to the Atlantic seaboard at the city of New York. This simple statement, it occurs to me, should in itself commend the provisions of this amendment to the careful, candid consideration of every member of the House.

A single glance at the map of the United States would, in my opinion, do more to commend the construction of the so-called Hennepin Canal to the favorable consideration of members of the House than any

words I can utter.

This short line of canal, as will be seen by reference to the map, will connect six or seven hundred miles of the navigable waters of the Upper Mississippi River with the lake system of navigation, and then by the Erie Canal and the Hudson River with the Atlantic seaboard at New York; and if water transportation is of any value I appeal to the honest judgment of every member of this House to know if this is not an important measure, and yet it has been characterized as a mere scheme,

an impudent job, a raid on the United States Treasury.

Is there no merit in a proposition to bring the city of New York, the great commercial metropolis of the country, into closer connection with the great grain-growing States, lying west and south of the lakes, by a cheap line of water transportation? It seems to me there is, and I con-fess I have been greatly surprised at some of the criticisms upon this measure which have appeared in some newspapers published in parts of the country deeply interested, in my judgment, in its success. For whether I am right or wrong I firmly believe that a more perfect connection between the lakes of the North and the Mississippi River such as is proposed by the amendment under consideration is in the interest of the great and rapidly growing commerce of the country. There is, in my judgment, no internal improvement proposed anywhere in the United States of greater national importance, unless it may be the improvement of the Mississippi River, of which this canal, if constructed, will form a most important part.

And now, Mr. Chairman, as to the acceptance of the Illinois and Michigan Canal by the United States, I desire to say a few words before

proceeding to a general discussion of the amendment.

The Illinois and Michigan Canal was built by the State of Illinois. But the United States granted to the State by acts of Congress lands to aid in such construction with the following proviso:

That the said canal when completed shall be and forever remain a public highway for the use of the Government of the United States, free from any toll or other charge whatever.

This grant of land by the United States, and the acceptance of the same by the State of Illinois, undoubtedly created a legal obligation on the part of the State to forever maintain the canal and keep it open as a public highway or water way for the purposes expressed in the acts of Congress referred to. Now, why should the United States accept this canal from the State of Illinois? Is it because it has become a burden to the State? Not at all, for it has never been a burden to the State. It has never cost the State of Illinois a single dollar to maintain this canal.

The tolls, although kept low in the interest of the people, have not only been sufficient to maintain the canal and pay the expenses of op-

erating it, but about two millions and a half of dollars have been paid into the treasury of the State from them, some seven or eight hundred thousand dollars of which have been expended in the improvement of the Illinois River, and which the General Government itself should have expended. And all this has been done notwithstanding a railroad runs along the entire line of the canal and has done so since 1853, and which conforms its own freight charges to the charges made on the canal during the season of navigation. And every one acquainted with the facts knows that the freight charges on this road are less where it is compelled to compete with the canal than they are on other sections of the road. And so do those know who are familiar with the subject that other roads, affected more or less by the cheaper transportation on the canal, are compelled to make lower rates on such parts of their respective roads as come under the influence of such cheaper canal transportation.

No, Mr. Chairman, the Illinois and Michigan Canal has never been a burden to the State of Illinois, and it is not now a burden. On the contrary, with its completion it brought prosperity to the State, and from that hour to the present time it has been a benefit and a blessing to the State. It has helped to build up the most wealthy and prosperous counties of the State which lie along its borders; and I think, I know what I say to be true, that it would come near creating a revolution in these counties if an attempt should be made to abandon this canal. And it makes no difference whether the tonnage has been large or small so long as the canal is maintained and ready to carry freights. These people know the benefits it secures to them in giving to them

cheaper transport.

Mr. Chairman, I firmly believe that the best and surest check which the people of this country can have upon the greed of mammoth railroad corporations will be found in the improvement of our natural water ways, and in the construction of such artificial ones as will improve and make our natural water systems, by useful connections, more valuable to the commerce of the country and the people. And these water ways, whether natural or artificial, should be under the control of the United States, and not that of any State or corporation, and should be absolutely free to the commerce of the country. Of course I speak of great and important water routes of transportation, which

are absolutely national or interstate in character.

Mr. Chairman, our fathers intended our commerce between the States They conferred upon Congress the power to regulate commerce with foreign nations and among the States. They denied to the States the right to lay any imposts or duties on imports or exports, except such as were absolutely necessary for executing their inspection laws, without the consent of Congress; and so without the consent of Congress they denied to the States the right to lay any duty on tonnage, but conferred upon Congress the right alone to lay and collect duties, imposts, and excises. For what purpose, Mr. Chairman? Let the provision of the Constitution conferring this power answer. It says: "To pay the debts and provide for the common defense and general welfare of the United States.

Congress, therefore, has the exclusive power to regulate commerce among the States and with foreign nations, and the exclusive power to lay and collect duties, imposts, and excises, or, in other words, the power to raise revenue from commerce by levying duties on imports; and therefore it seems most reasonable that Congress or the General Government should assume the burden and expense of supplying all necessary and proper facilities for promoting and benefiting the commerce of the country. And surely there is nothing in which commerce is more deeply interested than in cheap transportation.

Why should the State of Illinois or any other State have the power to impose burdens upon the commerce of the country? Certainly no good reason occurs to me why any State should have that power, nor is there any good reason why any one State should be called upon or required to construct and maintain a free water way when so many other States, if not the entire country, are equally interested; and especially when the General Government is expending large sums of money in improving and maintaining free water routes by the construction of locks and dams in some States, it is unjust to other States to require them, at their own expense, to construct, improve, and maintain free water routes which are national in their character and of importance to the interstate as well as foreign commerce of the country.

Benefits as well as burdens in the administration of the Government

should be as equally distributed as possible.

I have said, Mr. Chairman, that the Illinois and Michigan Canal has not been, and is not now, a burden to the State. And those who say it is, and that the State therefore desires to turn it over to the United States, are either misinformed or intentionally misrepresent the fact. If it was burdensome to the State it would be a good reason why the General Government should relieve the State from the maintenance of the care of the Grand for the Gra the canal, for the General Government encouraged the State to build the canal by a grant of lands for that purpose, and imposed upon the State a condition that the canal should be and forever remain a public highway for the use of the Government of the United States. But the canal has maintained itself since its completion, and has with low tolls paid some two or three millions of dollars into the State treasury.

A few years since an effort was made by the railroads to drive the canal into disuse. They put down their freights so low that there was

a heavy falling off in the receipts of the canal; and the people, seeing the danger, held a large meeting at Ottawa, Ill., and the Legislature of the State was appealed to, and a contingent appropriation made to maintain the canal. But not a dollar of the contingent appropriation was ever expended, or needed, and last July it was allowed by the canal commissioners to lapse into the treasury of the State. It seemed to make a difference in the receipts of the canal when it was found the to make a difference in the receipts of the canal when it was found the State would maintain it.

The following statements, made by an intelligent gentleman of La Salle, Ill., some three or four years since, in the Chicago Herald, shows the facts so well as to the Illinois and Michigan Canal that I ask to read them and make them a part of my remarks. The writer says:

The Illinois and Michigan Canal is a good thing. Chicago thinks so for sanitary reasons mainly, no doubt; but aside from this it serves the original purpose of its creation, and that better than most people suppose. The idea largely prevails that traffic on the canal is dwindling into insignificance. But it is not. Traffic upon it has steadily increased from the start, and is still increasing, despite all efforts to divert trade from it by means of railroad discriminations against it and legislative lobbying for measures intended to bring about its final dissolution at the earliest possible date. The following facts and figures will prove justifying to those who have long been mourning its supposed decline:

final dissolution at the earliest possion date. The intowing mess and agares will prove justifying to those who have long been mourning its supposed decline:

First opened for navigation in 1848, the tolls that year aggregated \$9,000. Six years later they aggregated \$198,000. Later they fluctuated considerably, going up to \$255,000 in 1862, and again down to \$157,000 in 1864. In 1865 an increased tonnage, coupled with an increase in rates of toll, brought the receipts suddenly up to \$301,810, and the following year, 1856, the tolls were the largest ever received—\$202,598, the through tonnage of that year being 746,815, and the number of boats running 230. The rates of toll since then having been reduced at various times, the aggregate receipts have generally declined, though the tonnage has as generally increased.

In 1873 the tonnage was \$50,000. In 1878 it dropped to 600,000, but since then has increased; and in 1882 the largest tonnage in the whole history of the canal is reported, 1,011,287. It is claimed, however, that the tonnage this year will exceed that of last year, though the senson is not yet closed. The tolls for 1882 were only \$85,947, or about \$3,000 less than the first year the canal was opened. A cash showing, which is prima facie evidence, certainly does not indicate any great amount of canal prosperity. The tonnage, however, furnishes the true key to the situation and clinches the argument in favor of the prosperity of the canal. The rates are arbitrary and kept at a figure adequate for maintenance solely.

canal. The rates are arbitrary and kept at a figure adequate for maintenance solely.

A little analysis, &c., right here will not be out of place. In 1866 the tell rates per ton per mile averaged almost exactly 400 per cent, higher than they are now or were in 1882. Since 1866 the number of boats running has regularly declined from 230 to 132 in 1832; and of this latter number 23 are steam canal-boats and 7 tugs. In 1864, the year of maximum tolls and number of boats, the clearances were 4,685 and the number of miles run 406,784. In 1882, the year of maximum tonnage, as far as reported, the clearances were 4,635 and the number of miles run 335,710. Bringing the figures of the above two periods a little nearer side by side for the sake of comparison, it appears that in 1866 it took 230 boats, making 5,438 clearances and 406,784 miles, to transport 746,815 tons, and in 1882 it took 125 boats and 7 tugs, making 4,035 clearances (including those at Henry and Copperas Creek) and 315,710 miles, to transport 1,011,287 tons.

In other words, a boat now carries nearly two and a half times as much freight as it did in 1866, and pays 25 per cent, as much toll. Figures always tell truthful tales. There are evidences of decay about the canal, but these are misleading. When there were three hundred and thirty boats running they were propelled by not less probably than seven hundred horses, and these with their drivers and attendants made an array of life and animation along the tow-path, indicative of a much larger business than was really transacted. In those supposed good old times boatmen quarreled with each other for preference in passing locks, at the gates of which boats were crowded thick. Now the towing of boats is done almost exclusively by steam, there not being perhaps to exceed a dozen teams engaged on the tow-path.

After alluding then to the passenger traffic on the canal, which continued for some five years after the opening of the canal in 1848 and until the opening of the Chicago and La Salle Railroad in 1853, and to the disappearance of canal-boats from the canal and what had become of them, the writer concludes as follows:

The canal has not declined, but simply undergone the elimination of its anti-quarian features; and this has been mistaken for decay. Traffic over it is not now, as formerly, of the general merchandise order; it runs very largely to special-ties. Of the freight transported last year (1882) there were 3,900,000 bushels of grain, 41,000,000 feet of lumber, 22,000,000 shingles; coal, ice, and sand, 104,000 tons. These, with stone, constitute the leading articles transported.

Now, this I have no doubt is a candid, truthful statement of the Illinois and Michigan Canal, and confirms what I have said as to the value of the canal as a means of affording and securing cheap transportation. And it may be safely said that the value and business of the canal will be greatly enlarged when it is extended to the Upper Mississippi, and made an east and west line of commerce, as well as a north and south line, which it now is. The canal would then compete with the rail-ways running cast and west, and would either carry an immense addiways running cast and west, and would either carry an immense additional tonnage of heavy freights seeking an eastern or western market, or otherwise it would have a beneficial influence in keeping down excessive freight charges; and in either event the people would be greatly benefited and blessed by the cheaper transportation which the canal would secure to them. The Government of the United States should therefore accept the Illinois and Michigan Canal, and extend it to the United States are the control of the United States and the United States are the United States and Michigan Canal, and extend it to the United States are the United States and Michigan Canal, and extend it to the United States are the United States and Michigan Canal, and extend it to the United States are the United States and Michigan Canal, and extend it to the United States are the United States and Michigan Canal, and extend it to the United States are the United States and Michigan Canal, and extend it to the United States are the United States and Michigan Canal, and extend it to the United States are the United States are the United States and Michigan Canal, and extend it to the United States are the United States and Michigan Canal, and extend it to the United States are the United States are the United States and Michigan Canal, and extend it to the United States are the United St Upper Mississippi River, and hold it as a great water route from the head of navigation on the Mississippi River to the Atlantic seaboard in the interest of the commerce of the country and the people.

Mr. Chairman, I but repeat what has been often said when I state that

there is no question to-day of deeper interest to our people, and especially to the industrial classes, whose products, whether of the farm or the factory, must find their way to a market somewhere, than the ques-tion of cheap transportation. For it is cheap transport which will en-able the farmer and the manufacturer to reach the markets of our own country and of the world with their products and sell them at living prices. And when we consider what England and France and Germany and many other countries have done and are doing in the interest of cheap transportation it is surprising to think how little has been done in that direction by the United States.

It is a fact which needs no argument to substantiate that the cheap-

est transportation which any people can have is water transportation. Not many years since the French Government instituted an inquiry as to the comparative cost of transportation by water and by rail; and it was demonstrated that heavy merchandise could be carried by water at from two-fifths to one-third the lowest price at which it could be carried by rail. And there can be no reasonable doubt but that water transportation is and always will be cheaper for the carriage of such merchandise than the cheapest possible transportation by rail.

In proof of this I have seen it stated that according to the report of

the New York State engineer for 1880 the actual average cost of transporting freights on the New York Central four-track railway was fiftyfour one-hundredths of a cent per ton per mile, without allowing anything for the capital invested, and the average charge was eighty-eight one-hundredths of a cent per ton per mile. And now within the last year the Erie Canal has carried grain from Buffalo to New York for twenty-two one-hundredths of a cent per ton per mile, being but onefourth of the average charge of transporting freight per ton per mile on the New York Central, which runs along the line of the canal.

Mr. Albert Fink, one of the ablest and best-informed railroad men in the country, who has been for many years one of the railway pool commissioners, has given the reason for this. He says:

By comparing the cost of water and rail transportation it will be found that about 40 per cent, of the cost of railroad transportation is required to pay the interest on the capital invested. No corresponding expense is incurred by the carriers on the lakes and canals. From 15 to 20 per cent, of the charges for railroad transportation is required to keep in repair expensive roadways. No such expense is incurred by the carriers on the lakes, and but a comparatively small expense is incurred by the carriers on the canals. The cost of motive power to draw railroad trains over the hills and valleys is necessarily much greater than the cost of the motive power required to propel boats on the smooth and level water ways.

And it must occur to every one who has given any attention or thought to the subject that the large number of persons employed in railroad management and operation, the expensive rolling-stock required, and the constant wear and tear of railroads make railroad transportation more expensive than water transportation.

The following table, found in Nimmo's Report on Foreign Commerce of the United States for 1884, confirms all that has been said as to water transportation being cheaper than transportation by rail:

Average freight charges per bushel for the transportation of wheat from Chicago to New York during the years 1868 to 1884, inclusive.

	Average rate per bushel.								
Calendar years.	Calendar years. By lake and canal, *								
1868	Cents. 24, 54 23, 12 17, 10 20, 24 24, 50	Cents. 29, 0 25, 0 22, 0 25, 0 28, 0	Centz, 42, 6 35, 1 33, 8 81, 0 33, 5						
1878	19, 19 14, 10 11, 43 9, 58 11, 24 9, 15	26, 9 16, 9 14, 6 11, 8 15, 8	33. 2 28. 7 24. 1 16. 5 20. 3						
1879	11,60 12,27 8,19 7,89	11. 4 13, 3 15. 7 10. 4 10. 9	17. 7 17. 3 19. 7 14. 4 14. 6						
1883 1884	8, 40 6, 60	11,5 9,7	16,8						

*Including Buffalo transfer charges and tolls,

But it does not tell the whole truth. It shows that from 1868 to 1884 inclusive, the charges per bushel on grain shipped from Chicago to New York, including tolls and transfer charges at Buffalo, were from about 6 to 18 cents less by lake and canal than by rail. But it does not show what the charges would have been by rail on all the milldoes not show what the charges would have been by rail on all the millions of bushels of grain shipped from Chicago to New York during these years if it had not been for the lake and canal. To show something of the saving, Mr. Chairman, take the year 1880, when there was shipped by the Erie Canal about 72,000,000 of bushels of wheat from Buffalo to New York, and which it is presumed came largely by lake from Chicago, and by reference to the above table it will be seen that the difference for that year was about 7.04 cents per bushel loss by lake and canal than it-was by rail; and that difference on 72,000,000 bushels shows a saving to producers and consumers in the cost of transportation for that year of at least \$5,328,000, to say nothing as to the saving on account of lower charges made by railroads because of the cheaper account of lower charges made by railroads because of the cheaper transportation by lake and canal.

And what is true of the year 1880 is true of every year named in the

table, from 1868 to 1884, to a greater or less extent, as the quantity of grain shipped East was more or less. For the difference in cost of transportation was not less than about 6 cents per bushel in favor of the lakes and canal in any year from 1868 to 1884. But another thing, Mr. Chair-man. This table shows the difference in charges made by lake and canal and by rail from Chicago to New York from 1868 to 1884 inclusive; and a careful examination of it will, I think, satisfy any candid man not only that water transportation is cheaper than transportation by rail but that water transportation compels cheaper transportation

by rail. Nor is it alone the lines of railroad which begin and terminate at the same points or which run parallel with water lines of transportation that are compelled to make lower rates on account of the cheaper water transportation, but other railroad lines running between other and different terminal points and more remote from the water line are affected, more or less, by it in their freight charges. So that water lines of transportation are the great regulators of railway freight charges, and wherever they exist and can be improved and made more effective by any reasonable expenditure of money, it is the duty of the Government to make such improvements in the interest of the people and as a security against unreasonable and excessive freight charges. If governments are instituted among men for useful, beneficent purposes; if they are to promote the public welfare, the general prosperity of the people, I am sure there is no higher duty devolving upon our Government, which is a government of the people, than to spend a portion of the people's money in promoting their interests by giving them cheaper transportation for the products of their labor.

I have said, Mr. Chairman, that water lines of transportation are the great regulators of railway freight charges; and for this I have again the authority of Mr. Albert Fink, one of the ablest railroad men in the country, a man who has given great attention and intelligent thought to the study of the transportation problem. I heard Mr. Fink make the following statement before the Committee on Commerce, of which I was a member, in the Forty-sixth Congress, namely:

That water routes not only control the tariffs of their immediate railroad competitors at points where they can render like service to the same people, but their influence reaches directly and indirectly the remotest parts of the country.

And he gave good reasons for his opinion, and stated that while the charters of railroads not unfrequently fixed the maximum limit of freight charges at 8 cents per ton per mile, "water competition had actually reduced the earnings of railroads frequently to one-fourth cent per ton

In his testimony before the Select Committee of the United States Senate on Interstate Commerce, taken within the last year, it will be seen that he says:

The rates between Chicago and New York, which are generally determined by the competing water routes, are taken as the basis of the tariff.

When that is established, a table which has been prepared, based upon the relative distances of other points to points of destination of the freight, gives the corresponding rate from other cities in the territory east of the Mississippi River and north of the Ohio River.

Hence he takes Indianapolis, Ind., for an example, and says the distance from Indianapolis to New York is 93 per cent. of the distance from Chicago to New York, and as Indianapolis is a competing point, whenever the rate is reduced from Chicago to New York from 25 to 20 cents per hundred pounds, as the charges from Indianapolis are 93 per cent. of the charges from Chicago, the charges are reduced to 18½ cents per hundred pounds from Indianapolis.

So we see that the lakes and canal help to regulate railway charges and give to the people of Indianapolis, an inland city, with no lake or canal near it, as Mr. Fink says, cheaper rates of transportation.

While some may doubt the truth of this, those who have given much thought to the subject will not doubt it. And Mr. Fink himself has given the reason for it. He says:

The Indianapolis railroads, on account of competition with the Chicago roads, and with the lake and canal, have to do the work from Indianapolis for the same compensation per ton per mile that the Chicago roads have to do it, although the Chicago roads are right on the lake, and have to compete with the lake and with the canal.

And this, he says, is "because of the competition with the Chicago roads."

For example-

He says:

if the Indianapolis roads would hold their rate higher per mile, then the tendency would be for all the grain to avoid Indianapolis and go to Chicago, it would go from all points that could reach Chicago as well as Indianapolis.

The grain, he says, would go where it could get the cheapest transportation; and that if the Indianapolis roads kept the rate too high, the roads that ran from Indianapolis to Chicago would at once go into the business and carry all the freight to Chicago and let the Chicago roads carry it east.

The same may be said of Saint Louis, of Springfield, Peoria, and many other extensive shipping points where there are railroads running east, and also to Chicago. For if not a universal rule, it is certainly a general one, that commerce will seek the cheapest channels of transportation.

Mr. Chairman, I have said this much upon the subject of cheap trans-

portation and of the benefits of water routes as regulators of unreasonable and excessive railway freight charges to show what an inestimable benefit the Eric Canal, connecting the lakes with the Hudson River and the Atlantic Ocean, has been to the country. The Eric Canal has made New York city the great commercial metropolis of the country, and enriched her people beyond calculation. It has contributed to the wonderful growth and the commercial importance of Chicago, that great inland city of the Northwest, which I have seen grow up from a mere village of a few thousand inhabitants to a magnificent city with a population of perhaps three-quarters of a million. It has benefited not only New York but all of New England, as well as the States lying west of New

I have said it before, and repeat it here again, that in my opinion the State of Illinois could alone afford to pay for the Erie Canal and to maintain and operate it for the benefit it has been to the people of that State in giving to them cheaper transportation. And the same may be said of Ohio and several other States. And now, Mr. Chairman, what does this amendment propose? I answer, simply to extend this water line of transportation from three to six hundred miles farther west and northwest into the interior, giving to the people who live west of Chicago and west of the Mississippi River, in the great grain-growing sections of the country, the advantages of cheaper if not cheap transportation, by bringing them and their products that much nearer to an east

and west line of water transportation.

To accomplish this, this amendment proposes the construction of a To accomplish this, this amendment proposes the construction of a canal from the Illinois River at Hennepin, to the Mississippi River at Rock Island, which will be some 75 miles in length, 80 feet in width, and 7 feet in depth, with locks 170 feet long and 30 feet wide, at an entire cost, including right of way and the construction of a feeder, of \$6,672,890.67. If we add to this the sum of \$2,298,919.15, the estimated cost of enlarging the Illinois and Michigan Canal, we find that by the expenditure of \$8,871,809.82 we construct a water line of transportation from the lakes to the Gulf, and from the lakes to the Upper Mississippi, the commercial value of which can hardly be overestimated. I firmly believe this connection of the Atlantic seaboard with the Mississippi River is one demanded by the highest and best interests of

Mississippi River is one demanded by the highest and best interests of the country. It will benefit an immense amount of commerce transported from the East to the West, as well as from the West to the East. It will save many millions of dollars in reducing the cost of transportation to producers as well as consumers, for cheap transportation benefits undoubtedly both classes. It will extend the advantages of the lake system of navigation, now enjoyed by the people living east and west of the lakes, several hundred miles farther west and northwest; and thus benefit to a greater or less extent the people of Iowa, Wisconsin, Minnesota, Illinois, Missouri, Kansas, and Nebraska, and the Territory of Dakota, by bringing a cheap line of water transportation so much nearer to them, and compelling, as it will, lower freight charges by the railroads.

And, Mr. Chairman, this is not necessarily a war against railroads. It is an absolute necessity that the farmers of the country should have cheaper transport for their cereals. Unless they do they can not reach the markets of our own country nor of the world. And unless we can have the cheapest possible transportation it is certain our farmers can not raise grain and compete with India, Russia, and other grain-producing countries, where the wages of labor are so low and where so much is being done to secure cheap transport. I know that there is a feeling of discontent and dissatisfaction among the farmers and producers of the West and Northwest on account of the cost of transportation and the low prices of the products of their farms. And why, Mr. Chairman, should we not legislate somewhat in the interest of the vast number of people in the United States who are engaged in agriculture? It has been largely the products of their labor which have given us a large balance of trade in our favor for a number of years past and which have contributed so much to the prosperity of the country. And that, to a great extent, has been accomplished through the lakes and canals in giving cheap transportation.

Mr. Horatio Seymour, in an argument read before the Committee on

Rivers and Harbors some months since, said:

We can not look to our railroads to cheapen transportation much more than they have done. The average price for carrying a bushel of wheat from Chicago to New York by rail for the past two years has been about 12 cents, and Mr. Fink says that is not a paying rate, even upon the cheapest operated road.

If that be correct then we have another strong argument in favor of water routes, for the charges for several years past by the water route from Chicago to New York have been about 6 cents per bushel less than that, and have made a saving in the cost of transportation annually of many millions of dollars, not only on the amount carried by the water route but in the lower charges made by railroads in competing with the water route.

And I repeat again that the canals connecting the lakes with the Atlantic Ocean have been of incalculable benefit to the country. And now the lakes being connected with the seaboard, if you will construct the Hennepin Canal and connect them with the Upper Mississippi, you extend this water route or water system five or six hundred miles further west and northwest; you bring the vast grain fields of the Upper Mississippi and the Missouri Valleys that much nearer to a cheap water route. You greatly benefit that most deserving class of our people, the farmers, by adding millions of dollars to the value of the products of their farms in reducing the cost of transportation. And, Mr. Chairman, if that is not a work of national importance, if to do this is not in the interest of the people of this great and rapidly-growing country, I am incapable of knowing what would be.

I have spoken of the States in the West to be more or less benefited by the construction of the Hennepin Canal, and I have here a comparative statement of the cereals produced in such States and in the Territory of Dakota, as well as in the United States, for several successive years, which I will ask to have incorporated in my remarks as a part of the same.

Comparison of cereal production in the States of the Northwest for the last two years.

			7	CO	RN.		LEAS DE	A STATE OF THE STATE OF	ex Vegoerile	
	1875.	1876.	1877.	1878.	1879.	1880,	1881.	1882.	1883.	1884.
	Bushels.	Bushels.	Bushels.	Bushels.	Bushels.	Bushels.	Bushels.	Bushels.	Bushels.	Bushels.
Dakota Minosota Wisconsin Iowa Illinois Kansas Missouri Nebraska	7,340,000 15,200,000 160,000,000 280,000,000 76,700,000 128,000,000	7, 400, 000 27, 000, 000 142, 500, 000 223, 000, 000 82, 836, 000 102, 500, 000 25, 500, 000	13, 200, 000 28, 700, 000 156, 000, 000 260, 000, 000 98, 900, 000 103, 000, 000 38, 500, 000	17, 106, 900 36, 900, 000 175, 256, 400 225, 932, 700 81, 563, 400 93, 062, 400 54, 222, 000	15, 715, 000 39, 912, 600 185, 189, 200 312, 221, 000 89, 720, 400 141, 939, 400 62, 459, 400	15, 478, 050 33, 767, 382 260, 192, 840 240, 452, 896 106, 218, 360 160, 463, 408 59, 507, 600	16, 252, 000 28, 040, 000 173, 289, 000 176, 733, 000 76, 377, 000 93, 669, 000 58, 913, 000	4,650,000 21,127,600 32,201,600 175,487,600 182,336,900 144,452,600 170,037,000 82,478,200	4, 915, 055 15, 124, 800 23, 579, 300 169, 629, 600 233, 786, 500 172, 800, 900 161, 655, 000 101, 278, 900	13, 950, 000 23, 630, 000 26, 200, 000 252, 600, 000 244, 544, 000 168, 500, 000 197, 850, 000 122, 100, 000
Total	695, 240, 000	610,736,000	698, 300, 000	684, 043, 800	847, 157, 000	876, 080, 536	624, 273, 000	812,771,500	852, 769, 455	1, 049, 374, 000
United States	1, 321, 069, 000	1, 283, 827, 500	1, 342, 558, 000	1, 388, 218, 750	1,547,901,790	1,717,434,543	1, 194, 916, 000	1,617,025,100	1,551,066,895	1, 795, 528, 432
A christ think have				WE	EAT.	1				
Dakota	27, 200, 000 25, 200, 000 29, 800, 000 27, 300, 000 12, 700, 000 11, 160, 000 3, 400, 000	16,000,000 16,800,000 17,600,000 23,440,000 16,510,000 15,240,000 4,330,000	33, 324, 346 22,000,000 37, 810,000 33,000,000 14,400,000 20,000,000 5,640,000	28, 824, 000 21, 154, 400 30, 440, 960 31, 620, 000 27, 221, 000 20, 196, 000 13, 872, 900	31, 876, 520 20, 565, 720 32, 786, 880 44, 896, 830 18, 089, 500 26, 801, 600 13, 043, 590	40, 395, 696 16, 654, 735 33, 178, 205 60, 958, 757 20, 336, 000 29, 563, 134 12, 922, 677	35, 952, 000 17, 987, 000 18, 248, 000 26, 822, 000 19, 909, 000 20, 399, 000 13, 840, 000	11, 460, 000 33, 030, 500 23, 145, 400 25, 487, 200 52, 302, 900 31, 248, 000 27, 538, 600 18, 300, 000	16, 128, 000 33, 773, 200 19, 604, 900 27, 518, 000 22, 150, 000 26, 851, 100 23, 819, 300 27, 481, 300	22, 330, 000 41, 307, 000 20, 083, 000 31, 270, 000 32, 374, 000 34, 990, 000 27, 500, 000 28, 325, 000
Total United States		289, 356, 500	364, 194, 146	420, 122, 400	448, 756, 630	498, 549, 868	383, 280, 000	504, 185, 470	421, 086, 160	512, 763, 900
United States,	292, 100, 000	209, 300, 300	304, 134, 140	1 2	I de ste	400,049,000	383, 280, 000	301, 180, 170	421,080,160	512, 763, 900
				R	YE.			1		
Dakota	150,000 1,340,000 650,000 2,600,000 1,380,000 600,000	111,000 1,330,000 350,000 2,580,000 3,450,000 680,000 92,000	162,000 2,700,000 2,844,000 2,410,000 720,000	176, 800 3, 551, 200 431, 600 2, 511, 000 2, 470, 400 732, 000 1, 432, 500	176,000 2,808,000 365,040 4,050,000 2,220,000 804,100 1,192,280	201,000 2,329,470 1,379,932 3,049,860 513,366 582,980 385,320	193,000 2,353,000 1,242,000 2,775,000 467,000 458,000 424,000	79, 167 395, 650 2, 470, 650 1, 450, 080 6, 538, 000 4, 450, 000 696, 160 932, 800	174, 167 466, 867 2, 396, 530 1, 463, 076 5, 099, 640 4, 583, 500 570, 851 1, 026, 080	174, 167 476, 204 2, 468, 426 1, 433, 814 4, 895, 654 5, 041, 850 587, 977 1, 097, 906
Total	6,770,000	8,593,000	8, 836, 000	11, 305, 500	11, 615, 420	8, 391, 928	- 7, 912, 000	17,012,507	15, 780, 711	16, 175, 998
United States	17, 722, 100	20, 374, 800	21, 170, 100	25, 842, 790	23, 639, 460	24, 540, 829	20, 704, 950	29, 960, 037	28, 058, 583	28, 637, 594
	CANAL MEGI			0.	ATS.		STORY THE SAME			
Minnesota. Minnesota. Wisconsin Jowa. Illinois. Kansas. Missouri Nebraska.	13,000,000 26,600,000 28,000,000 75,000,000 9,530,000 20,500,000	12,000,000 21,700,000 21,250,000 48,000,000 12,389,000 13,150,000 3,500,000	14,740,000 30,750,000 42,000,000 59,200,000 12,200,000 20,500,000 5,400,000	20, 352, 000 33, 528, 000 38, 332, 800 56, 294, 790 16, 020, 000 19, 584, 000 6, 429, 500	17, 186, 000 34, 663, 200 37, 256, 400 47, 670, 400 12, 015, 000 15, 429, 120 6, 160, 000	21, 069, 425 30, 895, 528 49, 922, 400 62, 946, 510 8, 582, 520 25, 314, 304 5, 284, 700	23, 760, 000 31, 204, 000 42, 434, 000 66, 094, 000 8, 754, 000 22, 783, 000 6, 976, 000	3,600,000 29,950,000 34,324,400 52,618,160 99,141,000 12,780,800 30,073,500 9,417,600	9,000,000 31,447,500 40,502,700 68,403,600 102,780,000 27,560,000 30,374,200 21,630,000	11, 812, 000 36, 100, 000 45, 940, 000 78, 650, 000 98, 153, 000 27, 419, 000 30, 774, 000 21, 844, 000
Total	177,005,000	131, 989, 000	184, 790, 000	190,541,090	170, 330, 120	204, 015, 387	202,005,000	271, 905, 460	331,698,000	350, 692, 000
United States	354, 317, 500	320, 884, 000	406, 394, 000	413, 578, 560	363, 761, 320	417, 885, 380	416, 481, 000	488, 250, 610	571, 302, 400	583, 628, 000
				BAR	LEY.					
Dakato Minnesota Wisconsin Iowa Illinois. Kansas. Missouri Nebraska	2,200,000 6,300,000 2,900,000 800,000 450,000	1,520,000 1,800,000 5,800,000 2,200,000 1,960,000 435,000 470,000	1, 832, 000 4, 700, 000 5, 300, 000 2, 760, 000 1, 900, 000	2, 499, 800 4, 264, 000 5, 088, 000 1, 936, 600 2, 163, 200 568, 750	2, 549, 100 4, 320, 000 4, 290, 000 575, 000 675, 000	3, 163, 860 4, 903, 750 3, 887, 148 1, 109, 425 270, 504 96, 104 1, 186, 680	4, 145, 000 5, 296, 000 3, 498, 000 754, 000 243, 000 101, 000 1, 270, 000	471, 621 7, 204, 000 5, 772, 640 4, 547, 400 942, 500 267, 300 181, 800 3, 588, 000	731, 013 7, 276, 040 6, 061, 272 4, 638, 348 876, 525 347, 490 179, 982 3, 623, 880	2, 860, 000 8, 087, 229 7, 298, 952 4, 950, 578 981, 708 535, 984 178, 182 3, 551, 402
Total		14, 185, 000	17,012,000	16,520,350	14,009,100	14, 617, 471	15, 307, 000	22, 975, 261	23, 734, 550	28, 464, 035
United States		38, 710, 500	34, 441, 400	42, 245, 630	40, 283, 100	45, 165, 346	41, 161, 330	48, 953, 926	50, 136, 097	61, 206, 652
				BUCK	WHEAT.					H. I. S. A.
Dakota Minnesota Wisconsin Iowa Illinois Kansas Missouri Nebraska	49,000 275,000 160,000 180,000 240,000 60,000	47, 800 425, 900 140, 900 175, 900 96, 900 55, 900	103,000 420,000 176,000 58,000	102, 200 504, 000 123, 200 147, 000 78, 200 46, 400 30, 400	126,000 520,200 144,000 147,900 69,700 56,000 47,500	66, 130 584, 309 238, 143 259, 840 41, 747 83, 742 27, 160	46,000 386,000 167,000 148,000 40,000 66,000 17,000	3, 908 50, 600 378, 280 180, 360 158, 360 25, 200 69, 300 17, 340	2, 931 30, 360 177, 792 135, 270 114, 019 27, 720 63, 756 20, 808	11,600 68,310 322,471 209,669 148,225 21,067 70,132 23,929
Total		938, 800	757,000	1,031,400	1,111,300	1,301,071	870,000	883, 348	572, 656	875, 403
United States		9, 668, 800	10, 177, 000	12, 246, 820	13, 140, 000	14, 617, 535	9, 486, 200	11,019,353	7, 668, 954	11, 116, 922

From this table it will be seen that the States of Illinois, Iowa, Wisconsin, Minnesota, Nebraska, Kansas, and Missouri, and the Territory of Dakota, all of which it is believed are more or less interested in the construction of the Hennepin Canal and the enlargement of the Illinois and Michigan Canal, produced in the year 1884, 1,049,374,000 bushels of corn, 238,179,900 bushels of wheat, 16,175,998 bushels of rye, 350,692,000 bushels of oats, 28,464,035 bushels of barley, and 875,403 bushels of buckwheat, while in the same year in the whole United States there were produced 1,795,528,432 bushels of corn, 512,763,900 bushels of wheat, 28,637,594 bushels of rye, 583,628,000 bushels of oats, 61,206,652 bushels of barley, and 11,116,922 bushels of buckwheat.

So that the States and Territory named produced nearly 50 per cent. of all the wheat and barley, and nearly 60 per cent. of all the corn, rye, and oats of the United States in 1884. If we add together the number of bushels of all the cereals produced in the States and Territory named in 1884, we have an aggregate of 1,683,760,436 bushels. If 50 per cent. of that is to be transported to a market and you can save 1 cent a bushel on the cost of transportation you have a saving of \$8,418,802.18. If only 25 per cent., or 420,940,109 bushels are to be transported, and you can save 1 cent a bushel in the cost of transportation, then you have a saving of \$4,209,401.09. And it ought not to be doubted but that the extension of a water route from the lakes to Saint Paul, or the head of navigation on the Mississippi River, would save in the transportation of grain at least \$4,000,000 annually to producers and consumers; not more in the amount of grain carried by the water route them, by the effect of it in compelling lower rates by rail

ducers and consumers; not more in the amount of grain carried by the water route than by the effect of it in compelling lower rates by rail. But I have a letter here from a gentleman and a boatman well known on the Upper Mississippi River. I mean Capt. Joseph Reynolds, and according to his letter the usual charge by rail from Saint Paul to Chicago is 12 cents per hundred pounds, or 7.20 cents per bushel, while the rate by river from Saint Paul to Rock Island is 5 cents per hundred or 3 cents per bushel; and he estimates that wheat can be carried by the canal from Rock Island to Chicago for one-half cent per bushel, and that the canal would make a saving of 4 cents per bushel on wheat instead of 1 cent as I have been estimating it on one-fourth of the cereals produced in the States and Territory named.

But if you estimate the surplus to be transported to market and sold to be one-eighth, or 12½ per cent., it would be 210,470,054 bushels, and that at only 2 cents a bushel would give a saving also of \$4,209,401.09. And then when you consider the saving on coal, salt, lime, cement, lumber, agricultural implements, and other heavy freight, how can any reasonable man doubt the great value this canal would be to the commerce of the country, in reducing the cost of transportation to producers and consumers? It seems clear to my mind that, at the very lowest estimate which could be fairly made, this canal, if constructed, will save enough in reducing the cost of transportation to producers and consumers, annually, to pay the cost of construction. And I believe the annual saving would amount to much more than the cost of construction.

Then, if this be true, this canal, it seems to me, should be built. But we are told that canals are a thing of the past; that they have had their day, and belong to a bygone age; that they are too slow, and are frozen up half the year. It is true that canals, as well as rivers and other water routes, are frozen up a portion of the year in the northern parts of the United States; but we do not propose to abandon them on that account. On the contrary, we are expending many millions annually to improve rivers and harbors, and even to construct canals, which will be frozen up a part of the year. And, frozen up as they may be, they exert an influence even in the winter season, when ice-locked, in keeping down freight rates. We know that millions of bushels of wheat lie in the elevators in the great grain markets until navigation opens and shippers can have the benefit of cheap water transportation.

Why is it, I may ask, that Chicago received in 1884 26,397,587 bushels of wheat, 4,960,830 barrels of flour, and 59,580,445 bushels of corn, and shipped of wheat 21,046,577 bushels; of flour 4,808,884 barrels, and of corn 53,274,050 bushels? And why did Toledo, Ohio, receive in the same year 25,057,284 bushels of wheat, 23,186,454 bushels of which were shipped, and 12,056,306 bushels of corn, 12,040,438 bushels of which were shipped? These immense quantities of wheat, flour, and corn went to these two cities because of the cheap transportation given to them by the lakes and canals. Slow as the canals may be and frozen up as they are in the winter, grain seems to gravitate toward them.

I have already referred to the Eric Canal and the great benefit it has been to the people and to the commerce of the country in giving cheaper transportation; and although it was slow, and frozen up, say five months in the year, yet it seems there were shipped by way of it from the Western States to tidewater in 1882, 1,824,129 tons of freight, and about the same quantity in 1883, and for the year ending December 31, 1885, there were delivered by the canal at New York of flour, grain, and meal, reduced to bushel-measure, about 30,000,000 bushels. So the usefulness of the Eric Canal should not be doubted, if canals are frozen up a part of the year and are slow. But we have the authority of Mr. Albert Fink for saying that even in winter water routes prevent excessive railroad charges. He says that in winter railroad charges can not exceed

those in summer by more than the expense of storage, insurance, and interest on the investment in the property to be transported during the time navigation is closed. If winter rates were much in excess of those expenses over summer rates, that by far the greater portion of the property would be stored and await the opening of payigation.

erty would be stored and await the opening of navigation.

But canals are not a thing of the past, and do not belong to a by-gone age by any means. If they are, and have outlived their usefulness, why is it that New York does not abandon the Eric Canal? I have no doubt but that some who profess to believe that canals are things of the past, that they are slow and frozen up in winter, would give millions of dollars to close the Eric Canal up in summer and forever. But New York can not afford to have the Eric Canal closed up and abandoned; neither can the country afford it. It would certainly be a calamity to New England and to Ohio and the Western States, as well as New York, if the Eric Canal should be abandoned. And if it ever shall be, unless some other water route is opened up by which the city of New York is connected with the lakes and water systems of the West, I predict that from that hour the commercial importance of that great city will begin to decline.

No, Mr. Chairman, canals still are, and must continue to be, useful instruments of commerce in carrying heavy merchandise, which must be carried at the cheapest possible rates, and in regulating excessive nailway charges. Canals, I repeat, are by no means a thing of the past. On the contrary, I venture to assert that more money has been expended in the last few years, and is now being expended, in the construction of canals than in any former period of the history of the world. France, we are told by Sir Charles Hartley, has a network of canals, with a uniform depth of 5 feet 3 inches and a bottom width of 33 feet, that have been located with the view of giving the cheapest and most direct means of distribution between the great centers of trade and production. Those of them which are classed as principal lines of communication by a law of 1879 are to be deepened to 7 feet and 4 inches; and the same law prescribes that all locks shall be 126 by 17 feet, with sufficient water on their miter sills to allow the free passage of boats drawing 6 feet 6 inches.

France had expended on 7,069 miles of canals and rivers more than \$218,000,000 up to 1878, according to Sir Charles Hartley, and it was proposed to expend \$200,000,000 more. Austria is improving the Danube, and at the same time is building a canal between the Danube and the Elbe, 138 miles long, at an expense of \$29,000,000. Germany has recently built a ship-canal connecting what is known as Lubeck Bay with the North Sea, thereby reducing, we are told, the cost of transportation on wheat 6 cents a bushel; and has also completed surveys for improvements of her rivers and harbors and for the construction of canals, and is expending for that purpose \$86,000,000. Holland has just completed a ship-canal from Amsterdam to the sea.

England has 2,360 miles of canal and more than 18,000 miles of railway, and yet is preparing to build a canal from Manchester to Liverpool, 26 feet deep, which it is estimated will cost \$40,000,000; also one from London to Bristol, and another from London to Liverpool. Russia has recently completed a canal, which was commenced in 1878, connecting St. Petersburg with Cronstadt, at a cost of \$9,000,000. She has also a system of canals connecting the Baltic and the Black Seas, the Volga and the Caspian Sea, and the Baltic and the White Seas. England has also expended many millions of dollars in cutting canals in India, both for irrigation and transportation, and in addition has expended many millions more in aid of railroads.

I have a statement here made by Hon. John C. Dore, of Chicago, Ill., recently, when addressing the Committee on Rivers and Harbors, and I know him to be a very intelligent gentleman, well informed upon these subjects and reliable, and he says the expenditures in India for canals alone up to the end of the fiscal year 1882–'83 was\$103,800,000—nearly as much as we have expended on all our internal improvements in this great country since the foundation of the Government. And yet they are continuing to expend money to cheapen transportation, and are now proposing to cut through the Siam Canal at a cost of \$20,-000,000. In 1882–'83, India had 1,341 miles of canal and 18,633 miles of navigable rivers; and the government also had invested in railroads, subsidized in the interest of cheap transportation, in 1882–'83, \$156,-800,000. And Mr. Dore says that the government lost \$124,750,000 in fostering railroads for that purpose from 1859 to 1883.

Canada also has a canal system which cost her \$50,000,000, and yet she is now spending \$1,000,000 to deepen the Welland Canal, and is proposing three other canal schemes, the most important of which is one from Montreal to Lake Huron by way of the Ottowa and French Rivers

So we see, Mr. Chairman, canals have not had their day yet, and do

not belong to a bygone age.

But admitting that the Illinois and Michigan Canal shall be enlarged, and that the Illinois and Mississippi River Canal shall be constructed, we are then asked why is it that the State of Illinois does not herself do this work? I answer, in the first place, that Illinois is not alone interested in the work. Other States, and a large number of States, are interested in the enlargement of the Illinois and Michigan Canal and in the construction of the Hennepin Canal to a greater or less extent than Illinois.

If this work should be done at all it is a national work, and should be done by the United States and not by any one State. uniting the Mississippi River with the lakes and the Atlantic Ocean will secure cheaper transportation, as I firmly believe it will, then it will benefit not only Illinois but New England, New York, New Jersey, Pennsylvania, and Ohio as well as all the States which lie on the sissippi River and west of it; and it can not benefit those States without benefiting the whole country. If it is of interest to the farmers of the West and Northwest to get cheaper transport for the products of their farms, it must be of interest to those who purchase such products and consume them, for they will share undoubtedly in the benefits of cheaper transportation.

New England, New York, New Jersey, Pennsylvania, and Ohio are largely manufacturing States, and they want to sell their manufactured fabrics to the people of the West and Northwest; and on the other hand the people of the Mississippi Valley want to sell them their agricultural products, and both sections are alike interested in keeping up commercial relations with each other. Why it is that New England and the States of New York, New Jersey, Pennsylvania, and Ohio will repel us in a proposition to keep up these commercial relations and so act as eventually to drive us in other directions, not only with what we have to sell but for what we may desire to purchase, is to me a mystery. Our interests are in harmony with each other. We in the West have been and are to-day largely dependent upon New England, New York, New Jersey, Pennsylvania, and Ohio for our manufactures, and these States have furnished us our best market for our surplus products.

We want your merchandise, your manufactures, your iron and coal, and you want our agricultural products, and cheap transportation is for the interest of both sections. On the other hand, I appeal to Representatives from the South, and especially from the Mississippi River States, and say to you that you have a common interest with us in the Illinois and Michigan Canal, as we have with you in the improvement of the Mississippi River, for by the Illinois and Michigan Canal the lakes are connected with the Mississippi Riverand the Gulf, and while we are expending immense sums of money in improving the Mississippi River, you should not wish to deprive us of needed facilities for reaching the older and more populous portions of our own country, where the people of the West and Northwest find their best markets for their surplus products. The connection of the lakes with the Upper Mississippi River proposed by this canal would greatly benefit the States west of the lakes and of the Mississippi River, and would help to give cheaper transportation to millions of commerce, annually shipped east and west, and no narrow, selfish policy should lead you to oppose a work which will benefit so large a number of people.

But it is said the canal is all located in the State of Illinois, and is

therefore a local measure. So it is, But I have already said that other States are more interested than Illinois. In fact, the construction of the Hennepin Canal has been urged upon Congress more earnestly by the State of Iowa than it has been by the State of Illinois. And I say the whole country is interested in its construction. You can not build up a part of the country and add to its growth and prosperity without benefiting the whole. It is high time that we began to cultivate a broader and more national spirit, a feeling that when something is done to benefit other sections of the country than those in which we happen to reside it is not alone for the benefit of others but for ourselves as well that it is done.

But this proposed canal is all in the State of Illinois, and is therefore a local improvement. Yes, the canal is certainly all in Illinois; and, in a certain sense, every improvement is local. And as Abraham Lincoln once said, in a speech delivered by him in 1848, on internal improvements, when a member of the Thirtieth Congress:

Nothing is so local as not to be of some general benefit. Take, for instance He says-

the Illinois and Michigan Canal. Considered apart from its effects, it is perfectly local. Every inch of it is within the State of Illinois. That canal was first opened for business last April. In a very few days we were all gratified to learn, among other things, that sugar had been carried from New Orleans through the canal, to Buffalo, in New York. The sugar took this route, doubtless, because it was cheaper than the old route.

Supposing the benefit in the reduction of the cost of carriage to be shared between seller and buyer, the result is, that the New Orleans merchant sold his sugar a little dearer, and the people of Buffalo sweetened their coffee a little cheaper than before—a benefit resulting from the canal, not to Illinois, where the canal is, but to Louisiana and New York, where it is not. In other transactions Illinois will, of course, have her share, and perhaps the larger share, too, in the benefits of the canal. But the instance of the sugar clearly shows that the benefits of an improvement are by no means confined to the particular locality of the improvement itself.

This most pertinent and forcible illustration of Mr. Lincoln may be

This most pertinent and forcible illustration of Mr. Lincoln may be applied to the proposed Hennepin Canal. A farmer or merchant of Minnesota may ship wheat or flour by way of the Hennepin Canal and the Illinois and Michigan Canal to New York or Boston, and of course ship it by that route because it can be done cheaper, and as the reduc-tion in the cost of carriage will be shared between seller and buyer the Minnesota farmer will get a little more for his wheat or flour and the people of New York and Boston will obtain their bread a little cheaper, a benefit resulting from the canals, not to Illinois, where they are, but to Minnesota and New York or Massachusetts, where they are not.

by rail and not go over the canals at all, but as the canals will compel cheaper transport by the railroad the result is precisely the same.

In this same connection, Mr. Chairman, I will read an extract from the great speech of Daniel Webster, made in reply to Hayne of South Carolina, which I find in an able address delivered a few years since to the people of Massachusetts by Senator George F. Hoar, who stands in the front rank of the statesmen of America of the present day, and who deserves our gratitude and thanks for the noble defense he has made of the policy of making appropriations by the General Government for internal improvements.

Mr. Webster in his reply to Hayne said:

He inquires-

Of I reconcile with these professed sentiments my support of measures appropriating portions of the lands to particular roads, particular canals, particular rivers, and particular institutions of education in the West? This leads, sir, to the real and wide difference in political opinion between the honorable gentleman and myself. On my part I look upon these objects as connected with the common good fairly embraced; he, on the contrary, deems them all, if good at all, only local good. This is our difference. The interrogatory which he proceeded to put at once explains this difference. "What interest," asked he, "has South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system, and its answer expounds mine.

nas South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system, and its answer expounds mine.

Here we differ. I look upon a road over the Alleghanies, a canal around the Falls of the Ohio, or a canal or railway from the Atlantic to the Western waters as being an object large and extensive enough to be fairly said to be for the common benefit. The gentleman thinks otherwise. On his system, Ohio and Carolina are different governments, different countries, connected here, it is true, by some slight and ill-defined bond of union. On that system Carolina has no more interest in a canal in Ohio than in Mexico.

Sir, we narrow-minded people of New England do not reason thus. Our notion of things is entirely different. We look upon the States not as separated, but as united. In our contemplation Carolina and Ohio are parts of the same country, having interests common, associated, intermingled. In whatever is within the proper sphere of the constitutional power of this Government we look upon the States as one. We do not impose geographical limits to our patriotic feeling or regard; we do not follow rivers and mountains and lines of latitude to find boundaries beyond which public improvements do not benefit us. We, who come here as agents and representatives of these narrow-minded and selfih men of New England, consider ourselves as bound to regard with an equal eye the good of the whole in whatever is within our powers of legislation.

Sir, if a railroad or canal, beginning in South Carolina and ending in South

tion.

Sir, if a railroad or canal, beginning in South Carolina and ending in South Carolina, appeared to me to be of national importance and national magnitude, believing, as I do, that the power of government extends to the encouragement of works of that description—if I were to stand up here and ask what interest has Massachusetts in a railroad in South Carolina I should not be willing to face my constituents. These same narrow-minded men would tell me that they had sent me to act for the whole country, and that one who possessed too little comprehension, either of intellect or feeling, one who was not large enough both in mind and in heart to embrace the whole, was not fit to be trusted with the interest of any wart. terest of any part.

Now, perhaps I have said enough upon the subject of the Hennepin Canal as to its being a local work. But it is local only in the sense that the canal is in the State of Illinois, and that is all. The lumber which would no doubt pass over the canal, whether it came from the South or from the North-and as our Northern forests are being rapidly depleted, large quantities of lumber must ere long come from the Southwould pass over this canal, but it would not be the lumber of Illinois but of other States; and so the wheat and corn and flour which would pass over this canal or be carried cheaper by rail by reason of the canal would be largely the products of other States and not alone of Illinois.

The same may be said of the coal, the iron and salt, and other merchandise carried over the canal. It would be the commerce, the product of other States and not of Illinois. Illinois will, of course, have a great interest in the canal if constructed, but not near so much, in my opinion, as Iowa and some other States West and Northwest. It is said that Chicago is alone interested in the canal, and that only as a sewer. But this is not true, and certainly not so far as the Hennepin Canal is concerned, for no sewage from the Chicago River can ever pass through that canal. Chicago, in my opinion, should not be permitted to use the canal as a sewer. If the great cities of the country do not devise other means of disposing of their sewage than by turning it into natural streams and bodies of water to pollute them and breed disease and pestilence we shall sooner or later suffer severely from it.

Chicago, I believe, is greatly interested in the canal, and if that city Mone was interested in it we must remember that Chicago contains more than the one-hundredth part of the population of the entire country, and that Chicago is the outgrowth of the vast commerce of the Northwest; and whatever will be beneficial to Chicago in giving additional facilities for the transportation of commerce must be beneficial to the people of the Northwest. If the States of Illinois and Iowa were alone interested in the canal from the lakes to the Mississippi River, as I have heard it said by some, these two States contain the one-tenth part perhaps of the entire population of the country. But, Mr. Chairman, the East as well as the West, and the South as well as the North, are interested, and deeply interested in this great internal improvement provided for in this amendment; and in my judgment every consideration of the public good demands that it shall be constructed.

I know, Mr. Chairman, it will cost some money to do this work. But what if it does? What are the revenues of the Government for? Are a benefit resulting from the canals, not to Illinois, where they are, but to Minnesota and New York or Massachusetts, where they are not. And you may go further and say that the wheat or flour may be shipped beautify the national capital, and to erect costly public buildings? Does the Government owe no higher duty to the people than this? If it does not it might as well be abolished. John Quincy Adams, who was one of the most learned of our Presidents as he was one of the most distinguished of our statesmen, said in his first message to Congresss:

The great object of the institution of civil government is the improvement of the condition of those who are parties to the social compact. And no government in whatever form constituted can accomplish the lawful ends of its institution but in proportion as it improves the condition of those over whom it is established.

Roads and canals by multiplying and facilitating the communications and intercourse between distant regions and multitudes of men are among the most important means of improvement.

Mr. Chairman, the money expended by the Government for useful purposes, which improve the condition of the country and give employment to labor, is not wasted. It goes out only to come back again increased and multiplied many times for good. As the country grows richer and more prosperous the sources of revenue are multiplied, and the money which goes out of the Treasury for useful purposes is only put in circulation among the people, and is neither thrown into the sea nor otherwise lost to the country. And I am sure, Mr. Chairman, that I have never known a period in our national history when it would do more good to give employment to labor and put money in circula-tion than it would now in the construction of public works when so many people are out of employment. Solomon said:

There is that scattereth and yet increaseth, and there is that withholdeth more than is meet; but it tendeth to poverty.

And that is oftentimes exemplified in the expenditure of public money, which when liberally expended in the right direction enriches the nation and fills up the Treasury again, and if unwisely withheld

impoverishes the people.

But we are told that to construct this canal would set a dangerous precedent; that it would lead to an expenditure of untold millions of precedent; that it would lead to all experiences to construct canals dollars, and we are reminded of other propositions to construct canals

in other parts of the country.

Mr. Chairman, the man or statesman who sits shivering with trepidation for fear something which may be done will establish a bad precedent and lead to some evil will never accomplish much good, I fear, in this world.

"Sufficient unto the day is the evil thereof," said one who spake as never man spake. And let us consider this measure upon its merits, and do what in our judgment should be done for the public interest; and let other propositions, which may or may never come up, take care of themselves. There is no danger in my judgment to be apprehended from the construction of this canal. If other canals shall hereafter be constructed they would have to be constructed upon their merits. No reasonable man can believe there is any danger of the Government entering upon any reckless system of canal construction. The day of small canals and of the tow-path has undoubtedly passed away.

But water transportation must always be the cheapest transportation any people can have; and where canals of great commercial importance to the country, connecting vast water systems, can be constructed in the interest of cheap transportation, they should be. And I may say, if the people are true to themselves and to their own highest and best interests, sooner or later they will be constructed, and I have no fear that the national Treasury will be bankrupted or that it will suffer severely from their construction. Judging, Mr. Chairman, from my experience, I think there is far more danger of doing too little than there is of doing too much in that direction.

But, Mr. Chairman, a few more words and I shall close my remarks. Some people are so in the habit of characterizing every measure which they do not approve, as a job, a scheme, a raid upon the Treasury that this proposed canal has been denounced as such. But I protest against this denunciation. In no improper sense is this a scheme. It is no job, no raid upon the Treasury. The proposition to construct the Hennepin Canal originated with the people. It has been carried forward by the people. The people have supported and sustained it. The Legislatures of Iowa and Illinois have many times urged the construction of this canal and instructed their Senators and requested their Representatives to vote for its construction; and these Legislatures represented no

small percentage of the population of the entire country.

Governors of these two States have repeatedly called attention to this important connection of the Upper Mississippi with the lakes. The Legislature of the State of New York has also instructed her Senators and requested her Representatives to support this measure, and I am assured that this was done largely through the influence of that distinguished statesman and patriot, the late Hon. Horatio Seymour, who was the devoted friend of water transportation in the interest of the graingrowing section of our country. He showed how, through the cheapening of transportation by the lakes and canals, we had been enabled to export our grain, to create a balance of trade in our favor, to go to a resumption of specie payments, and bring prosperity to our country.

I have here the resolutions of the Board of Trade and Transportation

and also of the Produce Exchange of the City of New York, both favoring the construction of this canal as a work of national importance in the interest of cheap transportation. The boards of trade of Buffalo, of Chicago, of Duluth, of Doniphan, Kans., as well as numerous large commercial conventions at Davenport, at Saint Louis, at New Orleans, at Saint Paul, and numerous other places, have also favored the construc-

tion of this canal. Labor organizations have also throughout the country petitioned Congress to construct this canal; and now the Senate of the United States have for a second time adopted an amendment to the river and harbor bill providing for the construction of this canal. And what will be the response of the House to these numerous and oft-repeated appeals made to Congress in behalf of this measure? Will it be in vain? I trust it will not be; that the House will concur in the Senate amendment, and that the hope of the people in the section of country interested, as I firmly believe, in this great improvement, the hope, may say, of the great Northwest, so long deferred, may at last be realized.

Personally it will not, I presume, affect me in the slightest manner, whether this canal shall ever be constructed or not. But I honestly whether this canal shall ever be constructed or not. But I honestly and earnestly believe it to be a work of great national importance, a work in the interest of cheap transportation, and therefore, in the interest of the people, and so believing, I have with such ability as I possessed labored earnestly, conscientiously, and faithfully for its success. And I still have faith to believe that the friends of this measure, who have labored for its success, have not labored in vain, that this canal will at last be constructed, and add another and important link to the chain which unites and binds together in commercial bonds the various sections of our great and rapidly growing country.

The Surplus in the Treasury.

REMARKS

HON. WILLIAM S. HOLMAN.

OF INDIANA,

. IN THE HOUSE OF REPRESENTATIVES,

Wednesday, August 4, 1886,

On the report of the committee of conference on the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. HOLMAN said:
Mr. SPEAKER: The joint resolution in regard to the surplus funds in the Treasury, as it passed the House on the 15th day of July last by the decisive vote of 207 to 67, was as follows:

Joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt,

on the public debt,

Resolved, &c., That whenever the surplifs or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums not less than ten millions per month, during the existence of any such surplus or excess, to the payment of the interest-bearing-indebtedness of the United States payable at the option of the Government.

The excellence has a surplus of the United States and the option of the Government.

ernment.

The surplus or balance herein referred to, shall be the available surplus ascertained, according to the form of statement of the United States Treasurer, of the assets and liabilities of the Treasury of the United States employed on June 30, 1886.

It now comes back to the House on the report of a conference committee of the two Houses in the following terms:

A joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

on the public debt.

Resolved by the Senate and House of Representatives, &c., That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000, it shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums not less than ten millions per month, during the existence of any such surplus or excess, to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government. The surplus or balance herein referred to shall be the available surplus, ascertained according to the form of statement of the United States Treasurer, of the assets and liabilities of the Treasury of the United States mployed on June 30, 1886: Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned: And provided further, That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20, 000,000; and whenever, in the case of any extraordinary emergency not now existing, and when, because thereof, in the opinion of the Secretary of the Treasury, the public interests shall require it, he may, by written order, postpone the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired; and that such postponement, and the reasons therefor, shall be reported to Congress within ten days after its next meeting, or immediately if Congress shall be in session.

The original joint resolution expressed the views of the House on this

The original joint resolution expressed the views of the House on this

The original joint resolution expressed the views of the House on this important question; the joint resolution as now presented is the result of the conference. The two provisos are in substance the work of the Senate. The question is, Shall the joint resolution as amended be adopted?

I supported the original joint resolution, but with some hesitation, for I am not able to understand why so large an amount of money as \$100,000,000 drawn from the labor of our people should be locked up in the public Treasury. But something was gained by that measure, for while \$100,000,000 were still to be locked up in the Treasury the large surplus beyond that was to be applied to the public debt. Something at least was to be secured, and it was better to save that than to secure

With a law in force as proposed by the House, one result was at least secured that only \$100,000,000 should lie idle in the Treasury and the

rest should be applied to the public debt; but the proposition now before us prohibits a call of bonds for redemption until there shall be a surplus in the Treasury of a sum equal to the call in addition to the \$100,-000,000, and as the sum to be applied on the public debt at any one time shall not be less than \$10,000,000, no sum can be applied on the public debt until the surplus in the Treasury reaches \$110,000,000; and then, by the second proviso, it is enacted that in the discretion of the Secretary of the Treasury \$20,000,000 more may be retained in the Treasury as a "working balance," making in all \$130,000,000 (a sum nearly equal as a "working balance," making in all \$130,000,000 (a sum nearly equal to twice the entire annual expenditures of the Government twenty-six years ago) authorized to remain idle in the Treasury; and then, as if it was proposed that Congress should abdicate all control of the public revenues, it is proposed that the Secretary of the Treasury may, without restraint or limit, suspend the application of the surplus, no matter how great it might be, to the payment of the public debt, in case any extraordinary emergency, in the opinion of the Secretary of the Treasury, should require it. The term "extraordinary emergency" manifestly refers to the emergencies that from time to time arises in the compare refers to the emergencies that from time to time arise in the commercial and financial affairs of the country and the demand for gold in other commercial nations. The result of all this is manifest. It is proposed public debt on the 1st day of the present month is as follows:

to leave it to the discretion of the Secretary of the Treasury whether the vast revenues drawn from the public by taxation shall be applied to the extinguishment of the public debt or lie idle in the Treasury subservient to the great capital interests of the country.

In my judgment the present provisions of law in regard to the surplus in the Treasury are better than the proposed legislation. The law now provides in effect that the surplus funds in the Treasury shall be from time to time applied to the payment of the public debt. The country is familiar with the calls for the matured bonds. All of those calls have been made under the existing provisions of law. It will not be easy to satisfy the intelligent people of this country that the Secretary of the Treasury can consistently with existing law hoard great sums of money in the Treasury and pay interest on bonds long since matured.

I insist, therefore, Mr. Speaker, that as a matter of fact the pending proposition only confers on the Secretary of the Treasury a discretion and power he does not now possess, and imposes, or at least authorizes, a limitation on the payment of the public debt that does not now exist.

The statement, or rather the recapitulation of the statement, of the

RECAPITULATION.

	Principal.	Interest.	Total.
Interest-bearing debt Bonds at 4 per cent \$250,000,000 00 Bonds at 4 per cent 777,766,450 00 Bonds at 3 per cent 140,011,750 00 Refunding certificates, at 4 per cent 202,400 00 Navy-pension fund, at 3 per cent 14,000,000 00 Pacific Railroad bonds, at 6 per cent 64,623,512 00	21 000 004 110 00	50 mg 400 mg	£1 a14 a00 a24 a
Debt on which interest has ceased since maturity.	\$1, 206, 604, 112 00 5, 374, 185 26 535, 079, 699 52	\$8,297,922 83 203,128 98	\$1, 214, 902, 034 83 5, 577, 314 24 535, 079, 699 52
Total Less cash items available for reduction of the debt. Less reserve held for redemption of United States notes	1,747,057,996 78	8,501,051 81 195,265,443 06 100,000,000 00	1,755,559,048 59 295,265,443 06
Total debt, less available cash items	••••••	l 	1, 460, 293, 605 53 80, 206, 325 98
Debt, less cash in the Treasury, August 1, 1886			1, 380, 087, 279 55 1, 389, 136, 383 40
Decrease of debt during the month.			9, 049, 103 85

This statement, while showing a reduction of the public debt during the month of July of \$9,049,103.85, still shows that on the 1st day of Angust, 1886, there was in the Treasury a net balance of cash in the Treasury, beyond all present demands of the Government, the enormous sum of \$80,206,325.98, and that 3 per cent. bonds to the amount of \$140,011,750.00 were still outstanding, past due and liable to redemption. So with \$80,206,325.98 lying idle in the Treasury, not required for any purpose of Government, with the current revenues over current expenditures reducing the public debt at the rate of \$9,049,-

pose, were public revenues ever applied or withheld from application for a purpose so unjustifiable?

Is the public credit in peril when the current revenues over the current expenditures reach monthly the large sum of \$9,049,103.85? And why is not this surplus applied? Is it possible that the public revenues are to remain idle in the Treasury, revenues coined from the sweat of labor for the direct benefit of banks?

for any purpose of Government, with the current revenues over current expenditures reducing the public debt at the rate of \$9,049,-103.85 per month, we continue to pay 3 per cent. interest on \$140,-011,750!

Is this done to still further strengthen the "public credit," or for the benefit of the national banks which have deposited the larger portion of the \$140,011,750 as security for their issues? If for either pur-

COMPARISON.

Cash in the Treasury.	Aug	August 1. July 1.		August 1. July 1. Increase.		Increase.	Decrease.
Available for reduction of the public debt: Gold held for gold certificates actually outstanding		\$74,718,517 00		\$76, 044, 375 00			
Silver held for silver certificates actually outstanding United States notes held for certificates of deposit actually		87, 564, 044 00		88, 116, 225 00	2018 JB, L		
outstanding		19, 105, 000 00 13, 875, 237 07		18, 999, 817 05			
United States bonds and interest		2,644 99		3, 789, 163 51 2, 667 17		1	
Total available for reduction of the debt		1		205, 202, 247 73		\$9,936,804,67	
'14, 1875, and July 12, 1882. Unavailable for reduction of the debt: Fractional silver coin	\$28, 584, 624 69		\$28, 904, 681 66	100,000,000 00	Terror seguidos		
Minor coin	343, 291 94	28, 927, 916 63	377, 814 00	29, 282, 495 66		354,579 03	
Certificates held as cash: Legal tender Gold	52, 258, 360 00		250,000,00 55,129,870,00 27,861,450 00				
Silver		80, 457, 218 00 80, 206, 325 98	21,801,400 00	83, 241, 320 00 75, 191, 109 95	\$5,015,216 03	2,784,102 00	
Total cash in the Treasury as shown by Treasurer's general account		484, 856, 903 67		492, 917, 173 34	5, 015, 216 03	13, 075, 485 70 8, 060, 269 67	

From this statement it appears that with cash in the Treasury amounting to the enormous sum of \$484,856,903.67 (a sum more than seven times as great as the entire annual expenses of the Government only thirty years ago), with every conceivable current liability of the Government provided for, interest on every conceivable obligation counted in, and the principal of every matured bond (except those bearing the 3 per cent. interest) counted in, even including the possible liability of the Government for fractional currency long since lost beyond question, there was still remaining in the Treasury on the 1st day of August, 1886, the sum of \$80,206,325.98, and that on the 1st day of July, 1886, that balance was \$75,191,109.95, showing an increase of the net balance in the Treasury in a single month of \$5,015,-216.03; and yet there is hesitation about paying this net balance on the public debt.

The revenues of the Government are nearly a million dollars a day. During the fiscal year ending on the 30th day of last June they amounted to \$336,144,290 without taking the postal revenues into the account, and they will be found to be at least \$44,000,000 when the account is made up, but the postal funds do not enter into my calculations. From made up, but the postal funds do not enter into my calculations. From all present indications the revenues will exceed the current expenditures during this year \$80,000,000. I predict that it will reach \$90,000,000, and yet in the interest of the "public credit" the enormous balance of \$80,206,325.98 must lie idle in the Treasury, subject to the discretion of the Secretary of the Treasury, unless this joint resolution is passed, and if it is, \$30,000,000 with the daily accruing increased net balance in the Treasury will remain idle, all in the discretion of the Secretary of the Treasury. I protest against this line of public policy.

The public credit is not in danger and never has been to the injury of the people even in a time of war. Capital will assert and always has

of the people even in a time of war. Capital will assert and always has asserted its advantage when the Government is in peril. No matter how much magnanimity you may extend to capital to-day when the emergency comes its demands will be inexorable. The extraordinary concessions you were compelled to make in 1862-'63 to the great capconcessions you were compelled to make in 1862–763 to the great capital interests of the country fully attest this, and the unexampled concession made by Congress to the great capital interests by the act "to strengthen the public credit," March 18, 1869, by which hundreds of millions of dollars was added to the value of the public securities and a like burden laid on the shoulder of labor, expresses the mastery of that interest in controlling our affairs. And yet, sir, a tender anxiety for the national banks and an overweaning anxiety for the "public credit" must hoard millions of money in the public Treasury, perpetuating a system of taxation that scrimps the comforts of every home in the land. the land.

But, sir, we are more than ever confronted with the fact that the national Treasury has for years ceased to be simply "the Treasury of the United States." Will gentlemen consider how greatly we have departed from the former theories and practice of our Government in relation to the national Treasury? The Treasury of the United States was designed to be simply "a treasury" to receive, keep in safety, and disburse the public funds under the appropriations made by Congress.

The subtreasury system now in force was especially designed to carry The subtreasury system now in force was especially designed to carry that method of controlling the public fund into effect. The subtreasury is not a bank but an institution of Government.

Is not a bank but an institution of Government.

But it is becoming more and more obvious every year that the Treasury of the United States instead of being a depository of the taxes gathered from the labor of our people, and charged with the simple duty of keeping them in safety until required for the public use and then applying them as Congress shall from time to time direct, is becoming a financial power influencing as an irresistible force the monetary and financial affairs of the country. I submit that there is a wide departure from the earlier and better methods and practices of the Treasury I insist that the Treasury Department has nothing to do with the national-bank system except so far as the national banks become in effect subtreasuries as depositories of the public funds.

I insist that the Treasury of the United States shall receive the taxes I insist that the Treasury of the United States shall receive the taxes and other public revenues which under provisions of law shall from time to time accrue to the United States, keep them in safety, and pay them out as Congress shall direct, and nothing more. I insist that except as to the public debt, and indeed even as to that, this is the limit of its power; and as to the public debt and the surplus in the Treasury the duty of the Secretary is plain—the surplus shall be applied on the matured debt, whether it be a bond payable under a permanent appropriation or any other debt which Congress either by general law or curpriation or any other debt which Congress either by general law or current appropriation shall direct to be paid.

A great surplus in the Treasury, or indeed any surplus in the Treasury, is a public misfortune, a calamity. If the surplus in the public Treasury is not applied to the public debt it will be applied to the advancement of the countless schemes of public plunder and public rob-bery which the inventive schemes of the ever aggressive lobby will

With this great surplus now in the Treasury, or with even \$100, 000,000 there to redeem the greenbacks, on the utopian idea of "great

the commanding force of public opinion. The frugal Government of former years can only be secured by the old methods, moderate and reasonable taxation.

Gentlemen talk about the national credit. I admit its value, and yet Gentlemen talk about the national credit. I admit its value, and yet in my judgment from the standpoint of public interests the motive for integrity and frugality is still greater. Until of recent years this talk of the "national credit" was unknown. It seems to relate to the public securities, and yet in the history of the human race no nation has ever shown such an overweening anxiety to promote the interests of its creditors, the holders of its bonds and securities, as the United States, as will be seen by many acts of Congress, and especially by the act of March 18, 1869, to which I have referred. The tendency of a surplus in the Treasury—a great surplus, such as has been permitted in recent years, and such as is proposed by the pending report of the conferees of the two Houses—is fatal to frugal and honest government.

The \$100,000,000 to be kept in the Treasury to redeem United States

notes, when in fact no such redemption occurs, was and is a measure no one can justify or defend except as a compromise between conflict-

no one can justify or defend except as a compromise between conflicting views. A great balance in the Treasury, no matter what may be the pretense of retaining it, renders extravagant and even profligate expenditure absolutely certain. The experience of this session demonstrates, as every one of recent years has, how impossible it is for Congress to legislate cautiously and prudently in regard to appropriations with an overflowing Treasury at the other end of the Avenue.

It can not be denied that this resistance to the application of the funds in the Treasury to the payment of the public debt is greatly influenced by the apprehension that the Secretary of the Treasury may find it necessary to employ the silver money hoarded in the Treasury as well as gold in payment of the public securities, and yet this silver money is a full legal tender for all purposes and fully meets the extraordinary engagement of the Government of March 18, 1869, to pay in dinary engagement of the Government of March 18, 1869, to pay in coin obligations based upon an inflated paper currency and payable, as to principal, in that currency by the terms of the contract

It would be hard to convince any fair-minded man that the public creditors had any right to complain, and it is certain that silver money must enter into our monetary system and constitute a part of the curmust enter into our monetary system and constitute a part of the currency of the country, or else great capital interests will absolutely control our affairs. This covert war on silver money is one of the most extraordinary features of our period and clearly indicates the aggressive spirit and selfish purpose of the great capital interest of the country. The public creditors have no right to complain. No other nation has ever treated its public creditors with as much favor and consideration as ours has done.

But it must be apparent to all men that this great Treasury system of ours has been for years going beyond the plain and simple duty of the Treasury of the United States, receiving, keeping in safety, and disbursing the public funds as directed by law. The real question forced upon us is, Shall the Treasury of the United States become a great banking establishment? I think the people of this country will answer this question with a most emphatic negative. If the public Treasury is to regulate and control the current finances and commercial affairs of the country the leading attribute of republican government must soon disappear.

All men can see that if the Treasury of the United States becomes a regulating and controlling financial power in the current financial and commercial affairs of the country, as it will and must be in the progress of time with vast deposits of money under its control, it will of itself produce a complete change in the character of our institutions. Splendid government will take the place of the old-time plain and simple republican institutions. The wealth of the country, not the people, will control its affairs.

I trust the country will compel Congress to apply this great surplus of money in the Treasury to the payment of the public debt, and demand such a reduction of taxation as will leave no surplus in the Treasury to tempt or encourage inconsiderate or profligate legislation.

Increase of the Naval Establishment.

SPEECH

HON. JAMES M. RIGGS.

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES, Saturday, July 24, 1886,

On the bill (H. R. 6664) to increase the naval establishment.

Mr. RIGGS said:

financiers" (the men who amass fortunes out of the labor of other people) honest and frugal government is impossible.

The country will be, I trust, alarmed at the prodigal growth of the expenditure of our Government; and yet no force can prevent it except

of our country, all exposed to the dangers of attack and absolute de-molition in case we should become suddenly involved in war with one

of the powers possessing a navy.

I do not intend to go into details, or attempt to make an elaborate presentation of the subject. And I can not do better, in making a statement of our defenseless condition and the dire results which might follow from it, than to quote from a letter written not many months ago by that eminent statesman-whose name is so dear to every Democratic heart-Samuel J. Tilden. He says:

heart—Samuel J. Tilden. He says:

The property exposed to destruction in the twelve seaports—Portland, Portsmouth, Boston, Newport, New York, Philadelphia, Baltimore, Charleston, Savannah, New Orleans, Galveston, and San Francisco—can not be less in value than \$5,000,000,000. To this must be added the vast amount of property depending for its use on these seaports. Nor does this statement afford a true measure of the damage which might be caused to the property and business of the country by a failure to protect these seaports from hostile naval attacks. They are the centers, not only of foreign commerce, but of most of the internal trade and exchanges of domestic productions. To this state of things the machinery of transportation of the whole country has become adapted. The interruption of the currents of traffic by the occupation of one or more of our principal seaports by a foreign enemy, or the destruction of them by bombardment, or the holding over them the menace of destruction for the purpose of exacting contribution or ransom, would inflict upon the prosperity and business of the country an injury which can neither be foreseen nor measured. The best guarantee against aggression, the best assurance that our diplomacy will be successful and pacific, and that our rights and honor will be respected by other nations, is in their knowledge that we are in a situation to vindicate our reputation and interests.

This is a terse and true statement of our defenseless condition. The

This is a terse and true statement of our defenseless condition. The same great statesman also says:

same great statesman also says:

It is now more than sixty years since we announced to the world that we should resist any attempts, from whatever quarter they might come, to make any new colonizations on any part of the American continent; that while we should respect the status quo, we should protect the people of the different nations inhabiting this continent from every attempt to subject them to the dominion of any European power or to interfere with their undisturbed exercise of the rights of self-government. This announcement was formally made by President Monroe after consultation with Mr. Madison and Mr. Jefferson. It was formulated by John Quincy Adams. Our Government has firmly adhered to the Monroe doctrine, and even so late as 1865 it warned Napoleon III out of Mexico. It is impossible to foresee in the recent scramble of the European powers for acquisition of colonies how soon an occasion may arise for our putting in practice the Monroe doctrine. It is clear that there ought to be some relation between our assertion of that doctrine and our preparation to maintain it.

In the same letter he further save:

In the same letter he further says:

A million of soldiers with the best equipments on the heights surrounding the harbor of New York, in our present state of preparation, or rather in our total want of preparation, would be powerless to resist a small squadron of war steamers. This state of things is discreditable to our foresight and to our pru-

It is true that the letter was written mainly with reference to the duty and necessity of promptly constructing coast defenses in the way of fortifications, but what I have quoted is just as applicable to the duty and necessity of constructing a suitable and efficient Navy; and that portion of it which alludes to our assertion and maintenance of the Monroe doctrine is more in point with reference to the construction of a Navy, because should we have occasion to forcibly maintain that doctrine we would be compelled to employ naval warfare.

Now, I desire to quote from the platforms adopted by the two great political parties in 1884, not with a view of making a stump speech here on this floor, for I am not here for that purpose, but solely to ascertain and state the position which the majority party in this House occupied before the country, with reference to this subject, during the

last Presidential campaign. The Republican party first met in convention and adopted a plat-The seventeenth paragraph of that instrument contains the fol-

We demand the restoration of our Navy to its old-time strength and efficiency, that it may in any high sea protect the rights of the American citizens and the nterests of American commerce.

Afterward the Democratic party through its convention animadverted severely upon the course of the Republican party in failing to construct a navy, and, alluding to the above quotation from the Republican platform, said:

It demands the restoration of the Navy; it has squandered hundreds of millions to create a navy which does not exist.

Thus we have both parties admitting that we have no navy; the one demanding a restoration thereof to its former efficient condition, the other condemning that one for not having, while long in power, constructed or restored the Navy.

But returning again to the Democratic platform, I find the following language:

The Democratic party insists that it is the duty of the Government to protect with equal fidelity and vigilance the rights of its citizens, native and naturalized, at home and abroad. * * * It is an imperative duty of this Government to efficiently protect all the rights of persons and property of every American citizen in foreign lands and demand and enforce full reparation for any invasion

How can the Government discharge this duty to its citizens in foreign lands without a navy? Do not these quotations from the last political platform of the Democratic party bind it to construct and maintain an efficient navy while it is in power? It seems to me there is no escape from this.

It is well known—none of us have forgotten—that during the Presidential campaign of 1884 our party journals, the Democratic newspapers, all over this country unsparingly attacked the Republican party

for not having built and maintained a navy, and if they did not expressly, they did impliedly promise that in the event we—the Democracy—succeeded we would put the country in a position to maintain the rights of its citizens abroad, enforce the Monroe doctrine, and defend itself against all assaults from without. The same attacks were made on the other party by our political speakers in every nook and corner of the land, and the same promises were made by them.

Shall we redeem those promises? Or shall we permit the country to remain in a defenseless condition and place ourselves in such an attitude that when the campaign of 1888 comes the Republican party can justly say of the Democratic party, in its platform, what the latter said

of the former in 1884.

Its platform promises are now a list of its past failures.

Mr. Chairman, the majority in this body is now politically in accord with the executive branch of the Government, and ought to have some regard for the opinions and recommendations thereof, and I want to call the attention of this side of the House to some of those opinions and recommendations. Theodore D. Wilson, Chief of the Bureau of Construction and Repair in the Navy Department, in his last annual report, speaking of the propriety and necessity of completing monitors which have been begun, says:

which have been begun, says:

The bureau has estimated for the necessary amount of money to complete the work in construction department on the double-turreted monitors Puritan, Terror, Amphitrite, and Monadnock, and trusts that Congress will appropriate the amount asked for (\$2,923,056), that these vessels may be completed. The machinery of the Puritan has been erected and the dock trial had, and contracts have been made by the Bureau of Steam Engineering for the erection of the machinery in the Terror and Amphitrite, but the work under this bureau remains at a standstill.

I can not too strongly urge the completion of these vessels, in all respects, at an early day, as they will afford as good vessels of their class as are owned by any nation, and are in my opinion the best type of coast and harbor defense vessels in existence to-day. It will require at least a year to obtain their side and turret armor after it is authorized. It therefore seems very necessary that money for armor, if for nothing more, should be appropriated at an early day, in order that contracts for securing it may be made with as little delay as possible. When completed we will have five splendid coast and harbor defense iron-clads. Should occasion require it they can be sent to distant points; their seaworthiness has been well tested in the past.

The Admiral of the Navy, in his last report, speaking on the same

The Admiral of the Navy, in his last report, speaking on the same subject, says:

Subject, says:

We have such a shadow of a navy that we can not afford to throw away any thing in the shape of an ironclad, and those that we have for home defense are worth more than all the wooden vessels in the service.

These remarks are still more applicable to the Amphitrite, Miantonomoh, Monadnock, Purlian, and Terror, turreted vessels under construction, which, if finished, will be valuable additions to the Navy. When they are finished and fitted with modern batteries, there will be no better vessels of this class in any navy, for home defense, which is the only service that should be expected of them, although their capacity to cross the ocean and encounter the most tempestuous weather has been fully demonstrated.

A few years ago, when we were on the verge of a war with Spain, the officers of the Navy would have been much better satisfied if these vessels had been in condition for service.

Should they now be completed they would give such a prestige to the Navy as it has not enjoyed for twenty years, and though far from furnishing all the power required for the protection of our coasts, their completion must show a desire on the part of Congress to begin the reconstruction of the Navy at the point where it is most needed, namely, the protection of our coast, which is now at the mercy of foreign powers.

With such a nucleus of a force as these monitors completed would present there would be much greater hesitation on the part of an enemy in molesting our seaboard cities.

It seems to me to be bad policy to leave the monitors in their present condition. We can not afford to throw them away. We can not sell them as they are, and they are deteriorating by being kept in an unfinished state.

From long-continued observation I am satisfied that the strictures made in regard to the construction of these vessels are very unjust. As far as the work has gone they are better vessels than the originals which they represent, and which at the time they were built were considered to be remarkably efficient, either o

either one of them being more than a mark to the first conclad.

About \$3,000,000 are, I believe, required to finish the ironclads, and when they are completed and properly armed we will at least have taken an important step toward the resurrection of a navy which at one time was one of the best equipped in the world.

Every year adds to the deterioration of the vessels in question, and consequently increases their cost. They are now in that state when they can be completed with all the modern improvements without altering the work already done, and with but little more expense than was originally estimated.

The present Secretary of the Navy, in his annual report, commends the recommendations of these bureau officers in the following language:

Cruising ships, however, we must have, unless the policy of continuing repairs upon worthless ships is to continue, or unless we are to abandon the national duty of affording the security and protection of our presence and power throughout the world wherever our people sojourn.

I commend to your consideration the recommendations of the bureau officers of the Department upon these subjects.

Now, shall we heed these recommendations of our own Department officer? But I want to call attention to another portion of the report of the Secretary. It is as follows:

At the present moment it must be conceded that we have nothing which de-erves to be called a navy. The highest official authority in our service said in

Serves to be caused a may last the world that is not in advance of us with regard to ships and guns, and I, in common with the older officers of the service, feel an anxiety on the subject which can only be appreciated by those who have to command fleets and take them into battle."

And so recently as 1883 the same distinguished authority stated that it was universally admitted "that we have no navy either for offense or defense."

It is questionable whether we have a single naval vessel finished and afloat at the present time that could be trusted to encounter the ships of any important power—a single vessel that has either the necessary armor for protection, speed

for escape, or weapons for defense. This is no secret; the fact has been repeatedly commented upon in Congress by the leading members of both parties, confessed by our highest naval authorities, and deprecated by all. Such is not the kind of navy which this country, with its extensive coast line, its enormous territorial area, and incalculable commercial resources, requires, nor such as it is entitled to have.

This country can afford to have a set out to ha

ritorial area, and incalculable commercial resources, requires, nor such as it is entitled to have.

This country can afford to have, and it can not afford to lack, a naval force at least so formidable that its dealings with foreign powers will not be influenced at any time, nor even be suspected of being influenced, by a consciousness of weakness on the sea. While still striving to build up its merchant marine and to multiply its relations with foreign markets, it can not be expected much longer to tolerate such expenditures for a navy which could not for a moment defend even its diminutive commerce against any considerable power.

A naval vessel at the present moment is a product of science. Taking the world over, it will be found that each part of her—her armor, her armament, her power, her form, and the distribution of her parts or characteristics—each of these features of the completed vessel is absorbing from year to year the exclusive study of a class of scientific men. And as men of science throughout the world are continually stimulated to new discoveries and inventions, no vessel that can be built can be considered a finality in any particular.

The problem of keeping pace with the march of improvement in these lines of industry is one of incalculable difficulty; and yet unless the Government is prepared to avail itself promptly of all the improvements that are made in the construction and equipment of its ships its expenditures are largely useless. It is of little service to a nation to have any navy at all unless it is a fair expression of the highest scientific resources of its day. The destructive power of the modern implements has become so great as to dominate in actual warfare. The bravest and best commander is helpless without them.

For the construction and maintenance of such a navy we have made but little provision. To have and maintain such a navy is, I believe, the wish of the country and the duty of the Government.

Mr. Chairman, this is not all. The President of the United States, whom we elected on the platform from which I have quoted, in his

annual message has said:

annual message has said:

Congress at its last session authorized the construction of two additional new cruisers and two gunboats, at a cost not exceeding in the aggregate \$2,995,000. The appropriation for this purpose having become available on the 1st day of July last, steps were at once taken for the procurement of such plans for the construction of these vessels as would be likely to insure their usefulness when completed. These are of the utmost importance, considering the constant advance in the art of building vessels of this character, and the time is not lost which is spent in their careful consideration and selection.

All must admit the importance of an effective navy to a nation like ours, having such an extended sea-coast to protect. And yet we have not a single vessel of war that could keep the seas against a first-class vessel of any important power. Such a condition ought not longer to continue. The nation that can not resist aggression is constantly exposed to it. Its foreign policy is of necessity weak, and its negotiations are conducted with disadvantage, because it is not in condition to enforce the terms dictated by its sense of right and justice.

Now. Mr. Chairman, the case briefly summarized is this: Our great

Now, Mr. Chairman, the case briefly summarized is this: Our great Now, Mr. Chairman, the case briefly summarized is this: Our great country, with its sixty millions of people and untold wealth, has no navy, and is almost in a defenseless condition. The party to which the majority of this House belongs, impliedly at least in its last platform, and expressly through its press and public speakers, promised the construction of a proper and efficient navy.

The Secretary of the Navy, who is in accord with that majority, has strongly recommended it. The President of the United States, whom that majority elected, has also recommended it. The condition of the country and our duty demand it.

Shall we heed the recommendations and admonitions of our own Pres-

Shall we heed the recommendations and admonitions of our own President and Secretary on this subject? Shall we redeem our pledges to the people? And, above all, shall we discharge our solemn duty to our country and place it in a condition that will enable it to defend itself when necessary?

Of course it will cost something to construct a navy, but we will surely never have one without paying for it. As suggested by the revered Democratic statesman, from whose letter I have quoted, there is

a large and increasing surplus of revenue in the Treasury.

From this we may take enough for this purpose without crippling the operations of the Government, without impairing its ability to discharge other obligations. For myself, I am in favor of providing for the public defense. I am in favor of redeeming the promises we made to the people of this country. I am in favor of discharging the duty we owe the country in this regard, and will, whenever I have the opportunity, vote for all proper measures looking to the accomplishment of these ends.

Shall we Build and Maintain a Naval Establishment?

SPEECH

HON. WILLIAM MCADOO.

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 24, 1886,

On the bill (H. R. 6664) to increase the naval establishment.

Mr. McADOO said:

Mr. CHAIRMAN: We are to-day virtually without the material that constitutes a navy. It is idle to recount the causes that have produced this state of affairs. Partisan and personal considerations might influence such profitless discussion, but our duty is plainly to address ourselves to the main question of building the new navy, the manner of its construction, and the kind of vessels to be built. It is to me strange

that at this late day there should appear in this House a number of gentlemen who, if small in number, are certainly respectable in character and ability, and who seem to be in opposition to any naval establishment. As I have before stated on this floor, Democratic jealousy of military establishments can not be legitimately extended to the naval and militia arms of the Government.

In the discussions which took place at the formative period of our Government a clear line of demarkation was ably pointed out between maintaining a regular army and these other arms of governmental mantaining a regular army and these other arms of governmentar power. A large regular army was looked upon with dread and suspicion. The States, as well as the people, were determined that no great military establishment should ever be placed in the hands of the central government. The people had painful and acute memories of the result of the resplendent and powerful military establishments of Europe. "Freemen," as John Randolph said, in the Eleventh Congress, "needed not to be defended by hirelings." The militia are freemen in arms to maintain the laws made by freemen in council. Our laws being the result of popular action, power to enforce an orderly obedience to them result of popular action, power to enforce an orderly obedience to them is part of our system. The military arm of the State conserves both the State and the Union.

Now, as to the naval establishment, I repeat what I have so often said here before; that is, that the Navy represents the power of our country not as against its own citizens, but as in defense of them, its own rights and dignity, against foreign aggression and interference. take the liberty to repeat from the RECORD what I said a few days ago on this subject.

on this subject.

I agree with all that has been so well and cloquently and frequently said on this floor that the United States was able to defend itself successfully against any nation on the face of the earth. So long as we are a united people, and I thank heaven we are, there never will be an invasion of our soil, and no foreign nation, however powerful and great and warlike, that has trouble with the United States will ever undertake to land an army on our shores. The armies of Napoleon and Wellington combined could not invade the United States with its sixty million free people and its enormous territory and great wealth. But our seaceast cities and harbors are in peril.

A navy and a proper fortification of our coastare not in the line of monarchical government. A standing army affects our own people, but the navy and seaceast defenses only menace foreign powers. I am opposed to paternal government and for the man against the State just as much as the upright defender of the Constitution from Texas [Mr. Reagax] or the able gentleman, Judge Holman, from Indiana. But a government ceases to be a government when at its border lines it is not, as against foreign interests and foreign arms, protective, defensive, and paternal in the broadest and most sacred sense in guarding the lives, liberties, rights, and properties of its citizens and in upholding its own dignity and honor.

That is the very essence of government—to protect its citizens; and as against foreign nations or foreign interests I would provide the strongest defenses that can be produced by the energy and skill of man. Full freedom within, but unyielding, determined, undying, and eternal protection and defense against foreign interference in whatever form it may come. I do not advocate wild and extravagant navies and forts looking to foreign intermeddling and conquest, but sufficient to assert our rights and defend our coasts. Let the robber governments of Europe maintain tremendous military establishment?

Shall we build up and maintain a respectable naval establishment? Shall we protect our coasts at home and our citizens abroad? The wise and good men who directed the steps of the infant Republic answered this question in the affimative. I have taken the trouble to collect a few brief extracts from the State papers of our earlier history on this important question. I might read many, but content myself with a few from sources entitled to the greatest weight—that devoted band who, watching with untiring vigilance the rise and flow of the primal founts of popular government, gauged with an accuracy almost incredible the scope, breadth, and depth of its future progress and development.

Hon. Benjamin Stoddart, Secretary of the Navy, as early as 1798

thus expressed himself on this question:

thus expressed himseif on this question:

The protection of our coast, the security of our extensive country from invasion in some of its weaker parts, the safety of our important commerce, and our future peace when the maritime nations of Europe war with each other, all seem to demand that our naval force should be augmented; so much augmented, indeed, as to make the most powerful nations desire our friendship—the most unprincipled respect our neutrality. The peaceful character of America will afford to the world sufficient security that we shall not be easily provoked to carry the war into the country of an enemy; and it will become the wisdom of America to provide a cheap defense to keep it from our own.

Thus, in whatever view the subject is considered, whether our object be to prevent invasion, to protect our commerce, to obtain a speedy and a proper peace, to maintain peace hereafter, or by affording security to every part of our country to guard against the long train of ills which must result from disunion, the wisest, cheapest, and most peaceable means of obtaining the end we aim at will be prompt and vigorous measures for the creation of a navy sufficient for defense, but not for conquest.

In December, 1815, Secretary Crowninshield said in his report to Congress as to a naval establishment:

The importance of a permanent naval establishment appears to be sanctioned by the voice of the nation, and I have a satisfaction in stating that the means of its gradual increase are completely within the reach of our national resources independently of any foreign country.

The commerce of the United States, increasing with the resources and population of the country, will require a commensurate protection which a navy alone can afford; and the experience derived from the active and vigorous employment of a limited navy during the period of the late war has demonstrated its efficient utility.

Mr. Bassett, from the Committee on Naval Affairs, on November 27, 1812, thus vigorously and accurately stated the naval question. It is as apropos as if delivered to-day. The whole question is briefly, admirably, and tersely stated. An American navy for defense and protection

is the popular demand now as then, and now as then let us answer with a law to increase the navy of the United States:

a law to increase the navy of the United States:

It is a bright attribute in the history of the tar that he has never destroyed the rights of the nation; in its defense only is he to be found. Thus aided by economy, and fortified by republican principle, your committee think they ought strongly to recommend that the fostering care of the nation be extended to the naval establishment. It is far, very far, from your committee to extend their views of a navy to the mad and wicked prospect of foreign conquest or a silly contest to be mistress of the ocean. Their view is limited to their own defense and to enforce respect to their just rights.

To the objection that it is the nature of man to run into extremes they answer that it is the end, not the beginning, we should guard against. It is surely yield-

To the objection that it is the nature of man to run into extremes they answer that it is the end, not the beginning, we should guard against. It is surely yielding much of the argument to surrender all of the subject that is good and require submission to evil that good may come thereof. Rather separate the wheat from the chaff—show the good and the bad. Let it be impressed on every citizen that to use force to protect and maintain the rights and liberties of his country is his first duty, while it is the greatest of crimes to attack with force the rights of others. It can require no subtlety to enforce the distinction between defense and offense; neither can it require argument to prove the first ought not to be abandoned as being more than life is worth, though the other may be deprecated as the consummation of wickendess. Limited to the view of defense and protection, the committee directed their chairman to ask leave of the House to report a bill to increase the Navy of the United States.

Listen to the voice of the statesman from South Carolina, Hon. Langdon Cheves, speaking in the Twelfth Congress, 1811, from the Commit-tee on Naval Affairs. The voice of wisdom speaks here, my masters! History does indeed repeat itself, and human nature has changed little in all the ages, for he pictures here the very objections of our own lay. As it is said in Scripture, "Wisdom is justified of all her children." How eloquently, ably, and strongly he presents the case:

That the subject referred to your committee in its several relations presents a question of the highest importance to the interests of the people of this country, inasmuch as it embraces one of the great and leading objects of their Government, and that which above all others laid the foundations of the happy Union of these States, your committee need hardly say they mean the protection of maritime commerce, an interest which, though when superficially viewed seems to affect only the Atlantic portions of the country, yet really extends as far as the utmost limits of its agriculture and can only be separated from it in the opinion of your committee by a total blindness to the just policy of Government.

the opinion of your committee by a total blindness to the just policy of Government.

The important engine of national strength and national security which is formed by a naval force has hitherto, in the opinion of the committee, been treated with a neglect highly impolitic, or supported by a spirit so languid as, while it has preserved the existence of the establishment, has had the effect of loading it with the imputations of wasteful expense and comparative inefficiency. No system has hitherto been adopted which though limited by the dispensing security of the times, and the just economy of our republican institutions, was yet calculated to enlarge itself gradually with the progress of the nation's growth in population, in wealth, and in commerce, or expand with an energy proportioned to a crisis of particular danger.

Such a course, impolitic under any circumstances, is the more so when it is demonstrably clear that this nation is inevitably destined to be a naval power, and that the virtue of economy, if no other motive could be found, would recommend a plan by which this force must be gradually increased, the necessary expenses diminished, and durability and permanency given to the strength which they may purchase.

That a naval protection is particularly secured to the interest of commerce by our great political compact is proved by that part of the Constitution which expressly gave to Congress the power "to provide and maintain a navy," and is confirmed by the history of the times and the particular circumstances which led to its institution; but it is alike secured by the fundamental nature of all government which extends to every interest under its authority a protection (if within the nation's means) which is adequate to its preservation; nor is this protection called for only by the partial interests of a particular description of men or of a particular tract of country. A navy is as necessary to protect the mouths of the Mississippi, the channel through which the produce of the agriculture of the M

President James Monroe, in his message to Congress on the subject of the Navy on January 30, 1824, thus spoke wisely and well. If he was living now he would learn how much more important in the view of some gentlemen it is to improve ghostly and undiscovered rivers and marine hallucinations under the guise of harbors that, however much they may trouble the Treasury, have no place in the thoughts of geographers. Here are a few extracts from his message:

of geographers. Here are a few extracts from his message:

If a system of universal and permanent peace could be established, or if, in war, the belligerent parties would respect the rights of neutral powers, we should have no occasion for a navy or an army. The expense and dangers of such establishments might be avoided. The history of all ages proves that this can not be presumed; on the contrary, that at least one-half of every century, in ancient as well as modern times, has been consumed in wars, and often of the most general and desolating character. Nor is there any cause to infer, if we examine the condition of the nations with which we have the most intercourse and strongest political relations, that we shall in future be exempt from that caismity within any period to which a national calculation may be extended. And as to the rights of neutral powers, it is sufficient to appeal to our own experience to demonstrate how little regard will be paid to them whenever they come in conflict with the interests of the powers at war, while we rely on the justice of our cause and on argument alone.

Two great objects are, therefore, to be regarded in the establishment of an adequate naval force—the first, to prevent war, so far as it may be practicable; the second, to diminish its calamities when it may be inevitable. Hence the subject of defense becomes intimately connected in all its parts, in war and in peace, for the land and at sea. No government will be disposed in its wars with other powers to violate our rights if it knows we have the means, are prepared, find resolved to defend them. The motive will also be diminished if it knows that our defenses by land are so well planned and executed that an invasion of our coasts can not be productive of the evils to which we have herectofore been exposed.

The great object, in the event of war, is to stop the enemy at the coast. If

coasts can not be productive of the event of war, is to stop the enemy at the coast. If this is done, our cities and whole interior will be secure. For the accomplishment of this object our fortifications must be principally relied on. By placing strong works near the mouths of our great inlets, in such positions as to command the entrances into them, as may be done in many instances, it will be difficult if not impossible for ships to pass them, especially if other precautions, and particularly that of steam-batteries, are resorted to in their aid.

In the wars between other powers, into which we may be drawn in support of our neutral rights, it can not be doubted that this defense would be adequate to the purpose intended by it; nor can it be doubted that the knowledge that such works existed would form a strong motive with any power not to invade our rights, and thereby contribute essentially to prevent war.

The amount of the property of our fellow-citizens, which was seized and confiscated or destroyed by the belligerent parties in the wars of the French revolution, and of those which followed, before we became a party to the war, is almost incalculable.

This recital might be continued in unbroken line to this day-so im portant to the future of the Navy, which if no obstruction ensues here may now take its first forward move since the civil war.

WHAT KIND OF NAVY SHOULD WE BUILD?

There being no reasonable room, in my humble opinion, for doubt as to the policy and wisdom of rehabilitating the Navy, we are confronted in this wondrous age of science and advance as to what kind of navy we should build. A navy is, I am convinced from all that I have read and heard on this subject, the best harbor defense. With us, in fact, this is its prime importance. We have no wish to emulate the mere

glitter and display of aristocratic governments.

The manly simplicity and dignity of a true American embassador, amid the plumes, lace, stars, jewels, fantastic foolery, and glittering gilt of a European court, typifies truly our traditions and institutions. With us a navy is for use and as a necessary defense from outside powers. Thomas Jefferson, who will stand for all time without a rival as the father and founder of a great and enduring school of political thought is on a constant of the power of the thought, is on record as strongly recommending gunboats for harbor defense. He has given to the world a very interesting letter on this The number of gunboats he advocated for the harbors of New York, Philadelphia, Norfolk, Charleston, and other ports would make his declared disciples on this floor, who criticise any naval increase, hold their breath.

Mr. Jefferson was a very broad-minded and wise man, and did not believe in logs, flags, and universal peace. Forts are well enough in their way, but, as Admiral Porter said before our Committee on Naval Affairs, in the whole history of the world, from the wars of Holland to the capture of New Orleans, ships have never been successfully opposed

by forts. I read his testimony:

By Mr. McADoo:

By Mr. McAdoo:

Q. Do you not think that vessels of this type—monitor ironclad—would be a much better coast defense than any system we have got?

A. Without any hesitation I say it is the best system of defense in the world. The English try to do without it now and then and do away with the monitor turret as much as they can.

Q. Do you think it is better than forts and guns—better for coast and harbor defense than the coast fortifications?

A. I would not give anything for guns and forts. If you will give me five guns, one a ship to one on shore, I will volunteer to destroy any fort on the coast. There is no instance where ships have not whipped forts. As to our forts in New York Harbor, I would rather have those five vessels to protect New York Harbor than the forts.

If time permitted, the history of the advance and progress of naval architecture would, I think, be highly interesting. In this field the researches of science, the cunning and ingenuity of man, have been put to the full test. From the rude war vessels of the Greeks to the magnificent and nearly impregnable steel-armored war ships of Italy, France, and England, is of itself almost the history of modern civilization and mechanical invention. Before the civil war the United States was one of the great naval powers, if not the greatest. We had the resources, facilities, genius, and enterprise to build the model wooden war vessels. We led then; now we follow feebly and afar off. Iron superseded wood.

While we were healing up the hideous wounds of civil war Europe was directing all her skill and energy to prepare for future war on the Even as our maritime and naval glory expired in the changes seas. Even as our maritime and naval glory expired in the changes and losses of that great strife, American genius in the very heat of battle created the first successfully tested ironclads. Among the officers of our older Navy those who joined the South cast luster on our military schools by inventing and creating the iron-clad ram Merrimac and successfully using that dread of sailors, the torpedo. In saying this I do not forget the French war ship, La Gloire in 1858, nor the armored iron steam-frigate Warrior of the English.

This successful stroke of American genius and daring in the South was countered in the North by Mr. Ericsson's never to be forgotten Monitor, which has revolutionized the navies of the world and won for its patriotic, daring, persistent, and gifted inventor enduring and universal fame. The steps of naval growth to date are (1) the application of steam, strictly the screw propeller; (2) shell-firing and the increased power of artillery; (3) the use of armor; (4) the submarine torpedo. I can not do better than give here this brief history of naval development and growth from Francis T. Bowles, esq., assistant naval constructor.

Mr. Bowles says:

The U. S. S. Princeton (1842-'43) was the first screw war steamer. She was designed by Ericason, and her success and construction were mainly due to the efforts of Capt. R. F. Stockton, United States Navy. Great naval powers are reluctant to begin changes that involve costly reconstruction; this, with the conservatism regarding any new system, was the reason of the otherwise inconceivable reluctance of the English to take up the project of a screw navy. When the French built the screw line-of-battle ship Napoleon (1850) the English took alarm and began reconstruction with vigor; and the renovation of their navy by the application of the screw was well advanced in 1859, when the French

launched the iron-clad wooden frigate La Gloire. Then began the decline of unarmored battle-ships.

The principal incentive to the application of armor was the destruction anticipated from shell-fire. It was not until 1854 that naval batteries consisted entirely of shell-guns, the magazines being filled with loaded shells already fused. Admiral Dahlgren in the United States frigates of 1854 carried the application of this missile to great perfection. The Merrimac, one of these, visited Europe in 1856, startling naval administrations by the enormous shell-power of her battery. The swift destruction of the Turkish fleet at Sinope by the shells of the Russian ships during the war in the Crimea (1853) had much to do with hurrying forward its application; the destruction of the Congress and the Cumberland and the engagement between the Monitor and the Merrimae (1862) gave it fresh stimulus.

The first definite proposal for building an ironclad was made in 1841 by R. L.

on the missation group perinstication, no a sertiment on a classe, wasted four-pictury. The switt destruction of the Turksh fleet at Sinope by the shells of the Russian ships during the war in the Crimes (183) had much to do with hurrying forward its application; the destruction of the Congress and the Cumberland forward the application; the destruction of the Congress and the Cumberland state of the congress o

throughout the casemate at an angle of 30° from the vertical. Her battery consisted of fourteen 11-inch smooth-bores and two 8-inch Parrott rifles. Though her speed was only about 6 knots at the best, this vessel performed most valuable and effective service throughout the war, both before fortifications and on the blockade. In a period of about six months she was struck some one hundred and ninety-three times, and never forced to go into a home port or to depend upon outside assistance for repairs. The Monitor was built of iron under the superintendence of, and from an original design by, John Ericsson. The opportune appearance of the Monitor in Hampton Roads in March, 1862, and her successful combat with the Merrimac, gave a fictitious value to this vessel as an example of naval architecture; for, though the plan was noble, the details were melancholy. Owing to her defective method of construction, the Monitor was lost at sea in a gale off Hatteras nine months after her first battle.

Notwithstanding the reports of several intelligent officers on the serious defects of this vessel many of them were repeated in the numerous monitors subsequently built of wood and of iron. Nevertheless they performed invaluable services and furnished the type of modern coast-service ironclads and a system of armament which has been followed in the most powerful iron-clads of secent construction. At the termination of the war it was determined to build four sea-going double-turreted monitors without overhanging armor-shelf at either the ends or the sides. These were the Miantonomoh, the Monadnoek, the Terror, and the Amphitrite. Their hulls were of wood, and were armored with laminated plates 1 inch thick, with a total thickness of 6 inches at the sides and 12 inches on the turrets. The Miantonomoh made a voyage to England, where she attracted much attention, and was no doubt the progenitor of the Devastation; the Monadnoek was sent round Cape Horn to San Francisco. In 1874 these vossels were broken up and "rebuilt" into the dou

The names of Stevens and Stockton in this statement of Mr. Bowles are interesting to me as a representative of New Jersey. They were both illustrious Jerseymen, of families respected for their patriotic history, their virtues, and their ability.

We are now confronted with these wonderful armadas and modern

armaments. We must either abandon defense and protection or pre-pare to meet them, at least to a moderate extent. Lieut. William H. Jaques, United States Navy, presents this startling picture. It is made up of cold facts and figures:

There are 198 armor-clad vessels in the world available for offensive operations against the United States, and 42 more are building, making a total of 240. Of these, 194 are plated with wrought iron, 19 with all compound armor, 12 with compound and wrought iron, 10 with all steel, 4 with steel and wrought iron, and 1 with steel and compound armor. Only 8 of the 42 now building have all wrought-iron armor, 6 of these being in Russia. Only 6 of the 240 vessels are under 2,000 tons' displacement; 209 of the 240 are over 3,000 tons. England owns 70 armor-clads, of which 13 are building. France owns 50 armor-clads, of which 12 are building. Russia owns 24 armor-clads, of which 6 are building. Italy owns 19 armor-clads, of which 6 are building. Germany owns 14 armor-clads. Austria owns 13 armor-clads, of which 3 are building. Denmark owns 7 armor-clads, of which 1 is building. Holland owns 7 armor-clads, of which 1 is building. Holland owns 6 armor-clads, of which 1 is building. Japan owns 8 armor-clads, of which 1 is building. Spain owns 8 armor-clads, of which 1 is building. Chili owns 3 armor-clads. Chili owns 3 armor-clads.

Chili owns 3 armor-clads.

Chili owns 3 armor-clads.

Besides these vessels there are in Europe a large number of gunboats, monitors, and other vessels for coast defense, and an immense number of unarmored cruisers.

The United States has ready for service but six monitors of 2.100, and eight of

tors, and other vessels for coast defense, and an immense number of unarmored cruisers.

The United States has ready for service but six monitors of 2,100, and eight of 1,875 tons' displacement. These monitors are twenty years old, their guns are obsolete, their armor thin, and their power of offense or defense is insignificant. Besides these there are four monitors of over 3,800 tons each, and one (Puritan) of over 6,000 tons, in various stages of construction. The Miantonomoh, at the New York navy-yard, has hull and engines complete, and is being supplied with armor and guns. The Puritan, Amphitrite, and Terror are at private ship-yards; they have the hull and engines practically complete, and are ready for their armor and guns. The Monadnock, at San Francisco, has the hull complete, but requires engines, armor, and guns. These four monitors will require together about 3,000 tons of armor.

The five large monitors, if armed with 10-inch high-power steel breech-loading rifles, will make good fighting ships, and will be efficient for coast defense and for service in the West Indies or at the Isthmus of Panama; and if armored with steel plates instead of iron (for which they were designed), they will have a very much superior power of resistance with the same displacement.

The coast-defense fortifications of the United States are considered by all authorities to be about worthless; we have no torpedo-boats nor automatic torpedoes; and submarine mines and electrically controlled torpedoes; can be easily taken up unless protected by guns and automatic torpedoes; yet, from the estimates of Lieutenant Griffen, United States Army, there is now exposed to the fire of an enemy on our coast, in eleven cities, nearly \$5,000,000,000 of destructible property.

And all this while the gallant and battle-scarred Admiral Porter recently made this statement before our committee:

Q. I am just directing your attention to the improvements in modern ord-nance. What would be the effect of a bombardment of New York now? A. There is a place near Coney Island [indicating on a rough diagram], which

I have surveyed, where an enemy could be out of the range of the guns at Fort Hamilton, and from where they could throw shot into the city hall and into the middle of Brooklyn. I had an argument with Secretary Fish once about this, and wrote him a letter showing how it could be done. There is a good deal of difference between a shell weighing 150 pounds and one weighing 800 pounds, with the increased charge of powder.

THE PRESENT BILL.

The bill now before us is the result of long and patient investigation on the part of the Naval Committee. It has the sanction of our best experts and of the present Secretary of the Navy, than whom a more able, upright, progressive, and devoted public officer never had in charge a great Department of Government. It has been reduced in its expenditures to meet the desires of conservative leaders in this House. For myself I would favor it if it provided for double the present number of ships, but I am content to take it as at least one step toward a respectable navy. It is, in my opinion, a wise and carefully considered matter and deserving of the confidence it inspires.

Any measure which at this period in the session, and especially on

this day, would arouse any determined opposition would be doomed to defeat. No more advanced naval measure than this could have got a hearing at this time, and I believe it to be a patriotic duty to accept this bill without quibble or delay. Let us sink all personal and partisan considerations, and in the interest of our people and our country

make of this bill law before this session adjourns. No more popular measure is before this Congress. No more pressing and righteeus measure has ever been before any Congress.

The bill has, among others, three good, sound, and strong propositions. It proposes to build a first-class ironclad of the second grade, provide torpedo boats, and complete the monitors. This style of iron-clad is a combination of arrises and armored vessel, sometimes called a belted cruiser, from the fact that a belt of armor protects her vital parts. She has good speed, and when well armed a formidable battle-ship. The Navy Department will in all probability follow the plans of the recently constructed Brazilian ship Riachuelo. A naval expert thus describes that vessel:

Among the second-class ironclads the Brazilian twin-screw turret-ship Riachuelo, completed in England in 1884, is by far the best example. The Riachuelo is 305 feet in length, 52 feet beam, and 19 feet 6 inches mean draught at a displacement of 5,700 tons. On trial the engines developed 6,900 indicated horse-power with natural draught, giving a mean speed of 161 knots per hour. The armor belt is 11 inches thick, 7 feet deep, and extends an armored deck 2 inches thick, depressed at either end of the ship to meet the ram and protect the steering-gear. Upon this are two oval 10-inch armored breastworks en échelon, rising to a height of 12 feet 6 inches above the water line, each supporting a turret whose turning and loading-gear it protects. Each turret mounts two 20-ton breech-loading rifled guns. The rest of the armament consists of six 70-pounder guns and 15 machine-guns. This vessel is a remarkable instance of the increased skill in marine engineering, the high speed obtained being mainly due to the great power developed from the limited weight of machinery.

Her internal machinery-now the great desideratum in marine architecture—is the acme of modern advancement. The skill and genius of American mechanics will readily duplicate if not improve upon this wonderful enginery. This vessel will be double-bottomed and divided into many water-tight compartments, and will besides have a complete torpedo outfit. She is made to chase, run, or fight, as may be most desirable.

As to the completion of the monitors, I can say that while many of us were prejudiced against them and the manner of their inception there is almost unanimity among naval experts in favor of completing them and as to their value when completed. Let me read a few brief opinions in their favor from the highest naval authorities. Speaking of them Secretary Whitney said:

Q. Give us your opinion as to whether this Congress ought to appropriate money to complete these monitors?

A. It would be my opinion that they ought. It was not my opinion originally when I first began to think about it. I think there has been considerable prejudice against these ships. They have been taken up piecemeal and carried on by little contracts and drawn on through a great many years, and I don't think perhaps in a business-like way. I think there is some prejudice against them from that. When you think what we have spent on those ships—

By Mr. HARMER:

Q. You base your opinion upon what their usefulness would be to the Navy? A. Yes, sir. We have already spent nearly \$5,000,000, and they require about four million two hundred and odd thousand to complete. So, of course, it is not as fit were an original question.

By Mr. NORWOOD:

Q. How many ships?
A. Five. As I have said, the Miantonomoh is nearly completed. She only requires about \$200,000, and that entirely for her armament. I don't suppose for the expenditure of \$4,000,000 you could expect to get the same amount of fighting qualities any way other than by completing those ships, and that I suppose is about what the question is just now.

By Mr. THOMAS:

carrying guns is not the best. When you undertake to carry the necessary amount of armament now, it is so weighty, it takes so much displacement, that it is a great question how to carry. The turret form was a great discovery, of course. The English have now abandoned it, but I think they will come back

Admiral Porter, being questioned, thus spoke of them:

By Mr. THOMAS:

Q. They are perfectly seaworthy?
A. Yes, sir; no trouble about that.
Q. These vessels are not built on the same plans as the first monitor?
A. There is no comparison at all, though I would not like to have Mr. Eriesson hear me say so, because he does not think so. They are very much better. There are no finer vessels of that class. The British navy has not got them. I would rather take two of these vessels than take one of their sea-going ironclads. They would knock her to pieces. Take those big ships, the Lepanto and Italia. Those ships are of no practical use. They can not go to sea anywhere, and they can not maneuver like these vessels. Take two or three like them and put them around one of these Italian ships, and they will give her just as much as she wants. I am satisfied of that.

As to torpedo boats, it may be fairly stated that they represent the As to torpedo boats, it may be lairly stated that they represent the best and most efficient style of torpedo warfare. The submarine torpedo may be precautioned against, and the Whitehead auto-mobile torpedo is at best uncertain as against a moving vessel. They were launched against the Turkish fleet in the Russo-Turkish war with effect in only one case. Some were afterward found by the Turks infect in only one case. Some were afterward found by the Turks intact, having failed in their aim. Our own, the Howell torpedo, promises better results. Torpedo boats are well suited to our harbors, and almost indispensable to our defense. The torpedo boat and the dynamite gun are yet destined to play important parts in naval warfare. The latter invention is entirely American. If sufficient force can be given to the projectile without endangering the gun, dynamite firing will be an eminent success. The bill provides for both torpedo boats and an experiment with the dynamite grant. and an experiment with the dynamite gun.

AN AMERICAN NAVY SHOULD BE BUILT IN AMERICA.

The bill is, in my opinion, a good one in another particular. It coincides with the full consensus of American authoritative opinion in the whole history of our country that an American navy should be built in America. A country that buys its war ships abroad can have no standing among nations. It would be an anomalous state of affairs if a country, that produces \$650,000 annually more manufactured products than Great Britain should be compelled to go to the latter for her war ships. Let us induce our manufacturers to get any plant now wanting so as to be able to produce the necessary steel ingots for guns and ships. This bill, if enforced, as I believe it will be, will do much to stimulate our own people to prepare to make both implements and vessels of war. I think I am not saying too much when I assert that such is the temper of Congress that if the question were whether we would have a foreignbuilt navy or none, many gentlemen, much as they desire one, would hesitate before buying war vessels or their parts abroad.

This is a healthy American spirit, which, while it may find critics among the very few who are fond of belittling their country, is the hon-

est and patriotic sentiment of the overwhelming majority of our countrymen. Our mechanical and inventive genius is universally admitted; our resources are practically unlimited; our labor is the most intelligent our resources are practically unlimited; our labor is the most intelligent and skilled in the world. To go abroad under these circumstances would be unpardonable. Our manufacturing plants for guns and ships are not yet perfect, but by compelling these ships to be built in the United States the great steel manufacturers will be stimulated to the necessary investment. Public and necessary expenditures should as far as possible benefit American labor. The great industrial army in mine and shop will not suffer in silence any deviation from this policy. There are many other phases of this bill which it would be interesting to discuss if time permitted. If this bill is passed to-day this Congress will be forgiven many faults of omission and commission.

WHAT MODERN NAVAL WAR MEANS.

Modern naval war is short, sharp, and decisive; mere valor can not contend against wealth and science. Our naval force, heroic in its personnel, and fired by glorious traditions and memories, could not without ships and proper armament maintain themselves against modern powers. If living to-day, the great galaxy of our naval heroes, from Paul Jones to McDonough, and from Perry to Farragut and Porter and Dupont, could not float our present skeleton Navy against an attack of the most moderate naval power. A coward behind 22 inches of pressed steel, armed with a hundred-ton rifled cannon, can readily destroy the bravest man and the best sailed wooden ship armed with smooth-bore, muzzle-loading, cast-iron guns. Let me read here this graphic description of a naval combat in the recent Franco-Chinese war; it is the official report of one of our naval officers to the Navy Department:

By Mr. Thomas:

Q. Before you leave the Miantonomch I would like to ask you if you have made a personal examination of these vessels, especially the Puritan.

A. No; I have not,
Q. You have examined the Miantonomch?
A. Yes, sir.
Q. For the purposes for which they are intended, do you not regard them, if completed according to your proposed plan, as first-class vessels?
A. I suppose they would be quite formidable vessels.
Q. Would be successful vessels, as far as you can judge now, for coast and harbor defense?
A. I should suppose so. It is a great question whether the turret form of the one of our naval officers to the Navy Department:

The signal, the discharge of a machine gun in one of the tops of the Lynx, was given at 1.56 p. m., and was answered immediately by the batteries and machine guns of all the French vessels. The Yung-Woo replied at one with her stern gun, and the other vessels as soon as they could bring their guns to bear. The action at once became general and the scene was soon enveloped in a dense smoke. At the signal the two torpedo boats launched out on their remaind of destruction. The admiral in his flag-ship, with the Lynx, Aspic, and Yipère, slipped and moved up against the Yung-Woo and the vessels lying above him. To the Villars, Duguay-Trouin, and D'Estaing, assisted by the Triomphante, which came into action shortly after it began, was allotted the

destruction of the three gunboats anchored abreast of them and in silencing the

destruction of the three gunboats anchored abreast of them and in silencing the works on Pagoda Point.

The Triomphante, which had been discovered coming in about 1.30 p. m., opened fire with her bow gun when about a mile off, and stood up to her station off the custom-honse and near the D'Estaing.

Four minutes from the commencement of the action a heavy explosion told the successful work of the torpedo boat detailed to destroy the Yung-Woo. In this short time, and before the Yung-Woo was fairly in action and had brought her guns to bear, the torpedo had done its deadly work and destroyed this fine vessel. The officer in charge of the torpedo boat had successfully placed a torpedo under her counter while she was in the act of turning. It nearly blew her out of water and the vessel soon sank, on fire fore and aft, a total wreck. Many of her officers and crew perished. She lies close inshore, 100 yards above the point.

The torpedo boat dropped down the river out of action, her commander and one of her crew having been wounded, probably by one of the French machine guns.

The torpedo boat dropped down the river out of action, her commander and one of her crew having been wounded, probably by one of the French machine guns.

Soon the whole scene was enveloped in smoke, nothing could be observed, and the effect of the incessant discharge of the heavy guns and machine guns was deafening. In about fifteen minutes the fire slackened and as the smoke rose the complete destruction of the Chinese fleet was disclosed, while the French vessels appeared uninjured. The Chuen-Wei was sinking at her anchors, riddled by shot, on fire from stem to stern, carrying most of her officers and crew down with her. She was gallantly fought, and went down with her colors flying and guns firing. She was overpowered by her antagonists and one of the torpedo-boats finished her. The two other vessels near her, the Fei-Yuen and Chi-an, met a similar fate. They drifted down the river total wrecks, in flames, and finally sunk near Flat Island. These three vessels could make no impression upon their opponents, the largest French vessels and most of their officers and crews must have been cut down by the machine guns in the tops. They were riddled with shot.

The admiral, with the French gunboats, did equally destructive work above the point. All the Chinese vessels above him were sunk, and, with the exception of the Foo-Poo, were total wrecks. The commander of the Foo-Poo ran his vessel up the river after receiving several shots. She sank and broke her back. One of the mosquito boats drifted down the river a helpless wreck. Her decks were covered with dead and wounded, and she sank near the foreign shipping, a short distance below the point. About an hour after the action began one of the gunboats above the point, the Fah Shing, drifted down the river in flames, with the French colors flying. She had been carried by boarding, and passed out of sight through Mingan Pass. Two hours afterward a heavy explosion down the river told the story of her sad end. About 8 o'clock one of the transports which had been destro

of their opponents.

The French fleet received no injury in any of its vessels. They were apparently unhurt after the action.

Imagine such an account following the bombardment of New York! And the Chinese have some really first-class war-vessels, while we have scarcely any. This short table is instructive in this connection:

Armored displacement tonnage of the navies of the world.

Country.	Effective.	Non- effective.	Total tonnage.
England	345, 643	75,050	420, 693
France	209, 299	134, 632	343, 931
Russia	119, 299	41,082	160, 381
Italy	75, 135	57, 583	132, 718
Germany		6,950	104, 346
Turkey	01,000	0,000	69, 530
Austria			63, 780
United States	22,020	27, 560	49, 580
Spain	25,020	21,000	28, 783
Holland	**************		
			40,479
			17,925
Brazil Sweden and Norway	*****************		29,488
China			16,652
China			17,615
Japan Chili		************	10,880
			8, 250
Argentine Confederation			7,270
Portugal	***************************************	***************************************	2,479
Greece		******	3,834

Note.—The non-effective portions of the tonnage of England, France, Russia, Italy, and Germany consist of powerful sea-going ships of modern types building and to be ready for sea in two or three years; that of the United States consists of monitors of the old type, needing extensive repairs.

Speed the rising of the new navy! Speed the day when the 12,000 miles of our seacoast shall be properly defended, and when Canadian offensiveness, Mexican bluster, Spanish outrages, and general European contempt shall give place to respect, if not fear, of a people ready for defense and able to maintain their rights on sea as well as on land! We look not for conquest; we seek peace instead of war-to make men happy, free, and prosperous instead of coerce and enslave them; but the North American continent is dedicated to liberty, and our citizens and our rights must be protected in all lands. We excite now the jeal-ousy and dislike of European states; let us not by our defenseless condition excite their cupidity and revenge.

The Financial Operations of the Post-Office Department.

SPEECH

HON. JAMES H. BLOUNT,

OF GEORGIA.

IN THE HOUSE OF REPRESENTATIVES.

Wednesday, July 28, 1886.

The House having under consideration the bill (H. R. 9726) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1886, and for prior years, and for other purposes—

Mr. BLOUNT said:

Mr. Speaker: I beg to call attention to the following communication from the Postmaster-General, with the accompanying tables in relation to the postal service of the United States:

Post-Office Department, Office of the Postmaster-General, Washington, D. C., July 26, 1886.

Post-Office Department, Office of the United States:

**Post-Office Department, Office of the Postmaster-General, Washington, D. C., July 28, 1886.

Sir: I have the honor to acknowledge due receipt of your communication under date of July 10, requesting that 1 turnish for the use of the Committee on the Post-Office and Post-Roads such information as may be in my power in regard to the financial operations of this Department during the preceding fiscal year ended June 20 last, and that I exhibit in some convenient form such changes as have been made in the rate of the cost of the postal service, including also the departmental service. Also, that so far as is possible you desire that I should embrace an account of the expenditures by the items usually mentioned in the acts of appropriation, and show the unexpended balances, if any, and whether any and what savings have been effected in the cost of the service; as well as any other information of kindred character which may suggest itself to me as of interests and value to the committee in this connection.

For supplies furnished for the use of the Department and the postal service durying the fiscal year ended June 30, 1886, under contracts made since March 4, 1885, the date and duration of such contracts, cost of like kinds and quantities of supplies at prices paid under contracts made before the 4th of March, 1885, and the amount and rate of savings by the new contracts; and a further statement showing the estimated expenditure during the full contract term of four years of the four contracts made for that length of time since the 4th of March, 1885, being all the contracts of that duration, and the cost of like kinds and quantities of supplies at the prices in force March 4, 1885, and the rate of service and such prices and unexpended balances for objects pertaining to the care of the Post-Office Department building and conduct of the departmental service and salaries of copenditures for the last fiscal year, and the rate of certaked and unexpended balances o

some items of reductions in the cost of railroad transportation and postal-car service.

There have been additions made to railroad transportation service by its extension upon new lines, and otherwise, to the amount during the fiscal year, in total, of \$736,696, or at the rate of 4.99 per cent. On the whole service. During the preceding year such increase amounted to \$1,146,899, or at the rate of 11.18 per cent. It is noteworthy in this connection that the increase in mileage of railroad service during the two years is disproportionate to the relative increase of cost, the increase in 1885 being 3.872 miles and in 1885 2.901 miles.

The table No. 4 exhibits the gratifying results of diminution in the rate of cost for the current fiscal year, begun with the 1st of the present month, caused by more favorable contracts in the Territories mentioned in the caption of the table, which have been advertised for at the periods there indicated.

The effect in the totality of compensation can not be during the past year equal to the diminution in the rate, because the changes have been gradual, as indicated by table No. 1. But during the current fiscal year results may be expected in a corresponding diminished cost.

I may further add, in connection with the tabular information given above, that the Auditor's reports for the first three-quarters of the fiscal year just closed indicate that the revenue will reach the estimate given in the last annual report of the Department, an increase now to be estimated with reasonable confidence at about \$1,500,000 in the sale of stamps and stamped paper, a gratifying evidence of increasing advantages to the public of the postal service. On the other hand, the estimate for the expenses of the Department during the same year, as

shown in the departmental report for 1884 of \$56,000,000, and even the corrected estimate in the report for last year of \$53,000,000, will be so materially reduced that the deficiency for the year will prove to be probably two million less than was anticipated last year.

The total compensation to fourth-class postmasters during the past year has not made the expected percentage of increase. In many cases where the postmasters have been changed within sixteen months past, it has transpired, by the returns of cancellations since received, that occasion existed for the exercise of the powers vested in the Department by the act of June 30, 1879, to withhold commissions on false returns and allow only a reasonable compensation accord-

ing to law. Orders in above one hundred such cases have diminished the compensation of the postmasters affected to the extent of \$52,619.08, and a large number of cases are awaiting examination by the inspectors in which indications significantly point to a state of facts requiring further action of the same character.

ucter.

I have the honor to be, very respectfully, yours,
WM. F. VILAS, Postmaster-General.

House of Representatives.

Hon. Jas. H. BLOUNT, Chairman Committee on the Post-Office and Post-Roads,

Table A.—Statement showing amount of expenditure for supplies furnished for use of the Post-Office Department and the postal service during the fiscal year ending June 30, 1886, under contracts made since March 4, 1885, the date of commencement and duration of such contracts, the cost of like kinds and quantities of supplies at the prices in the contracts in force March 4, 1885, and the amount and rate of saving by the new contracts.

	f com- ment of x.	of con-	ure year June 30,	Cost of like kinds and quantities of supplies in contracts in force, March 4, 1885.	Saving by new con- tracts.		
Articles,	Date o mencer contrac	Duration	Expendit ended 1886.		Amount.	Per cent.	
Adhesive postage-stamps. Postal cards. Registered package, tag, and official envelopes. Mail-bags and mail-bags actchers. Wrapping-paper. Wrapping-paper for facing slips. Twine. Marking and rating stamps. Letter-balances, test-weights, and scales Stationery for postal service. Stationery for Department.	July 1,1885 July 1,1885 April 1,1885 July 1,1885 July 1,1885 July 1,1885 July 1,1885 July 1,1885 July 1,1885	Four years Four years One year	\$114, 969 09 168, 826 06 72, 366 21 211, 577 24 11, 216 25 17, 700 00 69, 522 00 9, 420 40 1, 120 00 23, 189 93 6, 953 55	\$150, 045 93 193, 498 11 127, 703 22 247, 195 13 12, 099 78 29, 100 00 78, 424 50 10, 967 74 638 00 24, 221 54 7, 189 29	\$35,076 84 24,672 05 55,337 01 35,617 89 883 53 11,400 00 8,902 50 1,547 34 4482 00 1,031 61 235 74	23.3+ 12.7+ 43.3+ 14.4+ 7.3+ 39.1+ 11.3+ 14.1+ *75.5+ 4.2+ 3.2+	
Total			706,860 73	881,083 24	174,222 51	19.7+	

*Increase.

Table B.—Statement showing estimated expenditure during full contract term of four years of certain contracts made since March 4, 1885, for supplies for the postal service, the date of commencement of such contracts, the cost of like kinds and quantities of supplies at the prices in the contracts in force March 4, 1885, and the rate and estimated amount of saving by the new contracts.

Article.	Date of commence- ment of contract,	Estimated ex- penditure for	Cost of like kinds and quantities of supplies in con-	Saving by new contracts.		
		four years of contract term.	tracts in force March 4, 1885.	Amount.	Per cent.	
Adhesive postage-stamps Postal cards Stamped envelopes and newspaper wrappers Mail-bags and mail-bag catchers	July 1, 1885	756,712 38 3,245,693 75	\$642,054 19 862,840 04 4,187,991 94 1,051,401 86	\$147,030 37 106,127 66 942,298 19 151,401 86	22.9 12.3 22.5 14.4	
Total		5, 397, 429 95	6,744,288 03	1,346,858 08	19,9	

Table C.—Statement showing appropriations, expenditures, and unexpended balances of appropriations for objects pertaining to the care of the Post-Office Department building, for the conduct of the departmental service, and for salaries of officers and employes of the Department; also amount and rate of decrease of expenditures for 1886 as compared to 1885.

	Ye	ear ended Ju	me 30, 1886.		Ye	ar ended Ju		Decrease of ex-		
Items.	Appropri-	Expendi-	Balances		Appropri-	Expendi-	Balances pende		1886 as pared w	s com-
	ations.	tures.	Amount.	Per et.	ations.	tures.	Amount.	Per ct.	Amount.	Per et.
Stationery Fuel, &c Fuel, &c, additional building	7,200 00	\$6,245 20 6,681 05 436 60	\$2,754 80 518 95 863 40	30.6 7.2 66.4	\$9,000 00 7,200 00	\$8,913 30 7,032 07	\$86 70 167 93	.96 2.33	\$2,668 10 351 02	29. 9 4. 9
Gas	6,600 00	4,777 51 361 95	1,822 49	27.6	6,600 00	5,331 94	1,268 06	19, 2	554 43	10,3
Gas, additional building Plumbing and gas-fixtures. Telegraphing Painting Carpets and matting. Furniture	4,700 00 5,000 00 4,700 00 5,900 00 7,500 00	3, 634 30 2, 165 55 2, 407 56 3, 670 60 1, 353 86 17 00	38 05 1,065 70 2,834 45 2,292 44 2,229 40 6,146 14 483 00	9.5 22.6 56.6 48.7 37.7 81.9 96.6	4,700 00 5,900 00 4,700 00 5,900 00 7,500 00	4,692 49 2,880 93 4,662 22 5,376 61 6,340 02	7 51 3,019 07 37 78 523 39 1,159 98	.16 51.1 .8 8.8 15.4	1,058 19 715 38 2,254 66 1,706 01 4,986 16	22.5 24.8 48.3 31.7 78.6
Furniture, additional building. Keeping horses, &c. Hardware. Miscellaneous items Miscellaneous items, additional building.	1,500 00 1,700 00 13,000 00 500 00	987 97 534 81 10,440 06 50 50	512 03 1,165 19 2,559 94 449 50	34.1 68.5 19.6 89.9	1,500 00 1,700 00 13,500 00	1,064 51 1,601 22 13,500 00	435 49 98 78		76 54 1,066 41 3,059 94	7.1 66.5 22.6
Rent, topographers	1,500 00 8,000 00 4,500 00	1,500 00 8,000 00 4,125 00	375 00	8,3	1,500 00 8,000 00	1,500 00 8,000 00				
Official Postal Guides	29,000 00 20,000 00	13, 708 60 16, 756 40	15, 291 40 5, 495 60	52.7 24.6	29,000 00 20,000 00 \$1,219 15	26, 421 69 21, 064 25	2,578 31 154 90	8.89 .73	12,713 09 4,307 85	48,1 20,4
Foreign postage Free penalty envelopes	500 00	448 50 1,533 89	51 50 2,066 11	10.3 57.3						
Total of items pertaining to care of building &c. Salaries of officers and employés of Post Office De-	138, 852 00	89,836 91 697,675 50	49,015 09	35.3	127, 919 15 696, 480 00	118,381 25 690,267 62	9,537 90 6,212 38	7.45	28,544 34 †7,407 88	24,1
partment			17,444 50	2,4	1000161000000			-		†1.0
Total of all the above	853, 972 00	787,522 41	66, 459 59	7.78	824,399 15	808, 648 87	15,750 28	1.9	21, 136 46	2.6

Table D.—Appropriations, expenditures, and unexpended balances of appropriations by fiscal years from July 1, 1865, to June 30, 1886, inclusive, of the following objects, for the service of the Post-Office Department, namely: (1) Mail depredations and post-office inspectors, and fees to United States marshals, attorneys, &c.; (2) advertising; (3) miscellaneous items, Office of the Postmaster-General; (4) compensation to clerks in post-offices; (5) wrapping paper; (6) twine; (7) marking and rating stamps; (8) letter-balances, test-weights, and scales; (9) rent, light, and fuel for post-offices; (10) office furniture; (11) stationery; (12) miscellaneous items, Office of the First Assistant Postmaster-General; (13) mail locks and keys; (14) mail-bags and mail-bag catchers; (15) miscellaneous items, Office of the Second Assistant Postmaster-General; (16) postage-stamps; (17) postage-stamp agency; (18) stamped envelopes and newspaper wrappers; (19) stamped-envelope agency; (20) postal cards; (21) postal-card agency; (22) registered package, tag, official and dead-letter envelopes, and locks and seals; (23) engraving, printing, and binding drafts and warrants; and (24) miscellaneous items, Office of the Third Assistant Postmaster-General.

Year ended—	Appropriation.	Expenditure.	Unexpended ance of appration.	d bal- propri- ture over the previous year		hat of
	tion.		Amount.	Per cent.	Amount.	Per cent.
June 30, 1866. 1867. 1868. 1869. 1870. 1871. 1872. 1873. 1874. 1875. 1876. 1876. 1877. 1878. 1879. 1880. 1881. 1881. 1882. 1883. 1884.		\$2,746,379 49 3,232,752 70 4,349,678 62 4,241,607 78 3,902,407 70 4,068,427 63 4,730,270 12 5,409,147 42 5,418,976 92 5,338,809 51 5,029,967 06 4,945,818 3,809 51 5,067,621 64 5,555,104 93 5,704,409 56 5,938,662 02 6,490,670 78 6,948,559 86 7,162,179 88	*\$637, 879 49	30.2 8.7 40.4 32.0 15.0 19.5 3.0 3.1 6.0 11.0 7.2 5.8 10.6 4.4 4.5 1.6 3.5 2.1 3.5 4.5	\$486, 373 21 1,116, 925 92 108, 970 84 1339, 200 08 166, 019 9, 205 265, 532 31 446, 310 18 628, 877 30 9, 829 50 125, 167 41 1363, 842 45 184, 148 71 121, 803 29 187, 483 29 187, 483 29 187, 483 29 187, 483 29 187, 483 29 187, 889 08 213, 620 00	17.7 34.5 2.4 7.9 4.2 6.5 10.2 13.1 .1 .4 6.7 1.6 2.4 3.7 8.5 4.1 9.2 7.0 3.0
Total		100, 421, 411 89	1,719,305 32	1.6		-
Average annual rate of increase						5.5
Year ended June 30, 1886.	7, 829, 900 00	7, 290, 128 49	539,771 51	6.8	127,948 63	1.7

^{*} Excess of expenditure over appropriation.

TABLE E.—Appropriations and expenditures for certain objects for the service of the Post-Office Department for the fiscal year ending June 30, 1885.

	Quarter end-	Quarter end-	Quarter end-	Quarter end-	To		
Items.	ing Septem- ber 30.	ing December 31.	ing March 31.	ing June 30.	Appropriations.	Expenditures.	Unexpended.
OFFICE POSTMASTER-GENERAL.	2 /04 EL						
Mail depredations and post-office inspectors, and				-			
fees to United States marshals, attorneys, &c	\$45,762 68	\$45, 169 24	\$46,318 23	\$57,391 53	\$200,000 00	\$194,641,68	\$5,358 3
Advertising	2,636 29	3, 294 02	3,330 47	346 22	20,000 00	9,607 00	10,393 0
Miscellaneous items in the office of the Postmas-	99 75	8 71	05 85	11 00	7 700 00		
ter-General	20 10	8 /1	25 75	11 25	1,500 00	145 46	1,354 5
OFFICE FIRST ASSISTANT POSTMASTER-GENERAL.							
Compensation to clerks in post-offices	1, 231, 427 24	1, 234, 433 39	1, 251, 080 42	1, 299, 361 52	5, 150, 000 00	5,016,302 57	133, 697 4
Wrapping-paper	5, 321 44	11,000 05	5, 945 00	6, 649 51	35,000 00	28, 916 00	6,084 0
Cwine	21, 223 75	11,590 60	20,330 00	16, 487 65	85,000 00	69, 632 00	15, 368 0
Marking and rating stamps	3,409 00	4.848 48	3,726 89	591 63	20,000 00	12,576 00	7,424 0
Letter-balances, test-weights, and scales	106, 941 29	1,172 50 116,844 42	122, 441 76	129 50 135, 507 12	20,000 00 495,000 00	1,302 00 481,734 59	18, 698 0 13, 265 4
Office furniture	2, 473 41	5, 249 64	1, 336 21	6,551 96	30,000 00	15, 611 22	14, 388 7
Stationery	12,073 00	9, 454 83	9,660 53	9,850 72	65,000 00	41, 039 08	23, 960 9
Miscellaneous and incidental items	14, 135 01	13, 429 11	12, 150 57	9,135 89	80,000 00	48,850 58	31, 149 4
OFFICE SECOND ASSISTANT POSTMASTER-GENERAL.				The latest		H C CONTRACTOR	
Mail locks and keys	90.00	1,915 80	9,110 00	8, 880 00	20,000 00	19, 995 80	4.2
Mail-bags and mail-bag catchers	41,608 06	27, 016 06	76,507 11	123, 868 77	275,000 00	269,000 00	6,000 0
Miscellaneous items	50 00	441 75	87 65	40 25	• 1,000 00	619 65	380 3
OFFICE THIRD ASSISTANT POSTMASTER-GENERAL.				digitality and	Title Ships by	5 45 (53)	
Postage-stamps	24, 230 42	28,545 37	30, 920 54	31, 272 76	174,000 00	114, 969 09	59,030 9
Postage-stamp agency	1,768 05	1,830 00	1,374 17	1,864 78	8,100 00	6,837 00	1,263 0
Stamped envelopes and newspaper wrappers	160,652 50	180,711 87	177,059 12	174, 011 55	745, 000 00	692, 435 04	52, 564 9
Stamped-envelope agency	3,880 64 20,307 39	3,857 03 59,819 75	3, 890 00 42, 272 32	3,730 92 46,426 60	16,000 00 239,000 00	15, 358 59	641 4 70, 178 9
Postal-card agency	1,741 59	1, 675 00	1,692 31	1,900 00	7,300 00	168, 826 06 7, 008 90	291 1
Registered-package envelopes, locks and seals.	-11.22.00	2.010 00	2,000 01	2,000 00	1,000 00	1,000 00	201 1
and post-office and dead-letter envelopes	15, 958 66	16,427 08	22,716 19	17, 264 28	140,000 00	72, 366 21	67,633 7
Engraving, printing, and binding drafts and war-	110 00		The state of the s				17,000
rants	117 50 139 39	888 75	258 50 148 04	720 00 81 79	2,000 00 1,000 00	1,984 75 369 22	15 2 630 7
Total	1,716,047 06	1,779,623 45	1,842,381 78	1,952,076 20	7, 829, 900 00	7, 290, 128 49	*539, 771 5

[†]Decrease.

Table No. 1.—Statement of changes effected in annual rate of cost of star, steamboat, and mail-messenger service by orders from April 1, 1885, to June 30, 1886.

	St	Star. Steamb		mboat.	nboat. Mail n	
Months.	Increase.	Decrease.	Increase.	Decrease.	Increase.	Decrease.
1885 : April	\$165	\$9, 945 6, 244 75, 564 50, 153 5, 725 2, 287 56, 674 112, 749 16, 889	\$80	\$21,847 40,514 1,975 3,860 11,699 14,422	\$4,281 3,468 1,005	\$1,841 29,452 3,053 3,526 3,126 638 2,109 1,574
March	10,636 3,312 6,172	743	1,000	28,211		157 1,759 3,220 3,885
Total Less increase		336, 973 20, 285	2,549	142,055 2,549	8,749	54, 340 8, 749
Net decrease		316, 688		139,506		45, 591
Total decrease in annual rate of cost	1			/		501,785

POST-OFFICE DEPARTMENT,
OFFICE OF SECOND ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., July 24, 1886.

Table No. 2—Statement showing annual rate of cost of star, steamboat, and mailmessenger service on the 31st day of March, 1885, the principal changes therein since, and the occasion thereof, and the total annual cost on the 30th day of June, 1866.

	Star.	Steamboat.	Mail mes- senger.
Cost of service March 31, 1885 Net decrease in this rate effected in April,	\$5, 430, 993	\$594,849	\$876,776
May, and June, 1885, as per table of details No. 1	16, 189	31, 847	27,012
Annual rate of cost, June 30, 1885	5, 414, 804	563,002	
to begin July 1, 1885 Decrease in steamboat-service cost by new contracts which had been made previous to March 4, 1885, upon routes already existing	238, 856	8,924	
Gives annual rate of cost July, 1885 Net decrease effected between July 1, 1885, and June 30, 1886, as per table No. 1	5, 653, 660 300, 499	554, 078 107, 659	18,579
Leaves annual rate of cost on June 30,	5, 353, 161	446, 419	831,185

TABLE NO. 4.—Showing decrease in annual rate of cost of star and steamboat service in the States of Arkansas, Louisiana, Texas, Kansas, Nebraska, Colorado, Oregon, Nevada, and California: the Indian Territory, and the Territories of Dabola, Montana, Wyoming, New Mexico, Arizona, Ulah, Idaho, Washington, and Alaska, to take effect from July 1,1886, by reason of new contracts made under advertisements of September 15, 1885, January 6, 1886, and February 1,1886, as compared with service as existing under former contracts terminated June 30, 1886:

	Star.	Steamboat.
Annual rate of cost of star and steamboat service in above States and Territories on June 30, 1886 Annual rate of cost of same July 1, 1886	\$2,183,442 00 1,945,266 90	\$223, 298 00 172, 374 56
Decrease	238, 175 10 50, 923 44	50, 923 44
Total decrease in annual rate of cost	289,098 54	

TABLE No. 3.—Statement of reductions in cost of railroad transportation, not attributable to reweighings, and in the cost of railway postal-car service discontinued from April 1 1885 to Jene 30 1886 at 1887.

from April 1, 1885, to June 30, 1886.		41000	********
Transportation:			
Unnecessary service curtailed and discontinued, &c Deductions made on certain land-grant railroads, not	\$12,950	18	
heretofore deducted or treated as land-grant, as required by the thirteenth section of the act of July 12, 1876, and			
covering the period from July 1, 1876, to June 30, 1886	68,905	28	
Total		601	

TABLE No. 3.—Statement of reductions in cost of railroad transportation, &c.—Continued.

Grand total 172, 517 99

The principal and most, interesting facts shown by this exhibit may be summed up as follows:

In the matter of supplies for the postal service, consisting of postage-stamps, postal cards, envelopes, mail bags and catchers, wrapping-paper, twine, marking-stamps, and stationery, the actual saving in the purchases for the fiscal year ended June 30, 1886, over the cost of like articles at the rates at which they were purchased under contracts for the previous year is \$174,222.52—a percentage of 19.7 +. On some of the articles the saving is especially conspicuous, being 43.34 per cent. on official envelopes and 39 per cent. on wrapping-paper for the railway-mail service. Some portion of this saving has been due to keener competition, but most of it to the employment of new methods in securing the articles.

The Department has made during the year new contracts for supplies for a period of four years, and has secured very decided advantages by the plan pursued. The table exhibiting results shows a rate of diminished cost which will yield a net saving in four years upon the amounts purchased under these contracts and estimated to be necessary of \$1,346,858.08, or at the rate of 19.9 per cent. advantage over the contracts in force during the preceding year.

The housekeeping of the Department, or the expenses of running the Department itself as distinguished from the postal service, also shows advantageous results. In the matter of salaries there has been no special change. But with all the very great increase of work necessarily arising from the change of administration it may be noted that there is a balance of \$17,444.50 remaining unexpended out of the appropriation for salaries which was deemed necessary for the year, and which appropriation was estimated for by the preceding administration. The balance at the end of the previous fiscal year remaining unexpended was \$6,212.38. This result is more gratifying because the Department work was largely increased by the appointments necessary.

But in every other item of expense for the maintenance of the Department the salary of the salary of the preceding administration.

But in every other item of expense for the maintenance of the Department the results are very marked in favor of the last year. The appropriations were the same in almost every particular, with the addition of rent, fuel, light, and other items for the new building, which by the act of March 3, 1885, was directed to be rented, and the provision for foreign postage and free penalty envelopes. There remains an unexpended balance of these other items at the end of the fiscal year of \$49,015.09, being a percentage upon the whole appropriation of 35.3 per cent. as contrasted with the unexpended balance at the end of the previous year of but \$9,530.90, or 7.45 per cent.

of 35.3 per cent. as contrasted with the unexpended balance at the end of the previous year of but \$9,530.90, or 7.45 per cent.

There is also a complete tabular exhibit of the figures of the appropriations, expenses, and unexpended balances of appropriations in all those items set apart for the postal service which are under the control of the Department and not regulated by law, except those for the transportation of the mails, the figures of which can not yet be obtained, as it requires something over three months after the end of the year for the Auditor to make up his accounts of the latter class of expenditures. This exposition furnishes an interesting study. The sum of the contrast between this last year and the twenty years preceding is, however, that the average annual balance of unexpended appropriations of this character during the preceding twenty was 1.6 per cent, while during the last year it has been 6.8 per cent. And the average annual increase of expenditures in successive years of the last twenty years over the preceding year has been 5.5 per cent., while the per cent of increase in the last year was but 1.7 per cent.

The larger saving in amount has been effected in the matter of the transportation of the mails, where, indeed, the greater expenditures of the service are incurred. This branch has been subjected to constant scrutiny with a view to improvement and economy. The result appears in the fact that the rate of cost for the star, steamboat, and mail-messenger service together has been reduced about \$500,000 since the change of administration, over and above what that cost stood, and was contracted to be, at the time the administration begun. At the same time new service and additional service have been provided where necessary.

Further savings have been effected by the observance of the law in respect to railway postal cars and by careful application of the law to land-grant railroads, as well as in some other important particulars. It is, however, true that the cost of the transportation of the mails upon the railroads is regulated so largely by law that very little is left for departmental control.

It is interesting to note also that by reason of contracts made only in one contract section of the country, that west of the Mississippi, as shown by table 4, a reduction in the rate of cost, which becomes operative in the current fiscal year, has been effected amounting to over \$289,000.

I am able also to make the gratifying statement, derived from an examination of the reports of the Auditor of the Treasury for the Post-Office Department for the first three-quarters of the fiscal year ended June 30, 1886, that the expectation which last year seemed inevitable, that the deficiency in the revenues of the Post-Office Department would be \$9,000,000, has been agreeably disappointed. The estimates which were made for the appropriations for the past year, necessarily made upon somewhat insufficient data for accurate statement, submitted the probable expenditures for the year ending June 30, 1886, to be about \$56,000,000. Notwithstanding this estimate was corrected by the \$56,000,000. Notwithstanding this estimate was corrected by the nearer view of last year in the Department's report, it was still left as high as fifty-three millions, while the revenue could only be estimated at about forty-four millions. The Auditor's reports leave it now reasonably certain that the expenditures will fall below fifty-one millions, while the revenues will hold up to the amount estimated, and the deficiency for the fiscal year, it is confidently expected when the full returns are in, must fall below \$7,000,000, a less sum than the deficiency of last year, instead of a greater as was feared.

It is a fair commentary to add in approval of this work of economy and retrenchment that the Post-Office Department has always been looked upon, and deservedly, as one of the best business Departments of the Government, and as one of the most economical in expenditures for the results obtained. With the exception of the star-route scandal of some years ago the Post-Office Department has always been free of suspicion in respect to general honesty and economy with which public moneys were spent through its agency.

Whatever has been done, it must also be borne in mind, has been ac-

complished in the midst of a very great pressure for change in offices, imposing immense additional labors upon the officers and clerks of the

Department.

These results make no account, either, of the saving effected by the resistance of the Department to the granting of unnecessary subsidies for the carrying of the mails by sea.

A careful study of the conduct of this administration in postal matters discloses a marvelous apprehension of its details from the greatest to the smallest, and a fertility of thought abundant in suggestion of corrective measures for defects in the service, supplemented by the readiest and aptest practical execution thereof. A clear purpose to serve the best interests of the country has always manifested itself, and you will look in vain through the past for any conduct of its postal affairs which shall surpass the present. You will but find in it all that could be expected from the highest ability, the most undaunted courage, and the profoundest patriotism.

Money.

REMARKS

HON. JOHN P. JONES.

OF NEVADA.

IN THE SENATE OF THE UNITED STATES.

Thursday, July 29, 1886.

The question before the Senate being the Morrison joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt—

Mr. JONES, of Nevada, said:

Mr. PRESIDENT: Whatever may be asserted in regard to money and its value, every writer of repute on the subject admits that the value of each dollar depends on the number of dollars that are out.

Mr. TELLER. That, I believe, is denied by some of the modern

Mr. JONES, of Nevada. That may be so, but the conclusions of such theorists are not sustained in the writings of any political economist

who has enjoyed any solid and permanent reputation.

The fundamental principle of money is that the value of each unit of money in any country depends absolutely on the number of units of money in circulation in that country, and is not in any manner influenced by the character of the material upon which the money function may be stamped, whether it be gold or silver or iron or anything else. From the time of John Locke the reasoning of all the political economists and philosophers has clearly led up to this rule, whatever their conclusions may have been.

A consideration of the manner in which the value of the dollarwhich is the unit of money in this country—is fixed will demonstrate that this position is impregnable. It is universally admitted that all values are regulated by the play against each other of the forces of supply and demand. No reason has ever been or can be given why the regulation of the value of money is not subject to this law. However much variation may arise in the demand for other things, the demand for money is constant, instant, and unchanging. It is equal to the sum of the demands for all other things. All the products of hand and

brain are constantly offered in exchange for money, because while any other thing has but limited command over the objects of human desire, the command of money over those objects is unlimited.

The value of each unit of money is fixed by the universal competition to get it, and finds its expression in the general range of prices. Every shoemaker in a given locality is in competition with every other shoemaker in that locality—offering shoes for units of money—and the shoemaker who offers the most and the best shoes for the smallest number of those units fixes the market value of the money unit, or dollar, in shoes. So it is with the hatter and the tailor and the farmer and the iron manufacturer with their respective products, and so it is throughout the entire range of human industries. This competition, in the aggregate, constitutes the demand for money; the number of units of money in circulation constitutes the supply.

The need of money is felt by all. The force of the demand for it is measured by the sacrifice in property and labor offered in exchange for Price is the equilibrium between the forces of supply and demand, and is the sole and only expression of the value of money. For example, suppose the circulation of this country at the present time is a thousand million dollars, and the population 60,000,000. Now, if the population—which represents the productive forces of the country—should be increased by any percentage, without, at the same time, a corresponding increase in the money circulation, an addition would have been made to the demand for money, and none to the supply. The equilibrium would therefore be destroyed, and, according to the rule I have laid down, the value of money, under these conditions, must rise and the price of property must decline.

So, on the other hand, if the number of units of money should be in-So, on the other hand, if the number of units of money should be increased by any percentage, without a corresponding increase in the population, the result would be a fall in the value of each unit of money, and a rise in the price of property. A shrinking volume of money, relatively to population, destroys, save under exceptional circumstances, all hope of profit in productive enterprises, and, like a poisonous drug, renders sluggish, or dries up, the circulation in the veins of commerce and industry, for the very plain reason that as long as the shrinkage of the volume of money continues, except when spasmodic and short-lived reactions occur, the general range of prices must continue to fall, and reactions occur, the general range of prices must continue to fall, and the value of money must continue to rise. At such times the plainest business instincts dictate that the purchase of property should be avoided, and the hoarding of money must increase. These are the conditions and the hoarding of money must increase. These are the conditions which are hanging like a pall over the business and industries of the country to-day, and account for the immense amount of idle surplus lying in the banks all over the United States.

It is plain that under these conditions it would take more wares of every description-more of the shoes of the shoemaker, more of the wheat of the farmer, and more of the iron of the iron manufacturer; in fine, more of the products of labor in every department of industry to get a dollar than it did before.

Under these conditions, Mr. President, suppose you and I had each a million dollars in cash. What would we be likely to do with it? our intuitions would restrain us from investing in property, whose price was declining. On the contrary, every incentive would exist to induce us either to put it in some place where it would be securely kept until bottom prices were reached, or to invest it in bonds well secured, even at the lowest rate of interest, as we should be recompensed for the lowness of the rate by the increased value that money would bear at the maturity of the bond.

The same course of reasoning which would dissuade us from investing money in property while the volume of money was shrinking and prices declining, would deter bankers from lending and men of enterprise from borrowing it for that purpose, as there would be neither security for the lender nor profit for the borrower.

Under these conditions, which actually exist, the money of the country becomes every day more aggregated and congested in the great centers. At such centers money exists in overabundance, while at the same time it is growing constantly scarcer for the general business of the country, and the prevailing belief is that the shrinkage in the volume of money will continue, and that the tendency of prices must still be downward. I am aware that the bankers, brokers, and business men of the East affect to believe that the danger to the country is that of a depreciation in the value of money and a rise in prices—which are the same thing—and that we are on the brink of what they call a silver "vortex"—a silver "abyss"—into which we are liable at any moment to be plunged. This is what they affect to believe, but acts speak louder than words. The conduct of their business proves that their real belief is just the reverse. If they really believed what they loudly proclaim, that we are rapidly approaching a silver basis, and that our dollars will then be worth only 80 cents, they would conclude that property was on the point of rising in price, and they would make haste to invest in it.

But, instead of buying property, they are every day more and more determined not to touch it, and they so eagerly bid against each other in buying bonds and all classes of money-futures, that it is not property but money-futures that are steadily rising in price. Bonds can not be scaled either up or down; they call for a fixed number of dol-lars. Nobody will be eager to buy them who believes that dollars are liable to depreciate in value; and when we see the shrewd bankers of the country determined to buy bonds-national, State, municipal, and railway bonds-and nothing else, we have sure proof that in their

opinion money is tending to an increase in value.

The bankers of New York and the Secretary of the Treasury agreed, only a year ago, that we were on the brink of the silver "vortex," and that this Government, notwithstanding the large excess of its exports over its imports, notwithstanding its immense revenues, its unrivaled credit, and its exhaustless resources, stood a helpless, trembling, pitiful wreck, imploring the banks to loan it \$6,000,000 in gold in exchange for a like sum in subsidiary coin which it still had left. We are told that the banks, inspired by benevolence and patriotism, came forward and saved us from being precipitated upon a silver standard depreci-ated 20 per cent. Verily, we should all be grateful!

It is instructive to note how these bankers and their customers

acted while passing through what they and the Secretary of the Treasury declared to be a "great crisis," and how they acted afterward. It would be natural to suppose that they would have availed themselves of the few months' respite from a great "calamity" (a respite procured by swapping six millions of one kind of money for six millions of antibulation of the state other kind) to unload their bonds and money-futures generally, which according to their view were soon to be liquidated in money 20 per cent. depreciated, and to make investments in property, which was sure to advance correspondingly, for it must always be borne in mind that "depreciation of money" and "advancing prices" are interconvertible terms.

To say that money has depreciated in value is only another mode of saying that the prices of property have advanced, and vice versa. It is an absurdity to suppose that money can depreciate relatively to property without a simultaneous appreciation of property relatively to money. If money measures property, so, equally, property measures money. The value of money is measured by property and labor, and they are the only measures it can have. "Rising prices" and "depreciating money" are therefore synonymous terms; to say the one thing is to say the other.

Surprising as it may seem, however, the preference of the bankers and their customers for bonds throughout the "crisis" and afterward

was more manifest than ever.

Bonds and money-futures continued to advance in price, while property continued to decline. These things could not possibly have happened if the pretended apprehension of a depreciated silver standard had been real. They did happen because this apprehension was not real—because it was nothing but the prelude to an attempt on the part of the bondholding classes to frighten Congress into the passage of a law stopping the coinage of silver. If men had feared the approach of a depreciated silver basis, they would, without hesitation, have withdrawn their money from bonds and invested it in property. The "crisis" business seems to be the "harp of a thousand strings." We have heard it ever since silver was remonetized in 1878, and it is not improbable that we shall hear it again just before the meeting of the next Congress. It is possible that the first note may be sounded by the bankers' convention shortly to meet.

The business of the Western world is based on gold and silver, and it is plain that the arts-such as dentistry, gold and silver plate, jewelry, and articles of adornment generally—are reducing the money of the world by encroaching upon the quantity of those metals. This must create a continuing shrinkage in the volume of money, which, as must create a continuing shrinkage in the volume of money, which, as I have shown, discourages investment in property, and discourages also the employment of the labor that produces property. Who cares to build a factory when he is quite sure that the necessary buildings and plant can be obtained for less money twelve months hence than they can be now? Laborers are remitted to idleness; business is conducted without profit; the burden of debtand of taxes is increased; stagnation

everywhere prevails.

I maintain that the money standard of a country, to be just and honest, must bear a steady numerical relation to the population of the country. It is not necessary that the "standard" should be made of gold or of silver or of any other particular material, although gold and silver are admittedly the best media for barter money. It is only important that whatever may be the number of units in circulation in important that whatever may be the number of units in circulation in any country, they shall bear an unchanging relation to the numbers of the any country, they shall near an unchanging relation to the numbers of the population; in other words, that a given number of units having been adjusted to the population, they shall only increase or decrease according to the increase or the diminution of that population. Nor is it of consequence how many units of money you start with in the country before any relation of debtor and creditor has been established. Were there no time contracts, a change in the volume or value of money would have but little significance.

But when time contracts for the delivery of money have been adjusted on the basis of an existing number of money units, the equities of the contracts can only be maintained by maintaining that number of units, if the population remains stationary, and by increasing or decreasing the number of units in proportion to the increase or decrease of the population. It will be admitted without question as being generally true, that if the population is increased 5 per cent. there will be required 5 per cent. more wheat, 5 per cent. more shoes, 5 per cent. more

houses, 5 per cent more of everything that enters into consumption and use; and why not 5 per cent. more money, as it is through a demand first made upon money that all these things must be obtained? If the volume of money remains stationary, the increased business can only be done through the medium of lower prices, as the same number of dollars must serve all the demands of the larger community that in the first instance were only sufficient to serve the demands of the smaller, and, to the extent of the fall in prices the equities between debtor and creditor would be violated.

It is no wonder that we have had strikes among workmen. The debts of the world amount in round numbers to \$70,000,000,000; the annual interest to more than \$3,000,000,000. It is admitted that the purchasing power of money has increased fully 20 per cent. in the last fifteen years, which gives an unearned increment to the fund holders of the world of \$14,000,000,000, besides a corresponding increase in the current interest, all of which must be exacted from the current earnings of labor. This increase in the value of money is portentous for the future, and has been brought about by a shrinkage in the volume of money, occasioned partly by the diminishing supply of gold from the mines and partly by the demonetization of silver.

The full measure of debts is the money price of the products of human bor. This fact reveals the real motive of the conspirators who, for the last twenty years, have persistently endeavored to demonetize silver and paper money, and who have strenuously resisted every proposition that looked toward maintaining the volume of money or increasing it pari passu with the increasing demand for it. The strikes of the workmen should be directed not against the railroad companies, but against the bondholders, the annuitants, and the income classes of the world, who, mainly by the demonetization of silver, have thus been enabled enormously to increase their own wealth at the expense of the producers of the world. The income classes struck fifteen years ago for increased incomes. Is it any wonder that the laborers now strike for increased wages to meet this unjust demand-this villainous change in the contract after the contract was made?

Mr. HOAR. I should like to ask the Senator if he thinks the weight of the debt is not diminished by the reduction of the rate of interest

of the debt is not diminished by the reduction of the rate of interest from 10 or 12 per cent. to 3?

Mr. JONES, of Nevada. When the rate of interest falls, as a consequence of a decline in prices and of depression in business, and because there are few borrowers and many lenders, although the lender makes an apparent loss by receiving less interest, he is recouped by the increased value of the money in which the loan is paid; and the borrower receives no advantage from obtaining his loan at a less rate. Indeed with a continued shrinkage in the volume and an increase in Indeed, with a continued shrinkage in the volume and an increase in the value of money, the borrower is fortunate if he escapes with his capital unimpaired; for, whatever rate of interest he pays, the tendency at such times is to lower rates, of which his keen competitor takes advantage.

In all periods of the history of the world, when the volume of money has been increasing and the price of property going up borrowers have found it easier to pay high rates of interest than to pay much lower

rates when the price of property was declining.

With a proper volume of money, the rates of interest express approximately the average profit that can be made upon the use of capital well directed, and borrowers, especially in comparatively new and undeveloped countries, like our own, ought to be able to pay more than double the current rates for the use of money, and with profit to them-

But there has been no such fall in the rate of interest to borrowers upon lands and productive enterprises as the Senator from Massachusetts seems to suppose. Three per cent. upon current loans is, as a general fact, merely a rate among bankers, upon undoubted collateral and on call. The average rate throughout the country is to-day more than twice that

Mr. HOAR. My honorable friend thinks that the weight of a debt is not decreased by reducing the rate of interest from 10 per cent. to 3.

Mr. JONES, of Nevada. Of what advantage is it to the borrower to get money at 3 per cent. instead of 10 if the value of the money in which the debt must be paid increases by more than the difference between the 3 per cent. and the 10? Upon the great mass of the debts of the world, however, there has been no such reduction of interest as is implied in the suggestion of the Senator from Massachusetts [Mr. HOAR]. Upon but few of the national debts of the world has there been any reduction of interest whatever. Neither has there been any reduction in the rate of interest on the great mass of railroad bonds, most of which were placed originally on very long terms. There has been no reduction in the rate of interest on the debt of England within twenty years, excepting on a fraction of it, not exceeding one-seventieth.

Within the same period there has been no reduction in the rate of interest on the French debt, nor on the Egyptian debt, nor on the debt of India, nor on that of many countries which I could name. The interest on the greater portion of our bonded debt can not be reduced for twentyone years to come. Substantially all the reduction that has been obtained in the rate of interest has been in the case of current loans, in respect of which, as a consequence of the utter stagnation of business, the borrower finds it as hard to pay the present rates of interest as it

was a few years ago to pay the higher rates. The amount of sweat and toil that it takes to earn a gold dollar to-day is considerably more than was required some years ago. On capital now borrowed and employed in productive enterprises less interest is exacted, but it also earns less than before.

Low and lowering rates of interest, instead of indicating increased credit or prosperity, are the sure gauge and measure of increasing prostration. It is a moderate estimate that, on account of the universal depression that prevails, a million of men in this country who are willing to work are remitted to idleness at an annual loss to the country of \$312,000,000, even if their wages be rated at only \$1 per day. This sum so lost through the baneful influence of a dishonest system of money is equivalent to 6 per cent, interest on \$5,200,000,000. Many more calculations of a similar character might be made which would demonstrate beyond cavil that the financial system under which a reduction in the rates of interest has been brought about has entailed

an enormous loss upon the country.

Mr. ALDRICH. Will it interrupt the Senator if I ask him a ques-

Mr. JONES, of Nevada. Not in the least. Mr. ALDRICH. The Senator has depicted in very eloquent terms the troubles and sufferings which follow a shrinking volume of money. Now, I want to ask him to explain what will be the effect on the volume of money of the Morrison resolution under existing law?

Mr. JONES, of Nevada. I did not rise to deliver a set speech, and

interruptions, therefore, cause me no inconvenience.

It is quite probable that the country is now placed between the horns of a dilemma. This has been brought about by what I regard as two fundamental errors which are at the basis of our banking system. One of those errors is the idea that the money of a country should be based upon its debt, and the other is that private banking institutions should be permitted to increase or decrease the volume of money, and consequently its value, at the dictation of their own interests or ca-

The regulation of the volume and value of money is one of the highest functions of sovereignty and should under no circumstances be surrendered; and no country should be subjected to the penalty of paying a large yearly interest on debt in order that it may have a sufficient quantity of money to exchange the products of labor and maintain the equity between debtor and creditor. The trouble now seems to be that the surplus revenues of the country are increasing in the national Treasury, thus rapidly diminishing the volume of money in circulation and threatening serious financial disaster unless the money be soon restored to the channels of circulation. Unfortunately under our present laws there is no legitimate means by which this can be done except by redeeming the 3 per cent. bonds, which are now subject to call, amounting to about \$140,000,000.

The present system must end in disaster unless Congress is wise enough to provide in some proper manner for the issue of a quantity of money at least equal to the amount of bank notes retired.

The Senator from Ohio [Mr. Sherman] maintained that the pending resolution, if adopted, instead of increasing would diminish the volume of money, entailing all the disasters incident to contraction. I admit that the volume of money in the country would be decreased to the extent to which bank notes were retired, but I deny that the volume of money in actual circulation would be decreased by the passage of the pending resolution. On the contrary, the passage of the resolution would considerably increase the volume of money in circulation.

The gold and silver held in reserve and locked up in the Treasury might as well be still in the adamantine rock from which they were extracted so far as their influence upon business or prices is concerned. And this is equally true of all paper money permanently held in the Treasury for that or any other purpose.

The Treasury statement made yesterday (July 28) shows that the national banks then held as a basis of circulation \$106,000,000 of the \$140,000,000 of 3 per cent. bonds still bearing interest. dred and thirty-two million dollars of the total \$140,000,000 have not been called; and calls maturing on August 1 and September 1 have been made for \$8,000,000. Of the \$106,000,000 held by the banks there are \$22,000,000 (accurately \$21,996,700) which when called must be replaced by other bonds in order that the amount of bonds held by the banks concerned may not fall below the mimimum fixed by law. It is, therefore, correctly assumed at the Treasury that the \$22,000,000 of threes will be replaced by fours, four-and-a-halfs, and currency sixes.

The banks have now on deposit as security for circulation \$106, 000,000 in threes, but \$22,000,000 of those will be replaced by other bonds; so that when the whole \$140,000,000 are called the bank deposit of bonds will be reduced \$64,000,000, on which the banks have a circulation of 90 per cent., or \$75,600,000. To that extent there will undoubtedly be a contraction of the currency in existence; but it is clear that the operation as a whole adds \$64,400,000 to the currency which is or can be in actual circulation under present modes of Treasury administration.

In paying off \$140,000,000 of the 3 per cent. bonds the Treasury disgorges to the outside public \$64,400,000 in cash, and transfers, in-

side of the Treasury, \$75,600,000 to the account of banks reducing or retiring circulation. This transfer of money to a different account conretiring circulation. This transfer of money to a different account constitutes the whole of the so-called contraction of currency with which it is attempted to terrify Congress and the country. This operation does not, either first or last, reduce by a single dollar the volume of money which the people are now using, or can get an opportunity to

use, or which exerts any influence whatever on prices.
On the contrary it increases the effective circulation by \$64,400,000, of the contrary it increases the elective critation of the money in existence by \$75,600,000. The responsibility for the reduction of the volume of money consequent upon the debt-paying policy which the country approves, and which is one of the brightest glories of the Republic, does not in any degree rest with me, nor with those with whom I agree and act upon currency questions. This result of paying the debt was long foreseen and should have been provided for. Two years ago, when the bill relating to banks, known as the McPherson bill, was pending in this Chamber, I was one of fourteen Senators who contended and voted in vain for a provision that as fast and as far as the national-bank issues were withdrawn their place should be supplied by greenbacks. vote again on any bill and on any day for that provision, and the responsibility for the failure to obtain that most just and wise amendment to existing law will always rest, as it rests now, mainly upon the party which favors the gold standard, which favors the retirement of the greenback, and which opposes the continued coinage of silver; and for all the evils which follow contraction the country will hold them and

them alone responsible.

Mr. ALDRICH. The practical operation is just this, according to my notion. One hundred and thirty-six million dollars of 3 per cent. bonds are outstanding, of which \$106,000,000 are held by national banks as security for circulation. These bonds are called. It becomes the duty of the banks at once, or at the expiration of the call, to deposit legal-tender notes in the Treasury of the United States to the full extent of the signalation.

tent of the circulation.

Mr. JONES, of Nevada. I have just stated that.

Mr. ALDRICH. And that of course is a reduction of the circulation

and a reduction of the currency to that extent.

Mr. JONES, of Nevada. But at the same time the \$140,000,000 paid by the Treasury for the bonds are put into circulation, which is an expansion of the effective currency to that extent. A bank with \$100,000 of bonds, giving it \$90,000 in circulation, being forced to retire its circulation under the operation of this Morrison resolution, deposits \$90,000 of money with the Treasurer to redeem its issues. That is a contraction to the amount of \$90,000. But, on the other hand, the Treasury pays \$100,000 out for the bonds, and puts in circulation \$100,000 now held fast in the Treasury and not in circulation; so that, taking the whole operation together, there is an expansion of the effective circulation to the amount of \$10,000.

Mr. CHACE. You are not through yet. What becomes of the bank

Mr. JONES, of Nevada. The bank currency, of course, is still in circulation, and whenever any portion of it finds its way into the Treasury an equal amount of the money specially deposited for its redemption goes out. I will add here that there is a small additional expansion of the circulation from the surrender to the banks of 5 per cent. which they are required to keep on deposit in the Treasury for the re-

demption of their issues.

Mr. ALDRICH. Let me follow that one step further. The amount of legal-tender notes is restricted by law to \$346,000,000. A bank brings its bonds to the amount of \$100,000 to the Treasury and resurrance. ceives \$100,000 in legal-tender notes. Of course that is not an increase in the circulation of the country. If that bank brings its bonds to the Treasury and receives in pay for them \$100,000 in legal-tender notes there is no increase of currency by that operation. The bank takes \$90,000 of that money and deposits it in the Treasury for the outstand-There is no increase of circulation in that operation. When these national-bank notes come in they are redeemed by the Treasury Department and destroyed under the provisions of law. is a contraction of \$90,000. That is the proposition I make that I should like the Senator to answer.

Mr. JONES, of Nevada. That is one of the evil and inevitable con-

sequences of building a superstructure of currency upon a basis of debt. It was "bad begun, and worse remains behind." The national banking system was a temporary expedient, adopted to meet a great emergency and as a sort of auxiliary to the greenbacks. An equal issue of greenbacks would have served fully as well, and at a much less expense to the country, for with the issue of greenbacks the interest-bearing debton which the bank notes were based could have been retired, which by this time would have proved a saving to the country of several hun-

dred millions of dollars.

Mr. ALDRICH. It is a question of fact between the Senator and

myself.

Mr. JONES, of Nevada. I have stated, and I repeat, that in the case of a national bank surrendering \$90,000 of its circulation and receiving \$100,000 for its bonds, there is \$10,000 added to the effective circulation of the country. The idle hoard in the Treasury may be diminished, and might as well be diminished if the avowed policy of the Treasury Department is to be continued, and especially if that policy is to be indorsed by the defeat of the Morrison resolution.

Mr. ALDRICH. We were talking about the volume of money,

whether in banks or in the Treasury or anywhere else.

Mr. JONES, of Nevada. That is what the Senator from Rhode Island has been talking about; but I have carefully drawn the distinction between money in circulation, performing its legitimate function, and money permanently locked up in vaults and performing no useful function whatever.

The Senator from Rhode Island [Mr. Aldrich] seems to be opposed to paying off any of the debt, for the reason that a contraction of the national-bank notes would be the result. He sees that the banking system is approaching its doom, and in order to prolong its existence even for a short period the Senator is willing that the people of this country shall continue to pay interest on matured bonds while vast sums lie idle in the Treasury with which they might be extinguished.

Mr. GEORGE. I wish to call the attention of the Senator from Ne-

vada [Mr. Jones] to this question. I see the evils which he has depicted in such eloquent language of the locking up of these large sums by the banks. I ask him if he has any feasible plan by which he can force the banks who hold this money hoarded up to put it in circula-I put that question a while ago to the Senator from Colorado [Mr. Teiler], and he answered me very promptly that he had no such plan. The Senator from Nevada [Mr. Jones] then said that he would answer that question. I should like to call the Senator's attention to that and ask him for an answer.

Mr. JONES, of Nevada. The question of the Senator can not be answered in a single sentence. That we may be sure of the proper remedy it is first necessary to diagnose the complaint; after which I will attempt to indicate the policy through which the idle hoards in the banks will be speedily absorbed into the circulation. Mr. GEORGE. That is what I want to hear.

Mr. JONES, of Nevada. Money is, or should be, the instrument of commerce and not its object. Its use throughout the whole range of human industries should command a fair rate of interest with profit to both borrower and lender. Every instinct of thrift impels the owner of money to invest it in property or industrial enterprises, or to loan it to others for that purpose when it can be done with security; and he would thus loan it or use it and put it in circulation, if he could do so safely, even with small profits, but it is now piled up in idle hoards because bitter experience has taught that there is but small hope of profit in investments. The reason is plain. Whatever is becoming scarcer, relatively to the demand for it, is growing dearer. This rule applies to money as well as to anything else; and at the present time money is growing scarcer and consequently dearer, while the productive forces are enlarging, and the products of labor, measured by the shrinking medium, are growing cheaper and cheaper. The same instincts which impel the active use of capital and credit when prices are rising, impel the hoarding of money when prices are falling.

The complaint of falling prices and of the absence of profit in business comes to us from every country in the western world. The disease is universal, and it is logical to assume that it proceeds from the same cause, which must also be universal; and no other cause than the one I have named has been or can be pointed out. When we compare the present period of distrust, depression, and stagnation with former periods of activity, confidence, and progression, we find all the elements of pros-perity—intellectual, material, and moral—greater now than ever before. The sun is as genial and fructifying, the rains as frequently recurring, the soil as fertile, the Government more just and more stable than any ever yet founded, and the people, constantly increasing in intellectual and moral force, are as ingenious, industrious, and enterprising as they

Why, then, do not all these favorable conditions bring about good times? Every condition of prosperity is present now that has been Every condition of prosperity is present now that has been present in periods of the greatest prosperity is present now that has been present in periods of the greatest prosperity in the past—save only one, and that one baleful condition has attended every period of industrial and financial disaster of which we have any record. It is not a hard condition, imposed by Nature, but it is one which, in my judgment, is chargeable to our own lack of wisdom. That condition is brought about by a decrease in the volume, and a consequent increase in the value, of the units of money, involving a violation of all contracts—the subtle robbery of the debtor for the benefit of his creditor, the despoiling of labor, an increase in the burden of debt and taxes, and the withdrawal of money—that great instrument of association among men—from the performance of the beneficent functions for which it is intended.

For this evil there is but one remedy. Reverse that condition. Enact a law under which the volume of money shall keep pace with the increase of the population, for it is population, and population alone, that gives rise to a demand for money. The increase or decrease of population is rise to a demand for money. The increase or decrease of population is the only gauge and measure for the increase or decrease of the units of Do this, and the idle hoards in the banks will disappear as if by magic. They will become again charged with their true functions of exchanging property and the products of industry, and of truly expressing the equity of contracts. In the presence of this great depres-

sion, caused by falling prices, and of the cloud which hangs like a pall over the business and industry of the world, to waste time in the discussion of the material out of which these units of money should be

made is to fiddle while Rome is burning.

As population increases all the objects of human desire must be increased in proportion, if the equation between supply and demand is to be maintained undisturbed. Schoolmen and political economists except money from the operations of this rule; indeed the general tendency of thought is in the same direction. But a little reflection will show that the rule is more strictly and exactly applicable to money than to anything else, because the demand for all other things is first made upon money. The tastes and habits of the people may change as to particular money. things; even in a single year the demand for any one article may become less and the demand for some alternative article may be increased; and it is to be observed that for everything except money some more or less available substitute can be found. If beef be too high in price the alternative can be found in mutton. If wool be too high we can use silk or cotton. There is no article in this world except money for which an alternative article can not be found, but there is no alternative for money.

Indeed, the prices of other articles may rise so high as to forbid the use of, and terminate the demand for, them altogether, in which case the entire demand falls upon the alternatives; but no matter how high the value of money may rise the demand for it is as strong as ever. The people must have it. Through the warp and woof of society runs this factor—money. It is with money alone that debts and taxes can be paid and judgments satisfied. It is indispensable to civilization, and it can be obtained only through universal competition, each in his own pursuit offering his wares in competition with all others in the same pursuit in exchange for it. This is the gauge that measures the value of money and the demand for it.

I do not intend at this time to enter upon an elaborate discussion of the money question; but I know that in the near future such are the inherent defects of the present system—it must be discussed, and Congress must bring to that discussion its highest wisdom and its closest gress must oring to that discussion its highest wisdom and its closest attention. Great emergencies stand before the country to-day—emer-gencies greater, in my judgment, than it has ever been confronted with in the past. Unless the facts of the present situation can in some way be changed nothing is to be looked for but a steadily shrinking volume and a constantly increasing value of money, which have in past times subjected mankind to more misery than has ever resulted from war or pestilence or famine.

Mr. ALDRICH. Mr. President-

Mr. ALDRICH. Mr. Freshent

The PRESIDENT pro tempore. The Senator from Colorado [Mr. Teller] is entitled to the floor.

Mr. ALDRICH. If the Senator will listen to me—

Mr. JONES, of Nevada. I will get through in a few minutes.

Mr. ALDRICH. I want to say just one word in reply to what the Senator has said in regard to my opinion about the payment of the national debt. He said I was opposed to paying the debt. He is entirely wrong in making that statement. I am just as much in favor of paying the national debt as is the Senator from Nevada, but I want the Senate to understand, and I want the Senator from Nevada to admit and the Senator from Kansas to admit the necessarily legitimate con-

sequences of paying the debt at this time and under existing laws.

But to continue the operation we were discussing. You have \$100,000 in legal-tender notes and \$90,000 in national-bank notes. At the end of the operation you have \$100,000 of United States notes and no national-bank circulation. There is \$90,000 gone. So the result of that operation is that at every call of bonds you contract the currency. And I say to the Senator from Nevada and the Senator from Kansas that they propose to destroy the national-bank circulation without furnishing anything in place of it. Without furnishing to the country any currency of any kind in place of it; they are doing the very thing that the Senator deprecates so much—diminishing the volume of money.

Mr. TELLER. I will claim the floor if every Senator is to make a

speech.

The PRESIDENT pro tempore. The Senator from Colorado claims the floor

Mr. TELLER. I will do so if everybody is, under the guise of asking a question, to make a speech. I do not object to the Senator from

Mr. JONES, of Nevada. The Senator from Rhode Island [Mr. AL-DRICH] assures us that he is in favor of paying the debt, but he says that the evils (which I have but too feebly portrayed), caused by contraction, will be intensified by the adoption of the resolution now under discussion. He therefore opposes it until some measures of relief are adopted, and he accuses the Senator from Colorado [Mr. Teller] and myself of being in favor of contraction while we have proposed nothing to avert it. The plain-indeed, the only-method to prevent contraction is to increase the volume of money, not indefinitely, but proportioned to the increasing demands for it. What the people want is money, not specifically gold money, or silver money, or paper money, or any other particular kind of money. They want simply money in sufficient volume to maintain the general range of prices undisturbed—

they want a legal tender for the payment of debts, that will exchange the products of industry, and that will satisfy judgments and keep the red ilag of the sheriff from the window.

The Senator from Colorado [Mr. Teller] and myself for many years in this body have done everything in our power to provide a money to supplement the shrinkage of national-bank notes, which everybody foresaw, and the shrinkage of the supply of gold, which everybody sees, and we were at least partly instrumental by our votes and our voices in securing the passage of a law which commanded the Secretary of the Treasury in his discretion to coin each month not less than \$2,-000,000 nor more than \$4,000,000 worth of silver. If the Secretary will exercise that discretion, and, as fast as the national-bank notes are retired, will coin silver up to the maximum which he is permitted by law to coin, no evils of contraction will be felt. We have provided ample remedy for the contraction of the circulation of bank notes by the passage of the silver law of 1878.

The Senator from Ohio [Mr. Sherman] has declared in this debate that the continued coinage of silver must result in the expulsion of gold from the country; but he does not specifically explain the operation,

nor give the causes for its exportation.

The same predictions were as confidently made before and at the time of the passage of what is known as the Bland bill in 1878. then warned by the magnates in finance, the bondholders and the bankers in the great cities, and by the professional political economists all over the country, that the immediate effect of the passage of the Bland bill would be the exportation of what gold there was in the country, with a premium on it equal to the difference between \$1.18 an ounce, the price of silver bullion at that time, and \$1.29 an ounce, the value of the standard dollar at the legal relation of 16 of silver to 1 of gold. The financial press of Great Britain, where many of our bonds were held, echoed these notes of warning. But all the prophecies were falsiheld, echoed these notes of warning. fied by the event. Gold not only persistently refused to leave the country, but on the contrary came to us in a constantly increasing stream and still continues to come. The zeal of these "sons of the prophets," however, has not been restrained by this failure of their predictions; and every year since then they have joined in chorus in the same doleful jeremiad, which only goes to show that the instinct of the masses of the people that demanded the passage of the bill, and saw no danger in it, was keener than the blurred vision of the prophets.

It is very difficult to make an argument against a prophecy. I will not, therefore, weary the Senate with an attempt to answer these many and various unfulfilled predictions. They will doubtless continue, and with additions, for "age can not wither nor custom stale" their

"infinite variety."

There has never been a day since the passage of the Bland bill that the silver dollar coined under its provisions would not buy of labor or the products of labor as much as the gold dollar, notwithstanding the strenuous efforts of the income classes to discredit and depreciate it. And so far the silver dollar has shown no sign of attacking or driving out the gold dollar. There is no chemical repulsion between them. If gold goes out of the country it will be because it is to the real or fancied interest of its owner that it should go.

I admit that when there are two kinds of money circulating in a country, as, for instance, gold and silver in this country, both equally a legal tender, the one international and the other national, it is quite possible to coin, or print, and put in circulation so great a quantity of national money as to advance the prices of things internationally dealt in to a point beyond and higher than the gold prices of the same things in foreign countries-in which case the international money, having no greater purchasing power here than national money but possessing a higher purchasing power abroad, might be sent out more advantage ously to meet foreign purchases than any other commodity. But the outflow would necessarily be slow-national and international prices under such circumstances being near an equilibrium, and, through the outflow of gold, constantly tending toward it.

It is only under these circumstances, and in no greater amount than would be sufficient to pay the balance that might be against us, that gold, our international money, could flow out. But gold could never bear a premium over silver till substantially the last dollar in gold had disappeared from our circulation. If, however, notwithstanding the rise of prices in this country, the coinage or the issuance of national money should be persisted in indefinitely, gold would continue to go, until all of it would finally disappear, and the rapidity of the outflow would depend entirely upon the amount of the excess of our imports over our exports and on the rapidity of the increase of the national

currency.

There is no reason, however, to apprehend that there will be an outflow of gold from this country by reason of the coinage of silver under the Bland law, or under any other law which Congress will be likely to enact. If gold goes out it will not be because of a depreciation in the value of silver dollars, but because of a destructive rise in the value of gold. This rise is portentous of disaster, and has aroused the attention of thoughtful men everywhere. In a very able article in the May number of the Contemporary Review, by that distinguished po-Ittical economist, de Laveleye—an article republished in the Bankers' Magazine, of New York—it was demonstrated beyond question that the

value of gold is rising; and he pointed out with unerring accuracy that the present depression in trade throughout the civilized world is to be attributed to that fact and to that fact alone.

An able article appeared also in the January number of the Edinburgh Review, establishing the same fact and reaching the same conclusion. Frewen, Gibbs, and Grenfell (the last-named two gentlemen being ex-governors of the Bank of England), and many other distinguished publicists, both in Great Britain and on the continent, have made numerous and valuable contributions to the literature of the subject in the same general direction. I recommend their careful perusal to those who, here or elsewhere, have hitherto regarded gold as the only just standard by which to measure the equities and efforts of mankind.

Notwithstanding the coinage of nearly two hundred and fifty million of silver dollars in this country, contemptuously referred to in many quarters as depreciated and depreciating "buzzard" dollars, any one of those dollars has as much purchasing power to-day as had the first dollar that was coined.

Mr. TELLER. More.

Mr. JONES, of Nevada. It has greater purchasing power than had the first dollar that was coined. The laborer will give more sweat and toil for it, the farmer will give more wheat for it, the sugar-planter will give more sugar and the cotton-planter more cotton for it than ever In what other way can its value be measured? How, then, can it be called "depreciated?" An ounce of uncoined silver bullion, whose gold price is now lower than was ever before known, will buy more of any and every kind of property on sale, including human labor, than it would buy when the bullion value of the silver dollar was 3 per cent. greater than the bullion value of the gold dollar. Are not these facts, which can be verified by innumerable illustrations, to be taken as conclusive evidence that silver has not depreciated, but that the value of gold has been and is continually and destructively advancing?

If gold goes out of the country it will be because of its continuous rise in value and not on account of the coinage of silver or the depreciation of the silver dollar. Is it contended that we should continue to maintain gold as a money standard at the expense of falling prices, of the increased burden of debt and taxes, of the stagnation of all industries, of the disturbance of all contracts, and of the relegation of constantly increasing numbers of workmen to idleness? Mr. President, if gold does go out of this country by reason of a constant increase in its value I say let it go, and God speed the day when it starts. Its going will be the harbinger of more prosperous days. It will leave the country free to adopt a system of money whose volume and value will be regulated, not as the value of gold is now regulated, by the edicts of blind chance, but by the guidance of human wisdom. I am sorry to believe that there is a class in the country who through ignorance or sinister motive would rather retain their idol-gold-with shrinking prices and shriveling industries than to have it supplanted by any other kind of money with prosperity, with plenty on the tables of the laborer and with profitable employment for all. Let it go, say I, let it not stand on the order of its going, but go quickly, if the reason for its going be the continued rise in its value—and for no other reason than that can it go.

The enormous loss inflicted on this country by the increase which

has taken place in the value of money since the war was tersely stated by the Senator from Kentucky [Mr. Beck] in a speech a few days ago in this Chamber. I repeat it substantially here. At the close of the civil war the national debt was about \$2,800,000,000, of which we have since paid \$1,000,000,000 of the principal, and as much as \$2,000,000,-000 in interest; and yet it will cost more sweat and toil, it will take more of the products of our labor to pay what remains due than it would have required to pay the whole debt when the war closed. is a startling exhibit, and the only circumstance that relieves the situation is the fact that there are now 50 per cent. more tax-payers to share the burden than there were then. This is a spoliation of debtors on a vast scale, which would be more than ten times greater if the debts of States, municipalities, corporations, and individuals were embraced in this calculation. And the silver dollar is flippantly referred to as the "clipped" silver dollar. When that dollar was wo rth 3 per cent. more than the gold dollar, wheat was worth 30 per cent. more than it is now; and the prices of iron, cotton, sugar, and all other products of our industry were higher in the same proportion. Instead of the silver dollar being clipped, it would rather seem as if some baneful influence had been "clipping" the price of wheat and of cotton and of iron, and thus "clipping" the debt-paying and tax-paying power of our industries.

The advocates of what is called the "gold standard" maintain that

gold is better fitted to perform the money function than any other thing in the world, on account of the steady intrinsic value which it is claimed to bear. It might be considered presumption in me-a rural financier to attempt a scientific definition of economic words and phrases, but I venture the statement, without discussing it, that a more senseless, vague, and unmeaning phrase than "intrinsic value" was never used in economic discussion. MacLeod, a great financial writer, in a recent work, demonstrates that the phrase is meaningless, and Ruskin declares, in substance, that he has no patience to discuss the money question with any one who has not advanced far enough in economic studies to

Every article useful to mankind, save and except money, possesses

estimable intrinsic qualities; but there is a broad distinction between the quality and the value of an article. Quality resides in the article; value resides in the human mind. It is the mental estimation or appreciation which is placed upon desirable objects. This is value in use: and the only difference between it and value in exchange is that the article estimated shall be limited in quantity so that a sacrifice is required to obtain it. Value may differ in degree but not in kind. estimation placed upon articles possessing useful intrinsic qualities does not differ in kind from the estimation placed upon articles whose qualities are extrinsic, as is the case with money. To be concise, and qualities are extrinsic, as is the case with money. To be concise, and not wishing to elaborate on this important definition at this time, I should say that mental estimation, utility, and limitation of quantity of the thing estimated are all that is embraced in the definition of the words "value in exchange." The estimation placed upon money does not find its origin in the intrinsic qualities of the thing upon which the money function may be conferred, but arises solely and exclusively out of the extrinsic qualities and functions which the Government confers upon it; and the value of the unit of money, whatever may be its material, is governed absolutely and entirely by the number of units in circulation, neither changed nor affected in the slightest degree by the commodity qualities of the material upon which the stamp may be

It may be urged, when gold is used as money, that the money-demand is re-enforced by the demand for the commodity for use in the various arts; and that, being thus re-enforced, its value would be more stable than if it rested on the money-demand alone. But it must be remem-bered that any other article than gold, endowed with the money funcbered that any other article than gold, endowed with the money function, would be subject, equally with gold, to the entire money demand, which would equally include the demand for gold for commodity and other uses. In other words, the entire demands of society must first fall upon money, with which to satisfy them, and it is quite evident that those demands are neither increased nor diminished by the character of the money, whether it be gold, silver, paper, or anything else. Even if it be admitted that the commodity-demand for gold assists in maintaining the value of gold when used as money, it may be instructive to examine the relative characters of these two demands.

The demands for gold as a commodity are few and unimportant. The

The demands for gold as a commodity are few and unimportant. demands for gold as money are equal to the sum of the demands for all things, as it is through money that all the objects of human desire must be obtained. And in addition to this, there is an enforced demand for it for the purpose of liquidating debt and paying taxes. The use of gold as a commodity is of but the slightest importance to mankind, and could be readily discarded without producing any save the smallest dis-turbance. The use of money is of transcendent importance; it could not be discarded with safety to civilization, and the demand for it in civilized life is absolutely imperative. Without it our whole industrial, political, and social systems would crumble. And yet it is claimed by the professional political economist that when gold is used as money the utterly insignificant commodity demand—the bangle and breast-pin demand—instead of the nobler, the higher, the universal money demand is the main factor in fixing and maintaining its value. An examination of these two demands will demonstrate beyond question that the force of the commodity demand, relatively, is as insignificant as its character.

It is estimated that at the lowest calculation there are \$4,000,000,000

of gold in use and demand as money in the world and that as a minimum each dollar of this sum is earned, demanded, and paid twenty times in the course of a year. This makes a total of twenty times \$4,000,-000,000, amounting to \$80,000,000,000 annually of money demand upon the gold supply. It is estimated that the amount of gold used in the arts each year is \$80,000,000, which measures the annual commodity deares each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity dearest each year is \$80,000,000, which measures the annual commodity is \$80,000, which measures the \$80,000, w It is estimated that the amount of gold used in the mand. This shows that the money demand is one thousand times greater than the commodity demand. The absurdity of the claim that the demand for gold as a commodity exerts any appreciable influence upon the value of gold money is further emphasized by the fact, that the supply of gold is equal to fifty years of the annual commodity demand, and still the doctrinaires persistently declare that the value of gold used as money finds its chief support in this insignificant bangle and breast-pin

Mr. President, it is easy to discern that various as are the objections mrged against the passage of the pending resolution, the real objection of the majority of those who oppose it is that its passage will hasten the time when the Secretary of the Treasury may have to pay out silver dollars in liquidation of bonds which may be called; and they claim, although these bonds are by law made payable in silver dollars as well as in gold dollars, at the option of the Government, that that act would not only discredit the Government but would precipitate us upon a silver basis. The resulting disasters which they predict are bewildering in their inconsistency. In one breath it is claimed that it is impossible to force any more silver into circulation; that the Secretary of the Treasury and the other financial officers of the Government have made frantic and fruitless efforts in this direction, and have finally given up the attempt in despair. In the next breath it is said that silver has changed its mind and now threatens to gorge and choke up all the channels of circulation to the exclusion of gold. Again, it is claimed that the moment the silver basis is reached the money of the country will be worth 20 per cent. less than it is now, which will enable the debtor to defraud

his creditor to that extent; and the creditors are pathetically described as consisting mainly of impoverished widows and orphans and small depositors in savings-banks!

The next disaster predicted is the loss of all our gold and a terrible contraction of the currency, which can mean nothing else than falling prices and the defrauding not of creditors, but of debtors. This destruction of debtors and laborers was referred to by President Cleveland in his famous letter to Democratic members of the House of Representa-tives in February, 1885, as "the saddest of all" the miseries which he felt were surely impending through contraction brought about by silver inflation! These evil consequences which it is predicted will follow the continued coinage of silver are as contradictory as they are absurd and impossible. After this, it would not be matter of surprise if the discovery were made that the box which Jupiter gave to Pandora contained nothing but silver dollars!

We are warned that it is in the power of a few New York bankers to "corner" gold by locking it up or investing it in sterling exchange. Suppose they do it; what are they going to do with the gold after they have cornered it? Nobody that I know of is obliged to have it, and so far as the public and the Government and the business interests of the country are concerned these little "Jack Horners" may sit in their 'corners' and enjoy the situation to the top of their bent. They may 'put in their thumbs," but I imagine they will find it difficult to ex-

tract any financial plums from the pie.

The public do not fear, and have no reason to fear, a corner in gold. During the war, and for some time afterward, it was quite possible to make a profitable corner in gold when that metal alone was receivable in payment for duties on imports; and it was cornered-by those who were willing to speculate on their country's disasters-to the disturbance of business and the embarrassment of the Government. But, happily, the silver law of 1878 is an effectual barrier against a similar operation in the future on the part of these wreckers. If gold is withdrawn and "cornered" the two hundred and thirty-six million silver dollars now in the country will serve the turn and answer all requirements equally as well; and those who make the corner will have only their labor for their pains. Indeed, under present conditions, if the gold were cornered the public would know nothing about it unless specially informed of it. The masses of the people of this country have seen no gold for a gen-

eration. It has not been in circulation, nor performed any of the functions of money for twenty-five years. During that entire period, except on the Pacific coast, it has been substantially cornered. Again I ask, what will they do with their cornered gold? It is not needed to pay foreign balances, because they are now, and are likely to continue, largely in our favor, and there is no other country in which gold money or any other money can be used more profitably than in this. In short, as a financial operation, the corner is an arrant and foredoomed failure; and the threatened "corner," as a source of alarm, was received with universal derision, and proved equally a failure. Other and more abuniversal derision, and proved equally a failure. Other and more absurd threats were widely made during the scare of a year ago. It was extensively published in the newspaper press that some insurance company, whose name I forget, threatened to withdraw its business and its assests from this county in case the silver coinage was continued. Whether this paralyzing threat has been carried into effect I am not informed. It is possible that this institution may have gone, and it is possible that many of the gold worshipers, unable to live under this "depreciated silver standard," may conclude to go, but I am quite sure that "He who tempers the wind to the shorn lamb" will enable the country to endure it. All these puerile threats remind me somewhat of an incident which occurred in California during the civil war. One morning, meeting a gentleman of my acquaintance who was a mild sort of Union man, he told me he had fearful news from the Eastbad news for our side. Thinking that he had received information of another Union defeat, I eagerly asked him what it was. He replied, "My brother Tom has joined the confederacy." [Laughter.] I said, "That is awful! There is no telling what vials of wrath Providence may have in store for us, but it is to be hoped that the country may survive the shock!"

Referring again to the fears of the Senator from Rhode Island Mr. ALDRICH] that contraction of the currency will follow the passage of the pending resolution, I think I have shown that, although it may diminish the volume of money which is uselessly hoarded in the Treasury, it will increase the quantity in circulation, and result in an annual saving of \$3,000,000 in interest. But how, upon the theories of the school to which the Senator from Rhode Island belongs, can it be of any consequence whether the volume of money is contracted or not? He believes, because all other forms of money in this country are now at a parity with gold, that we have a "gold standard" which, if it means anything, means that we have a standard regulated by the average cost

of producing a certain number of grains of gold.

If that is true, it must be immaterial how many national banks may surrender their charters, or how many millions of national-bank circulation may be retired. If that is true, the retirement of the bank notes would not affect the value of the gold dollars remaining in circulation but would more firmly establish the gold standard by decreasing the paper demands upon it. The Senator betrays a lurking doubt of the soundness of his own theories when he specially deprecates the contraction of the national-bank notes, as he has frequently done in this debate and as he did not long ago by the introduction of a bill providing for the issuance of 2 per cent. long bonds, through the use of which the national banks might avoid a surrender of their circulation. But of what consequence is either the contraction or expansion of the volume of the currency if the value of money does not depend upon its volume? And, on the other hand, if the value of money does depend upon its volume why import into this discussion such wholly irrelevant things as the "commodity value" of gold or the cost of producing that metal?
Mr. ALDRICH. Does the Senator want an answer?

Mr. ALDRICH. Does the Senztor want an answer?
Mr. JONES, of Nevada. Yes, sir. If the value of money does not depend on its volume, what difference does it make whether you contract or expand it? In either case you still have the "gold standard." Even if you retire all the bank notes and greenbacks, you would still have the gold standard unchanged, and leave the gold dollar with no more purchasing power than it has now, if it be true that the value of gold, when used as money, is governed by the average cost of producing it. Is that cost rendered any greater or less because of the retirement of three or four hundred millions of paper? The Secretary of the Treasury in his annual report of last December recommended that the entire greenback circulation of \$346,000,000 should be retired before entire greenback circulation of \$346,000,000 should be retired before the 4th of March, 1889. This, in my judgment, would result in such a financial crisis as this country has never seen, but, upon "gold-stand-

ard" theories, would be logical and safe and wise.

The term "gold standard" is almost as indefinite, vague, and misleading as the term "intrinsic value." It expresses no definite idea; and if it be admitted that the value of each unit of money is governed by the number of units in circulation it is as absurd to call the standard a "gold" standard because the Government decreed that gold alone should perform the money function as it would be to call the yard-stick made of ivory an 'ivory standard' of length if the Government should decree that no yard-sticks should be used except those made of ivory. The ivory would have no more controlling force in governing the length of the stick than gold would have in determining the value of the money unit. The controlling element in the one case is a certain degree of linear extension; the controlling element in the other case is the number of units of money.

Whenever this great question shall be discussed as it ought to be

discussed, the country will see that the monetary standard mustalways and in all cases be one of numbers, relatively to population, and when they do see it they will discard barter-money whose production is the result of chance and whose volume may fall so far short of what is demanded by the wants of commerce as absolutely to strangle both com-

merce and industry.

So varying and uncertain has been the supply of metallic money in the past that the advance of the world has been fitful and spasmodic. The discovery of new and prolific mining fields has distinctly marked

The discovery of new and profile mining needs has distinctly have as distinctly marked those of adversity.

Mr. Jacobs, in his history of the precious metals, states that at the commencement of the Christian era there were \$1,800,000,000 of gold and silver in the western world, and that by the end of the eleventh century there were but \$200,000,000. This pregnant statement renders unnecessary any other explanation of the extraordinary disappearance of the art, science, liberty, and civilization of the world in the period known as the "Dark Ages." The first reaction came with the invention of bills of exchange, which in some measure increased, if not the volume, the efficacy of money. That, however, was not sufficient, and permanent relief was obtained only when the argosies of Spain brought gold and silver money from the New World and placed it within the reach of the industries of Europe. In this, as in every other instance in which the volume of money has been adequately increased. civilization advanced by leaps and bounds.

In 1848, on the Pacific coast, John Marshall saw something shining in the sand, in the tail race of Sutter's mill. Never did a light shine so far as that. Never did the lost wanderer in the desert hail the bubbling spring with more joy than did the world hail that which was to **Telieve the famine of money. In twenty-five years after the discovery \$3,000,000,000 were added to the world's supply of gold. In that short period the world made more advance than it had made during the previous two hundred years. It was then that the rate of interest, to which the Senator from Massachusetts [Mr. HOAR] has called my special attention, instead of declining in consequence of the abundance of money,

increased in a marked degree.

In that case, as in all cases when the volume of money has increased, interest rose because the price of property rose and because those who borrowed money could afford to pay a larger interest when the property in which they invested it instead of shrinking expanded in value. During those twenty-five years of prosperity based upon an adequate volume of money increasing with the demands for it there were more railroads built and more inventions made, and a greater advance, materially, morally, and intellectually, all over the world than ever before.

It was not the production of \$3,000,000,000 worth of property, but the production of three billions of the units of money which constituted the significance of the metallic discoveries in California and Australia. State of New York alone produces yearly almost \$1,500,000,000 worth

of property which in no way attracts the special attention of mankind. In what way then did the gold of California and Australia produce the great effects that followed its discovery? Was it because it supplied the demand for bangles and breastpins? No; it was because it reversed the process by which prices had been shrinking after 1809 through the decrease in the volume of money resulting from the war between Spain and her American colonies.

From the report of the monetary commission of 1876-'77 I quote a truthful description of the misery and discontent which were occasioned by the long-continued shrinkage in the volume of money, commencing at the outbreak of that war and terminating with the discovery of gold

in California:

Symptoms of disasters similar to those which befell society during the Dark Ages were observable on every hand during the first half of this century. In 1899 the revolutionary troubles between Spain and her American colonies broke out. These troubles resulted in a great diminution in the production of the precious metals, which was quickly indicated by a fall in general prices. As already stated in this-report, it is estimated that the purchasing-power of the precious metals increased between 1899 and 1848 fully 145 per cent., or, in other words, that the general range of prices was 60 per cent, lower in 1848 than it was in 1899.

words, that the general range of prices was 60 per cent, lower in 1848 than it was in 1809.

During this period there was no general demonetization of either metal and no important fluctuation in the relative value of the metals, and the supply was sufficient to keep their stock good against losses by accident and abrasion. But it was insufficient to keep the stock up to the proper correspondence with the increasing demand of advancing populations. The world has rarely passed through a more gloomy period than this one. Again do we find falling prices and misery and destitution inseparable companions. The poverty and distress of the industrial masses were intense and universal, and, since the discovery of the mines of America, without a parallel.

In England the sufferings of the people found expression in demands upon Parliament for relief, in bread-riots, and in immense Chartist demonstrations. The military arm of the nation had to be strengthened to prevent the all-pervading discontent from ripening into open revolt. On the Continent the fires of revolution smoldered everywhere and blazed out at many points, threatening the overthrow of states and the subversion of social institutions.

Whenever and wherever the mutterings of discontent were hushed by the fear of increased standing armies the foundations of society were honey-combed by powerful secret political associations. The cause at work to produce this state of things was so subtle and its advance so silent that the masses were entirely ignorant of its nature. They had come to regard money as an institution fixed and immovable in value, and when the price of property and the wages of labor fell they charged the fault not to the money but to the property and the employer. They were taught that the mischief was the result of overproduction.

Never having observed that overproduction was complained of only when the

the employer. They were taught that the mischief was the result of overproduction.

Never having observed that overproduction was complained of only when the money stock was decreasing, their prejudices were aroused against labor-saving machinery. They were angered at capital, because it either declined altogether to embark in industrial enterprises or would only embark in them upon the condition of employing labor at the most scanty remuneration. They forgot that falling prices compelled capital to avoid such enterprises on any other condition, and for the most part to avoid them entirely. They did not comprehend that money in shrinking volume was the prolific parent of enforced idleness and poverty, and that falling prices divorced money, capital, and labor, but they none the less felt the paralyzing pressure of the shrinking metallic shroud that was closing around industry.

The increased yield of the Russian gold-fields in 1846 gave some relief and served as a parachute to the fall in prices, which might otherwise have resulted in a great catastrophe. But the enormous metallic supplies of California and Australia were all needed to give substantial and adequate relief. Great as these supplies were, their influence in raising prices was moderated and soon entirely arrested by the increasing populations and commerce which followed them. In the twenty-five years between 1850 and 1876 the money stock of the world was more than doubled, and yet at no time during this period was the general level of prices raised more than 18 per cent. above the general level in 1848.

A comparison of this effect of an increasing volume of money after 1848 with the effect of a decreasing volume between 1890 and 1848, strikingly illustrates how largely different in degree is the influence upon prices of an increasing or decreasing volume of money. The decrease of the yield of the mines since about 1865, while population and commerce have been advancing, has already produced unmistakable symptoms of the same general distrust, non-e

Is it not probable that the similar conditions existing to-day may, if not averted by wise legislation, produce like results?

The cause most frequently given for the present depression all over the world is "overproduction." Nevertheless it is certainly true that there can be no such thing as a general overproduction. There may be a temporary overproduction of particular things. But, viewed in the large, supply and demand are but two phases of the same thing. Whoever produces anything for sale creates thereby a new demand for something else, and the power of the world to consume depends upon the extent to which it produces. There never has been and never can be an overproduction of things peeded by the human family. be an overproduction of things needed by the human family.

It is preposterous to say that there is too much clothing or that there

are too many shoes when there are vast numbers of people who are barefooted and are covered only with rags; it is preposterous to say that there is too much food when a large portion of mankind are al-ways on the verge of starvation. If this theory of "overproduction" has any truth in it, it would be wise to provide by law for the im-

has any truth in it, it would be wise to provide by law for the imprisonment of all persons engaged in productive industries and for the reward of tramps who live on free lunches. [Laughter.]

No, Mr. President, the difficulty is not in that impossible thing, "overproduction," but in under-consumption, caused by the congestion of business which has been brought on by the shrinking of the volume of money and steadily falling prices. Consumption has fallen off, not because consumers are oversupplied but because, being largely remitted to idleness, they lack the means of purchasing the things which they to idleness, they lack the means of purchasing the things which they grievously need

Great as the difficulty is it may nevertheless not need much added

money to remove it, and especially if the country could be satisfied that the policy of contraction was permanently reversed. It is only the difference between 31° and 33° Fahrenheit which makes the change from freezing to thawing. Within that range of the thermometer the surface of the earth is at one time all ice and at another time all flowing water

and fructifying streams.

Similarly, it happens that whenever the volume of money shrinks, by however small a proportion, if only the proportion be such as to increase in any perceptible degree the difficulty of obtaining it, forthwith the more acute and watchful observers decide to keep under control the money they have by depositing it in banks or otherwise, and especially by avoiding investments in property. The less active neighbors of these sharp and watchful men instinctively follow their example, and thus the circle of distrust becomes wider and wider. In this country to-day the range of prices is probably 20 per cent. lower than it would be if the money in existence were in actual circulation.

A little shrinkage of the money in existence causes a great shrinkage of the money in circulation because of hoardings on the part of all

those who believe that prices have not reached bottom.

However, in the course of a long-continued shrinkage in the volume of money men become impatient; they get tired of inaction; they find themselves eating up their principal, and are likely from time to time to conclude from some circumstance that the shrinkage is at an end

and that prices are at the bottom.

This circumstance may be one thing, and may be another. Sometimes it is nothing more than the assertion of the combined newspaper press that things are going up; sometimes it is the prospect of great crops; sometimes it is the fact of the increased earnings of particular classes of railroads. But the process of shrinkage resulting from the hoarding of money is, as matter of fact, sometime or other interrupted by a reaction. When that occurs there is always a possibility of a considerable increase of the money in circulation, because the amount of hoarded money is frequently large, being probably in some extreme cases as much as 33½ per cent. of all the money in the country. Of course the sudden and rapid increase of a much less proportion than 33 per cent. of the money will cause what is called a "boom."

There was probably 33 per cent. of our money locked up in the sum-

There was probably 33 per cent. of our money locked up in the summer of 1879, when the upward reaction of that time commenced. It may not be possible to understand all the precise causes which led to it, but among them undoubtedly was the prevalence of the opinion that the resumption of specie payments on the 1st of January of that year would cause a change for the better. At any rate there was a change for the better. The hoarded money was unlocked by the rising of prices. The "boom" lasted two years, and, like all reactions, whether upward or downward, it went beyond the legitimate force of the causes that

produced it and ended in disaster.

Since 1881 there has been a persistent downward reaction and a steady decline in prices, aggravated by renewed hoardings and by a continued shrinkage of the volume of money in circulation as a consequence of those hoardings. As I said a moment ago, it is undoubtedly true that the volume of money now in existence warrants higher prices than those which are current; but what particular circumstance may cause a temporary upward reaction none can foresee. This explains the seeming anomaly of the rise of prices at times when the volume of money

relatively to population is actually shrinking.

I asked a political economist lately what was the cause of the depression in business. His answer was that it was a "lack of confidence." I asked him in respect to what there was a lack of confidence; whether it was a lack of confidence in the integrity of the people, in the stability of the Government, or in the abundance of the crops, but I got only the answer that the difficulty was a "lack of confidence." The political economist did not answer my question. But I will endeavor to answer it myself. I say that it is a lack of confidence on the part of the people that when they invest their money in property they will get it back again.

It is a general lack of confidence that prices will rise or that they are even at the bottom. In fact it is a general belief that they are still going down. No man keeps his money idle when he sees a chance of profitably investing it. And all men, without any express formulation, do by their actions indicate their belief that the volume of money is destined to a further shrinkage, and that prices can not rise as long

as that operation continues.

What is the situation to-day? The circulation of the banks is contracting. The supply of gold from the mines is scarcely enough to meet the demands of the arts, and the supply of silver only slightly exceeds the demands of the arts and the immemorial demands of Asia. For the last thirty years the world has been mercilessly ransacked for gold and silver, and it is doubtful whether any new or extensive gold fields will ever be discovered.

Silver mines are almost as readily discernible on the surface of the earth as forests are, and it is the first croppings that are the most productive. The difficulties of working them multiply as you descend into the earth; and in all silver mines a barren zone is soon reached at which, in point of fact, the working of the mines generally ends. The depth of the barren zone can not be anticipated, and the uncertainty of the result and the cost of the experiment of penetrating it deter most operators from the hazard.

All the facts of the mining situation indicate that no increase of the world's yield of the precious metals can be reasonably anticipated, and consequently something else than the precious metals must be relied

on to supply the world's increasing demand for money.

I advocated the remonetization of silver in 1878, and have since urged its coinage up to the maximum permitted in the law passed in that year, because I believe in the principle that the money standard of a country is one of relative numbers, and that even if all the silver available for coinage were struck at our mints the volume of money in this country would not increase by a greater percentage than the increase of its population. I knew that the people were accustomed to a metallic money and that it was one of their inherited ideas, which they would not readily abandon. The precious metals have been immemorially regarded as the materials best fitted for the money function, but I believe that the time is at hand when we must recognize the fact that money is, after all, only an invention of society, and that it is one of the highest duties of government to regulate its volume and value in order that justice may prevail throughout all the land.

The question, Mr. President, is many-sided. I did not intend to discuss it during this session of Congress, and it is only by accident that I have been drawn into the present debate. I hope, however, that at the next session of the Senate this body may be inclined to discuss it fully, not in the form of set speeches running on parallel lines, but by the method of question and answer, in which Senators will state with frankness the position they occupy on the various propositions involved.



Naval Establishment.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 24, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 6664) to increase the naval establishment—

Mr. WHEELER said:

Mr. Chairman: I regret very much to hear this character of opposition to so important a measure. I am as sincerely desirous as any gentleman on this floor to protect American interests.

I appreciate the importance of all that has been or may be said favoring the use of American products in constructing American ships. I think that as far as it is possible the Government should use domestic materials in all its work, even though in some instances the same material could be purchased at lower prices in foreign countries.

There are many reasons why this policy should be steadfastly pur-

sued.

First. The money would be kept at home.

Second. The Government can afford to pay something to encourage American enterprises.

Third. It is of the utmost importance that our manufacturers should be encouraged to make armor-plates and all other materials for war vessels, because it is obvious that, in the event of war, we would find it

impossible to procure such materials from foreign nations.

For these reasons I advocate the proviso requiring the armor to be of domestic manufacture if it be possible to procure the material in this country within a reasonable time. But while much of the steel plate now indispensable to the efficient construction of an armored vessel can be procured here, it is admitted that the armor for the turrets of the monitors can not, at this time, be obtained in this country, and it is also admitted that it is very doubtful if this character of armor can be manufactured in the United States for some time to come. I therefore insist that to make it obligatory upon the Secretary of the Navy to use armor of domestic manufacture only would be to seriously delay the completion of those vessels.

On the 18th of June last I had the honor of addressing some remarks to the House upon the importance, the necessity, of having a navy, if the dignity and honor of our country are to be properly maintained.

I think it has been clearly demonstrated that during the last twenty

representation of the most formulated in the position of the most formidable naval power in the world to that of the feeblest; that all our ports are now at the mercy of eight foreign nations, and that even China, Brazil, and Chili possess naval ships and guns with which they could, as an alternative to bombardment, levy contributions upon nearly all of our coast cities. It has been further shown, I think, that the navy of any of the great powers could stand off, with their longrange guns—having a destructive range of 10 miles and upward—and sink any or all of our vessels, none of which carry guns of more than half that range.

In the presence of such a possibility I can not understand why so

many obstacles are interposed to the immediate inauguration of measures designed to remedy our absolutely defenseless condition-why gentlemen should insist upon amendments the adoption of which must have the effect of delaying those initial steps which are of necessity

preliminary to the construction of efficient naval ships.

I certainly can not comprehend why any one should wish for further delay in completing the monitors. They have been in process of construction for twelve years, and those who take pride in our country wish to see them finished and afloat.

I will not intimate that those who seek to interpose and insist upon impossible conditions desire to prevent the building of a navy, but when we recall the fact that only on Thursday the consideration of the naval construction bill was defeated by Republican votes, it does seem that there is danger of such a suspicion arising in some minds.

I read from the RECORD, page 7336:

The SPEAKER. The question is now, will the House proceed to the consideration of the bill (H. R. 6664) to increase the naval establishment, which was made a special order for to-day?

A vote was taken upon this question, and 90 Republicans voted against the consideration of the bill and only 17 Republicans in favor of it. It seems to me very clear that the friends and advocates of an effi-

cient navy are to be found in the Democratic party.

Mr. BUTTERWORTH. I would like to ask my friend from Alabama a question. Does not the report of the board selected by the Senate to inquire into the question of the possibility of procuring steel or other suitable material for providing armor in this country state that all the requirements of the Government in that direction can be produced by Americau manufacturers?

Mr. WHEELER. And if they did this bill says that the Secretary

of the Navy must procure it here.

Mr. BUTTERWORTH. But it goes further than that; it leaves it in the power and discretion of this officer to go outside to get it; and it is a dangerous power to put into the hands of a man who may not possibly be specially friendly to American industries.

Mr. WHEELER. But this administration is the most friendly to

American interests that this country has had for the last twenty-five

ears. [Applause on the Democratic side.]
Mr. BUTTERWORTH. The defenseless condition of our coasts do

Mr. WHEELER.

The present condition of our coasts was brought about by the administration prior to 1885.

Mr. BUTTERWORTH. And the first step of the Secretary of the

Navy is to crush out the only plant in this country which is able to

give us a good war ship.

Mr. SAYERS. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. SAYERS. Has not the debate closed on this amendment?

The CHAIRMAN. The time of the gentleman from Alabama has

expired.

Mr. REED, of Maine. What is the use of talking about what the administration wants when the other side of the House is not influenced

by such considerations?

Mr. WHEELER. It has every influence on this side, and is sustained in its laudable and successful efforts to introduce economy, integrity, and efficiency in every department of the Government.

[Here the hammer fell.]

Reduction of Customs and Internal-Revenue Taxes.

SPEECH

HON. SAMUEL J. RANDALL,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 5, 1886,

On the bill (H. R. 9702) to reduce and equalize duties on imports, to reduce internal-revenue taxes, and to modify the laws in relation to the collection of the revenue.

Mr. RANDALL said:

Mr. SPEAKER: I present the following statement explanatory of House bill 9702, entitled "A bill to reduce and equalize duties on imports, to reduce internal-revenue taxes, and to modify the laws in relation to the collection of the revenue."

It is not claimed that the bill contains anything extraordinary, or that it is entirely original. That portion relating especially to duties on imports, includes much that was embraced in the bill introduced early in the session by the chairman of the Committee on Ways and Means. It also embraces the recommendations of Acting Secretary of the Treasury Fairchild in his letter of the 14th of June, 1886, to the chairman of the Committee on Ways and Means, relating to duties on silks, laces,

embroideries, and leather gloves. The other provisions changing rates of duty on imported articles are designed either to aid, to the extent of the revenue power, new and much-needed industries, or in like manner revive languishing industries, in the interest of home labor and home trade, or to give legitimate encouragement to our agricultural interests, or to correct inequalities in the existing laws, or to reduce the cost of commodities to the consumers of the country, or to afford proper safeguards to legitimate importers throughout the country by the judicious application of specific duties, and thereby lessen the opportunities for aud and evasion, or to simplify administration and diminish the cost of collecting the revenue.

The purely administrative provisions of the bill are, with slight modifications, those of the Hewitt bill, as is also the provision (section 7) remitting the internal-revenue tax on alcohol used in the arts, or for

manufacturing purposes.

The sections abolishing the internal-revenue tax on tobacco, snuff, &c., and on fruit distillations are those embodied in bills introduced by

TUCKER, of Virginia.

There is nothing in the bill calculated to cause a shock to any business interest of the country; but it does contain a number of provisions which would infuse new life and vigor into different business interests; and it is believed that the general tendency of the bill would

be reassuring to the country.

It is not claimed to be a complete or perfect measure of tariff revision, but a fair step in the right direction and a sufficient indication of the policy which should be pursued in revising or remodeling our tariff and revenue laws. It affords an opportunity for the two great political parties of the country to give an earnest of their purpose to fulfill the pledges made at Chicago in 1884, namely, "to revise the tariff in a spirit of fairness to all interests," and "to correct the inequalities of the tariff and read to reduce the surplus." and to reduce the surplus."

TIMBER, LUMBER, ETC.

With a view to the protection of our forests, the bill provides for the free admission of timber, sawed lumber, pickets, palings, staves, posts, blocks, &c., imported in the rough state. At the same time, however, provision is made for the protection of our planing and finishing mills and of our carpenters and builders, by imposing a sufficient duty u ρ on all the articles named when advanced from the rough state. The present rate of duty is retained on laths and shingles, as the value of the raw material in them is small compared with the amount of labor in their production.

JUTE BUTTS.

Jute butts do not compete directly with any fiber grown successfully in this country, and their exemption from duty would not hurt our agricultural interests. At the same time, the removal of the duty would reduce considerably the cost of production of gunny cloth and other coarse articles of common use made from them, including bagging for cotton, &c., and thus benefit the consumer.

As to hemp, manila, sunn, sisal grass, and other fibrous vegetable products, the duty should be differentiated the same as in flax, so that the tax thereon would be laid in accordance with the amount of labor put on the article as it is advanced from the crude condition. The data is not at hand for providing rates in this view. It is therefore thought best to allow the existing rates to stand on these articles for the present,

BRISTLES

The exemption of bristles from duty would benefit greatly the brush manufacturers of this country; in fact would revive that now languish-ing industry, and thus would not only give employment to much idle labor, but would also result in keeping at home probably \$300,000 of the money now sent abroad annually to purchase foreign-made brushes, and would reduce the revenue from that source perhaps \$100,000 per year. The present duty on bristles is no more needed than a duty on other offal of the hog. The best bristles are not produced in this country, but come from the inferior wild hogs of Northern Russia, which bristles our brushmakers must have.

IRON AND STEEL MANUFACTURES.

The reductions in rates on various manufactures of iron and steel are quite liberal and are thought to be as much as these articles can bear without reducing the price of labor engaged in their production, or opening the gate to a flood of foreign products of these classes.

Stated in ad valorem equivalents, the percentages of reduction on the

several groups of articles are as follows:

Iron and steel railway bars, weighing over 25 pounds to the yard, 9

per cent. to 12 per cent.

Iron and steel **T** rails, weighing not over 25 pounds to the yard, 12.66 per cent.

Iron and steel fish-plates, or splice-bars, 17.60 per cent.

Horseshoe nails, hob-nails, &c., 29.21 per cent.

Iron or steel beams, girders, joists, angles, &c., 20.12 per cent.

Steel wheels, steel-tired wheels, &c., 14 per cent.

Iron or steel ingots, cogged ingots, blooms, &c., 25.37 per cent.

Sheet-iron, common or black, not thinner than No. 20, 4.27 per cent.

The same, thinner than No. 25, 8.14 per cent.

Round iron in coils or rods, &c., 8.41 per cent.

Wire rope and wire strand, not smaller than No. 16, 5.86 per cent.

The same, not smaller than No. 26, 11.23 per cent.

The same, not smaller than No. 26, 11.23 per cent.

Wire cloths and wire nettings, not smaller than No. 26, 20.04 per cent.

The same, smaller than No. 26, 17.22 per cent.

Lead ore and lead dross, 37.02 per cent.

Lead in pigs and bars, &c., 21.48 per cent.

Lead in sheets, pipes, or shot, 42.81 per cent.

Zinc spelter or tutenegue, in sheets, 14.20 per cent.

Zinc, old and worn, &c., 47.28 per cent.

The provision fixing a uniform rate of 11 cents per pound on all com-

The provision fixing a uniform rate of 1½ cents per pound on all common, or black sheet-iron, and so called "taggers" iron, thinner than No. 25 wire gauge, is to do away with an inequality and a fruitful source of fraud in the present law, which has not only been seriously hurtful to domestic industry but also to honest merchants, and has benefited nobody but foreign manufacturers. It is not believed that the rate proposed will exceed the equivalent of 40 per cent. on an honest valuation, although it is apparently about 51 per cent.

Under the present law the rate on the article not thinner than No. 20 wire gauge is 1.1 cents per pound (which the bill reduces to 1 cent), while the rate on the article not thinner than No. 29 wire gauge is 1.5

cents per pound.

This scale of progression in rates under the present law ceases at No. 29 wire gauge, and a duty of 30 per cent. ad valorem is imposed upon

all above that gauge, which includes what is commercially known as common, or black, "taggers" iron.

Statistics of the importations for 1884 and 1885 show that the duties collected on the article admitted at the latter rate averaged below the equivalent of 1 cent per pound. This shows that the finer article, up to 36 wire gauge, was so invoiced and admitted that the rate actually collected thereon was much below that imposed on the coarser article (No. 20 wire gauge), whereas, at the rate of progression in rates up to No. 29 wire gauge, the rate imposed upon No. 36 would have been eighttenths of a cent per pound more than that on No. 20, or 1.9 cents a pound. It is thought that the rate proposed in the bill (1½ cents a pound) will enable our manufacturers to make the article, and thus give needed employment to home labor without increased cost to the consumer, and at the same time save trouble in administration, and also result in a reduction of revenue from this article.

The present rate of 1 cent per pound on tin plates is purely a revenue duty, and operates as a tax upon the consumer without benefiting

any American industry. If we can not produce the article in this country, then this tax should be taken off. If, by increasing the rate 1½ cents per pound, we can establish the tin-plate industry successfully in the United States, it is certainly wise policy for us to do so, as it would result in giving models and are labeled as it. fully in the United States, it is certainly wise policy for us to do so, as it would result in giving needed employment to labor and capital, would, by competition, give the consumers of the country a better article at a price no greater than is now paid for the inferior quality we get from abroad (and the use of which has proved so detrimental to our trade in canned meats, fruits, &c.), and would relieve us from dependence upon a foreign country for an article of such extensive and indispensable use.

It is claimed and believed that with a duty of 21 cents a pound the tin-plate industry would be speedily and successfully established here. In this view let us try the experiment, and if it fail then remove the

duty entirely.

The United States is the largest consumer of tin plates in the world. We afford Great Britain a market for two-thirds of her entire production of that article; in fact we have practically built up and are sustaining that most prosperous branch of the iron and steel industry of England and Wales, and this, too, largely to the detriment of our domestic manufacturers of those qualities of sheet-iron and seel which enter into competition with tin plates and terne plates for certain important uses.

Our mines contain all the raw materials entering into the production of tin plates and terne plates that are to be found in the mines of England and Wales; yet we do not produce a box of these plates, for the reason that the duty imposed does not adequately protect our higher

Within the past six years we have paid British manufacturers over \$100,000,000 for tin plates, besides paying foreign vessels some millions more for bringing them to our shores. This is too much money to send

more for bringing them to our shores. This is too much money to send out of the country for an article which we are capable of producing, especially when the balance of trade is running against us.

Herewith is submitted a statement showing that the drawback paid on tin plates in 1885 was \$1,144,134.12, and in 1886 was \$1,220,935.31. The figures for 1885 are official, and those for 1886 are from official reports up to May 31; the amount for June being estimated.

It thus appears that over 25 per cent. of the revenue from tin plates is consumed in drawbacks. The revenue gets really less than three-fourths of a cent per pound on tin plates. There is always more or less fraud attending the payment of drawbacks.

Statement showing amount of drawback paid on tin plates during the fiscal years of 1885 and 1886, as shown by the accounts received.

gang pendagan seti pagang terpang at Mara, dani ang Maraji Tamang at 18. Panggan salah ang Tantan Manada sanggan tenggan salah sa	Year e	nding June	30, 1885.		Year ending June 30, 1886.			
Customs district.	Drawback.	Retention.	Paid.	Drawback.	Retention.	Paid,	From July 1, 1885, to—	
Baltimore Boston Chicago Galveston	311 74	\$541 82 3,001 46 1,207 07 31 17	\$4,876 48 27,013 64 10,863 66 280 57	\$4,293 55 27,112 68 21,142 15	\$429 35 2,711 16 2,114 26	\$3,864 20 24,401 52 19,027 89	May 31, 1886 May 20, 1886 May 31, 1886	
Milwaukee	257 08 946, 508 88	25 70 94,650 89 3,222 18	231 38 851, 857 99 29, 007 10	963, 638 12	96, 363 81	*867, 274 31	The second secon	
Priladelphia Portland Me Paso del Norte	226, 331 63 899 02	22, 633 07 89 91	203, 698 56 809 11	180, 927 02 212 39 213 62	18,092 70 21 24 21 36	162, 834 32 191 15 192 26	May 31, 1886 May 31, 1886 (†)	
Puget Sound San Francisco Willamette	166 59 16,144 35	16 65 1,614 36 90 63	149 94 14,529 99 815 70	66 81 24, 271 85 366 64	6 68 2,427 29 36 67	60 13 21, 844 56 329 97	Mar. 31, 1886 May 31, 1886 May 31, 1886	
Estimate for remainder of year	1,271,259 03	127,124 91	1, 144, 134 12	1, 222, 244 83	122, 224 52	1,100,020 31 120,915 00		
Total	4					1, 220, 935 31		

*Includes drawback on solder, handles and nozzles, and on lumber and nails used in boxing; drawback on tin estimated at 87 per cent. †August 1, 1885, to May 11, 1886.

TERRETEY DEPARTMENT OFFICE OF COMMISSIONER OF CUSTOMS July 9, 1886

JOHN S. McCALMONT, Commissioner of Customs,

Duties collected on tin plates during fiscal year 1885. Drawback paid on tin plates during fiscal year 1885.	\$5,055,590 76 1,144,134 12
Net revenue	3, 911, 456 64
Duties collected on tin plates during fiscal year 1886 (June estimated)	5,532,752 04 1,220,935 31
Net revenue	4,311,816 73

IRON AND STEEL WIRE RODS, IN COILS AND LOOPS.

Steel wire rods lighter than No. 5 wire gauge, not being specially provided for, fall under the provision "for all forms or kinds of steel not specially enumerated," at 45 per cent. ad valorem, while both iron and steel wire rods above No. 5 wire gauge are provided for at six-tenths of a cent per pound or \$13.44 per ton. The result is that an immense quantity of the article lighter than No. 5 (and which is really wire) has been imported at values which, at 45 per cent., have yielded a duty less

than the equivalent of \$11 per ton. Thus a much lower rate of duty is actually collected upon the finer and more costly than upon the coarser and cheaper article. That this is accomplished by evasion is manifest, and that it benefits no one but the foreigner is certain, while it takes large sums of money annually out of the country, and is a serious injury to home industry, without compensatory benefits to con-

The statistics show that the importations of iron and steel wire rods

not lighter than No. 5 wire gauge were invoiced at an average value, in 1885, of about 1% cents per pound, while steel wire rods lighter than No. 5 wire gauge were invoiced at an average value of only 1.2 cents per pound, thus clearly showing that the latter was undervalued, since (being finer) they are worth more than the article invoiced at 1\frac{1}{4} cents. The rate collected in 1885 on iron and steel rods not lighter than No. 5 averaged about the equivalent of 35 per cent. only; and it is believed that the rate (eight-tenths of a cent per pound) proposed in the bill on the article lighter than No. 5 wire gauge would not yield above 35 per cent. if the article was invoiced at a proper valuation.

It is believed that the rate proposed would enable our manufacturers to make the article, thus giving increased employment to labor, and would at the same time save great trouble in the custom-houses and put a stop to fraud.

It would probably reduce the revenue from this source fully \$400,000

The bill provides a duty of 1 cent per pound on iron or steel cotton-ties or hoops for baling purposes, instead of the present rate of 35 per cent. ad valorem, and which, at the entered values of the past two years, has only equaled about one-half cent per pound. The rates imposed by the existing tariff on common bar-iron are from eight-tenths of a cent to 1.1 cents per pound, and on plain hoop-iron from 1 cent to 1.4 cents per pound. The "cotton-tie" is made from hoop-iron, and to 1.4 cents per pound. The "cotton-ue" is made from hoop-iron, and represents, in addition to the value of the iron in that form, the cost of cutting into lengths, the buckles, punching, riveting, varnishing, &c. Thus the finished article pays only about half the actual duty that is imposed upon the material from which it is made—a positive discrimination against the home manufacturer and in favor of foreign manufacturers and of a monopoly of foreign shippers who really control the importations to this country.

This is done by the grossest evasions of duty, from which they de rive the full benefits, as the consumers of this country have to pay the full value of the article. The average invoice value of the cotton-ties imported in 1885 was 1.4 cents per pound, while the average invoice price of the kind of hoop-iron (not thinner than No. 20 wire gauge) from which they are made (but which pays a specific duty of 1.2 cents per pound) was 2.6 per pound, thus clearly showing that the cotton-ties were invoiced and paid duty at less than one-half their true value. Certainly the consumers of cotton-ties of this country should not desire nor be willing to profit, even if they could, from an irregularity of this kind. One and four-tenth cents with 35 per cent. added is little more than 13/4 cents per pound. Let the consumers of cotton-ties examine their bills and see how this price compares with those they have paid

for the article.

The rate of duty proposed by the bill is not believed to be above the equivalent of 40 per cent. on a fair valuation of the article. It is lower than it should be; yet it is thought that it will enable our manufacturers to make the article, and thus, by competition, not only make it as cheap or cheaper to the consumer, but at the same time help home industry, give needed employment to labor, keep at home some \$500,000 a year (now sent abroad), besides saving a large sum expended in collecting the revenue, as the frauds in the invoicing of this article have been a source of great trouble and expense in the custom-houses. It is believed that if the rate of duty proposed by the bill is adopted, it will result in a reduction of the revenue of at least \$100,000 annually from a reduction of importations.

STARCH.

The reduction in rates proposed on potato or corn starch is equal to 22 per cent., and on rice and other starch, equal to 13 per cent. proposed rates are believed to be ample, however, for the protection of these articles, and it is not believed that the reduction in rates would cause any increase of importations.

The proposed provision for rice flour, meal, and broken rice, with the proposed regulations governing the importations, will afford far better protection than under the existing tariff, and it is believed will result in excluding large quantities of the article heretofore imported as "broken or granulated rice," at 20 per cent., by subjecting it to the specific rates, either as cleaned or uncleaned rice; so that it is estimated that there will be a reduction of revenue from this source of not less than \$60,000 annually.

GLUCOSE OR GRAPE SUGAR.

Considerable trouble has arisen in the custom-houses on account of the undervaluation of this article, particularly of large consignments from Germany, made from potatoes, and which have had the effect to depress the market for the domestic product made from Indian corn, thus affecting not only an important domestic industry, but also a great agricultural interest. The importations in 1885 amounted to 2,496,408 pounds, at an average invoice price of only 2.7 cents per pound. The specific rate proposed is thought to be below the equivalent of 20 per cent. ad valorem on a fair valuation of the article. Therefore it does not really increase the existing rate, but will prevent the importation of the article in fraud of the revenues, and hence tend to its exclusion,

so that a reduction of one-half at least of the revenues from this source would result-say \$7,000 a year.

CASTILE SOAP.

The undervaluation of this article has caused much annoyance in the custom-houses, and has been a source of much vexation and loss to honest merchants, so that the imposition of a specific duty upon it has become a necessity in the interests of honest merchants, and of the Government in the protection of the revenue. The specific rate proposed is really less than the equivalent of 20 per cent. ad valorem on a fair valuation of the article. The average invoice price of the article during 1885 was 6 cents per pound.

COD-LIVER OIL.

The specific rate proposed will put an end to the troubles arising from the undervaluation of this article, and will insure the importation of a purer and better quality of oil, being a considerable reduction of the present rate. Its operation will be beneficial to all parties properly interested in its importation and use.

OCHER AND OCHERY EARTHS AND UMBER AND UMBER EARTHS.

Although the proposed rates (on the articles in the dry or crude state) are only one-half the present rates, they are believed to be sufficient for the protection of our domestic paint mines of the same class, as the rate on ocher will be equivalent to 25.14 per cent. and on umber to 35.22 per cent. on the values of 1885.

CLAY TOBACCO-PIPES.

The imposition of a duty of 70 per cent. on "pipes, pipe-bowls, and all smokers' articles (except clay pipes)" has resulted in building up important industries in this country, and in retaining here the millions of money which formerly were sent abroad to purchase these articles, notwithstanding the fact that the duty (being ad valorem) is more or less evaded. The rate of 35 per cent, however, on clay pipes has resulted in practically destroying that industry in this country (notwithstanding we have the most superior clay for that neal and has withstanding we have the most superior clay for that use), and has given the trade in that article to German and Scotch manufacturers, who, by a system of undervaluation, combined with the low prices they pay for labor, have succeeded in starving out that industry in this country, which it is the purpose of this provision of the bill to revive, and thus not only give employment to a large number of skilled laborers, but also to retain here over \$50,000 sent out of the country annually for the purchase of these articles

for the purchase of these articles.

It is represented by those in the trade that the bulk of importations is of what are known as "T. D.'s," and "short Dublins," the cost of production of which in this country (packed for market) is 46½ cents and 57 cents per gross, respectively, whereas the cost of producing the same abroad is only about 28 cents and 35 cents per gross, respectively. So that the rate (16 cents per gross) proposed by the bill is somewhat less than the difference in cost of production here and abroad; yet with the addition of freight, exchange, &c., and the prevention of undervaluation, it will cover the differences and thus build up and protect an important industry.

important industry.

The rate proposed is not believed to be more than the equivalent of 50 per cent. ad valorem on the true value of the foreign article, including boxes, packing charges, &c., which charges, though now evaded, really form part of the salable value of the article. There is no reason for imposing a less rate of duty on clay pipes than on pipes made from wood or from other materials, although the latter pay 70 per cent. ad valorem. It is thought the proposed rate would cause a reduction in revenue of about \$15,000 annually.

LIVE ANIMALS.

The law for the free admission of animals for breeding purpoperated to nullify to a great extent the dutiable provisions for live animals. The importations are mostly from contiguous foreign territory, it directly with ordinary stock grown in this country. It The law for the free admission of animals for breeding purposes has mais. The importations are mostly from contiguous foreign territory, and compete directly with ordinary stock grown in this country. It having been held by the courts that any animal capable of breeding may be admitted free, the rule previously prescribed by the Treasury Department, that such animals must be of superior breed to be entitled to free admission has become nugatory. No benefit can now accrue to our agricultural or breeding interests by reason of said law. On the contrary these interests are injured by it

It is a well known fact that, under the operation of that law and of the decisions of the courts referred to, stock-raisers in Canada advanced the decisions of the courts referred to, stock-raisers in Canada advanced the price of breeding-animals equal to or beyond the amount of duty saved; and our farmers and others who bought such animals there had to pay as high or higher prices than if duty had been imposed, while the Government lost the revenue. Therefore, the persons chiefly benefited now by the continued free admission of such animals are the Canadian stock-raisers.

If it is desired to import valuable animals of superior breed the small specific duty proposed would be but nominal and not at all burdensome, while the imposition of such duty would be a proper tax upon animals competing with the ordinary stock grown in this country.

The change from ad valorem to specific rates is necessary by reason of the gross undervaluation which has been practised and will save vast trouble and expense in administration as well as much litigation. The practice of importers has been to undervalue the animals upon

which duty was to be assessed and to overvalue those entered free as for breeding purposes to deceive the customs officers.

The average reported value of those entered free is therefore incorrect and misleading.

The published reports of the Statistical Bureau of the Treasury Department show a continued and rapid increase of animals admitted free of duty, as if imported for breeding purposes, and prove beyond question that the provision of the present law for their free admission is being taken advantage of more and more in fraud of the revenue and to the detriment of our domestic stock-raising and wool-growing in-

to the detriment of our domestic stock-raising and wool-growing interests. For example, during the fiscal year 1884 the number of sheep admitted free was 4,260, and their average value per head was \$17.31. In 1885 the number increased to 5,294, and the average value per head fell to \$6.78. During the ten months ending April 30, 1886, no less than 30,734 were admitted free, at an average value per head of only \$1.75; and reports recently received from the collector of customs at Corpus Christi, Tex., show that within three months over 31,000 sheep bearing heavy fleeces were admitted free of duty at one subport (Laredo) in his district having been driven over from Mexico in form fleeks for in his district, having been driven over from Mexico in four flocks for the purpose, undoubtedly, of shearing them in the United States, thereby escaping payment of the duty on the wool.

The official reports also show that the number of horses admitted The official reports also show that the number of horses admitted free during the ten months ending April 30, 1886, was 18,002, an increase of 3,211 over the importations during the corresponding period in 1885. The average value per head of the horses admitted to free entry in 1885 was only \$103.60. It will scarcely be contended that horses at this price, or sheep at \$1.75 per head, are likely to improve the breeds of our domestic animals. The law as it stands only benefits smugglers, adventurous revenue defrauders, and stock-raisers in Canada and Mexico. and Mexico.

It is believed that the imposition of the rates proposed would result in excluding a large number of ordinary and inferior animals now brought in at nominal values, as well as a good many now undervalued, and would in the end cause a reduction, rather than increase, of revenue from this source. It would certainly prove a measure of protection to our stock-raisers, especially of horses, cattle, and sheep along the Ca-nadian and Mexican borders, as well as to the wool-growers of the

ORANGES, LEMONS, AND LIMES.

The rates proposed on these articles are upon the same basis as the specific rates now imposed upon oranges as far as these rates go, which apply only to oranges in packages of certain capacity, while those not in packages of the capacity specially named are dutiable at 20 per cent. levying purely specific rates on all these articles (in whatever sized package or form imported) evasions now extensively practiced will be prevented, honest importers will be protected, and great trouble will be saved in administration. The rate on lemons is a slight reduction of the present rate, which is 30 cents per package of $2\frac{1}{2}$ cubic feet, instead of 25 cents.

GRAPES

The rate now imposed on grapes is 20 per cent. ad valorem and has been shamefully evaded. They come chiefly from the Mediterranean, packed in barrels and kegs, and the deductions for these coverings, packing, &c., have left the dutiable value of the fruit itself a mere trifle, while selling at very high prices to the consumer, so that while the rate proposed is about one-fourth of a cent a pound more than is now collected it is much less than 20 per cent. of the actual value of the fruit. This article has been a source of great trouble in administration which the proposed change will obviate.

FRUIT JUICE OR CHERRY JUICE.

The rate now imposed on this article is 20 per cent. ad valorem, and it is believed was intended to apply to fresh or unfermented juices for use as food only, and not to a fermented article in form of a beverage or for use in making brandy or other liquors, in which condition it is now largely imported. It is contended by those well informed in the trade that after being sweetened and mixed with distilled spirits the article is sold as blackberry brandy, and is also used in the adultera-tion of port wine, and in making imitation wines, and should pay the duty imposed on still wines—50 cents per gallon—which would operate to exclude it.

CANDIED CITRON AND ORANGE AND LEMON PEEL.

These articles have been regularly and largely undervalued to the injury of the revenue and of honest merchants, and have occasioned much trouble in administration. Specific rates have been recommended by the trade and by customs officers. It is believed that the rates proposed are somewhat lower than the ad valorem rate of 35 per cent. now imposed, but that they will produce substantially the same revenue.

CEMENT, PORTLAND AND ROMAN.

The rate now imposed is 20 per cent. ad valorem, which, since the act of March 3, 1883, has been largely evaded by charges for barrels, packing, &c., resulting in litigation and trouble to the Government. American manufacturers of cement have been thus deprived of the protection which the law was intended to give them. It has heretofore been uniformly imported in barrels containing 400 pounds—worth in the foreign market from about \$1.75 to \$2 per barrel. The specific

rate proposed of 8 cents per hundred pounds in barrels is therefore less than 20 per cent. on the true foreign value of the article, and will it is thought yield substantially the same revenue as heretofore.

WHITING AND PARIS WHITE.

The rate suggested is one-half the present rate of one-half cent per pound, which is equal to about 114 per cent. ad valorem.

GLYCERINE, REFINED.

The rate proposed is a reduction of 1 cent per pound, the present rate being 5 cents per pound, which in 1885 was equal to 53 per cent. ad valorem.

FISH GLUE OR ISINGLASS.

The rate now imposed on this article is 25 per cent. ad valorem, which (it is contended) has been largely evaded by undervaluation. Invoice values have been a subject of constant dispute at the custom-house ever since the duty was imposed in 1883. Prior to this time the article was free, and invoice values were nearly double the entered values since.

The importations are chiefly of what is known as "ribbon" isinglass, which was formerly invoiced at about 80 cents per pound, but has been entered (since it became dutiable) at about 45 cents per pound. The rate proposed would be 25 per cent. on a valuation of 60 cents per pound, and would apply also to the finer qualities of isinglass, such as "shredded" or "fine cut," used for culinary purposes, the value of which is very much higher than the "ribbon" isinglass.

The rate proposed is a reduction of 10 cents per bushel, the present rate being 50 cents per bushel, equal in 1885 to 48 per cent. ad valorem.

CASTOR-OIL.

The rate proposed on castor-oil is a reduction of 20 cents per gallon, the present duty being 80 cents per gallon, equal to 180 per cent. in

ACETATE OF LEAD.

The present rate is 6 cents per pound on white. The proposed rates are a reduction of 1 cent per pound on brown and 2 cents per pound on white. The ad valorem equivalent of the rate on the latter in 1885 was 136 per cent.

LITHARGE. The rate proposed is a reduction of 1 cent per pound or one-third of the present duty, which is equal to 97 per cent. ad valorem.

ORANGE, MINERAL, AND RED LEAD.

The present rate on these articles is 3 cents per pound, which in 1885 was equal to from 73 per cent. to 85 per cent. ad valorem.

NITRATE OF LEAD.

The present rate is 3 cents per pound, which in 1884 was equivalent to 66 per cent.

The reduction in rates upon acetates of lead, litharge, orange mineral, red lead, and nitrate of lead are compensated for in the reduction of rates proposed on lead ore, dross, &c., from which these articles are

COTTON GOODS.

The only change from the present provision for stockings and knit

The only change from the present provision for stockings and knit goods generally is in the second paragraph, which is made to include "other goods" (besides stockings, hose, half-hose, shirts, and drawers), such as gloves, &c., and which should be subject to the same provisions. The paragraph for "clothing, ready made," &c., is a new one, and increases the rate now collected on these articles 5 per cent., which is no more than enough to afford proper protection for labor of seamstresses, &c., in making up the garments. The present law affords no such protection, the duty being the same on the made-up garment as on the material from which it is made. It will be noticed that the provision proposed covers ready-made garments made from other vegetable material as well as from cotton, including linen goods.

well as from cotton, including linen goods.

The paragraph for laces, embroideries, &c., while providing the same rate as at present imposed on these articles made of cotton, also includes those made of other vegetable material now dutiable (for some unknown reason) at only 30 per cent., although they include the fine and expensive linen laces of Belgium, which are luxuries.

The provision for compound (specific and ad valorem) rates on Hamburg embroideries, laces, &c., is adopted from the letter of acting Secretary Fairchild to the chairman of the Committee on Ways and Means, dated June 14, 1886; also the provision for other laces, embroideries, insertings, &c.

OIL-CLOTH FOUNDATION, ETC.

The rate proposed is a reduction of 5 per cent., which (it is thought) is justified by the proposed reduction of 10 per cent. on jute.

GUNNY CLOTH.

The reduction on this article is 25 per cent to 33 per cent of the present rates, which are 3 and 4 cents per pound, according to value. These reductions are based on the exemption from duty of jute butts, from which the article is made.

BAGS AND BAGGING, EXCEPT FOR COTTON.

It is thought that the reduction of 5 per cent proposed is compen-

sated for by the exemption of jute butts from duty, and by the reduction of the rate on jute from 20 per cent. to 10 per cent.

BAGGING FOR COTTON.

The reduction proposed is one-fourth of a cent per pound on each of a two classes. It is also compensated for by the exemption of jute the two classes. butts and the reduction of the duty on jute.

The present rate is 20 per cent. The rate proposed is equal to the ad valorem equivalent of the specific rates on flax.

SILKS.

This schedule is the one recommended to the chairman of the Committee on Ways and Means by Acting Secretary Fairchild on the 14th of June, 1886, except the provisions relating to wearing apparel and umbrellas and parasols, which are deemed no more than a just discrimination in favor of those engaged in those branches of skilled labor in the United States. Under the existing tariff no such discrimination is made, the manufactured article being admitted at the same rates as the piece goods from which made, thus placing our skilled work people on the same basis as to wages as the lower-paid labor of the Old World.

The glove schedule is precisely as recommended by Acting Secretary Fairchild to the chairman of the Committee on Ways and Means.

The average duty collected on wool of class 3 in 1884 was 3.13 cents per pound, and in 1885, 2.78 cents per pound, the average during the per pound, and in 1885, 2.78 cents per pound, the average during the two years being substantially 3 cents per pound, which is the rate proposed in the bill. As prices during these years were abnormally depressed, and as large quantities of this wool were undervalued to escape the higher rate of 5 cents per pound, it is thought that the rate proposed is below rather than above what it should be.

The advantage of substituting a single rate for the existing double rates would be to place all importers upon the same footing, and put a stop to the frauds which have been so long and extensively practiced, and which have caused the Government and all concerned so much trouble. It would also enable our carpet manufacturers to import much cleaner and better, and therefore more economical, stock than they have been enabled to obtain heretofore, at a price that would allow them to

enter it honestly at the lower rate of duty.

enter it honestly at the lower rate of duty.

The late protracted controversy respecting Donskoi wools illustrates the need of a legislative definition of the term "scoured" as applied to wool. From the evidence submitted to the Treasury Department it appears that certain of those wools have been admitted as "washed" when containing less than 7 per cent. of dirt, grease, or other foreign matter, while other wools of the higher classes have been imported and sold in our markets as "scoured" when containing as much as 15 per cent. of dirt, grease, &c. The effect of the proposed provision on this subject would, therefore, be to exclude considerable wool of class 3, heretofore imported as "washed" wool, much of which is used for purposes other than carnet stock, and not only displaces our better grades. poses other than carpet stock, and not only displaces our better grades

of home-grown wool, but depresses its market value.

About one-third of the importations of wool of class 3 in 1885 were of so-called "washed" wool. It is estimated that the exclusion of this

of so-called "washed" wool. It is estimated that the exclusion of this article under the proposed provision would cause a reduction of revenue from that source of fully \$300,000 per annum.

The provision for carded or combed wool, or "tops," is intended to prevent the importation of wool in these advanced forms at the rate provided for scoured wool, and thereby protect our skilled operatives engaged in that branch of labor, as well as our domestic wool. There being no provision of law for carded or combed wool, or "tops," the Treasury Department has held such importations to be dutiable at double the rate provided for scoured wool. Still, the courts may not systain this ruling. sustain this ruling.

Attached to this statement, as an appendix, I submit some exhaustive statistics, obtained at the Statistical Bureau, and from its publica-

tions, touching the wool product of the United States. WOOLENS AND WORSTED CLOTHS

The proposition to put worsted cloths along with woolen cloths is a measure imperatively demanded in the interests alike of our domestic wool-manufacturing industry and of our wool-growers, and would cor-rect one of the most glaring and hurtful inequalities in our present tariff. The rates proposed are the same as at present imposed upon woolen cloths, except that the minimum of value is fixed at 60 cents woolen cloths, except that the minimum of value is fixed at 60 cents per pound instead of 80 cents, with an ad valorem rate of 30 per cent. Instead of 35 per cent. This amendment of the present law, together with that increasing the rates on ready-made clothing and wearing apparel of wool, would give increased employment and compensation to a vast number of skilled and needy work people, would start anew a large number of establishments now closed, and would greatly benefit large number of establishments now closed, and would greatly benefit our wool-growers, as the effect would be to largely reduce the importations of these foreign articles, and the money now sent abroad for them would be kept at home. It is believed that the revenues would be reduced fully \$1,500,000 next year from the diminished importations of worsted cloths and made-up wearing apparel of wool.

This paragraph is simply changed in phraseology so as to make its eaning plainer, without any change in rates. The rates on yarns meaning plainer, without any change in rates. The rates on yarns should be advanced; in fact, the whole schedule should be revised and recast; but the data for doing this properly is not at hand.

WOMEN'S AND CHILDREN'S DRESS GOODS.

The only change in this paragraph from existing law is in the proviso clearing up an ambiguity which has caused litigation, it having been claimed, and held, that the proviso related only to the goods last mentioned in the paragraph, instead of to all included in the paragraph.

READY-MADE CLOTHING, ETC.

The consolidation of the two provisions of the existing law covering articles of the same general class will simplify administration and save much trouble hitherto experienced in the application of these two provisions. The rates proposed are a slight increase over those now imposed, but are no more than sufficient to cover the cost of labor bestowed on these articles, it being assumed that these garments are made chiefly from the cloths which pay duty at 35 cents per pound and 40 per cent. ad valorem.

Much of the labor employed in making garments of the classes provided for by this paragraph is of the most necessitous class in our large cities, and under the present law it has been exposed to the competition of the lower-paid labor of Europe.

MARBLE.

The reduction in rates proposed are 15 cents per cubic foot on block, rough or squared, and 10 cents per cubic foot on veined marble, sawed, dressed, &c. The advalorem equivalents of the rates now imposed are about 57 per cent. and 55 per cent. respectively. The rates proposed appear to be fully sufficient upon a raw material so largely used in the

It is proposed to reduce the rate on this article in packages from 12 cents per 100 pounds to 10 cents per 100 pounds, and in bulk from 8 cents per 100 pounds to 10 cents per 100 pounds, and in bulk from 8 cents to 4 cents per 100 pounds on salt in packages, would be equal to 33½ per cent. ad valorem, and 4 cents per 100 pounds on bulk salt would be equal to about 43 per cent. ad valorem. This would seem to be a sufficient duty to be imposed on an article of

universal consumption.

DISTILLED SPIRITS, ALCOHOL.

If section 7 of the bill should become a law it would greatly benefit all the manufacturing industries producing articles in which distilled spirits, or alcohol, is a component, and would soon increase considerably the home market for distilled spirits, or alcohol, for these uses. It would also result in large reductions in the importations of foreign articles, made wholly or in part from distilled spirits or alcohol, as our manufactured when the beautiful and the considerably alcohol. facturers would supply the home demand at considerably reduced prices; at the same time very material reductions in rates of duty on a great many articles (chiefly in Schedule A, Chemicals) could be made.

DRAWBACK ON SUGAR AND MOLASSE

The proviso to section 11 of the bill restricting the allowance of drawback on sugar and molasses to the amount of duty collected by polariscopic test would operate to prevent abuses from the allowance of more drawback than the duty collected. Nothing could be more rational or just than to apply the same test in both cases, and to restrict the allowance in any case to the amount of duty collected on sugar testing 100°, which is the highest possible percentage of saccharine strength. At present the highest rate of duty collectable on sugars by the polariscopic test is \$2.40 per 100 pounds; yet, under existing drawback regulations, the drawback allowed upon hard refined sugar, which can not test above 100°, is \$2.82 per 100 pounds, or 42 cents per 100 pounds more than could have been collected upon the same amount of saccharine matter when imported.

INCREASE OF CUSTOMS REVENUE.

Attention has been directed to the increase of customs revenue received during the fiscal year just closed, as compared with 1885. It may be interesting to some to know from what sources this increase of revenue came. An examination of the official reports for the ten months ending April, 1886, shows the increase to have come chiefly from the following articles:

INCREASE IN VALUE OF INCOMINATIONS,	
Breadstuffs (chiefly barley)	
Bristles	159, 878
Chemicals	1, 347, 678
Copper ore	68,000
Corsets	44,714
0013043	32, 112
Cotton cloths.	877,750
Embroideries, laces, &c	1, 272, 451
Fish	1, 100, 000
Fruits and nuts	860,000
Dressed furs, &c	900,000
Pig-iron	866, 878
Iron ore	200,000
Steel rails (increase in tons over 1885, 3,587).	
Ingots, blooms, &c. (increase in pounds over 1885, 74,343,290).	
Tin plates (increase in pounds over 1885, 32,867,585).	
Wire rods	305,000
Precious stones	2, 100, 000
Leather	900,000
Kid gloves	
	The second second

\$452,303 643,638 Wools, classes 1 and 2: Increase in pounds, 31,650,746 over first ten months of

1885.
Wools, class 3: Increase in ten months of 26,805,998 pounds. This is a total increase of 58,457,744 pounds of all classes, or more than double the importations for same period in 1885.

Manufactures of wool: Increase in value in ten months, \$3,673,145. This vast increase is chiefly in yarns, worsted coatings, and women's and children's dress goods.

The bill is designed to reduce especially the importations of these very articles, from the importation of which our domestic manufacturers, as well as wool-growers, are suffering so much. The bill would also largely reduce the importations of wool of class 3, a large proportion of which were of Donskoi, which it is claimed was "scoured," and competes with much of our domestic wool.

According to these figures, over \$5,000,000 of the increased duties col-

lected during the fiscal year just closed was derived from wool and

manufactures of wool.

In the preparation of this bill touching customs duties, I have counseled with many of the acknowledged experts of the country on the subject of tariff legislation, and paid strict attention to the utterances of the convention which placed Mr. Cleveland as a Presidential can-

didate before the American people.

The bill is not as full a revision as is desired, yet the effort is made in that direction. While its provisions prevent the building up of one American industry at the expense of another, it uses the necessity of taxation to guard the labor of this country against the lower-paid labor of the countries with which we trade, especially Great Britain, and to avoid "an increasing flood of manufactured goods." An effort is at the same time made to relieve our people from the "crushing war taxes which have paralyzed business, crippled industry, and deprived labor of employment and of just reward."

The measure proposed realizes "that legislation affecting the operations of the people should be cautious and conservative in method.

ations of the people should be cautious and conservative in method, not in advance of public opinion but responsive to its demands," and to do only what the party to which I belong is pledged, "to revise the tariff in a spirit of fairness to all interests," and "that in making reduction in taxes it is not proposed to injure any domestic industries, but rather to promote their healthy growth."

In the effort to reduce the amount of taxes collected from the people through the internal-revenue laws the fact is realized that "from the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue," and that "such they must continue to be."

I desire to call back the mind of the House of Representatives to the fact, as stated in the Democratic platform of 1884, where it asseverated that "many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and capital thus involved. The process of reform must be subject in the execution to this plain dictate of justice," and that "the necessary reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country."

In the preparation of the bill the effort has been made to adhere rigidly to the foregoing pledges given to the American people and upon which success came to the party making them after an absence from power of a quarter of a century. The same party platform said that "the system of direct taxation known as the internal revenue is a war tax," and impliedly gave assurance of its early repeal, and that while it continued it should be devoted to the payment of the burdens of the war. It is now far in excess of the amount necessary to pay the pension-list, and its repeal in part should come at an early day. The fair construction of the platform from which such full quotation has been made means this if it means anything.

The principle recognized in this bill I believe to be in harmony not consumit the particular of the particular than the principle recognized in the platform of the particular to which I believe to be in harmony not consumit the particular of the particular to which I believe to be the particular to the part

only with the national platform of the party to which I belong, adopted at Chicago in 1884 on this subject, but to be also in accordance with the utterances of Mr. Cleveland during his canvass-notably when, at Newark, N. J., on October 28, 1884, he used the following language:

When we consider the city of Newark we find a municipality ranking as the fourteenth in population among all the cities of the land. It leads every other city in three important industries; it is second only in another, and third in still

another.

Of course all those industries necessitate the existence of a large laboring population. This forms, in my opinion, a further element of strength and greatness in the state. No part of the community should be more interested in a wise and just administration of their government, none should be better informed as to their needs and rights, and none should be guarded more vigilantly against the smooth pretenses of false friends.

In common with all other citizens, they should desire an honest and economical management of public affairs. It is quite plain, too, that the people have a right to demand that no more money should be taken from them, directly or indirectly, for public uses than is necessary for this purpose. Indeed, the right of the Government to exact tribute from the citizen is limited to its actual necessities; and every cent taken from the people beyond that required for their protection by the Government is no better than robbery. We surely must condemn, then, a system which takes from the pockets of the people millions of dollars

not needed for the support of the Government and which tempts to the inaugu-

not needed for the support of the Government and which tempts to the inauguration of corrupt schemes and extravagant expenditures.

The Democratic party has declared that "all taxation shall be limited by the requirements of economical government." This is plain and direct. And it distinctly recognizes the value of labor and its right to governmental care when it further declares that the necessary reduction in taxation and the limitation thereof to the country's needs should be effected without depriving American labor of the ability to compete successfully with foreign labor and without injuring the interests of our laboring population.

At this time, when the suffrages of the laboring men are so industriously sought, they should, by careful inquiry, it seems to me, discover the party pledged to the protection of their interests, and which recognizes in their labor something most valuable to the prosperity of the country and primarily entitled to its care and protection. An intelligent examination will lead them to the exercise of their privileges as citizens in furtherance of their interests and the welfare of their country. An unthinking and slothful performance of their duty at the ballot-box will result in their injury and betrayal.

I may be permitted to quote from President Cleveland's annual message to Congress, wherein he made use of the following language on the subject of tariff legislation:

The fact that our revenues are in excess of the actual needs of an economical administration of the Government, justifies a reduction in the amount exacted from the people for its support. Our Government is but the means established by the will of a free people, by which certain principles are applied which they have adopted for their benefit and protection; and it is never better administered and its true spirit is never better observed than when the people's taxation for its support is scrupulously limited, to the actual necessity of expenditure, and distributed according to a just and equitable plan.

The proposition with which we have to deal is the reduction of the revenue received by the Government, and indirectly paid by the people for customs duties. The question of free trade is not involved, nor is there now any occasion for the general discussion of the wisdom or expediency of a protective system.

ston for the general datasets.

Justice and fairness dictate that in any modification of our present laws relating to revenue, the industries and interests which have been encouraged by such laws, and in which our citizens have large investments, should not be ruthlessly injured or destroyed. We should also deal with the subject in such manner as to protect the interests of American labor, which is the capital of our workingmen; its stability and proper remuneration furnish the most justifiable pretext for a protective policy.

My views heretofore expressed on this floor as to the propriety of a gradual repeal of our internal-revenue system have undergone no change, and I may be allowed at this time to repeat my remarks and renew citations made at the time to which I allude:

With Albert Gallatin I have regarded the excise or internal-revenue taxes as offensive to the genius of our people, and tolerated by the framers of the Constitution only as a measure of necessity in the emergency of war, and that just so soon as the occasion for them had passed away they should cease to exist. He and Thomas Jefferson, as the very first act of Jefferson's administration, secured a repeal of internal taxes and relieved the people from their inequality, inquisitorial annoyances, and hordes of officials clothed with dangerous powers. Only in these latter days have I heard men calmly claim these war taxes are still necessary—a generation after the war which gave rise to them had closed. And it is a very suggestive and suspicious feature of the affair that those upon whom the tax is laid clamor loudly against its being taken off, regarding it no doubt as a protection against competition to the large monopolies.

To substantiate the ground taken by me in that letter, I will refer to two authorities. I will read first from Blackstone's Commentaries (book , pages 317-318) to show excise is a war tax:

But at the same time the rigor and arbitrary proceedings of excise laws seem hardly compatible with the temper of a free nation. For the frauds that might be committed in this branch of the revenue, unless a strict watch is kept, make it necessary, wherever it is established, to give the officers the power of entering and searching the houses of such as deal in excisable commodities at any hour of the day, and, in many cases, of the night likewise. And the proceedings in case of transgression are summary and sudden.

However, its "original establishment was in 1643, and its progress was gradual, both sides protesting it should continue no longer than to the end of the war, and then be utterly abolished. * * * But from its first origin to the present time its very name has been colious to the people of England." It has been kept up, however, to supply the enormous sums necessary to carry on the continental up, however, to wars of Europe

So believed Jefferson; and let us next see what he did. Schouler's History of the United States, volume 2, page 21:

Schouler's History of the United States, volume 2, page 21:

In economy and retrenchment the President had already made a beginning by reducing the diplomatic establishment and consolidating some revenue offices subject to executive control. The movement now contemplated was to abolish that whole system of internal taxation, which he had heartily detested as tyrannous, burdensome, and liable to abuse of patronage, which had always been unpopular in the Middle and Southern country, and which cost more than the first three years' net produce to put down resistance to its collection. But excise receipts had risen gradually to the neighborhood of \$1,000,000, and many feared that the Treasury would suffer if this resource was suddenly cut off. Jefferson had, however, gone over the ground carefully with Secretary Gallatin; gainst the present yield of the internal taxes they set off what the Government might safely economize elsewhere. Customs duties alone would, as they correctly surmised, supply a revenue sufficient to support the Federal establishment, and, besides paying interest on the public debt, extinguish is principal, should peace continue, in fifteen or eighteen years. Federalists were incredulous, and those with friends in place tried to induce a repeal only partial at most, but the ax was laid to the root, and with the downfall of this system went about half the offices at the disposal of the administration.

The Committee on Ways and Means of this House either by silence

The Committee on Ways and Means of this House either by silence or else by adverse reports have given to the country no hope of a release from any of these internal taxes. We must therefore look to the body of this House for relief from the "burdens" of this character of taxation. These taxes are offensive and dangerous.

Our people have become accustomed to import duties; it has proved to be the easiest, safest, and best method of taxation; it causes no friction or comparatively little.

Those who seek the repeal of internal taxes are in accord with our Democratic platforms since the war, and especially in harmony with the Democratic party utterances in the great States of Virginia, Ohio, North Carolina, New Jersey, West Virginia, and Pennsylvania, and I believe in these respects it is our "bounden duty with honorable alac-

rity to do exactly what we promised."

I am unable to find in any of our party declarations anything like approval of "a firm first step toward free trade, with attendant internal and direct taxation." These declarations are all in favor of building our tariff laws upon the principle of incidental protection to American labor and American industry.

When I consider the extent of this country, the diversity of its resources, the industry and energy of its people, the greatness and value of its products, its rapid growth and solid prosperty, I rejoice it is so Political doctrinaires have issued their mandates, and the country has been told it would perish if they were not obeyed, But the country has gone on growing greater every year. Even a civil war was powerless to stay its progress. On the contrary, with a power which seemed to be born of its difficulties, overleaping all barriers, the country has placed itself among the first nations of the world. To-day it dominates inates a continent, and everywhere within its borders are people peacefully engaged in developing their material interests. Guided by experience, true to the instincts of our history, faithful to their own land and its traditions, with habits of industry and frugality, the future is

In the way of needed revenue legislation a proposition was submitted by me to the House In due course it was referred to the Committee on Ways and Means. It was reported back adversely, and the report which accompanied it was disfigured by an affectation of superior knowledge and judgment, and by personalities which would be out of place

Dismissing further notice of these characteristics of the report, I shall proceed calmly to review the legitimate objections which are made to

the subject-matter of that bill.

It is alleged that I was inconsistent in having within half a month introduced a bill to reduce excessive revenues and in informing the House that there would be no excessive revenues to reduce. that I did warn the House against making such extravagant appropri-ations as would render it impracticable, if not impossible, for us to fulfill our pledges to the country to reduce the volume of Federal taxation and afford an excuse for the passage of some tariff measure which, by sweeping and radical reduction of rates and the substitution of easily evaded ad valorem for specific duties, would flood the country with importations, thereby not only largely increasing the revenue, but tending to extravagant expenditures; at the same time destroying domestic industry and draining the country of money to pay for foreign

It is also true that within a short time of giving that warning I did introduce a measure calculated, as I think and believe, to reduce the revenue some \$40,000,000. I am charged with proposing to reduce the revenue to such an extent as to produce a deficit, and yet in the next breath my measure is condemned because it does not relieve the bur-den of Federal taxation sufficiently; and it is stated that it does not comprehend a method whereby taxation may be reduced and removed without diminishing the revenue. I am not blind to the fact that according to the views entertained by the majority of the Committee on Ways and Means the reduction of rates of duty on foreign products is equivalent in all cases to a removal of tax or burden on the people.

This theory is perhaps correct so far as it relates to articles which are not successfully produced or which can not be successfully produced in this country, but not correct as a rule in regard to articles which are or can be successfully produced by our people. For example, a reduction of say 10 per cent. in the rate of duty on an article may stop its production entirely in the United States, drive the labor employed upon it into other pursuits, and thus enable the foreign producer to control our market and make the consumers of the country pay a large percentage more for the article than before the duty was reduced. Thus a reduction in the rate of duty would amount to a tax and bur-

den on our people instead of proving a measure of relief.

It will not be forgotten that early in the present session the chairman of the Committee on Ways and Means introduced an elaborate tariff bill, a prominent feature of which was a reduction of rates on articles in the metal schedules. In the measure introduced by me, I adopted substantially the rates proposed in the chairman's bill on a large number of those articles, yet the report characterizes these as "few and unimportant," such as "may well be made when the condition of the Treasury justifies it." Included in these "few and unimportant" articles are iron and steel railway bars, railway fish-plates, steel wheels and tires for locomotives, iron or steel ingots for railway purposes, beams, girders, joists and other structural iron and steel manufactures, sheet-iron, horseshoe nails, lead, zinc, and various other articles concerning the rates about which we have heard more complaint than about almost

anything else on the dutiable list.

Why did not the chairman of the Committee on Ways and Means discover that these were "few and unimportant" before he introduced the bill that he was so long in preparing? If the bill did all he pro-

poses, he is not the one who can object.

There are some fifty articles of constant, necessary, and important use, on which the bill introduced proposed to reduce the rates of duty,

and on which the existing rates range from the equivalent of about 46 to 180 per cent. ad valorem, averaging about 70 per cent. I considered these rates too high. They could be reduced in the interest of the consumers without hurt to labor and without injury to capital other than a reduction of profits on the money so invested. Important among these articles are steel rails, the proposed reduction on which (calculating the annual production at 1,300,000 tons) would amount to a saving of \$6,000,000 annually to the consumers, provided the demand (as would be probable) forced the price up to the extent of the duty imposed, and to a point where the foreign manufacturer could not successfully compete.

I am charged with having introduced a measure of "protection for the sake of protection," when, as a matter of fact, I propose to reduce largely excessive protective rates on some fifty imported articles, to increase the rates on but a few, to a point only where the taxing power would secure their successful production in this country, so as to relieve us in peace or war from dependence on Europe, give home labor employment, and finally give better articles to our consumers at less

cost

The majority of the Committee on Ways and Means propose to reduce the revenue or entirely remove duties on such articles only as now enter into severe competition with domestic productions, while they decline to to reduce much higher and purely protective rates on other articles. that, with all their revenue-reform, they themselves, are found in the attitude of favoring protection for protection's sake. They leave untouched protective duties ranging from an equivalent of 53 to 181 per cent. ad valorem on such articles as iron and steel rails, fish plates, horseshoe nails, iron and steel girders and joists, iron and steel ingots for railway purposes, lead and manufactures of lead, zinc, iron and steel wire, wire netting and wire rope, whiting, castoroil, block marble, and a variety of common paints. Yet they reduce the rates on manufactures variety of common paints. of wool, cotton, hemp, and flax, which pay the equivalent of only from 25 to 80 per cent. ad valorem, the importations of which are immense and constantly increasing. They propose to exempt from duty wools paying on the average the equivalent of from 25.41 to 45.32 per cent. ad valorem, and flax and hemp paying on an average the equivalent of only about 9 per cent. ad valorem. Yet they do not disturb the rates on such other agricultural products as rice, peanuts, castor beans, and hops, which pay an equivalent respectively of 90, 78, 48, and 31 per cent. ad valorem.

The adverse report alleges that the bill introduced by me "so largely increases the tax on woolen cloths and goods as to further prevent importations from abroad and to add to the cost of woolen clothing at home," whereas, in point of fact, the bill reduces taxes on woolen cloths by lowering the minimum of value from 80 cents per pound to 60 cents per pound, and by reducing the pound rate thereon from 35 cents to 30 cents. The only articles in the schedule of wool manufactures in which the bill increases the rate are worsted cloths and wearing apparel. This is done to correct two glaring and most hurtful inequalities of the present tariff, one of which places the finer and more popular article—worsted cloths—at large trate than are more popular article—worsted cloths—at lower rates than are imposed on the coarser article—woolen cloths—both of which are made from wool and in instances from the same kind of wool. practically the same rate of duty on ready-made clothing as on the cloth from which it is made—a positive discrimination in favor of foreign production as against domestic industry. The worsted-cloth industry of this country is being destroyed under existing law, because of these unequal rates, and consequent enormous importation of such articles, which increased in value nearly \$4,000,000 during the fiscal year just closed, over the fiscal year of 1885. The importations of ready-made wearing apparel are constantly increasing, and the wages of our tailors and seamstresses are being lowered.

Every intelligent man knows, and every honest one will admit, that under the tariffs of the past twenty-five years the cost to the con-sumer of the manufactures of wool has been vastly reduced; and the manufactures were never so good and so cheap as now. It is a fact well known that the ad valorem features of the combined rates on manufactures of wool have been quite largely evaded of late years, thereby largely depriving our domestic manufacturers of the defense against the cheap labor of the Old World which these rates were intended to Nevertheless, the highest rate of duty imposed by the bill reported favorably to the House by the Committee on Ways and Means on manufactures of wool, is 35 per cent. ad valorem, which, if honestly collected, would properly compensate for the difference in cost of labor between this country and Europe, as to some articles, while as to many,

including wearing apparel, it would not be sufficient.

The proposition presented in the committee's bill to levy a uniform ad valorem rate on the widely-varying articles embraced in the schedule of manufactures of wool can neither be fairly explained nor defended. The same rate is laid on the "poor man's blanket" as on the fine made-up garments of the rich. The same rate is laid on yarns as on fine cloths and ready-made clothing. The same rate is laid on shody in cloths and ready-made clothing. cloths as on such fancy articles as fringes, galloons, gimps, cords, tassels, and ladies' headwear. It may be contended that under a uniform ad valorem rate the article would pay duty according to its value or the amount of labor bestowed upon it. This does not, however, meet the case, for

it not only puts the labor of this country at an actual disadvantage with the labor of Europe, but it subjects us to a further injury from the undervaluation of the foreign article in proportion to its price.

undervaluation of the foreign article in proportion to its price.

The effect of the bill reported favorably would be to close many of our mills. It would inevitably throw out of employment a large number of tailors and sewing-women now employed in the large clothing establishments of the country. It might almost be said that it would be a measure of protection to foreign labor and foreign capital. I believe that the men interested in important Southern agricultural industries, and who ask the continuance of rates in the interest of their agricultural products, should be ready to accord as many necessary though lower rates to their brother agriculturists in other sections of the country.

It is objected that the bill introduced by me only changes the rate

It is objected that the bill introduced by me only changes the rate of duty or tax on articles yielding less than one-tenth (\$17,000,000) of the \$181,000,000 received from customs during the fiscal year 1885. This is an objection to the extent rather than to the quality of the measure. In other words, the committee think the bill too small. The bill was a modest measure, and, as I have already said, was not considered as a complete and perfect measure of tariff revision, but merely a fair step in the right direction. If the committee had carefully considered the bill itself, instead of merely consulting the tabular statement accompanying it, they would have found that it proposed changes or reductions of duties on articles which yielded more than \$40,000,000 of customs revenue in 1885. They altogether overlooked the fact that the recommendations of Acting Secretary Fairchild respecting changes in rates on silks, leather gloves, laces, and embroideries, as well as Mr. Hewitt's proposition relating to tobacco, hatter's trimmings, wearing apparel and personal effects, cartons, coverings, and other articles not included in the tabular statement, were made part of the bill which they condemned.

The Committee on Ways and Means claim to be the champion of free raw material for use in all our manufacturing industries; yet these gentlemen object seriously to my proposition to relieve from internal taxes domestic distilled spirits used in the arts, such as productions of coal-tar, dye-stuffs, varnishes, paints, patent medicines, medicinal preparations, and a vast line of other medical productions, for the purchase of which many millions of dollars are annually sent out of the country, and which without the tax on spirits used in their production would be made at home, and large quantities might be exported.

would be made at home, and large quantities might be exported.

The adverse report estimates the internal-revenue tax on spirits that would be thus used at \$10,000,000 annually. If this be so, it is a greater burden by one-half on domestic industries to our consumers than the much-talked-of customs on wool, hemp, jute, manila, and all other fibrous compounds, the duties on all of which amounted to \$5,111,555.35 during the fiscal year 1885. The rate of duty on these articles ranges only from an equivalent of 7 to 46 per cent. ad valorem, while on a barrel of distilled spirits, of say, 46 gallons, costing \$95.22, or \$2.07 per gallon, the internal taxes equal, say, \$77.40, leaving only \$17.82 as the untaxed value of that raw material. The estimates of the committee, however, as to the amount of the tax on spirits that would be used in the arts are purely conjectural. I question if they have any reliable data going to show that \$10,000,000 would be the amount. I think it would be a much less sum.

The reference in the report to my proposition to levy a specific duty of 1 cent per pound instead of the 35 per cent. ad valorem on cotton ties

of 1 cent per pound instead of the 35 per cent. ad valorem on cotton tests or hoops for baling purposes, I beg to notice. I assert that the adoption of the proposed rate would not increase the cost to the consumer nor reduce the price received by the producer for his cotton. If the proposed rate were adopted it would secure the revenues from fraud, and would enable our iron manufacturers in Alabama and elsewhere South, as well as in the North, to make the article and supply it to consumers at less than the cost of ocean freight, exchange, commission, &c. The same is true as to other descriptions of iron and steel and other articles the rates on which it is proposed to change from ad valorem to specific, and which show an apparent advance based on ad valorem equivalents, because the articles have been enormously undervalued. Those who seek free trade in the United States are uniformly opposed to specific duties.

The Committee on Ways and Means warmly favor ad valorem rates, and have stoutly antagonized the recommendations in the direction of specific duties so urgently made by Secretary Manning and acting Secretary Fairchild. They have likewise hindered the passage of the admirable administrative measure proposed by Mr. Hewitt and approved by the Secretary of the Treasury. This opposition is without justification. The adoption of those features would render customs taxes less disagreeable by putting a stop to fraud, insuring an honest collection of the revenue, and diverting importations from dishonest representatives of foreign houses to honest and legitimate distributing merchants throughout the country.

I do not impute any motive lacking in patriotism to those who refuse to permit the separate enactment of those administrative clauses of the bill reported from the Committee on Ways and Means, but I can not shut my eyes to the fact that a majority of the Committee on Ways and Means seem to have determined that unless their own peculiar views can be incorporated into law in regard to customs taxation, and a continuance of the internal-revenue system without reduction or modification, they will prevent any reform in this connection.

The adverse report on the bill I introduced has been and probably will be extensively circulated as far as possible to impress the public mind in the direction of its views. I do not object to that, for I have every confidence that when judgment is made up between these two propositions the conservative plan proposed byme, which is really in harmony with our party utterances and with the traditions of our hishistory, will receive the approval of an intelligent people.

APPENDIX A.

That the wool interest of the United States may be more fully understood and that "legislation affecting" this great industry "should be cautious and conservative in method" and "in a spirit of fairness," I have caused to be compiled the following statistics on the subject:

HEEP AND WOOL.

The wool interest of the United States is extremely sensitive to changes in the tariff. The tariff on raw wool as imposed at different periods in the history of the Government is shown in the following table of rates from the quarterly report of the Chief of the Bureau of Statistics, No. 3, 1881-1885, page 506.

Rates of duty imposed on wool by the various acts of Congress from 1789-1883.

Date of act of Congress.	Date on which tariff went into effect.	Rates of duty
July 4,1789 Apr. 27,1816	July 4,1789	Free.
May 22, 1824	July 1,1816 July 1,1824	15 per cent. ad valorem. Value not exceeding 10 cents per pound, 15 per cent. ad valorem.
	July 1,1824	Value exceeding 10 cents per pound, 20 per cent. ad valorem.
	June 1,1825 June 1,1826	25 per cent, ad valorem. 30 per cent, ad valorem.
May 19, 1828	Sept. 1,1828 July 1,1829 July 1,1830	4 cents per pound and 40 per cent. ad valorem. 4 cents per pound and 45 per cent. ad valorem. 4 cents per pound and 50 per cent. ad valorem.
July 14, 1832	Mar. 3, 1833	Value not over 8 cents per pound, free. Over 8 cents per pound, 4 cents per pound and 40 per cent.
Mar. 2, 1833	Jan. 1,1836	Not over 8 cents per pound, free. Over 8 cents per pound, 4 cents per pound and 38
	Jan. 1,1838	over S cents per pound, 4 cents per pound and 36 per cent.
	Jan. 1,1840	Over 8 cents per pound, 4 cents per pound and 34 per cent.
	Jan. 1,1842	Over 8 cents per pound, 4 cents per pound and 27 per cent.
	July 1,1842	Over 8 cents per pound, 4 cents per pound and 20 per cent.
Aug. 30, 1842	Aug. 30, 1842	Value not over 7 cents per pound, 5 per cent. ad valorem.
		Over 7 cents per pound, 3 cents per pound and 30 per cent.
July 30, 1846	Dec. 1, 1846	Thibet, Angora, and other goats' hair or mohair, 20 per cent ad valorem.
Mar. 3,1857	July 1,1857	All other 30 per cent, ad valorem Value of 20 cents per pound and less, free. Angora, Thibet, &c., over 20 cents, 15 per cent. All other over 20 cents, 24 per cent.
Mar. 2,1861	Apr. 1,1861	Sheep-skins with wool on, 15 per cent. Value less than 18 cents per pound, 5 per cent. 18 cents and not over 24 cents per pound, 3 cents per pound.
June 30, 1864	July 1,1864	Over 24 cents, 9 cents per pound. Sheep-skins with wool on, 20 per cent. Value per pound 12 cents or less, 3 cents per pound. Over 12 cents and not over 24 cents, 6 cents per pound.
		Over 24 cents and not over 32 cents, 10 cents per pound and 10 per cent, ad valorem. Over 32 cents, 12 cents per pound and 10 per cent, ad valorem.
Mar. 2,1867	Mar. 2,1867	Wools scoured treble the amount of duty. Clothing wools, 32 cents or less, 10 cents per pound and 11 per cent. ad valorem. Over 32 cents, 12 cents per pound and 10 per cent. ad valorem.
Mar. 2, 1867	Mar. 2,1867	Washed, twice the amount of duty. Combing wool, 32 cents or less, 10 cents per pound
	#	and 11 per cent. ad valorem. Over 32 cents, 12 cents per pound and 10 per cent. ad valorem.
	164 15	Carpet wool, 12 cents or less, 3 cents per pound. Over 12 cents, 6 cents per pound. All classes scoured, treble duty.
		Sheep and goat skins with wool on, 30 per cent. ad valorem.
July 14, 1870	a discount	Wools on skin, to be dutiable at the same rate as other wools.
June 6, 1872 Mar. 3, 1875 Mar. 3, 1883	Aug. 1,1872 Mar. 3,1875 July 1,1883	Reduction of 10 per cent. on all duties. Rates under tariff of March 2, 1867, restored. Clothing wools, value of 30 cents or less, 10 cents per pound. Over 30 cents, 12 cents per pound.
		Washed, twice the amount of duty. Combing wools, value of 30 cents or less, 10 cents per pound. Over 30 cents, 12 cents per pound.
		Carpet wools, value of 12 cents or less, 2; cents per pound.
Mar. 3,1883	July 1,1883	Over 12 cents, 5 cents per pound. Wools of all kinds scoured, treble the amount of duty. Wools on the skin same as other wools.

It will be observed that on August 1, 1867, all duties on wool were reduced 10 per cent. March 3, 1875, the rates of eight years before were restored. Under these rates the number of sheep in the country increased year by year until the effect of the tariff of 1883 began to be manifest. In 1880 the number of sheep in the United States corresponded to the number given as fleeces for each State in the following table, which also gives the amount of wool produced in each State:

Spring clip of wool for 1880,

[From United States census report.]

States and Territories,	Fleeces.	Weight.
	Number.	Pounds.
United States	35, 192, 047	155, 681, 751
Alabama	374, 528	762, 207
Arizona	76, 524	313, 098
Arkansas	246, 757	557, 368
California	4, 152, 349	16, 798, 036
Colorado	746, 443	3, 197, 393
Connecticut	59, 431	230, 133
Dakota	30, 244	157, 025
Delaware	21,967	97, 946
Florida	56, 681	162, 810
Georgia	527, 589	1, 289, 560
Idaho	27, 326	127, 149
Illinois	1,037,073	6,093,066
Indiana	1, 100, 511	6, 167, 498
Iowa	455, 359	2, 971, 975
Kansas	499, 671	2, 855, 832
Kentucky	1,000,269	4, 592, 576
Louisiana	135, 631	406, 678
Maine	565, 918	2,776,407
Maryland	171, 184	850, 084
Massachusetts	67, 979	299, 089
Michigan	2, 189, 389	11, 858, 497
Minnesota	267, 598	1, 352, 124
Mississippi	287, 694	734, 643
Missouri	1,411,298	7, 313, 924
Montana	184, 277	995, 484
Nebraska	199, 453	1, 282, 656
Nevada	133,695	655, 012
New Hampshire	211, 825	1,060,589
New Jersey	117,020	441, 110
New Mexico	2,088,831	4, 019, 188
New York	1,715,180	8, 827, 195
North Carolina	461, 638	917, 756
Ohio	4, 902, 486	25, 003, 756
Oregon	1,083,162	5, 718, 524
Pennsylvania	1,776,598	8, 470, 273
Rhode Island	17, 211	65, 680
South Carolina	118,889	272,758
Tennessee	672,789	1, 918, 295
Texas	2, 411, 633	6, 928, 019
Utah	233, 121	973, 246
Vermont	439, 870	2, 551, 113
Virginia	497, 289	1, 836, 673
Washington	292, 883	1,389,123
West Virginia	674, 769	2, 681, 444
Wisconsin	1,336,807	7,016,491
Wyoming	140, 225	691, 650

Not including the following items, the result of special investigations: Texas and California fall clip of sheep reported on farms, 13,000,000 pounds; wool of other (ranch) sheep, 31,000,000 pounds; pulled wool and fleece of slaughtered sheep, 33,000,000 pounds; making an aggregate of 240,681,751 pounds.

A decrease in the number of sheep begins to show itself in the returns of 1885. In the report on the number and values of farm animals for January and February, 1885 (Agricultural Department), it is said that—

"There has been no increase of sheep husbandry. A small falling off is indicated 'in the farming States,' Only Connecticut, New Jersey, Delaware, Maryland, the Carolinas, Alabama, Kansas, and Nebraska, of all the farming States, hold the numbers of a year ago. Nebraska and Kansas are both agricultural and pastoral, and have made advances on the pastoral side, taking focks from the extreme East. It is said that at least one-third of the flocks of Washington County, Pennsylvania, have been sent from the State, many going across the Missouri River. Our correspondent makes the loss 60 per cent. The slight reduction of the wooltariff has sent hundreds of thousands of sheep to the butcher or the range. Hon. G. V. Lawrence, Representative of that district in Congress, says:

or the range. Hon. G. V. Lawrence, Representative of that district in Congress, says:

"The reduction of the tariff on wool by the act of Congress, near the close of the Forty-seventh Congress, in 1883, had a most injurious effect on this industry. The estimate of loss to the farmer on the wool crop of that year for our county alone was from \$90,000 to \$190,000 by the reduction in price. This discouraged many who had flocks, and they sold them and purchased cattle, and last fall prices continued so low that there was no profit to the wool-grower, and I have little doubt the number of sheep will still continue to decrease under the general depression, and I think this extended and important industry will ultimately be abandoned (or nearly so), unless a higher duty is placed on foreign wool than the present rate.'" (Page 4.)

The following exhibit shows the aggregate relations for the United States, as derived from the same authority:

Years.	Number of sheep.	Value.
1884	50, 626, 626 50, 360, 243	\$119, 902, 706 107, 960, 650
Decrease	266, 383	11, 942, 056

This shows a loss in numbers of about one-half of 1 per cent., and a loss in values of a little over 9 per cent.

The following table is compiled from the report already cited, and brings sharply into view the changes in detail by States:

Table showing the estimated numbers of sheep on farms, &c., January and February, 1885.

States and Territories.	Per cent.*	Number.	Average price.	Value.	
Maine	95	548, 374	82 34	\$1, 283, 195	
New Hampshire	96	201, 299	2 54	511, 299	
Vermont	86	385, 892	2 96	1, 142, 240	
Massachusetts	98	67, 959	3 51	238, 536	
Rhode Island	99	20,866	3.79	79, 082	
Connecticut	101	59,419	3 68	218, 662	
New York	98	1,697,685	3.47	5, 890, 957	
New Jersey	102	119, 348	3.99	476, 199	
Pennsylvania	85	1, 486, 851	3 10	4, 609, 238	
Delaware	102	22,519	3 46	77, 916	
Maryland	100	172,022	3 65	627, 880	
Virginia	98	477, 450	2 62	1, 250, 919	
North Carolina	108	488, 350	1 37	669, 040	
South Carolina	101	117,641	1 76	207, 048	
Georgia	98	532, 547	1 49	793, 495	
Florida	99	97,951	1 76	172, 394	
Alabama	100	343, 925	1 47	505, 570	
Mississippi	96	281,738	1.52	428, 242	
Louisiana	97	121, 234	1 68	203, 673	
Texas	95	7, 558, 461	1 95	14, 738, 999	
Arkansas	99	225, 020	1 64	369, 033	
Tennessee	97	635, 558	1 79	1,137,649	
West Virginia	95	637, 665	2 23	1,421,993	
Kentucky	97	950, 761	2 66	2, 529, 024	
Ohio	98	4, 900, 035	2 50	12, 250, 088	
Michigan		2, 364, 174	2 69	6, 359, 628	
Indiana	98	1, 122, 184	2 38	2,670,793	
Illinois	97	1,093,101	2 41	2, 634, 373	
Wisconsin		1, 282, 947	2 19	2,809,654	
Minnesota	99	272, 708	2 56	698, 132	
Iowa	95	472, 303	2 48	1,171,311	
Missouri	93	1, 338, 623	1 79	2, 396, 135	
Kansas	102	838, 143	1 93	1,617,616	
Nebraska	112	373, 894	2 11	788, 916	
California	95	5, 892, 911	1 89	11, 137, 602	
Oregon	98	2,519,950	1 61	4, 057, 120	
Nevada		423,885	1 92	813, 859	
Colorado	95	1,185,942	1 86	2, 205, 853	
Arizona		853, 335	1 90	1,621,337	
Dakota	101	183, 820	2 39	439, 336	
Idaho	102	191, 250	2 30	439, 875	
Montana	134	625,000	2 46	1,537,500	
New Mexico	122	5,410,944	1 64	8,873,948	
Utah	110	620,730	2.12	1, 315, 948	
Washington	117	533, 875	2 38	1,270,623	
Wyoming	102	609, 960	2 08	1, 268, 717	
Total		50, 360, 243	2 14	107, 960, 650	

*Total number compared with January, 1884.

Mr. J. R. Dodge, the Statistician, further says (page 5):

"Last year an increase was reported in the value of all farm animals except sheep and swine. In this return there is a decline in all values, in sympathy with the general depreciation, and as to sheep an additional depreciation on account of the change in the wool tariff." * * * If we now turn to the estimates of the Agricultural Department as shown in the report on the numbers and values of farm animals for January and February, 1886, we shall find the decrease indicated the year before enormously greater, and we shall see that the transfer of the wool interests from the farming States with their careful methods and corresponding results to the wide ranges of the extreme West with their more wholesale methods and corresponding results is greatly emphasized. This report furnishes material for the following exhibit:

Decrease in number and value.

Years,	Number of sheep.	. Value.
1885	50, 360, 243 48, 322, 331	\$107, 960, 650 92, 443, 867
Decrease	2,037,912	15, 516, 783

Mr. J. R. Dodge, the Statistician of the Department, thus sums up the situation for the year:

"Coming to sheep, it must be observed that sheep husbandry is in a period of deeper depression than any other animal industry of the country. The results of this inquiry manifest a loss of about two million sheep. The industry has been peculiarly susceptible to adverse influences, feeling keenly any depression of prices of wool. Values of both wool and mutton have been low, and flocks have been slaughtered in the farm States, or sent West to cheaper pasturage. It is estimated that Pennsylvania has lost in one year a fifth of her flocks, or nearly three hundred thousand sheep. The loss is the more serious, as it falls mainly on a region peculiarly adapted by its grasses and irregularities of surface for sheep farming, which has long stood in the forefront of improvement in wool-growing. The decline is almost universal east of the Mississippi.

"The ratio of loss will be seen to have rapidly increased as regards numbers of sheep, the per cent of decrease for 1884 or to January, 1885, having been near one-half of 1 per cent., while for 1885 or to January, 1886, it was eightfold as great, or 4 per cent."

The following details by States are taken from the same report:

Table showing the estimated numbers of sheep on farms, &c., January and February, 1886.

States and Territories.	Per cent.*	Number.	Average price.	Value.
Maine	98	537, 407	\$2 15	\$1, 156, 771
New Hampshire	97	195, 260	2 45	478, 387
Vermont	98	378, 174	2 86	1,082,031
Massachusetts	95	64,561	3 04	196, 104
Rhode Island	98	20, 449	3 75	76, 684
Connecticut	90	53, 477	3 25	173, 575
New York	94	1,595,824	3 06	4, 875, 243
New Jersey	90	107, 413	3 76	403, 851
Pennsylvania	80	1, 189, 481	2 68	3, 187, 809
Delaware	99	22, 294	2 80	62, 368
Maryland	98	168, 582	3 08	519,739
Virginia	97	463, 127	2 24	1, 035, 922
North Carolina	96	468, 816	1 28	600, 084
South Carolina	96	112, 935	1 72	194, 250
Georgia	94	500, 594	1 46	730, 868
Florida	93	91,094	1 65	150, 305
Alabama,	98	337,047	1 40	471, 866
Mississippi	98	276, 103	1 50	413, 878
Louisiana	96	116, 385	1 65	192, 466
Texas	90	6, 802, 615	1 70	11,582,812
Arkansas	104	234, 021	1 57	367, 881
Tennessee	95	603, 780	1 60	967, 255
West Virginia	98	624, 912	1 88	1, 174, 210
Kentucky	95	903, 223	2 24	2, 024, 665
Ohio	97	4, 753, 034	2 09	9, 918, 156
Michigan	96	2, 269, 607	2 11	4, 788, 871

Table showing the estimated numbers of sheep on farms, &c.-Continued.

States and Territories.	Per cent.*	Number.	Average price.	Value.
Indiana.	97	1,088,517	2 10	2, 288, 607
Illinois	92	1,005,653	2 19	2, 205, 196
Wisconsin	95	1,218,800	1 89	2, 305, 969
Minnesota	102	278, 162	2 21	615, 294
Iowa	99	467,580	2 28	1,067,204
Missouri	96	1,285,078	1 48	1,908,340
Kansas	125	1, 190, 163	1 60	1,898,607
Nebraska	120	448, 673	2 15	965, 993
California	103	6,069,698	1 81	10, 961, 268
Oregon	98	2, 469, 551	1 47	3, 618, 139
Nevada	116	661, 261	1 73	1, 145, 436
Colorado	95	1, 126, 645	1 77	1, 994, 162
Arizona	105	896, 002	1 70	1,523,203
Dakota	118	253, 672	2 24	568, 226
Idaho	110	210, 375	2 10	441, 788
Montana	115	718, 750	2 12	1,523,391
New Mexico	101	4, 328, 755	1 60	6, 934, 666
Utah	105	651, 767	2 08	1, 356, 588
Washington	102	544, 548	2 25	1, 223, 491
Wyoming	105	518, 466	2 07	1,072,188
Total		48, 322, 331	1 91	92, 443, 867

* Total number compared with that of January, 1885.

The magnitude of the wool consumption of the United States is clearly manifest in the following table taken from the quarterly report, Bureau of Statistics, No. 3, 1884-'85, page 567.

Quantities of wool produced, imported, exported, and retained for consumption in the United States, from 1839 to 1884, inclusive.

the new to the second s		Year ended		Total produc-		Exports.		Retained for	
Calendar year.	Production.	June 30—	Imports.	tion and imports.	Domestic.	Foreign.	Total.	home con- sumption.	Imports
	Pounds.		Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Per cent
839	35, 802, 114	1840*	9, 898, 740	45,700,854		85,528	85, 528	45, 020, 578	21.
849	52, 516, 959	1850	18, 695, 294	71, 212, 253	35, 898		35, 898	71, 176, 355	26.
859	60, 264, 913	1860	26, 282, 935	86, 547, 848	389, 512	133, 493	523, 005	65, 749, 635	30.
862	106,000,000	1863	75, 121, 728	181, 121, 728	355,722	708, 850	1,064,572	180, 057, 156	41.
863	123, 000, 000	1864	91, 250, 114	214, 250, 114	155, 482	223,475	378, 957	213, 871, 157	42.
864	142,000,000	1865	44, 420, 375	186, 420, 375	466, 182	679, 261	1,145,463	185, 274, 912	23.
865	155,000,000	1866	71, 287, 988	226, 287, 988	973, 075	851, 645	1,824,720	224, 463, 268	33.
866	160,000,000	1867	38, 158, 382	198, 158, 382	307, 418	619,550	926, 968	197, 231, 414	9.
867	168, 000, 000	1868	25, 462, 197	193, 462, 197	558, 435	2, 801, 852	3, 360, 287	190, 101, 910	12.
868	180,000,000	1869	39, 275, 926	219, 275, 926	444, 387	842, 417	786, 804	218, 489, 122	17.
869	162,000,000	1870	49, 230, 199	211, 230, 199	152, 892	1,710,053	1,862,945	209, 367, 254	23.
870	160,000,000	1871	68, 058, 028	228, 058, 028	25, 195	1, 305, 311	1,330,506	226, 727, 552	29.
871		1872	126, 507, 409	276, 507, 409	140, 515	2, 266, 393	2, 406, 908	274, 100, 501	44.
872	158, 000, 000	1873	85, 496, 049	243, 496, 049	75, 129	7,040,386	7, 115, 515	236, 380, 534	35.
873	170,000,000	1874	42, 939, 541	212, 939, 541	319,600	6, 816, 157	7, 135, 757	205, 803, 784	20.
874	181,000,000	1875	54, 901, 760	235, 991, 760	178,034	3, 567, 627	3, 745, 661	232, 156, 099	23.
875	192,000,000	1876	44, 642, 836	236, 692, 836	104,768	1,518,426	1, 623, 194	235, 019, 642	18.
876	200, 000, 000	1877	42, 171, 192	242, 171, 192	79,599	3, 088, 957	3, 168, 556	239, 002, 636	17.
877		1878	48, 449, 079	256, 699, 079	347, 854	5, 952, 221	6, 300, 075	250, 399, 004	18.
878		1879	39, 005, 155	250, 005, 155	60,784	4, 104, 616	4, 165, 400	245, 839, 755	15.
879		1880	128,131,747	360, 631, 747	191,551	3, 648, 520	3, 840, 071	356, 791, 676	35.
880	240,000,000	1881	55, 964, 236	295, 964, 236	71,455	5,507,534	5, 578, 989	290, 385, 247	18.
881	272, 000, 000	1882	67, 861, 744	339, 861, 744	116, 179	3, 831, 836	3, 948, 015	335, 913, 729	20.
882		1883	70, 575, 478	360, 575, 478	64, 474	4,010,043	4,074,517	356, 500, 961	19.
883	300,000,000	1884	78, 350, 651	378, 350, 651	10,393	2, 304, 701	2, 315, 094	376, 935, 557	20.

*Year ended September 30, 1840.

The data as to production have been furnished by Mr. J. R. Dodge, Statistician of the Department of Agriculture.

The Department of Agriculture estimates the wool product of 1884 as 338,000.

The Department of Agriculture estimates the wool product of 1884 as 338,000.

The annual report of the chief of the Bureau of Statistics in regard to imported merchandise for the year ending June 30, 1885, furnishes data for the following stroyed as a source of future supply. In 1885, however, this slaughtering had reached a marked effect in decreasing the product, which is roughly estimated

Summary of articles of imported merchandisc entered for consumption, &c., years ending June 30, 1883, 1884, and 1885.

			Year endir	ng June 30—		Sul II sell
Articles.	1883.		1884.		1885.	
	Values.	Duties. '	Values.	Duties.	Values.	Duties.
Wools, and manufactures of: Raw Manufactures	\$8,491,988 23 42,552,455 99	\$3,174,628 02 29,146,264 50	\$13,593,299 05 41,484,871 80	\$4,522,825 82 27,478,400 05	\$9,474,263 87 36,176,705 44	\$3,164,295 9 24,294,938 9
Total	51, 044, 444 22	32, 320, 892 52	55, 078, 170 85	32,001,225 87	45, 650, 969 31	27, 459, 234 8

The report just cited furnishes also (pages 130-131) various particulars as to quantities of wool and woolen manufactures entered for consumption from sumption per capita and duty per capita, as shown in the following table:

Wool and manufactures of entered for consumption.

Year ending June 30—	Quanti-	Average rate of duty.	Ordinary duty re- ceived.	Consumption per capita,	Duty per capita.
1867 1868 1869 1870 1871 1872 1873 1874 1875 1875 1877 1878 1879 1879 1879 1889 1880 1881 1882 1883 1884 1885	40, 637, 389 42, 099, 181 52, 700, 628 69, 811, 240 72, 892, 743 59, 287, 932 55, 856, 545 42, 260, 342 33, 465, 179 32, 698, 759 30, 553, 923		23, 684, 048 25, 652, 041 26, 082, 101 33, 564, 479 38, 490, 629 32, 326, 683 30, 914, 037 25, 306, 314 20, 258, 038 19, 890, 945 29, 258, 038 118, 805, 340 29, 238, 370 27, 225, 625 29, 253, 016 32, 320, 893 32, 300, 226	143, 36 cents. 101, 21 cents. 107, 63 cents. 109, 18 cents. 109, 18 cents. 113, 23 cents. 171, 69 cents. 174, 78 cents. 126, 77 cents. 93, 25 cents. 177, 77 cents. 68, 15 cents. 61, 86 cents. 99, 20 cents. 87, 76 cents. 99, 20 cents. 99, 19 cents. 99, 19 cents. 99, 19 cents. 99, 19 cents.	67. 89 cents. 67. 64 cents. 84: 85 cents. 103. 51 cents. 92. 29 cents. 75. 45 cents. 55. 84 cents. 41. 45 cents. 41. 45 cents. 58. 30 cents. 53. 02 cents. 55. 40 cents.

Not only is a marked effect upon the wool industry of the country as a whole produced by changes in the tariff, but there are special local influences arising from the bearing of specified provisions affecting particular kinds of wool and of woolen manufactures, and thus developing results varying in different localities with the kind of sheep there most advantageously kept.

This will be more distinctly evident on inspection of tables and explanations here following from official sources.

Although the duties under the present law are specific it has been possible to calculate them in such a way as to make a comparable view of their relations on the basis of ad valorem charges.

The following table compiled from reports of the Bureau of Statistics shows separately the quantity and value of imported clothing wool, combing wool, and carpet wool entered for consumption in the United States, the amount of duty and the average ad valorem rate of duty collected thereon, during the years ended June 30, 1881, 1882, 1883, 1884, and 1885.

Year ended June 30—	Quantity.	Values.	Ordinary duty collected.	Average ad valorem rate of duty.
CLOTHING WOOLS.	Pounds.			Per et.
1881,	20, 609, 707	\$1,751,454	\$2,599,686	54,72
1882	13, 489, 923	3, 042, 407	1,693,078	55, 64
1883	11,546,530	2, 567, 443	1,444,948	56, 28
1884	20, 703, 843	4,700,605	2, 111, 279	44, 91
1885	13, 472, 432	2, 994, 533	1, 357, 225	45, 32
COMBING WOOLS.				
1881	4, 421, 491	1, 271, 332	585, 500	46, 07
1882	2, 318, 671	648, 252	304, 133	46, 92
1883	1, 373, 114	343, 987	176, 181	51,22
1884	4, 474, 395	1,058,758	451, 521	42.65
1885	3, 891, 914	921, 252	394, 908	42, 87
CARPET WOOLS,				
1881	42, 385, 769	6, 038, 041	1, 675, 630	27.75
1882	47, 208, 175	6, 642, 699	1,857,442	27.96
1883	40, 130, 323	5,580,558	1,553,498	27.84
1884	62, 525, 692	7, 833, 935	1,960,025	25, 02
1885	68, 146, 652	9, 474, 263	3, 164, 592	33.4

The reports of the Bureau of Statistics of the Treasury Department show how great a dependence for revenue the duty collected upon imported wool in raw and manufactured forms has come to be. Thus in the year ending June 30, 1833, the imports of wool and woolen manufactures entered for consumption stood third in the order of magnitude as to value, and second as to amount of duties collected thereon, constituting 15,42 per cent. of the total amount of duties collected from imports. (Quarterly Rep., No. 4, 1833–1884, p. 540.)

The ratios of clothing wool, combing wool, and carpet wool produced in the United States in 1833 were estimated by Mr. James Lynch in a communication to the Bureau of Statistics as a little over 72 per cent., 20 per cent, and 7 per cent, respectively. We may accept this estimate as a guide to our judgment upon the local interest of the various qualities. Were it possible to obtain anything like accurate figures they would be found to be modified by those changes which have reduced in such rapid ratio the wool interests of States east of the Mississippi, where wools of the grades above carpet wools predominated.

The following table shows the quantity of clothing wool, combing wool, and carpet wool produced in the United States, according to Mr. Lynch, in connection with the quantity of each class of wool as defined by the law imported into the country, the ad valorem rate of duty, the duty per pound, and the price per pound during the year ended June 30, 1883:

Description.	eed in the end end end end end end end end end en		Rate of di the year of 30, 1883.	price per und,	
	Produc Unite durin en di 1883.	Import the State theye June	Rate per pound.	Ad valo- rem rate.	Import
Clothing wool Combing wool Carpet wool	Pounds. 233, 000, 000 65, 000, 000 22, 000, 000	Pounds. 11,546,530 1,373,114 40,130,323	Cents. 12,51 12,83 3,87	Per cent. 56, 28 51, 22 27, 84	Cents. 22, 24 25, 05 13, 91

(Quarterly report Chief of Bureau of Statistics, No. 4, 1883-'84, page 544.)

In a communication printed in the report just cited Mr. J. R. Dodge explains the grades of wool as grown in the United States and distributed under the tariff classification. The clothing wools are merino of some degree, with the highest type of purity in Vermont, but almost exclusively prevailing in New York, Ohio, and Michigan, predominant in West Virginia, Western Pennsylvania, Texas, and in the Rocky Mountain and Pacific coast areas. The combing wools from which worsted yarns are made predominate in the South, except in the States already named as supplying clothing wool. The sheep are also known as the mutton breeds. In Kentucky they are estimated to be 99 per cent. of the whole number. The carpet wools in the United States are the product of the Mexican sheep which have been introduced as a foundation of ranch flocks, and in many cases improved by crossing so as to furnish a higher quality. (Page 550.)

According to Mauger & Avery, in the same report (page 553), Colorado and New Mexico produce about all the carpet wool grown in this country. The same parties state that the worsted manufacture is rapidly growing, from which it might be expected that the regions furnishing combing wools would fir d their markets bettered. The effect of the tariff of 1833, however, has modified that prospect, illustrating anew the disturbing influence of instability in our tariffs. The portion of the communication bearing on this point is here presented (pages 551, 552):

"105 AND 107 READE STREET, New York, March 17, 1884.

"105 AND 107 READE STREET, New York, March 17, 1884.

"DEAR SIR: Yours of the 14th is at hand and noted.
"The reduction of the tariff on worsted yarn has enabled the foreign manufacturers to send over their manufactures of fine worsted at figures which render their production here unprofitable, except at greatly reduced prices for the raw material.

urers to send over their manufactures of fine worsted at figures which render their production here unprofitable, except at greatly reduced prices for the raw material.

"For this reason fine delaine fleeces are only salable at about the prices of clothing wools of the same quality and condition. We have written for full details on this subject, and in the course of a few days will be able to send you facts and figures in support of above statements.

"Domestic wools are graded into two classes, irrespective of grade, namely, clothing and combing wools.

"Delaine wool is really a combing wool, but generally of finer quality and shorter in staple than combing. It is used in the manufacture of the finer, softer grades of yarns. Worsted manufacturers have usually paid from 3 to 5 cents per pound more for selections of wool suitable for delaine; but since last summer the demand for this kind of domestic wool has slackened, as a result of the tariff act of March 3, 1833, and a class of wool of which the State of Ohio produces a percentage of from 25 to 30 per cent. of her entire clip is thereby depreciated in value. In other words, by reason of the reduction of duty on worsted yarns (i. e., yarn made from wool which can be combed) in the tariff act of March 3, 1833, the value of 25 to 30 per cent. of the clip of Ohio, which has heretofore always commanded a price 3 to 5 cents per pound above ordinary Ohio wool, is now worth no more than ordinary fleece. This is independent of the direct effect of the reduction in the duty on wool apparent on the face of the law.

"To a somewhat less extent all of the wool-growers east of the Mississippi will suffer."

A few days later the same parties made a supplementary statement showing more in detail the effect of the tariff upon the worsted interest. It is to be noted that merino wools of certain grade, as well as strictly combing wools, are used for worsted through improvements in machinery. The statements follow here (pages 554, 555):

105 AND 107 READE STREET, NEW YORK, Marc

105 AND 107 READE STREET, NEW YORK, March 24, 1884.

DBAR SIR: In further explanation of our letter of March 17, we would say that under the tariff of 1867 a fine worsted yarn would cost, including charges and duty on the charges, say, \$1.60 per pound. Under the tariff of March, 1883, the same yarn, costing the same price (first cost), can be bought here by the importer at \$1.33 per pound. Reduction by duty of March, 1883, 27 cents per pound.

It is estimated that it takes 3 pounds of wool to make 1 pound of worsted yarn, therefore the loss is equivalent to 9 cents per pound on the raw material, which is about the extent of the decline in price of delaine wool from 48 cents in March, 1883, to 39 or 40 cents in March, 1884.

Meanwhile the manufacture of fine worsted yarn is seriously crippled. That some unusual stimulus has been given to shipments of worsted yarns to America is shown by the statistics reported, we believe, by the United States consular agent at Bradford.

Worsted yarn exported to United States January, 1883. £1,267
Worsted yarn exported to United States January, 1883. 19,96
Worsted coatings exported to United States January, 1884. 2,987
From this it will be seen that in addition to the increase in the exports of

From this it will be seen that in addition to the increase in the exports of worsted yarns there has been a very large increase of manufactured yarn in the shape of worsted goods.

Yours, truly,

MAUGER & AVERY.

P. S.—In paragraph relating to tariff on worsted yarn we would explain that under tariff of 1867, if yarn cost 79 cents and charges were 2 cents, the duty would be on the basis of 81 cents cost; whereas, under the tariff of March, 1883, a yarn costing 79 cents will pay duty on 79 cents cost, no matter how much the legitimate charges may be.

SUPPLEMENTAL STATEMENTS MADE BY MESSRS. MAUGER & AVERY, UNDER DATE OF APRIL 2.

1. The worsted industry is quite a new one in this country, and has been until

the past few months the most successful branch of the woolen industry in the country, and the domestic growth of combing and delaine wools has been in proportion to the demand in this country.

2. The imports of combing wool (i. e., those entered under class 2) are chiefly from England, but these wools compete with our medium and coarse combing of domestic growth rather than with the "delaine merino" wool produced in this country. The competition with our delaine wool comes from the fine Australian, of which a very large percentage of the importation is used for worsted purposes.

Australian, of which a very large percentage of the importation is used for worsted purposes.

3. Our impression is that Arizona produces more fine than carpet stock, but we may be mistaken. Besides being lower in price than clothing or combing wools, the carpet wool-fleeces are much lighter than finergrades, and the return per head of sheep is thus much less.

The same parties furnish a statement that so clearly explains the relations of the clothing and the combing wools in manufacturing that it is here repeated. (Pages 561, 562.)

The same parties furnish a statement that so clearly explains the relations of the clothing and the combing wools in manufacturing that it is here repeated. (Pages 561, 562.)

Originally, only a growth of 5 to 6 inches could be combed, but with the improvements in combing machinery a staple 2½ inches long can now be combed with facility. There is very little wool grown now east of the Mississippi that does not have that length; but as a large percentage of the wool, owing to condition or feed of sheep, is weak or diseased, only the perfectly healthy wool is suitable for combing purposes. If anything interferes with the health of the sheep at that period of the growth of the fiber it will be affected, and when tension is applied it will break or part at that very point in the wool. Sometimes it happens that there will still be length enough to comb, and then it becomes a question of price. You will thus see that what constitutes combing wool is a somewhat arbitrary matter to be decided by the buyers, who are more particular when wools are plenty than when they are scarce. What they reject at one time they will accept at another, though when they are free buyers they lose by the great proportion of short and diseased wool combed out, called noils, which they have to sell at a low price.

All grades of wool, from the coarsest to the finest, are combed. At the "Centennial" a fine yarn was exhibited by one of our fine yarn spinners which they claimed was two-ply 200, or equivalent to 63.8 miles per pound.

On other machines the low carpet wools are combed for carpet purposes.

Worsted yarn is made entirely of wool that has been combed. Strictly speaking, worsted goods are made entirely of wool that has been combed. Strictly speaking, worsted goods are made entirely of worsted or combed yarns, but to cheapen the goods cotton yarn is frequently used for warp, and carded (woolen) and silk yarns are also frequently used for the same purpose.

You are correct in your conclusion that the combing of the wool previous to sp

worsted yarns.

By the process of manufacture which separates the short and weak staples the fibers that are left are uniform in length and strength, and laid side by side; the yarn can thus be drawn out further and is smooth and glossy. For any class of goods requiring to be light and strong worsted yarns are especially suited.

Yours, truly,

MAUGER & AVERY.

Yours, truly,

MAUGER & AVERY.

In the same report (page 563) the same gentlemen express the view that as the tendency of manufactures seems to be in the direction of worsted goods "an impetus will be given to the production of wools best suited for combing purposes, particularly if legislation does not interfere with its development.

In the same report (pages 564 to 566) Mr. T. C. Search, of the Fairmount Worsted Mills, Philadelphia, makes a statement in regard to the growth of the worsted industry in the United States, from which the following particulars are taken: The fine worsted trade of the United States in its condition is perhaps to-day the most unfortunate exponent of the unequal bearing of the late tariff reduction. The magnitude and growth of the industry are manifest in the census returns beginning with 1860.

In 1860 the valuation was placed at \$22,090,331.

In 1870 the valuation was placed at \$22,090,331.

In 1880 the valuation was placed at \$33,549,942.

Since 1880 the rate of increase has enormously enlarged. The protection afforded by the tariff act of 1857 without doubt was the cause of the enormous growth here shown. By the change of schedule of duties on worsted yarn under act of March 3, 1833, the American manufacturer has been placed at a serious disadvantage compared with the foreign manufacturer who can obtain wools at a lower rate for worsted, using South American wool to a large extent.

If we can accept the judgment of the dealers and manufacturers whose views have been cited, it will be plain that the demand of consumers tends toward the worsted wools, while the manufacturer has been put to a disadvantage with reference to foreign makers by the changes introduced by the tariff of 1833. And the wool-growers of the States heretofore prominent in the product of wool suitable for such use have been subjected to a special disturbance of their industry and their incomes.

Such changes are likely to be most marked in the sheep husbandry on the

suitable for such use have been subjects to the first and their incomes.

Such changes are likely to be most marked in the sheep husbandry on the better lands, as it is estimated that one acre of the most valuable land for all purposes will support four sheep. When the product of four sheep will no longer repay the owner for such use of shis land, the sheep are slaughtered or transferred to cheaper land, in which transfer of location the individual sheep disappear oftentimes to be replaced by inferior sorts.

Mr. RANDALL introduced the following bill:

A bill to reduce and equalize duties on imports, to reduce internal-revenue taxes, and to modify the laws in relation to the collection of the revenue.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the 1st day of January, 1887, the following articles mentioned in this section, when imported, shall be exempt from duty:

Timber, all not further advanced or manufactured than hewn, sawed, squared, or sided.

or sided.

Boards, clapboards, deals, palings, pickets, planks, and other lumber, in the rough or as sawed, not otherwise provided for.

Hubs for wheels, posts, last-blocks, wagon-blocks, oar-blocks, gun-blocks, heading-blocks, all like blocks or sticks, rough-hewn or sawed only.

Staves of wood of all kinds in the rough: Provided. That if any export duty is laid upon the above-mentioned articles, or either of them, by any country from whence imported, all said articles imported from said country shall be subject to duty as now provided by law.

Jute-butts.

Bristles

Jute-butts.
Bristles.
SEC. 2. That on and after the 1st day of January, 1887, in lieu of the duties heretofore imposed on the articles hereinafter mentioned, there shall be levied, collected, and paid the following rates of duty on said articles severally:
Timber, when planed, framed, or otherwise further advanced or manufactured than sawed, hewn, squared, or sided only, 10 per cent. ad valorem.

Sawed boards, clapboards, deals, palings, pickets, plank, and other lumber, when planed or finished, for each side so planed or finished, 50 cents per 1,000 feet, board measure; when tongued and grooved, 50 cents per 1,000 feet, board measure, in addition to the rate imposed when planed or finished only.

Iron or steel railway bars, and railway bars made in part of steel, weighing more than 25 pounds to the yard, \$13 per ton.

Iron or steel tee-rails, weighing not over 25 pounds to the yard, and iron or steel flat-rails, punched, \$16 per ton. Iron or steel railway fish-plates or splice-bars I cent per pound.

Horseshoe-nails, hob-nails, and wire nails, and all other wrought-iron or steel nails, not otherwise specially enumerated or provided for, 3 cents per

steel nails, not otherwise specially enumerated or provided for, 3 cents per pound.

Iron or steel beams, girders, joists, angles, channels, car-truck channels, TT columns and posts, or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, I cent per peund.

Steel wheels and steel-tired wheels for railway purposes, whether wholly or partly finished, and iron or steel locomotive, car, or other railway tires, or parts thereof, wholly or partly manufactured, 2 cents per pound; iron or steel ingots, cogged ingots, blooms, or blanks for the same, without regard to the degree of manufacture, It cents per pound.

Boiler or other plate iron, sheared or unsheared, skelp iron, sheared or rolled in grooves, It cents per pound. Sheet-iron, common or black, thinner than I inch and one-half and not thinner than No. 20 wire-gauge, I cent per pound; thinner than No. 20 wire-gauge, and all iron commercially known as common or black taggers iron, whether put up in boxes or bundles or not, It cents per pound: Provided, That on all such iron and steel sheets or plates aforesaid, excepting on what are known commercially as tin plates, terne plates, and taggers tin, and hereafter provided for, when galvanized or coated with zinc or spelter, or other metals, or any alloy of these metals, three-fourths of I cent per pound additional.

Round iron, in coils or rods, less than seven-sixteenths of I inch in diameter, and bars and shapes of rolled iron, not specially enumerated or provided for, I cent per pound.

and bars and shapes of rolled iron, not specially enumerated or provided for, I cent per pound.

Iron or steel sheets, or plates, or taggers iron, coated with tin or lead, or with a mixture of which these metals is a component part, by dipping or any other process, and commercially known as tin plates, terne plates, and taggers tin, 2; cents per pound.

Iron or steel rivet, screw, nail, and fence, wire-rods, round, in coils or loops, not lighter than No. 5 wire-gauge, six-tenths of 1 cent per pound; smaller than No. 5 wire-gauge, eight-tenths of 1 cent per pound. Iron or steel, flat, with longitudinal ribs, for the manufacture of fencing, six-tenths of 1 cent per pound. Iron or steel cotton-ties, or hoops for baling purposes, not thinner than No. 20 wire-gauge, 1 cent per pound.

Lead ore and lead dross, 1 cent per pound; lead in pigs and bars, molten and old refuse lead run into blocks and bars, and old scrap lead, fit only to be remanufactured, 1; cents per pound; lead in sheets, pipes, or shot, 2; cents per pound.

Lead ore and lead dross, I cent per pound; lead in pigs and bars, molten and old refuse lead run into blocks and bars, and old scrap lead, fit only to be remanufactured, I cents per pound; lead in sheets, pipes, or shot, 2; cents per pound.

Zine, spelter, or tutenegue, in blocks or pigs, I; cents per pound; in sheets, 2 cents per pound; zine, old and worn out, fit only to be remanufactured, three fourths of I cent per pound.

Iron or steel wire cloths and iron or steel wire nettings, made in meshes of any form, if composed of wire smaller than No. 26 wire-gauge, 3; cents per pound; if composed of wire smaller than No. 26 wire-gauge, 4 cents per pound; if composed of iron wire smaller than No. 10 and not smaller than No. 16 wire-gauge, 2; cents per pound; if composed of iron wire smaller than No. 16 and not smaller than No. 16 and not smaller than twenty-six wire-gauge, 3 cents per pound.

Soap, castile, I; cents per pound, glucose, or grape-sugar, three-fourths of I cent per pound; cod-liver oil, 20 cents per gallon; ocher and ochery earths and umber and umber earths, when dry, one-fourth of I cent per pound.

Pipes, pipe-bowls, and all smokers' articles whatsoever, not specially enumerated or provided for in this act, 70 per cent. ad valorem; all common tobaccopipes of clay, 16 cents per gross.

Animals, live: Horses and mules, \$10 per head; cattle, \$4 per head; hogs, \$1 per head; sheep, 50 cents per head; all other live animals, not otherwise specially enumerated or provided for, 20 per cent. ad valorem: Provided, That so much of section 6 of the act approved March 3, 1883, entitled "An act to reduce internal-revenue taxation, and for other purposes," as provided, That so much of section 6 of the act approved March 3, 1883, entitled "An act to reduce internal-revenue taxation, and for other purposes," as provided, That so much of section 6 of the act approved March 3, 1883, entitled "An act to reduce internal-revenue taxation, and for other purposes," as provided, That so much of section 6 of the act approve

every additional cubic foot or fractional part thereot; in bulk, \$1.75 per thousand.

Grapes, 1 cent per pound.
Fruits preserved in their own juices, 20 per cent. ad valorem.
Fruit-juice, or cherry-juice, 50 cents per gallon.
Citron, preserved or candied, 4 cents per pound; orange-peel and lemon-peel, preserved or candied, 2 cents per pound.
Cement, Portland or Roman, in barrels, sacks, or other packages, 8 cents per 100 pounds; in bulk, 6 cents per 100 pounds.
Whiting and Paris white, dry, one-fourth of one cent per pound; ground in oil or putty, 1 cent per pound.
Glycerine, refined, 4 cents per pound.
Glycerine, refined, 4 cents per pound.
Castor-beans or seeds, 40 cents per bushel of 50 pounds.
Castor-beans or seeds, 40 cents per bushel of 50 pounds.
Castor-oil, 60 cents per gallon.
Acetate of lead, brown, 3 cents per pound; white, 4 cents per pound.
Litharge, 2 cents per pound.
Orange mineral and red lead, 2½ cents per pound.
Nitrate of lead, 2½ cents per pound.
On stockings, hose, half-hose, shirts, drawers, and other goods made on knitting machines or frames, composed wholly of cotton, and not herein otherwise provided for, 35 per cent. ad valorem.
On stockings, hose, half-hose, shirts, drawers, and other goods fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, and composed wholly of cotton, 40 per cent. ad valorem.

On clothing ready-made, and wearing apparel of every description (including corsets), except knit goods, composed of cotton or other vegetable textile, made up or manufactured wholly or in part by the failor, seamstress, or manufacturer, and not otherwise specially enumerated or provided for, 40 per cent ad valorem.

Cotton cords, braids, gimps, galloons, webbing, goring, suspenders, braces, and all manufactures of cotton not otherwise specially enumerated or provided for, 35 per cent, ad valorem.

On goods heretofore known commercially as Hamburg edgings, embroideries, or insertings, and as Egyptian and oriental laces, composed of cotton, and stitched or otherwise wrought by machines worked by hand or other power, 45 cents per pound and 15 per cent, ad valorem.

On laces, embroideries, insertings, trimmings, lace window-curtains, and tamboured articles, composed of cotton or other vegetable fiber, not herein otherwise enumerated or provided for, and on cotton damask, hemmed handkerchiefs, and cotton velvet, 40 per cent, ad valorem.

Oil-cloth foundations, or floor-cloth canvas, or burlaps exceeding 60 inches in width, made of flax, jute, or hemp, or of which flax, jute, or hemp, or either of them, shall be the component material of chief value, 35 per cent, ad valorem.

Ganny-cloth, not bagging, valued at 10 cents or less per square yard, 2 cents per pound; valued at over 10 cents per square yard, 8 cents per pound.

Hags and bagging, and like manufactures, not herein specially enumerated or otherwise provided for (except bagging for cotton), composed wholly or in part of flax, hemp, jute, gunny-cloth, or other manufactures not specially enumerated or otherwise provided for, suitable for the uses for which cotton bagging is applied, composed in whole or in part of hemp, jute, jute butts, flax, gunny-bags, gunny-loth, or other vegetable material, and valued at 7 cents or less per square yard, 1½ cents per pound; valued at over 7 cents per square yard, 1½ cents per pound.

Jute, 10 per cent, advalorem.

Silk, pa

wist, floss, spun silk, and silk threads or yarns of every description, 30 per cent. ad valorem.

Lastings, mohair cloth, silk twist, or other manufactures of cloth, woven or made in patterns of such size, shape, or form, or cut in such manner as to be fit for buttons exclusively, 10 per cent. ad valorem.

Goods in the piece, including ribbons (except knit goods, velvets, plushes, or other pile fabrics), weighing not less than 1 ounce nor more than 8 ounces per square yard, containing less than 25 per cent, and not less than 10 per cent. in weight of silk, 75 cents per pound and 15 per cent. ad valorem; the same, containing less than 50 per cent. and not less than 25 per cent. in weight of silk, 75 cents per pound and 15 per cent. ad valorem; the same, containing less than 50 per cent. and not less than 25 per cent. ad valorem; if white or colored, or partly black or partly colored, \$2.25 per pound and 15 per cent. ad valorem.

Velvets, plushes, or other pile fabrics in the piece (including ribbons), weighing not less than 1 ounce nor more than 8 ounces per square yard, containing less than 25 per cent. and not less than 10 per cent. in weight of silk, \$1 per pound and 15 per cent. ad valorem; the same, containing less than 25 per cent. and not less than 10 per cent. in weight of silk, \$1 per pound and 15 per cent. and valorem; the same, containing less than 25 per cent. and valorem.

Wearing apparel of every description, composed of silk or of which silk is the component material of chief value, made up wholly or in part by the tailor, seamstress, or manufacturer (except knit goods), 55 per cent. ad valorem.

Umbrellas, parasols, and shades, covered with silk or with any material of which silk is the component material of chief value, 25 cents each and 50 per cent. Al manufactures of silk, or of which silk is the component material of chief

Umbrellas, parasols, and shades, covered with silk or with any material of which silk is the component of chief value, 25 cents each and 50 per cent. ad valorem.

All manufactures of silk, or of which silk is the component material of chief value, not provided for in this act, 50 per cent, ad valorem.

In ascertaining the percentage of silk under this act the weight of silk shall be taken as found in the goods.

Gloves wholly or partially manufactured from dressed kid or goat skin, and known commercially as "glace" finish, not over 13 inches in length, \$3 per dozen pairs; over 13 and not over 17 inches in length, \$4 per dozen pairs; over 17 inches in length, \$5 per dozen pairs.

Gloves wholly or partially manufactured from dressed leather other than kid or goat skin, and known commercially as "glace" finish, not over 13 inches in length, \$2 per dozen pairs; over 13 and not over 17 inches in length, \$3 per pozen pairs; over 17 inches in length, \$4 per dozen pairs.

Gloves wholly or partially manufactured from undressed leather, known commercially as "velvet," "castor," "chamois," or "Suede" finish, not over 13 inches in length, \$2 per dozen pairs; over 13 and not over 17 inches in length, \$3 per dozen pairs; over 17 inches in length, \$4 per dozen pairs.

On all leather gloves, if lined or trimmed with fur, \$1 per dozen pairs additional; if "pique" or prick-sean sewn, 50 cents per dozen pairs additional; if embroidered, 50 cents per dozen pairs additional; if embroidered, 50 cents per dozen pairs additional.

The length of all gloves shall be determined by measuring from the tip end of the longest finger to the opposite extremity of the glove. All gloves entered by a false description or classification, or a false statement as to quantity, shall be subject to an additional duty of \$5 per dozen pairs.

All wools, hair of the alpaca, goat, and other like animals, shall be divided, for the purpose of fixing the duties to be charged thereon, into the three following classes:

Class 1: Clothing wools; that is to say,

where, and also including all wools not hereinafter described or designated in classes 2 and 3.

Class 2: Combing wools, that is to say, Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used, and also all hair of the alpaca, goat, and other like animals.

Class 3: Carpet wools and other similar wools, such as Donskoi, native South American, Cordova, Valparaiso, native Smyrna, and including all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.

The duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of all classes which shall be imported a unwashed. All wools which, when imported, have been cleansed by the use of soap or an alkali, or other chemical agent or detergent, or by any process other than the application of water in its natural state, or which shall contain less than 10 per cent. of the weight thereof of dirt, grease, yolk, or other foreign substance or matter, shall be classified as scoured wool, and pay duty accordingly. The duty upon wool of the sheep, or hair of the alpaca, goat, and other like animals, which shall be imported in any other than ordinary condition, as now and here todore practiced, or which shall be character for the purpose of evading the duty, shall be twice the duty to which it would be otherwise subject.

On wools of the first and second classes, valued at 30 cents per pound or less, 10 cents per pound; valued at above 30 cents per pound, 12 cents per pound; on wools of the third class, 3 cents per pound.

On carded or combed wool or tops, 48 cents per pound and 10 per cent. ad valorem; wools on the skin, the same rates as other wools, the quantity to be ascertained under such rules as the Secretary of the Treasury may prescribe.

Woolen rags, shoddy, mungo waste, and flocks, 10 cents per pound.

Woolen or worsted cloths and shawls and all manufactures of every description made wholly or in part of wool, not specially enumerated or otherwise provided for, valued at not exceeding 60 cents per pound, 30 cents per pound and 35 per cent. ad valorem; valued at above 69 cents per pound and not exceeding 80 cents per pound, 35 cents per pound and 35 per cent. ad valorem; valued at above 80 cents per pound, 35 cents per pound and 40 per cent. ad valorem.

and 35 per cent, ad valorem; valued as above 30 cents per pound and 35 per cent, ad valorem; valued at above 80 cents per pound, 35 cents per pound and 40 per cent, ad valorem.

Flannels, blankets, hats, balmorals, yarns, knit goods (including goods made on knitting-frames), composed wholly or in part of two land all manufactures composed wholly or in part of the alpaca, goat, or other animals, not specially enumerated or otherwise provided for, valued at not exceeding 30 cents per pound, 10 cents per pound; valued at above 30 cents per pound and not exceeding 40 cents per pound; valued at above 40 cents per pound and not exceeding 50 cents per pound; valued at above 60 cents per pound and not exceeding 50 cents per pound, 24 cents per pound; and in addition thereto, upon all the above-named articles, 35 per cent. ad valorem; valued at above 80 cents per pound, 25 cents per pound, and in addition thereto 40 per cent. ad valorem and the addition thereto 40 per cent. ad valorem.

Women's and children's dress-goods, coat-linings, Italian cloths, and goods of like description, composed in part of wool, worsted, the hair of the alpaca, goat, or other animals, valued at not exceeding 20 cents per square yard, 5 cents per square yard, and in addition thereto 35 per cent. ad valorem; if composed wholly of wool, worsted, the hair of the alpaca, goat, or other animals, valued at not exceeding 20 cents per square yard, 5 cents per square yard, and in addition thereto 35 per cent. ad valorem; if composed wholly of wool, worsted, the hair of the alpaca, goat, or other animals, or of a mixture of them, 9 cents per square yard and 40 per cent. ad valorem; but all such goods with selvedges made wholly or in part of other materials introduced for the purpose of changing the classification, shall be dutiable at 9 cents per square yard and 40 per cent. ad valorem.

Clothing, ready-made, and articles of wearing apparel of every description, except knit goods, not specially enumerated or provided for, composed wholly or in part of

enue taxation, and for other purposes," providing a substitute for title 33 of the Revised Statutes of the United States, is hereby amended as to certain of the sections and parts of sections or schedules comprised therein as follows, respectively:

By striking out section 2499 and substituting in lieu thereof the following:

"SEC. 2499. Each and every imported article, not enumerated or provided for in any schedule in this title, which is similar, either in the material, quality, texture, or the use to which it may be applied, to any article enumerated in this title as chargeable with duty, shall pay the same rate of duty which is levied on the enumerated articles which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more mentioned; and if any non-enumerated article duty are chargeable, there shall be levied on such non-enumerated article the same rate of duty as chargeable on the article which it resembles paying the highest rate of duty; and on articles, not enumerated or provided for, manufactured of two or more materials the duty shall be assessed at the highest rate at which the same would be chargeable if composed wholly of the component material thereof of chief value; and the words "component material of chief value," wherever used in this title, shall be held to mean that component material which shall exceed in value any other single component material found in the article; and the value of each component material found in the article; and the value of such article. If two or more rates of duty shall be aspected of such article, if two or more rates of duty shall be applied of such article, if shall pay duty at the highest of such rates: Provided, That any non-enumerated article similar in material and quality and texture, and the use to which to may be applied, to any article on the free-list, and in the manufacture of which no dutiable materials are used, shall be free of duty."

SEC. 2502. SCHEDULE A—CHEMICAL PRODUCTS.—By str

glass bottles," &c., and inserting the following in the thereof graph 134.]

"Flint and lime glass bottles and vials, and other plain, molded, or pressed flint or lime glassware, not specially enumerated or provided for in this act, 40 per cent. ad valorem; if filled, and not otherwise in this act provided for, and the contents are subject to an ad valorem duty, or to a rate of duty based on their value, the value of such flint or lime glass bottles or vials, or other vessels of like material above provided for, shall be added to the value of the contents for the ascertainment of the dutiable value of the latter; but if filled, and not otherwise provided for, and the contents are not subject to an ad valorem duty, or to a rate of duty based on their value, they shall pay a duty of 40 per cent. ad valorem in addition to the duty, if any, on their contents."

Schedule C—Metals.—By striking out the last clause of this schedule, relating

to "manufactures, articles, or wares not specially enumerated or provided for," and inserting in lieu thereof the following:

"Manufactures, articles, or wares not specially enumerated or provided for in this act, composed wholly or in part of iron, steel, copper, lead, nickel, pewter, tin, zine, gold, silver, platinum, or any other metal, and whether partly or wholly manufactured, 45 per cent. ad valorem: Provided. That nothing in this clause shall affect the rate of duty hereinbefore provided for the manufactures of copper, or of which copper shall be the component of chief value."—[Tariff, paragraphs 186, 216.]

By striking out in next to the last clause of this schedule the words "mineral substances in a crude state;" so that the clause shall read as follows:

"Metals, unwrought, not specially enumerated or provided for in this act, 20 per cent. ad valorem."—[Tariff, paragraph 215.]

Schedule F—Tobacco.—By striking out from this schedule the second clause, relating to "leaf-tobacco," and in lieu thereof inserting the following:

"Leaf-tobacco, of the requisite size and of the necessary fineness of texture to be suitable for wrappers, and of which more than one hundred leaves are required to weigh a pound, if not stemmed, 75 cents per pound; if stemmed, \$1 per pound."—[Tariff, paragraph 246.]

By striking out the clause in this schedule relating to "vegetables in their natural state or in salt or brine," and inserting in lieu thereof the following:

"Vegetables, such as beets, peas, beans, and the like, in their natural state, whether green or dried or in salt or brine, not specially enumerated or provided for in this act, and garden seeds, not edible, except seed of the sugar-beet, loper cent, ad valorem."—[Tariff, paragraphs 286, 465, 760.]

Schedule N.—By striking out the seventh clause of this schedule, relating to "bonnets, hats, and hoods," &c., and inserting in lieu thereof the following:

"Bonnets, hats, and hoods," &c., and inserting in lieu thereof the following:

"Bonnets, hats, and hoods," &c., a

wesoning composed to estation in this act, 35 per cent. ad valorem."—
[Tariff, paragraph 495.]

THE FEEE-LIST.

SEC. 2503 [Substituted for section 2505, R. S.]. By striking out the clause in this section commencing with the words "articles the growth, produce, and manufacture of the United States," and inserting in lieu thereof the following:

"Articles the growth, produce, and manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means; casks, barrels, carboys, bags, and other vessels of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks when returned as barrels or boxes; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury; and if any of such articles are subject to internal tax at the time of exportation, such tax shall be proved to have been paid before exportation, and not refunded: *Provided,* That this clause shall not include any article upon which an allowance of drawback has been made, the reimportation of which is hereby prohibited except upon payment of duties equal to the drawbacks allowed."—[Tariff, paragraphs 649 at 0.649d.]

Add to the clause in this section relating to "soap-stocks," so that the clause as amended will read as follows:
"Soap-stocks, fit only for use as such."—[Tariff, paragraph 790.]

By striking out the clause relating to "wearing-apparel," &c. (tariff, paragraph 815), and inserting in lieu thereof the following:
"Wearing-apparel, implements, instruments, and tools of trade, occupation, or employment, professional books, and other personal effects (not merchandise) of persons arriving in the United States, not exceeding in value 500, and not intended for the use of any other persons not exceeding in value 500, and other persons affects which may have been taken from the United States to for

be made.

"Wearing-apparel, oid and worn, not exceeding \$100 in value, upon production of evidence satisfactory to the collector and naval officer (if any) that the same has been donated and imported in good faith for the relief or aid of indigent or needy persons residing in the United States, and not for sale."

SEC. 4. That section 7 of the act approved March 3, 1883, entitled "An act to reduce internal-revenue taxation, and for other purposes," is hereby amended so that it shall be as follows:

"In all cases where imported merchandise is subject to an ad valorem rate of duty, or to a duty based upon or regulated in any manner by the value thereof, the duty shall be assessed upon the actual market value or wholesale price of such merchandise, at the time of exportation to the United States, in the prin-

cipal markets of the country from whence imported, and in the finished condition in which such merchandise is there bought and sold for exportation to the United States, and in which it is prepared and put up for shipment when so bought and sold, or when consigned to the United States for sale, including all costs, charges, and expenses incident to placing the same in such condition: Provided, however, That in determining the dutiable value of imported merchandise no estimate shall be made of the cost or the value of such outsides sacks, crates, cases, or other outer coverings as are used, and as are designed to be used, only in the bona fide transportation of such merchandise to the United States, nor of the actual and necessary expenses incident to the transportation of the merchandise from the place of purchase or consignment to the vessel or other vehicle in which exported to the United States, nor of commissions, marine insurance, export duties, or fees for authentication by consular officers of the United States, in case the same shall be severally stated in the invoice, and if not so stated no deduction therefor from the invoice value shall be allowed: And provided further, That if there be used for covering or holding imported merchandise which shall be free of duty, any material or article designed for use other than in the bona fide transportation of such merchandise to the United States, duty shall be assessed thereon at the rate to which such material or article would be subject if imported separately; and if there be used for covering or holding imported merchandise which shall be subject to duty, any material or article designed for use other than in the bona fide transportation of such merchandise to the United States, and which, if imported separately, would be subject to a higher rate of duty than the merchandise contained therein, the whole invoice shall be subject to such higher that of the merchandise."

Sec. 2841. Whenever merchandise imported in any one such gradue in the invoice of the pu

"DECLARATION OF CONSIGNEE, IMPORTER, OR AGENT.

"DECLARATION OF CONSIGNEE, IMPORTER, OR AGENT.

"I, ———, do soleminly and truly declare that the invoice and bill of lading now presented by me to the collector of —— are the true and only invoice and bill of lading by me received of all the goods, wares, and merchandise imported in the ——, whereof —— is master, from ——, for account of any person whomsoever for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know nor believe in the existence of any other invoice or bill of lading of the said goods, wares, and merchandise; that the entry now delivered to the collector contains a just and true account of the said goods, wares, and merchandise; that nothing has been, on my part, nor to my knowledge on the part of any other person, concealed or suppressed, whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration therein are in all respects true, and were made by the person by whom the same purports to have been made; and that if at any time hereafter I discover any error in the said invoice, or in the account now rendered of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly declare that to the best of my knowledge and belief [insert the name and residence of the owner or owners] is [or are] the owner [or owners] of the goods, wares, and merchandise mentioned in the annexed entry; that the invoice one w produced by me exhibits the actual cost [if purchased] or fair market value [if otherwise obtained], at the time or times and place or places when or where procured [as the time or times and place or places when or where procured fas the case may be], of the said goods, wares, and merchandise, including all cost for finishing said goods, wares, and merchandise t ally allowed on the same.

" DECLARATION OF OWNER IN CASES WHERE MERCHANDISE HAS BEEN ACTUALLY PURCHASED.

PURCHASED.

"I, ——, do solemnly and truly declare that the entry now delivered by me to the collector of —— contains a just and true account of all the goods, wares, and merchandise imported by or consigned to me, in the ——, whereof —— is master, from ——; that the invoice which I now produce contains a just and faithful account of the actual cost of the said goods, wares, and merchandise to their present condition, and no other discount, drawback, or bounty but such as has been actually allowed on the same; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I further solemnly and truly declare that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duly lawfully due on the said goods, wares, and merchandise; that the said invoice and declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; and that if at any time hereafter I discover any error in the said invoice or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

"DECLARATION OF MANUFACTURER OR OWNER IN CASES WHERE MERCHANDISE HAS NOT BEEN ACTUALLY PURCHASED.

to their present condition, and no other discount, drawback, or bounty but such as has been actually allowed on the said goods, wares, and merchandise; and the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly declare that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; and that if at any time hereafter I discover any error in the said invoice, or in the account now produced of the said goods, wares, and merchandise; and that if at any time hereafter I discover any error in the said invoice, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other invoice of the said goods, wares, and merchandise, or receive any other processed of the said goods, wares, and merchandise, or receive any other processed, and the receive imported merchandise from forfeiture for any cause elsewhere provided by law.

Sec. 7. That the Secretary of the Treasury shall grant permission to any spirits containing alcohol, subject to internal-revenue tax, in specified quantities of not less

fifty nor more than one hundred dollars for each offense.

SEC. 8. That sections 2803 and 3058 of the Revised Statutes be amended to read as follows:

"SEC. 2803. Any baggage or personal effects arriving in the United States in transit to any foreign country may be delivered by the parties having it in charge to the collector of the proper district, to be by him retained, without the payment or exaction of any import duty, or to be forwarded by such collector to the collector of the port of departure, and to be delivered to such parties on their departure for their foreign destination, under such rules, regulations, and fees as the Secretary of the Treasury may prescribe."

"SEC. 3058. All merchandise imported into the United States shall, for the purpose of this title, be deemed and held to be the property of the person to whom the merchandise may be consigned; but the holder of any bill of lading consigned to order and properly indorsed shall be deemed the consignee thereof; and in case of the abandonment of any merchandise to the underwriters the latter may be recognized as the consignee."

SEC. 9. That authority is hereby given to the Secretary of the Treasury, in his discretion, to dispense whenever expedient with the triplicate invoices and consular certificates now required by sections 2853, 2854, and 2855 of the Revised Statutes of the United States; and triplicate invoices and consular certificates shall in no case be required when the value of the merchandise shipped by any one consignor, in any one vessel, at one and the same time, does not exceed \$100; and the Secretary of the Treasury, with the concurrence of the Secretary of State, is hereby authorized to make such general regulations in regard to invoices and consular certificates as in his judgment the public interest may require.

SEC. 10. That all fees exacted and oaths administered by officers of the cus-

one consignor, in any one vessel, at one and the same time, does not exceed \$100; and the Secretary of the Treasury, with the concurrence of the Secretary of State, is hereby authorized to make such general regulations in regard to invoices and consular certificates as in his judgment the public interest may require.

SEC, 10. That all fees exacted and oaths administered by officers of the customs, under or by virtue of existing laws of the United States, upon the entry of imported goods and the passing thereof through the customs, and also upon all entries of domestic goods, wares, and merchandise for exportation, be, and the same are hereby, abolished; and in case of entry of merchandise for exportation, a declaration, in lieu of an oath, shall be filed, in such form and under such regulations as may be prescribed by the Secretary of the Treasury; and the penalties for false statements in such declaration provided in the fourth section of this act shall be applicable to declarations made under this section. Provided, That where such fees, under existing laws, constitute, in whole or in part, the compensation of any officer, such officer shall receive, from and after the passage of this act, a fixed sum for each year equal to the amount of such compensation received by him for the fiscal year ended June 30, 1885, or a proportionate amount for any part of a year.

SEC, 11. That on all articles exported on and after the passage of this act, and entitled to drawback under sections 3019, 3020, and 3021 of the Revised Statutes of the United States, and under section 10 of the act of February 8, 1875, entitled "An act to amend existing customs and internal-revenue laws, and for other purposes," there shall be allowed a drawback equal to the duty paid on the materials named and described in said laws, without retention of any part thereof; Provided, however, That where the amount of drawback is less than \$100, the fees of the United States consuls for certifying the foreign-landing certificate shall not exceed 50 cen

charges thereon, shall be final and conclusive against all persons interested in such vessel or merchandise, trules the owner, master, commander, or consigned, or agent of the merchandise, the case of duties levied on merchandise, or the costs and charges thereon, shall, within ten days after and not on any all the consigned of the accertainment and liquidation of the duties by the proper officered and the control of the duties by the proper officered entry, as well in cases of merchandise entered in bond as for consumption, give notice in writing to the collector; if dissatisfied with the aforestal decision, settle control of such ascertainment, liquidation, and statement, appeal thereform to the Secretary of the Treasury, who, on receiving such appeal, shall forthwith call upon the proper of the proper of the control of such ascertainment, liquidation, and statement, appeal thereform to the Secretary of the Treasury, who, on receiving such appeal, shall forthwith call upon the proper of the control of such ascertainment, liquidation, and statement, appeal therefore the Secretary of the Treasury of the Treasury on such appeal, for any duties which shall have been path deport the date of such ascertainty, and the control of the secretary of the Treasury on such appeal, for any duties which shall have been path deport the date of such called the control of the secretary. No suit shall be found to the such as the such as the suit of the secretary of the Secretary. No suit shall be found to the suit of the suit of the secretary of the secretary of the secretary of the secretary. As a suit of the secretary of the secretary of the secretary of the secretary. As a suit of the secretary of the secretary of the secretary. No suit shall be found to determine the secretary of the secretary of the secretary. The secretary of the secretary of the secretary of the secretary of the secretary. As a suit of the secretary of th

word "provided" shall read: "Section 2770 of the Revised Statutes is hereby amended by adding thereto the following."

SEC. 19. That any person who shall give, or offer to give, or promise to give any money or thing of value, directly or indirectly, to any customs officer, in consideration of or for any act or omission contrary to law in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, shall, on conviction thereof, be fined not less than \$100 nor more than \$5,000, or be imprisoned at hard labor not more than two years, or both.

SEC. 20. That any officer of the customs who shall demand, exact, or receive from any person, directly or indirectly, any money or thing of value, in consideration of or for any act or omission contrary to law in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, on conviction thereof shall be fined not less than \$100 nor more than \$5,000, or be imprisoned at hard labor not more than two years, or both; and for the purpose of constituting an offense under this and the preceding section, the giving or offering to give, and the receiving, of any money or thing of value shall be regarded as prima ifacie evidence.

offense under this and the preceding section, the giving or offering to give, and the receiving, of any money or thing of value shall be regarded as prima facto evidence.

SEC. 21. That section 12 of the act entitled "An act to amend the customs revenue laws and to repeal moieties," approved June 22, 1874, be amended so that it shall read as follows:

"SEC. 12. That any owner, importer, consignee, agent, or other person who shall, with intent to defraud the revenue, make or attempt to make any entry of imported merchandise by means of any fraudulent or false invoice, affidavit, letter, or paper, or by means of any false statement, written or verbal, or who shall be guilty of any willful act or omission by means whereof the United States shall be deprived of the lawful duties, or any portion thereof, accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, affidavit, letter, paper, or statement, or affected by such act or omission, shall for each offense be fined in any sum not exceeding \$5,000 nor less than \$50, or be imprisoned for any time not exceeding two years, or both; and, in addition to such fine, such merchandise, or the value thereof, shall be forfeited, which forfeiture shall only apply to the whole of the merchandise in the case or package containing the particular article or articles of merchandise to which such fraud or alleged fraud relates; and anything contained in any act which provides for the forfeiture or confiscation of an entire invoice in consequence of any item or items contained in the same being undervalued be, and the same is hereby, repealed."

Sec. 22. That all imported goods, wares, and merchandise which may be in the public stores or bonded warehouses or on shipboard within the limits of any port of entry, or remaining in the customs offices, on the day and year when this act, or any provision thereof, shall go into effect, except as otherwise provided in this act, shall be subjected to no other duty, upon the entry thereof for consumption,

the duties shall have been paid, shall be entitled to a refund of the difference between the amount of duties paid and the amount of duties said goods, wares, and merchandise would be subject to if the same were imported respectively after that date.

SEC. 23. That sections 3011 and 3013 of the Revised Statutes be, and hereby are, repealed as to all importations made after the date of this act.

SEC. 24. That all laws and parts of laws which impose any internal-revenue tax upon snuff, smoking and manufactured tobacco of every description, and upon cigars, cigarettes, cheroots, in all forms, made of tobacco or any substitute therefor, and upon dealers and peddlers therein or manufactures thereof of every description, whether named expressly or included by implication in any law of the United States, shall be repealed and cease to be in force on and after the 1st day of October, 1836, it being the declared purpose of this act to repeal all forms of internal-revenue taxation upon tobacco of every description on and after the day aforesaid; and all laws now in force whereby farmers and producers of tobacco are restricted in the sale, disposition, and dealing in the same shall be repealed on and after the list day of October, 1836.

SEC. 25. That on all original and unbroken factory packages of smoking and manufactured tobacco and snuff, cigars, cheroots, and cigarettes held by manufacturers or dealers at the time such repeal shall go into effect, upon which the tax has been paid, there shall be allowed a drawback or rebate of the full amount of the tax paid; but the same shall not apply in any case where the claim is less than \$10 and has not been ascertained or presented within sixty days following the date of the repeal. It shall be the duty of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to adopt such rules and regulations and to prescribe and furnish such blanks and forms as may be necessary to carry this section into effect.

Sec. 26. That there shall be, and is her

APPENDIX

A bill to reduce and equalize duties on imports, to reduce internal-revenue taxes, and to modify the laws in relation to the collection of the revenue.

FREE-LIST.

	Importations for fiscal year 1885.			Promote the design of the
Articles.	Quantities.	Values.	Duties.	Present rate of duty.
Timber, hewn, sawed, squared, sided, &c	73, 290 498, 682	\$11,712 00 6,148,069 45 59,031 61	11,807 72	20 per cent. and 1 cent per cubic foot \$1 and \$2 per M feet. 20 per cent.
Staves M feet Pickets and palings M feet Clapboards do Jute butts tons Bristles pounds	4, 698 2, 996 78, 230+ 788, 904	253,703 00 51,027 26 41,827 00 2,304,553 00 941,039 00	25,370 30 10,205 45 4,554 97 391,153 38 118,335 61	10 per cent. 20 per cent. \$1.50 and \$2 per M. \$5 per ton. 15 cents per pound.
			1,526,124 46	

DUTIABLE.

	Importat	ions for fiscal	year 1885.	Estimated duties under	Rates of duty.		Ad valore aler	
Articles.	Quantities.	Values.	Duties.	proposed bill,	Present tariff.	Proposed bill.	Present Tariff.	Pro- posed bill.
Sawed boards, lumber, &c.:				BH (Line			Per cent.	Per cent.
Planed or finished on one sideM feet	1,486+	\$11,083 36	\$2,391 53	\$743 00	\$1,50 and \$2,59 p. M.	50c. per M	21.28	6, 70
Planed or finished on two sidesdo	1,561+	24,695 88	3,487 70	1,562 00.	\$2 and \$3 per M	\$1 per M	14.12	6.3
Planed or finished on one side and	277+	3,148 00	832 54	278 00		do		8.8
tongued and grooved, M feet.	1000000	C. I. San Company	8833, 42 46	THE PERSON AND			and delicated	14.50
Planed or finished on two sides and tongued	241+	2,764 00	846 91	363 00	\$3.50 per M	\$1.50 per M	30.64	13.13
and grooved, M feet.					22.00			
Railway bars weighing over 25 pounds per	1,137+	33, 990 00	17,831 07	14,783 00	\$15.68 per ton	\$13 per ton	25.64	43.49
yard, tons.			770 005 00	00 100 00	612		-0.1-	40.0
Steel and part steel railway barstons	6,649+	212,583 49	112,995 86	86, 409 00		do		40.6
Iron or steel tee-railsdo		658 00	403 49	320 00		\$16 per ton		48, 66
Iron or steel flat railsdo						do		
Iron or steel fish-platespounds		4,346 00	3,825 38	3,060 00		lc. per pound	88.02	70.45
Horseshoe nails, &cdodo		3,768 50	4,403 20	3,302 00		3c. per pound	116.84	87.6
Iron or steel beams, girders, &cdo		54,072 25	54, 402 61	43,522 00		le. per pound 2c. per pound		80.49
Steel wheels, &cdodo	3, 465, 557	124, 263 00	86, 638 93 25, 370 18	69, 311 00			101.48	55.7
Iron or steel ingots for railway wheels.do		25,001 00 395 43	66 95	19,028 00 66 95		Ilc. per pound		76.1
Boiler or other plate irondo	5, 355	390 45	00 90	00 70	12c. per pound	1tc. per pound	16.93	16.9
Sheet iron:	0.040.004	4m man an	00 484 80	00 400 00	11		47 00	10.00
Common or block, not thinner than No.	2,042,864	47,539 00	22,471 52	20,429 00	110c. per pound	1c. per pound	47.25	43.00
20, pounds.	0 074 400	00 700 00	00 000 04	00 000 04	a of the street	10	00 =1	
Thinner than No. 20 and not thinner	2, 674, 490	98, 127 72	32,093 84	32,093 84	110c, per pound	12c, per pound	. 32.71	32.7
than No. 25, pounds.	4 000 74	36, 151 50	15,596 14	16,596 14	The man manual	Ile. per pound	43,14	43.1
Thinner than No. 25 and not thinner	1,039,741	30, 151 50	19, 990 14	10,000 14	1gc, per pound	1ge. per pound	40.19	90.11
than No. 29, pounds, Thinner than No. 29pounds	- 36, 254	1,094 00	328 20		20 per cent	14c. per pound	30,00	49.70
Taggers ironpounds	3, 879, 310	113, 221 00	33, 966 30	4,000 00	20 per cent	1 c. per pound		51.30
Round iron, in coils or rods	1,642,301	39,048 90	19,695 51	16,413 00		le. per pound		42.0
Tin plates	505, 559, 076	16, 610, 104 56	5, 055, 590 76	1,000,000 00		2te. per pound		68.49
Iron or steel rivet, &c., wire rods, not	146, 111, 277	2, 481, 632 16	876,666 59	876 666 59		oc. per pound		85.00
lighter than No. 5.		-,,	,	250	10	10 2 2		

DUTIABLE-Continued.

	Importa	tions for fiscal	year 1885.	Estimated duties under		of duty.	Ad valor ale	em equiv
Articles.	Quantities.	Values.	Duties.	proposed bill.	Present tariff.	Proposed bill.	Present tariff.	Pro- posed bill.
Iron or steel rivet, &c., wire rods, lighter	115, 211, 035	\$1,433,145 00	\$644, 915 25	\$250,000 00	45 per cent	%c. per pound	Per cent. 45, 00	Per cent. 64.00
than No. 5. Cotton-tiespounds	4,218	464, 984 62 57 00	162,744 62 63 28	62,000 00 42 00		Ic. per pound	111.02	69. 3 74. 0
Lead in pigs or bars, molten, old. and refuse, pounds.	5, 867, 340 971, 951	143, 209 43 22, 217 00	117,346 80 29,158 53	88,010 00 21,869 00		2½c. per pound	1	98, 4
Lead in sheets, pipe, and shotpounds Zinc, spelter, and tutenegue, in blocks,&c., pounds.	3,515,840	113,268 00	52,737 63	52,787 63	1½c. per pound	1ic. per pound	46.56	46.5
Zinc, in sheets	1,839,860 96,083	64,781 50 1,524 00	45, 996 48 1, 441 26	36,797 00- 721 00	2½c. per pound 1½c. per pound	2c. per pound	71.00 94.57	56.8 47.2
Iron and steel wire cloths and nettings: Smaller than No. 16 and not smaller than No. 26, pounds.	8,795	439 00	395 78	308 00	4lc. per pound	3le. per pound	90, 15	70.1
Smaller than No. 26pounds Wire rope and wire strand:		10,860 00	9,326 20	7,477 00		4c. per pound		68.8
Smaller than No. 10 and not smaller than No. 16, pounds. Smaller than No. 16 and not smaller than	51, 854 119, 440	2,362 00 \$5,319 00	1,555 62 \$4,180 43	1,426 00 \$3,583 00	THE RESERVE OF THE PARTY OF THE	24c. per pound	Total Park	67.3
No. 26, pounds. Animals live:	20,759	1, 329, 714 26	,			Med Burther Serve		
Horses, dutiable number do Cattle, dutiable do do	17,425	1,805,219 00 1,174,501 20	265, 942 85	300,000 00		\$10 per head		12.1
Hogs, dutiabledo	26, 336 1, 901	1, 168, 496 00 4, 316 25	34,918 24 863 25	250,000 00 1,500 00	dodo			18.0
freedododo	33,584	7,198 50 859,712 64 37,257 00	171,942 52	168,038 00	do			18.7
freedo Starch, potato or cornpounds Starch, rice and otherdo	614,897	14,370 00 314 65	12,279 94 207 46	9,223 00 166 00	2c. per pound	1le. per pound	85,58	64.00 52.7
Rice, cleaneddo Rice, uncleaneddo	58, 850, 662	1,242,821 68 209,773 00	1,324,139 90 153,969 06	1,324,139 90 153,969 06	2tc. per pound	2½c. per pound 1½c. per pound	106.54 73.40	106.5 73.4
Rice, paddydodo Rice flour or meal and broken ricedo	559, 670 38, 246, 302	9,502 00 672,092 66	6,995 87 134,418 41	6, 995 87 75, 000 00	1½c. per pound 20 per cent	1te. per pound 20 per cent	73.63 20.00	73.6 20.0
Oranges in boxes and half boxespackages	A Landanian	1,618,718 69	326,647 44	326,647 44 87,270 00	13c, and 25c, per package, 50c, per barrel, or	13c. and 25c. per package. 10c. per cubic foot	20,00	20.0
Oranges in barrels and other packagesdo Lemons in boxes and half boxesdo	The Contract	442, 527 83 2, 480, 129 50	111,742 23 561,906 42	468, 231 00	20 per cent. 16c. and 30c. per	13c. and 25c. per	22.00	18.0
Lemons in packages not provided fordo	6,863	30,343 10	6,068 62	5,947 00	package. 20 per cent	package. 10c. per cubic foot		18.0
Grapes. Fruit juice (estimated)gallons. Citron, candied (estimated)pounds. Orange and lemon peel, candied (estimated), pounds.	200,000	257, 452 45 100, 000 00 150, 000 00 125, 000 00	51, 490 50 20, 000 00 52, 500 00 43, 750 00	64,363 00 48,000 00 43,750 00	dod	1c. per pound 50c. per gallon 4c. per pound 2c. per pound	20,00 35,00	25.0 100.0 32.0 35.0
Castile soap	3,836,939 2,496,408	229, 990 84 68, 495 00	45, 998 17 13, 699 00	47, 962 00 7, 000, 00	20 per cent,	te. per pound	20.00	20. 8 27. 3
Cod-liver oilgallons Cement, Portland or Romanbarrels	59, 821	57,715 00 874,069 94	14, 428 75 174, 813 99	11,964 00 177,407 00	25 per cent	20c. per gallon	25, 00 20, 00	20.7 20.2
Whiting, or paris white, drypounds Glycerine, refineddodo	1,604,097	6,157 47 153,813 00	7,008 91 80,204 86	3,504 00 64,164 00	bc. per pound	4c. per pound	52.14	56.9 41.7
Fish-glue or isinglassdodo Castor beans or seedsbushels Castor oilgallons	262,504	45, 104 12 274, 394 00 6, 192 00	11,276 03 131,252 25 11,149 80	8,877 00 105,002 00 8,362 35	25 per cent	40c. per busnet	47.83	19.6 38.2 135.0
Acetate of lead, brownpounds whitedo	58,996	2,611 00 1,091 36		2,360 00	6c. per pound	3c. per pound	135, 57	90.9
Lithargedodododo				706 00 22,756 00	3c. per pounddo	2ic. per pound	75.44	62, 8
Orange, mineral, and red leaddo Nitrate of lead		1. 109. 209 02	435, 423 99 349, 286 71	200,000 00 465,715 60	35 per cent	40 per cent	35,00	40.00
Oilcloth foundations, &c., flax, &c		. 1,008,75	403 38	352, 96	3c. and 4c. per p'nd	35 per cent 2c. and 3c. per p'nd.	40.00	35.00
Bags and bagging, &c	235,791	9,994 00	466, 515 36 3, 536 87	408, 200 94 2, 947 38	11c. per pound	1tc. per pound	35, 39	35.00 29.49
Jutedododosdossilks, ready-made clothing, umbrellas, &c	14,922		64 92 157, 101 00 323, 307 25	56 80 78,558 70 200,000 00	2c. per pound	10 per cent	20.00	42, 00 10, 00 55, 0
Wool, class 3, valued at 12 cents or less, lbs Wool, class 3, valued at over 12 cents.do	45, 073, 356	4, 572, 971 77 985, 478 00	1, 126, 833 90 285, 439 60	\$1,100,000 00	2 ic. per pound 5c. per pound	3c. per pounddo	24.64 28,96	} 27.40
Woolen cloths valued under 80 cents per pound, pounds.	330, 371	213, 840 75	190, 474 11	173, 956 56	35c. per pound and 35 per cent.	30c. per pound and 35 per cent.	89.07	81.3
Woolen shawls valued under 80 cents per pound, pounds. Woolen manufactures, unenumerated, lbs	5, 608 29, 766	3, 831 50 17, 698 00	3, 303 92 16, 612 49	3, 023 52 15, 124 19	do	dodo	2500000	78, 9 85, 4
Worsted cloths valued under 80 cents per pound, pounds.	ļ	. 1,574,073 36	1,067,349 76	400,000 00	24c, per pound and 35 per cent.	35c. per pound and 35 per cent.	68.08	
Clothing, ready-made (woolen)pounds Do		1,107,103 50 696,597 72	849, 314 18 377, 295 41	500,000 00 100,000 00	45c, per pound and 40 per cent. 40c, per pound and	45c. per pound and 45 per cent.	76.71 54.16	
Marble,in block, rough or squared, cubic ft.	395, 581-	429, 186 00	244, 127 72	187, 790 54	35 per cent. 65c. per cubic foot	50c. per cubic foot	56, 88	43.76
Marble, veined, sawed, &ccubic feet Salt, in packagespounds	351, 276, 969	1,030,028 72	23, 936 83 421, 532 39	21,760 75 351,276 96	\$1.10 per cubic foot 12c, per 100 pounds	\$1 per cubic foot 10c. per 100 pounds	40.92	49.5 34.10
Salt, in bulkdoClay tobacco-pipes Umber and umber earths, drypounds Ochor and ochery earths, drydo	1,198,060	386, 796 85 53, 053 93 8, 504 00 52, 824 51	329, 857 85 18, 568 87 5, 990 30 26, 562 82	3,500 00 2,995 15 13,281 41	8c, per 100 pounds 35 per cent 4c, per pound ic, per pound	4c. per 100 pounds 16c. per gross ‡c. per pound ‡c. per pound	35.00 70.44	42, 64 50, 00 35, 25 25, 14
				11, 119, 692 15				73-74
		Same	7.044.452 29				Beign	
Free-list	1 4 4 4 4		0.500.500.00	200				
lected in 1885			26, 407, 088 48					
Total proposed reduction			34, 977, 665 23	1 210	No. of the last of		MIRE	

The American Zollverein or Customs Union of America—Progress of the Movement.

SPEECH

OF

HON. RICHARD W. TOWNSHEND,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, June 30, 1886.

On the report of the committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 6392) making appropriations for the diplomatic and consular service of the Government for the fiscal year ending June 30, 1887, and for other purposes.

Mr. TOWNSHEND said:

Mr. Speaker: I am gratified that the conference committee has recommended concurrence in the Senate amendment just read, as follows:

To enable the President to meet unforescen emergencies arising in the diplomatic and consular service, and to extend the commercial and other interests of the United States, to be expended pursuant to the requirement of section 291 of the Revised Statutes, \$50,000, or so much thereof as may be necessary.

In my judgment its importance is due to the fact that under this provision the President may obtain the means which will enable him to properly endeavor to secure the object contemplated in the following joint resolution, which was first introduced in Congress by me on January 7, 1884:

That the President of the United States be, and he is hereby, requested to invite the co-operation of the governments of the American nations in securing the establishment of a commercial league by and between the said nations, to be known as the customs union of America, the arrangement of a common basis of import duties from other countries than those which may compose said league, and that the commercial intercourse among the people of all the American states may be freed from the payment of any customs or other dues whatever; and that a common system of weights and measures may be also established for the purpose of facilitating such intercourse.

By reason of the immense advantage to all concerned of close commercial relations with the countries lying south of us the Chief Executive of the leading Republic in the western hemisphere is warranted inavailing himself of any legitimate means at his command to facilitate future action on this subject even in the absence of legislation. But when, as I shall presently show, he has been virtually authorized by Congress to take this action, I trust that he may feel that a duty is thereby imposed upon him which should be performed as soon as practicable. Before proceeding further I desire to call attention to the fact that, unlike any other that has been previously suggested, this proposition is purely commercial.

All others preceding it touching our relations with the southern countries have been mainly of a political character and involved complications which I do not believe are desirable or compatible with the peace and welfare of our country or other countries on this continent.

This was true of the propositions for alliance with the southern countries under the administration of John Quincy Adams and of the scheme suggested by Mr. Blaine when Secretary of State.

Although the progress in legislation of new movements of such mag-

Although the progress in legislation of new movements of such magnitude is usually very slow, yet this has met with very gratifying and rapid success.

It was thought best by the last Congress that before finally considering this proposition more information than we then possessed of the character of the commerce, public sentiment, and feeling of the government officials of those countries should be ascertained; therefore in July following the introduction of that joint resolution the President was authorized to appoint three commissioners to visit the countries embraced in it, who were directed to ascertain the best mode of securing more intimate international and commercial relations with those countries.

The commission was soon thereafter appointed and, as far as its limited time would permit, performed the duty intrusted to it, and has made elaborate and valuable reports, to which I will again refer. These reports were not received in time for further action in the last Congress.

At the beginning of the present Congress I again introduced that joint resolution, and it was referred to the Committee on Foreign Affairs for consideration and report. Other gentlemen, seeing the importance of the movement which I had inaugurated, have, during this session, introduced in both Houses of Congress measures of the same character with more or less elaboration. With but one dissenting voice the Committee on Foreign Affairs of the House has reported with a favorable recommendation a substitute to the same effect.

A more elaborate measure, but of same import, lately introduced in the Senate by Mr. FRYE, has been adopted by that body. The latter designates Washington as the place for the meeting of the assembly, and provides an appropriation of \$100,000 to defray its expenses, &c. It is confidently believed that before the end of the present Congress

It is confidently believed that before the end of the present Congress a measure for the accomplishment of the object embraced in my original proposition will be enacted. But it is not necessary to wait for such final Congressional action, for the reason, as I have already stated,

that the amendment under discussion places at the disposal of the President a fund which is sufficient to enable him to invite the co-operation of the American nations and conduct the preliminary proceedings for carrying into effect the main object of the pending measures.

Public sentiment in this country has strongly manifested its approval of this movement. Soon after I first introduced the proposition in Congress it was warmly indorsed and its adoption ably urged by nearly every leading journal of both political parties in all the States of our national Union.

The Democratic national convention of 1884 strongly and expressly indorsed this idea in the following emphatic language:

We favor an American continental policy based upon more intimate commercial and political relations with the fifteen sister republics of North, Central, and South America, but entangling alliances with none.

The Republican national convention of the same year was less pronounced, but it declared in favor of a somewhat similar policy.

Thus it will be seen that this movement has practically received the

approval of Congress and the people.

In exercising the authority which I have shown Congress has virtually conferred upon the President he will pursue a policy proclaimed in the platform which he has approved and on which he was elected, backed by an almost unanimous public sentiment. It can not be doubted the President will avail himself of the opportunity afforded by this amendment to discharge promptly an imperative duty which, if successful, will prove a blessing to all the people of the western hemisphere.

The only serious opposition which has been developed to this movement emanates, as might be expected, from the influence of our European competitors in the southern markets. We can not complain of such opposition when we remember that the establishment of an Amercan zollverein will annually transfer hundreds of millions of commerce of the southern countries from the flags of England, France, and Germany to that of the United States.

My proposition was so framed as to exclude European provinces on this continent in order to avoid the direct influence of those nations in the zollverein, and a share in its advantages which would result through their provincial representation.

Already English and German interests have manifested hostility to this scheme, as will be seen by the following editorial of the Two Republics, a prominent journal published in the City of Mexico:

publics, a prominent journal published in the City of Mexico:

The "congress of American nations" bill has passed the Senate. English and German interests antagonize the act strongly, and the effort to defeat it finally will be powerful. England and Germany are bitterly opposed to any counseling between the states of North and South America. The reason is patent. Germany is the chief influence at this time in Mexican commerce; England is the motive power in the South American trade. Her steamship lines do most of the transportation, her merchants furnish most of the foreign supplies. If the states of the Americas amicably meet and consider their natural commercial relations, the result will very probably be an immediate enlargement of our trade with such states. Our commerce has declined in these directions for a number of reasons. Should the bill mentioned fail to become a law, it will be looked upon and will be a foreign commercial triumph, and means further decadence of our American export trade.

This is a warning that prompt action should be taken by our Gov.

This is a warning that prompt action should be taken by our Government and efficient means employed to promote the formation of the American commercial union in order that American commerce may be controlled by Americans.

A proper consideration of the subject will convince any one that this is the most far-reaching and important before the people of the three Americas, and that it is the duty of every one, who desires to promote the welfare of this country, to see that nothing should be left undone to secure the early success of this movement.

Certainly it will not be antagonized in this country because of differ-

Certainly it will not be antagonized in this country because of differences of opinion on the tariff question. In fact, this proposition will not to any serious extent affect the tariff. Over 82 per cent. of our imports from the southern countries now enter our ports free of duty. The most reliable statistics for 1885 show that of the imports received from those countries in 1885 \$66,671,394 entered our ports free of duty, and that duties were collected on only \$14,294,598. Therefore but little revenue can be lost to us by this arrangement—a mere bagatelle in comparison with the value of the rich markets we shall secure for our surplus products.

The formation of such a league will render a change in our tariff upon imports from European countries of far less importance than it is now. As I have urged in a previous speech, it is a proposition which protectionists as well as free-traders may consistently favor. For while it does enlarge the area of free trade, it at the same time extends the line of protection for American products against European competition in Mexico, Central and South America.

Some carping critics have doubted the willingness of the southern countries to join us in such a union because, as they assert, the advantages would be largely in our favor. It is gratifying to learn from the report of the commissioner I have mentioned that the statesmen of the southern countries entertain no such narrow views. They see in this scheme what is apparent to all broad minds, that each and all of the American nations—the smallest as well as the largest, the weakest as well as the strongest—will derive inestimable advantages from the formation of an American zollverein. This has been the result in all the countries that entered the German zollverein.

It will be remembered that zollverein was founded by nations as sep-

arate and independent, relatively as different in extent and strength as those existing on the American continent. Customs houses surrounded the border of each, charging different rates of duties and having different

systems of internal revenue

The marvelously beneficial results and complete success of that zollverein demonstrates the practicability and advantages of a commercial union of a similar character between the countries on this continent. It may be, as was the case in the beginning of the German zollverein, that some of the states of South America will at first hestitate to join the league; but there is no ground to doubt that when they see the mutual advantages which will flow from the trade alliance of their neighbors they will seek admission into the union. I am confirmed in this view, which was expressed by me in my speech in the last Congress, by Mr. Reynolds, one of the members of the commission sent to those countries, who, in a letter addressed last April to the Senate committee concerning Senator FRYE's bill, says:

It should be distinctly understood, and perhaps be in some way indicated in your bill, that the consent of all the governments invited to the congress will not be indispensable. Power should be given to the President to convoke it, should only some of the governments invited send delegates to it. Diplomatic correspondence, and information heretofore, would indicate that many of those states would, for various reasons, decline the invitation. The countries south of the equator might find it best to form a customs union of their own. Should only the governments of the republics bordering on the Caribbean Sea and Gulf of Mexico—our American Mediterranean—unite in the congress, it should meet without awaiting the action of the other states. A customs union of the latter south of the equator would finally gravitate to a like connection with our own part of the hemisphere, as South Germany did toward the customs union of North Germany.

Indeed enough of the countries embraced in my proposition have already signified their willingness to enter the union to guarantee its

It is a source of deep regret that all efforts for close relations with the southern countries prior to the presentation of this proposition have partaken largely of a political character, which, as I have stated here-tofore are not desirable or beneficial to any of the states concerned, and would be unwise and impracticable.

If a purely commercial alliance had been sought earlier there is good grounds to believe it would have met with favor from most of the coun-

tries of the three Americas.

We have now for the first time been brought directly to the consideration of a union with a purely commercial basis which is practicable and beneficial to all.

Its consummation will prove the wisdom of the present generation and mark an era in the history of this continent ranking in importance with its discovery by Columbus and the establishment of free institu-

tions by the fathers of our great Republic.

The administration which will lead the way to the formation of this union will achieve greater renown than any of its predecessors since the adoption of the Constitution, and will ever be gratefully remembered and admired for having done the greatest good to the greatest number in the western hemisphere, and for having firmly secured the permanent peace, prosperity, and enlightenment of all the nations in America.

SPEECH IN THE LAST CONGRESS.

In order that the purpose and effect of this proposition may be more fully understood, I beg leave to publish with my present remarks a speech on this subject delivered by me in this House on January 10, 1885, and to show the present commerce of those countries I will substitute for my original figures statistics of the latest date, which I have procured in the last few days from the Bureau of Statistics:

procured in the last few days from the Bureau of Statistics:

Mr. TOWNSHEND, Mr. Speaker, I send to the Clerk's desk a proposition which I intend to offer as an amendment to this bill. It is a copy of a joint resolution introduced by myself in this House January 7, 1884, about one year ago.

The Clerk read as follows:

"That the President of the United States be, and he is hereby, requested to invite the co-operation of the governments of the American nations in securing the establishment of a commercial league by and between the said nations, to be known as the customs union of America, the arrangement of a common basis of import duties from other countries than those which may compose said league, and that the commercial intercourse among the people of all the American states may be freed from the payment of any customs or other dues whatever; and that a common system of weights and measures may be also established for the purpose of facilitating such intercourse."

COUNTRIES EMBRACED IN THE ZOLLVEREIN.

OUNTRIES EMBRACED IN THE ZOLLVEREIN.

Mr. TOWNSHEND. This is intended to be an initial step for the formation of a commercial league or trades-union of all the independent and sovereign governments of the American continent. It does not include any of the adjacent islands, nor does it embrace any of the provinces of European governments, because I think it best in this scheme to avoid any complications with European governments or interests, and confine it exclusively to American governments. There is more likelihood of securing unity among our own people by avoiding the influence of European powers through their American provinces and thereby avoid disputes among ourselves over the tariff.

It includes only the United States, the republics of Mexico and Central and South America, and the Brazilian Empire.

NOT POLITICAL BIT COMMERCIAL IN ITS NATURE.

NOT POLITICAL BUT COMMERCIAL IN ITS NATURE.

This proposition is not political in its character but purely commercial. I do not believe it to be desirable or beneficial for us to make political conquests in any quarter. The welfare of these countries can be best promoted by the continuance of their separate and independent sovereignties. The territory subject to our political power is already large enough. I would rather see our flag supplant that of England over the commerce of the seas, than behold it the symbol of political sovereignty over the whole American continent. We ought not to wish to govern the Spanish-Americans, but to trade with them. They will be unfriendly whenever we approach them with a menace against their in-

dependence, but will receive us with open arms when we come with the arts of peace to show them the way and to assist them in the development of their marvelous resources and the promotion of their prosperity.

OBJECT OF THE PROPOSITION.

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This proposition it will be seen has for its aim the establishment of free commerce among these countries with a common rate of customs duties against the products of Europeans and others. It contemplates as a basis the same principles as that of the German Zollverein, and would result in bringing about the same freedom of trade on this continent as that which exists among the States constituting our nationality. It would open to our agricultural, manufacturing, and mineral products a free market in these countries, with protection against the competition of England, France, Germany, and the remainder of the world. The American Zollverein would accomplish for the American nations what the German Zollverein has done for the German states. It would develop into vast proportions the trade of the southern countries, which is now so insignificant in proportion to their population and natural resources, for as they become acquainted with our people and observe our mode of living and attainment in arts and sciences their desires for the comfort and conveniences of life will increase.

CAUSE OF PRESENT BUSINESS DEPRESSION.

CAUSE OF PRESENT BUSINESS DEPRESSION.

The present general depression of business, paralysis of manufacturing industries, and low prices of farm products in this country are due to the limited extent of our foreign market. We do not produce too much, but our misfortune is that we can not sell what we produce; therefore, our trade has become stagnant, and unless relief is found greater distress and financial ruin will follow. Bradstreet, in December last, estimated that there were 350,000 unemployed wage-workers in the United States. Three hundred and sixteen thousand two hundred and nineteen of these are enforced idlers. It is also well known that wages have been reduced from 10 to 30 per cent.

EXTENSION OF OUR FOREIGN MARKET THE REMEDY.

EXTENSION OF OUR FOREIGN MARKET THE REMEDY.

Now, how can we find relief from this condition of things? Will diminution of production produce relief? It might increase prices, but it would also increase the cost of living and the number of idle hands and paupers. The surest road to relief lies in the extension of our foreign markets. We must find sale for our surplus products. Where shall we look for these markets? Not to populous and wealthy Europe. She manufactures all the goods she needs, and it is claimed at a cheaper cost than we can furnish them to her. She will take from us only what she is compelled to have—breadstuffs and provisions. But we now supply her with all the agricultural products that she is compelled to take from us.

We can not find the market we seek among the barbarians of Africa. Europe controls the small trade of the few civilized peoples found there. Where, then, can we find this market? Why, sir, it lies at our door. It is nearer to us than to any other commercial nation. It is south and west of us. For the present I will confine my attention to that south of us. It is indeed marvelous, but it is true, that other nations of less enterprise and energy, much farther away, brave the dangers of the Atlantic Ocean, come to our door, and monopolize that market. How strange it is that a prize so much coveted, and in such easy reach, goes to others. Why is it so? Perhaps it is to some extent because we have been so much absorbed in the consideration of domestic issues and local interests that the vision of American statesmanship has only at long intervals been lifted beyond our borders. Let us put aside our domestic wrangles long enough to see if we can not promote the general welfare by finding a foreign market for the fruits of our labor and the employment of our capital.

THE ZOLLVEREIN BETTER THAN RECIPROCITY TREATIES.

I am gratified that the President has taken some steps to enlarge our foreign markets by negotiating the recent reciprocity treaties; and while I am not prepared to say what course I may take with regard to those treaties in their present form, I feel convinced that the proposition which I submit for a customs union will far more effectually accomplish the object we have in view, for the reason that under the most favored nation clauses of existing treaties between the Southern and European countries the same advantages offered us can be secured by them, thereby lessening the value of the privileges which may be obtained by us by such treaties.

But, if the southern countries will enter into such a commercial union with us as I propose we shall secure such exclusive privileges and advantages as will enable us to take away from the European countries most of their valuable commerce on this continent. It would secure freedom of intercourse and exchange with the people of these countries, while at the same time it would set up a barrier against competition from other nations. It is claimed by many that without high protective duties our manufacturers can not compete with European nations within our own borders. How, then, can we hope successfully to do so in foreign lands unless we can obtain privileges not accessible to our competitors. From this point of view it will be admitted that a method must be devised which will restrict the power of our rivals in competing with us or we shall not be able to share to any considerable extent in the trade of the world. I do not admit that tariff protection is essential to commercial success at home or abroad. I will not, however, go into that question here. But will say as enormous tariff duties are laid to raise revenues for the support of the southern governments all can see how greatly the advantage would be in our favor if our products should enter these countries free while European products should continue to be burdened with duties.

WHAT SHALL WE GAIN FROM SUCH A UNION?

Now let us see what we would gain by such an alliance. Fairer lands are not to be found beneath the sun than those lying south of us. Nature with her bounteous hand has endowed them with her richest blessings. She has favored them with more hidden mines of wealth, luxuriant vegetation, majestic trees, luscious fruits, and greater fertility of soil than she has any other. If their population and development of resources were commensurate with the earth's surface which they cover, the states established there would be among the most powerful of the world. It is to the acquisition of such a grand field for American enterprise and commerce that my proposition points the way. It was the land of semi-civilization, learning, wealth, and commerce when our own land was steeped in barbarism, ignorance, and abject poverty. They had educated people, palaces, temples, houses, and cities when the land we occupy was peopled with savages living in wigwams and the open air.

AREA AND POPULATION OF THESE COUNTRIES.

The Bureau of Statistics of the Treasury Department has very kindly furnished me tables showing the area and population of those countries, their capitals and principal scaports, which I will append to my remarks. I am also indebted to that bureau for some other valuable statistics that I may use in my

remarks.

From these tables it will be seen these countries cover an area of 8,118,844 square miles, and have a population according to the latest reliable data of 42,770,374. The development of the internal resources of those countries and the more frequent intercourse with our own people which this union will secure, will vastly increase their population, wealth, and importance. This was the immediate effect of the creation of the German Zollverein upon the German states. The great natural advantage which we have over European governments will be seen from an examination of the distances between our chief scaports, those of the southern countries, and England.

Their ports on the Atlantic are part of the same coast-line with New York and New Orleans, and the Pacific ports occupy the same coast-line with San Francisco. We already have a continuous railway for shipments, without breaking bulk, from our railway systems to the heart of Mexico, which might and doubt-less will be extended into every country in Central and South America, whereas over 4,000 miles of ocean travel separate their nearest ports from European markets. The natural advantages, with others which would flow from the establishment of this commercial union, ought to give us nearly all the trade with these countries.

WHERE THE SOUTHERN COUNTRIES BUY THEIR IMPORTS.

Let us see from whom they now buy their imports.

The statistics for 1885 show the value of the imports of merchandise into the following nations of Mexico, Central America, and South America from the United States and Great Britain and France, as follows:

Imports of merchandise into-	From United States.	From Great Britain.	From France.
Mexico Central American states Colombia Venezuela. Brazil Uruguay. Argentine Republic. Chili Peru	5, 397, 412 2, 992, 968 7, 258, 035 1, 601, 759	\$4,953,445 4,352,593 5,646,625 2,920,873 31,493,866 7,703,489 28,277,825 10,169,233 5,259,976	\$3,957,121 267,844 5,281,586 874,337 12,064,304 3,936,414 23,007,742 3,857,911 2,039,089
Total	34, 544, 393	100,777,925	55, 286, 348

The total foreign commerce during the latest year for which data were attainable was as follows:

Imports of merchandise, coin and bullion.

Exports of merchandise, coin and bullion. ... \$324, 451, 314

Of the \$190,608,666 domestic merchandise exported from the United States, Great Britain, and France to those countries, the share of the United States was only \$34,544,393, or 18 per cent. And yet we are their closest neighbor and have siest access to them.

But see how humiliating is the insignificant share which we have in the import trade of Chili and Peru, as compared with that of our European competitors. England imported into these countries, in 1885, \$19,390,661; France imported \$5,897,000; their imports from the United States were only \$2,928,651. England sold them nearly six times as much as we did. The disparity in the trade with Peru is absolutely astonishing. England sold to the Peruvians, \$5,259,976, France sold them \$1,600,287; and yet, with all our boasted enterprise, we only sold our Peruvian neighbors \$735,979, notwithstanding Callao (Lima) lies on the same coast-line with San Francisco, whereas England, after traversing the Atlantic Ocean and incurring the hazards of a voyage around the Horn for a distance of 11,604 miles to the same port, or via Staits of Magellan of 10,162, or else by breaking bulk and crossing the Isthmus of Panama, a distance of 5,912 miles, outstripped us by selling the Peruvians nearly ten times as much merchandise as we did.

Surely these startling figures should put every American statesman on inquiry for some way by which we may obtain at least a fair proportion of the commerce of the continent on which we live. The census of 1880 revealed to us the fact that only 2 per cent. of our manufactures reached the foreign markets. Had it not been for our farm products, which constituted over 77 per cent. of our exports, our foregn commerce and financial condition would be subjects of pity if not contempt with all civilized people. With such facts staring us in the face, is it to be wondered that we have stagnation in business and distress among our people? Can anything else be expected if we lack the wisdom and enterprise to sell our surplus products to our nearest neighbors, who would unquestionably rather deal with us than with countries across the seas? Financial ruin is inevitable to the manufacturer who can not sell his wares or the farmer who can not market his products. who can not market his products.

HOW THIS TRADE MAY BE SECURED BY US.

HOW THIS TRADE MAY BE SECURED BY US.

We have the capacity to furnish all the merchandise that goes into these countries; but while of course this can not be expected, yet if the American zoll-verein is established the foregoing figures would be reversed and our trade would exceed that of combined Europe.

As I have already intimated, the reason assigned by protectionists why our trade in the southern countries is so meager is because, owing to cheaper labor and abundance of capital in Europe, we can not compete with those manufacturing nations. On the other hand, free traders insist that our inability for successful competition arises from the high price of raw material and cost of living, occasioned by high protective-tariff duties. Now, this scheme, if adopted, would obviate the difficulties which both of these theorists claim to exist, for by establishing a common rate of duties on European products, with a free market for all American products, we would be able to undersell our foreign competitors in the southern markets.

NO SERIOUS LOSS OF REVENUE ON ACCOUNT OF THE TRADE

NO SERIOUS LOSS OF REVENUE ON ACCOUNT OF THIS UNION.

No serious loss of revenue to the United States would occur, for the reason that over 82 per cent. of our imports from these countries now come to us free of duty. On the other hand, all our exports into those countries are heavily taxed at their

The following table will show the amount of dutiable and free imports into the United States from the nations mentioned during the year ending June 30, 1885:

Countries.	Free.	Dutiable.
Mexico Central American states Brazil Colombia. Argentine Republic Venezuela. Uruguay Chili Peru All other South American countries.	\$5, 173, 441 6, 149, 873 38, 136, 191 2, 335, 083 3, 154, 337 6, 267, 887 2, 317, 139 399, 464 1, 749, 632 988, 347	\$4,093,580 259,142 7,127,469 6,994 1,174,173 41,693 417,478 205,061 15,258 993,750
Total	66, 671, 394	14, 294, 598

Our Louisiana sugar friends need not fear competition from the sugar-planters of those countries, for only \$8,057,439 of sugar was imported from all those countries during that year.

Brazil sent us \$45,235,660 and only took from us in exchange \$7,317,293. Of the whole amount imported from that country \$38,136,191 were free of duty, whereas everything sent to Brazil was heavily taxed. Not only does she tax all we send her, but she levies an export duty on all the coffee we buy from her, which constitutes \$30,346,792, or over two-thirds of all our imports from that country. Our trade with Brazil is so greatly to our disadvantage as to make it a one-sided affair; she has the lion's share.

EFFECT OF THE ZOLLVEREIN ON COUNTRIES CONCERNED,

I believe that this union would, as in the case of the German Zollverein with Germany, stimulate the development of the resources of all the members of the union, would divertour southern republies from the tendencies to frequent revolution, and turn their attention to the cultivation of the arts of peace, and at no remote day make this the most prosperous continent known in history. It would at once infuse new life into the industries of the United States, and put in operation every silent factory, relight our forges, start every plow in the farm season, give employment to every idle hand, furnish remunerative use for every surplus dollar, and revive our industry of ship-building.

THE WAY TO REBUILD OUR MERCHANT MARINE AND NAVY.

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THE WAY TO REBUILD OUR MEECHANT MARINE AND NAVY.

Perhaps there is no public question of paramount importance to that of rebuilding the American merchant marine and navy. I will not dwell here upon the causes which have produced the sad condition of our ocean commerce and the humiliating position of our flag on the seas. All recognize the insignificance of our shipping interest aside from our coastwise service. It has fallen from the proud position of rivary with the greatest maritime powers under President Van Buren to the foot of the list under President Arthur. Then over \$\frac{8}{1}\$ per cent.

of our imports and exports were carried on American bottoms, now it has fallen to 16 per cent.

Twelve lines of steamers run to Europe from the Argentine Republic, but none to the United States.

It is stated in the daily press that last year only two American vessels sailed from New York to Europe, neither of which were steamers.

We are paying now over one hundred millions annually to foreign ships for carrying our commerce. Nothing can be done, in my judgment, which will more effectually and permanently rebuild our mercantile marine than the establishment of the American customs union.

One of the prime questions to be considered by members of the American customs union.

One of the prime questions to be considered by members of the American customs union would be the means of transitand intercourse. As between the United States and all those countries, except Mexico, the connection will be by water. Articles should be adopted by the Zollveria assembly which would apply the benefits of the freedom of commerce and exchange only to goods carried on vessels owned by the countries forming the union. This is the only method which will secure for us what the President in his last message expressed the hope of obtaining by reciprocity treaties, in which he says:

"First, a series of re

HOW TO REBUILD THE NAVY.

HOW TO REBUILD THE NAVY.

By rebuilding the American merchant marine we will lay the best foundation for rebuilding the American Navy. In the report of the Admiral of the Navy last year will be found the following observations:

"Have long looked forward to the time when Congress would take some steps toward resuscitating our mercantile marine, which has long been languishing for the want of Government action in its behalf. A large number of merchant steamships would in time of war be an important adjunct to our regular naval force, for many of them would, with comparatively little alteration, make the best commerce-destroyers in the world, and also the best destroyers of commerce-destroyers."

This quotation renders any remarks of my own on this branch of the subject unnecessary.

unnecessary.

As the German Zollverein united countries connected by land, no such immense advantages could result to the merchant marine of any of those countries as would be brought about by such a union among the American nations.

THE ZOLLVEREIN WOULD SECURE GENUINE RECIPROCITY.

THE ZOLLVEREIN WOULD SECURE GENUINE RECIPEOCITY.

An "American customs-union" would secure genuine reciprocity of trade and mutual advantage. It would bring to us products not adapted to our climate and which we must have in exchange for our surplus products; these, with but few exceptions, are not produced in those countries. There is a greater degree of reciprocity of trade on lines of longitude than on lines of latitude. In one case there is a similarity of products because of a similarity of climate; whereas in the other the products are different because of a difference of climate, and therefore the necessity and desire for interchange of commodities exist in the high-set degree.

fore the necessity and desire for interchange of commodities exist in the nighest degree.

The Spanish-American countries have no factories of consequence. They will not, therefore, furnish competition with our manufacturers, but they will need our manufactured articles, as well as our breadstuffs and provisions, and we need their raw materials. Then let us freely trade.

ITS EFFECT ON ISTHMIAN CANAL QUESTION.

If such a league or union should be established it will be a matter of but little consequence by whose capital an isthmian canal is built, whether of France, England, or Germany, or of all united, for the community of interest among the states of the American zollverein would intensify the Monroe doctrine and unite all the members of the union in opposition to any attempt at political or commercial dominance of any European power on this continent.

The difference of weights and measures existing between us can be equalized to the zollverein assembly.

THE MONETARY UNION AND SILVER COIN.

THE MONETARY UNION AND SILVER COIN.

I see no reason why this union could not properly perform the functions contemplated by the excellent suggestion of the President in his last message for the establishment of a uniform currency basis for the countries of America, thereby utilizing the surplus productions of our mines and mints and removing all pretexts for the demonetization of silver. There is no need of the separate existence of what the President calls a "monetary union of America," for the "American customs-union" can carry out his idea, and by it, as he expresses it, the "output of the bullion-producing countries and the circulation of those which yield neither gold nor silver could be adjusted in conformity with the population, wealth, and commercial needs of each."

DISCRIMINATION AGINST AMERICAN PRODUCTS IN EUROPE

Some European countries have declared war upon the introduction of our meats and breadstuffs into Europe and have adopted measures discriminating against them. Heretofore they have based their opposition to our hog products on the false pretense that they are affected with trichinosis, although the scientists of those countries have by the most thorough and convincing tests demonstrated the absolute falsity of the charge. In February, 1883, the German parliamentary bodies finally adopted enactments prohibiting their importation into that empire. I immediately presented to this House a joint resolution authorizing the President to adopt retaliatory measures against certain German imports; but this was done so near to the close of the then short session that it could not be reached for consideration. I presented a similar measure at the commencement of the next session applicable to other European governments which had pursued the same course, and it was referred to a committee, where it now lies, without final action. Three committees struggled for jurisdiction over that measure when it was presented; but it seems that their zeal over the question has ended.

When it is remembered that statistics show that we have in this country 47 per cent. of all the hogs in the world, I submit that our interest is large enough to deserve some protection against such unjust action.

France soon followed the course of Germany, but not content with assailing our meat product she has restricted the importation of our breadstuff by burdensome taxation.

Emboldened by the supineness of the American Congress in the face of these outrages against our agricultural products, and the indifference manifested for the protection of these interests in the European markets, Austria is advancing to a position of open hostility to all American commerce in Europe.

EUROPEAN COALITION AGAINST AMERICAN FARM PRODUCTS

She uses no mask of false pretenses that our merchandise is unwholesome, but openly advocates a continental coalition against the importation of any and all American farm products in Europe. To foster their agricultural interests, and prevent competition from American farmers, Austrian statesmen and press advocate the prohibition of our agricultural products as "the only salvation for the European peasant for the future." The Vienna Tagblatt urges as a reason for prohibition that the United States has vastly superior natural advantages in our immense area of fertile lands, capable of permanent and almost unlimited productiveness; that, having no standing army to maintain, the States do not take the working population away from the soil to make soldiers of them; our farmers are free from the immense burdens resting upon the agriculturists of Europe. "Therefore," says the Tagblatt, "American competition can only be overcome by shutting out the American from the European market." And it is asserted that the chief minister, Taaffe, is an advocate of the project.

Time will show whether the consumers in Europe will submit to a policy which will enormously enhance their cost of living, or whether discontent may not only grow into bread riots, but also to such formidable disturbances as will shatter the despotic governments guilty of making such oppressive laws. But there is enough in this movement to warn us that our domestic industries are seriously threatened. England is making considerable headway in finding new sources of supply of her breadstuffs in India, Australia, and other provinces of hers. If she should fall in with the Austrian movement, our agricultural interest will indeed reach a deplorable condition unless we can find an outlet for our surplus in the southern and the Pacific Ocean countries. If we can control the southern markets through the agency of a zollverein, we may not only defy European combination but we shall strike a blow against her manufacturing interest which will do her far more harm th

EFFECT OF THE ZOLLVEREIN IN GERMANY.

One of the most eminent living political economists has said that the German Zollverein was "the result of the highest sagacity, intelligence, and wisdom." Its wholesome and salutary action caused an immediate and marked improvement in the condition of the German states, and the enlargement of their commerce. The progress of the Saxon cloth manufacturers in three years following their admission to the Union, from 1834 to 1837, is stated in an official report to have been greater than in the thirty years preceding.

PLAN OF THE GERMAN ZOLLVEREIN RECOMMENDED.

PLAN OF THE GERMAN ZOLLVEREIN RECOMMENDED.

The proposition which I submit does not prescribe the terms upon which this union shall be formed. It merely authorizes the President to invite the co-operation of those governments in forming a union upon such conditions as their representatives may after due deliberation determine. There is nothing in this proposition that binds them to any conditions, but they are left perfectly free to decide whether any alliance will be desirable, and, if so, what shall be its nature. I believe they will find the plan of the German Zollverein most desirable. No doubt some of its features will be found incompatible with the institutions and conditions on this continent. All such can be medified or wholly rejected, and others substituted which may be found more suitable.

If the union is formed experience will in time, no doubt, show the need of change in the original terms of its organization, which can be made by the members of the union when their representatives assemble at such stated periods as will be designated; for there should be annual or other regular meetings of the representatives of the nations concerned to consider the general welfare, hear complaints, adjust difficulties, and make such new enactments as may be required.

HISTORY AND NATURE OF THE GERMAN ZOLLVEREIN.

HISTORY AND NATURE OF THE GERMAN ZOLLVEREIN.

The German Zollverein has been tested by the experience of over sixty years. Such defects as were discovered have been remedied. Its members have during that long period sought harmoniously the utmost degree of practicability. The right and interest of all have been scrupulously guarded and respected. Each and all have derived inestimable advantages from its formation. The smallest and weakest states, as well as the largest and strongest, have been benefited. So successful and beneficent has been its results that the eminent political economist, McCulloch, in his great work, has declared of Prussia, who was chiefly instrumental in forming the union, that—

"Next to the efforts of the Prussian Government to diffuse the blessings of education their efforts to introduce a free commercial system into Germany constitutes their best claim to the gratitude and esteem of their own subjects and of the world."

Mr. McCulloch defines the word zollverein (literally customs union) as a compound word:

"It means the association of a number of states for the establishment of a common customs law and customs line with regard to foreign countries, and the suppression of both for the intercourse of the states with each other within the border line. The compound word, however, has gained the meaning of a proper name for the German customs league."
The character of the zollverein is described as follows by that eminent writer:
The first treaties in furtherance of this object were negotiated by Prussia with the principalities of Schwarzburg-Sondershansen and Schwarzburg-Rindolstadt, in 1815 and 1819, on the principle that there should be a perfect freedom; the principalities of Schwarzburg-Rindolstadt, in 1815 and 1819, on the principale that there should be lefentical; that these should be charged along the frontier of the dominions of the contracting parties; and that each should participate in the produce of such duties in proportion to the population. All these treaties subsequently entered into have been founded on this fair and equitable principle; the only exceptions to the perfect freedom of trade in all the countries comprised within the league of tariff alliance being confined, first, to articles constituting state monopolies, as sait and cards in Prussia; second, to articles of native produce burdened with a different rate of duty on consumption in one state from what they pay in another; and third, to articles produced under patents conferring on the patentees certain privileges in the dominions of the states granting the patents. With these certain privileges in the dominions of the states granting the patents. With these certain privileges in the foundations of the states pranting the patents. With these certain privileges in the foundations of the states are produced under the states which the such as a produced under the states which the such as a produced under the states are confered to the states. The such as

WILL THE SOUTHERN COUNTRIES JOIN US IN SUCH A UNION?

It may be that some of the southern countries at first will hesitate to join us in such a league, as was the ease at the beginning of the German league, but if only a few of those nations would join us at the beginning I have no doubt all others, seeing the mutual advantages which would flow from such a union, would eventually seek admission into the alliance. This was the history of the German Zollverein. Yeates, in his work on Recent and Existing Commerce, when discussing the zollverein, says:

"Many states delayed joining, in the belief they would lose rather than gain.

* * Others did not like to merge their individuality, trivial as it was, in the convention, and were encouraged in a sort of independence by England and France."

convention, and were encouraged in a solve of the proposition have expressed the belief France."

Some who have commented upon this proposition have expressed the belief that the southern countries would not enter into such a union with us, because as they derive most of their revenue from impost duties, the free introduction of American products would supply their markets and diminish their custom receipts to such an extent as to force them to some new method for collecting revenue. But, sir, if the plan of the German Zollverein is adopted, and we should follow the course pursued by Prussia, no such difficulty will arise.

Vector says:

revenue. But, sir, if the plan of the German Zollverein is adopted, and we should follow the course pursued by Prussia, no such difficulty will arise. Yeates says:

"Prussia made considerable sacrifices to conciliate the numerous German states whose predilections for Austria, jealousy of Prussia, or fears of self-immolation caused them to hesitate in joining the league. Thus, by the stipulation of proceeds according to population, Prussia should have received three-fourths of the tolls, but accepted five-elevenths."

The immense advantages otherwise gained by Prussia as the dominant nation in population, wealth, and industrial development fully compensated for all the sacrifices she made. The enormous advantages which would accrue to us; our superior producing power and capital, and the free introduction of our surplus products in those countries, as well as in many other ways, would undoubtedly far exceed any sacrifices we might make to induce our weaker neighbors to join us in this league. The large increase of our business resulting from our enlarged markets would cause such an increased demand for imports from other countries as would make good any loss of customs revenue by division among the other members of the union.

I shall advert to this question again and show by a comparison of facts and figures, based upon the trade statistics of all the countries which are eligible for membership in the customs league, that we shall gain more by the remission of duties upon our merchandise exported to countries in the zollverein than we shall lose upon the merchandise exported by us from them, and that both we and they shall be gainers as against the countries not admitted into the union.

Several of the southern countries by recently contracting commercial reciprocity treaties with us have manifested a strong desire to establish free commercial relations with us. When the commission authorized at the last session of Congress to gather statisties, &c., of the trade of those countries were in the City of Mexico a

tate the commercial relations of the two countries. He said Mexico is disposed and prepared to go as far in this direction as the Government of the United States.

and prepared to go as far in this direction as the Government of the United States.

The World's International Exposition at New Orleans would have been an anspicious occasion for the assemblage of such a meeting of representatives as is here contemplated, and had this proposition been adopted, as I urged in this House at the last session, time enough would have been afforded for the appointment of representative by all the governments concerned. Even now its speedy adoption as an amendment to this bill would impress the agents and visitors from these countries to the New Orleans Exposition with its importance and practicability, and when they return to their home governments they would no doubt be largely instrumental in securing their favorable action. Some idea of the interest which they have taken in that exposition can be ascertained from the fact that Mexico appropriated \$200,000 for her exhibits there, and has erected on the exposition grounds two large and magnificent buildings in the Mexican style of architecture.

But, sir, even if the representatives of those governments when they assemble should determine that it is unwise or inexpedient to establish such a union and separate without further action, much good would still result from this assemblage in directing the thoughts of the people of those lands to the benefits which will result to the general welfare by the cultivation of more intimate acquaintance and closer commercial relations than now exist.

EFFECT OF THE UNION ON OUR TRADE WITH WEST INDIES, CHINA, ETC.

EFFECT OF THE UNION ON OUR TRADE WITH WEST INDIES, CHINA, ETC.

The successful establishment of this union would lead to better trade relations with the West Indies and the countries bordering the Pacific Ocean, by means of which if we do not outstrip Europe in those markets we may at least obtain the share in that trade which our juxtaposition to those countries and our similarity of political institutions justify.

The West Indies imported	\$117, 408, 154 130, 530, 540
Total	247, 938, 694
The United States sent there	24, 748, 226 64, 577, 078
Total	89, 325, 304

the United States.

The values of imports and exports of the West Indies here given represent merchandise and specie, and are for the year 1833 with the exception of those in regard to Cuba, which are for the year 1877, the latest years for which the data could be obtained from the statistics of those countries.

According to the latest obtainable data the imports and exports of the West Indies were as follows:

Total value of imports and exports

During the fiscal year 1883 the imports and exports of merchandise and specie between the United States and the British West Indies were as follows:

Of the value of imports into the West Indies, amounting to \$117,408,154 as above indicated, only \$36,109,109, or 30.76 per cent., was exported from the United States, but of the exports from the West Indies valued at \$130,530,540, \$92,820,884, or 71 per cent., was imported therefrom into the United States. The countries lying in and around the Pacific, facing the west coast of the United States, imported \$52,553,000, of which the United States supplied the sum of only \$20,497,000, or less than 4 per cent.

RICH RESULTS TO UNITED STATES,

If this Government will lead the way and secure this alliance with the southern countries, we will speedily realize the rich results which will flow from the present southward tendency of material development, such as the projected routes across the isthmus, connecting the two oceans, the extension of our railway system to the City of Mexico, the projected intercontinental railway through Southward Mexico and the fourteen other republies of Central and South America, the steamship lines in operation and projected from our Atlantic, Gulf, and Pacific ports to the Spanish-American ports and the countries in the Pacific.

CAN NOT BE ACCOMPLISHED BY WAR,

What we may achieve by this union can never be conquered by war. We want their friendship and trade. They can be obtained by the arts of peace, but not by the arts of war. For these purposes the pen is indeed mightier than the sword. Treat the southern countries as sisters in an American family of nations and they will follow our lead with love and pride. Such a policy will give us a position and power in the history of the world far greater and more enduring than that which Rome ever achieved by bloody conquests. Her policy provoked the hatred of the world, and she ruled it only so long as she was able to wield the sword of the world.

Peace bath her victories No less renowned than war.

WHO WILL OPPOSE THIS PROPOSITION?

Now, who is there here that will oppose such a scheme? Will any advocate of protection do so? Surely he will not, for it extends the line of protection beyond the borders of the United States and embraces all the southern nations. It protects our manufactures not only against European competition in the United States but also in Mexico, Central and South America. A protectionist who would oppose this proposal would advocate restrictions upon the commercial freedom among the States of this Republic.

Will any advocate of free trade oppose this proposition? Certainly he will not, for it enlarges the area of free trade and demonstrates its advantages over a restricted market.

Our farmers, mechanics, and capitalists are not afraid of competition from those southern countries. The only class who seem to hesitate moving in the direction I have indicated are politicians who fear to grapple with new questions, Some of them are too busy in the pursuit of office to bestow attention and study upon questions broad enough to embrace a consideration of our commercial re-

some of them are too busy in the pursuit of once to bestow attention and study upon questions broad enough to embrace a consideration of our commercial relations with the world.

This is not a partisan political question; it rises higher than partisanship; it is a question of the highest statesmanship. I am, however, convinced that the party which shows itself possessed of wisdom and progressiveness sufficient to enable it to rise above merely domestic issues and lead the way to securing our rightful share in the commerce of the world will in the future be awarded the greater glory and renown.

THE REPORT OF THE COMMISSION TO THE SQUTHERN COUNTRIES.

The commission which was authorized by the last Congress and appointed by President Arthur for the purposes mentioned had its origin in the joint resolution I introduced.

The active members of the commission consisted of Messrs. T. C. Reynolds, of Missouri; Solon O. Thacher, of Kansas, and William E. Curtis, of Illinois. In pursuance of the directions of the law they visited most of the southern countries, and have presented elaborate and ably written reports, furnishing valuable information and suggestions, which were submitted to this House last January. Bearing upon the subject under consideration the final report states:

ited most of the southern countries, and have presented elaborate and ably written reports, furnishing valuable information and suggestions, which were submitted to this House last January. Bearing upon the subject under consideration the final report states:

The attainment of closer international and commercial relations between our country and these republies is easily accomplished. Our reports have frequently and power of our land are regarded by the other countries of the western hemisphere. They one and all find in our history a model for their own institutions, and our moral support and approbation are prized above those of anyling and power of our land are regarded by the other countries of the western hemisphere. They one and all find in our history a model for their own institutions, and our moral support and approbation are prized above those of anyling and greater confidence will meet with a quick and true response. There will be no prejudices to overcome, no antipathies to remove, few differences of constitutional life to adjust. The result of our observations leads us to believe will be no prejudiced to a district the subject of the control of the peace and prosperity that belong to what they always term "La Greande Republica" and prosperity that belong to what they always term "La Greande Republica" and prosperity that belong to what they always term "La Greande Republica" and prosperity that belong to what they always term "La Greande Republica" and the control of the ruling powers of each and every one of the governments we have visited, the only estrangement possible between them and us will flow from our own indifference and neglect. Indeed, we have already lost much that naturally began and thoughtful elitizen we met joined in the seutiment of gratified surprise that our country had taken the initiative by this embassy in bringing about more cortical and hearty communication between them and the proposed convention of representatives of the states of the western hemisphere. The proposed conv

Commissioner Reynolds in his separate report says:

The chiefs of state in the countries visited were assured that the commission came not to discuss claims or counter-claims, the irritating incidents of ordinary diplomatic intercourse, and with peace in one hand and war in the other, but,

as was said in the address to the President of Mexico, "with peace in both hands." The responses to the commission's addresses (copies of which accompanied the special reports, respectively) and the cordial receptions given to the commission everywhere, by the authorities and private persons, abundantly show that the desire for "intimacy and relationship" was most entirely reciprocated. It will be for the regular diplomatic agents of the Government to avail themselves of this "cra of good feeling" in aid of future negotiations about commercial or other questions.

Commissioner Thacher, in discussing this subject before the Senate Committee on Foreign Relations during this session, says:

The wonder remains that notwithstanding all this neglect to cultivate and en-The wonder remains that notwithstanding all this neglect to cultivate and encourage those nations they still admire our greatness, and long for a nearer bond of union and fellowship. Every line of the reports of the many conferences held by the commission with the representative men of those nations shows how fervently and with what glad surprise our overture for a convention of all the nations of the American continent was welcomed.

I have no doubt of there being present at the convention when called by our country representatives from every one of the western powers, and that these delegates will be men of great weight at home in all the matters affecting their foreign relations.

Commissioner Curtis in his address before the Senate committee in March last presented some very interesting statistics of our commerce with those countries from which I will quote the following:

South of the Rio Grande and the Gulf of Mexico, in what is known as Spanish America, are about 48,000,000 of people, engaged in a foreign commerce amounting to over \$300,000,000 ayear. This commerce is about equally divided between exports and imports. The exports consist exclusively of raw products, and always will; while the imports consist of manufactured merchandise. The Spanish-American people have no taste for mechanical industry, and lack the water-power or the fuel to exercise it if they had. They will always be compelled to import all the luxuries and nearly all of the necessaries of life except food, and their wealth must come from the boundless resources with which a prodigal nature has stored the continents.

In 1884 our exports were valued at \$733,768,764, mostly manufactured merchandise. Of this amount we exported but \$64,719,000 to Spanish America. Our annual mechanical and agricultural products are valued at \$15,000,000,000, but we seldom have sold more than \$75,000,000 worth of this product to our nearest neighbors, who buy in Europe many times as much as they ever get here.

The statistics given by Mr. Curtis include the European provinces, which are not embraced in those that I have furnished.

We have more trade with either Belgium, Italy, The Netherlands, Spain, Switzerland, Russia, China, Japan, Australia than we have with all of the Central American states combined. We have nearly as much trade with Greece as we have with Chili. We sell more sewing-machines in Switzerland than we sell in Chili, and Switzerland sells Chili more sewing-machines than she buys

sell in Chili, and Switzerland sells Chili more sewing-machines than sof us.

England, France, and Germany have secured a monopoly of the trade of Spanish America, by the establishment of quick, regular, and cheap transportation, and we have lost it by neglect. For example, Bolivia has a foreign trade of over \$16,000,000 a year, yet the name of that country does not appear in the tables of our Bureau of Statistics. The chief imports of Bolivia are cotton and woolen goods, agricultural implements, mining machinery, hardware, cutlery, clocks, watches, canned goods, and provisions, a list which could be filled in any commercial city of the United States as cheaply as in Europe, and yet the annual reports of the Treasury Department do not show a dollar's worth of commerce between the United States and that country.

The same conditions exist with other nations in quite as startling a form.

During the last twenty years the value of the exports from the United States to the Spanish Americans was \$442,048,975, and during that time we purchased of them raw products to the amount of \$1,185,828,579, showing an excess of imports during the twenty years amounting to \$765,992,219, which was paid in cash. It will thus be seen that our commerce with Central and South America has left a very large balance on the wrong side of the ledger, while those countries have all the time been buying in Europe the very merchandise we have for sale. Being the very reverse of the United States in climate and resources, they constitute our natural commercial allies, and the exchange should at least be even; but they sell their raw products here and buy their manufactured articles in Europe.

The principal reason for this is that the carrying trade is in the hands of Englishmen. The statistics show, that, of the total imports into the United States from Spanish America, which, in 1884, amounted to \$159,000,000, three-fourths were carried in foreign vessels. Of our exports to those countries, amounting last year to \$64,000,000, \$46,000,000 were carried in American vessels, while only \$18,000,000 were carried by foreign vessels. It will thus be seen that nearly everything we buy is brought to us from Spanish America by Englishmen, while nearly everything we sell we have to carry there ourselves. The logic of these facts is irresistible.

facts is irresistible.

The most absurd spectacle in the commercial world is the trade we carry on with Brazil. We buy nearly all her raw products, while she spends the money we pay for them in England and France.

In 1884 of the exports of Brazil \$50,266,000 went to the United States, \$29,000,000 to England, and \$24,000,000 to France. Of the imports of Brazil in 1884, \$35,000,000 came from England, \$15,000,000 from France, and \$8,000,000 from the United States.

States.

The greater part of our exports to Spanish America go to Mexico and the West Indies. Deducting these from the total, it will be found that we buy over 30 per cent. of what the South American countries have for sale, and furnish them only 6 per cent. of their imports. The balance of trade goes on piling up at the rate of nearly \$100,000,000 a year.

The development of the southern half of South America is nearly as rapid as that of the United States. Immigration is flooding in, internal improvements are opening new and fertile fields, and wealth is increasing in a ratio enjoyed by no other section of the globe.

Chili, Uruguay, Paraguay, and the Argentine Republic, almost a terra incognita to us, are booming like our Western Territories. In 1876 the imports of the Argentine Republic were valued at \$36,000,000; in 1884 they had reached \$80,000,000. In 1876 the merchandise brought to that country from England, France, and Germany was valued at only \$18,000,000, while in 1884 it was more than \$53,000,000. The entire imports from the United States for twenty years were \$6,000,000 tests than those from the three commercial nations of Europe for the year 1884. Within the last three months the Government of the Argentine Republic has made contracts for \$59,000,000 worth of railway improvements, including a line of road northward into Bolivia, and two lines across the continent to Chili, so

as to bring the commerce of the Pacific Slope into the harbor of Buenos Ayres, instead of taking it around the Straits of Magellan.

In 1874 the foreign commerce of Chili amounted to \$42,000,000. In 1884 it reached \$132,000,000. From \$50,000,000 to \$50,000,000 in merchandise is imported into Chili every year, of which England furnishes over \$29,000,000, France over \$12,000,000, Germany over \$3,000,000, and the United States \$3,000,000.

Adding the imports of Brazil to those of Uruguay, Chili, and the Argentine Republic, it will be found that the aggregate value of manufactured products introduced into those four countries annually reaches the enormous sum of \$250,000,000, of which England furnishes nearly one-half, France about \$50,000,000, Germany about \$35,000,000, and the United States about \$17,000,000.

We have no adequate conception of the present magnitude of these markets, nor of their prospective value. The manufacturers of the United States can supply almost every article represented in that \$250,000,000, with the exception of a few articles of luxury which we ourselves import. The consumption of cotton goods alone amounts annually to over \$65,000,000, and 95 per cent. is supplied by the mills of Manchester.

Even if the contemplated congress should fail to reach any conclusions upon the subjects proposed for it by Congress, a visit by the leading men of the Spanish-American nations to the United States will be productive of great good.

VIEWS OF THE PRESIDENTS AND PUBLIC MEN OF SOUTHERN REPUBLICS,

The commissioners have furnished us with the views of the presidents of some of the southern republics when this subject was presented to them. I will confine myself to a few brief quotations, which, however, are an index to the sentiments of the statesmen of the southern countries. In the conference with President Diaz, of Mexico, he

The Mexican Government was grateful to the United States for sending the commission to Mexico on such a mission, and said that he sympathized deeply and sincerely with the objects it had in view. No one could recognize more fully than he the fact that close commercial relations always resulted in political sympathy and permanent peace, and it was an act to be commended by the whole hemisphere for the United States, the mother of republics, to inaugurate a movement in which not only Mexico but all the republics of Spanish America would commend and join. The purpose of the commission, if accomplished, would, he believed, make peace permanent among all the nations of the western world, and bring to them a fruitful prosperity. Mexico and all the other republics had shown their faith in the political institutions of the United States by imitating its form of government, and still looked to it for encouragement and example.

He said he had always hoped such an international congress would be some time held, as he believed great good could be accomplished if all the American republics would consent to send delegates to meet upon an equal footing and agree upon measures for the common welfare.

The chief object to be discussed at such a gathering would naturally be a method of arbitration by which international differences could be peacefully adjusted: and another, equally important, was to confine American trade, so far as possible, to American nations.

The President of Venezuela was very cordial in his response:

I respond in the most frank and cordial manner to the expressions of good will of your Government, and I view the very elevated object of your mission from the standpoint of its great importance.

Venezuela and the United States have the same institutions, the same history. They produced the immortal George Washington, "the first in the hearts of his countrymen," and Venezuela produced the immortal Bolivar, the father of five republics, freed by the impulse of stupendous efforts. Both of them honored by the recognition of the two confederacies, they are to-day the faithful representatives of the association of our interests and aspirations—equality before the law and the truth of democracy.

With these lofty motives the people of the New World aspire by union to seek the development of their industrial and commercial prosperity and to cement the alliance of views and intents in the reign of equity and the empire of justice.

The President of Guatemala, in reply to the commission, said:

The President of Guatemala, in reply to the commission, said:

It is the source of the greatest gratification to me to receive from your hands the autograph letter by which his Excellency the President of the United States has accredited you as envoys extraordinary and ministers plenipotentiary to my government. From the very beginning we have embraced with the greatest ardor the plan of the American Congress to send a commission to the Spanish American republics for the purpose of securing more intimate and friendly relations between them all.

Such a noble and elevated purpose can not but have the sincerest sympathy and co-operation from all those who desire the progress of the several nations of the New World, so that in having the honor to receive you and give you a most affectionate velcome, it is gratifying to be able to assure you that you will find on the part of the Government and the people of Guatemala a sincere disposition to aid in the success of your most important mission.

The grand Republic of the United States is the natural market for the different products we export, and they should find in your rich and populous consumers who are able to send us in return the great variety of their agricultural and mechanical products with benefit to the producers and consumers of both countries.

Guatemala has always endeavored to maintain the greatest harmony with

countries.

Guatemala has always endeavored to maintain the greatest harmony with the nations which honor us with their friendship, and it has always endeavored very especially to strengthen more and more the cordial relations which have forever existed between this country and the United States, so that when you come, vested with an exalted duty by the grand American Government, inspired with the benevolent sentiments which you have just uttered, I have the honor to congratulate myself upon your arrival, and promise to leave nothing undone to make your visit a success, and enter into bonds with you to unite more closely two peoples which by their analogous institutions, by their geographical positions, and many other circumstances and considerations, should establish a more active and lucrative commerce.

Although Chili has seemed less friendly to us and more under the influence of England than any of the other southern countries, yet the president of that republic among other things said in reply to our com-

The extraordinary progress of the United States, independent of the advantage gained by the extension of its area, of its geographical position, and the elements which constitute its social organization, is due to the liberal institutions under which the people are governed, and by which it has been proven

that the free people are those that really prosper, and are the only ones that have peace as the essential condition of material, intellectual, and moral prog-

The South American republics when they made themselves free had in the northern zone an authority they could consult and an example they could follow. If owing to reasons which are well understood they could not copy the edifice you have framed, they have always endeavored at least to inspire in their own people the ideas which have enabled you to advance so resolutely on the road of human liberty and progress. If on this road so happily trodden the American constellation has added to its stars, it is also true that the southern star, following with no less certainty in the same heavens, and pursuing the same purpose, shines to-day with greater splendor and shows that we have not been amiss in seeking the path to glory, liberty, and prosperity.

CENTENNIAL CELEBRATION AND WORLD'S EXPOSITION OF THE THREE AMERICAS

As the question is now pending for Congressional action, it is proper that I should, before concluding my remarks, call attention to the in-auguration of a movement by prominent citizens of Washington and Baltimore for the celebration at the national capital by the republics of America of the centennial anniversary of the adoption of the Constitution of the United States, in 1889, and the opening of a world's exposition in 1892, in honor of the four hundredth anniversary of the discovery of America by Columbus.

Those who have charge of this movement are gentlemen of high char-

acter, ability, and energy.

Movements of similar character have also been started in Saint Louis, Chicago, and New York as competitors for the location of this celebration and exposition. Without at this time discussing the question of location, I desire to express my gratification that such widespread interest is felt in the commemoration of events of such transcendent importance, which will no doubt result in bringing the peoples of America in closer friendship and commercial relations. No matter what location may be finally selected all patriotic Americans should join in seeing that these events are crowned with success surpassing any similar efforts of the kind in the history of the world.

Senator GORMAN, of Maryland, has introduced in the Senate a resolution in regard to the movement for the location at Washington, and he presented a memorial in support of this movement, which is signed by Hon. William B. Webb, of Washington, as chairman, and Mr. Alex. D. Anderson, as secretary; both are gentlemen of high character, fine abilities, and well qualified for the important and difficult duties of these

I will quote the following extracts from the memorial, which are of general interest:

[Permanent Exposition of the Three Americas: To be located at the Capital of the United States. Constitutional Centennial Celebration in 1889 by the sixteen American Republics in honor of the one hundredth anniversary of the Constitution of the parent Republic, the United States. World's Exposition in 1892 in honor of the four hundredth anniversary of the discovery of America by Columbus.]

OFFICE OT THE BOARD OF PROMOTION, Willard's Hotel, Washington, D. C., April 21, 1886.

To Congress:

In three years from the 4th of last March the Constitution of the United States

In three years from the 4th of last March the Constitution of the United States will have completed the first century of its existence.

Six years from the 12th of next October will be the four hundredth anniversary of the discovery of America by Columbus.

These are great historical events of national, hemispherical, and world-wide importance, which should be celebrated in a manner becoming the dignity, wealth, and grandeur of the United States and of the three Americas. Pride, as well as self-interest, in the success and advancement of republican and American institutions require that all Americans unite in paying tribute to these anniversaries.

is well as sein-interest, if the stocess and autonoment or repudical and merican institutions require that all Americans unite in paying tribute to these an niversaries.

Your attention is therefore respectfully invited to some suggestions in regard to the ceremonies which it seems to us would be appropriate, and to a proposed permanent exposition which should remain as a lasting monument in honor of these events. They are simply suggestions thrown out to attract other suggestions and to stimulate discussion of a subject which is of transcendent political and practical importance to the whole western hemisphere.

To prevent any possible misunderstanding, it may be well to state, at the outset, that we, who are advocating the proposed celebrations and expositions at the national capital, desire that they be entirely under the auspices and control of the General Government. Both the magnitude and dignity of the project forbid its management by a private corporation.

The subject of an exposition in 1892 has already been carefully considered in several American cities besides Washington.

More than a year ago a committee of representative and progressive citizens was appointed in Saint Louis to take steps toward its acquisition for that metropolis of the Mississippi Valley. They secured the indorsement of a national convention of fair and exposition managers, and have, since then, kept the subject prominently before the press and public.

During the past four or five months Chicago, with its usual enterprise, has held several meetings to arrange for an exposition there in 1892, which movement is cordially indorsed by the press and public of that city.

During the past four months a promoting organization has been perfected in the City of Mexico, composed chiefly of members of the press, to capture the same exposition. They have already appealed to the general government or their republic, and an early and favorable response is expected.

A year ago a meeting of some two or three hundred Spaniards and Spanish Ameri

nial of the adoption of the Constitution of the United States, has been discussed in that city.

Recently, also, a bill was introduced in the United States Senate providing for a constitutional centennial celebration at Washington in 1899 by the sixteen American republies, in honor of the one hundredth anniversary of the Constitution of the parent Republic—the United States.

In brief, two points are already settled by public opinion: first, that these great historic events must be duly celebrated in some American city; and, second, that the exposition proposed in their honor should be the greatest the world ever witnessed.

Now, it is evident that great world's fairs can not be successfully held in four American cities at the same time. In this connection the mind naturally turns

toward Washington, the capital of the United States—the capital of the leading nation of the three Americas—the Paris of America in attractions and beauty, and a city destined to be the Berlin of America in educational advantages. It is, therefore, a city upon which all others can unite—the truly representative city of the western hemisphere.

It would, in effect, be a permanent congress of the three Americas, something in harmony with the spirit of the times, as is evidenced by the numerous bills recently introduced in the Senate and House providing for a temporary convention of American nations.

For the first time in the four hundred years since their discovery by Columbus the three Americas are beginning to appreciate the transcendent importance of a more intimate acquaintance with each other. Both political parties in the United States are committed to this idea in their recent national platforms, and public sentiment demands the inauguration of an hemispherical policy based upon more intimate social and commercial relations between the various sister states of all the Americas.

WM. B. WEBB, Chairman. ALEX. D. ANDERSON, Secretary.

COMMERCE OF THE SOUTHERN COUNTRIES.

I desire to present the following tables, as appendices—a revision of the tables presented to my former speech.

APPENDIX I.

Population of the capitals and principal seaports of Mexico and South

America.		
Capitals and seaports.	Year.	Popu- lation.
Mexico.	1882	300,000
Buenos Ayres	1882	295,000
La Paz DOLIVIA. Puerta de la Mar	1880 1858	26,000 2,300
Pará BRAZIL. Natal Pernambuco Macayo Bahia (San Salvador) Rio de Janeiro	(a) 1883 (a) 1883	20,000 10,000 130,000 20,000 140,000 350,000
Georgetown New Amsterdam	1871 1871	36,560 5,437
SantiagoValparaiso	1884 1884	200, 000 95, 000
Paramaribo	1881	27,410
Guayaquil	1378	40,000

Population of the capitals and principal seaports, &c. - Continued.

Capitals and seaports.	Year.	Popu- lation.
Stanley Harbor	1853	450
CayenneFRENCH GUIANA.	1866	8,000
Asuncion	1879	22,000
LimaCallao	1871 1870	101, 488 40,000 2,000 5,000
Iquique Payta	(a)	1,000 2,000
Montevideo	1884	104, 472
UNITED STATES OF COLOMBIA. Bogota	(a) 1881	100,000 12,000 25,000 25,000
Caracas (with suburbs)		70, 509 12, 057 10, 145 22, 224 7, 647

(a) Not stated.

APPENDIX II.

Statement showing the area in square miles and the number of inhabitants of Mexico, Central America, and South America, compiled from the latest and most reliable sources.

Countries.	Year.	Area.	Population.
Mexico	1882	Sq. miles. 741,598	10, 447, 974
CENTRAL AMERIGA. Honduras	1885 1881 1883 1883 1884	41, 830 47, 090 7, 226 58, 167 26, 040	1, 284, 604 351, 700 613, 273 275, 815 210, 177
SOUTH AMERICA. Venezuela United States of Colombia Ecuador Peru Bolivia Chili Argentine Republic Uruguay Paraguay Brazil Fakland Islands	1878	632, 695 504, 773 248, 370 503, 380 475, 000 182, 790 1, 357, 896 73, 538 91, 980 3, 287, 964 6, 500	2, 121, 988 4, 000, 000 946, 033 3, 374, 000 2, 303, 000 2, 415, 621 2, 942, 000 316, 046 12, 002, 978

Sources of information: Johnston's Gazetteer, Almanach de Gotha, Statesman's Year Book, Whitaker's Almanack, Behmand Wagner's Population of the World, Annales du Commerce Exterieur, Spofford's American Almanac,

APPENDIX III.

Comparative statement showing the value of the foreign commerce (imports and exports of merchandise and specie) of Mexico, Central America, the West Indies, and South America, during the below specified years.

[Compiled from the original official publications and from other trustworthy sources.]

Countries.	Year.	Imports.	Exports.	Total imports and exports.	Year.	Imports.	Exports.	Total imports and exports.	Total imports and exports in 1883 in excess over 1870.	Per cent, of ex-
Mexico	1873	\$29, 552, 433	\$31,594,005	\$61,146,438	1883	a\$27, 300, 856	\$41, 807, 595	\$69, 108, 451	\$7,962,013	13.02
Central America : Guatemala Costa Rica Honduras Nicaragua San Salvador British Honduras	1870 1870 1869 1870	1,844,893 2,825,135 51,200,000 914,648 4,038,718 897,081	2, 472, 707 3, 042, 772 1, 305, 000 924, 031 3, 757, 324 . 876, 980	4, 317, 600 5, 867, 907 2, 505, 000 1, 838, 679 7, 796, 042 1, 774, 061	1880 1884 1884 1884 1884 1883	2, 883, 760 3, 521, 922 1, 500, 000 3, 794, 981 2, 646, 628 1, 311, 957	4, 202, 273 4, 219, 617 1, 600, 000 4, 904, 648 6, 065, 799 1, 473, 917	7, 086, 083 7, 741, 539 3, 100, 000 8, 699, 629 8, 712, 427 2, 785, 874	2, 768, 433 1, 873, 632 595, 000 6, 860, 950 916, 385 1, 011, 813	
Total Central America		11,720,475	12, 378, 814	24, 099, 289		15, 659, 248	22, 466, 254	38, 125 502	14, 026, 213	58, 20
West Indies: Spanish West Indies: Cuba Porto Rico Hayti San Domingo	1870 1869	38, 230, 521 13, 008, 200 2, 696, 518 2, 530, 580	51, 302, 571 7, 820, 939 4, 413, 331 3, 357, 885	89, 533, 092 20, 829, 139 7, 109, 849 5, 888, 465	1877 1883 1882 1883	58, 432, 165 12, 751, 905 1, 839, 479 1, 179, 349	66, 779, 204 10, 922, 141 53, 000, 000 4, 750, 984	125, 211, 369 23, 674, 046 4, 839, 479 5, 930, 333	35, 678, 277 2, 844, 907 2, 270, 370 41, 868	
British West Indies: Bahamas Turk's Island Jamaica Windward Islands:	1870	1,381,490 172,006 6,327,482	925, 866 91, 758 6, 240, 895	2, 307, 356 263, 764 12, 568, 377	1883 1883 1883	1, 134, 595 119, 511 7, 747, 283	718, 422 160, 526 7, 151, 064	1, 853, 017 280, 037 14, 898, 347	454, 339 16, 273 2, 329, 970	
St. Lucia. St. Vincent. Barbadoes. Grenada Tobago.	1870 1870 1870	517, 236 669, 017 5, 206, 513 508, 428 299, 037	716, 213 1, 076, 178 4, 735, 202 618, 941 402, 051	1,233,449 1,745,195 9,941,715 1,127,369 701,088	1883 1883 1883 1883 1883	930, 431 721, 633 5, 622, 471 658, 267 228, 740	1,040,569 811,499 5,553,329 941,785 233,767	1, 971, 000 1, 533, 132 11, 175, 800 1, 600, 052 462, 507	737, 551 212, 063 1, 234, 085 472, 683 238, 581	
Leeward Islands: Virgin Islands St. Christopher Nevis Antigua Montserrat Dominica Trinidad	1870 1870 1870 1870 1870	38, 377 954, 082 264, 182 798, 972 112, 139 293, 343 5, 074, 192	33, 131 1, 333, 810 312, 035 1, 138, 819 142, 058 302, 906 6, 217, 314	71, 508 2, 287, 892 576, 217 1, 937, 791 254, 197 596, 249 11, 291, 506	1883 1883 1883 1883 1883 1883	35,535 1,001,467 893,664 142,369 347,127 12,959,596	24, 454 1, 227, 662 1, 083, 653 153, 266 307, 972 13, 074, 679	59, 989 2, 229, 129 1, 977, 317 295, 635 655, 099 26, 034, 275	21, 519 634, 980 39, 526 41, 438 58, 850 14, 742, 769	
Total British West Indies		22, 616, 496	24, 287, 177	46, 903, 673		32, 542, 689	35, 482, 647	68, 025, 336	21, 121, 663	45.03
French West Indies	1881	9, 927, 200 1, 081 (c)	7,739,300 318 (c)	17, 466, 500 1, 399	1882 1881	10, 661, 486 1, 081 (c)	15, 595, 246 318 (c)	26, 256, 732 1, 399	8,790,232 0	
Total West Indies		88, 810, 596	98, 921, 521	187, 732, 117		117, 408, 154	130, 530, 540	250, 938, 694	63, 206, 577	33.67
South America: Guiana, French	1870 1871 1870	1,537,171 (b) 9,232,227 4,058,609 3,901,930 (b)	109, 263 (b) 11, 598, 923 6, 251, 677 7, 783, 407 3, 113, 017	1, 646, 434 20, 831, 150 10, 310, 286 11, 685, 337 3, 113, 017	1882 1883 1876 1882 1882	1,537,171 (c) 10,825,125 2,903,371 12,355,555 (c)	109, 213 (c) 15, 436, 596 3, 109, 737 18, 514, 116 4, 408, 653	1, 646, 434 26, 261, 721 6, 013, 108 30, 869, 671 4, 408, 653	0 0 5, 430, 571 4, 297, 178 19, 184, 334 1, 295, 636	

Comparative statement showing the value of the foreign commerce, &c .- Continued.

Countries,	Year.	Imports,	Exports.	Total imports and exports.	Year,	Imports.	Exports.	Total imports and exports.	Total imports and exports in 1883 in excess over 1870.	Per cent. of ex-
Chili Argentine Republic Uruguay Paraguay Brazil	1870 1870 1870 1870 1870 1873 1870 1870	\$5,597,000 5,079,840 38,640,010 38,464,816 15,207,813 1,000,000 84,449,419 100,230	\$11, 194,000 c7, 561, 825 28, 615, 020 29, 651, 585 12, 954, 623 954,000 109, 128 291 96, 814	\$16,791,000 12,641,655 67,255,030 68,116,401 28,162,436 1,954,000 193,577,710 197,044	1877 1881 1883 1883 1882 1881 1882 1883	\$19, 488, 351 4, 956, 900 49, 655, 720 77, 620, 574 18, 941, 777 1, 225, 509 100, 525, 862 257, 501	\$32,006,423 7,561,825 72,716,088 58,100,697 22,993,990 1,832,550 118,323,551 411,672	\$51, 494, 774 12, 518, 725 122, 371, 808 135, 721, 271 41, 935, 767 3, 058, 050 218, 849, 413 669, 173	\$34, 703, 774 122, 940 55, 116, 778 67, 604, 870 13, 773, 331 1, 104, 050 25, 271, 703 472, 129	
Total South America		207, 269, 065	229, 012, 445	436, 281, 510		300, 293, 407	355, 525, 161	655, 818, 568	219, 537, 058	50, 32
Total group		337, 352, 569	371, 906, 785	709, 259, 354		460, 661, 665	550, 324, 550	1,013,991,215	304, 731, 861	42.90

a 1875. b Estimated.

ted. c Not obtainable.

Note.—It is estimated that 4.6 per cent, of the total value of imports, and 5.4 per cent. of the total value of exports, represent gold and silver coin and bullion.

APPENDIX IV.

Statement showing the values of domestic merchandise exported from the United States during the year ending June 30, 1835, to Spanish West Indies, Mexico, the Central American States, the United States of Colombia, Venezuela, Brazil, Uruguay, the Argentine Republic, Chili, and Peru, respectively, compared with like exports to the same countries from the United Kingdom, France, and Spain during the calendar year 1884, and from Germany during the calendar year 1882.

SPANISH WEST INDIES.

Articles.	From the United States.	From the United Kingdom.	From France.	From Germany.*	From Spain.
Breadstuffs:					THE I
Wheat	\$786				
Wheat flour	1,309,364				\$1,684,927
All other	161, 631				505, 069
Total	1,471,781				2, 189, 996
Themicals, drugs, dyes, and medicines	197,040	\$50, 256	\$57, 595		92,143
Ooal	389,550	303, 709			
Cotton, manufactures of	221, 665	2, 415, 531	61,472		
Earthen, stone, and china ware	2,818	79, 601	20, 479		30, 592
Pancy articles.	55,069		80,755		100, 113
Pish	121,770				12,068
flax, hemp, and jute, manufactures of	166,573	1, 485, 825			354, 151
ruits	21, 427		,		1, 335, 031
Hass and glassware					
ron and steel, and manufactures of	652, 967	1, 161, 108			
ewelry, and manufactures of gold and silver	1,575	2,202,200			
eather, and manufactures of			129, 753		
falt liquors	20, 339	91,758	Company of the Control of the Contro		
Paper and statiohery	205, 168	21,100	57, 761		360, 199
Provisions, comprising meat and dairy products					106, 166
Rice	194		00,000		61,552
silk, manufactures of			04 100		33, 076
oap	2,098	The Contract of the Contract o	21, 102		659, 529
pirits, distilled			M OF 4		175, 384
mbrellas and parasols		••••••	7,201		
	334, 430		-1.00		62,09
Vegetables	(a)	112, 450	62, 965		84, 40
	786		700 001	••••••	3, 154, 344
Vines	2, 129, 448				
Wool, manufactures of		163, 972 729, 342	182,008		32, 813
All other articles	1, 392, 392	729, 842	182,008		996, 350
Total	10, 252, 372	6, 647, 707	979, 859		12, 503, 462

^{*}The exports from Germany to the Spanish West Indies are not separately stated.

MEXICO.

			10.000		
Agricultural implements	45,773 388,265			200000000000000000000000000000000000000	
Breadstuffs	1,561,378 82,030 202,799		11,763 83,839		
Chemicals, drugs, dyes, and medicines. Cotton, manufactures of. Earthen, china, and glass ware.	699, 790 50, 942	2, 269, 448	429, 474	\$159,936 10,710	
Flax, hemp, and jute, manufactures of	44, 243 26, 000	461,072	017 049		21,540
Gunpowder and other explosives	235, 821 34, 829	178,931		3,322	
Iron and steel, and manufactures of	1, 208, 979 22, 179	999,409		82,586 183,498 15,708	.100, 35
Leather, and manufactures of	77,600 88,426 237,278			9,044	
Oils, other	21,172 84,191		12,909 a166,445	27, 370	
ProvisionsQuicksilver	298, 962 166, 912				94 091
Spirits, distilled	2, 288 13, 056	34,397	155, 355 82, 043	24, 276	48,52
Sugar, refined	96, 540 142, 954				

Statement showing the values of domestic merchandise exported from the United States, &c.—Continued.

MEXICO—Continued.

Articles.	From the United States.	From the United Kingdom.	From France.	From Germany.	From Spain
Wearing apparel		\$29,924	\$330,007	\$18,088	€399 09
Wine	317,475	647, 527	80,304	93,772	
All other articles	1,163,483	382,737	745, 851	70, 448	194, 30
Total		4, 953, 445	3, 957, 121	c698, 768	891, 81
	des the exports from Ge MERICAN STATES.	rmany to Centr	al American Sta	tes.	
Breadstuffs	512,704				
Cotton, manufactures of	7,454 268,847	27, 462 2, 990, 829	1,595		
Chemicals, drugs, dyes, and medicines	138, 875 18, 809	31,749	29,178		
Fancy articles	28, 591	169, 632	10,414		
Fish Fruits					
Gunpowder and other explosives	128,613	430, 909	5,703		
ron and steel, and manufactures of	5, 412		8,801		
Leather, and manufactures of		25,729	a6,160		
Provisions	145, 949	31,433	28,045		
Soap	11,391	26,391			
Sugar refined		129, 979			
Wearing apparel			43, 662		20, 2
Wood, and manufactures of	16,814	205, 916 282, 564		******	
Total.	-	4, 352, 593	267, 844	(c)	33,9
	from Germany to Centr	11 Store Store	ton one in aluded	l with the ever	uta from Cla
many to Mexico, which see.	ATES OF COLOMBIA.	ai American ou			
Breadstuffs	301,597		97 290		
Carriages, horse-cars, and cars for steam-railroads		54, 893	27, 389		
Carriages, horse-cars, and cars for steam-railroads	165, 677 12, 145 134, 915	54, 893 33, 939 118, 709	27, 389 148, 020		
Carriages, horse-cars, and cars for steam-nailroads Candles	165, 677 12, 145 134, 915 18, 818 269, 515	54, 393 33, 939 118, 709 2, 716, 884	27, 389 148, 020		
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Coal. Cotton, manufactures of Earthen, China, and glass ware Fancy articles.	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894	54, 593 33, 939 118, 709 2, 716, 884 22, 965	27, 389 148, 020	75,646	
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Coal. Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish. Flax, hemp, and jute, manufactures of	165,677 12,145 134,915 18,818 269,515 37,255 41,894 60,862 73,369	54, 893 33, 939 118, 709 2, 716, 884 22, 965	27, 389 148, 020 648, 776 22, 965 472, 384 94, 264 409, 778	75,646	
Carriages, horse-cars, and cars for steam-railroads Candles Chemicals, drugs, dyes, and medicines Coal Cotton, manufactures of Carthen, China, and glass ware Fancy articles Fish Flax, hemp, and jute, manufactures of Gunpowder and other explosives India rubber and outles percha, manufactures of	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642	54, 893 33, 939 118, 709 2, 716, 894 22, 965 474, 260 115, 891 33, 535	27, 389 148, 020 648, 776 22, 965 472, 384 94, 264 409, 778	75,646	
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines. Cotton, manufactures of Carthen, China, and glass ware Carthen, China, and glass ware Carthen, China, and jutes ware Class, hemp, and jute, manufactures of Class, hemp, and jute, manufactures of Class, hemp, and guita-percha, manufactures of Consider and other explosives. Consider and steel, and manufactures of Consider and steel, and manufactures of Consider and steel, and manufactures of Consider and solver.	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642 726, 788 24, 104	54, 883 33, 939 118, 709 2, 716, 884 22, 965 474, 260 115, 891 33, 535 789, 161	27, 389 148, 020 648, 776 22, 965 472, 384 94, 264 409, 778 169, 035 98, 527	75,646	
Carriages, horse-cars, and cars for steam-railroads Andles. Chemicals, drugs, dyes, and medicines Coatlon, manufactures of Carthen, China, and glass ware Fancy articles Fish Flax, hemp, and jute, manufactures of Gunpowder and other explosives India rubber and gutta-percha, manufactures of ron and steel, and manufactures of lewelry, and manufactures of gold and silver Leather, and manufactures of.	165, 677 12, 145 134, 915 18, 818 269, 515 37, 256 41, 894 60, 862 73, 369 128, 203 28, 642 726, 788 24, 104 140, 662	54, 883 33, 939 118, 709 2, 716, 884 22, 965 474, 260 115, 891 33, 535 789, 161	27, 389 148, 020 648, 776 22, 965 472, 384 94, 264 409, 778 169, 035 98, 527 872, 038	75,646	15,0
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines. Coatlo. Coatlon, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Flax, hemp, and jute, manufactures of Gunpowder and other explosives. India rubber and gutia-percha, manufactures of. Iron and steel, and manufactures of. Jewelry, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery.	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 228, 642 726, 788 24, 104 140, 662 53, 203 84, 818	54, 583 33, 939 118, 709 2,716, 884 22, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 738	27, 389 148, 020 648, 776 22, 965 472, 384 94, 264 409, 778 169, 035 98, 527 872, 038 a134, 565	75,646	15,0
Carriages, horse-cars, and cars for steam-railroads Candles	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 082 659	54, 883 33, 939 118, 709 2, 716, 884 22, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 738	27, 389 148, 020 648, 776 22, 965 472, 384 94, 264 409, 778 169, 035 98, 527 572, 038 a134, 565 26, 751	75,646	15,0° a23,8° 14,9°
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Flax, hemp, and jute, manufactures of Gunpowder and other explosives. India rubber and guita-percha, manufactures of Iron and steel, and manufactures of of Iewelry, and manufactures of gold and silver Leather, and manufactures of. Malt liquors. Paper and stationery Provisions Silk, manufactures of. Soap Spirits, distilled	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 22, 642 726, 788 24, 104 140, 662 53, 203 84, 818 648, 082 659 89, 765	54, 893 33, 939 118, 709 2, 716, 884 22, 965 474, 280 115, 891 33, 535 789, 161 97, 637 54, 738	27, 389 148, 020 648, 776 22, 965 472, 384 94, 264 409, 778 169, 035 98, 527 572, 038 a134, 565 26, 751	75,646	15, 0 a23, 8 14, 9
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Flax, hemp, and jute, manufactures of Gunpowder and other explosives. India rubber and gutta-percha, manufactures of. Iron and steel, and manufactures of, Jewelry, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery Provisions Silk, manufactures of. Soap Spirits, distilled. Sugar, refined Tobacco, and manufactures of.	165, 677 12, 145 134, 915 18, 818 299, 515 37, 255 41, 894 60, 862 73, 369 128, 263 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 982 699, 766 32, 978 173, 298	54, 893 33, 939 118, 709 2, 716, 884 222, 965 474, 260 115, 891 33, 535 789, 161 97, 687 54, 738	27, 889 148,020 648,776 22,965 472, 384 94, 264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017	75,646	15,0 a23,8 14,9
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles Fish. Fish. Fish. Fiax, hemp, and jute, manufactures of Gunpowder and other explosives. India rubber and gutta-percha, manufactures of. Iron and steel, and manufactures of. Jewelry, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery Provisions Silk, manufactures of. Soap Spirits, distilled. Sugar, refined Tobacco, and manufactures of. Wearing apparel Wine	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642 726, 788 24, 104 140, 662 53, 203 84, 818 648, 082 89, 766 32, 978 32, 978 32, 978	54, 583 33, 939 118, 709 2,716, 884 22, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 788	27, 889 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017	75,646	15,0 e23,8 14,9
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Coal. Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Flax, hemp, and jute, manufactures of Gunpowder and other explosives. India rubber and gutta-percha, manufactures of. Iron and steel, and manufactures of gold and silver. Leather, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery. Provisions Silk, manufactures of. Soap Spirits, distilled. Sugar, refined Tobacco, and manufactures of. Wearing apparel Wine. Wood, and manufactures of.	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 982 659 89, 766 32, 978 173, 290 99, 674 (b) 5, 807	54, 893 33, 939 118, 709 2, 716, 884 22, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 738	27, 389 148, 020 648, 776 22, 965 472, 384 94, 264 409, 778 169, 035 98, 527 872, 038 a134, 565 26, 751 122, 017	75,646	15, 0 a23, 8 14, 9
Breadstuffs Carriages, horse-cars, and cars for steam-railroads Candles	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 982 87, 26 32, 978	54, 893 33, 393 118, 709 2, 716, 884 22, 965 474, 260 115, 991 33, 535 789, 161 97, 637 54, 738 265, 998	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 694,455 30,909 80,998 522,144	75,646	15,00 a23,80 14,90
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines. Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Flax, hemp, and jute, manufactures of Gunpowder and other explosives. India rubber and gutta-percha, manufactures of. Iron and steel, and manufactures of. Jewelry, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery Provisions. Silk, manufactures of. Soap. Spirits, distilled. Sugar, refined Tobacco, and manufactures of. Wearing apparel Wine. Wood, and manufactures of. Wood, manufactures of. Mood, manufactures of. Total.	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 263 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 84, 818 648, 082 659 89, 766 32, 978 173, 280 190, 674 (b) 5, 807 1, 022, 831 40, 318 981, 400	54, 893 33, 939 118, 709 2, 716, 884 222, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 738 265, 998 265, 998	27, 889 148,020 648,776 22,965 472,384 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586	75,646	15,00 623,8 14,90 150,00 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Gunpowder and jute, manufactures of Gunpowder and other explosives. India rubber and gutia-percha, manufactures of. Iron and steel, and manufactures of. Iewelry, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery. Provisions Silk, manufactures of. Soap Spirits, distilled Sugar, refined Fobacco, and manufactures of. Wearing apparel Wine Wood, and manufactures of. Wood, and manufactures of. Malt lother articles Total. ### Includes books. ### Not specified. ### C The exports from #### C The exports from #### C The Exports from #### A Includes books. #### Not specified. #### C The exports from ####################################	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 982 87, 26 32, 978	54, 893 33, 939 118, 709 2, 716, 884 222, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 738 265, 998 265, 998	27, 889 148,020 648,776 22,965 472,384 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586	75,646	15,0 #23,8 14,9 150,0 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Gunpowder and other explosives India rubber and gutia-percha, manufactures of Iron and steel, and manufactures of Iewelry, and manufactures of gold and silver Leather, and manufactures of Malt liquors. Paper and stationery Provisions Silk, manufactures of Soap Spirits, distilled Sugar, refined Fobacco, and manufactures of Wearing apparel Wine Wood, manufactures of Malt other articles Total. ### A Includes books. ### Breadstuffs Chemicals, drugs, dyes, and medicines. **Chemicals, drugs, dyes, and medicines.	165, 677 12, 145 134, 915 13, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642 7626, 788 24, 104 140, 682 53, 293 84, 818 648, 082 659 98, 766 32, 978 173, 280 99, 674 (b) 1, 022, 831 40, 318 981, 460 5, 397, 412 a Germany to the Unite NEZUELA.	54, 893 33, 939 118, 709 2, 716, 884 222, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 738 265, 998 265, 998	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586 mbia are not se	(c)	15, 0 α23, 8 14, 9 150, 0 67, 0 270, 8
Carriages, horse-cars, and cars for steam-railroads Landles. Chemicals, drugs, dyes, and medicines Ootton, manufactures of Earthen, China, and glass ware Fancy articles. Fish, Flax, hemp, and jute, manufactures of gunpowder and other explosives India rubber and gutta-percha, manufactures of, ron and steel, and manufactures of, sewelry, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors Paper and stationery Provisions Silk, manufactures of. Soap Soap Spirits, distilled sugar, refined Fobacco, and manufactures of. Wearing apparel Wine Wood, and manufactures of. Wood, manufactures of. All other articles Total. A Includes books. B Not specified. c The exports from VE Breadstuffs Chemicals, drugs, dyes, and medicines. Coal.	165, 677 12, 145 134, 915 18, 818 299, 515 37, 255 41, 894 60, 862 73, 399 128, 263 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 082 659 89, 766 32, 978 173, 280 193, 674 (b) 1, 022, 831 40, 318 981, 460 5, 397, 412 a Germany to the Unite NEZUELA.	54, 893 33, 939 118, 709 2, 716, 884 229, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 738 265, 998 255, 998 358, 520 509, 995 5, 646, 625 d States of Colo	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586 mbia are not seg	(c)	15,0 623,8 14,9 150,0 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Landles. Chemicals, drugs, dyes, and medicines Dotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Finax, hemp, and jute, manufactures of Gunpowder and other explosives India rubber and gutta-percha, manufactures of. Tor on and steel, and manufactures of. India rubber, and manufactures of gold and silver Leather, and manufactures of. Malt liquors Paper and stationery Provisions Silk, manufactures of. Soap Spirits, distilled Sugar, refined Fobacco, and manufactures of. Wearing apparel Wine Wood, and manufactures of. Wood, manufactures of. All other articles Total. Total. a Includes books. b Not specified. c The exports from VE Breadstuffs Chemicals, drugs, dyes, and medicines. Doal Ootton, manufactures of. Sarthen, china, and glass ware.	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 082 89, 766 32, 978 173, 280 99, 674 (b) 1, 022, 831 40, 318 981, 460 5, 397, 412 6 Germany to the Unite NEZUELA.	54, 893 33, 939 118, 709 2, 716, 884 229, 965 474, 280 115, 891 33, 535 789, 161 97, 637 54, 738 265, 998 255, 998 358, 520 599, 995 5, 646, 625 d States of Colo	27, 889 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586 mbia are not segon, s	(c)	15,0 a23,8 14,9 150,0 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Carthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Fish. Finn, and jute, manufactures of Gunpowder and other explosives India rubber and gutia-percha, manufactures of. Too and steel, and manufactures of. India rubber and gutia-percha, manufactures of. India tiliquors Paper and stationery Provisions Silk, manufactures of. Soap Spirits, distilled. Sugar, refined Fobacco, and manufactures of. Wearing apparel Wine Wood, manufactures of. All other articles Total. Includes books. India rubber articles Total. Includes books. India rubber articles Total. Includes books. I	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 082 659 98, 766 32, 978 173, 280 99, 674 (b) 1, 022, 831 1, 022, 831 4, 818 981, 460 5, 397, 412 a Germany to the Unite NEZUELA.	54, 893 33, 939 118, 709 2, 716, 884 22, 965 474, 280 115, 891 33, 535 789, 161 97, 637 54, 738 265, 998 255, 998 358, 520 509, 995 5, 646, 625 d States of Colo	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586 mbia are not set 39,819 97,918 17,742 79,048 73,986	(c)	15,0 #23,8 14,9 150,0 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Fish. Gunpowder and other explosives India rubber and gutia-percha, manufactures of Iron and steel, and manufactures of Iron and steel, and manufactures of If wellry, and manufactures of gold and silver Leather, and manufactures of. Malt liquors. Provisions Silk, manufactures of. Soap Spirits, distilled Sugar, refined Fobacco, and manufactures of. Wearing apparel Wine Wood, and manufactures of. All other articles Total a Includes books, b Not specified. c The exports from VE Breadstuffs Chemicals, drugs, dyes, and medicines. Coal Cotton, manufactures of. Earthen, china, and glass ware. Francy articles Flax, hemp, and jute, manufactures of. Flish Fruits.	165, 677 12, 145 134, 915 13, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 982 659 99, 674 (b) 1, 022, 831 173, 280 99, 674 (b) 5, 807 1, 022, 831 40, 318 981, 460 5, 397, 412 an Germany to the Unite NEZUELA.	54, 893 33, 939 118, 709 2, 716, 884 22, 965 474, 280 115, 891 33, 535 789, 161 97, 637 54, 738 265, 998 265, 998 358, 520 509, 995 5, 646, 625 d States of Colo	27, 889 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586 mbia are not set 39,819 97,918 17,742 79,048 73,986 93,344 40,115	(c)	15,0 423,8 14,9 150,0 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Coal. Cotton, manufactures of Earthen, China, and glass ware Fancy articles Fish. Figure And Fish. Fish. Fish. Fish. Fish. Fish. Figure And Fish. Fish. Fish. Fish. Figure And Fish. Fish. Fish. Fish. Figure And Fish. Fish. Figure And Figure And Fish. Figure And Figure	165, 677 12, 145 134, 915 18, 818 299, 515 37, 255 41, 894 60, 862 73, 369 128, 263 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 982 89, 766 32, 978 173, 280 99, 674 (b) 5, 807 1, 022, 831 40, 318 981, 460 5, 397, 412 16 Germany to the Unite NEZUELA. 904, 981 93, 968 9, 131 215, 343 114, 042 177, 726 22, 428 23, 076 5, 983 117, 726 24, 242 23, 076 5, 983 1, 674	54, 893 33, 939 118, 709 2, 716, 884 229, 965 474, 260 115, 891 33, 535 789, 161 97, 687 54, 738 265, 998 358, 520 509, 995 5, 646, 625 d States of Colo	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 694,455 30,998 522,144 5,281,586 mbia are not set 39,819 97,918 17,742 79,048 73,986 93,344	(c)	15,0 a23,8 14,9 150,0 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Carthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Fish. Gunpowder and other explosives. India rubber and gutia-percha, manufactures of. I con and steel, and manufactures of gold and silver. Leather, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery Provisions. Silk, manufactures of. Soap Spirits, distilled. Sugar, refined Fobacco, and manufactures of. Wearing apparel Wine Wood, and manufactures of. Malt other articles. Total. A Includes books. A Not specified. Cather, and manufactures of. All other articles. Total. Coal Coal Coal Coal Cotton, manufactures of. Sarchen, china, and glass ware. Fancy articles. Flax, hemp, and jute, manufactures of. Fish. Gunpowder and other explosives I con and steel, and manufactures of. Fish ewelry, and manufactures of gold and silver. Fowelry, and manufactures of gold and silver.	165, 677 12, 145 134, 915 13, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 082 659 98, 766 32, 978 173, 280 99, 674 (b) 1, 022, 831 40, 318 981, 460 5, 397, 412 Germany to the Unite NEZUELA. 904, 981 23, 078 9, 131 11, 042 17, 726 5, 983 11, 742 17, 726 5, 983 1, 674 277, 108 6, 342 1, 674 277, 108 6, 383 6, 384 1, 674 277, 108 6, 383 6, 383 1, 674 277, 108 6, 383 6, 383 1, 674 277, 108 6, 383 6, 383 6, 383 1, 674 277, 108 6, 383 6, 384	54, 893 33, 939 118, 709 2, 716, 884 22, 965 474, 280 115, 891 33, 535 789, 161 57, 637 54, 738 265, 998 265, 998 358, 520 509, 995 5, 646, 625 d States of Colo	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586 mbia are not set 39,819 97,918 17,742 79,048 73,986 93,344 40,115 8,421 9,442 4,866	(c)	15,0 a23,8 14,8 150,0 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 082 659 99, 674 (b) 1, 022, 831 40, 818 981, 460 5, 397, 412 a Germany to the Unite NEZUELA. 994, 981 23, 076 23, 978 24, 104 27, 17, 726 23, 076 5, 983 114, 042 21, 726 22, 3076 5, 983 114, 042 21, 726 22, 3076 5, 983 114, 042 21, 726 22, 3076 5, 983 114, 042 21, 726 22, 3076 5, 983 114, 042 21, 726 22, 3076 3, 983 3, 1674 277, 108 6, 342 21, 108 6, 342 21, 108	54, 893 33, 393 118, 709 2, 716, 884 22, 965 474, 260 115, 891 33, 535 789, 161 97, 637 54, 738 265, 998 358, 520 509, 995 5, 646, 625 d States of Colo	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 80,998 522,144 5,281,586 mbia are not set 39,819 97,918 17,742 79,048 73,986 93,344 40,115 8,421 9,442 4,866 93,344 4,866 93,344 4,866 93,344 4,866 45,423	(c)	15,0 c c 23,8 c 14,9 c c c c c c c c c c c c c c c c c c c
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Gunpowder and other explosives. India rubber and gutta-percha, manufactures of. Iron and steel, and manufactures of. Iswelry, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery Provisions. Silk, manufactures of. Soap Spirits, distilled Sugar, refined Tobacco, and manufactures of. Wearing apparel Wine. Wood, and manufactures of. Wood, manufactures of. All other articles. Total. a Includes books. b Not specified. c The exports from VE Breadstuffs Ccton, manufactures of. Earthen, china, and glass ware. Flax, hemp, and jute, manufactures of. Fish Fruits. Gunpowder and other explosives Iron and steel, and manufactures of. Malt liquors. Jessey and manufactures of. Jessey and	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 37, 255 41, 894 60, 862 73, 369 128, 203 28, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 882 659 99, 674 (b) 5, 807 1, 0222, 831 40, 318 981, 460 5, 397, 412 an Germany to the Unite NEZUELA. 924, 981 83, 968 9, 131 14, 042 17, 726 22, 327 11, 726 24, 281 14, 140 27, 143 281 29, 144 277, 108 6, 342 17, 726 21, 30, 66 31, 674 277, 108 6, 342 11, 674 277, 108 6, 342 113, 045 39, 269 80, 909	54, 893 33, 393 118, 709 2, 716, 884 22, 965 474, 260 115, 891 33, 335 789, 161 87, 637 54, 738 265, 998 358, 520 509, 995 5, 646, 625 d States of Colo 2, 003, 850 3, 168 274, 704	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 8522,144 5,281,586 mbia are not see 39,819 97,918 17,742 79,045 73,986 93,344 40,115 8,421 9,442 4,866 45,423	(c)	15,0 423,8 14,9 150,0 67,0 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Coal. Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Fish and jute, manufactures of Gunpowder and other explosives India rubber and gutta-percha, manufactures of. Iron and steel, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery. Provisions Spirits, distilled Sugar, refined Tobacco, and manufactures of. Wearing apparel Wine. Wood, and manufactures of. Wool, manufactures of. All other articles Total. a Includes books. b Not specified. c The exports from VE Breadstuffs Chemicals, drugs, dyes, and medicines. Coal Cotton, manufactures of. Earthen, china, and glass ware. Fancy articles. Fish. Fruits. Gunpowder and other explosives Iron and steel, and manufactures of. Gunpowder and other explosives Iron and steel, and manufactures of. Malt liquors. Oils: Mineral, refined. All other.	165, 677 12, 145 134, 915 18, 818 269, 515 37, 255 41, 894 60, 862 73, 369 128, 203 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 082 659 89, 766 32, 978 173, 280 99, 674 (b) 1, 022, 831 40, 318 981, 460 5, 397, 412 16 Germany to the Unite NEZUELA. 904, 981 23, 078 9, 1343 114, 042 17, 726 5, 983 1, 17, 274 18, 194 18, 194 1977, 108 198, 198 198 198 198 198 198 198 198 198 198	54, 893 33, 939 118, 709 2, 716, 884 229, 965 474, 280 115, 891 33, 535 789, 161 97, 687 54, 738 265, 998 255, 998 358, 520 509, 995 5, 646, 625 d States of Colo 2, 003, 850 3, 168 274, 704 235, 845	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 8522,144 5,281,586 mbia are not segment of the segmen	(c)	15,00 623,8 14,9 150,00 67,00 270,8
Carriages, horse-cars, and cars for steam-railroads Candles. Chemicals, drugs, dyes, and medicines Cotton, manufactures of Earthen, China, and glass ware Fancy articles. Fish. Fish. Fish. Fish. Gunpowder and other explosives. India rubber and gutta-percha, manufactures of. Iron and steel, and manufactures of. Iswelry, and manufactures of gold and silver. Leather, and manufactures of. Malt liquors. Paper and stationery Provisions. Silk, manufactures of. Soap Spirits, distilled Sugar, refined Tobacco, and manufactures of. Wearing apparel Wine. Wood, and manufactures of. Wood, manufactures of. All other articles. Total. a Includes books. b Not specified. c The exports from VE Breadstuffs Ccton, manufactures of. Earthen, china, and glass ware. Flax, hemp, and jute, manufactures of. Fish Fruits. Gunpowder and other explosives Iron and steel, and manufactures of. Malt liquors. Jessey and manufactures of. Jessey and	165, 677 12, 145 134, 915 13, 915 13, 818 269, 515 37, 255 37, 255 41, 894 60, 862 73, 369 128, 203 22, 642 726, 788 24, 104 140, 662 53, 293 84, 818 648, 082 659 89, 766 32, 978 173, 280 99, 674 (b) 1, 022, 831 40, 318 981, 460 5, 397, 412 10 10 10 10 10 10 10 10 10 10 10 10 10 1	54, 893 33, 939 118, 709 2, 716, 884 22, 965 474, 280 115, 891 33, 535 789, 161 57, 637 54, 738 265, 998 265, 998 358, 520 509, 995 5, 646, 625 d States of Colo 2, 003, 850 3, 168 274, 704 235, 845 4, 146	27, 389 148,020 648,776 22,965 472,384 94,264 409,778 169,035 98,527 872,038 a134,565 26,751 122,017 698,890 649,455 30,909 8522,144 5,281,586 mbia are not see 39,819 97,918 17,742 79,045 73,986 93,344 40,115 8,421 9,442 4,866 45,423	(c)	15,0 a23,8 14,9 150,0 67,0 270,8 12,8

Statement showing the values of domestic merchandise exported from the United States, &c.—Continued.

VENEZUELA—Continued.

Articles.	From the United States.	From the United Kingdom.	From France.	From Germany.	From Spain
Wearing apparel. Wine Wood, and manufactures of.	(b) \$335 96, 874	\$18,610	146,092		\$167,579
Wool, and manufactures of. All other articles	1,772	170, 186 210, 364	CONTRACTOR AND ADDRESS OF THE RESIDENCE		
Total	2, 992, 968	2, 920, 873	874, 337	(c)	255,05

a Includes books.

b Not specified.

cThe exports from Germany to Venezuela are not separately stated.

BRAZIL.

Agricultural implements	14, 61 3 3, 419, 448				
Candles.	21, 902				
Parriages, carts, and cars	37,095		1000		
hemicals, drugs, dyes, and medicines	133, 849	301,665	345, 971	10,948	
Oal	51,460	1,378,806		20,020	
Sopper, and manufactures of	4, 479	266, 937	5,599		
lotton, manufactures of	516, 827	14, 111, 960	467,074	535, 738	
arthen, china, and glass ware	48, 157	536, 215	163, 529	63,070	
ancy articles	41, 337	000,220	883, 894		
lax, hemp, and jute, manufactures of	37, 174	1, 332, 998			
unpowder and other explosives	7,517	542, 805			
lair, and manufactures of	1,677		60, 582		
ndia rubber and gutta-percha, manufactures of	7,637	126, 383	00,002	7,616	
nstruments for scientific purposes	19,676	120,000	83, 885	1,010	
ron and steel, and manufactures of	607, 110	6,740,414	404, 447	490,756	
ewelry, and other manufactures of gold and silver	30, 461	0,710,414		437, 920	
ead, and manufactures of	6,829	72,413			
eather, and manufactures of	19, 353	834, 181	2, 583, 538	196,112	
ime and cement	1,021	181, 141			100000000000000000000000000000000000000
	10,722	117,599			
Ialt liquorsils mineral, refined	868, 387			2,618	
	31, 331		11,420	A STATE OF THE PARTY OF THE PAR	
ll other	1,711	131, 103	45, 626		THE RESERVE AND THE PROPERTY OF THE PROPERTY OF
aints and painters's colors	44, 103		a495, 749		
aper and stationery	445, 809	8,288			220000000000000000000000000000000000000
rovisions	34		1,400,511		
alt	310	107 005			A STATE OF THE PARTY OF THE PAR
eeds,	20, 462	127, 025 48, 407	90 400		
ilk, manufactures of	113, 753	Annual Control of the	36, 403	0.500	
oap					
pirits, distilled	29, 421		100 100		
pirits of turpentine				***************************************	
mbrellas and parasols	0.100				
egetables	2,189	000 700	111,419		\$15 A.C. 2000 St. C.
Vearing apparel	(b)	323, 569	1,793,725	121,380	
Vine	60		623, 321		
Food, and manufactures of	225,730		148, 485	58,072	
Vool, and manufactures of	1,063	1,741,282	505	454, 818	
All other articles	434,710	2,505,060	881, 293	551, 922	113, 61
Total.	7, 258, 035	31, 493, 866	12,064,304	2, 992, 850	166, 79

URUGUAY.

			157, 327	Agricultural implements
E-1000 (A100 (A))(A))(A))(A)))))))))))))))))))))))	The second secon	TAX TO SELECT THE PARTY OF THE	2,736	Breadstuffs
	67,531		26, 967	Chemicals, drugs, dyes, and medicines
			400	Coal
	213,011			Cotton, manufactures of.
		86,113	2,911	Earthen, china, and glass ware
				Fancy articles.
	320, 635	258, 401	31, 196	Flax, hemp, and jute, manufactures of
				Gunpowder and other explosives
		1,315,799		Iron and steel, and manufactures of
				Jewelry, and other manufactures of gold and silver
	226,906			Leather, and manufactures of
		16, 736		Malt liquors
				Oils, mineral, refined
				All other
		57,065		Paints and painters' colors
	a96, 101			Paper and stationery
			43,002	Provisions
	000 005		11 050	Silk, manufactures of
				Spirits, distilled
	7 45 505		10 March 10 A.M.	Starch
12-11-11-11-11-11-11-11-11-11-11-11-11-1				Sugar, refined
			1960 200 200 200	Tobacco, and manufactures of
			(0)	Wearing apparel
			E00 741	Wines
				Wood, and manufactures of
				Wool, and manufactures of
	519, 156	818, 011	124,109	All other articles
(d)	3, 936, 414	7,703,489	1,601,759	Total
		67,531	590, 010 3, 196, 157 86, 113 56, 890 190, 899 258, 401 190, 899 258, 401 26, 122 11, 315, 799 165, 603 26, 122 11, 324 220, 906 16, 736 57, 065 209, 101 21, 290 238, 605 24, 120 238, 605 25, 120 24, 101 25, 100 25	2, 736 26, 967 400 150, 300 3, 196, 157 2, 911 2, 911 86, 113 56, 890 15, 103 31, 196 258, 401 320, 635 5, 882 77, 611 1, 315, 799 165, 603 25, 122 1, 170 11, 324 226, 906 250, 113 80 367 57, 065 6, 902 43, 002 11, 258 20, 113 35, 941 145, 585 73, 193 (b) 172, 513 181, 870 1, 410, 189 560, 741 1, 865 1, 151, 330 124, 159 848, 041 519, 156

Includes books and engravings.

b Not specified.

ARGENTINE REPUBLIC.

Coal. 999 742 813	Agricultural implements Cars for steam-railroads Chemicals, drugs, dyes, and medicines Coal	320, 912 48, 236 101, 209 999	159,018	195, 383	21, 182	100, 996
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Statement showing the values of domestic merchandise exported from the United States, &c.—Continued.

ARGENTINE REPUBLIC-Continued.

Articles.	From the United States.	From the United Kingdom.	From France.	From Germany.	From Spain,
Cotton, manufactures of. Earthen, china, and glass ware. Fancy articles Frish Fruits Fruits Flax, hemp, and jute, manufactures of. Gunpowder and other explosives. Iron and steel, and manufactures of gold and silver Leather, and manufactures of gold and silver Leather, and manufactures of malt liquors. Oils, mineral, refined All other Paints and painters' colors. Paper and stationery Provisions. Silk, manufactures of. Spirits, distilled. Starch. Sugar, refined. Tobacco, and manufactures of. Wearing apparel. Wines.	28, 225 19, 584 29, 313 1126 88, 287 14, 024 845, 418 16, 463 396, 694 1, 932 2, 244 42, 920 38, 425 8, 311 100, 193 (b)	168, 454	233, 411 76, 156 4, 705, 793 637, 967 687, 683 1, 275, 223 65, 849 a316, 132 34, 312 90, 040 866, 441 1, 371, 285	1, 428 12, 852 73, 304	a171, 266 50, 183 9, 144
Wood, and manufactures of	1,112,661 685	2,852,050 2,915,695	187, 189 155, 179 1, 972, 193		28, 344 432, 572
Total.	4, 327, 026	28, 277, 825	23,007,742	e1, 627, 206	3, 735, 621

a Includes books. b Not specified. c Includes salt, valued at \$297,126. d The exports from Germany to Uruguay are included with the exports from Germany to Paraguay and Uruguay.

CHILI.

Wines Wood, and manufactures of. Wool, manufactures of. All other articles.	353, 552 6, 887 258, 023	1,253,134 1,379,385	99, 223 88, 579 430, 175	6, 902 302, 736 133, 042	5, 263
Tobacco, and manufactures of	13, 392 (b) 500	206, 812	305, 505	102, 340	
Spirits of turpentine	8,453 35,211	1			
Spirits, distilled.	110		108,547		
Paper, and manufactures of. Provisions.	28, 130 31, 717		a118, 235	9,758	
Oils, mineral, refined All other	24, 467	99, 330	9, 429		
Malt liquors	5, 056 154, 806	20,449			1
Jewelry, and manufactures of gold and silver	5, 273 17, 856		91 491, 295	16, 660 19, 278	
Gunpowder and other explosives India rubber and gutta-percha, manufactures of	17, 685 8, 209 378, 097	89, 364 56, 310 2, 597, 645	200, 769	1,666 23,562	
Fish, Flax, hemp, and jute, manufactures of	18, 392 35, 208	378, 667	451, 464		
Earthen, china, and glass ware	16, 159 14, 698	155, 251		5,712	
Copper, and manufactures of	613, 129	29, 185 3, 317, 483	252,610	647, 122	Control of the Contro
Agricultural implements	. 71,965 69,847 4,901	520, 501	105, 834	6, 902	

PERU.

Wood, and manufactures of. Wool, manufactures of. All other articles. Total.	96, 994 3, 204 128, 940 735, 979	876, 846 785, 930 5, 259, 976	72,727 339,774 2,039,089	238 65, 450 39, 508 301, 070	6, 112
Wearing apparel	(6) 40	64, 549	280, 160	1,666	
Spirits, distilled	847 597			3, 332	
Paper and stationery	12, 697 155, 379			2,618	a11,483
Malt liquors	2,344 7,228 614 34,453	7, 923 15, 169	93, 315 299, 037		
Fish, hemp, and jute, manufactures of	7,572 27,548 92,604	182,757 838,469	69,568 487,739 37,432		
Cotton, manufactures of. Earthern, china, and glass ware Fancy goods.	114,777 2,720 14,851	2, 131, 459 105, 491	73, 632 57, 800	153, 510	
Chemicals, drugs, dyes, and medicines	30, 899 1, 071 591	227,777 23,606		1,190	

APPENDIX TO THE CONGRESSIONAL RECORD. .

Statement showing the total values of the commerce of the United States with Mexico, Central America, the West Indies, and South America during the years ending June 30, 1868 and 1885 (merchandise only).

	Expo	rts.	Impo	rts.	Total imports and exports.		
Countries.	1868.	1885.	1868.	1885.	1868.	1885.	
Mexico	\$6,441,339	\$8,340,784	\$1,590,667	\$9, 267, 021	\$8,632,006	\$17,607,805	
Central American States and British Honduras	646, 347	3, 132, 284	1, 271, 351	6,627,375	1,917,698	9, 759, 659	
Cuba THE WEST INDIES. British West Indies. Porto Rico Hayti San Domingo French West Indies Dutch West Indies. Danish West Indies. Swedish West Indies.	14, 675, 697 6, 742, 381 2, 547, 536 3, 247, 500 66, 201 913, 121 507, 832 1, 170, 996 29, 699	9, 006, 160 7, 210, 879 1, 569, 205 3, 307, 307 936, 701 1, 418, 973 666, 842 586, 159	49,774,704 2,765,116 6,345,639 753,866 83,363 218,953 289,573 573,004 2,136	42, 306, 093 10, 363, 381 6, 104, 263 2, 471, 436 1, 461, 419 1, 147, 515 386, 668 336, 303	64, 450, 401 9, 507, 497 8, 893, 175 4, 001, 366 149, 564 1, 132, 074 797, 405 1, 744, 000 31, 835	51, 312, 253 17, 574, 260 7, 673, 468 5, 778, 743 2, 448, 120 2, 566, 488 1, 053, 510 922, 462	
Brazil. United States of Colombia. Venezuela. Argentine Republic Uruguay. Chili British Guiana Peru Dutch Guiana French Guiana. All other South America.	5, 605, 404 3, 711, 796 961, 262 2, 782, 600 821, 006 1, 580, 999 1, 945, 568 1, 666, 355 465, 523 36, 986 8, 264	7, 317, 293 5, 583, 369 3, 043, 609 4, 676, 501 1, 682, 443 2, 211, 007 1, 640, 657 742, 105 299, 018 110, 844 428, 011	23, 595, 740 2, 538, 297 2, 368, 977 4, 806, 299 1, 179, 520 951, 767 2, 364, 682 1, 765, 397 422, 581 15, 477 2, 366	45, 263, 660 2, 342, 077 6, 309, 580 4, 328, 510 2, 734, 617 604, 525 921, 354 1, 764, 890 265, 339 1, 803 753, 601	29, 291, 144 6, 250, 093 3, 330, 239 7, 538, 899 2, 000, 526 2, 532, 766 4, 310, 250 3, 431, 752 888, 104 52, 463 10, 630	52, 580, 953 7, 925, 446 9, 353, 188 9, 005, 011 4, 417, 066 2, 815, 532 2, 562, 011 2, 506, 995 564, 357 112, 647 1, 181, 612	
Total	19, 625, 763	27, 734, 857	40,011,103	65, 289, 956	59, 636, 866	93, 024, 81	

Statement showing the value of imports and exports of merchandise carried in American and foreign vessels, respectively, in the foreign trade of the United States with Mexico, Central America, the West Indies, and South America during the year ending June 30, 1885.

	Imp	oorts.	Expo	orts.	Tot	al.
Countries.	In American vessels.	In foreign vessels.	In American vessels.	In foreign vessels.	In American vessels,	In foreign vessels.
Mexico a	\$3,748,890	\$2,841,767	\$4,799,251	\$1,560,359	\$8,548,144	\$4, 402, 126
Central American States and British Honduras	4, 915, 347	1,712,028	2,377,733	754, 551	7, 293, 080	2, 466, 579
Cuba. British West Indies. Porto Rico. Hayti. San Domingo. French West Indies. Dutch West Indies. Danish West Indies.	2,560,874 2,590,135 626,464 1,311,746 419,654 233,479	13, 330, 271 7, 802, 507 3, 514, 128 1, 844, 972 149, 673 727, 861 153, 189 167, 028	8, 074, 752 2, 589, 694 691, 113 1, 080, 286 937, 566 752, 205 440, 463 435, 836	931, 408 4, 621, 185 878, 092 2, 227, 021 49, 135 666, 768 226, 379 150, 323	37, 050, 574 5, 150, 568 3, 281, 248 1, 706, 750 2, 249, 312 1, 171, 859 673, 942 605, 111	14, 261, 679 12, 423, 692 4, 392, 220 4, 071, 993 198, 808 1, 394, 628 379, 568 317, 351
Total	36, 887, 449	27, 689, 629	15,001,915	9, 750, 311	51, 889, 364	37, 439, 940
Brazil United States of Colombia. Venezuela. Argentine Republic. Uruguay. Chill British Guiana. Peru Dutch Guiana. Prench Guiana. French Guiana. All other South America.	774, 597 4, 357, 892 3, 338, 446 496, 594 290, 342 390, 309 811, 245 258, 212 1, 803	35, 155, 362 1, 567, 480 1, 951, 688 990, 664 2, 238, 623 314, 183 531, 045 953, 645 7, 127	3, 681, 883 4, 917, 069 2, 128, 394 2, 543, 715 382, 402 1, 581, 687 575, 886 511, 585 277, 364 81, 184 383, 740	3, 635, 410 666, 300 915, 215 2, 132, 785 1, 300, 041 629, 320 764, 771 230, 520 21, 654 29, 660 44, 271	13, 790, 181 5, 691, 666 6, 486, 286 5, 882, 161 878, 996 1, 872, 029 1, 266, 195 1, 322, 830 535, 576 82, 987 941, 964	38, 790, 772 2, 233, 786 2, 866, 902 3, 122, 856 3, 538, 064 943, 503 1, 295, 816 1, 184, 165 28, 781 29, 666 239, 648
Total	21, 385, 962	43, 903, 994	17, 364, 909	10, 369, 948	38, 750, 871	54, 273, 942
Grand total.	66, 937, 648	76, 147, 418	36, 725, 728	22, 435, 169	102, 590, 850	98, 582, 587

a In addition to the merchandise stated as imported and exported in vessels, merchandise to the value of \$2,676,364 was imported and merchandise to the value of \$1,981,171 was exported "in cars and other land vehicles."

APPENDIX V.

Statement of the value of merchandise imported into the United States from, and exported from the United States to, Mexico, the West Indies, Central and South America for the year ending June 30, 1885.

Imports.	Value.	Exports.	Value.
Chemicals, drugs, dyes, and medicines Cocoa, crude, and leaves and shells of	\$3, 983, 761 1, 279, 996 42, 689, 058 3, 706, 997 11, 658, 079 6, 998, 409 56, 527, 931	Breadstuffs. Cotton, manufactures of. Iron and steel, and manufactures of. Oil, mineral, refined or manufactured. Provisions, comprising meat and dairy products. Wood, and manufactures of. All other merchandise.	\$13, 497, 69 4, 453, 18 5, 997, 14 2, 607, 00 8, 859, 48 7, 759, 73 18, 215, 33
Tobacco and manufactures of	7, 035, 587 1, 321, 259 1, 640, 633 8, 919, 720	Total domestic exports	61, 389, 58 2, 570, 56
Total	145, 761, 430	Total exports	63, 960, 15

APPENDIX VI.

Statement showing the imports and exports of merchandise into and from the United States, from and to Mexico, Central America, and British Honduras, the West Indies and South America, during the years ending June 30, 1866 to 1885.

Mexico.						Cen	tral American	States and B	ritish Hondu	ras,	
Years.		Exports.			Total im-	Exports.			Total	Total im-	
	Domestic.	Foreign.	Total.	Imports. ports and exports.	Domestic.	Foreign,	Total.	Imports.	ports and exports.		
1866. 1867. 1868. 1869* 1870* 1871* 1871* 1872* 1873. 1873. 1873. 1874* 1876* 1876* 1876* 1878* 1889. 1881. 1882. 1883.	\$3, 701, 599 4, 823, 614 5, 048, 420 3, 835, 699 4, 544, 745 5, 044, 033 3, 420, 658 3, 941, 019 4, 016, 148 3, 872, 004 4, 700, 978 4, 503, 802 5, 811, 429 5, 400, 380 6, 665, 974 9, 198, 077 13, 324, 505 14, 370, 992 11, 089, 603 7, 370, 599	\$871, 619 572, 182 1, 392, 919 1, 047, 408 1, 314, 955 2, 568, 090 2, 122, 931 2, 323, 882 1, 390, 691 1, 865, 278 1, 499, 594 1, 389, 692 1, 649, 275 1; 351, 864 1, 800, 519 1, 973, 161 2, 158, 077 2, 216, 628 1, 614, 689 970, 185	\$4, 573, 218 5, 335, 796 6, 441, 339 4, 883, 107 7, 612, 113 5, 959, 700 7, 612, 113 5, 946, 839 6, 264, 901 5, 946, 839 6, 200, 572 6, 200, 572 6, 203, 494 7, 460, 704 6, 782, 244 7, 866, 493 11, 171, 233 15, 482, 582 16, 587, 620 12, 704, 292 12, 704, 292 8, 340, 784	\$1,726,092 1,071,936 1,590,667 2,336,164 2,715,665 3,209,688 4,002,920 4,276,165 4,346,364 5,174,594 5,150,572 5,204,264 5,251,502 5,493,217,802 8,461,899 8,177,123 9,016,486 9,267,021	\$6, 299, 310 6, 467, 732 8, 032, 006 7, 219, 271 8, 575, 365 10, 821, 801 9, 546, 509 10, 541, 066 10, 293, 203 10, 911, 876 11, 331, 144 11, 097, 758 12, 712, 206 12, 245, 465 15, 076, 086 19, 489, 040 23, 944, 481 24, 764, 743 21, 720, 738 17, 607, 805	\$852, 739 876, 138 610, 040 428, 645 199, 132 501, 616 880, 965 899, 570 787, 056 734, 374 891, 988 913, 307 1, 205, 180 1, 404, 365 2, 099, 467 2, 012, 531 2, 085, 439 2, 424, 348 3, 479, 544 3, 027, 673	\$37, 873 104, 888 26, 511 16, 484 33, 346 20, 206 56, 060 62, 240 41, 904 49, 858 37, 853 47, 423 49, 577 50, 133 91, 070 99, 166 66, 887 83, 536 129, 393 104, 611	\$890, 612 981, 026 636, 551, 445, 129 232, 478 521, 822 937, 025 961, 810 828, 960 784, 232 929, 841, 960, 730 1, 254, 757 1, 454, 498, 2, 190, 537 2, 111, 697, 2, 152, 326 2, 507, 884 3, 608, 937, 3, 132, 284	\$893, 585 1,050,010 1,271,351 730,714 734,565 1,481,016 1,590,011 1,974,968 2,855,093 2,435,151 1,597,515 2,678,672 2,968,996 2,410,679 3,766,788 3,602,906 5,224,867 5,653,154 6,424,018	\$1,784,197 2,031,036 1,907,900 1,175,842 967,042 2,002,83 2,527,03 2,936,77 3,684,053 3,219,38 2,527,35 4,223,75 3,865,17 5,967,32 5,714,60 7,377,18 8,161,032,95 9,759,65	

^{*} British Honduras included in West Indies.

West Indies. a					Hills & Re	S	outh America	. b		
	Exports.			Total im-	Exports.			Total im-		
Years.	Domestic.	Foreign.	Total.	Imports.	ports and exports.	Domestic.	Foreign.	Total.	Imports.	ports and exports.
1866	28, 510, 557 27, 099, 529 27, 961, 189 22, 208, 033 28, 689, 451 31, 511, 826 32, 648, 070 31, 746, 675 30, 499, 322 29, 744, 126 27, 986, 532 27, 310, 969 27, 600, 810 29, 143, 738 28, 253, 348 32, 325, 564 32, 325, 564	\$869, 113 923, 045 1, 399, 406 1, 035, 422 1, 719, 178 1, 455, 299 1, 470, 376 2, 078, 954 1, 905, 086 1, 604, 066 1, 246, 080 1, 131, 440 1, 008, 238 914, 971 608, 414 886, 951 699, 323 975, 268 705, 529 728, 091	\$31,061,661 28,310,699 29,900,963 28,104,951 29,680,367 30,643,322 30,159,827 33,590,780 34,643,156 33,350,741 31,745,402 28,294,4770 28,225,94 30,875,566 28,994,770 28,225,94 30,030,689 29,253,271 33,300,832 29,043,077 24,752,226	\$49, 251, 127 48,713, 125 60, 806, 354 73, 191, 206 70, 517, 491 76, 979, 188 91, 389, 230 93, 581, 826 100, 846, 107 82, 506, 610 69, 633, 887 74, 400, 533 78, 528, 344 85, 882, 643 84, 218, 552 91, 803, 822 91, 803, 822 91, 803, 822 91, 804, 452 94, 857, 7078	\$80, 312, 788 77, 023, 824 90, 707, 317 101, 296, 157 100, 197, 858 107, 622, 510 121, 549, 037 127, 172, 606 135, 489, 263 115, 857, 351 101, 379, 289 113, 930, 484 103, 395, 303 106, 754, 284 114, 181, 827 114, 249, 241 121, 057, 063 121, 609, 923 110, 907, 529 89, 329, 304	\$16, 778, 233 19, 848, 205 19, 028, 185 17, 276, 034 17, 447, 022 16, 657, 100 20, 127, 567 25, 153, 570 24, 345, 414 22, 809, 113 21, 508, 261 23, 741, 819 22, 730, 591 22, 685, 603 24, 608, 279 26, 469, 820 28, 927, 097 30, 430, 154	\$334, 913 712, 752 597, 578 791, 112 753, 565 559, 346 744, 243 997, 503 852, 836 637, 705 508, 309 478, 259 517, 588 706, 755 504, 617 696, 567 755, 030 643, 562 796, 780	\$17, 113, 146 20, 560, 957 19, 625, 763 18, 067, 146 18, 200, 587 17, 216, 446 20, 871, 810 26, 151, 073 25, 198, 250 23, 466, 818 22, 016, 630 22, 169, 891 24, 259, 407 23, 437, 376 23, 190, 220 25, 304, 846 27, 224, 850 29, 570, 659 31, 226, 934, 857 27, 734, 857	\$31,538,288 34,957,649 40,011,103 41,078,839 42,963,841 54,082,792 67,056,01 73,068,197 64,881,499 66,887,783 67,855,773 59,174,974 82,126,922 80,627,308 81,291,936 75,733,960 65,289,956	\$48, 651, 434 55, 518, 606 59, 636, 866 59, 145, 985 61, 164, 428 71, 299, 238 76, 538, 987 92, 254, 251 96, 535, 015 86, 898, 129 89, 057, 674 92, 115, 180 82, 612, 350 105, 317, 142 105, 932, 154 108, 515, 786 106, 307, 642 106, 9-0, 894 83, 024, 813

a The years 1869 and 1870 include Danmark, the years 1873 to 1875 include the Guianas, and the years 1869 to 1872 and 1874 to 1878 British Honduras. b The years 1873 to 1875 have the Dutch and French Guianas included in the West Indies.

Statement showing the aggregate values of the imports and exports of merchandise into and from the United States from and into Mexico, Central America, and British Honduras, the West Indies, and South America during the years ending June 30, 1866 to 1885, inclusive.

		Exports.			Total imports and exports.
Years.	Domestic.	Foreign.	Total.	Imports.	
1866	\$51, 525, 119 52, 935, 611 53, 197, 202 48, 609, 907 50, 152, 088 51, 410, 782 53, 118, 641 61, 505, 985 61, 796, 688 59, 162, 166 57, 900, 549 56, 852, 867 58, 744, 960 56, 846, 305 58, 451, 854 64, 962, 625 70, 433, 712 78, 048, 001 73, 246, 849 61, 389, 588	\$2, 113, 518 2, 312, 867 3, 407, 414 2, 890, 426 3, 821, 044 4, 582, 921 4, 893, 610 5, 462, 579 4, 820, 517 4, 176, 907 3, 291, 896 3, 046, 814 3, 224, 678 3, 023, 753 3, 094, 620 3, 655, 845 3, 679, 317 3, 918, 994 3, 336, 391 2, 570, 563	\$53, 638, 637 55, 248, 478 56, 604, 616 51, 500, 333 53, 973, 132 55, 993, 702 66, 968, 564 66, 617, 205 63, 339, 073 60, 892, 445 59, 899, 681 61, 969, 633 59, 870, 058 61, 546, 474 68, 618, 470 74, 113, 229 81, 966, 995 76, 583, 20, 151	\$83, 403, 092 85, 792, 720 103, 679, 475 117, 336, 923 116, 931, 562 135, 752, 684 152, 649, 338 166, 744, 379 175, 103, 567 163, 184, 552 141, 263, 473 150, 476, 804 145, 667, 218 867, 782, 524 178, 985, 906 176, 766, 568 178, 985, 906 176, 766, 568 178, 876, 351 173, 688, 916 174, 768, 914 174, 688, 916 175, 688, 916 174, 768, 914 175, 688, 916 174, 768, 914 175, 768, 914 176, 988, 916 176, 176, 176, 176, 176, 176, 176, 176,	\$137, 047, 725 141, 041, 199 160, 284, 099 168, 837, 699 191, 746, 509 210, 161, 588 233, 712, 945 224, 729, 725 202, 155, 918 217, 725, 318 212, 446, 442 205, 477, 276 240, 532, 386 245, 385, 038 245, 385, 038 246, 642, 155 269, 843, 346 249, 642, 155

Shall the National Revenue be Derived from Protective Customs Duties or from Burdensome and Vexatious Internal Taxes?

SPEECH-

HON. WILLIAM D. KELLEY,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, August 3, 1886.

On the bill (H. R. 7652) to reduce tariff taxes and to modify the laws in relation to the collection of the revenue.

Mr. CHAIRMAN: I shall address my remarks to House bill No. 7652 which is known as the committee's substitute for the Morrison tariff bill. It is a posthumous offspring of the confederacy of insurgent States, the ascendency of whose spirit in this House and the administrative de partments of our Government Jefferson Davis recently celebrated in the midst of displays of popular enthusiasm which elicited from him the significant exclamation, "You are confederates, and I love you for it." Its birthmarks are too many and too well defined to permit a ques-

tion as to its parentage; its vital impulse was received from section 8 of article 1 of the confederate constitution, which was substituted for section 8, Article I of the Constitution of the United States, and marks the point of extreme divergence between the two systems of fundamental law. Our Constitution had been adopted for the purpose of providing for the common defense and promoting the general welfare. To secure these supreme objects it specifically empowered Congress to lay and collect taxes, duties, imposts, and excises for the purpose of providing for the common defense and the general welfare. The cause of the rebellion reduced to its last analysis is found in the clauses of our Constitution which recognize the general welfare as an object of governmental care and solicitude. Hence it was that in the constitution of the insurgent confederacy was inserted this prohibition, "Nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry.'

Sir, in submitting these remarks I am not entering the field of partisan political discussion or seeking to revive memories that are painful to me, and which since the close of the war I have fraternally and persistently labored to extinguish. No, sir; I am confining myself strictly to the consideration of the bill before the committee, every clause and proviso of which has, I believe, been prepared in rigorous obedience to the spirit, provisions, and restrictions of what posterity will know as the constitution of the Confederate States of America, and consequently have no adaptation to the existing condition of the industries of our country. Its promoters can not have been ignorant of the fact that if enacted into law its practical application of the doctrine of absolute free trade, though confined to but few commanding industries, will overthrow the general welfare, deprive labor of employment, close factories, forges, furnaces, rolling-mills, quarries, ore-banks, and coal mines in every part of the country, and render the labor and capital that have been expended in their creation or development unproductive; that it will aggravate a thousandfold the discontent now pervading the land and reduce to bankruptcy hosts of the men whose energy has during the last quarter of a century advanced our country to the foremost position in the family of nations and invested it with power to defy the world in arms. Its adoption would produce a panic that would paralyze trade as well as produc-That it is the offspring of confederate sentiment, principle, and constitutional restriction is thoroughly understood in the South. It is this knowledge that elicits opposition to it from the men of hope and progress who expect to establish diversified industries in every one of the old Confederate States. My convictions on this subject are, therefore, not peculiar. They are entertained by native citizens of every fore, not peculiar. They are entertained by native citizens of every Southern State. In the course of an open letter to the chairman of the executive committee of the Free Trade Association of South Carolina, written from this city on the 23d of April, Mr. TILLMAN, who, having served as a private in the confederate army from early in 1862 to the close of the war, and been a member of the Forty-sixth and part of the Forty-seventh Congresses and who now represents the second district of his State, said:

Shall we of the Palmetto State always be self-idolatrous Bourbons, never forgetting, never learning anything? Was it not our intemperate zeal for free trade that led to nullification, and was it not as much to enjoy free trade as to protect slavery that South Carolina seceded in 1860?

The country knows that the preparation of the bill was the exclusive work of the political majority of the Committee of Ways and Means. I therefore reveal no secret of the committee-room when I say that the minority members of that committee were not permitted to participate in the deliberations which preceded its construction. The right to cast futile votes against its provisions, when, having been informally adopted by the majority, the bill was reported to the committee, could not be withheld from them and was therefore accorded. In thus applying the principle of the caucus to the work of a committee it is possible that ing establishments, which employed \$2,790,272,606 capital and 2,738,-

some members of the majority of the committee were carried further than they intended or desired to go. Except in the administrative sections, which were presented to the House by the gentleman from New York [Mr. Hewitt] and, at his suggestion, referred to the committee as a separate bill, which was known as Hewitt's administrative bill, it nowhere bears the impress of that gentleman's often proclaimed convictions. He, as is known to all the world, believes that all coal and ores are raw materials and should be on the free-list; that scrap-iron, whether cast or wrought, including barends, is raw material, and should therefore be free; that nature's special solvent, alcohol, is a material in innumerable commodities as an ingredient or as an agent in the preparation thereof, and should, so far as it is thus consumed, be relieved from internal taxes; and that the American laborer is entitled to protective duties to the extent of the difference between the cost of labor in other lands and that paid in this country. No one who knows the earnestness with which the gentleman has enforced these convictions will suspect him of having promoted the adoption of this bill which leaves coal and ores and scrap-iron dutiable, and alcohol for the arts taxable; and instead of protecting the labor involved in the growing of hemp, flax, and wool, and the manufacture of salt and lumber, and in our fisheries, leaves it without even the incidental protection afforded by such duties as would be imposed by a tariff for revenue only.

Nor will those who are familiar with the tariff work of the chairman

of the committee [Mr. MORRISON] be able to discover his purposes and handiwork in this bill, which is utterly inconsistent with and contradictory of the bill he presented to the House on the 15th of February. It was that bill that the country was assured would after some possible amendment be reported to the House for consideration. to consider which hearings were appointed, to attend which hundreds of citizens came from their distant homes and were elaborately heard. The unheralded substitution of this bill, so unlike and so inconsistent with the one on which these parties had been heard, converted the hearings into expensive and derisive mockeries and subjected the committee to painful suggestions of bad faith. Though the five protectionist members of the committee are without weight in its councils, it is otherwise with the five who constitute the majority of its political ma-They demonstrated their omnipotence in its councils when they brushed aside the bill with which the name of the chairman was associ ated and on which hearings had been invited, and substituted one which embodies no provision that will not be satisfactory to the voters of their several districts and to the Bourbons of the Confederate States generally. Yes, sir, as a substitute for the Morrison bill we have one prepared, so far as it relates to customs duties, by five representatives of Confederate States, four of whom served faithfully in the confederate army, and to the fifth of whom the fact that he was so young that he could give but his sympathy to the cause for which his senior colleagues fought is a cross which he will doubtless bear through life.

Nay, Mr. Chairman, I have fallen into an error; there are but four members of the committee who were citizens of Confederate States when the insurgents fired on the Union flag, but the fourth member, who served as a confederate soldier, fearing that his State might not secede, abandoned her, and made war upon his country and his State in support of the con ederate free-trade constitution and the pervading belief of the people of the slave States that "commerce and the mechanic arts and the banking system were incompatible with the social safety of the slave States;" * * * "that great cities were great sores, aggregations of people an evil, immigrant numbers and capital not desirable, and works of internal commerce only to be allowed where they were to be built at the private cost of those who used them," and "that our ships and work-

shops should be stationed beyond the Atlantic."

Mr. Chairman, in these remarks I mean offense to none of the gentlemen alluded to. My experience as a member of the Committee of Ways and Means has been exceptionally protracted, and I can truly say that in this long experience I have met no more agreeable companions on that committee than the five gentlemen whose supreme relation to revenue measures I feel constrained to criticise and condemn. There is not among them one whose uniform courtesy and frankness has not secured him my admiration or whose friendship I do not desire to enjoy. For the present, however, it is my duty to ascertain if I can why the power that organized this House and its committees bestowed on them the power to shape our revenue measures and to report for consideration a bill which, if enacted into law, will annually curtail until it shall have ultimately destroyed the national revenues by depriving the producing classes of the people of the power to pay for and consume dutiable or taxable commodities, whether domestic or imported. After diligent investigation and patient consideration I have been unable to discover any other reason for their appointment to the Committee of Ways and Means than the known devotion of each of them to economic dogmas the attempt to give constitutional sanction to which invoked the war for the Union and all its bloody consequences. I appreciate the gravity of this conclusion, and in its support beg leave to submit a few of the many facts which have compelled me to accept it.

STARTLING INDUSTRIAL CONTRASTS

By the census of 1880 it was found that we had 253,852 manufactur-

895 operatives. Let me ask what percentage of these totals is represented by the gentlemen from Arkansas, Texas, Tennessee, Georgia, and Kentucky who are members of the Committee of Ways and Means? Is it such as to raise a presumption that they have practical knowledge of the just requirements of the interests of these millions of laborers and of the proprietors of these hundreds of thousands of establishments, who are the managers of these billions of capital whether it is owned by them or by banks, saving institutions, trust companies, or individuals whose business is to loan capital to men of known energy and integrity? On this point the following statements, taken from the tables of the last census, will shed some light:

Congressional districts.	Establish- ments.	Capital.	Oper- atives.
Total United States	253, 852	\$2,790,272,606	2, 738, 895
Arkansas, second district		466, 765 552, 837 734, 464 3, 581, 386 3, 755, 107	670 867 1,013 3,850 2,302
Total Per cent, of the aggregate of the five districts to total aggregate of the United States.		9,090,559	8,702

Mr. Chairman, can it be that the combined districts represented by five members of the Committee on Ways and Means employ in all their workshops less than one-third of 1 per cent. of the capital involved in the diversified manufactures of the country, and that they employ a still smaller percentage of one-third of 1 per cent. of the number of laborers engaged therein? Have not the figures played tricks upon me? The conclusion that legislation touching the nation's revenues and the industries, wages, and estates of millions of the people has been confided to the Representatives of five such undeveloped districts seems so utterly absurd that I fear to rest in it. Let me therefore apply another test. There are three hundred and twenty-five Congressional districts. Dividing the national totals by that number we find what, by a common average, should be the amount of capital and the number of operatives employed in each district. This gives to a single district \$8,585,454 of capital, and 8,427 of laborers. It thus appears that if the combined districts whose Representatives have fashioned this bill for the government of our industries had their average proportion of the grand totals their capital would be not as it is, \$9,090,559, but \$42,927,270; and their operatives would number not as they do, 8,702, but 42,136, or very nearly five times each number. Is not this exhibit a sad one; and is it not sadly confirmatory of the figures that show that five members of the Committee on Ways and Means, who determine the conclusions on tariff and tax questions, represent less than one-third of 1 per cent. of the laborers employed in the manufacturing industries of our country and that the average for each district is less than one-fifteenth of 1 per cent. of both capital and labor.

But, hoping we may still be mistaken, let us apply another test. The city I in part represent is composed of five Congressional districts. The reply of the census to the question, how do the Philadelphia districts compare with those of the five gentlemen who as members of the Committee of Ways and Means determined the character of this bill, will be significant. The workshops of the five Philadelphia districts employ \$187,148,859 capital and 185,527 operatives. It will, therefore, be seen that these favored districts employ only 4.8 per cent. of the capital and 4.7 per cent. of the number of laborers employed by the same number of districts in Philadelphia.

Sir, the country has the right to know by what economic law it is that the identical number of districts embraced in Philadelphia, and which employ in manufacturing industries that are affected by the tariff less than 5 per cent. of the capital and labor she employs, were in the organization of the House given the power to fashion laws which may work the prosperity or the ruin of her manufacturers and laborers and those of the country at large. But in selecting Philadelphia for this comparison I am invidious, for here are the names of eighteen cities, but one of which embraces more than five Congressional districts, and the population of each of the last named six of which is less than is required to constitute a district, but each of which employs more capital and more laborers in manufacturing industries than do the second district of Arkansas, the ninth of Texas, the fourth of Tennessee, the fourth of Georgia, and the seventh of Kentucky combined. Why, sir, in the name of the country I ask, have these undeveloped districts a preponderating voice in the Committee of Ways and Means?

These are the names of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing progression of the sixteen cities alluded to the manufacturing cities alluded to the manufacturing cities alluded to

These are the names of the sixteen cities alluded to the manufacturing power of each of which exceeds that of the combined districts of five members of the Ways and Means Committee: Philadelphia, New York, Chicago, Brooklyn, Pittsburgh, Saint Louis, Cincinnati, Boston, Baltimore, San Francisco, Providence, Buffalo, Newark, Louisville, Cleveland, and Milwaukee. In view of these facts am I not justified in charg-

ing upon the Democratic caucus which organized this House a deliberate assault upon the vested rights and interests of the laboring classes of our country? It may be whispered that this combination was not deliberate; that the selection of the representatives of these non-manufacturing districts was accidental. Sir, this will be an afterthought; the free-traders boasted of their triumph in the organization of the House, and this blow at the manufacturing interests of the country is a legitimate result of their triumph. Such elaborate and complex coincidences are not within the range of the doctrine of chance. No set of tables ever recognized as authority by insurance companies or companies for the granting of annuities fails to show that they are outside of the doctrine of chance and must be accepted as the result of deliberation and design.

Having viewed and reviewed the facts involved I am constrained to declare again, and with emphasis, that the bill is the legitimate off-spring of the economic faith held by the people of the insurgent States, and which was embodied in the constitution of the confederacy that assumed the title of the Confederate States of America. Let it not be said that the utterance of this conviction is an expression of hostility to the South, or that I am fanning the flame of sectional strife and hatred, for such is not the fact. I am striving to bring to the attention of my countrymen, South and North, facts which can not be gainsaid, and which are full of significance and of special import to every Southern owner of a coal-mine or a deposit of copper, zinc, nickel, lead, tin, antimony, manganese, emery, corundum, plumbago, chrome, kaolin, gypsum, or other metallic or mineral substance; of a furnace, forge, rolling-mill, or steel works; of a manufacture of textiles, whether of cotton, flax, hemp, wool, or silk; of chemical works, or any other form of manufacturing industry.

Nor are these invidious facts less significant to the farmers of the South who own hemp or flax fields or whose acres may be enhanced in

Nor are these invidious facts less significant to the farmers of the South who own hemp or flax fields or whose acres may be enhanced in value by the creation near them of industrial centers like Roanoke, Va., Chattanooga, Tenn., or Birmingham or Anniston, Ala., the inhabitants of which will enable them to produce successive crops of fruit and spring vegetables, furnish a neighboring market for poultry and eggs, veal and lamb, and save them from the overwhelming Asiatic competition which the farmer who depends on the export of cereal crops must now endure.

Sir, I do not assail the people of the South. It is to the people of the new South that I specially address myself. The facts I expose de-mand their consideration, and should convince them that an attempt is being made to again subject them to the ruthless domination of men of their own section whom they describe as incapable of either forgetting or learning anything. To the hopeful and aspiring men of the South I appeal in their own behalf and that of the country at large. It belongs to them to see to it that in future organizations of this House care shall be taken that in the room of the committee to which all questions of revenue are submitted the voice of the present and the future of the South, as well as that of its past, may be heard. Sir, when this consummation shall be achieved and the people of the South shall have engaged in the development of her vast and infinitely diversified resources, the utilization of her incalculable water-power and the commercial capacity of her noble streams the flow of which is never impeded by the icy breath of winter, the construction of factories in the midst of her cotton-fields, the conversion of her timber into better homes for her planters and laborers than they have ever known, and into furniture characterized by broader utilities and forms of higher beauty than they have ever enjoyed, and when instead of laboring for wages in cotton-fields and on rice plantations owners of small farms will find wealth in furnishing flowers, fruits, spring vegetables, young poultry, and meats for the markets of the North and Northwest there will spring up in her midst divers and beneficent industries of which her soil and climate and multifarious resources should have made her the native home. And then that beau-tiful section of our country, which one of its statesmen is reported to have said would grow no grass and consequently could raise no wool, will lead other sections of the country not only in mining and manufacturing, but in the abounding products of a carefully tended sheep husbandry that will rival in affluence that of the sunny fields of Australia.

Sir, my poor attempt at portraying the future wealth and greatness of the States that were sought to be doomed to the poverty of Turkey, Egypt, and British India by the establishment of a confederacy whose aid for the development of the material resources of its people should be forever withheld, is not the vision of an enthusiast, nor like the one the poet tells us filled the mind of Columbus as he beheld the outlying fields of the richer continent he was about to give to the world. It has well-known facts for its basis. If properly protected by customs duties against foreign competition in the years of the infancy of their industries the genius, energy, experience, and capital of the North and of foreign lands will flow in to extend and perfect what has been so well begun by her own people under the protective tariffs that have prevailed since the close of the war. I can not indicate the extent of the work they have accomplished, though I am a diligent student of this paper, the Manufacturers' Record, a weekly record of the progress of Southern Industry, published at Baltimore. From its issues of April 24 and July 10 I submit the following statement of what was done in

developing the manufacturing interests of the South in the first six months of the current year:

The industrial growth of the South moves steadily on. With the gradual recovery of all manufacturing interests from the late severe depression, more activity is noticeable in the organization of new enterprises. The first three months of 1886 have witnessed a very gratifying development of the manufacturing and mining interests of the whole South. Never before has the outlook been more promising than at present for the steady, permanent growth of the industrial interests of that section.

Interests of that section.

As heretofore, the growth of manufactures is not confined to a few industries but extends over almost the whole range of human industry, embracing pig-iron furnaces, foundries, machine-shops, steel-works, cotton and woolen mills, cotton-seed oil mills, cotton compresses, fruit-canning factories, carriage and wagon factories, agricultural-implement factories, flour-mills, grist-mills, saw-mills, planing-mills, sash, door, and blind factories, shuttle factories, handle and spoke factories, barrel factories, shingle-mills, furniture factories, tobacco factories, brick-yards, ice factories, fertilizer factories, stove foundries, wire-fence factories, slime-works, soap factories, tanneries, glass-works, gas-works, whiting factories, distilleries, potteries, electric-light works, marble and slate quarrying companies, and companies to mine coal, iron ore, gold, silver, mica, natural gas, oil, &c. It is a healthy growth. Along the whole line of industry there is activity and great progress.

Basing our calculations upon returns received directly by the Manufacturers' Record, amply authenticated and verified, and in the case of incorporated companies compared with the official reports of the State officers, we find that during the first three months of 1836 the amount of capital, including capital stock of incorporated companies, represented by the new manufacturing and mining enterprises organized or chartered at the South, and in the enlargement of old plants and rebuilding of mills after being destroyed by fire, aggregates about \$36,557,200.

plants and \$36,557,200.

This remarkable increase was not sporadic, but indicative of a steadily augmenting rate of progress. In its issue of July 10, the Record

In the development of its manufacturing and mining interests the South moves continually on, each day adding to the number of the productive establishments that give employment to labor, increase the home consumption of farm products, enlarge the aggregate value of the annual output of manufactured goods, and help on the general prosperity not only of the entire South, but of the whole country. The record of progress is nothing less than marvelous. Summing up the amount of capital and capital stock represented by our list of new enterprises, the enlargement of old plants and the rebuilding of mills after being burned, for the first six months of 1885, and comparing it with the figures for the corresponding time of 1885, we have:

	First six months of			
States.	1886.	1885.		
Alabama	\$4,808,500 11,428,000	\$3,580,000 375,000		
Florida Georgia		479,000 1,580,000		
KentuckyLouisiana	17, 220, 700	10, 621, 000		
Maryland	5, 139, 000 457, 000	4, 633, 000 416, 000		
North CarolinaSouth Carolina	1,485,200 538,000	1,535,000 427,000		
Tennessee	5, 297, 000 2, 986, 000	1, 802, 000 1, 319, 000		
Virginia West Virginia	5, 553, 000 5, 123, 800	2,008,000 6,352,000		
Total	63, 618, 200	36, 534, 000		
	Control of the Control			

These figures show an increase for the first six months of 1886 over the same time 1885 of \$27,000,000 in capital and capital stock. The industrial activity in the South during the last six months, as indicated by these statistics, has been far greater than during the corresponding period last year.

FACTITIOUS DEMAND FOR FREE RAW MATERIALS

The substitution of the bill under consideration for the Morrison bill which the committee had so long had under consideration, though a surprise to everybody but its authors, was not arbitrary. There was a reason if not an absolute necessity for the abandonment of that bill. For years the country has rung with a factitious demand for free raw materials, and the majority members of the committee had doubtless assured their constituents of their purpose to relieve them from oppressive taxation by the repeal of the onerous duties imposed by the existing tariff on raw materials. Sir, however learned these gentlemen may be in obsolete theories of political economy, they discovered when brought to the test of action that of the state of facts touching the question of duties on raw materials they had been ignorant; and when as a committee they undertook to designate the raw materials from which it was their purpose to remit duties they could not find them in any of the schedules of the tariff.

The Morrison bill proposed to enlarge the free-list by putting on it all ores, whether of copper, lead, iron, or other useful metals, mineral substances in a crude state, and unwrought metals not specially enumerated or provided for in the bill, together with all kinds of coal and coke. These are but a small part of the advanced articles it recognized as raw materials. The list is too long for recapitulation, as it filled seventy-four lines of the bill. The majority of the chairman's adherents on the committee were ready not only to accept his list but to enlarge it. But circumstances forced them to abandon this purpose.

The expediency of secret action by the committee which had been contemplated came to be doubted, and more than a fortnight was dedicated to the hearing of parties whose interests were affected by the provisions

of the bill. This change of policy enabled the country to understand something of what was going on in the committee-room, and to raise the question, what commodities are raw, and should therefore be on the free-list. This was fatal to the bill. Declared free-traders from South Carolina, Georgia, and Louisiana hastened to convince the committee that neither rice nor sugar were strictly raw. The coal, ore, and iron producers of Virginia protested, in their several sections of the State, so vehemently as to constrain the house of delegates and the senate of that free-trade State to adopt identical resolutions informing the Committee of Ways and Means and the two Houses of Congress that in their opinion and that of the people of Virginia coal and ore when ready for the market or for use in the furnace or forge are not raw materials, but advanced commodities, the preparation of which is among the most fruitful sources of employment for the laboring people of that State, and that the labor and capital embarked in their production should there-fore be protected by adequate duties. These legislative resolutions were presented to the committee and enforced by a large and intelligent deputation of citizens whose interests were involved. Nor were South Carolina, Virginia, Georgia, and Louisiana the only Democratic free-trade strongholds from which protests came. From enterprising and energetic men of Tennessee and Alabama came remonstrances, some against particular provisions and others against the general scope of the bill. However determined the majority of the committee were to disregard the appeals of Northern workmen or their employers, they could not resist the persuasive influence of the owners of rice and sugar plantations and Southern coal-mines and ore-beds.

The controlling members of the committee were, however, equal to the emergency. As they could not find in any of the dutiable lists materials that had not been advanced by labor, they treated as raw such manufactured articles as timber in all its elementary forms; salt, whether in bulk, bags, sacks, barrels, or other packages; the products of our fisheries, whether mackerel, herring, salmon, or other fish, fresh, smoked, dried, salted, pickled, or preserved, except anchovies or sardines, or other fish preserved in oil; all wools, whether on the skin, clipped, unwashed, washed or scoured, and hair of the alpaca, goat, and other like animals, and all base substitutes for wool, including rags, shoddy, mungo, waste, and flocks; and flax and hemp, and all substi-tutes for these fibers. None of these articles are raw. Lexicographers tell us that that is raw which has not been cooked; that raw material is material not cooked; crude, unmanufactured; or that which has not

been prepared or treated by any process of art or manufacture.

Accepting any of these definitions, and the term raw material excludes from the free-list of a tariff which proposes to afford any degree of protection to labor all the articles embraced in this bill. Timber in all the forms included in the bill is material advanced by labor; brine is the raw material of salt, and to speak of salt in bulk, and especially of salt in manufactured bags, sacks, barrels, and other packages, as raw is a misnomer that might pass for a genuine Irish bull; to call the catch of our hardy fishermen raw when smoked, dried, pickled, or preserved is to contradict every lexicographer that ever gave a definition to that word; and the terms of the bill show that its authors do not regard wool as a raw material, for it is to be free, if washed or scoured.

These terms "washed and scoured" indicate no process of natural growth, but the preparation and treatment by a costly process of art or manufacture of a carefully produced commodity.

Again, in providing for the destruction of the value of our flax and

hemp fields by making flax and hemp and all substitutes therefor free, the language of the bill proves that the gentlemen have not proposed to confine themselves to raw material, for they provide for the abolition of all duties on either hackled flax or flax known as "dress line." And though jute, jute butts, sunn, and sisal grass, and other vegetable substitutes for flax and hemp, which we import, may be regarded as raw material, they are now dutiable in order to protect the growers of flax and hemp and thus promote the diversification of our agricultural productions

Mr. Chairman, the demand for free raw materials was full of significance when I dedicated myself to the repeal of all duties thereon, the abolition of internal taxes, and the establishment of a truly protective system with such rates of duties and such harmonious provisions as would make it effective in promoting the development of our unparalleled resources, and in securing to labor and skill such rewards as they were justly entitled to. The demand was, I repeat, then full of significance, but for more than fourteen years, or since 1872, it has been as un-meaning as the cry of a gorged parrot, that "Polly wants a cracker." It is more than twenty years since I raised a cry for free raw materials, which I continued to press in this House and before the country until my demand was fully complied with. When addressing the Committee of the Whole on the 31st of January, 1866, I thus outlined my policy in this behalf:

The principal of the debt must be paid; but as it was contracted for posterity its extinguishment should not impoverish those who sustained the burdens of the war. I am not anxious to reduce the total of our debt, and would, in this respect, follow the example of England, and as its amount has been fixed would not for the present trouble myself about its aggregate except to prevent its increase. My anxiety is that the taxes it involves shall be as little oppressive as possible and be so adjusted that while defending our industry against foreign assault they may add nothing to the cost of those necessaries of life which we an not produce and for which we must therefore look to other lands. The raw c

materials entering our manufactures, which we are yet unable to produce, but on which we unwisely impose duties, I would put into the free-list with tea, coffee, and other such purely foreign essentials of life, and would impose duties on commodities that compete with American productions, so as to protect every feeble or infant branch of industry and quicken those that are robust. I would thus cheapen the elements of life and enable those whose capital is embarked in any branch of production to offer such wages to the skilled workmen of all lands as would steadily and rapidly increase our numbers; and, as is always the case in the neighborhood of growing cities or towns of considerable extent, increase the returns for farm isbor. This policy would open new mines and quarries, build new furnaces, forges, and factories, and rapidly increase the taxable property and taxable inhabitants of the country.

Would the South accept this theory and enter heartily upon its execution she would pay more than now seems her share of the debt and feel herself blessed in the ability to do it. Her climate is more genial than ours; her soil may be restored to its original fertility; her rivers are broad and her harbors good; and thove all, hers is the monopoly of the fields for rice, cane, sugar, and cotton.

In the fiscal year which ended June 30, 1866, during which these re-

In the fiscal year which ended June 30, 1866, during which these remarks were made, our receipts from internal taxes amounted to \$310,-\$06,984 and exceeded by \$16,936,320 the receipts during the last fiscal year from both customs and internal taxes.

The account stands thus:

 From internal taxes, 1866.
 \$112,498,725

 From internal taxes, 1885.
 \$112,498,725

 From eustoms, 1885.
 181,471,939

 \$310, 905, 984 293, 970, 664 16, 936, 320

The principle underlying this policy was not original with me. My faith in the doctrine of free trade, of which I had been a disciple, had been shaken by the logic of Dean Swift, who, when appealing to the Irish people in their own behalf in 1727, had said:

One cause of a country's thriving is the industry of the people in working up all their native commodities to the last; another, the convenience of safe ports and havens to carry out their goods as much manufactured and bring those of others as little manufactured as the nature of mutual commerce will allow; another, the disposition of the people of the country to wear their own manufactures and import as little clothing, furniture, food, or drink as they can conveniently live without.

I think, sir, that I may entitle myself to the gratitude of some gentlemen on this floor, especially of some of my associates in the committee-room, by informing them of the circumstances under which the change they are now so vehemently demanding was effected so long ago. Under instructions from the House the Committee on Ways Means, immediately after the adjournment of the session of 1868–'69, proceeded to California, Oregon, and Washington Territory to inquire into the workings of our revenue system upon the Pacific coast. As a member of that committee I participated in the investigations held at San Francisco, Portland, and the ports of entry of Washington Territory. After our return from that coast we made extended investigations in New York, Boston, and Philadelphia. Everywhere the wisdom of Dean Swift's inculcations upon the Irish people was demonstrated, as was the absurdity of collecting duties on articles which we could not produce and which entered as material into our manufactures or were required as food by our farmers, artisans, and laborers, such as tea, coffee, and spices

When, therefore, the work of the committee had closed I determined to inquire into the best means of so extending the free-list as to relieve from duty all food and materials for manufacture which in itself or an adequate substitute could not be produced in our country. To this work I unremittingly devoted the leisure of the autumn months of 1869, of the years 1870 and 1871, and the greater portion of 1872, and in furtherance of my object corresponded with numbers of citizens of the aspect of a Congressional committee-room, and the information I received was carefully collated. For several weeks during the autumn months of 1869 and the spring of 1870 certain evenings of each week were devoted to the work, on which occasions I had the invaluable assistance of leading chemists, textile and metal workers of the country, among whom were William Weightman and Charles Lennig, who were present at every such meeting. Mr. Weightman was attended by a stenographer, who recorded the conclusions at which the self-constituted commission of one arrived; and also undertook to have these conclusions printed in such form as to show the committees of the House and Senate what articles could be placed on the free-list with the least detriment to the revenues and the greatest benefit to our producing classes and national industries; what articles which yielded large amounts of revenue, such as argols, chalk, and spices, if it were doubtful whether the Government could safely part with all the revenue derived therefrom, should be scheduled underreduced duties; and what reductions should be made in the duties on commodities manufactured from materials from which duty had been entirely or in large degree removed so as to secure to the consumer the benefits to result from the proposed liberation of materials.

I am sometimes accused by imaginative gentlemen of the free-trade school, "friends of revenue reform or of tariff revision"—as they delight to call themselves-of desiring to prohibit international trade by building a Chinese wall around our country. To illustrate the intense ignorance of the recent industrial and financial history of their country of my accusers, and to invite their attention to some of the results of my labors to promote international trade by methods which would also stimulate domestic production, I cite a few facts from the Statistical

Abstract for 1885. The results of my labors in this behalf were chiefly embodied in the acts of July 14, 1870, and of May 1 and June 6, 1872. They will be perceived by comparing the amount of goods imported and the proportions which were free and dutiable during the five fiscal years immediately preceding 1872 with those of the five years controlled the proposed of the proposed o following that year, the figures for which I omit, as they were partially affected by the provisions of the new law.

Comparative statement of imports of free goods only during the five years preceding and those succeeding the passage of the tariffs of May 1 and June 6, 1872.

1867	15, 190, 781 21, 646, 692 20, 140, 786	1873 1874 1875 1876 1877	151, 481, 762 146, 279, 927 140, 361, 913
Total	116 600 401	Total	792 797 029

It should be noted that the amount for 1871 was materially increased by the act of 1870, and that the second of these periods was so largely influenced by a special cause as to seriously affect the trade of the country and the significance of its commercial statistics. It was during the years embraced in this statement that Germany and the United States years embraced in this statement that derimany and the United States were pursuing the quixotic attempt to demonetize silver, whereby they covered our land with bankruptcy among manufacturers and discontent among the laboring classes, and consequently curtailed our importation of goods, whether free or dutiable.

In order, therefore, to present a more perfect illustration of the extent to which the protectionist Congress of 1872 stimulated our foreign trade by remitting duties on raw materials and increasing them on such articles of home manufacture as needed increased defense, I present a statement of the free and dutiable importations of the five years from 1881 to 1885, inclusive, together with a statement of both free and dutiable goods imported during the terms above referred to:

Imports in—	Free.	Dutiable.
1867 1868 1869 1870 1871	15, 190, 781 21, 646, 692 20, 140, 786	\$372, 627, 601 342, 245, 659 395, 859, 687 415, 817, 622 483, 635, 947
Total	116, 699, 491	2, 010, 186, 516
1873	146, 279, 927 140, 361, 913	497, 320, 326 415, 924, 580 386, 725, 509 320, 379, 277 310, 534, 674
Total	723, 727, 938	1, 930, 884, 366
1881	201, 579, 007 207, 504, 718 209, 884, 184	440, 173, 081 514, 060, 567 515, 676, 196 457, 813, 509 384, 313, 705
Total	1, 014, 673, 080	2, 312, 037, 058

An examination of these figures will show that our total imports from 1867 to 1871 inclusive averaged \$425,377,201, of which free goods averaged but \$23,339,898; that from 1873 to 1877 inclusive the total annual imports averaged \$530,922,460, an increase of \$105,545,259 per annum, of which the annual average of free goods was \$144,745,587, and that though the free goods showed an increase of more than \$120,000,000 per annum, or more than 500 per cent., the importation of dutiable goods had fallen off less than \$16,000,000 per annum, and this in a period of almost unparalleled commercial depression.

But with 1881 business revived, and the third of the above statements shows that from that year to 1885 inclusive the total importations averaged \$665,342,027; and that though the free goods averaged \$202,-334,616, or an advance of nearly a thousand per cent. on the average of the first period, the dutiable goods largely exceeded the average of either of the other periods, having amounted to \$462,407,411 as against \$402,-037,303 of such goods from 1867 to 1871, when the average of free goods was but \$23,339,898, or, in other words, the dutiable goods alone exceeded both free and dutiable.

MISSTATEMENTS OF THE MAJORITY OF THE COMMITTER.

Familiarity with and a respectful consideration of such facts as these would have prevented the majority of the committee from making such misleading statements as are found in the opening sentences of its report. The passage I refer to reads as follows:

The rate of duty or tax on imported goods subject to duty is as low as 5 on some and higher than 200 per cent. on others. The average rate for the fiscal year 1885 a little exceeded 47 per cent., or \$17 of tax on \$100 worth of imported goods. This is the highest rate paid in any year since 1868, and above the average rate of the war period from 1862 to 1868.

These statements are thoroughly misleading, and show how easy it is to make figures force false conclusions. Such statements are, as I will presently show, a very familiar portion of the sophistical methods

of free-traders. Continued controversy has made me acquainted with them. It is true that there are quite a number of duties that exceed 100 per cent. and some which exceed 200 per cent., and the uninstructed reader of this portion of the majority report would naturally infer that these high duties were imposed for the benefit of manufacturers, or as protective duties, while the truth is that they were imposed and are retained as a means of protecting the Government's interest in the internal tax on alcohol, which is at the rate of \$1.78 a gallon. Thus the duty on bay rum is nearly 150 per cent., and if it were reduced spirits would be imported under that name and the public revenue be defrauded of the tax on alcohol. On Chinese fire-crackers, the fruitful cause of conflagrations and other accidents, the duty is 100 per cent.; but it protects no American manufacturer.

There is a line of articles on which the duty is 286 per cent., but this duty is protective only of the Government's receipts from internal revenue, being on compounds or preparations in which distilled spirits are a component part of chief value. But worse than that, here are duties one of which is more than 3581 per cent., and the other 322.84 per cent. They, however, do not protect any manufacturer of blankets or clothing, or iron or glass. No. They protect the Government's internal revenue. The former is on spirits distilled from grain and is \$2 per proof gallon, and the latter on spirits distilled from other materials upon which it is also \$2 per gallon. Here, too, is a duty of 100 per cent. on playing-cards, and here again is one on cleaned rice which is more than 106 per cent. and is a purely protective duty, but one with which I would not interfere, as rice-growing is one of the reviving industries of the new South. Producers of rice confidently assert that without protection they must abandon their plantations. Should not common fairness have induced the majority of the committee, in reporting the reasons which led to the adoption of such a bill, to frankly state that none of the duties of 200 per cent. and more are, so far as manufacturing interests are concerned, protective?

Again, we have this assertion: "The average rate for the year 1885 a little exceeded 47 per cent., or \$47 of tax on \$100 worth of imported goods. This, says the report, is the highest rate paid in any year since 1868, and above the average rate of the war period from 1862 to 1868."

If the reader of this report is keen enough to detect the fact that by the use of the words "subject to duty" in a period disconnected from this passage he may perceive the truth; but if he fail to carry the significance of those three words into these sentences with which they seem to be disconnected he will be grossly deceived by the statement.

I have just shown that nearly one-third of the goods imported since the success of my labors in extending the free-list of 1872 have been free of duty. Yet the majority report takes no heed of that fact. I affirm, and the Treasury statistics sustain my affirmation, that upon the imports received during the year 1884-'85 the average rate of duty did not, as this report intimates, exceed 47 per cent., was not \$47 of tax on \$100 of goods imported. If it had been so, inasmuch as the tariff rates have none of them been changed since 1883, the fact that the same duties involve a higher percentage now than they had done in the three years last past would simply prove that goods are cheaper now than they had been, and that therefore the same rate of duty made a higher per cent. on their foreign value. The truth is that during the last fiscal year we imported \$579,580,053 worth, on which, including the enormous duties imposed for the protection of the Government's revenues from distilled spirits, the duties averaged 30.59 per cent., being but \$30.59 on every \$100 worth of imported goods, and showing an exaggeration of nearly \$17 to the \$100 in the report of the majority of the committee as it is doubtless accepted by readers generally. In support of my remark that such plausible misrepresentations are not a new device of free-traders, I cite the following from my remarks of the 25th of March, 1870, in support of the then pending tariff bill:

of the 25th of March, 1870, in support of the then pending tariff bill:

Why not maintain the existing tariff, and wherein does the bill submitted by
the Committee of Waysand Means differ from it? Several gentlemen have propounded these questions, and I now propose to answer them briefly and rapidly.
The existing law is crude, and contains many incongruous provisions. It is not
in accord with the theory of the free-trader or the protectionist. It imposes the
heaviest duties on articles of common consumption that we can not produce.
Thus, on chalk, not an inch of which has, so far as I have heard, been discovered
in our country, it imposes a duty of \$33\(\frac{1}{2}\) per cent. This onerous duty is not protective. We have no chalk-fields, and produce no substitute for it. It is, therefore, simply a tax, and one that everybody feels; the boy at his game of marbles,
or before the blackboard in school; the housewife when she cleans her silver or
britannia-ware, and the farmer in the cost of putty for his windows. The new
bill puts chalk in the free-list.

I desire to call attention to the unfairness, unintentional of course, of the statement of the gentleman from New York [Mr. Brooks] that the existing tariff gives protection equal to an average of 41.2 per cent. That is the percentage of duties on the aggregate of our imports, and he will hardly claim that the duty of over 833 per cent. on chalk is protective of any of our industries.

Again, we collect a duty of 300 per cent. on pepper. Why should black pepper pay 300 per cent.? Do we grow it anywhere in this country? Is this duty protective of any of our industries? You pay 5 cents a pound for pepper, and the tariff imposes a duty of 15 cents gold, equal to 300 per cent., and the gentleman includes this in his average of protective duties. Do we grow cloves or clovestems in any part of the country? Is the duty on them protective? It is on cloves 355 per cent. and on clove-stems 386 per cent., and yet the gentleman also includes these with his protective duties.

I will allude to a few more. On cayenne pepper, the duty is 303 per cent.; on allspice, 376; per cent.; on nutmegs, 183; per cent.; on crude camphor, 113 per cent.; on saltpeter, 773 per cent.; on varnish-gums, none of which are produced in this country, 80 per cent.; on tea, the laborer's refreshing drink, 78; per

cent.; on coffee, 47½ per cent. I could largely extend this list of duties, each of which is a tax on some article of common consumption not produced in the country, and to that extent a bonus to our competitors. I am in favor of making all such articles free, and the committee has reduced the duties on them or put them on the free-list. When this shall be done, the gentleman from New York can calculate the percentage and find that our duties will compare favorably with those imposed by England and France.

INTERNAL TAXES BURDEN LABOR AND CRIPPLE ENTERPRISE.

Mr. Chairman, this extract was cited to show that exaggerated statements of the average ad valorem rate of duty imposed on imports by the tariff is familiar practice with American free-traders. It, however, serves another purpose. It illustrates the fact that it has ever been the policy of the party of free trade, or of tariff for revenue only, to embarrass our enterprise and labor by maintaining duties on articles which we can not produce, and are therefore compelled to import, and oppressive internal taxes upon our agricultural productions and commodities manufactured therefrom, while demanding reductions or the abolition of the duties on those articles which we can produce and must consume. It is by this policy that our home market for native food and materials, when converted into wares and fabrics, is to be given over to foreign competitors in accordance with the Anglo-confederate doctrine that our ships and workshops should be stationed beyond the At-

To illustrate this point, let me invite attention to the fact that while demanding free material, however much such material may have been advanced by labor, they insist upon burdening with direct taxes, averaging about 400 per cent., much of our native raw material when converted by a single primary process of manufacture. The collection of these taxes imposed on the first manufactured product of our leaf-tobacco, our fruit, corn, and rye employs 4,000 men. The cost of collecting them for the current fiscal year is estimated at \$4,619,190, and the amount that will be collected from our own people, and chiefly from our farmers and wage-earners, under this odious excise system will exceed \$115,000,000, as is shown by the collections for the first ten months.

I repeat the assertion that this one hundred and fifteen millions will be paid chiefly by our laboring people. That the entire sum collected each year is paid by the American people can not be doubted, for when our tobacco, spirits, and malt liquors are exported the internal tax is remitted. There is no attempt to collect such taxes from foreign consumers of these articles. There is not only no law to authorize such collection but the Constitution prohibits export taxes. This one hundred and fifteen millions of dollars is therefore an oppressive assessment upon the enterprise and wages of the American people and a consequent bonus to foreign competitors in the world's markets, the abatement of which is demanded by sound economic policy.

Protectionist Congresses have forced the repeal of duties on raw mate-

rials which we can not produce in kind or in adequate substitutes; and in my judgment the arguments that sufficed to accomplish this result and to reduce the amount of internal taxation from more than three hundred and ten millions per annum in 1886 to \$115,000,000 should have effected the repeal of the entire excise system. If we are to share in the world's commerce our labor and native materials must be relieved from these direct, oppressive, and needless internal taxes.

THE BILL IS A NEW AND DANGEROUS DEPARTURE

This bill is a new departure in the revenue system of the United States. It is a declaration by the Democratic party as organized in this House in favor of absolute free trade. It abandons even the shadowy pretense of sympathy with our wage-earners, involved in what is known as incidental protection. It does not propose tariff revision, as that seductive phrase is popularly understood, by correcting "irregularities" destructive of the protective principle that may have found their way into our tariff through hasty legislation, adverse departmental decisions, or by changes wrought by the progress of invention or discovery or the transfer of modern machinery to fields of cheaper labor. the transfer of the skill, machinery, and energy of America and Western Europe to Russia and Asia is bringing the producing classes of Great Britain, France, Germany, and other continental states with whom our laborers now compete, and by whom they would under free trade be driven from our own market, into direct competition with the emancipated serfs of Russia and the coolies of British India, whose wages average from 4 to 10 cents a day.

It does not propose a horizontal reduction of duties, and in contradistinction with the horizontal bill which was rejected by the last Congress it may, as it proposes to annihilate every industry it touches, be known as the dynamite bill. Should it pass the two Houses and receive the President's approval, how will it affect our lumber interests, the capital invested in timber lands, and the army of laborers who are earning living wages thereon along the Canadian line, from the Aroostook to the Rocky Mountains? Will either of these classes or the people at large be benefited by reserving our immense supply of timber as food for accidental forest fires, or a means of gratifying the vengeance of In-dian tribes, or by the transfer to Canada of our lumbermen and the machinery employed in the production of the forms of woodwork which

this bill proposes to put upon the free-list?

What will become of the capital and energy invested in sheep husbandry and the laborit employs? How will the proposed repeal of all duties on salt affect the capital and labor employed in the conversion of

brine into salt-that absolute necessity for the preservation of animal health and life? Why should this great agricultural nation practically prohibit, as this bill proposes to do, the production of hemp, flax, and all substitutes for these invaluable fibers? What compensation will it be to the American people that though unpatriotic legislation has driven our fishermen from the seas the prosperity of those of Canada has been improved? The proposition to remove all duties from the productions of these great industries is a bold declaration in favor of absolute free trade, and announces that to divide and conquer the protectionist forces is the policy by which free-traders expect to check the growth and

paralyze the productive energy of the country.

The triumph of this bill would inaugurate an industrial revolution, one of the early results of which would be the destruction of our home market. That ours is the best market of the world is attested by the ingenious, persistent, and fraudulent means employed by foreign manufacturers to invade it, of which undervaluation in invoices of goods subject to ad valorem duties is a gigantic illustration, and by the acknowledged fact that it is in this market that our farmers find sale for more than 90 per cent. of their productions. The passage of this measure would, by the general paralysis of industry and loss of wages it would produce, destroy our home market and beget social agitation, the ultimate effect of which no man can predict. The effort to inflict it upon the country is without patriotic justification, and is supported by official statements touching the history and aims of existing tariff laws which are as false as they appear to be deliberate and concerted. That it has the support of the administration is but too apparent. It is true that the President in his annual message indulged in this sentimental reference to the industries and interests which have been encouraged by protective laws and to the interests of American labor.

Justice and fairness dictate that in any modification of our present laws relating to revenue the industries and interests which have been encouraged by such laws, and in which our citizens have large investments, should not be ruthlessly injured or destroyed. We should also deal with the subject in such manner as to protect the interests of American labor, which is the capital of our workingmen; its stability and proper remuneration furnish the most justifiable pretext for a protective policy.

IT HAS THE SUPPORT OF THE ADMINISTRATION—FLAGRANT MISSTATEMENTS BY THE SECRETARY OF THE TREASURY.

But the author of these glittering generalities referred Congress to the report of the Secretary of the Treasury for practical suggestions, and specially urged upon the attention of Congress the Secretary's recommendations in the direction of simplification and economy in the work of collecting customs duties. We must therefore go to the report of the Secretary of the Treasury to learn by what practical measures the President "would protect the interests of American labor" and "defend against ruthless injury or destruction the industries and interests which have been encouraged by protective laws, and in which our citizens have large investments." Neither laborers nor the owners of capital invested in protected manufactures can derive comfort from these recommendations of the Secretary.

Opening the portion of his report which the President commends to Congress with a denunciation of our customs laws as "a chaos rather than a system," he proceeds to assert that "our tariff laws are a legacy of war," "that they have been retained without sifting and discrimination, although enacted without legislative debate, criticism, or examination." These reflections on the action of a co-ordinate branch of the Government are as indecorous as they are false. I can not persuade myself that the Secretary of the Treasury himself would have ventured upon such audacious assertions. That he could have person-ally prepared this report is well-nigh impossible; the country knows that until he entered upon the duties of the Treasury Department he had had no official connection with our revenue system; that he had filled no position the duties of which would require or impart familiarity with the history or details of that system, and that he therefore must have devolved the preparation of this portion of his report upon one who availed himself of the Secretary's confidence to advance his personal theories by the reckless audacity of his statements.

Let us examine some of them. Are our tariff laws a legacy of war? Let us examine some of them. Are our tariff laws a legacy of war? If our tariff laws are a legacy of war the nation has never been at peace. The second law to which President Washington affixed his signature was the act known to history as "the tariff act of July 4, 1789." The authors of that act were the illustrious men who achieved our freedom and framed our Constitution. They knew precisely what objects they had in view in passing that law. They were incapable of double dealing on so important a subject, and declared the objects they had in view in a preamble which should not only be understood by their contemporaries but descend to posterity as a declaration of their nurroses and poraries, but descend to posterity as a declaration of their purposes and their sense of the objects Congress should ever have in view when considering tariff laws. The opening words of that preamble were:

Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States and the encouragement and protection of manufactures, that duties be laid on goods, wares, and merchandise imported.

From that day to this we have never been without a tariff. and in war our main source of revenue has been customs duties collected under tariff laws. Three times this source of revenue has been found insufficient for current exigencies and been supplemented for brief periods by war taxes under an excise system. First for a period of less

than eleven years to assist in providing means for the extinguishment of the debt to which the nation was born. The law authorizing such taxes was on the earnest recommendation of President Jefferson repealed before that debt had been extinguished. Again we resorted to war taxes as supplementary to customs duties in bearing the expenses of the war of 1812 with Great Britain, but at the end of four years the law authorizing their collection was repealed upon the recommendation of President Monroe. For the third time in our history war taxes were authorized when they became necessary to provide means for the sup-pression of the rebellion; and it is to perpetuate these temporary taxes in the face of an unbroken line of Democratic precedents, and for the purpose of destroying our industries and the wages of our labor, which have been created and adjusted under protective laws, that the administration and the controlling committee of this House are now laboring.

The administration and the authors and Congressional promoters of

this bill resist the repeal of that legacy of war, the internal-tax system, though it would enable us to reduce the duties on every drug, medicine, perfume, or manufactured article of any kind into which alcohol enters as an ingredient or in the preparation of which it is used as an agent. Yes, sir; when we relieve alcohol for use in the arts of the existing tax of \$1.78 a gallon a very material reduction of many of our

highest customs duties may safely be made.

But to recur to the Secretary's report. Are the assertions that our tariff laws have been retained without sifting and discrimination and that they were enacted without legislative debate, criticism, or examination true? I affirm that no question raised before the first Congress elicited more discriminating discussion than did our revenue system and the means of its administration, especially with reference to the development of our great natural resources, the establishment of private ship-yards, the development of the art of ship-building, and the creating-private ship-yards are considered to the constant of the ship-building and the creating the ship-building are considered to the constant of the ship-building and the creating the ship-building are considered to the ship-building and the creating the ship-building are considered to the ship-building and the creating the ship-building are considered to the ship-building and the creating the ship-building are considered to the s tion of a merchant-marine which might be depended on for supplying fleets and men for a navy when one should be needed.

From the opening days of the First Congress to the close of the Fortyeighth our customs system has been the subject of almost continuous consideration. Sir, the correctness of this allegation will be apparent from a recurrence to the discussion of the repeal of internal taxes which was begun in 1866, and of the duties on foreign materials the use of which was essential in our newly developing manufactures. Did not the requirement by the House of Representatives that its committee of Ways and Means should devote the vacation of 1869 to the investigation of the subject in connection with examinations of the administration of the laws in the custom-houses of the whole country show its earnest desire to act on questions of revenue in the light of the amplest knowledge and fullest consideration of all the facts and opinions involved? Were the elaborate investigations it was my privilege to make during 1870, '71, and '72, the effect of which was so strikingly demonstrated in the repeal of duties on foreign materials and the rapid reduction of internal taxes, evidence that our tariff laws were enacted without legislative debate, criticism, and examination, and had been retained without sifting and discrimination? Mr. Chairman, as pertinent to the allegations of the Secretary I beg leave to submit a brief but graphic extract from the remarks of General Schenck, chairman of the Committee on Ways and Means, on March 31, 1870:

remarks of General Schenck, chairman of the Committee on Ways and Means, on March 31, 1870:

A tariff bill is necessarily one of details, and the most profitable discussion of it, therefore, if you admit the propriety of having any tariff at all, will be that which treats of the various clauses and items of which the bill proposed to be enacted into a law is composed. It is a consideration of not one but many different subjects. * * * There are a great many difficulties attending the making or mending of a tariff, and I wish some of these gentlemen who can stand up here and do what it is always so easy to do—criticise, pull down, object—had been themselves submitted to the test of trying to do the same work. Most of the members of this House, whatever the country may know or not know about it, are aware of the fact that the nine gentlemen composing the Committee of Ways and Means have been subjected to confinement and labor almost equal to the pains and penalties of imprisonment in a penitentiary day after day, week after week, month after month, in endeavoring to reconcile, with prudent provision at the same time for the public good, all the different claims presented by persons coming from different parts of the country and representing the different interests and pursuits of our people.

In the course of this investigation and task I have found one thing pretty certain, and that is that every man of every party who has any article or interest to be protected desires that it shall have such advantage in fullest measure, but is too often perfectly willing to join in the cry that nobody else shall have the benefit of like protection. If there has been anything that seemed to me sometimes to exceed the selfishness of the manufacturers who wanted everything that they made covered by a good, high tariff, but everything out of which they made it to come in free, or at the lowest rate, it has been the selfishness of the importers who wanted no tariff at all, or none which should interfere with their bringing in, in

But let us again recur to the text of the Secretary's report. It says:

Many rates of duty begun in war have been increased since, although the late Tariff Commission declared them injurious to the interest supposed to be ben-

In this connection it is pertinent to ask when the war closed and when, if ever, the Tariff Commission made such a declaration. The war closed

early in 1865; the commission reported more than eighteen years thereafter, in the last month of 1883. In the light of these dates the reference to the commission smacks a little too much of the ad captandum for an official paper, the averments of which in other respects are not in accordance with the facts of the case. I have shown by official figures that since 1872 nearly one-third of our annual imports have come in free of duty.

Since the close of the war the settlement and development of unsettled portions of our country and of the world have succeeded each other with startling rapidity; invention and discovery have wrought marvels, science has been applied in every direction to the useful arts, and as a consequence duties have been required by and imposed on commodities which were unknown or which we were unable to produce before or during the war. We had not begun the manufacture of steel rails when the war closed, and the first such rails purchased by our leading companies cost \$160 in gold a ton, or more than \$400 per ton in national currency, when delivered in our ports. Coal-tar was then an annoying refuse at the gas-works of every municipality. It is a waste and a nuisance no longer; it supplies us with alizarine and the aniline dyes which give such brilliant colors in such infinite variety to our On newly discovered or invented articles duties have been imposed since the war, and I trust that we shall continue to give our countrymen the benefit of every such discovery and invention by the imposition of duties that will justify inventors and capitalists in incurring the risk of attempting their production in commercial quantities. "They," these duties, "have been retained," says the Secretary's report, "at an average ad valorem rate for the last year of over 46 per cent., which is but 2½ per cent. less than the highest rate of the war period, and is nearly 4 per cent. more than the rate before the last revision. The highest endurable rates of duty, which were adopted in 1862-'64 to offset internal taxes upon almost every taxable article, have in most cases been retained now from fourteen to twenty years after every such internal tax has been removed. They have been retained while purely revenue duties upon articles not competing with anything produced in the thirty-eight States have been discarded."

Had the author of this report examined the statistics of the Department for the head of which it was to speak he would have found that the average rate of duty on our imports was not, as he alleges, 46 per cent., but was, as I showed when replying to the misstatement of the report by which the majority of the Ways and Means accompanied this bill, but 30.54 per cent. It was from the records of the Treasury Department I obtained the figures, and I may therefore characterize as an unpardonable misstatement this averment that "duties have been retained at an average ad valorem rate for the last year of over 46 percent." But how shall we characterize this statement which follows it:

That the highest endurable rates of duty which were adopted in 1862-'64 to offset internal taxes upon almost every taxable article have in most cases been retained now from fourteen to twenty years after every such internal tax has been removed?

An admission of the truth of this allegation will require us to demand from the Secretary the authority by which he collected from in-ternal taxes during the last fiscal year \$112,498,725.54. If, as the Sec-retary says, the internal taxes have all been removed, why have not the four thousand officers, whose maintenance in office costs nearly \$5,000,000 a year, been disbanded? Are these expenditures maintained, this army of retainers disciplined and paid, without authority of law? Or is the statement a falsehood more reckless in its audacity than those with which it is interwoven? Among the many misstatements of this part of the report I am glad to be able to note one candid admission. Following the allegation "that such duties have been retained after every internal tax has been removed" comes the admission that while "they [protective duties] have been retained purely revenue duties upon articles not competing with anything produced in the thirty-eight States have been discarded," which is another way of saying duties protective of the labor involved in our manufactures have been maintained while those on commodities which do not compete with anything we produce have been repealed, and thus comes confirmation from this official source of all my allegations on these points of controversy between the doctrines which it is interwoven? Among the many misstatements of this part of all my allegations on these points of controversy between the doctrines of free trade and those which demand protection for native industry. That we may have these differences distinctly before us while examining the Secretary's report, let me produce an extract from my remarks of April 25, 1870, in which they were summarized with special adaptation to the circumstances of that day, as follows:

tion to the circumstances of that day, as follows:

The protectionists of the United States behold in our country a world gifted with all soils, all climates, all mineral resources, and with the powers of wind, water, and fuel on a grander scale than the nations of Europe combined. They believe in developing these resources and making wind, water, fire, and all the powers of nature disclosed to us by science contribute to the welfare of man. They believe in so applying science and the mechanic arts that the exhausting drudgery of labor may be lifted from the shoulders of the toiling masses and put upon organized iron and steel moved by steam and guided by man or woman. Sir, if gentlemen will visit the machine-shops in my district (the leading district in the country in machine-shops) they will see that the heaviest work done in many of them could, by the aid of the machinery with which they are furnished, be done by cultured youth and women. The pulley, the wheel, the lever, the screw, and the trip-hammer lift the burden from the muscles of man, and, obedient to his will, achieve their astonishing results.

Yes, sir, the protectionists would develop our natural resources. They would also develop and stimulate commerce. How? By removing all commercial restrictions that intervene between us and the non-manufacturing people of

the tropics, the ancient East, and the islands of the sea. The gentleman from New York [Mr. Brooks] spoke of the time when our flag was to be seen in the distant Straits of Malacca. Ay, sir, that was when tin and tea and coffee were free. To woo back that commerce the minority of the committee, as protectionists, propose to put tin again on the free-list with the productions of the lands which yield us tea and coffee and those of the people who dwell among the spice groves of the world or find shade beneath trees that drop their medicinal gums. These people produce what we need for food, for medicine, and in the arts; we produce what they need; and we would remove all restrictions from commerce between them and our countrymen.

We would also remove all restrictions on trade and commerce. To-day the trade of our country is so embarrassed that in large lines of industry and commerce no man knows that the revenue detective may not at any moment come upon his premises and degrade him by arrest and ultimate conviction. We are collecting this year from our own productions and commerce between our own people, by stamp and other internal taxes, from one hundred and thirty-five to one hundred and forty million dollars, thus embarrassing at every point the production of wares, fabrics, agricultural staples, and restraining commerce between American citizens in their own land. Pursuing freedom of trade, the party I represent, the protectionists, would hasten the day when the odious stamp-tax shall be repealed, and when no Government detective shall enter the home or the business place of an American citizen on legal errand.

How would we raise sufficient revenue? Sir, beyond the ocean, lying on the same parallels that mark the northern portion of our country, are manufacturing nations—Great Britain, France, Belgium, Germany, and Russia, which latter country is now, under the protective system, engaging largely in competition inforeign markets with Great Britain and France. They produce what we do—irron, steel, and other u

It is enjoyment.

So much for the theory of protectionists as understood by one who believes he serves his country and mankind by advocating it in season and out of season.

But to recur again to the text of the Secretary's report. What shall say in reply to his assertion that "our customs laws are a chaos rather than a system?" The first response I make is that if our customs laws are not systematic or are marred by "irregularities," it is mainly due to the inexplicable rulings of the Treasury Department as to rates of duty which had been vindicated by long usage, as in the case of those on worsted goods. In further reply to the railings and unfounded allegations of the report on this point I may cite language used by me in my remarks of May 5, 1882, in justification of a tariff commission. In that address I replied as appositely to this charge of want of system in our tariff as I can to-day:

tariff as I can to-day:

I am not prepared to admit that the existing tariff needs such revision as implies overthrow and reconstruction. It needs amendment in matters where, by the development of new resources or the progress of science, art, and inventive power, new commodities, new forms of matter, novel combinations of materials in familiar use have been called into existence, and new commercial designations into invoices. These should have their appropriate classification in the tariff law, and not depend on departmental decision under rates designated for articles "not otherwise provided for," a phrase to be found in each schedule of the statute. The report of a commission, consisting of nine discreet men, uninfluenced by the partisan spirit that pervades this House and the Committee on Ways and Means, will, I believe, while suggesting appropriate modifications of some of its provisions, vindicate the patriotism, wisdom, and prescience of the framers of the existing law. I have no apology to make for the part I have taken in maintaining and, in accordance with my judgment, perfecting that law. Its provisions are philosophical and harmonious. Its framers regarded all forms of American labor, and, placing a duty upon the primary element of an article if of native production, advanced the rate as the article was advanced by an increased expenditure of labor.

*

Its classifications, like its scales of graded duties, were scientific. With the

Its classifications, like its scales of graded duties, were scientific. With the law here before me, I challenge gentlemen to indicate where confusion is to be found in its original classification of commodities. Its works are its ample vindication. It has accomplished the objects its framers had in view; has promoted the development of the vast and varied resources of the country by such a diversification of employment as secures work, wages, and an opportunity for the exercise of the aptitudes of all our people, whether the brawny man with ax or sledge-hammer or the feeble but gifted girl with her pencil.

Mr. Chairman, I reaffirm every allegation embodied in this extract as applicable to "the irregularities of our tariff," which the Republican party, through its last national convention, pledged itself to en-deavor to redress. The existing tariff needs revision in so far only as its symmetry has been impaired by ill-considered changes made in the hasty action which attended the presentation, consideration, and adoption of so complicated a measure as a tariff law in the short session which closed the Forty-seventh Congress. A number of its wisely adjusted protective duties have also been materially enfeebled or absolutely neutralized by departmental decisions which the Democratic majority of this House persistently refuses to remedy. But while making these admissions I deny that it requires such revision as implies overthrow or reconstruction on a new basis.

WHAT REVISION THE TARIFF NEEDS TO CORRECT ITS "IRREGULARITIES."

The Tariff Commission did not recommend essential changes in the classification or graded scales of duties of the then existing law. It found them to be as I had described them, scientific, and while it modified some of the schedules it did it with reference to the maintenance of existing classifications, and especially to scales of duties

graded by the amount of labor involved in the production of each arti-cle. While now resisting its general revision, I would so amend certain provisions as to make it as protective to all our industries as it was until the supremacy of the free-trade Democracy in this House was achieved and the intrenchment in the Treasury Department of administrative officers whose opinions on revenue questions were not in harmony with the traditions of that party which saved the country and with magical power developed its wealth and international influence. Were the Republicans in control of the House my method of correcting the "irregularities of the tariff," whether they had been produced by construction or unwise legislation, would be to promptly restore by appropriate legislation to the commodity injuriously affected a duty in accordance with existing

classifications and general rates of duty.

Among the articles the production of which we have by mistaken legislation practically prohibited is quinine. It furnishes a striking illustration of the unreasoning devotion of the majority of the House to a theory which refuses to correct an irregularity or inequality in the scale of duties however apparent it may be. In response to a senseless demand for free quinine, which had been fomented by many years of demagogic agitation, that article was placed on the free-list. This was done not in a tariff bill which was referred to the Committee of the Whole House for discussion, but by a resolution, no consideration of which was permitted. So long as we can not manufacture quinine and all the salts of quinia ours is not an independent country. tions of our territory, including whole families of States, are subject to malarial influences, the effects of which are controllable chiefly by quinine and its kindred salts, the most potent anti-malarial tonic and febrifuge known to pharmacy.

Ours is, I repeat, not an independent country and can not be while the people of its malarial regions are compelled by specific legislation to depend on foreign countries for these potent remedies. But it is asked whether it be true that we have prohibited the production of all the salts of quinia. It is true. Yes; we have promoted the production of all the salts of quinia. It is true. Yes; we have practically done this by placing the finished productions, all of which are highly manufactured by expensive processes, on the free-list, while taxing alcohol, an important agent in their production, under the excise system at the rate of \$1.78 per gallon. While other nations protect the finished article and furnish free alcohol for its manufacture, we refuse to follow even the example of free trade. England and imposes a duty sufficient to the example of free-trade England and impose a duty sufficient to countervail the spirit tax.

In this particular respect England and Holland have furnished us examples which we might follow with infinite advantage. The cinchona tree is a native of the elevated plateaus of South America; its bark was resorted to as a tonic and febrifuge by commercial nations more than a century ago under the designation of Peruvian bark. Meanwhile science has extracted quinine, cinchonidia, and their salts from einchona bark, the various salts of which are now among the chief curative agencies of the world. To secure a supply of these medicines for her army and navy, especially when in the tropics, England expended millions of pounds sterling in experiments in producing and developing cinchona groves in British India, and Holland, as a commercial venture, made like experiments on the island of Java. Both nations have been rewarded with such success as to give them ample pecuniary returns for the investments made.

We are assured by those competent to speak on the subject that experiments made with intelligent Government assistance in California and on some of the elevated plateaus of our Southern States would be and on some of the circated plateaus of our southern states would be as successful as those of England and Holland have been, and add a new and lucrative department to the industries of this country, as well as tend to the cheapening of potent restoratives for which, while existing legislation continues, we must depend on foreigners for both the

raw material and the manufactured commodity.

Among many other articles which we formerly produced with great advantage, the production of which has been suspended by unwise legislation or mistaken departmental construction of laws, I may name pearl buttons, wire rods, fine sheet-iron, hoop-iron, cotton-ties, tin-plates, taggers iron, and worsted yarns and fabrics. The bill which Mr. MORRISON first submitted to the House proposed to put coal and iron ore on the free-list. This proposition was received throughout the iron-producing regions of the South with such intense denunciations as to force the abandonment of a bill framed on that basis; but when the Republican minority have proposed to consider the question of protecting coal and iron ore when advanced to wire rods, sheet-iron, hoop-iron cut to lengths, cotton-ties, taggers iron, and tin-plates, of which taken together we import hundreds of thousands of tons, the idea is scoffed at and the proposition elicits nothing but sneers.

The injustice of singling out individual branches of industry for destruction is admitted, but the admission is made in connection with the suggestion that consent can only be had to put them on equal footing with other industries by making an equal reduction of duties on all other articles. There is not an iron-ore producer or a maker of pig-iron in our country who has not an interest in the restoration of adequate duties to all the metallic products I have named, and the day will come when they will unite in demanding such duties on these articles with as much vehemence as they opposed the proposition to put iron-ore on the free-list.

In concluding this branch of my subject I beg leave to refer to the action of the Treasury Department on the wool and worsted interests. The language of the tariff of 1883, which demagogues tell us destroyed the manufacture of worsteds, yarns, and the fabrics woven thereof, and of women's and children's dress goods, cloaks, dolmans, &c., is not original in that act. It was adopted in the act known as the "wool and woolen tariffs of 1867." It had been formulated by a convention of wool-growers and woolen manufacturers just twenty years ago, and it passed into the statutes of the country one year thereafter. For many years its meaning was not questioned by importer, manufacturer, or administrator of the law. As worsted yarn is made of wool and can be made of nothing else, the fact that worsted was covered by the word "wool" was not doubted or questioned, and having been adopted in 1867 and not changed when the tariff was revised in '70, '72, or '83, it has been discovered since 1883 that the language did not mean what those who embodied it in the form of law in '66, or those who enacted it into law in '67, or those who administered it as law from '67 to '83 believed it to mean.

Meanwhile the worsted interest grew and expanded each year by employing more capital and more wage-earners; the manufacture of ready-made clothing for men and women became a more important branch of business during each of those sixteen years—from '67 to '83—employing more people and creating a wider home market for our native wool, but further progress in these directions has been checked, under the inspiration of the doctrines of free trade; and the manufacturers of woolen and worsted goods in their own behalf and that of their employés, with almost one voice, have appealed to Congress, in the following clear but brief statement of the evils of which they complain and the modifications of law required, to overrule the destructive adjudication made by the Treasury Department:

dication made by the Treasury Department:

That this association adheres to its declaration to Secretary Manning, indorsed by a majority of the wool manufacturers of the United States, that there should be "no change at present in the existing wool and woolen tariff, nor a general revision of the tariff by the present Congress."

That this policy does not apply to such legislation as may be necessary to carry out the manifest intent of the existing tariff, as understood by those who assisted in framing it.

That certain constructions of the laws bearing upon the important manufactures of worsted cloths, of women's and children's dress goods and of cloaks, dolmans, &c., have been made by the courts and Treasury Department, which, in our opinion, are contrary to the intent of the framers of the law and positively contrary to our understanding of the meaning of the provisions in question when we recommended their adoption.

That whereas these erroneous constructions subject to a ruinous foreign competition investments of not less than twenty millions of American capital, removed from employment thousands of workmen and from consumption at adequate prices millions of pounds of domestic wool, the adoption of the following joint resolution or its equivalent by Congress is urgently recommended:

A joint resolution declaratory of the meaning of certain provisions in Schedule

A joint resolution declaratory of the meaning of certain provisions in Schedule K of "an act to reduce internal-revenue taxation, and for other purposes," approved March 3, 1883.

approved March 3, 1883.

Section 1. That on and after the date of the passage of this resolution, for all purposes relating to customs duties and importations, "woolen cloths" shall be held and construed to include worsted cloths.

Sec. 2. That for the purposes above named the concluding provise of paragraph 365 of said act relating to "women's and children's dress goods" shall be held and construed to apply to the whole of said paragraph.

Sec. 3. That for the purposes above named the term "knit goods," in paragraph 367 of the said act, relating to "cloaks, dolmans," &c., shall be held and construed to apply only to garments shaped wholly by knitting.

THE DISTINCTION BETWEEN NATIONAL ECONOMY AND POLITICAL ECONOMY.

The response to these appeals and the many kindred ones pending before the Committee of Ways and Means assumes its character in each case from the doctrines of the economic school to which the respondent adheres. The contention between the economical systems called political economy and national economy involves not merely economic theories, but the whole complicated question of social science and the well-being of nations. The differences between political economy as taught by the Manchester school and propagated in the United States by the Cobden Club and national economy as propounded by Henry Clay and formulated and perfected by Fred. List, Henry C. Carey, Stephen Colwell, Andrew Stewart, William Elder, and their disciples are irreconcilable.

Faith in national economy demands instant affirmative action as the appropriate response to such appeals by citizens to Congress; but the believer in the dogmas of political economy may consistently reply to them with a jeer, and assure those whose means of subsistence are involved in the prosperity of the stricken industries that to make like reduction of the duties which protect other industries is the only description of relief to which he can consent. National economy considers the welfare of each citizen as an element in the general welfare, and regards national strength and independence as second only to the welfare of the citizen; but political economy disregards national boundaries, the autonomy of States, and the sentiment of patriotism. It claims to be cosmopolitan, and announces as its supreme object the procurement of cheap goods. Its beneficiaries are not the poor whose ill-requited toil produces what neither they nor their families may share, but those whose wealth or fixed income enables them to live without labor while

consuming that which they have not produced.

This bill by its proposal to repeal all duties which afford protection to the products of several great industries, and to thereby deprive of employment and impoverish the many thousands of laborers engaged

therein, marks the line which sharply divides the adherents of these irreconcilable schools. Each vote upon the bill, should it ever receive consideration, will attest the accuracy of this view. In its pursuit of cheap commodities, which necessarily involve cheap labor, political economy would surrender our home markets to foreigners and promote the free importation of the productions of those laborers who are most poorly paid, fed, and housed. Of course the disciples of this school will support the bill; but as national economy seeks the development of the material resources of each country and of the faculties and aptitudes of its people by converting native material into com-modities essential to the comfort and happiness of the people, its ad-herents will strive to secure to their countrymen the right to supply their own markets, and every national economist will consequently be found voting against this bill. The fact that the House refuses to consider a bill framed in disregard of national interests, though submitted by its leading committee, emboldens me to congratulate my countrymen on this refusal as a sure indication that their representatives will not consent to regard the labor of American citizens as raw material and enter it in a world-wide competition for cheaper wares and fabrics.

The Life-Saving Service.



SPEECH

HON. JAMES BUCHANAN.

OF NEW JERSEY,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, April 10, 1886.

The House having under consideration the bill (H. R. 6975) to authorize the establishment of additional life-saving stations upon the sea and lake coasts of the United States—

Mr. BUCHANAN said:

Mr. CHAIRMAN: I am not surprised that this bill should meet with opposition in certain quarters. Some gentlemen representing districts in the interior seem to think that this Government exists solely for the purpose of carrying their mails and supplying them with vacant post-offices to appease the appetite of hungry patriots. They speak and act as if they were entirely ignorant of the fact that this country stands at the head of the nations of the world in the extent of her commercial intercourse with other countries.

They do not seem to know that while our tonnage is inferior in amount to that of Great Britain, it is superior to that of any other nation, and is in fact nearly four times as large as that of either Germany or France. They do not seem to know that the whole coastwise and lake-front trade belongs exclusively to our own shipping, and that to-day we have 2,895,371 tons afloat engaged in that trade. Born hundreds of miles from salt water, reared far from the busy haunts of commerce, their minds do not seem to have yet broadened enough to understand fully the wants and necessities of "those that go down to the sea in fully the wants and necessities of "those that go down to the sea in ships." To them a clumsy dug-out propelled across some muddy bayou, or down some snaggy stream winding sluggishly through a cottonwood bottom, is the climax of navigation. Their hearts never glowed with admiration as they looked upon the full-rigged ship under her cloud of canvas sailing majestically like a thing of life upon the ocean's blue. Their pulses were never quickened as they watched the swift and powerful "greyhound of the seas" plow the mighty deep.

Perchance they never breathed the life-giving salt-sea air; its breezy freshness and the murmur of the surf are all unknown to them. And when secures in their homes the stormy winter's night shuts down with

when secure in their homes the stormy winter's night shuts down with its darkness and cold and driving sleet, they know nothing of the thousands of brave hardy seamen off the coast, covered with the freezing spray, benumbed with cold and drenched with rain, standing bravely to their posts, or freezing in the rigging, looking anxiously for the warning light which tells them of treacherous shoals or danger-

They know nothing of the brave and hardy men who all along our coast, in the midst of the storm and darkness, patrol faithfully the beach, peering out over the angry waters into the wildness of the night to catch the first glimpse of some oncoming bark to warn her with everready signal of her danger. And when warning has been in vain, and the tempest has conquered, and the gallant ship lies a helpless thing at the mercy of wind and wave, and her crew and passengers stand face to face with death, then these gentlemen know the result of the courage and manhood of these surfmen as they rush to the rescue, brave the angry waves, and, facing death like heroes, rescue the perishing. And when, as sometimes happens, these heroes, on their errand of humanity, are swallowed up by the angry seas and their brave lives go out forever, then these gentlemen do not know, and perchance do not care to know, the horror and despair which settles down like a horrible pall upon the helpless, often homeless, wives and children left behind.

Ah, sir, I plead with these gentlemen to fully inform themselves as to these things. I earnestly ask them to study more carefully the extent of our commerce, and to more thoroughly know the noble and Godlike work our Life-Saving Service is doing. I ask them to come to our coasts, not in the summer when the seas are calm and the waves are stilled, and only the sad murmer of the surf is heard as with eternal unrest old ocean beats against the shore, and the gaudy butterflies of fashion throng the sands, whispering love to hearts that fondly whisper love again, but in the cold and dreary winter, when the ocean beats high, and through the blinding sleet and sharply-driven sands the faithful surfman, in the darkness of the tempestuous night, patrols his lonely beat along the shore.

I ask them to go with me to the desolate homes of those brave men who but a few short weeks ago perished on the coast in my own district in bravely endeavoring to rescue a shipwrecked crew, and mingle their tears with the grief-stricken widows, and look upon the helpless or-phaned little ones, left with nothing but a pittance between them and absolute want, and, methinks, their opposition would melt away in gratitude and thankfulness that America had reared such heroes, and the measure I introduced here a short time ago, providing for showing the nation's appreciation of such heroism by making some provision for

these widows and orphans, would be speedily reported.

Meanwhile I beg the attention of these gentlemen for a few moments while I state in a few words the facts shown by the official records as to the work of the Life-Saving Service. This service was not established all at once as a fully organized system. First, a few stations on one part of the coast, then another at another point, then one somewhere else, as seemed to be most urgently needed, then upon the lake front, and finally a few upon the Gulf coast. The upper Atlantic coast, being the most exposed to storms and thronged with the greatest amount of commerce, of course has the largest number of stations.

The New Jersey coast, lying so near the great harbor of New York Bay, into which comes the great bulk of the commerce of the nation down which passes almost the whole of the Atlantic coast trade. needs, with its low-lying shores and outlying shoals, a large number of these stations. Reliable statistics show that year by year there passes up and down that coast within sight of the shore an average of about twelve thousand vessels; and yet one gentleman has said in tones of surprise, almost indignation, that at some points these stations are within "7 miles of each other." Of course they are; they need to be.

A full patrol system has been established along that whole coast, and every night from September to May the whole beach is patrolled by the surfmen. These men live during these months at the stations on the beaches, the beaches being many of them cut off from the mainland through the winter by partly frozen sounds and thoroughfares. The men are separated from their families during this period. They must provide their own food and clothing, the Government furnishing shelter

and fuel and one pair of blankets per man.

From dark to dawn, whatever the weather may be, they patrol the beach and as time afford they practice with the surf-boat and other appearance of the sarvice but the Governpliances. Some of them have grown gray in the service, but the Government makes no provision for their retirement. The exposure is fearful and must affect in time the strongest frame, but no haven is provided for them when worn out in the service but the county almshouse. For this service these men are each paid a compensation about one-half the amount per day paid to one of the page boys of this House!

The efficiency of this service has been wonderful. During the year ending June 30, 1884, there were within the field of its operations 439

disasters to vessels, of which 64 were total wrecks. The number of persons involved was 4,432, of whom 4,412 were saved and 20 were lost. The total value of property involved was \$10,607,940, of which \$9,161, 354 was saved. Of these disasters there occurred in the fourth district (which comprises the New Jersey coast alone) 65, of which 13 were total wrecks, and involving 1,176 persons, of whom 1,163 were saved and 13 lost, and involving \$3,168,695 of property, of which \$2,960,440 was saved and \$208,255 was lost.

The total of disasters upon the Atlantic and Gulf coasts was 275 out of the 439 for the year, and it will be noticed that the number, 65, upon the Jersey coast is nearly one-fourth of the total for the whole Atlantic and Gulf coasts, showing the extent of the commerce passing

For the succeeding year ending June 30, 1885, as gathered from the statistics of the official report (not yet printed) the total of disasters to vessels was 371, of which 56 were total wrecks. These disasters involved 2,439 persons, of whom 2,428 were saved and 11 were lost, and property to the amount of \$4,634,380, of which \$3,379,583 was saved and \$1,254,797 was lost.

The disasters upon the Atlantic and Gulf coasts were 225, of which 52 or nearly one-fourth occurred on the New Jersey coast. In these 52 disasters there was involved \$996,800 of property, of which \$552,030 was saved and \$444,770 lost. The total number of persons involved was 441, and although of these 52 disasters 10 were total wrecks and the loss of property was so great, yet not one life was lost of the 441 involved.

But while no life of passenger or crew was lost, three of the brave surfmen of the Jersey coast went down to watery graves, February 11, 1886, while attempting to rescue the crew of the Austrian bark Kralzwika, wrecked on Barnegat Shoals. John J. Soper, Solomon Soper, and Samuel Perrine, of the life-saving crew, were drowned. They left behind them families with but little, if any, means of support. I immediately introduced a bill granting those families relief. The Committee on Commerce failing to report it, I have been before that committee urging its report. As yet the committee has failed to report. I must say I am not surprised. The little interest shown by a majority of the

members in the matter convinced me then that it did not have their sympathy.

The objection is made to a civil pension-list. But while this service is not military, it has its hazards as well. The midnight patrol is as destructive to health as the midnight march or bivouac. The number employed is small, only aggregating about two thousand men. Here is a table showing total casualties in the service:

List of persons who have died by reason of any wound or injury received or disease contracted in the line of duty in the Life-Saving Service since the origin of the service, so far as is known by the records of the office of the General Superintendent of the Life-Saving Service.

Date.	Name.	Grade.	Station.	District.	Nature of casualty, &c.
1876.					
dar. 1	John R. Gale	Keeper	Whale's Head	Sixth	
H H Z H H	Lemuel Griggs		do		[18] [18] [18] [18] [18] [18] [18] [18]
		do	do	do	
			do		Drowned while attempting to rescue the crew of the wrecked Italia
	Spencer D Grey	do	do	do	bark Nuova Ottavia off coast of North Carolina.
	J. Munden	do	do	do	
	George W Wilson	Volunteer	do	do	
1877.	George II. II noon	T OILLISCOL			
an. 5	John Parker	Surfman	Forked River	Fourth	Died on night patrol.
Iar. 30	H. H. Nickerson	do	Suefeida	Second	
tar. ou	H. H. Nickerson	do	Suriside	Second	Fell from aloft and instantly killed while assisting in saving proper
OF	J. J. Guthrie	Commenter dans dans		CUL-AL.	from Italian bark Papa Luigi C.
ov. 25	J.J. Gumrie	Superintendent		Sixth	
1880.					of United States steamer Huron.
	******* * C	0	7:11		
pril 23	William J. Sayers	Suriman	Point aux Barques	Tenth	
			do		
			do		Perished in attempting to go to the assistance of distressed schoon
			do		J. H. Magruder on reef off Point aux Barques, Lake Huron.
	James Nantau				
	Walter Tetherbridge	do	do	do	
4. 20	Joseph Sawyer	Superintendent		do	
400 0000	CONTRACTOR OF THE CONTRACTOR O				district,
	George Feaben	Keeper	Hammond's Bay	do	Drowned off Rogers City, Mich., with Superintendent Sawyer, wl
					transporting him from the Two-Heart River station, tenth district
ov. 30	David H. Atkins	do	Peaked Hill Bar	Second	
			do		Perished while attempting to take ashore crew of stranded sloop
	Stephen F. Mayo	do .	do	do	E. Trumbull,
1881.	Diepuen z i amy eininn				
lay 15	David Hitchens	Keeper	Smith's Island	Fifth	Reported to have died from disease caused by cold and exposure wh
	200100	acceptaniiniiniinii	Catalan o antitamentament	A 44044	in the line of duty.
	George J. Warner	do	Watchapreague	do	Reported to have died from disease caused by cold and exposure wh
	George o. Watherman		" atomapicaguo		in the line of duty.
	Warner Collins	Surfman	Cobb's Island	do	Reported to have died from disease caused by cold and exposure wh
	Warner Commo	on bullman	Cooo s Island		swimming to a boat during the gale and tidal wave of October
				Marie Marie	1878.
1884.					10/0.
an. 11	George Markwick	do	Manistee	Eleventh	B
eb. 14	Cornelius Maddock	do	Fairport	Ninth.	
co. II	Cornellus maddock		ramportum	Ninth	
eb. 27	Mathem Commen	4.	Managed Dated	0	in the line of duty.
eo. 21	Nathan Sampson	do	Manomet Point	Second	
r 00	Y D C	3.	O 011	T	line of duty.
Tay 28	Isaac B. Carson		Ocean City	Fourth	
1004					in the line of duty.
1884.	CO	**	or to the	*** * **	
ct. 31	Charles J. Brandon	Keeper	Saluria	Eighth	
+					line of duty.
1885.				III.	
ept. 22	William Jones	do	Racine	Eleventh	Drowned while at boat drill.
1886.			-	_	
eb. 11	John I. Soper	Surfman	Barnegat	Fourth	Drowned while etternation to recove the same of the testing to
	Solomon Soper	do	do	do	Drowned while attempting to rescue the crew of the Austrian be
55-07/01	Samuel F. Perrine	do	do	do	Kralzvika, wrecked on Barnegat Shoals.
1884.	M-F	FL		and the same of the same	
ept. 26°	William P. O'Neal	Ex-surfman	Chicamicomico	Sixth	Alleged to have died from an injury received in the line of duty.
					and the state of t

In all probability not all of these thirty-four men left families behind them. But suppose they did, can not this great country, the commerce of which is benefited so much by this service, afford to make a slight recompense to the families of those who lose their lives in the service? From the organization of the service to June 30, 1885, the service saved 25,236 lives and \$36,277,929 in value of property. In the light of these figures the objection becomes ridiculous. But if this Government is too economical to do justice to these men, a suggestion may be in order. Several of the committees of this House, which have no business or next to none to come before them, are provided with clerks. Some of these clerks have nothing to do but draw their pay, frank the chairman's documents and speeches, and help him "mend his fences." Discharge some of these. True, it would disturb the "soft snaps" of some "political workers," but it would save enough cash to the Treasury to meet this new demand.

ury to meet this new demand.

But, pleasantry aside, in the name of justice and of humanity, in the interests of the vast commerce of this great country, I demand of the national Congress that these noble saviors of life and property should henceforth as they go on their perilous mission go with the assurance that if in saving the lives of others they lose their own a grateful country will care for the widow and the orphan left behind. This may be denied now. Carelessness and callousness may defer the time. "Tehuantapec-ship railway," "Mississippi levee," and "refunded cotton taxes" may each thrust the arm to the elbow into the public Treasury unrebuked; but the time is not far distant when this Republic will recognize that her first duty is not toward the schemer and the plunderer, but to the men whose sole duty it is to save the lives and property of her citizens and to their orphaned families.

The Surplus in the Treasury.

SPEECH

OF

BENTON McMILLIN. HON.

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

· Tuesday, July 13, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt—

Mr. McMILLIN said:
Mr. CHAIRMAN: The bonded indebtedness of the United States is \$1,210,637.612. Of this \$144,046,000 is now due, subject to call, and has been for years, with not enough money to pay it off. Of the remainder \$250,000,000 is payable in 1891, and \$737,759,700 in 1907; the small balance, at a different time.

Almost all of this debt is owned by less than one hundred thousand people in the United States. Were it imposed pro rata the portion of indebtedness of each man, woman, and child of our 57,000,000 population would be \$21. Shall they owe it forever, or shall the money now in the Treasury and hereafter to be brought there by taxation be used to pay it and stop interest? That, sir, is the question involved here.

Mr. Chairman, I shall not occupy the time of the House at great length in the consideration of the resolution now pending. To my mind it is of the utmost importance to the people of the United States. Believing as I do that contraction of currency and hoarding of large amounts of the public money are injurious to commerce and present strong temp-tations for injudicious and extravagant legislation, I favor the resolution which has been read.

The resolution which I introduced at an early day this session provided that there should be held for redemption purposes not more than \$75,000,000 instead of one hundred millions. But the committee in its wisdom saw fit to fix the amount at one hundred millions. I believed then, and do yet, that seventy-five millions were ample for the purpose. In fact my judgment is that it would not be unsafe to operate with even a less reserve; but it is evident that the retention of a less sum than one hundred millions can not now be enacted into law, and I therefore support this proposition.

According to the best estimates that I can obtain, Mr. Chairman, as to the currency of the Government, there is on deposit in the Treasury of the United States, in the national banks, in savings-banks and other

depositories throughout the country, \$727,122,021.

Mr. HENDERSON, of Iowa. Belonging to whom?

Mr. McMILLIN. To the people. I speak of that which constitutes the currency of the people of the United States, their circulating tutes the currency of the people of the United States, their circulating medium. The entire circulating medium, according to the best statistics at hand, is \$1,556,814,789, which leaves a total in actual circulation among the people, in addition to that which is deposited and to which I have alluded, of \$829,792,777. Therefore the payment of the amount of money that is proposed by this resolution will have the effect, if it should all go into active circulation, to increase the circulation that is actually among the people, outside of the depositories named, nearly 10 per cent., or about one-sixteenth of all the coin and currency we have. As was stated by the gentleman from Illinois [Mr. Morkison], it means the giving of employment to one hundred thousand son], it means the giving of employment to one hundred thousand workmen. It means, Mr. Chairman, not only that, but it means the subsistence of the five hundred thousand people who are always dependent upon one hundred thousand workers. I believe it means more activity in trade, less discontent with labor. I know it signifies the payment of less interest.

have already given the condition of our bonds.

The gentleman from Illinois [Mr. Morrison] has stated, Mr. Chairman, in so clear and succinct a way that I will not reiterate it here the amount of money held in the Treasury. The question has been propounded by a gentleman on the other side, "What has become of the \$400,000,000 of surplus?" The truth now is, as the truth always was, that there was never \$400,000,000 of surplus in the Treasury.

No man in his right frame of mind, so far as I know, has ever alleged that there was that much of reserve in addition to the amounts held which the specified demand by the Government. There is that amount

subject to specific demand by the Government. There is that amount of cash there, but most of it is held for rederaption of gold and silver certificates which have been issued on it, or other obligations recognized by law, which makes it impossible for us to appropriate it.

There is, first, all of the gold and silver which is represented by outstanding gold and silver certificates. There is, secondly, the subsidiary coin, amounting to more than \$29,000,000. There is the fund held for the redemption of the national-bank notes where the banks issuing them have failed, or where banks are reducing their circulation. you count the entire amount of money that is actually in the Treasury above the legal demands outstanding it figures up the sum of about \$200,000,000, and of this more than \$29,000,000 is subsidiary coin. So that if the resolution goes into effect there will be unavailable for payment on the debt \$100,000,000, now as heretofore held for redemption purposes, twenty-nine millions of subsidiary coins that are not a legal tender for large debts but are legal tender in limited amounts, and other sums not necessary to be mentioned here. The amount, therefore, of money that can be paid under the resolution now will be, according to the last report of the Secretary of the Treasury, \$76,044,000, which will leave us owing about \$70,000,000, which has been due for

which will leave us owing about \$70,000,000, which has been due for years and which we can not yet pay for want of money.

But the immediate payment is not the only good that comes from the resolution; for it provides, Mr. Chairman, that when the amount of money in the Treasury in excess of these legal demands shall exceed \$100,000,000 by \$10,000,000, then it shall be the duty of the Secretary of the Treasury to make a call and pay the money upon the indebtedness of the United States. After all has been applied that can under this resolution and the existing condition of the Treasury be applied to the bonded indebtedness now due there will be the amount I have just indicated still subject to call

dicated still subject to call.

What excuse is there for an intelligent and patriotic representative voting to pay interest on one hundred and forty-four millions in bonds when you have the money in the vaults to pay much of the principal? What excuse can we give to those who have placed such a high trust in our hands for a refusal to pay out the money, refusal to stop the payment of interest, refusal to let this money go forth into the channels of trade to quicken commerce? What is the situation to-day? I should not overstate it if I were to say that there are hundreds of thousands of men out of employment. The wheels of industry are

clogged. The channels of commerce are stopped. Men are clamoring and striking for higher wages than their employers say they are able to In such a situation shall we stand here idle and see \$176,000,000 hoarded in the Treasury and refuse to pay out a dollar of it upon the bonded indebtedness of the Government? The gentleman from New York [Mr. HISCOCK] has said that this means repudiation. In what school of politics has he been taught? From what fountain of wisdom has he obtained that thought which leads him to conclude that the keeping of only \$100,000,000 in the Treasury to redeem the greenbacks

keeping of only \$100,000,000 in the Freasury to redeem the greenbacks is repudiation?

Why, sir, how much of this greenback currency is presented for redemption annually? That becomes a legitimate question here. I have not had occasion this year to inquire into it, but I have in past years, and I have found that for the first one or two years after the redemption act went into effect there was presented in greenbacks to be redeemed by the Government only about \$12,000. The amount presented has been merely nominal. So from that time to this we have held one hundred millions of gold in the Treasury, upon which we have paid from three to five million dollars of interest annually, for the simple purpose of redeeming a few thousand dollars a year of greenbacks when

Where is there a private citizen who would be guited to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion than one hundred millions to keep up keeping a greater proportion that have been up to be a greater proportion than one hundred millions to keep up keeping a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to be a greater proportion that have been up to Where is there a private citizen who would be guilty of the folly of resumption of specie payments under such circumstances? seeking, who is desiring, to exchange greenbacks for gold? But the gentleman from New York has seen another ghost; another trouble looms up before him. He says that this means to pay the bonds in silver. The resolution does not necessarily mean any such thing. But if it did, where does the gentleman find any law, on any statute-book, enacted under any administration, promulgated by any authority, which holds, or ever held, that those bonds were above silver payment? He says that the Secretary of the Treasury when seeking to place them issued appropriements teaming with the statement that their payment. issued announcements teeming with the statement that their payment would be in gold. The Secretary of the Treasury is an officer under the law. His *ipse dixit* outside of the law can not change the statute. But if it were as the gentleman from New York assumes, what hardship would come to the creditors of the United States?

Were not these very same bonds, many of them, sold for greenbacks that were not worth more than 50 cents on the dollar, and have not the holders of the bonds already received more in gold interest than the principal of the bonds? I am not giving this as a reason why we should pass a law providing for payment of the obligations of the Government in silver, but I cite it to show that no citizen has a right to complain against the silver currency. It was recognized by the Constitution and the laws as lawful currency when these bonds were issued. The people want nothing more and will have nothing less than the law of the contract. The gentleman from New York says that the silver dollar is worth only 75 cents in the dollar, when every member of this House daily uses it in all commercial transactions at a par with gold; and the gentleman from New York himself could not be induced to sell a thousand silver dollars, standard weight, at 99 cents on the dollar. I undertake to say that, taking the whole transactions of the people into consideration, there are a thousand transactions in which silver is used for payment where there is one in gold.

The gentleman from New York may as well not vex his pure spirit on the question. Neither the representations of the ex-Secretary of the Treasury, Mr. Sherman, the forebodings of the gentleman from New York, nor anything else can discount the silver dollar. When I consider the relentless war made on it I wonder not that it has met the disfavor of some, but that it has held its ground so well. It was stricken down once. It was demonetized through fraud; and the dastardly, treacherous author of that act has never yet been bold enough to raise his head and say, "I did it." Yet there was a power abroad that brought it back into circulation. It is here now. It is, as I have said, money of the Constitution. Gold also is money of the Constitution. They are together, and it ought to be the effort of every patriotic citizen to keep them together.

This House only a few days ago did a thing that will go very far to popularize silver by issuing silver certificates of one, two, and five dollar denominations. Whenever you allow representatives of it in small denominations to go among the people, then every dollar of silver can be represented in actual circulation. This the House has done, and I sincerely trust the Senate will concur in the House's action.

The gentleman complains that silver can not be kept in circulation. There has never yet been a currency that would keep itself in circulation. When this Government receives all kinds of currency in payment of its dues and only pays out one or two kinds, that which is discriminated against will inevitably go to the wall so far as actual circulation is concerned. It has been urged that the passage of a resolution of this kind and the payment of the bonded indebtedness of the United States would result in a contraction of the currency, because of the fact that the bonds now outstanding are held by national banks, Let us examine which must close out when the bonds are redeemed. that question for a moment.

It is true that of the one hundred and forty-four millions of bonds

now outstanding subject to call one hundred and six millions are held

by national banks, and upon them currency to the extent of 90 per cent. on the dollar, or \$95,400,000, is outstanding. But let us examine the operation of the law when this resolution goes into effect and the bonds are paid off. The money with which we seek to pay them is now out of circulation by being held in the vaults of the Treasury. When we pay it out it goes into circulation, instead of the national-bank currency which is now outstanding, and which would be withdrawn by the operation provided the banks did not buy other bonds to be used instead of those called.

Mr. PAYSON. And there is 10 per cent. more of it.
Mr. McMILLIN. As my friend from Illinois [Mr. PAYSON] very truly says, not only this amount but 10 per cent. more goes into circular truly says, not only the amount but 10 per cent. more goes into circular truly says, not only the same stop is now in circulation there will be lation; in other words, where \$100 is now in circulation there will be \$110 when redemption has occurred. How, then, can redemption be injurious? It is true there might be a reduction in the circulating medium of the country to the extent of 90 per cent. on the \$106,000,000; but the only difference possible will be that instead of being locked up in the Treasury the money now there will be in circulation among the people and may take the place of the banks' issues.

Mr. FELTON. Practically there will be 10 per cent. more in circu-

Mr. McMILLIN. As I have just said, there will be practically 10 per cent. more in actual circulation after we redeem the bonds than there is now. Not only that, Mr. Chairman, but while the payment of the bonds could not in any event cause a withdrawal of more than

\$95,400,000 national-bank circulation, there would be put in circulation \$144,000,000 from the Treasury by bond payment.

Mr. BRECKINRIDGE, of Kentucky. The gentleman will allow me to say that the national-bank notes now secured by the \$106,000,000 of 3 per cents will not necessarily be withdrawn when those bonds are of 3 per cents will not necessarily be withdrawn which close so the redeemed. The banks may put in place of the 3 per cents bonds of other denominations—4 per cents and 4½ per cents—so that there will only be a difference in the classes of bonds deposited to secure the circulation.

Mr. McMILLIN. I thank my friend from Kentucky for his suggestion; in the haste of argument I might have failed to comment on that fact so fully as I should. It is true, as the gentlemen says, that the redemption of these bonds does not necessarily force any bank out of

existence, though it may force it to obtain other securities.

Mr. BRECKINRIDGE, of Arkansas. And if it does—

Mr. McMILLIN. And if it does there will be no contraction of the currency. The money now hoarded in the Treasury will be paid out and would take the place of any national-bank currency redeemed by The money now hoarded in the Treasury will be paid out

the calling of the bonds on which it was based.

Mr. BRECKINRIDGE, of Arkansas. It is important in this con-nection that the basis of the circulation of the national banks should be stated. Omitting the odd figures, and omitting also some securities of small amounts, these banks have as the basis of their notes \$106,000,000 of 3 per cents, \$114,000,000 of 4 per cents, and \$50,000,000 of 4½ per cents; so that they have now a smaller amount of 3 per cents than of other denominations.

Mr. McMILLIN. My friend from Arkansas is quite correct in that statement. A majority of the banks, counted by the basis of circulation, have now other securities than 3 per cents. But if all these bonds were out of the way I have abiding faith that the wisdom of Congress, were out of the way I have anding faith that the wisdom of Congress, the wisdom of those who are to come after us, will be sufficient to provide for every emergency. No calamity can possibly happen in this regard. None but a fool will deny that a people who bridged over greater difficulties than any before us now, when they numbered but thirty-five millions and were torn asunder politically, States seceding and a war raging, will, when united and cemented as brethren, knowing no North, no South, no East, and no West, have power and patriotism enough to provide whatever currency the commercial needs of the country may

This resolution does not seek to interfere with a single vested right of any creditor of the United States. It does not seek to turn the people loose into wild-cat operations which shall impair public or private credit, but it does seek to pay out money which is now in the Treasury and the presence of which in circulation is the people's greatest present

need.

But the gentleman from New York thinks that if we should reduce the gentleman from New York trinks that if we should reduce the amount in the Treasury there would probably be a run upon it. That does not necessarily follow. Suppose you have \$25,000,000 in silver in addition to a gold reserve? Whenever any man or men may come proposing a run on the Treasury merely for the purpose of raiding it, let them be told to go and get their carts to carry away their silver, and they would soon be satisfied to demean themselves properly and treat their Government right. I would never discriminate excitations and treat their Government right. I would never discriminate against any citizen presenting a just demand. We have gold and silver as currency; and I would pay the citizen of the United States whatever might be most convenient to him, provided it did not injure the Government. I would recognize and discharge every legal obligation. But whenever any man or combination of men have so little patriotism as to be ready to "corner" the Government and act it is patriotism. 'corner" the Government and put it in straitened circumstances, he or they should be thwarted by every fair and honorable means, even to loading down with silver. [Applause.]

Mr. Chairman, there are many things which might be said concern-

ing the effect this resolution will have upon the commerce of the country. You may examine the history of this Government and you will find that the period in which manufactures flourished most, in which railroads were most extensively built, in which the people were freest from that contraction of the currency which is their financial destruction, was the period when we were paying off most of our public in-debtedness. What will be the effect of this resolution upon the people? Its first effect will be to put into tangible and taxable investment property that is now held free from taxation and kept out of investments which pay anything to the laborer. It will result necessarily in a reduction of the rate of interest, than which no greater blessing, in my opinion, can come from it. Ricardo was certainly correct in his theory upon that subject. It may be that an effete and rotten monarchy needs a bonded indebtedness to keep it from going to pieces; it may be that where the people do not love the country as we do ours it is necessary to have constitutions and kept out of investments. sary to have a continuing, perpetual debt to keep the people from rising up and destroying their oppressors. But in a republic the time can never come when "a public debt is a public blessing." On the contrary, in a country like ours a public debt continued longer than is absolutely necessary becomes a public curse.

Sir, if there ever was a time when it was necessary to postpone the payment of the debt of the United States it was the period immediately succeeding the Revolutionary war. Three millions of people emerged from a bloody and devastating war of eight years; were prostrate and the countrylaid waste. Yet in his second annual message to Congress President Washington urged the payment of the debt in the following

patriotic language:

Allow me, moreover, to hope that it will be a favorite policy with you, not merely to secure a payment of the interest of the debt funded, but as far and as fast as the growing resources of the country will permit to exonerate it of the principal itself.

In the last annual message sent to Congress by him during his first term as President he urged debt-payment in these words:

I entertain a strong hope that the state of the national finances is now sufficiently matured to enable you to enter upon a systematic and effectual arrangement for the regular redemption and discharge of the public debt, according to the right which has been reserved to the Government. No measure can be more desirable, whether viewed with an eye to its intrinsic importance or to the general sentiment and wish of the nation.

After his re-election his fifth annual message contains this:

No pecuniary consideration is more urgent than the regular redemption and discharge of the public debt. On none can delay be more injurious, or an economy of time more valuable.

The danger to our Government from failures to extinguish the debt he predicts as follows in his sixth annual message:

The time which has elapsed since the commencement of our fiscal measures has developed our pecuniary resources so as to open the way for a definite plan for the redemption of the public debt. It is believed that the result is such as to encourage Congress to consummate this work without delay. Nothing can more promote the permanent welfare of the nation, and nothing would be more grateful to our constituents. Indeed, whatever is unfinished of our system of public credit can not be benefited by procrastination; and, as far as may be practicable, we ought to place that credit on grounds which can not be disturbed, and to prevent that progressive accumulation of debt which must ultimately endanger all governments.

In the seventh be sayer.

In the seventh he says:

Whether measures may not be advisable to re-enforce the provision for the redemption of the public debt will naturally engage your examination. Congress have demonstrated their sense to be, and it were superfluous to repeat mine, that whatsoever will tend to accelerate the honorable extinction of our public debt accords as much with the true interests of our country as with the general sense of our constituents.

When the services of this incomparable patriot were drawing to a close he said in his eighth message:

Posterity may have cause to regret if from any motive intervals of tranquillity are left unimproved for accelerating this valuable end.

When the elder Adams succeeded General Washington as President he took up the first President's refrain in his very first message to Congress in this language:

The consequences arising from the continual accumulation of public debts in other countries ought to admonish us to be careful to prevent their growth in our own.

And during his four years' service as President I do not think he failed in a single annual message to urge the extinguishment of the debt.

Now, Mr. Chairman, let us see what were the views of the author of the Declaration of Independence on this important question. Surely, if any man knew and appreciated the nature of our Government, he He seems to have gathered much of the political wisdom of all ages and all climes. In one of his earliest messages he said:

ages and all climes. In one of his earliest messages he said:

When effects so salutary result from the plans you have already sanctioned, when merely by avoiding false objects of expense we are able, without a direct tax, without internal taxes, and without borrowing, to make large and effectual payments toward the discharge of our public debt and the emancipation of our posterity from that moral canker, it is an encouragement, fellow-citizens, of the highest order, to proceed as we have begun in substituting economy for taxation, and in pursuing what is useful for a nation placed as we are, rather than what is practiced by others under different circumstances. In the mean time, by payments of the principal of our debt, we are liberating, annually, portions of the external taxes, and forming from them a growing fund still further to lessen the necessity of recurring to extraordinary resources.

When Mr. Medison came to the Presidency there was still a public

When Mr. Madison came to the Presidency there was still a public debt. He congratulated the country toward the close of his administration upon its ability to continue to pay off the debt. The following is an extract from his eighth annual message:

In directing the legislative attention to the state of the finances, it is a subject of great gratification to find that even within the short period which has elapsed since the return of peace the revenue has far exceeded all the current demands upon the Treasury, and that, under any probable diminution of its future annual product which the vicissitudes of commerce may occasion, it will afford an ample fund for the effectual and early extinguishment of the public debt.

Nor was President Monroe less emphatic on this question. He uttered the following, in line with his predecessors, concerning it:

Estimating, then, the whole amount of the public debt at \$79,000,000, and regarding the annual receipts and expenditures of the Government, a well-founded hope may be entertained that should no unexpected event occur the whole of the public debt may be discharged in the course of ten years.

Mr. Chairman, John Quincy Adams held similar views while President, as will be seen from the following extract from one of his messages:

The deep solicitude felt by our citizens of all classes throughout the Union for the total discharge of the public debt will apologize for the earnestness with which I deem it my duty to urge this topic upon the consideration of Congress; of recommending to them again the observance of the strictest economy in the

Sir, when General Jackson came to the chief magistracy he urged speedy payment of the debt and discussed the question with his usual vigor and boldness. He referred not alone to the effect upon the Government as a government, but commented upon the evil effect that the contrary policy, if adopted, would have on the people. In every message sent by him till the debt had been paid he implored his country's representatives to free themselves from the dangerous shackles of indebtedness. His first message contains this language:

Indebtedness. His first message contains this language:

The management of the public revenue—that searching operation of all governments—is among the most delicate and important trusts of ours; and it will, of course, demand no inconsiderable share of my official solicitude. Under every aspect in which it can be considered it would appear that advantage must result from the observance of a strict and faithful economy. This I shall aim at the more axiously, both because it will facilitate the extinguishment of the national debt, the unnecessary duration of which is incompatible with real independence, and because it will counteract that tendency to public and private profligacy which a profuse expenditure of money by the Government is but too apt to engender. apt to engender.

In his third message he held out the hope that his administration could pay the debt, adding in exultation:

We shall then exhibit the rare example of a great nation, abounding in all the means of happiness and security, altogether free from debt.

His fourth message, in 1832, contains this:

I can not too cordially congratulate Congress and my fellow-citizens on the near approach of that memorable and happy event, the extinction of the public debt of this great and free nation. Faithful to the wise and patriotic policy marked out by the Legislature of the country for this object, the present administration has devoted to it all the means which a flourishing commerce has supplied and a prudent economy preserved for the public Treasury. Within the four years for which the people have confided the executive power to my charge forty-eight millions of dollars will have been applied to the payment of the public debt.

The following message contained this language:

The following message contained this language:

From this view of the state of the finances, and the public engagements yet to be fulfilled, you will perceive that, if Providence permits me to meet you at another session, I shall have the high gratification of announcing to you that the national debt is extinguished. I can not refrain from expressing the pleasure I feel at the near approach of that desirable event. The short period of time within which the public debt will have been discharged is strong evidence of the abundant resources of the country, and of the prudence and economy with which the Government has heretofore been administered. We have waged two wars since we became a nation with one of the most powerful kingdoms in the world; both of them undertaken in defense of our dearest rights—both successfully prosecuted and honorably terminated; and many of those who partook in the first struggle, as well as the second, will have lived to see the last item of the debt incurred in these necessary but expensive conflicts faithfully and honestly discharged.

Sir, what patriotic pride must have thrilled this soldier of the Revolution and hero of New Orleans to announce to Congress, in 1835:

Since my last annual communication all the remains of the public debt have been redeemed, or money has been placed in deposit for this purpose, whenever the creditors choose to receive it.

He had seen and been potent in two wars, the object of one of which was to give mankind liberty on the land, the other to maintain his freedom upon the seas. Having furled his country's flag with honor and been called to its highest civic trust, he could boast not only that inde-pendence was achieved and maintained but that this last dollar had been paid. He had fought the good fight, he had kept the faith! But he did not feel that his work was complete till he admonished his country against another evil, the very one we are to-day striving to prevent. This he did in his last annual message to Congress. He said:

The experience of other nations admonished us to hasten the extinguishment of the public debt; but it will be in vain that we have congratulated each other upon the disappearance of this evil if we do not guard against the equally great one of promoting the unnecessary accumulation of public revenue.

Did he, sir, or any of his predecessors regard a public debt as a bless-

But, Mr. Chairman, Democracy furnished this country with another President who had occasion to speak on this question, for the Mexican war, carried on under Mr. Polk's administration, entailed a heavy debt upon the people. His first message contains this:

A few years ago our whole national debt, growing out of the Revolution and the war of 1812 with Great Britain, was extinguished, and we presented to the world the rare and noble spectacle of a great and growing people who had fully discharged every obligation. Since that time the existing debt has been con-

tracted, and small as it is in comparison with the similar burdens of most other nations, it should be extinguished at the earliest practicable period. Should the state of the country permit, and especially if our foreign relations interpose no obstacles, it is contemplated to apply all the moneys in the Treasury as they accrue, beyond what is required for the appropriations by Congress, to its liquidation. I cherish the hope of soon being able to congratulate the country on its recovering once more the lofty position which it so recently occupied. Our country, which exhibits to the world the benefits of self-government in developing all the sources of national prosperity, owes to mankind the permanent example of a nation free from the blighting influence of a public debt.

In his message of 1848 Mr. Polk said:

A public debt of more than \$120,000,000 existed, and it is not to be disguised that many of the authors of the new system did not regard its speedy payment as essential to the public prosperity, but looked upon its continuance as no national

Though our debt, as compared with that of most other nations, is small, it is our true policy and in harmony with the genius of our institutions that we should present to the world the rare spectacle of a great republic, possessing vast resources and wealth, wholly exempt from public indebtedness. This would add still more to our strength and give to us a still more commanding position among the other nations of the earth.

It is thus seen, Mr. Chairman, that the fathers of the country, the founders of our Government, the makers of the Constitution, all urged the extinguishment of our national debts. No man who was contem-porary with the Revolution and rose to the Presidency ever failed to raise his voice for their payment and against their perpetuation. With a loud unbroken voice they proclaim to us that our safety as a republic and our prosperity as a people lie in ridding ourselves of debt. But, sir, if they had not thus spoken, our reason would teach us that only evil could come from the perpetuation of burdens. So long as we have more than a thousand millions of dollars interest-bearing debt hanging over us we have an excuse for high taxes and complicated tax ma-

When we propose to reduce the tariff and modify the law which on when we propose to reduce the tariff and modify the law which on many articles puts five dollars into private pockets while it places one in the Treasury, we are told, "it can not be done because we owe an enormous debt." When we propose to modify internal-revenue laws and repeal the law which prevents the farmer from selling his tobacco except to a licensed dealer, we are told by some gentlemen that "we can not do it because we must have taxes to meet the national debt." And even to-day, when we are seeking to pay out the money in the Treasury on the bonds that have been due for six years and drawn interest all that time off a tax-ridden people, we are told "You can not safely do it because you will endanger resumption and precipitate a panic." Endanger resumption by making less the amount we owe? Precipitate a panic by putting more money in circulation? No, sir! You will never bring any financial calamits by reducing the amount. will never bring any financial calamity by reducing the amount of interest you have to pay or by putting more sound currency in circulation.

No wonder a new clamor has been raised in these latter days! No wonder some of the holders of untaxable bonds oppose their payment. It is no small thing to have all the blessings of free institutions showered upon us without having to pay the cost of them. But, Mr. Chairman, I am glad to know that many of the holders of the securities do not join in the demand for their perpetuation, but share in the common desire of other good citizens to have the debt paid whenever it is best for it to be.

Sir, there is another reason for the early payment of our bonds. I take it to be a sound principle that the burdens of government should rest equally on all classes. This salutary and fundamental principle of republican government is wholly disregarded in the issuance of our present form of bonds. They are freed from all taxation. The fortunate holders of the twelve hundred and forty-odd millions of Government bonds never see a tax-gatherer. They never contribute upon them one dollar of taxes to support either the Government, State, county, or city in which they live, nor even to the public schools, the proper support of which all favor.

Rapid payment undoubtedly has the tendency, by turning loose locked-up capital, to build railroads, open mines, construct furnaces, build factories, raise the price of farm lands, give thrift to agriculture, and give life and vigor to every trade and every branch of industry. It is true that it lowers the rate of interest, the price of money. That is the only thing it does reduce. But that of itself will benefit the masses by the facility it will afford counties, municipalities, companies, and individuals to fund or renew at a lower rate of interest the matured debts which they are not able to pay.

The debt of the people of the United States-States, counties, cities,

and national is as follows: Aggregate debt of States and Territories Net county debts Net municipal debts	\$234, 436, 261 123, 877, 686 698, 270, 199
Total indebtedness, according to the census of 1880 Debt of the Government of the United States:	1,056,584,146
Interest-bearing	1, 210, 637, 612 536, 103, 148
Grand total	2, 803, 324, 906

Mr. Chairman, many of our cities are loaded with debts, almost to bankruptcy. Baltimore owes twenty-eight millions; Boston, twentythree millions; Brooklyn, thirty-seven millions; Cincinnati, twenty millions; Philadelphia, forty millions; Saint Louis, twenty-one millions; Washington, twenty-one millions; and New York, ninety-six

The mortgage debts of the railroads of the United States are \$3,750,-000,000, making a total indebtedness of Government, States, counties,

cities, and railroads of \$6,553,324,906.

cities, and railroads of \$6,553,324,906.

There is no means of ascertaining the aggregate of individual debts of our people. But it is known to be enormous. My distinguished friend, General WARNER, of Ohio, who has given this subject much careful thought, in a speech made by him on the silver question in this Hall a few months ago, estimated the tenant farmers of the United States at 4,686,187, as will be seen from the following extract:

We have no statistics in the United States by which to compute the total mortgage indebtedness. In 1880 the census showed 4,686,187 tenant farmers, and a writer in the January North American says "it is a very-rare thing in the newer States to come across a farmer who has not a mortgage, or bill of some kind, coming due on his land." But if the mortgage indebtedness reaches no more per capita here than in England it would amount to \$8,200,000,000, which would be 41 per cent. of the true estimated value of all the real estate in 1880. This is about the same as the per capita of the mortgage indebtedness of Europe, and is doubtless a low estimate for this country.

He also adds this noteworthy fact:

In the United States, banks, trust, and insurance companies hold \$550,000,000 of the national debt; 10,000 persons hold \$500,000,000 more, and less than 100,000 out of a population of 57,000,000 own the entire debt. How municipal and mortgage debts are held statistics do not show.

Sir, is it possible that with all this indebtedness hanging over our people, most of it bearing interest, we will keep out of circulation money that would aid in its payment and prevent it from producing bankruptcy? How can we expect pardon from our constituents for the offense of hoarding money and forcing them to pay interest on the bonds that are past due? We have taken away from individuals, as well as the States, the right to issue currency. Having done this, they will heap execrations upon us if we lock up from them the only remaining currency they have.

Pensions.

SPEECH

HON. JOSEPH G. CANNON.

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Friday, July 30, 1886.

The House being in Committee of the Whole on the state of the Union, by special order, on private pension and removal of disabilities bills—

Mr. CANNON said:

Mr. CHAIRMAN: I do not know that I shall want so much time as the gentleman has given me. I am not going to weary the committee. I would not say a word if it were not patent that there can be no leg-

islation to-night.

Mr. WALLACE. I make the point that there is no quorum in this House, and that without a quorum it is not in order under the rules to

proceed further.

The CHAIRMAN. Unanimous consent was given to the gentleman from Massachusetts, and he has an hour. He has yielded for ten min-

utes to the gentleman from Illinois.

Mr. WALLACE. Unanimous consent was given to the gentleman from Massachusetts to explain this case. Unanimous consent was not granted that he should yield the floor to others for the purpose of gen-

Mr. CANNON. You can not take the gentleman from Massachusetts off the floor, although the gentleman from Louisiana may succeed in

obstructing legislation.

obstructing legislation.

Now, Mr. Chairman, I asked a question of the gentleman from Ohio [Mr. WARNER], which he took some fifteen or twenty minutes to answer. I wish to say a word about his answer. The law, of course, must be enacted under the Constitution by the House and Senate, subject to the approval of the President. There is no law touching pensions or anything else which in its general operation does not work hardship in individual cases, and from the foundation of the Government to the present time it has been the duty of Congress, when in session, monthly, weekly, and I might say almost daily, to grant relief against the operation of general laws in their application in special cases.

The gentleman from Ohio asks for all these bills—

Mr. HERBERT. Will the gentleman allow me to ask him a question?

Mr. CANNON. I will yield a little later on. The gentleman from Ohio asks how much time would it take this House to pass all these bills and how much time for the President to sign them, if he gave ten minutes to each, or to disapprove of them. Yet that is at best but

an apology for refusal where we have a chance to do justice. The gentleman must recollect that no President, that no Congress, can deal in detail with all these matters.

Mr. WALLACE. That is what I say.
Mr. CANNON. The gentleman must recollect further if the President of the United States examined the bills we send him individually each session of Congress he could not approve one-tenth of them.

The gentleman knows—
Mr. WARNER, of Ohio. Other than private bills, you mean.

Mr. WARNER, of Ohio. Other than private bills, you mean.

Mr. CANNON. No, sir; I mean public bills. The gentleman knows
the practice that the President must necessarily employ, which is to
take the bills that are passed to him by Congress, the bills that are
prepared by forty or fifty committees here working week in and week
out and month in and month out, and when they go to the President
for his approval he says that he can not exhaust them, but under the
practice he refers them to the different Departments, to the heads of the
hursens and the different divisions for examination, and they report bureaus and the different divisions for examination, and they report them back to him, and upon these reports he acts. He could not proceed in any other way.

There is no other manner in which he could perform his duties except in that way. It is true that he might in an individual bill out-line a policy or speak of general principles; so that there is nothing in that point which the gentleman makes. Why, Mr. Chairman, from the time of Moses, when he found in governing the children of Israel they brought too much work to bear upon him, acting under the advice of his father-in-law, Jethro, he made ordinances for their government and

his father-in-law, Jethro, he made ordinances for their government and appointed judges over thousands, hundreds, and tens, reserving unto himself the power to determine the hard causes, to the present, all civilized people have followed the spirit of that precedent.

Mr. WARNER, of Ohio. Is not that what Congress should do now? Mr. CANNON. Congress has passed general legislation, and I grant you it should pass additional general legislation, correcting some of the constructions given by the Commissioner of Pensions to the general pension laws. But Congress has not seen proper to do it.

It has refused both in the last Congress and in this. A bill passed the Senate of the United States that for months has lain without action on the part of the House, a bill that would take fifty to one hundred.

the Senate of the United States that for months has lain without action on the part of the House, a bill that would take fifty to one hundred thousand of the soldiers of the late war that ought to be pensioned and put them on the roll notwithstanding the technicalities, and yet that bill, in the face of the difficulties the gentleman from Ohio points out as embarrassing Congress in its deliberations, has slept its last sleep, I fear the eternal sleep, so far as this Congress is concerned, from that time to

Mr. HERBERT. Why did not the Forty-seventh Congress pass some measure of that kind?

Mr. CANNON. The Forty-seventh Congress no longer exists; its acts have passed into history. You can not excuse action now or in the future by asking, Why did not some one in the past do better?

I say in default of that general legislation just such cases as this man's and others who have failed to get their pensions granted have been forced to come to Congress—men who in justice and equity should

been forced to come to Congress—men who in justice and equity should be entitled to relief, but have no other tribunal but Congress, and when they come here their cases are referred to a committee, which reports in favor of relief, and it is our duty to act upon them.

Why, gentlemen, cases entitled and not entitled to relief are acted upon all the time by Congress. At this session of Congress, without law, we making the law ourselves, being the great fountain of the law-making power of the Government, we granted to Mr. Wintersmith, the father of an ex-Doorkeeper of this House, \$3,000, being a year's salary, on the motion of the gentleman from Kentucky [Mr. Breckinridge], the bill having been introduced in the first instance by the gentleman from Texas [Mr. Reagan].

Texas [Mr. REAGAN].

Mr. WARNER, of Ohio. Did the gentleman vote for that?

Mr. CANNON. No, sir, I did not. I am not aware that Mr. Wintersmith ever served his country in war, and how much he served it in peace I know not; but I recollect the speech of the gentleman from Kentucky when he presented that bill to the House. He said that Mr. Wintersmith was dead and his mother was dead and his prother was Wintersmith was dead and his mother was dead and his brother was dead, and that it would be a graceful and magnanimous thing by way of condolence to make this appropriation to the father. Why was it done? Because the majority of Congress thought it a fit and proper thing to do. And so all along the line everywhere these bills come up and are acted upon. It is a matter of every-day occurrence.

Mr. WARNER, of Ohio. How many of the eight thousand bills has the Lyrse hear she to specifare?

the House been able to consider?

Mr. CANNON. Why is it that a gentleman of so much ability as the gentleman from Ohio, a gentleman who was noted in war and noted also in peace, should rise in his place to-night and undertake to talk about this question in the manner he did, and say that because we have not the attributes of Divinity, and can not give even-handed justice to every man who served in the late war, therefore we will not give justice

Mr. WARNER, of Ohio. That is not the position I took, but on the contrary, that we ought to have a better means of doing justice to all; and I think we can have a better means.

Mr. CANNON. And I stand with you and agree to help you for a

better means, notwithstanding the fact that I stand with a minority of forty and you stand with a majority of forty. But, Mr. Chairman, the legislation has already been passed by the Senate and you have refused to consider it; and in the absence of consideration of general legislation this and other cases like it on Friday nights should be favorably considered and passed. True, others are equally deserving, but if we can not consider all of the cases, none of those who do not receive it will complain, because we give relief so far as we can.

Now, one word further addressed to the gentleman from Louisiana [Mr. WALLACE]. He says these proceedings are ridiculous; that they are not parliamentary. Why, does the gentleman know that nine-tenths of our legislation is in fact done without a quorum; that a quorum in nine-tenths of the business transacted is not demanded? I ask the

mine-tens of the business trains tens to definance? I ask the gentleman from Massachusetts to give me two or three minutes more.

Mr. RICE. I yield to the gentleman three minutes more.

Mr. CANNON. Does the gentleman from Louisiana know that in the mother country, with a house of commons that is substantially supreme, of over six hundred members, forty members constitute a quorum, and from year to year make provision for the service of that country, reaching out as it does everywhere about the world?

Does not the gentleman also know that, practically, less than forty men in this House from time to time control over nine-tenths of all the legislation enacted? Not the same forty, I grant you, all the time, because gentlemen are divided into committees. Some are on one committee and some on another, and each committee prepares business referred to it, and in the main we all trust the committees from necessity, not only in individual pension bills but in nearly all other matters. There is, therefore, nothing in that point as made by the gentleman from Louisiana [Mr. Wallace].

I will say to the gentleman from Louisiana you can not convince the people in the North, who carried on the war and whose soldiers fought its battles at \$12 and \$14 a month that your objections are well founded or that you understand their necessities or that you are correctly extending that even-handed justice that should be given to them on account of the disabilities they incurred that this Government might live. [Applause.]

The Treasury Surplus.

SPEECH

HON. PRESTON B. PLUMB.

OF KANSAS,

IN THE SENATE OF THE UNITED STATES,

Thursday, July 29, 1886.

The Senate, as in Committee of the Whole, having under consideration the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt—

Mr. PLUMB said:

Mr. PRESIDENT: I would have been glad before taking any part myself in the debate to ascertain precisely what the objection was to this

resolution as it came from the House.

One of the members from New York [Mr. HEWITT] who led the opposition to this measure in the other body did so upon the ground that the reserve which the resolution proposes to leave in the Treasury is insufficient for the purpose of the redemption of the outstanding legal-tender notes. In the course of his remarks he said:

Now remember this is fair weather. I do not hesitate to say that in a stormy time \$140,000,000 or \$150,000,000 is not a sufficient sum of itself to insure convertibility into gold for both the national-bank notes and the greenbacks. But in fair weather it is abundant. The effect of this resolution will be to bring on foul weather—a storm. Instead of being stronger we are weaker; instead of having furled our sails in advance they are all spread to the wind, and the ship, rolling and tossing, will finally go down under the overpowering volume—I was going to say of wind, but currency when inflated and wind are synonymous terms, and therefore I will say of currency which will be poured in for redemption.

That is intelligible. It is the theory of those who favor a gold standard and of those who desire to have the greenback notes retired. We heard the same thing from representatives of the same class on this floor when the act of 1882 was being considered. It has been the burden of the song of the Treasury since that time. But when the Senator from Iowa comes to announce his position on this resolution, as the organ of the Finance Committee of the Senate, he says he is opposed to it in the shape it passed the House because it does not leave any money to pay current obligations. Inferentially I think he stated that \$100,000,000 was an overplus rather than an amount too small for the redemption of legal-tender notes. He complained rather that this resolution, according to the construction which he put upon it, required \$100,000,-000 to be kept exclusively for the purpose of redeeming legal-tender notes, and that was a ground of complaint. So I take it that he thinks \$100,000,000 is too much. I should be glad to get the opponents of this resolution together upon some one point if I could, in order that

we might not be confused in this debate by attacks from two widely dif-

ferent and wholly irreconcilable standpoints.

Mr. ALLISON. I do not want to disturb the Senator, but I wish to say that inasmuch as this \$100,000,000 was irrevocably fixed by the resolution as it came from the other House, I did not propose to debate

that question pro or con. I quite agree with the Senator.

Mr. PLUMB. I think the Senator, by the statement he has made, agrees that \$100,000,000 of reserve is too much.

Mr. GEORGE. Will the Senator from Kansas allow me to ask the

Senator from Iowa what he meant by the expression he used?

Mr. ALLISON. I will.

Mr. GEORGE. What did he mean by \$100,000,000 being irrevoca-

bly fixed-fixed for what?

Mr. ALLISON. Fixed for the purpose of redeeming United States notes, and nothing else. That is the resolution.

Mr. GEORGE. That is an interpretation of the meaning of the res-

Mr. ALLISON. It is not any interpretation. It is the resolution. Mr. PLUMB. I take issue with the Senator on that, and that was the point to which I was just coming. The language of the resolution

That whenever the surplus or balance in the Treasury-

What is that surplus? What is that balance? The resolution goes on to characterize it-

including the amount held for redemption of United States notes-

That is to say, whatever balance there may be, including those moneys which may be held for the redemption of United States notes; and the use of that word "including" distinctly shows that the framer of the resolution had in mind that there were other sums than the revenue for United States notes which would go to make up this \$100,000,-000 to be held as the surplus or balance in the Treasury; otherwise the word "including" is absolutely irrelevant and misleading. But the Senator from Iowa coupled that with the last sentence of the last clause of the resolution-

the surplus or balance herein referred to shall be the available surplus, ascertained according to the form of statement of the United States Treasurer, of the assets and liabilities of the Treasury of the United States employed on June 30, 1886.

If there had not been thrown on that sentence the calcium light of the construction of the Senator from Iowa, I should have said that meant simply the funds held in the Treasury over and above what was necessary to meet the liabilities, accrued and accruing; that is to say, that which the Government may be called on to pay—the available surplus ascertained according to the form of statement. Now, that form of statement is not private.

Mr. CHACE. Will the Senator allow me a question right there?

Mr. CHACE.

Mr. PLUMB. Yes.

Mr. CHACE. Is not the Government called upon to pay the whole of the United States notes?

Mr. PLUMB. Mr. CHACE. When they are presented. They are liable to be presented, and you have \$346,-000,000 to meet in that case.

Mr. PLUMB. Not at all. The statement handed me by the Senator from Iowa is only one of the Treasury statements. There is another statement bearing the same date in which is shown the amount which

is available for the payment of the public debt.

Mr. ALDRICH. That is the statement of liabilities and assets.

Mr. PLUMB. Very well. One of the statements of the Treasury of this date shows according to the estimate of the Treasurer the amount of money that is available for the purpose of the payment of the public debt. The statement of indebtedness and the statement of assets which may be used in the discharge of that indebtedness is the statement in so many words of the sum which is available for the purpose of paying the public debt and that is stated at about \$76,000,000.

The amount as shown here under the head of cash in the Treasury available for reduction of the public debt is \$205, 202, 147.75, and among the items which are held as unavailable for reduction are fractional silver coin, minor coins, &c., amounting to \$29,000,000; and the net cash balance in hand under that statement is \$75,191,109.95.

The utmost that can be made out of that construction is that the

amount available for the purposes of this resolution are that the sum of \$75,191,109.95 plus such amounts as may hereafter come into the Treasury, and which may and do actually go into the same fund, are according to the Treasury idea available for the reduction of the national

But the criticism on the form of this resolution on that subject would have come from some other source very much better than from the Senator from Iowa who reports an amendment to the resolution, but forgetting to amend it in this particular in which he says it ought to be amended. If the construction of it is as vicious as he says, if it does incorporate a statement by reference into the body of the law which commits us to no payment at all on the public debt, what shall be said of the discharge of duty on the part of the committee which reports a resolution in this precise state and does not available it is the appropriate. resolution in this precise state and does not qualify it by any apt and proper words in the amendment which they report? The Finance Committee is here in the attitude of reporting a resolution which they say

adopts the views and incorporates the report of the Treasurer of the United States with the effect to prevent any payment of the public debt whatever, and thus defeat wholly the purpose of the resolution.

I should be glad to have had the ingenuity of the Finance Committee exercised on that point—upon the point of the remedy of that which they claim now to be a fundamental defect in the structure of the original resolution as it came from the House of Representatives—instead of contributing still further to render it abortive by putting on an affirmative declaration to the effect that if the Treasurer of the United States continues to believe as he believes now, as shown by this statement, he shall go on accumulating the money of the people and allowing the national debt to remain unpaid.

Mr. President, for either one of the theories which have been broached in opposition to this resolution as it came from the House its terms in

my judgment are ample.

I believe that \$100,000,000 is more money than is necessary to be kept in the Treasury of the United States for the redemption of the legal-tender notes. I do not believe that there is any contingency that can be imagined to exist in which that \$100,000,000, or any considerable portion of it, will be drawn for the purpose of redeeming United States notes-and why? More than once within the last two or three years greenback notes have been at a premium in New York city simply because they were not in ample supply and because of their very much greater convenience compared with gold or silver for the purpose

of the transaction of business in that great metropolis.

One hundred million dollars is fully 33\(\frac{1}{2}\) per cent. of the outstanding volume of that currency. The amount as fixed by the resolution in 1879 is a little less than \(\frac{5}{3}47,000,000\). The original greenback notes were provided for by the act of July 11, 1862, and therefore twenty-four years since the first issue. The original volume was \(\frac{5}{4}00,000,000\). The present volume, \(\frac{5}{3}46,000,000\), includes what is remaining also of the old demand notes issued in 1861, of which there were \(\frac{5}{5}0.000,000\). the old demand notes issued in 1861, of which there were \$50,000,000; and so that original volume of this class of currency, the demand notes and the legal-tender notes, of which there are nominally outstanding \$346,000,000 to-day, was \$450,000,000. Of course it can not be reduced to an exact mathematical proposition what amount has been lost meanwhile; but will any one say that the loss of one-half of 1 per cent. per annum is too much? Consider the casualties by flood, by fire, which here and there and everywhere occur, in which some portion of this volume of money is destroyed; consider the great fires in Boston and Chicago; consider the inevitable losses which must have occurred on account of the destruction of notes paid to the soldiers in the field. It seems wholly reasonable that from all these sources there must have been a loss, an absolute destruction equal to at least onehalf of 1 per cent. per annum.
Upon this basis the amount now outstanding is less than \$300,000,

000. The Treasury had on hand, according to its last statement, \$22,-000,000 of these. There is a large portion inevitably held as a reserve for national banks, and which practically therefore is withdrawn from circulation and withdrawn from any possible opportunity or inducement for any one to make use of it or to exchange it for other currency. There never can be under any circumstances over \$200,000,000

of this greenback money in actual circulation.

Mr. MAXEY. I should like to make a suggestion to the Senator from Kansas

Mr. PLUMB. I yield.
Mr. MAXEY. The Senator from Iowa states that there is no law now which absolutely requires \$100,000,000 to be kept in reserve, but that it is intimated in the law that that amount should be kept in reserve by the expression that the amount shall not be reduced to less than \$100,000,000. We resumed specie payments on January 1, 1879. That was after a period of twenty years during which gold and silver were not in circulation at all except in special localities; and yet notwithstanding that fact there have been presented for redemption but \$22,000,000 from 1879 up to this present good hour.

I am coming to that in a moment. I hope the Sen-Mr. PLUMB.

ator will not anticipate me.

Mr. MAXEY. Is not that proof conclusive that this amount itself

is largely in excess of any necessity?

Mr. PLUMB. I should think it conclusive if there were not even stronger facts that negative the idea that there can be any great presentation of greenback notes for redemption. Under the laws organizing national banks the banks in redemption cities are required to hold 25 per cent. of their liabilities in their vaults. Among the country banks that amount is only 15 per cent. The actual business experience of the country ever since the organization of the national banks shows that these amounts are sufficient for all practical purposes.

I know it will be said that the Government ought not to run the risk

which bankers are willing to run in regard to the question of reserve. But look at the difference between the liability of a bank to be called upon to pay out its deposits and that of the Government on account of the legal-tender notes. When a man has a check his first thought is to collect it because it does not perform except in a very limited degree the office of money, and in the next place under the law he is required to exercise diligence in presenting it. If he holds it in his pocket an unnecessary hour, or if he sends it by other than the usual and direct way

to the point where it is to be collected and the bank meanwhile has failed, he suffers the loss. He is also responsible for the insolvency of the drawer. It is not adapted in amount or otherwise to perform the office of money, and consequently rarely passes through more than the hands of one person, except as it does so in going the most direct and usual way to the bank on which it is drawn.

And yet with this necessity for the prompt collection of checks drawn against bank reserves the 25 per cent. in reserve in city banks and 15 per cent. in country banks has been ample to keep the solvency of the national banks intact. But when a man has a greenback note how

the national banks intact. But when a man has a greenback note how different the case is. It will buy everything everywhere and in all sections of the country equally, and is for all practical purposes, whatever may be said about it, technically money, which will perform the highest office which can be performed by money anywhere. Among the least of its merits is that it can be exchanged for gold or silver at at the Treasury Department, but this the holder does not want, for the

greenback is more valuable for use as money than gold.

I once heard a bank president in New York describe in graphic language the great risk that his bank incurred in transferring \$800,000 of gold from the New York clearing-house to his bank, a few blocks further up Broadway. It not only had to be transported in a wagon, but the wagon was surrounded by police armed with revolvers drawn. If it had been \$800,000 in legal-tender notes it would have gone in a carpetsack in the hands of the teller of the bank with just as much safety as the gold went under charge of an armed detachment of police.

The day for the use, for the actual and manual delivery of gold and silver as money in this country, has gone by except in a very limited degree. Nobody wants the cumbrous and inconvenient metals. So the greenbacks are not presented at the Treasury for redemption in coin. As the Senator from Texas says, the entire amount presented from 1879 down to date is only about \$22,000,000. Who is going to present them for redemption in the future? Will it be the constituents of my friend from Iowa? Will any of the constituents of my friend from Louisiana be found at the Treasury door with greenbacks for which they will demand gold?

Mr. President, the danger, if there be danger at all, of a run upon the Treasury comes from two or three places only in all this broad land, and principally from one. We know that the farmer, that the merchant, the manufacturer, the presidents and other officers of railway companies, none of these men will present a dollar in greenbacks for redemption, because they want the greenback as a more useful medium of exchange than gold can possibly be.

The only source from which danger is ever threatened is Wall street and the corresponding influence in a few large cities which it represents and controls. This interest is that of speculation pure and simple. It represents none of the productive interests of the country, and lives by the spoil it is enabled to levy upon the labor of farm, shop, and field. From this source and this only is danger threatened. And yet the Treasury Department, influenced by Wall street, is strenuously objecting to the passage of the resolution as it came from the House, because

of the danger that this same Wall street will, some of these days, make a run on the Treasury, depleting it of its gold.

Wall street, through its agent and ally, the Treasury Department, asking the Government to prepare against its own threatened assault upon the public credit! If Wall street could only control its own

piratical tendencies there would be no danger.

This same interest, combined with the national banks of the large cities, threatened Congress when, in 1879, it passed the bill to maintain the volume of greenbacks. They said that was continuing a vicious currency born of the war and that ought to have disappeared with the war; that so long as it remained there would be disturbance, disarrangement of values, and the only way in the world to have a good currency was to give it into the hands of the banks who were thereby to be enabled not only to issue the money of the country but to fix both its volume and its price. But Congress, disregarding the threat and the prophesied danger, passed the act providing that the volume of legal-tender notes should not be reduced; and I risk nothing in saying that the general judgment of the country is to the effect that the measure was wise and beneficial to the best interests of the country, and that the repeal of that law or the enactment of any other which would strike down the legal-tender note or deprive it of any of its functions as money would forever destroy the party which accomplished such a

Subsequently we were confronted with the maturity of the 5 and 6 per cent. bonds of the United States, and Congress undertook to provide for the issue of bonds bearing 3 per cent. interest, the proceeds of which should be used to take up the maturing ones, and a bill for this purpose passed both Houses. From the first moment that a 3 per cent. bond was proposed until the last act in the drama, the Wall street and banking influences of the country unanimously asserted that a bond bearing such rate of interest could not be sold at par and denominately its proposed issue as unwise and unjust, and when the bill was finally sent to President Hayes, these same people by their clamor and by threatening a panic, which they did their best to produce by reducing the national-bank circulation about \$20,000,000, induced the President

to veto the bill, and it did not become a law.

The excitement was very great and many and loud were the denunciations heaped on the heads of Congressmen from the West and South who supported the bill for their temerity in presuming to act in financial matters against the opinions of Eastern bankers and brokers. Eastern newspapers were filled with denunciation of Congress on the same account.

And so the bill failed, and financial circles quieted down, having manifested their power and had their own way. Then what happened? The very next session of Congress following the question naturally came up again. By this time new light had come to those who knew so much the year before, and the same bankers and brokers who had secured the veto of the 3 per cent. bond bill now changed front and begged Congress to do what it had before denounced-pass a bill providing for 3 per cent. bonds. A bill was reported from the Finance Committee for that purpose, the bonds to run thirty years, as was the case with the vetoed bill. But Congress had learned something too, and the bill was amended so as to make the bonds due at the option of the Government; and because of that wise provision more than two hundred millions of the bonds have already been paid, instead of leaving them as a legacy to the next generation, as would have been the case if the original bill had passed. So the bankers and brokers builded better than they knew. A 3 per cent. thirty-year bond was not good enough for them, and having beaten that they were glad to get a bond bearing the same rate of interest due at the option of the Government. No one, except those who believed a national debt to be a national blessing, and who think the national debt ought to be perpetual in order to furnish a basis for corporate issues of money, doubts that Congress acted wisely in legislating as it did on the question of refunding the debt. Great good and no harm has come from it.

So when it was proposed to remonetize silver, that was to be the be-ginning of unnumbered woes to all the business interests of this great country. Gold was going to leave the country; it would be at once at a large premium, and the country would be brought to a silver basis. But all this proved a mistake. Gold is not at a premium, is still money and not merchandise, and instead of leaving the country our stock of it has constantly increased until we have more than ever before and

more than any European nation.

The croaking, however, still goes on. The New York banks draw notes payable in gold. The president of one of them said to a customer recently: "Some of these days, and very soon, gold will go up to 20 per cent. premium at a bound." "And then," said the customer, "all your discounts being payable in gold, you will collect the 20 per cent. premium from your debtors." "Yes," was the reply, "but that is not our fault; we must protect ourselves."

To this the customer replied that "less than 20 per cent. stands between the business community and bankruptcy. You add 20 per cent. to the value of the discounts of your bank by adding that much to what their makers have to pay, and you raise them and thereby prevent their paying; and in the attempt to collect the additional 20 per cent. you will lose more than enough of the principal to make up your gain in the premium you will get by exacting gold payments. You and other the premium you will get by exacting gold payments. You and other bankers of all other men in the world are interested that such a contingency as the sudden inflation in value of debts shall not overtake the business world."

There are men who profit by the misfortunes which overtake their fellows; there are men to whom the plunging of the great mass of the people into a great gulf of financial despair and wretchedness would bring wealth; but it is not the man who has got his means in the active current of business; it is not the man who has to depend upon the collection of debts from individuals. What he would gain in one direction he would lose in another. Such men are really interested in maintaining financial solvency rather than bringing about a wreck of it, but they have so long followed the echoes of London opinion that they permit themselves to declaim against their own best interests; in fact, however, they instinctively oppose whatever a majority of Congress favors and without even seriously considering it.

So, as I said, these men deal with panics and talk about them glibly as a means whereby public opinion may go their way and Congressmen yield to do their bidding.

Mr. GEORGE. I desire to ask the Senator from Kansas if he agrees with the Senator from Iowa that the resolution as it now stands re-

quires \$100,000,000 in gold to be kept in the Treasury in coin as the basis of redemption of the greenback notes?

Mr. PLUMB. No. I will read the only provision on that subject contained in the law. It is section 12 of chapter 290 of the act of 1882. The main purpose of the section was to authorize the Secretary of the Treasury to issue gold certificates, certificates based on the deposit of gold, and of course the holder of these certificates was entitled to call at any time for the gold which he had deposited. It was his gold. The Government simply was the trustee, the naked trustee without value or without interest; and the proviso to that section is:

Provided. That the Secretary of the Treasury shall suspend the issue of such gold certificates whenever the amount of gold coin and gold bullion in the Treasury reserved for the redemption of United States notes falls below \$100,-000,000.

Treasury of gold by the means of these certificates might be arrested by the Secretary of the Treasury interposing to suspend the execution of the law whenever the gold reserve ran below \$100,000,000. There is no setting apart of any fund whatever. The provision is merely nega-

tive so far as the reserve is concerned.

Mr. ALLISON. I called attention to the act of 1875, authorizing the Secretary of the Treasury to sell bonds for coin for this purpose, and in pursuance of that requirement he sold \$95,500,000; and in my judgment I said he could use that fund for no other purpose than the

purpose indicated in the law of 1875.

Mr. GEORGE. How much is that—\$95,000,000?

Mr. ALLISON. By the law of 1875 authority was given to the Secretary of the Treasury to purchase coin with bonds for the purpose of redeeming United States notes. In the execution of that authority he did purchase \$95,500,000 of coin and put it in the Treasury. stated that that money was there for the purpose of redeeming United

States notes and only for that purpose by the law.

Mr. PLUMB. The Secretary of the Treasury might have stopped at \$50,000,000; he might have gone on selling bonds until he had \$500,000,000 if he chose so to do. It was a matter left entirely to his discretion. Whatever he thought was necessary in view of the command of the law that the Treasury resume specie payments, he was armed with all the power that was necessary for that purpose, and he was auwith all the power that was necessary for that purpose, and he was authorized to issue bonds ad libitum according to the provisions of the act of June 14, 1870. That is to say, by the resumption act, the whole power of the act of June 14, 1870, in regard to bonds, was deposited with him for the purpose of providing coin for the redemption of United States notes, and that power is just as strong and intact to-day as it was in the beginning. In other words, he has power to issue \$1,000,000, \$10,000,000, \$100,000,000, a thousand millions, in bonds drawing 4½, 5, or 6 per cent. interest, at his election, for the purpose of supplying coin to meet the needs of the Treasury for the redemption of the leval-tender notes outstanding, and that power is there to-day of the legal-tender notes outstanding, and that power is there to-day.

Mr. President, for these reasons I do not believe that there is any risk to the Treasury whatever in reducing this fund to \$100,000,000. On the contrary, I believe \$50,000,000 is just as useful as \$100,000,000, and if I could myself impress my views on legislation to that extent I would cheerfully take the risk, whatever it might be, of fixing that

fund at \$50,000,000, and no more.

Now, in regard to the current expenses. Under the law as it now is bonds can not be called except on thirty days' notice, and the resolution as it came from the House does not change the law in that respect. Therefore, after the Treasury has got its \$110,000,000 extra it still must give thirty days' notice, and it has that time in which to accumulate other sums of money for all the Treasury purposes; but, as the Senator from Kentucky said, we are receiving from the revenues more than \$25,000,000 a month. That is not subject to any practical contingency. It does not have to be collected by suit. Just as certain as that the sun rises in the morning and goes down in the evening that money is bound to come into the Treasury. The amount is variable, it is true, but variable within small limits, and always, excepting in cases where we have reduced taxes, the amount increasing rather than diminishing.

The Commissioner of Internal Revenue congratulates himself and the country on the fact that the collections from internal-revenue sources during the last year were \$14,000,000 more than the year before. So during this present fiscal year we shall collect, unless all signs fail, \$350,000,000 from the various sources of revenue. Against that there is a gross outside annual expense of less than \$240,000,000. There is \$90,000,000 at the very inside which can be taken for any purpose for which Congress may seek to use it without in any way diminishing the ability of the Government to pay its current expenses. The resolution provides only that not less than \$10,000,000 of bonds shall be called in any one month. My friend from Rhode Island is too fresh from his laudation of the Treasury Department for its extreme conservatism to be ready to suggest here that the Secretary will go beyond what the law absolutely requires him to do in this regard. And it is safe to say the Secretary will not call more than \$10,000,000 per month unless the sur-

plus increases very greatly.

So, Mr. President, if \$10,000,000 is called next month and each succeeding month it will be accompanied by an addition of almost as much money to the Treasury from the revenues unless all the signs fail. Suppose in place of being \$90,000,000 the surplus for this fiscal year is only \$50,000,000. What is on hand now is, according to the Treasury statement, \$75,000,000. It is more than that. There is \$11,000,000 in addition which, according to the Treasury statement quoted in this resolution, is interest accrued, an item which never appeared in the statement until the incoming of this administration. It is interest which has accrued but which is not due. In other words, the actuaries of the Treasury Department compute each day the interest that has accumulated on the outstanding debt and carry it out in the statement as an obligation, although it is not due until the end of the quarter.

There is to-day, according to that statement of the Treasury, nearly \$100,000,000 over and above \$100,000,000 held for the redemption of reasury reserved for the redemption of United States notes falls below \$100,-000.

United States notes, which ought to be taken out and paid on the public debt. Now add even the admitted \$75,000,000 surplus at present to a minimum of \$50,000,000 to be derived this fiscal year in excess of expenditures, and we have a total of \$125,000,000 which can be paid on the debt during the year, while the resolution is compulsory only to the extent of the payment of \$120,000,000. What does that lack of being a safe proposition? Is there any possibility that the Treasury will be lacking in funds for current expenses? Is it no light matter to put \$120,000,000 rather than to keep it locked up in the Treasury? Is it nothing that over \$3,000,000 per annum interest will be saved to the

The Secretary of the Treasury, Mr. Folger, who came in with the administration of Mr. Arthur, was not accused of lacking in wisdom and common sense. He sums up that question in his report for 1883 in

these words:

The public sense is shrewd enough to see that a debtor owing a large sum upon interest which he must pay at short intervals, and some of the principal of which he may pay off whenever he pleases, and thus save interest, would not be deemed a good manager of affairs if he should give away or loan on terms yielding no income and not likely to insure punctual repayment the means which good luck or prudent conduct had put in his hands, and that it would be wiser for him, with the cash he had, to extinguish so much as he could of the debt against him.

He was discussing then primarily the proposition tolend the surplus money to the States—the United States. He goes on to say:

And the United States has such means and owes such debts. It owes over a billion and a quarter of dollars, which is running upon interest. It has the option to pay over three hundred millions of the debt whenever it pleases. It must pay the interest on the principal unpaid at short intervals. It is not good sense, nor is it common prudence, to give away or loan its means, instead of using them to pay the debts against it, while, because of its abundant prosperity, it is easy to do so. There is neither direct nor consequential benefit to that body-politic, which is the United States, in the course that is proposed. A surplus is in hand. No way to use it so well, so directly and unerringly, as with it to pay off and take up that debt. It admits of no doubt that thus the people of the Union are well served and their money so paid as to redound to their lasting advantage.

That is axiomatic: it would seem not to be necessary to quote authority on a subject of that kind; but in view of the course of this debate it at least was not improper to refer to the opinion of that very eminent official. At that time there was less money in the Treasury than there When this administration came in there was outstanding \$1,260,772,612 of interest-bearing debt of the United States. On the 30th day of June, 1886, it had been reduced to \$1,210,637,612, a net reduction of \$50,135,000; but the cash in the Treasury had increased nearly \$51,000,000 beyond the amount left by Mr. McCulloch, the last Secretary of the Treasury under President Arthur. I thought myself

Secretary of the Treasury under President Arthur. I thought myself that Mr. McCulloch kept too much money on hand, and yet I could see how, like a tenant just going out of possession, he would desire to have it left in the best possible condition in order that the new occupant might not be embarrassed in any way.

After the present administration came in the country was regaled with monthly statements showing large reductions of the public debt, but it was soon noted that reducing the public debt meant, according to the Treasurer under its new management, the accumulation of a to the Treasurer under its new management, the accumulation of a greater surplus; and that under this process the bonds were still outstanding, still drawing interest which was duly paid from the money collected by means of taxes levied upon the people. In other words, reducing the debt meant collecting money for that purpose and instead of paying the bonds putting the money in the Treasury and then deducting the liabilities from it. So the "debt, less cash in the Treasury," did grow less by just as much as the money collected and kept as a surplus increased; but no bonds were paid, and so the benefits were to the tax-paying public, and the circulation was being constantly contracted to the extent to which surplus funds accumulated. That emireacted to the extent to which surplus funds accumulated. That eminent financier, Mr. Micawber, when he gave a note to his importunate creditor was wont to say, "Thank Heaven, one more debt is paid." The reduction of the national debt by the Democratic administration was akin to Mr. Micawber's payment of his debts.

It was not until a combination, a conjunction so to speak, of important circumstances occurred that that policy was changed. The one was the introduction of a resolution on the subject in the House of Repre-

sentatives, the second was the speech of the Senator from Kentucky [Mr. Beck], and the third was the sinking fund. The time had come when, if the law was to be carried out at all, if its positive provisions were to be respected, the money had got to be taken out of the Treasthat atter carrying on this policy of discharging the public debt by piling up the people's money in the Treasury from the 4th day of March to the 29th of December, 1885, a call—the first one—was issued for bonds. At that date there was a surplus in the Treasury outside the legal-tender redemption fund of over \$80,000,000. Public opinion had become somewhat aroused and the administration found that there was something else besides contention for place which the people were in-terested in, and that one of them was the payment of the national debt out of the surplus funds in the Treasury.

Since the first bond call, brought about as I have stated, payments have been made with fair alacrity, though at least \$75,000,000 more

should have been paid.

Now, Mr. President, the people of the United States pay their money into the Treasury in the discharge of their legal obligations to the Gov-

ernment, but the Government does not thereby become the owner of that money. It is simply the trustee of it for the public use; money was made to be used, and it is a perversion of the high functions of administration for the Government to collect money from the people which it does not at the earliest and speediest possible moment pay out again in order that the people may have it for the uses for which it was cre-

More than that, a great sum of money in the Treasury subject to the demands of Congress is a temptation to unwise legislation. There has been experience of it heretofore, and there will be abundance of it hereafter. The safest and the wisest thing is to put the cash in the Treasury down to as low a notch as possible consistent with safety, and thereby remove the temptation to extravagant appropriations which

always exist where there is an overflowing Treasury.

When there is a surplus of money in the Treasury it is because the people who supply this money are being deprived of its use. Who is willing to commit to the Secretary of the Treasury the power to say what the volume of currency shall be, how much money the people shall have for use? Unfortunately Secretaries of the Treasury have been too much disciples of that school of finance which believes that the volume of currency is of little or no consequence so long as the banks are satisfied, that one dollar will perform as useful and proper and complete an office as a thousand. The people of the United States and complete an office as a thousand. The people of the Chited States do not believe that. Whenever they have had the power to express their views they have said that they believed in an ample volume for the transaction of business. They know that among men of small means and in times of scarcity the chance for each one of them to have some portion of the money going is increased by as much as you increase the volume. Scarce money means cheap property. There is the \$1,600,000,000 of gold and silver coin, and legal-tender and nationalbank notes performing the uses of currency, outstanding.

The property values of the country amount to \$50,000,000,000. increase the value of the currency means to decrease the value of the property of the country in equal proportion. Dear money and cheap property mean the distress of the people. The resolution as it came from the House, while better than if amended as proposed by the Finance Committee, does not go far enough in the direction of requiring the payment of the public debt from the surplus funds in the Treasury. It is chiefly valuable because it denies the right of the fixed capital of the country to control the financial policy of the Government. against its active industries, against its current business, against its flesh and blood. This it now does by its control of the Treasury De-

flesh and blood. This it now does by its control of the Treasury Department, and this the resolution, asserting the power and duty of Congress, overturns, which is of more consequence than the putting in circulation of the Treasury surplus.

As I said, we shall have from ninety to one hundred millions this year beyond the current obligations of the Government if we are to judge the future by the past. The Treasury will pay, if left alone, only so much as is required by the operation of the sinking fund, which is only forty-six or forty-seven million dollars. Is it a question, I ask you, which should be settled by the discretion of one man? Is not the question of what shall be money and of its volume a legislative and not an administrative question? not an administrative question?

I do not think that I am lacking in ordinary hopefulness. my disposition is to look at the bright side of everything. But unless something occurs totally out of the range of ordinary probability very soon the American people will feel the pressure of hard times grown harder. Neither will this condition of things prove temporary.

If the volume of the currency is diminished, and if thereby what re-

If the volume of the currency is diminished, and it thereby what remains is increased in price, not only is the value of the property of the country diminished in an equal percentage, but what is even worse, the value of the debts of the country, of the mortgages upon every home, and of the bonds of every city, every town, every township, every county, and of every railroad, amounting in the aggregate to more than \$10,000,000, will be proportionately increased, and as their value increases the shilltry of the makers to pay will be equally diminished. increases the ability of the makers to pay will be equally diminished. Add 10 per cent. to that value and see what the difference is. It is the difference between individual and municipal bankruptcy and municipal solvency in many cases.

Apart from this, as I said a moment ago, is the question of the two contending forces, the fixed capital, the money of the country, against its production. It is the fight for gold against silver; it is the fight for gold against greenbacks; the gold that can be cornered, because it haunts the cities and is the money of the few, and can, therefore, easily be made both scarce and dear, against the silver and the greenback, which are dispersed throughout all the land, performing their offices, small individually but enormous in the aggregate and beyond the reach of combined

capital to touch.

I am in favor, independent of all questions of the money in the Treasury, of telling the Secretary exactly what the Legislature means the policy of this country shall be upon this most important question. I am in favor of taking that discretion which he has now and which he insists we shall leave with him away from him, and let the people who elect their representatives to this body and to the House say what from time to time the interests of the country require.

Deficiency Appropriations.

SPEECH

HON. LOUIS E. MCCOMAS, OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Monday, August 2, 1886,

On the report of the conference committee on the disagreeing votes of the two Houses on amendments to the deficiency appropriation bill.

Mr. McCOMAS said:

Mr. SPEAKER: In the closing hours of this session I do not wish to make a speech, but I desire to make a brief review of the failure of "retrenchment and reform" under a Democratic President and House of Representatives.

Two months ago I reminded this House and the country that the estimated revenues for 1887 were \$315,000,000, and the estimated postal revenues for 1887 were \$47,542,252, making the total estimated revenues for 1887, \$362,542,252. I then predicted that the total appropriations by this Congress for 1887, together with the permanent annual, would exceed \$384,850,332.62. I therefore predicted a deficit of \$22,-000,000 between estimated revenues for 1887 and the actual appropriations for 1887.

The estimated revenues were the only official statement which no one could controvert.

But gentlemen on this floor promptly corrected my prediction that

the permanent annual appropriations, as increased by the regular annual appropriations of this Congress, would exceed \$384,850,332.62.

The Post of this city, the New York Star, the reputed organ of the administration, and other Democratic papers declared that I had overstated the amount at least one hundred and sixty-eight millions.

Somebody had made a gross blunder. I did not blunder.

I now reiterate my statement, that the total appropriations for 1887 will exceed \$384,850,332.62. The table I append to my remarks shows that the regular annual appropriations which have passed both Houses for 1887 aggregate \$264,783,579.59.

The total permanentannual appropriations, as reported by the Treasury for 1887, are \$118,910,955; therefore the total actual appropriations for 1887 are \$383,694,534.59. If the fortification bill had passed from one to six millions would have been added to this total. Thus my prediction has been verified. It was a remarkably accurate forecast of the anticipated extravagance of the party now in power. The permanent annual appropriations include the sinking fund, the interest on the public debt, and expenses of the customs service, which are regulated by permanent law.

It is the regular annual appropriations which indicate the increasing prodigality and the falling temperature of Democratic retrenchment and reform. If you scan the tables I append it will appear that the total of regular annual appropriations for 1884 was \$231,993,647.63, for 1885 was \$195,710,588.09, for 1886 was \$219,595,283,18, and for

1887 is \$264,783,579.59.

But enormous as is the increase of appropriations for 1887 it falls far short of the demand for money made by this administration.

The heads of Departments, united, estimate that their needs for 1887 are \$293,676,129.36. We are warned by these estimates that next winter we may find huge deficiencies in nearly every Department.

The same warning we now have in the enormous deficiency bills for 1887, aggregating \$13,950,880.87.

Keeping pace with these extravagant estimates of the Departments and with these lavish appropriations we find an increase of offices and of salaries. Can gentlemen on the other side of this Chamber deny this charge?

I can prove it by the record. But I have a shorter method. Hear the distinguished Democratic leader from Indiana [Mr. HOLMAN], whom

you will not heed.

On August 2 (RECORD, page 7867) he made a statement which no man on this floor attempted to confute. Said he:

But, Mr. Speaker, I rose for another purpose. I hope the House will not consent to go any further this session in increasing the number of public employes. Gentlemen will be astonished when they come to look at the list of new offices created by this Congress. They will find that it is almost without precedent since the close of the war, or at least since the 4th of March, 1873.

The list is much larger than gentlemen who have not kept a vigilant watch of the record apprehend. And yet no increase in the public employments ought to have occurred.

Such is the record of the Democratic effort at retrenchment and re-

The present Congress met when there was a strong public sentiment in favor of prompt and liberal outlay for the defense of our seaports, a sentiment admirably expressed by the letter of Mr. Tilden, the distinguished citizen who has just passed away. Congress already had a remarkable mass of information to guide it in legislation. It had, in the first place, the very elaborate report of the gun-foundry board, representing years of the labor of experts. It had the reports of the House select commission on ordnance and gunnery, sometimes called the public defense commission, and the Senate's Select Committee on Ordnance and War Ships, both representing months of labor in taking testimony and in visiting foundries and navy-yards, by some of the ablest men in The present Congress met when there was a strong public sentiment and in visiting foundries and navy-yards, by some of the ablest men in Congress. It had the very elaborate report of the board on fortifications and other defenses. Finally, on the subject of heavy guns and harbor-defense batteries, it had the important report of the House Naval Committee. Perhaps there never has been in any Congress such a collection not only of documentary evidence as to the needs of our coast defense but so specific a statement of the precise method of beginning the work and the exact appropriations required. But more remarkable still, if possible, has been the substantial unanimity of these reports in describing the foundation work needed for providing heavy guns and impregnable forts.

The Senate wanted to begin at once; this House did not. It interposed a bill which was a cruel disappointment to the country. It would have been more frank to appropriate in lieu of the House bill a petty sum for the purchase of lawn-grass seed, climbing ivy, and roof moss, to make more pleasing to the eye of strangers who sail into our harbors our dismantling and defenseless fortifications.

The President laboriously vetoes a few individual pension bills but promptly seconds the multitudinous efforts of this House to pass a huge river and harbor bill. He has just signed it. These things consume much time, and within a few hours we will adjourn without a fortification bill. Come, let us go home, that the people may consider these

APPENDIX.

			Reported	to the House.	Passed the House.	
Title.	Estimates, 1886.	Estimates, 1887.	Date.	Amount.	Date.	Amount,
Agricultural Army Diplomatic and consular Diplomatic and consular District of Columbia a Portifications Indian Legislative, &c Military Academy Navy Pension Post-Office b River and harbor Sundry civil	\$699,110 00 25,110,489 95 1,623,176 75 3,669,544 24 7,303,000 00 7,328,049 64 22,366,500 05 303,344 78 30,654,010 50 60,000,000 00 56,099,169 50 8,177,400 00 32,326,402 22	\$651, 875 00 25, 356, 998 01 1, 604, 961 60 3, 839, 868 99 3, 396, 000 00 6, 051, 259 84 21, 523, 565 62 411, 075 00 30, 836, 357 74 75, 830, 200 00 54, 986, 166 89 c10, 176, 920 00 33, 554, 600 59	1886, April 2 March 3 March 2 March 2 May 10 Feb. 11 May 20 Feb. 25 May 21 Feb. 25 Feb. 25 May 1 Feb. 25 Feb. 25 May 1 Feb. 25 Feb. 25 May 1 Feb. 25 Feb. 25 May 1 Feb. 25 Feb. 26 Feb.	\$523, 215 00 23, 892, 588 46 1, 279, 665 00 3, 611, 662 99 620, 000 00 5, 502, 312 84 20, 560, 119 42 197, 805 00 11, 849, 858 70 75, 754, 200 00 54, 326, 589 07 15, 120, 700 00 21, 053, 822 04	1886. April 14 May 12 May 13 April 12 July 19 March 24 June 16 May 8 June 21 March 4 April 6 May 6 July 1	\$523, 715 00 23, 968, 928 46 11, 299, 665 00 3, 611, 661 99 620, 000 00 5, 493, 062 84 20, 584, 229 7, 865 00 11, 778, 656 46 75, 754, 200 00 54, 326, 589 07 15, 142, 100 00 21, 311, 525 24
Total Deficiency Pension, &c, deficiency	256, 750, 197 63 8, 582, 454 05	268, 220, 849 98 d 14, 686, 264 10	June 29 Feb'y 26 May 14	234, 392, 538 52 6, 062, 845 39 634, 452 65 6, 229, 000 00	July 10 March 5 May 17	234, 712, 139 23 5, 914, 962 32 634, 452 65 6, 229, 000 00
Total	265, 332, 651 68 3,000,000 00	282,907,114 08 5,769,015 28 (e) f5,000,000 00		247, 318, 836 56		247, 490, 554 20
Grand total	268, 332, 651 68	293, 676, 129 36				

History of the fourteen regular appropriation bills-Continued.

	Reported	to the Senate.	Passed	the Senate.	Law	1886-'87.		Amount.	
Title.	Date.	Amount.	Date.	Amount.	Date.	Amount.	Law, 1885-'86.	Law, 1884-'85.	Law, 1883-'84.
Agricultural Army Diplomatic and consular District of Columbia a. Fortifications Indian Legislative, &c. Military Academy Navy Pension Post-Office b. River and harbor Sundry civil.	May 21 July 26 April 8 June 28 June 16 July 3 June 16 April 26	5,544,082 84 20,715,734 77 297,805 00 12,833,594 46 76,075,200 00	1886. June 10 June 12 June 7 May 24 July 28 April 12 July 2 July 16 July 16 June 16 May 4 July 16 July 16 July 16 July 16 July 16	3,823,227 99 6,830 000 00 5,571,082 84 20,741,132 37 297,805 00 13,073,594 46 76,075,200 00 55,245,863 25	1886. June 30 June 30 July 1 July 9 May 15 'July 31 June 29 July 26 July 22 June 30	23, 753, 057 21 1, 364, 065 00 3, 721, 050 99 5, 546, 262 84 20, 654, 346 37 297, 805 00 12, 989, 907 20 76, 075, 200 00	\$585,790 00 24,014,052 50 1,242,925 00 3,622,683 20 725,000 00 5,762,512 70 21,376,708 70 310,021 64 15,070,837 95 60,000,000 00 53,700,990 00 (j) 26,079,257 49	\$480, 190 00 24, 454, 450 00 1, 219, 390 00 3, 559, 835 54 700, 000 00 5, 859, 402 91 21, 333, 141 85 314, 563 50 14, 980, 472 59 920, 810, 000 00 49, 040, 400 00 13, 949, 200 00 22, 299, 434 30	\$405, 640 00 24, 681, 250 00 1, 296, 755 00 3, 507, 247 96 67, 000 00 5, 358, 655 91 20, 454, 246 22 318, 657 50 15, 894, 434 23 486, 575, 000 00 44, 489, 520 00 () () () ()
Total Deficiency Urgent deficiency Pension, &c., deficiency	July 20 March 9	6,565,813 26 685,802 65	July 26 March 10 May 21	245, 956, 129 28 7, 807, 158 09 687, 062 65 6, 433, 000 00	March 26 May 28	236, 553, 683 44 6, 860, 325 03) 669, 055 84 6, 431, 500 00)	212, 490, 779 18 4, 926, 855 80	179, 060, 480 69 7, 057, 509 00	227, 330, 982 26 2, 749, 941 49
Total				260, 883, 350 02		250, 514, 564 31 5, 769, 015 28) 3, 500, 000 00 £5, 000, 000 00)	217, 417, 634 98 2, 177, 648 20	186, 117, 989 69 9, 592, 598 40	230, 080, 923 75 1, 912, 723 88
Grand total						264, 783, 579 59	219, 595, 283 18	195, 710, 588 09	231, 993, 647 63

a. Fifty per cent. of the amounts appropriated for the District of Columbia are paid by the United States. The amount for the water department (estimated for 1887 at \$183,483.02) is paid out of the revenues of that department.

b. The appropriations for the postal service are paid out of the postal revenues (estimated for 1887 at \$47,542,252.64), and any deficiency in the revenue is provided for out of the Treasury of the United States.

c. This is the estimate submitted for 1887. "The amount that can be profitably expended," as reported by the Chief of Engineers, is \$42,332,100 (Book of Estimates, page 178).

d. This amount covers deficiency estimates submitted in House Executive Documents Nos. 62, 70, 176, 210, 225, 233, 270, 275, 280, and 294, and Senate Executive Documents Nos. 213 and 218, first session Forty-ninth Congress.

e. The estimates for increase of the naval establishment are included in the general estimates for the Navy for 1887.

f. This amount is estimated.

g. In addition to this amount for pensions for 1884-'85, an unexpended balance of appropriation, estimated at \$66,000,000, was reappropriated and made available for that fiscal year.

h. In addition to this amount for pensions for 1883-'84, an unexpended balance of appropriation, amounting to \$39,000,000, was reappropriated and made available for that fiscal year.

f. No appropriations were made for rivers and harbors for the fiscal years 1883-'84 and 1885-'96.

k. This amount is based upon laws approved and printed up to July 31, and bills which have passed both Houses.

I have here a statement of the permanent appropriations of the Government, including the sinking fund, and I will ask the Reporter to include this in what I am saying.

The statement referred to is as follows:

Permanent and indefinite appropriations for the fiscal year ending June 30, 1887,

00, 1007.		
Smithsonian Institution	\$42,180	00
Collecting customs revenue. Collecting customs revenue (additional). Equipping the militia. Return of captured and abandoned property.	5,500,000	00
Collecting customs revenue (additional)	750,000	
Equipping the militia.	200,000	
Return of captured and abandoned property	20,000	00
Sinking fund	46, 659, 000	00
Interest on public debt	44, 622, 589	00
Interest on Pacific Railroad bonds	3, 877, 410	72
Salaries and expenses steamboat inspectors	255,000	00
Salaries and expenses inspectors foreign steam-vessels	35,000	00
Refunding national banking associations excess of duty	200	00
Promote education of the blind	10,000	00
Internal-revenue drawback	40,000	00
Internal revenue (refunding illegally collected taxes)	35,000	
Internal revenue (refunding moneys erroneously received)	200	
Internal-revenue redemption of stamps	50,000	00
Marine Hospital establishment	450,000	
Detention and prevention of frauds on customs	50,000	00
Regulating immigration (Customs)	200,000	00
Expenses shipping service	60,000	
Expenses shipping service. Unclaimed merchandise (Customs)	1,000	
Repayment to importers excess of deposits	4,000,000	
Debentures or drawbacks, bounties or allowances	8,500,000	00
Debentures and other charges	300	00
Refunding duties on goods destroyed (Customs)	500	
Refunding moneys erroneously received and covered (Customs)	200	
Soldiers' Home	300,000	
Transportation of the Army and its supplies, Pacific railroads (War)	900,000	
Ordnance material, proceeds of sale (War)	75,000	
Constructing Mississippi Jetties (War). Operating and care of canals and other works of navigation. Removing sunken vessels. Ordnance material, proceeds of sales (War).	150,000	
Operating and care of canals and other works of navigation	200,000	
Removing sunken vessels	30,000	
Ordnance material, proceeds of sales (War)	2,500	
Sales of small-arms	5,000	
Prize-money to captors	7,000	
Indemnity to seamen and marines for lost clothing	3,000	
Deposits by individuals for surveying public lands	400,000	
Indemnity for swamp lands to States	50,000	
Refunding money for lands erroneously sold	75,000	00
Maryland Institution for Blind	5,000	
Five, 3, and 2 per cent. funds to States (Lands)	200,000	
Miscellaneous	275	
Mail transportation, Pacific railroads (Post-Office Department)	1,000,000	
Supervisors of elections	100,000	
Salaries of retired judges	42,000	
Salary and expenses, reporter Supreme Court	7,500	00
Total permanent and indefinite	110 010 077	
Dednet sinking fund	46, 650, 000	00
Deduct sinking fund	20, 009, 000	w

Permanent appropriations exclusive of sinking fund........... 72, 251, 955, 00

Protecting the Public Lands.

SPEECH

HON. THOMAS RYAN.

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES.

Wednesday, July 28, 1886.

The House having under consideration in Committee of the Whole the amendments of the Senate to the sundry civil appropriation bill, and specially an amendment to reduce the appropriations for protecting the public lands from depredations—

Mr. SPEAKER: The proposition made by the gentleman from Indiana is a most extraordinary one. In all my service in Congress I do not recall an instance when a proposition was made on a disagreement of votes between the two Houses to raise the appropriation above the higher amount. The House agreed upon \$90,000 as the proper sum-

Mr. HISCOCK. Is it claimed that amendment is in order? Of course it is not in order.

The CHAIRMAN. The gentleman from Kansas [Mr. RYAN] has

the GHARMAN. The gentleman from Kansas [Mr. RYAN] has the floor on the amendment.

Mr. RYAN. Whether it is in order or not it seems to me most extraordinary. It never has been done by Congress so far as I know before, except that perhaps in one instance it was done in a conference committee, and then, if I recollect aright, it was denounced very bitterly, and very properly, I think, by the gentleman from Indiana [Mr. Hol-MAN

In this case, as I have said, the sum agreed upon by the House was \$90,000. After an exhaustive discussion in the Senate the amount was reduced to the sum named in the Senate amendment, namely, \$75,000.

The sum agreed upon by the House has been found sufficient for the public service in past years, and a large force during all these years has been employed for the purpose of detecting frauds in the public-land entries. The result of that has been to prevent very largely for the last few years any of these frauds being committed. Nearly every fraud upon the public lands that rises to a point higher than some technical error in proving up occurred mainly prior to the organization of this system of detecting frauds. Nearly every part of the public domain

that has been irregularly taken has been gone over by these detectives

and reported upon.

I think it will be found that the Department to-day has information of every important fraud upon the public domain. There is really no necessity for more than a nominal force, and that is needed mainly for preventive purposes. Yet I shall not object to the House proposition. I am willing to maintain the necessary force. I am not asking for a reduction of the force. But, Mr. Chairman, for several years past we have made appropriations for this purpose. We reached the maximum,

I believe, last year, \$90,000.

The gentleman from Indiana [Mr. HOLMAN] tells us that the former Land Commissioner, Mr. McFarland, asked for \$300,000. So he did, but we gave him only \$90,000, and we gave him an all-sufficient sum, and I do not remember to have heard the voice of the gentleman from Indiana in this House at that time calling for more money for that purpose, although there was more occasion for it then than there is now. A force has been employed for years in the business of unearthing these frauds, and, as I have already said, there remains now but little use for a detective force; it is needed more for preventive purposes than for any other. In the face of the machinery that has been organized to prevent frauds upon the public domain there have not been for some time any serious frauds committed of which I have any information.

In years past when these frauds were flagrant those who are now pressing this extraordinary motion in violation of all precedent and against orderly methods of legislation, were either silent or hostile when appropriations for this purpose were before the House. They have persistently, and that too after the danger is largely past, become

tenderly solicitous touching these frauds.

When this proposition was before the House a few days ago the gentleman from Pennsylvania very plainly intimated that the purpose of an increase of this appropriation was to make provision for hungry officeseekers. The gentleman was then, as always, frank and courageous in protecting the Treasury from the greed of the hungry horde. I will not say that the increase here asked for is for any such purpose, but the conduct of those who are pressing it is so at variance with their conspicuous attitude toward similar appropriations in the past that the honorable gentleman from Pennsylvania does not appear to have done serious injustice in making the declaration. It is urged upon us that the Commissioner of the General Land Office asks Congress to give him the Commissioner of the General Land Office asks Congress to give him \$300,000 to expend for this purpose. They ignore the fact that in the first six months of the present year he only expended about \$30,000 of the \$90,000 that Congress placed at his disposal for that purpose.

If the frauds upon the public domain were so enormous, why did he

expend but \$30,000 in protecting the public lands in the first six months of this year when he had \$90,000 in his hands for such use? Doubtless there have been frauds upon the public lands as there have been frauds upon the revenues, the currency, and in the public expenditures. So long as human nature remains imperfect so long will there be violations of law. But there has been a persistent effort to magnify the public-land frauds. For years a corps of detectives, commonly called "special agents," have been employed at enormous cost to the Treasury for the purpose of finding such frauds. Some of them are doubtless good men; others are known to have been infinitely worse, if possible, than any of the land thieves. They seem to have been impressed with the idea that their employment depended upon their finding frauds some-

Their ears were open to rumors most vague and all manner of malice, detraction, and slander, and these were formulated into reports until the Land Office became flooded with recitals of gigantic frauds so universal as to apparently embrace the entire occupancy of the public lands by settlers during the last six to ten years. Undoubtedly some real frauds were embraced in these reports; but that in the main they are gross exaggerations ought to be apparent to all who have any knowledge of the character of that class of our people who go upon the public lands to secure homes.

The very utmost limit of injustice was reached when the administration issued this order to the registers and receivers of the local land offices of the United States:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE, Washington, D. C., April 3, 1885.

Registers and Receivers, United States land offices:

GENTLEMEN: Final action in this office upon all entries of the public lands, except private cash entries and such scrip locations as are not dependent upon acts of settlement and cultivation, is suspended in the following localities, namely:

namely:
All west of the first guide meridian west in Kansas. All west of range 17 west
in Nebraska. The whole of Colorado, except land in late Ute reservation. All
of Dakota, Idaho, Utah, New Mexico, Washington, Montana, Wyoming, Nevada, and that portion of Minnesota north of the indemnity limits of the Northern Pacific Railroad and east of the indemnity limits of the Saint Paul, Minne-

apolis and Manitoba Railroad.

In addition, final action in this office will be suspended upon all timber entries under the act of June 3, 1878, also upon all cases of desert-land entries.

Very respectfully,

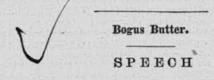
W. A. J. SPARKS, Commissioner,

By that order the entry of every settler upon the public lands in half of the State of Kansas, more than half of the State of Nebraska, all of Colorado, Dakota, Idaho, Utah, New Mexico, Washington, Montana, Wyoming, Nevada, and a large part of Minnesota, was suspended. Every timber and desert-land entry everywhere was suspended. It is

safe to say that more than a million of humble homes were seriously affected by that order; more than a million titles to bona fide homes of sturdy pioneers were by that official act branded with suspicion and covered with a cloud. The proverbial rugged honesty of these settlers, their long and tedious hours of toil, their almost indescribable privations ought to have secured for them at the hands of this Department something better than an indiscriminate arraignment as public land thieves. However pure and honorable may have been the motives that gave existence to that official act, the effect has been almost unparalleled in our country for outrage and cruelty; and it is much to the credit of the honorable Secretary of the Interior that when finally, after the lapse of about one year, the injustice of it was brought to his attention he promptly canceled it. That official act recognized dishonesty as the rule among those who settled upon the public lands.

If we may not look for honesty as the rule among the brave and sturdy men who go in advance of civilization upon the public lands to build up homes for themselves and their families, who have carved out of our vast domain since the formation of our Government twentyof our vast domain since the formation of our Government twenty-five of the grand and mighty States of our Union, I fear we shall look in vain for it elsewhere. If the implications of that order be true, then indeed is there no hope for the Republic, for no longer can there be among our people anything but corruption. Every fair-minded man will regard this monstrous imputation against millions of Western pioneers as unmitigated slander. I would not for one moment allow myself to doubt that in the discharge of his official duties the Commissioner of the General Land Office is actuated by an honorable zeal for the nublic good, but his methods are too often erroneous and mischiay. the public good, but his methods are too often erroneous and mischiev-

The motion should not prevail.



JAMES BUCHANAN, HON.

OF NEW JERSEY.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, May 29, 1886.

The House being in Committee of the Whole, and having under consideration the bill (H. R. 8328) defining butter; also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine—

Mr. BUCHANAN said:

Mr. CHAIRMAN: If the proposed amendment stood alone upon its merits, disassociated with any other legislation, I would be disposed to favor it, but the difficulty is that it is proposed as an amendment to a bill to which it is not germane, and the only effect of its adoption must be to further endanger the passage of this bill. Therefore, whatever may be the conviction of the House upon the abstract correctness of the proposition embodied in the amendment, I hope it will be voted down in the interest of the success of this bill and let it come up hereafter as a separate measure and each proposition be disposed of on its own merits.

[Applause.]
Mr. HAMMOND. Will the gentleman yield to me for a question?
Mr. BUCHANAN. Certainly.
Mr. HAMMOND. If we can dispense with the tax on tobacco and can not get it dispensed with in this bill, why do you wish to impose any more taxation by this bill?

Mr. BUCHANAN. Have I indicated any such purpose?

What is your intent in voting for this bill?

I intend voting for this bill— Mr. HAMMOND.

Mr. BUCHANAN.

Mr. HAMMOND. But not for the purpose of raising revenue?
Mr. BUCHANAN. My motives are my own, I say in all courtesy.

Mr. HAMMOND. I ask you whether you had a motive which you would avow

Mr. BUCHANAN. I have said my motives are my own. My acts belong to my constituents. For neither, I beg to say, am I responsible to the gentleman from Georgia. But I am perfectly willing to avow my motive.

Mr. HAMMOND. Really I would like to hear it.

Mr. BUCHANAN. If I had some minutes of time in addition to what the rules give me I would offer facts and suggestions which would amply justify voting for this bill, and trusting to the generosity of the House I will take a few minutes for this purpose.

We hear much in this Hall of the great manufacturing, mining, and ercantile interests of this country. They are of great importance, and mercantile interests of this country. They are of great importance, and rapidly growing in importance and extent. But the agricultural interest exceeds in extent and value all of these. That interest is now in a state of great and unusual depression. All over our land the farmers are suffering as for many years heretofore they have not suffered. Many of them own lands purchased in the period of high prices and bearing mortgages, which with the falling of values represent in many instances

only the present selling price of the lands, the value represented by the part of the consideration paid having disappeared by the depression, but the mortgages, of course, remaining at the original amount.

Owing to the competition of the fertile prairies of the Northwest and the Valley of the Mississippi and the reduced railroad charges for transportation the farmer of the Fart funds it impossible to another transportation.

portation, the farmer of the East finds it impossible to produce his former staples—wheat and corn—except at an actual loss. His foreign market for breadstuffs is being supplied from the wheat-fields of India, tilled by labor paid less than 10 cents per day, and all that he produces has de-clined very greatly in price, while the cost of production has not lessened, but has in many directions actually increased.

Taxation, too, bears heavily upon him. A rate that in the times of high prices and an abnormal volume of currency was but a slight burden, now represents a far larger number of bushels of grain or tons of hay. State extravagance, local improvements, and official mismanagement have left a direct tax which bears hardly upon him. To the legislator it may seem small, but to many a farmer it represents the sacrifice of some hoped-for comfort or convenience for himself or family. We hear much of the comfort and independence of the American farmer. Born and reared upon a farm and living thereon for twenty-four years, mingling daily with those engaged in this avocation, and thus having personal knowledge of what I say, I say that much of that comfort and independence exists only in the imagination of writers who know of farm-life only from the outside; who see only the green fields, the waving grain, the golden harvests, and do not see the hours of severest toil, long as the long, hot summer day; the anxious thought about in-terest, taxes, and bills for machinery and the like; the despair over blighted crops, and the corroding care bred by debts which can not

be promptly paid.

This interest demands our most serious attention. The farmer has seen Legislature after Legislature come and go. He has seen Congress after Congress assemble and adjourn. He has seen law after law enacted in the interest of railroads and banks and other aggregations of capital, and, believing that the enhancement of every material interest must result in the common good, he has not complained. He now comes here and asks this bill at our hands. Agricultural societies, granges, and other organizations of farmers, almost without number, are here by representative or petition asking that measures may be taken by which they may be assisted in ferreting out and branding a fraud. I warn this House not to refuse their prayer. In honesty we can not refuse it. In justice we ought not.

Some years ago a Frenchman, M. Mége, discovered that from the fat of animals an article could be extracted which resembled butter in taste, though not in color. Acting upon this hint, some capitalists in this country commenced the making of artificial butter. They claim that they use only sound, healthy fats and wholesome processes, but unfortunately for them some of them were so eager to enjoy a monopoly of their processes that they have taken out patents for them. Those patents are public records. They speak louder than the interested circulars now put forth. Patent No. 148768 is for a "substitute for butter," consisting "of a base of yelk of eggs, butter, and milk, agitated in a zinc vessel that has been coated with a solution of niter."

Patent No. 266777 uses cotton-seed oil or other vegetable oils treated with a solution of caustic soda in combination with farinaceous flour which had previously been thoroughly cooked in suet-water.

Patent No. 301782 says:

The process consists in first forming a soap emulsion of the fats or fatty oils with caustic soda, then precipitate the iye, then apply chlorinated alkaline lye or chlorinated gas to the soap emulsion as described.

Another patent granted to N. I. Nathan, of the firm of N. I. Nathan & Co., manufacturers of butter and oleomargarine, for a process of making artificial butter, describes the process used by said firm in the manufacture of their butter substitute. It says:

facture of their butter substitute. It says:

The lard which has passed through the sieve is then subjected to the action of cold water, to which has been previously added and thoroughly stirred a quantity of borax and nitric acid, about in the proportions hereinafter specified. By treating the lard in this solution, composed of water, borax, and nitric acid, the effect is to further cleanse the lard and make it partake of or assume a clear white color, free of all odor, and almost perfectly tasteless. After being subjected to this treatment, the mass is removed and thoroughly rewashed in cold water, preferably in a separate and distinct vessel from that previously employed, whereby the product becomes a purified or deodorized leaf lard, its characteristic being that it is of a beautiful color, a clear white, perfectly odorless, remarkably solid, and free from the disagreeable taste usually present with lard. Arriving at this stage of the process, a certain minute quantity of nitric acid added to the water, and incorporated with a certain quantity of the purified or deodorized lard to further strengthen the solution, and this mode of treatment and addition of nitric acid are continued as mass after mass of the purified or deodorized lard is prepared, the operation being continued until the product assumes a clear white color, void of odor and taste. The product thus obtained is mixed with cleomargarine, which is then a commercial article and readily obtained in the market, and when all is thoroughly mixed the mass is subjected to heat, &c.

Rancid fats, with decay arrested and odor washed away by nitric acid.

Rancid fats, with decay arrested and odor washed away by nitric acid, may be used under this formula, but no removal of odor can restore nutritive qualities to partly decayed fats.

Patent No. 236483 describes another process of making artificial butter, as follows:

I first separate the oleine and margarine from the stearine by any known method, for example, by mineing and melting the fat and then pressing it in bags of open texture. I next place the oleomargarine thus obtained with an

alkaline solution, preferably in the following proportions: to 80 pounds of oleomargarine 20 pounds of water and 8 ounces of bicarbonate of soda. I next agitate the oleomargarine and the alkaline solution together until the oil globules of the former are thoroughly mixed with the alkaline solution and partly saponified by the action of said alkali. I then add to the oleomargarine thus partly saponified a small quantity of nitric acid, preferably in the proportion of 1 dram to every 100 pounds. This gives to the article such a fine flavor that even an expert can scarcely distinguish it from excellent dairy butter.

Mark the words, "that even an expert can scarcely distinguish it from excellent dairy butter." He then goes on:

Of course the butyric acid thus added may be varied to suit the requirements of each particular article or the tastes of certain classes of purchasers. This process, as above described, avoids the use of milk, and consequently the use of caseine.

It only remains to make this villainous process clear to add that "saponified" means grease converted into soap, and that "butyric acid" is described by Webster as "an acid found in butter; an oily, limpid fluid having the smell of rancid butter and an acrid taste, with a sweetish after-taste like that of ether."

Letters patent No. 145840 use with other things sulphuric acid (oil

Letters patent No. 145840 use with other things sulphuric acid (oil of vitriol), tallow, and alum.

Other patents show that among other drugs and substances used in the different processes of making artificial butter may be found nitric acid (commonly known as aqua fortis), chlorate of potash, peroxide of magnesia, nitrate of soda, caustic potash, chalk, oil of sweet almonds, stomach of pigs, sheep, and calves, cotton-seed oil, alum, cows' udders, carbolic acid, bromo-chloralum, and caustic soda.

The product of these processes is being manufactured and sold in large quantities in the place and stead of butter, and under the pretense of being butter. This began about the year 1876. It has increased until reliable estimates now give the amount of oleomargarine

creased until reliable estimates now give the amount of oleomargarine and bogus butter products at Chicago alone for the year past at 18,000,-000 to 20,000,000 pounds, and in the whole United States for the same time at 32,000,000 to 35,000,000 pounds. In 1876 we exported of this stuff \$70,483 in value. In 1885 the amount rose to \$4,451,632.

State legislation has proved ineffective in stamping the true character State legislation has proved ineffective in stamping the true character of this compound upon its packages. By one evasion or another it has succeeded in palming itself off upon an unsuspecting public as pure butter and at the price of pure butter. It is this fraud which the agricultural interests complain of. If bogus butter were made as such, sold as such, at oleomargarine prices, and eaten knowingly as bogus butter, no complaint would be made. It is the fraud which should be suppressed. This bill does not touch oleomargarine when made and sold as such. It is only when it is made or sold in imitation of butter, or as and for butter, that the bill applies to it. Can any one complain of this? of this?

If any one wants to put pure eleomargarine, made of the best of materials and by the most cleanly of methods, but with its natural, marble-white color and insipid taste, into his mouth, this bill does not forbid him; but when stale drugs and deleterious substances are put into it, and it is fixed up to resemble or become a fraud upon good, honest butter, then this law steps in and says it must then bear its true character, and then if still any one wishes to try experiments with his health by eating it, after knowing what it is, he may do so.

We have been favored with numerous remonstrances from the boards of trade of Chicago and other cities against the passage of this bill. Among other things they urge that oleomargarine makes a cheap substitute for butter for use by the poor. Several answers to this may be given. First, eleomargarine is not a cheap substitute. The greater part sold in this country is sold as butter and at butter prices, and the poor man really pays butter prices and gets the cheap substitute. The man of more means can buy his butter by the tub and be certain of the article. of more means can buy his butter by the tub and be certain of the article. The one who must buy by the pound or the half-pound is at the mercy of the retailer's honesty. Second, no poor man desires to make, as has already been remarked, "a drug store of his stomach." His hard toil requires pure, sustaining food, not a mixture of "saponified" grease, oil of vitriol, and aqua fortis. Third, if he does really desire the cheap substitute, he can under the operation of this bill obtain it just as readily as now, the only difference being that he will obtain it without coloring matter and knowing exactly what it is, and without paying one cent of tay. paying one cent of tax.

Since when has the Chicago Board of Trade become so solicitous about the poor man's food? It is well known that without the slightest about the poor man's food? It is well known that without the slightest compunction the gamblers in futures upon its floor will combine and put up the price of wheat, or corn, or pork, that thereby they may fatten at the expense of any one who has a family to feed, and without any advantage accruing to the producer. The solicitude of these speculators for the welfare of the poor man is as novel as it is insincere.

View this question as I may, either as one of political economy, as one of abstract justice, as one of honesty and fair dealing, or as one of expediency, I must vote for this bill.

Agriculture lies at the base of all national greatness. From the ranks

Agriculture lies at the base of all national greatness. From the ranks. of that avocation have come some of our ablest statesmen, our most enterprising business men, our leaders in thought and intellect. Its ways are ways of peace. Its associations are such as to lead to solidity of character and earnestness of endeavor. Whatever tends to protect this interest tends to render more certain the perpetuity of this Republic and to enhance her usefulness and greatness

Forfeiture of Northern Pacific Land Grant.

SPEECH

HON. WILLIAM C. OATES.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES.

Monday, July 26, 1886.

The House having under consideration the bill (S. 2172) restoring to the United States certain of the lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound, and to restore the same to settlement, and for other purposes—

Mr. OATES said:

Mr. SPEAKER: In the limited time given me by the gentleman from Minnesota [Mr. STRAIT], for which, however, I am very grateful, for it is all he has, I can not enter upon the question of the policy of grants of land for the construction of railroads or the history of this particular grant. Therefore I will proceed to discuss first the nature and character of the estate granted, and secondly whether it is forfeitable,

and if so, to what extent.

It is conceded on all hands that this is a grant of an estate upon condition-subsequent. There has been some contrariety of opinion as to its character, and it may be said in a certain sense that it was not that kind of a grant, because there was an attempt in the act making the grant to substitute some other remedy than the common law remedy of forfeiture by re-entry; and if that had been successful it would, as every lawyer knows, or ought to know, have changed the character of the grant. But the attempt at substitution providing for the Government to repossess the land for conditions broken, and proceed to adopt any method it might deem proper to secure the speedy construction of the road, when pursued to its logical consequences, goes back to the same thing as though no such provision had been inserted; because when the title is resumed by the Government there is no power, no prior engagement, attempt to dedicate, or anything that can compel the Government to dispose of that land except as it pleases. Therefore the attempt to substitute another remedy has substantially and practically failed.

This, therefore, stands as a grant upon conditions-subsequent. Mark the difference between if and a grant upon condition, precedent.

the difference between it and a grant upon condition-precedent. I note a distinguished Senator at the other end of the Capitol contended the a distinguished Senator at the other end of the Capitol contended the other day that this grant was made upon conditions-precedent. Now, if that be true, and all of the conditions were not performed, under the rules of common law the title would not have vested at all in the rail-road company as grantees. But we find incorporated in this grant section 4, which changes that common-law rule, because it provides that whenever the grantee performs by building sections of 25 miles of the road in the manner stipulated for the contract pro tanto is fulfilled and the title to the lands coterminous at once vests in the grantee. And under the decision of Van Wyck and Knevals read by the gentleman from Mississippi [Mr. Van Eaton], the Supreme Court has already adjudged that question; they have held that the lands coterminous, whether patented or not, belong to the company whenever the road is conwhether patented or not, belong to the company whenever the road is con-structed and accepted in the method which the grant itself prescribes the condition is then performed as to those lands and the contract pro tanto executed. This section 4 makes the contract several and destroys the idea of entirety, which is repugnant to a grant on conditions-preced-

If that clause was not in the granting act, then if each and every one of the conditions were not performed, if a single one of them was omitof the conditions were not performed, it a single one of them was omitted, the conditions being conditions-precedent, the whole thing would fail and the company would lose all the lands. But such a construction is not maintainable. The very language of the grant shows to every legal mind, it seems to me, that this grant is upon conditions-subsequent, and in that I am in accord with the Committee on Public Lands of this House, for they treat them as such. I am in this construction sustained by the Supreme Court in Repentigny's case in 5 Wallace, and Schulenburg and Harriman in 21 Wallace, and by that ancient but respectable authority, Blackstone by Cooley 1, pages 152-3, and by Minor, 2 Inst., 260-61, with no respectable or weighty authority

Now mark the difference between the two characters of estates upon conditions expressed. Wherever an estate is granted upon condition-precedent unless the condition is performed no title vests; but where the condition issubsequent the title vests the moment the grant is made, and it can be defeated only by the concurrence of two things—the failure of the grantee to perform the conditions and the action of the grantor,

which is necessary to reinvest him with the title.

Now, no one can do this for the grantor. At the common law as between individuals, where the conditions were not performed, the grantor was obliged to re-enter, and the re-entry like an office judgment and by force of law, there being no room for controversy, reinvested him with the title. There is no statutory rule in this country regulating forfeitures of this character. The proceeding is under common law,

except that under the decision of the Supreme Court in the Schulenexcept that under the decision of the supreme court in the schien-berg-Harriman case this thing must be done by legislative declaration or judicial decision. We undertake to do it here by legislative action. In what case is legislative action good? It is only where the right is indisputable. Where it is a questionable right, one that is a fit sub-ject of litigation and adjudication, it belongs to the judiciary and can only be determined there

Mr. PAYSON. Will the gentleman allow an interruption?
Mr. OATES. Not unless I have more time given me.
Mr. PAYSON. I will give you a minute. My question is this:
Could the Department of Justice institute proceedings to assert a forfeiture in a case like this, under the law as it stands, unless authorized

by act of Congress?

Mr. OATES. That can be done only when there is some statutory authority therefor. It is necessary to give the court jurisdiction.

Mr. PAYSON. Then, in any event, it requires affirmative action by

Mr. OATES. It requires some action.
Mr. PAYSON. That is what I say.
Mr. OATES. Returning to the line of my argument, let me say that having determined that the conditions of this grant are subsequent I enter upon the second branch of the subject. I will refer to some of the subsequent legislation of Congress to see whether the Government is in a condition to assert a forfeiture to the extent recommended by

the Committee on Public Lands.

The time, which is treated as one of the conditions, and properly so treated, expired on the 4th day of July, 1879. Now, what has been the condition of the company and what has been its history since that time? The original company when they undertook to organize and go to building the road did not have sufficient money to do it, and they applied to Congress for permission to mortgage their franchises and lands. They might have mortgaged the lands without any special permission; but, to make assurance doubly sure, they applied to Congress and the act of 1869 was passed, authorizing the company to make a mortgage on their franchise and lands. How did that operate? The company tried to raise the money in that way and on that security, but no one would advance it for the reason that the act did not give away the right of the Government as grantor to insist upon the right to re-enter and forfeit, but merely gave permission to mortgage without any condition. The company failed to raise the money on that mortgage, and in 1870, before a mile of the road was constructed, they again came to Congress, and Congress passed the joint resolution of May 31, 1870—Mr. PAYSON. Will the gentleman permit me to interrupt him, for

know he desires to be accurate.

Mr. OATES. Certainly.
Mr. PAYSON. The act of 1869 did not authorize the company to mortgage its lands. The act of 1869 simply gave the company power to mortgage its franchises, its line of railroad and telegraph.

Mr. OATES. Does not the gentleman as a lawyer know that the

Mr. OATES. Does not the gentleman as a lawyer know that the company had a right to mortgage their lands without an enabling act?
Mr. PAYSON. No, sir, I do not; and they certainly did not have the right to mortgage their franchises.
Mr. OATES. It may have been necessary to give them authority to mortgage their franchises, but they certainly could mortgage all their right, title, and interest in the lands without legislation.
Mr. PAYSON. But the gentleman's point, as I understand it, is that the act of 1869 gave them authority to mortgage their lands, but that they could not get the money under that authority, and therefore they came again to Congress for the joint resolution of 1870. Now I am correcting the gentleman by showing that they did not have power. am correcting the gentleman by showing that they did not have power, as they supposed, to mortgage their lands without authority of Congress, nor did the act of 1869 give them that power. It was not until

1870 that an act was passed giving them that authority.

Mr. OATES. The gentleman is right about the act of 1869; but I maintain that the company could without an enabling act have mort-gaged their defeasable title to the lands. I will here print the material part of the joint resolution of 1870. It reads as follows:

That all lands hereby granted to said company which shall not be sold or disposed of or remain subject to the mortgage by this act authorized, at the expiration of five years after the completion of the entire road, shall be subject to settlement and pre-emption like other lands, at a price to be paid to said company not exceeding \$2.50 per acre; and, if the mortgage hereby authorized shall at any time be enforced by foreclosure or other legal proceeding, or the mortgaged lands hereby granted, or any of them, be sold by the trustees to whom such mortgage may be executed, either at its maturity or for any failure or default of said company under the terms thereof, such lands shall be sold at public sale, at places within the States and Territories in which they shall be situate, after not less than sixty days' previous notice, in single sections or subdivisions thereof, to the highest and best bidder.

Mr. Speaker, the part of the act just read, in my judgment, gave away the rights of the Government to declare a forfeiture, to the extent that the company was permitted to construct the road and mortgage the lands. As an original proposition I would not have voted for that joint resolution, and I would not have voted for such a land grant in the first place. I care nothing for this railroad company. I have no connection with it and no interest in it whatever. I only desire to present this case according to my view of the law, and to ask that the House shall not proceed to pass something as a law which in my judgment would be no law at all and accomplish nothing but protracted

litigation.

Let me proceed to give a little more of the history of this company. Under the joint resolution they went to work mortgaging the lands and constructing the road, and they built it to Bismarck on the Missouri River, a distance of 530 miles. There that company failed—failed completely, with a bonded debt of thirty millions hanging over them.

A new company was organized which was composed largely of the creditors who had advanced their money in good faith, and they were given preferred stock in the new company for the thirty millions, the

given preferred stock in the new company for the thirty millions, the whole amount of the stock being, I believe, one hundred millions. The new company set to work after the 4th day of July, 1879, when the time according to the terms of the grant for the completion of the road had expired, and went on building the road and built at least 1,500 miles of it, along which the House bill now proposes to forfeit all the lands granted to the company. Undoubtedly the Government had the right on the 4th day of July, 1879, to forfeit the lands all along the proposed line beyond and west of Bismarck, the point to which the road had been built, and it is perhaps true that the Government now has the strength to take the lands from the company by force: but treating the strength to take the lands from the company by force; but, treating it as a judicial question, and as a question of common fairness as between individuals, I do not think the Government has any right to take those lands

The gentleman from California [Mr. HENLEY] has stated the law correctly, in the case of a legislative grant the beneficiary under it must show affirmatively that the grant confers upon him the right which he claims, but there is another presumption of law in the same connection, and that is a presumption against forfeiture. An estate upon condition-subsequent is an estate already created, and the law requires that everything shall be done, and done strictly in accordance with the agreement, upon the part of the grantor, because the effect of forfeiture is to destroy the estate, and the presumptions of the common law are

always in favor of maintaining estates.

Mr. HENLEY. If agreeable to the gentleman I will yield him five minutes of my remaining time, on condition that he will permit me to

ask him a question.

Mr. OATES. Certainly; I will make that trade.
Mr. HENLEY. It is a good trade, because I shall not occupy with
y question more than two minutes. I read from the decision of the my question more than two minutes. Supreme Court of the United States, in the case of Farnsworth vs. The Minnesota and Pacific Railroad Company:

But it is said that provisions for forfeiture are regarded with disfavor and construed with strictness, and that courts of equity will lean against their enforcement. This, as a general rule, is true when applied to cases of contract, and the forfeiture relates to a matter admitting of compensation or restoration; but there can be no leaning of the court against a forfeiture which is intended to secure the construction of a work in which the public is interested, where compensation can not be made for the default of the party, nor where the forfeiture is imposed by positive law. "Where any penalty or forfeiture," says Mr. Justice Story, "is imposed by statute upon the doing or omission of a certain act, there courts of equity will not interfere to mitigate the penalty or forfeifure, if incurred; for it would be in contravention of the direct expression of the legislative will.

Now, I ask the gentleman whether the Supreme Court in that decision does not declare the doctrine that while courts of equity will interose and mitigate the rigor of the law in the case of a contract between pose and mitigate the rigor of the law in the case of a contract between individuals, that doctrine has no application in the case of a contract between the Government and an individual, because in the case between individuals one party may be allowed in a court of equity to say that the other party has been guilty of harshness or oppression; but this allegation can not be made in respect to a legislative act.

Mr. CASWELL. The rule is precisely the same in both cases.

Mr. HENLEY. The court in this case does not say so.

Mr. CASWELL. It does say so in 16 Wallace and 21 Wallace.
Mr. HENLEY. I have read from 92 United States Reports—2 Otto.

Mr. HENLEY. I have read from 92 United States Reports—2 Otto. Mr. QATES. That does not affect the principle I was stating at all. I was stating the common-law rule. As a matter of course, if there be interpolated in a statute provisions contrary to that rule, the common law must give way and the statute must prevail. That is the character of the case you read from. That was a grant on condition-precedent, and of course no compensation could be decreed when the title had not vested.

Mr. CASWELL. Aud there are no terms of express forfeiture in the

Northern Pacific grant.

Mr. HENLEY. And there is no decision of any court that requires

I must insist on going on with my argument.

Mr. Speaker, the Government permitted this new company to go on constructing its road and mortgaging the land under that joint resolu-And I say that while the Government is strong enough to do this thing, yet in equity and good conscience it ought not to do it.

Why? I propose to give the reasons.

Mr. HENDERSON, of Iowa. What do you mean by saying "the Government is strong enough to do this thing," if it can not lawfully

do it?

Mr. OATES. It may have the power to do it.

Mr. WARNER, of Ohio. Has it any power unless it has the legal right?

Mr. OATES. I have a very high idea of the power of the Government, because it suppressed a very large body of people, including myself, in the Southern States. [Laughter.]

Mr. HENDERSON, of Iowa. But we are now acting under civil

Mr. OATES. I am contending that the Government ought to act under the law, and that according to the principles of law it will not

Mr. HENDERSON, of Iowa, Did you mean to say it could be done in the face of the decisions of the courts?

Mr. OATES. I maintain that the Government ought not to do it; that it can not legally do so.

Mr. GILFILLAN. Can the Government act in any other way than in accordance with the principles of law?

Mr. OATES. Well, I do not choose to follow that blue light off into the swamp; I want to pursue the line of my argument. But I will say that the effete dogma that the king can do no wrong is not entitled to a place in the lexicon of American statesmanship. This Government ought to set a good example to its citizens by itself obeying the law and performing its agreements.

I was about to state the reasons why in equity-and in many courts it has been so held as a matter of law-the Government ought not to declare this forfeiture as to the lands coterminous with the road constructed after the time expired. Time is not of the essence of the contract, because if it were it would convert the grant into one on condition-precedent. It could not be an estate on condition-subsequent. If time were of the essence of the grant the failure to perform the conditions within the time would of itself work a forfeiture, and your proceeding here would be nugatory and ridiculous.

Now, the company, as I was saying, proceeded to construct the road and to place mortgage bonds upon it to the extent of \$25,000 a mile, with some additional second-mortgage bonds, until the aggregate is now nearly \$70,000,000 of bonded indebtedness. Those bonds have been sold and are now in the hands of purchasers for value. The concluding part of the joint resolution not only authorized a mortgage to be placed upon these lands, but prescribed the mode and manner and even the

notice to be given in case of a sale under foreclosure. Now, the Government, having this right to declare a forfeiture for a failure to perform the conditions, when men came up and proposed to furnish money for the construction of the road by purchasing bonds, and the Government sanctions the proceeding and says, "Yes, the company may make the mortgage," and prescribes the method of executing and enforcing it, the right which the Government previously had to declare the forfeiture as to the constructed road and the coterminous lands covered by the mortgage is gone. Any act by the grantor inconsistent with the right claimed by the House bill was a waiver of that right according to all the law I have ever read on the subject.

Again, in the granting act, the Government obligated itself to survey the lands coterminous with the constructed road, for the purpose of conveying them to the company as they were needed for sale to aid in

the construction of the road.

The United States failed to do that, and then by legislation on an appropriation bill compelled the company to pay for surveying the lands. This was a violation of the contract. In addition to that the Government obligated itself to clear the right of way for the company through all Indian reservations.

That is, the Government obligated itself to secure the right of way for the company through these Indian tribes or nations. in the minority report upon the testimony of Generals Brisbin, Gibbon, and Terry that up to about the time this road was required by the act to have been completed, the surveying parties sent out to survey and locate the road through the Yellowstone Valley had some members of their parties killed by the Indians. Furthermore, it is shown that these officers of the United States Army advised the surveying parties that they were unsafe in going out to survey the right of way for the company unless they had a guard much larger than could be furnished by them at that time.

In this connection, Mr. Speaker, let me say that wherever the condition-subsequent is impossible of performance, or where the grantor renders it impossible on the part of the grantee to perform it, or where the grantor takes away the means from the grantee of performing that condition, the condition is thereby dispensed with and the estate pro tanto becomes absolute. This is a well established principle of law.

Mr. BUTTERWORTH rose.

Mr. OATES. Let me complete this point. I will cite now the well considered decision in John C. Fremont's Mariposas case in 18 Howard. That was the case of a grant on condition-subsequent made by the Mexican Government to a citizen of California when it belonged to It was afterward sold to John C. Fremont. He took it, of course, with the conditions attaching to the original grant. This Government succeeded to whatever rights Mexico had and declared it for-feited to the United States and took the property from Fremont for failure to perform the condition. That condition was to settle a certain number of citizens on each league within a given time. Fremont brought suit, and the case was finally decided by the Supreme Court of the United States in his favor.

In that case the Supreme Court held that Fremont was entitled to the property because the country was so infested by hostile Indians as to render it impossible to perform the condition-subsequent except at the hazard of sacrificing the lives of those who settled upon the land. The law is not unreasonable enough to require the sacrifice of men to perform conditions-subsequent. When a condition is impossible to perform or, according to the doctrine of this decision, hazardous to human life, the grantee is excused from its performance and the estate becomes absolute.

When did the Government secure to the Northern Pacific Railroad Company the right of way through the Indian country? Look at the statutes. Here is an act passed in 1882 by the Forty-seventh Congress ratifying a treaty by which this Government secured to this company the right of way through the Crow Indian reservation. What is the history of it? When the company surveyed the road to the boundary What is the line of that reservation and attempted to survey through it, did the Government go and open the way for them or secure to them the right which it promised? No; the Government not only did not secure to the company the right of way but the Indian agent drove off the surveying party, threatening them with the military. He would not allow them to enter within the boundary. The surveying parties had no right to enter in there, nor any one else.

This Government was the only power on earth which could secure the right of way. The company waited for the right to go on and build the road, and they did not secure that right until 1882. To attempt to forfeit the land because the company did not build it through this Indian reservation before July 4, 1879, when the right of way was not secured so as to allow even a survey until 1882, is something which no law and no equity on the face of the earth will sanction. Good conscience would not tolerate it for a single moment. No court in Christendom would decide in favor of requiring the performance of any such impossible condition on the part of any grantee when that condition was rendered impossible of performance by the grantor's failure to render the performance of the condition possible.

Under the treaty the United States agreed to pay the Indians \$25,000 Under the treaty the United States agreed to pay the Indians \$25,000 for that right of way. I have a certificate showing that the company promptly paid it, and went on to complete the road. Does this confer the right on the Government, in equity and good conscience, to forfeit these lands? The company built the road through there as soon as the Government made it possible for them to do it. That is all, it seems to me, there is of it, and the mere statement of the facts is enough to be whet there is no right of forfeiture further than the Seasts bill show that there is no right of forfeiture further than the Senate bill

provides for.

Mr. WARNER, of Ohio. Is this anything more than to send the question for adjudication, as to the quantity of land forfeitable, to the

courts to be judicially determined?

Mr. OATES. But why send to the courts matters in which the United States have no interest? Why should the United States litigate with the company about that which has been granted to and earned by the company? Has not this House intelligence enough to see the actual situation, and independence enough to do what is right, without

regard to what the Knights of Labor may command?

It has been truly said that the Democratic platform as well as the Republican declares in favor of the forfeiture of the unearned lands granted by Congress to railroad corporations. Well, I am just that sort of a Democrat who follows out, obeys, and executes to the best of his ability the declarations and pledges made to the people in the na-tional platform of my party, and I propose to do that here. Unlike some of my brethren I do not keep faith in land forfeitures and break it on a proposition to reduce the burdens of tariff and other taxation under which the people suffer.

The only question sir, of difference about forfeitures is as to what is an unearned land grant? What mean the words "unearned land

grants?"

Mr. WARNER, of Ohio. That is a question to be determined ju-

dicially, I take it. Mr. OATES.

That is very true; but the House has a right and every member has a right to his own opinion about what constitutes the difference between an earned and an unearned land grant. Now, I am clearly of the opinion that an unearned land grant is a grant where the company have failed to build a road, and I am in favor of forfeiting such grants. The Senate bill, which I believe is right in that respect, provides for the forfeiture of the lands from Wallula Junction to Portland, 214 miles along the Columbia River, and the lands on the Cascade branch wherever no road has been built.

There is a road along the Columbia River with which this company There is a road along the Columbia River with which this company has made some arrangement, by which they are able to run it in connection with the completed portions of their own road; but as has been decided, properly I think, by Attorney-General Brewster in the case of the Backbone Railroad in Louisiana, that the grant was made not to enable the company to purchase an already constructed road but to construct a road themselves, they are not entitled to the lands coterminous. As they have already secured a road it will be unnecessary to

construct one, and hence these lands ought to be forfeited. Then there are also the lands embraced in the uncompleted Cascade branch of the The Senate bill also forfeits them.

Mr. HENDERSON, of Iowa. How much land does this Senate bill forfeit?

Mr. OATES. I am not quite sure, but I think somewhere about 4,000,000 acres

Mr. HERMANN. It embraces the Wallula branch between Wallula and Portland, something over 2,000,000 acres, and the uncompleted

Cascade branch, 75 miles in length and over 1,000,000 acres.

Mr. OATES. Now, Mr. Speaker, as I said, I would not have voted for the grant as originally proposed because it was too extensive. It was a dangerous experiment in legislation. But because our predecessors here constituting the Congress of the United States did improper things, if they passed bills which do not meet the approval of gentlemen now occupying these chairs, that is no reason why we should as sound legislators undertake to dig up yesterday and go back and by our erroneous legislation seek to correct the errors of our predecessors after rights and vast interests have vested under such enactments. Let us execute the law as we may find it so far as the equities of the case are concerned, respecting and preserving vested rights. In our disposition of the case let us do nothing which is unjust or detrimental to the vested rights of this company or those holding under them.

The SPEAKER pro tempore. The time of the gentleman has ex-

Mr. OATES. I am entitled to five minutes from the gentleman from California [Mr. Henley].

I desire now to answer, in brief, the question of the gentleman from Chio with reference to this being a judicial question. It is true it will probably go to the courts and the law will be there construed; but when we see right before our faces a law so plain to the mind of any lawyer I do not think we should undertake to make ourselves ridiculous by going into this subject and undertaking to make the granting act mean what it does not. It is too late to amend it. Why do what the judiciary may, when it comes to construe this act, if it ever passes, declare to be unconstitutional and void?

Mr. WARNER, of Ohio. There seems to be a difference among the

lawyers on that point.
Mr. OATES. Yes; some lawyers never see straight, anyway. I have no right to say what the Senate will do, but I have no objection to indulging in a little speculation. We have the Senate bill before us which has been the result of two weeks careful discussion in that body. Now, if we strike out all of it after the enacting clause and pass the Senate bill in that amended form, as proposed by the House Committee on Public Lands, the presumption is that we will not get any forfeiture If you pass the bill thus amended and the Senate concurs, which is altogether improbable, in my judgment, you pass a law that would not stand a judicial test and would put Congress in the attitude of having done an unwise thing. And although that frequently occurs, I do

not take any share in the responsibility on this occasion.

Mr. BUTTERWORTH. Now let me ask the gentleman as to the operation of the joint resolution which authorized the Northern Pacific operation of the joint resolution which authorized the Northern Pacific to execute a mortgage upon its line, &c. It is held by some gentlemen of the committee that the road, by the right they acquired under the authority to mortgage, obtained simply the right to sell the lands and vest the title, if it was earned by the completion of the road.

Mr. OATES. They maintain that by that joint resolution the Government did not give any other rights than the company had before the resolution was adopted.

Mr. BUTTERWORTH Very well, in other resolution.

Mr. BUTTERWORTH. Very well; in other words, they simply took the rights as mortgagor to pass a perfect title if the company earned it in time. I agree that it is a wrong construction; but I would like to

hear the gentleman on that point.

Mr. OATES. The effect of the act in question was to subject the defeasible title to mortgage. The sanction of the Government given by the joint resolution to mortgage the lands, prescribing the mode of sale, notice to be given, and quantities to be sold at a time was and is utterly inconsistent with the right to declare a forfeiture of any of the lands mortgaged in pursuance of that law. I have the authorities at hand to prove it, but no time to read them. (Sheppard's Touchstone, 121; Fletcher vs. Peck, 6 Cranch, 87, 135-137; McCrary vs. Remson, 19 Ala. Rep., 430.)

It was, according to all legal authorities I have ever read, a clear waiver of the right of the Government to declare a forfeiture of the land

mortgaged, certainly as against the mortgagees and bondholders.

Mr. CASWELL. Let me call the gentleman's attention also to the fact that the Government has compelled the Northern Pacific road to carry its mails for 80 per cent. of the amount paid to other railroad companies, on the ground that this is a land-grant road.

Mr. OATES. I thank the gentleman for reminding me of the fact. I have the figures in that respect which I want to lay before the House. I have this statement from the Post-Office Department as the average payments for the last three years to this company. The average receipts of the company, without applying the reduction, amount per annum to \$265,578.35; by applying the reduction, \$212,512.75—showing a difference against the road of \$53,065.60, or about 25 per cent. The statement is as follows:

FOR CARRYING UNITED STATES MAIL.

Average annual receipts of Northern Pacific road under land grant reduction, compared with what receipts would be without reduction.

Average yearly receipts without reduction \$265, 578 35

Average yearly receipts with reduction 212, 512 75

Difference against road one year 53, 065 60

Being 24,97 per cent, less (about 25 per cent.) than would receive without reduction.

Well, you run that deduction through a number of years and in fifty years at 25 per cent. it would make the company pay by deductions on account of the land grant \$2,653,280, without reference to the probable increase of mails within that period. And under a statute, which if I had the time I would read—supplement to the Revised Statutes, page 171—it is within the power of Congress to make them carry the troops and munitions of war for no compensation at all, and the mails on such terms as Congress may impose. That extends ad infinitum; so long as it is a road and this a government, that obligation continues. It is a hard bargain on the part of the company and a good trade for the Government.

Mr. Speaker, the craze of certain gentlemen who want to go such unreasonable and I may say unlawful lengths in forfeiting land grants can be in part, and on patriotic but I think mistaken ground, accounted for by the fear of land monopoly. If we pass the Senate bill with a slight amendment declaring the road completed within the meaning of the joint resolution, so that the time might run and draw to a close the five years at the end of which it declares that the company shall not sell its lands for more than \$2.50 per acre, we will then have done something in that direction. When they can not sell for more than those figures there is not much danger that settlers can not find homes on reasonable terms.

Think for one moment how utterly wanting in sense and ignorant of business principles a railroad company would be who did not want any farmers or merchants to live on or near their line? Population creates business for the road. This company, so far as it has sold lands, has sold them at an average of only \$3.43 per acre, as their official returns show; and notwithstanding the extravagant statement of the gentleman from California to the contrary, less than \$20,000,000 have been realized by the company from this source.

realized by the company from this source.

The construction of the Northern Pacific has conipletely solved the Indian problem and added vastly to the wealth of the country. In a commercial and military aspect its importance can not well be overestimated. It is the only competitor we have in the carrying trade with the Canadian Pacific Railway. In case of war it puts the capital of the nation in quick communication with our Northwestern Territories and the Pacific Ocean. Who would to-day, as a faithful representative, be willing to give up the road—have it blotted out of existence—to have all the land back just as it was before or at the time the grant was made? I would not. Now, if you forfeit this land, as the Committee on Public Lands propose, you annul and cancel the obligation of this railroad company,

Now, if you forfeit this land, as the Committee on Public Lands propose, you annul and cancel the obligation of this railroad company, their successors and assigns, pro tanto, to carry the mails at reduced rates and the troops, munitions of war, and property of the United States, for it is a familiar principle of law—though some lawyers do not always remember it—that a contract when rescinded, canceled, or annulled as to one of the parties is no longer binding on the other.

If, therefore, the substitute becomes a law, the company will be, as to 1,500 miles of its road, completely absolved from its obligations as a land-grant road; and in the course of a few years when the country along its line is filled up with population, and with the deduction now imposed for carrying the mails removed, the company will receive hundreds of thousands of dollars more per annum from the Treasury for that service than they now receive. And in case of war it may receive millions out of the Treasury, where if no forfeiture is declared the company will not receive anything. It is bad policy to declare this sweeping forfeiture, even if we had the power to do it.

What are you going to do with your lands when you forfeit them and take them back from the railroads? Give them to actual settlers? It

What are you going to do with your lands when you forfeit them and take them back from the railroads? Give them to actual settlers? It is very commendable to furnish homes to our young farmers; but while you are doing that would it not be well to so amend existing law that no unnaturalized person could secure a homestead and that no alien should own land within the United States? Under the law an alien can declare his intention to become a citizen and take a homestead the same day. It encourages emigration to this country, which we do not need, and I do not want them invited to come.

need, and I do not want them invited to come.

The only effectual solution of the labor troubles of the country is to stop emigration or greatly reduce the number and improve the character of those who come, and you will thereby diminish competition and make the battle of life easier for those already here.

The policy of Mr. Jefferson and his party eighty-five years ago to encourage foreign immigration may have been a very wise one then and for many years thereafter, but it has long since served its purpose. We have a sufficiently large population and do not need immigrants from other countries. In the interest of our laboring people I do not wish to invite and import any competition from abroad.

Reduction of Tariff Taxes.

SPEECH

OF

HON. LOUIS E. ATKINSON.

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, August 4, 1886,

On the bill (H. R. 7652) to reduce tariff taxes and modify the laws in relation to the collection of the revenue.

Mr. ATKINSON said:

Mr. SPEAKER: We have before us for consideration a bill "to reduce tariff taxes and to modify the laws in relation to the collection of the revenue." Its author, apparently fearing that its merits will not recommend it, attaches to it the title "tariff taxes" in order to cast upon customs duties the odium which follows taxation, and attempts to invoke this prejudice to aid him when he feels that he and the friends of the measure can not convince the reason. This scheme is an old one, and its inventor can not yet congratulate himself upon its success. In the Forty-eighth Congress we had a bill providing for a horizontal reduction of 20 per cent. upon all customs duties, and it was entitled a bill "to reduce war tariff taxes." It met an early and inglorious death, and the opprobrium it sought to cast upon "tariff taxes" was transferred to its author. Its utter lack of merit became more apparent every day that it was discussed, and its death-blow came from the house of its friends.

In February last another bill labeled "A bill to reduce tariff taxes" was presented to this House and referred to the Ways and Means Committee. The majority of that committee, impelled by the pressure of public sentiment, graciously permitted representatives of the industries which it was proposed to ruin by that bill to be heard, and after its glaring defects and destructive tendencies were exposed it was quietly laid aside as utterly untenable and unjust. But the nightmare of "tariff taxes" still disturbed some of the gentlemen on the other side, and, without hearing the parties whose interest will be injuriously affected, the present bill was sprung upon the House. The title of "tariff taxes," which has twice gone down ignominiously, is still retained, and will, I hope, meet the fate of the other "tariff-tax" propositions that have gone before it.

But is the "tariff tax" the most burdensome tax to our people?

But is the "tariff tax" the most burdensome tax to our people? I hold, sir, that there is a worse, a more pernicious, tax than this that is now imposed upon this nation, and which will be greatly increased if this bill becomes a law. The tax to which I refer is the tax we pay to foreign nations for goods that we could and should produce at home. The payment of this "tax" not only takes from us our money or our property, but, it impoverishes our people and steals away the employment to which our own mechanics and wage-workers are entitled.

In 1885 we imported—	
Manufactures of wool.	\$35, 776, 559
Manufactures of silk	27, 467, 565
Iron and steel and manufactures of	
Manufactures of cotton	27, 197, 241
Glass and glassware	6, 256, 194
Earthen, stone, and china ware	4,837,782
Hats, bonnets, &c	4,570 429
Salt	
	240 200 000

At least half of these imported materials could have been made in our own country, and would in their manufacture have afforded employment and remunerative wages to thousands of our people who were unemployed.

More than \$16,000,000 worth of tin plates were imported, while not one dollar's worth was made in the United States. An increase of duties upon these articles would have restrained their importation and have saved to us as a nation the vast sums needed to buy them abroad. The impetus that would have been given to business by the expenditure of \$70,000,000 more money among our manufacturers and wage-workers would have made the year 1885 one of the most prosperous, instead of the dullest, commercial years.

But instead of making these things at home our resources were taxed to buy them abroad. They were produced by foreign manufacturers who obtained their capital at lower rates of interest, and by workingmen who worked for lower wages than our own. This was tribute paid to foreigners, and was more onerous than all the "tariff taxes" proposed to be removed by this bill. To-day great is the army of the discontented. The wage-workers all over this broad land are demanding better wages, shorter hours, and steadier employment, and gentlemen on the other side say, "We will give you cheaper salt and woolen and cotton goods, but in doing so we will reduce your wages and throw some of you out of employment by buying abroad some of the goods you formerly made." This is not what is demanded; it affords no relief; it is not a remedy for the evils complained of. The workingman

asks you for bread and you give him a stone. He knows that if goods are sold here at European prices they must either be brought here from Europe or he must work at European wages to produce them for our market.

This bill places wool upon the free-list, and gentlemen say that wool is a raw material and in order to increase our exports and afford employment to men who work in the woolen factories it should be ad-

mitted free of duty.

They argue that we can export no woolen goods to foreign countries unless we can cheapen the cost of production, and that this can only be done in one of three ways—by reducing the interest on capital or the wages of labor or the price of the materials used; and from this situation they endeavor to escape by cheapening the materials employed. Will the removal of the duties on wool enable us to manufacture woolen goods

No proof is produced by the advocates of free wool to show that this will be the result; they ask us to take the fact for granted because they

say so.

This is easily disproved. We have a full and abundant supply of cotton of every quality desired; it is produced in our own country so that no foreign transportation charges need be paid upon it, and our feeture it are superior to those of any opportunities to use and manufacture it are superior to those of any other nation, so far as cheapness and abundant supply are concerned. Our operatives engaged in manufactures are as skillful as any in the world and our machinery is equal to the best. Foreign wool will be brought to us with additional transportation charges upon it, and sub-ject to the losses incident to long-distance carriage. Our cotton cloths are in demand in the South American markets where woolen goods are unsuited to the climate, and yet with all our facilities for manufacturing, and with a market near, our exports of manufactured cotton in | foreign wool will be needed.

1880 were only \$10,467,651 out of a total domestic production of \$210-900,000 worth of such goods, and in 1885 our exports had risen to only \$11,836,591.

The following table shows the extent of our exports of cotton manufactures for eight years:

During the fiscal year ended June 30-

From the above statement it will be seen that the average annual value of the exports of cotton manufactures for the last five years (1880-'84) amounted to \$12,322,428. On the other hand the average annual value of the imports of manufactures of cotton into the United States during the last five years was \$32,-285,650.

If we can not export cotton goods, with all these advantages, how can we succeed better with woolen goods, even if the wool is admitted free of duty and will be cheapened if it is placed upon the free-list? But I do not believe that the removal of the duty upon foreign wool will ultimately reduce its price.

In 1864 the production of wool in the United States was 142,000,000 pounds; in 1874 it was 181,000,000, and in 1884 it was 308,000,000 We imported in the same years 43,840,154, 54,901,760, and 70,596,170 pounds, respectively. In twenty years our wool production was increased 166,000,000 pounds, while our imports were increased only 26,756,016 pounds. At the same relative rate of supply we will soon furnish our own markets with wool from our own flocks and no

Quantities of wool produced, imported, exported, and retained for consumption in the United States, from 1864 to 1885, inclusive.

				Total produc-		Exports.		Retained for
Calendar year.	Production.	Year ending June 30—	Imports.	tion and imports.	Domes- tic.	Foreign.	Total.	home consumption.
								The same of the same of
	Pounds.		Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.
1864	142,000,000	1865	43, 841, 154	185, 840, 154	466, 182	679, 281	1, 145, 463	184, 694, 691
1865,	155,000,000	1866	76, 532, 274	231, 532, 274	973, 075	851, 645	1, 824, 720	229, 707, 554
1866	160,000,000	1867	16, 558, 046	176, 558, 046	307, 418	618, 587	926,005	175, 632, 041
1867	168,000,000	1868	24, 124, 803	192, 124, 803	558, 435	2,801,852	3, 360, 287	188, 764, 516
1868	180,000,000	1869	39, 275, 926	219, 275, 926	444, 387	342, 417	786, 804	218, 489, 123
1869		1870	49, 230, 199	211, 230, 199	152, 892	1,710,053	1, 862, 945	209, 367, 254
1870		1871	68, 058, 028	228, 058, 028	25, 195	1, 305, 311	1,330,506	226, 727, 523
1871	150, 000, 000	1872	122, 256, 499	272, 236, 499	140,515	2, 266, 393	2,406,908	269, 849, 591
1872	158,000,000	1873	85, 496, 049	243, 496, 049	75, 129	7,040,386	7, 115, 515	236, 380, 534
1873	170,000,000	1874	42, 939, 541	212, 939, 541	319,600	6, 816, 157	7, 135, 757	205, 803, 784
1874	181,000,000	1875	54, 901, 760	235, 901, 760	178,034	3, 567, 627	3, 745, 661	232, 156, 099
1875		1876	44, 642, 836	236, 642, 836	104, 768	1,518,426	1, 623, 194	235, 019, 642
1876	200, 000, 000	1877	42, 171, 192	242, 171, 192	79, 599	3, 088, 957	3, 168, 556	239, 002, 636
1877		1878	48, 449, 079	256, 699, 079	347, 854	5, 952, 221	6, 300, 075	250, 399, 004
1878		1879	39, 005, 155	250, 005, 155	60,784	4, 104, 616	4, 165, 400	245, 839, 755
1879		1880	128, 131, 747	360, 631, 747	191,551	3, 648, 520		
1000		1004	55, 964, 236	295, 964, 236			3,840,071	356, 791, 676
1880	272, 000, 000	1881			71, 455	5,507,534	5, 578, 989	290, 385, 247
		1882	67, 861, 744	339, 861, 744	116,179	3, 831, 836	3, 948, 015	335, 913, 729
1882	290,000,000	1883	70, 575, 478	360, 575, 478	64, 474	4,010,043	4,074,517	356, 500, 961
1883	300, 000, 000	1884	78, 350, 651	378, 350, 651	10,393	2, 304, 701	2,315,094	376, 035, 557
1884	308, 000, 000	1885	70, 596, 170	378, 596, 170	88,006	3, 015, 339	3, 103, 345	375, 492, 82

This increase in the production of wool, it will be observed from the table, is very gradual. From its nature it was not susceptible of sudden enlargement. The acreage in cotton or in wheat may vary very greatly in successive years, but with wool there can be no such variation. Our flocks have grown slowly under the intelligent care of their owners, the statistics of this industry being as follows:

	19, 311, 375
	21, 723, 221
1860	22, 471, 274
1870.	28, 477, 951
1880	42, 192, 074
1895	50, 360, 243

Not only has the production of wool increased actually but relatively to the number of sheep. Owing to favorable and permanent legislation wool-growers have improved their flocks by raising better breeds and thus increased the weight of fleeces. In 1840, according to the census, the average weight of farm fleeces was 1.85 pounds; 1850, 2.42 pounds; 1860, 2.68 pounds; 1880, 4.79 pounds. Says Mr. Dodge, in commenting on this:

"The improvement in density and weight of fleece constitutes the great advantage that the manufacturing demand has made rather than increase of price, which tends to steadiness and cheapness in material and product, by the full development of the manufacture."

Another point is the higher value of American wools. The imported wools of the last five years constitute nearly one-fifth of the quantity manufactured, but it is little more than a tenth of the value of wool manufactured. This shows that under a sufficient tariff American growers have gone into the best qualities of wool. With this enormous increase in production, has the price been increased to the consumer? Not at all. I give the total average prices, in gold, of domestic, fine medium, and coarse-washed fleece wool for each year from 1859 to 1884, and let the reader judge for himself:

Cer	nts.	Cents.
	48 1864 39 1865	52 43 51 51

Cents,	Cents.
1867 37	1876 37
1868	1877 40
1869 37	1878 33
1870 40	1879 36
1871 48	1880 49
1872 62	1881 42
1873 48	1882
1874 47	1883 39
1875 43	1884

These tables could be extended back to 1832, and the fact would be revealed that, with two single exceptions, wool has never averaged as low as in 1834; that the tendency has been a steady increase in production, improvement in quality, and decrease in price, and yet, in spite of all, the Democratic party now proposes to destroy by a single blow the important industry that has grown and flourished so under protection by opening our ports to the free wools of Australia and the River Plate country. This amounts to the confiscation of the property of the farmers, and every sheep-grower in the land should protest against it.

The market for fine wool has been almost completely supplied, and the importations have been principally of the coarser wools. In 1885 we imported clothing wools valued at \$2,262,824, combing wools valued at \$669,604, and carpet and other similar wools valued at \$5,947,-

Duties more or less protective in their character have been imposed upon wool from the very beginning of this Government, and even the low-revenue tariff of 1846 imposed duties upon imported wool. If foreign wool is now admitted free of duty it is probable that our market will be flooded with wool from abroad and the prices of domestic wool will be broken at once. Wool-growing will become unprofitable and our flocks will be slaughtered, competition between American and foreign wool will cease, and our markets will be surrendered to the foreign product.

The supply of domestic wool no longer competing, the increased de-

mand for foreign wool to supply our own markets will advance the price, and we will find ourselves paying higher prices for inferior foreign wools than we now pay for a better quality of the domestic article. This was the history of prices under the revenue tariff of 1846, and I see no reason to doubt that this result will follow the pernicious legislation imposed by this bill. I have considered this question with no reference to the interest of the wool-growers as producers. But they too have claims upon our consideration.

Mulhall (History of Prices) states that the production of wool has more than doubled since 1850; that is, the increase has been three times faster than that of population, the clip of all nations summing up as

Laster Story and Action	1850.	1860.	1870.	1883.
Europe	Pounds. 630,000,000 90,000,000 25,000,000 43,000,000 48,000,000	Pounds. 715,000,000 112,000,000 56,000,000 70,000,000 68,000,000	Pounds. 807, 000, 000 154, 000, 000 167, 000, 000 197, 000, 000 101, 000, 000	Pounds, 660,000,000 300,000,000 305,000,000 421,000,000 122,000,000
Total	836, 000, 000	1,021,000,000	1, 426, 000, 000	1,818,000,000

The marvelous increase in the production of wool in Cape Colony, Australia, and the River Plate country is without a parallel in history. It is due to the fact that in these places land is cheap, the climate is well adapted to sheep-raising, no feed need be provided for winter, and the wages of the natives who are employed in attending the sheep are very low indeed. Against such competition as will come from these countries, if unrestrained, it will be impossible for our farmers to compete; and if wool is placed upon the free-list, as proposed by this bill, its production in this nation will soon practically

In 1880 there were 382 establishments engaged in the manufacture of silk in the United States. The capital invested in the industry was \$28,189,400 and 31,337 hands were employed.

In that year raw silk was imported to the value of \$12,024,699 and

the manufactured product was valued at \$34,519,723.

In the same year our imports of manufactured silk were valued at \$31,460,947. The raw silk imported was free of duty, while the manufactured silk had charged upon it an average duty of 58.98 per cent. Here we have an instance of free raw materials such as is contended for by the gentleman from New York, with every facility for its manufacture in the United States. The machinery used was of the best class, and skilled workmen, many of whom had learned their trades in the factories of Europe, were employed. The product of the American looms was superior in quality to that imported, and the duty on foreign silks was higher than upon almost any other fabrics. In fact it was the high duty that first induced our people to engage in the man-

But with free raw material, skilled workmen, good machinery, and a high duty on manufactured silks, we were not able to supply our own markets. The theory of the gentlemen on the other side is that with free raw materials our exports of manufactured products will be increased. Why was there not a large exportation of American silks after raw silk was placed on the free-list? But the beneficial influence of a protective tariff was well illustrated in the growth of the silk industry of the United States. In 1870 we imported only three millions, worth of raw silk, while in 1880 our imports were twelve millions, and silk goods were first manufactured here in 1867. Without a protective tariff we would import all the silk goods we use; with protection we manufacture more than one-half. We employ more than thirty-five thousand people at this industry, and add \$25,000,000 annually to the value of the raw materials imported before they are placed on the market for consumption.

I believe, sir, that it is our duty to so legislate as to develop the producing forces of this country. "A nation, whether it consume its own products or with them purchase from abroad, can have no more value than it produces." "Without production of value you can neither consume nor buy. Ex nihilo nihil fit. Every increase of domestic production is an addition of so much wealth and so much of the means of purchase; any diminution of domestic production is a subtraction of so much wealth and of so much of the means of purchase." These principles are self-evident. Let us apply them. It has become apparent that the markets of the world are already supplied with more of the products of agriculture than will be bought at fair prices. Senator Brown, of Georgia, has recently said:

We find that if we should all remain cotton planters as our fathers were cotton planters, we would make, as indeed we have already made, an amount of production that would be beyond the demand. Take the last year as an illustration. While many of our people have gone into other pursuits, diversifying industry, we made more cotton than the world desired or needed at a fair price. Consequently there is no little distress now among the Southern people, because Southern planters have to pay debts, contracted in the expectation of receiving the ordinary price for cotton, with the proceeds of cotton sold at 8 cents per pound instead of 10 cents per pound. This teaches us that we still have too large a proportion of our population engaged in the cultivation of cotton, and that we ought to diversify our industries still more.

The same may be said of wheat. The British Government has ex-

pended vast sums of money in India for the purpose of developing wheat-growing in that country, and this expenditure is now bearing fruit. The export of wheat from India in 1872-'73 amounted to 14,385 tons; in 1881-'82 to 2,993,176 tons.

Wages of agricultural laborers in that country are 8 or 9 cents a day, and they can live on rice at a cost of two cents a day. And this vast increase in the amount of wheat produced in that country is due to the low rates of wages and increased and cheapened transportation. This increase in production may go on indefinitely. The area of wheat lands in India in 1884 was estimated by British officials at 26,000,000 acres, and new railway lines now in course of construction or in contemplation will soon add 9,000,000 more. It is believed that the wheat lands of India are as great in amount as in the United States, and that wheat may be grown upon them at a much less cost per bushel.

It thus appears that the markets of Europe may soon be supplied from this source, and that the American market will soon be the only

one open to the American farmer.

A great increase in wheat production in this country will reduce the price and make the production of this cereal still less profitable. The market for corn, oats, and cattle can not be much further extended in foreign countries, so that there is little reason to hope that augmented

quantities of these products can be successfully marketed abroad.

The American market will be the chief reliance in the future, as now, for the American farmer. In this condition of things is it right to surrender our own markets to foreign wool-growers? Upon almost every farm a flock of sheep can be kept without great expense; they consume for food much that would not otherwise be utilized, and the income from the flock is an item of importance to the farmer, even if he does not depend a great interaction to sheep required. devote especial attention to sheep-growing. He should not be left exposed to the unrestrained competition of foreigners. The American furmer bears his full share of the public burdens, he maintains the highways, builds churches and school-houses, and maintains schools, supports the poor, fortunately less numerous here than in free-trade countries, and loyally lends his aid to American institutions. He deserves and should receive all the support and encouragement which we as legislators can give him.

Men denounce what they call the "robber tariff," and use the words "rob," "robber," and "robbing" as glibly as if some part of our people was being wronged and foully dealt with by the rest, and that this was rendered possible by a protective tariff. If any persons feel that they are robbed several modes of relief at once suggest themselves. They may leave the country and go to some other where they will not suffer in this way. Lest this might be considered a hardship it may be proper to call attention to the fact that many millions of people have left the free-trade paradise of Great Britain to escape from an unde-sirable environment, and it will be no worse for the "robbed" to go abroad than for those who have fled from the blessings of free trade; or to avoid "robbery" they need buy nothing that is manufactured in our factories and workshops and can again start the looms and make coarse cotton and woolen cloths in their houses, as was done when the Southern Confederacy practiced the political economy that gentlemen now preach, or they may start factories for themselves and supply their own

If they will do none of these things, I submit that they have no right to say that because the least progressive States oppose the system which has built up our vast industrial interests, therefore these interests shall be destroyed and the system that made them possible, that built them up and sustains them, shall be abolished. The protective system was not adopted for the benefit of any class or any locality.

The second statute passed by Congress, and which Washington signed, declared in the preamble that it was "necessary for the support of the Government, for the discharge of the debt of the United States, and the encouragement and protection of manufactures, that duties be laid," and with singular appropriateness it was approved July 4, 1789. The declaration of our political independence was declared on July 4, 1776, and this new law was a declaration of industrial independence. It was intended to be the means of restraining, by governmental action, the importation of foreign manufactures, for the encouragement of manufactures and of labor at home, and desired and meant to do this by clothing the new Government with this specific power of regulating commerce.

It was the first measure of the patriots, and it aimed to establish their independence on the basis of the productive industry and the laborious arts of the country. It was not intended to "rob" the colonies or arts of the country. It was not intended to "rob" the colonies or any of them, but it was intended to prevent robbery, to protect and create and foster industries and the capital and labor employed in them. It was a shield and not a sword. It had already been learned in the school of impoverishment and suffering that political independence was not in itself any defense against the aggressions of Great Britain upon the manufacturing industries of the United States. industrial independence was necessary to support political independence and national unity, and industrial independence could only be secured by checking or prohibiting the importation of foreign commodities which interfered with the growth and prosperity of domestic manufactures. It was intended to give to our own people an opportunity to develop all the resources of own country, so that they might be supplied, whether in time of peace or of war, by their own efforts, with everything that the boundless resources of this nation might enable them to produce. Eight years of war were required to secure the po-litical independence of the colonies, and a perpetual contest has since been waged with Great Britain and her allies to maintain our industrial

If the policy of protection was intended to benefit the whole nation and not a part, may I not ask in what mauner it has failed to accomplish this result? Under protective tariffs we have built up vast industrial establishments producing a very large proportion of the manufactured articles used in our country and affording employment to

great numbers of our people.

It has cheapened every article in daily use and has been the means of securing better wages to the wage-workers of America than are paid in any other country. It has raised the value of agricultural lands, has prevented an excessive production of farm products; it has diversified them and has given to the farmer a home market which consumes 90 per cent. of all he sells off his farm. Gentlemen say, "Let in the products of other nations and thereby let out the products of our own."

What products of other nations shall we admit, and from whence We already receive from foreign nations commodities that we do not produce ourselves, and of these the most important, including tea, coffee, and many others, which do not come into competition with our own productions, are admitted free of duty. No legislation is needed to let in these articles; it has been already done. Shall we let in greater quantities of the products of other nations that come into competition with our own than we now receive; and, if so, what shall we admit? Can greater quantities of such articles be admitted without depriving American citizens of employment and American capital of its investments? Surely not. No one can specify a single article now produced in this country which can be supplied from abroad without injury to some one of our own interests, and this injury will not be to the producers alone, but in the end to the consumers as well.

None are exclusively producers but all contribute to consumption also, and few are consumers only, almost all contributing to some form of production. What products of our nation will we let out? That many articles of commerce are produced here that may be sent abroad is true, but that a great demand for them will be created by the admission of products that we can ourselves supply has never been shown, and I be-lieve never will be.

It is not true that if our purchases abroad are increased we can in consequence sell more abroad. Foreign nations will take from us only what they need, that is, what they can not produce themselves, and no more. They consume what they themselves produce in the first instance and go abroad for the deficiency only.

That the nations of whom we buy take from us only such things as they need, and no more, is well shown by the following official tables:

Value of the imports of merchandise from, and of the exports of merchan-dise to, those countries in our commerce with which the value of imports exceeded the value of exports during the year ending June 30, 1885.

Order.	Countries.	Imports of mer- chandise into the United States.	Exports of domes- tic and foreign merchandise from the United States.	Imports in excess of exports.
1	Brazil	\$45, 263, 660	\$7, 317, 293	\$37, 946, 367
2	Cuba	42, 306, 093	9,006,160	33, 299, 933
3	Switzerland	13, 863, 432	46, 360	13, 817, 072
4	British East Indies	17, 699, 257	4, 110, 368	13, 588, 889
5	France	56, 935, 352	46, 708, 950	10, 226, 402
6	China	16, 292, 169	6, 396, 500	9, 895, 669
7	Japan	11, 767, 956	3,057,415	8,710,541
8	Spanish possessions, other than	11, 101, 000	0,001,110	0, 110, 011
0	Cuba and Porto Rico	7,789,756	169, 354	7, 620, 402
9	Hawaiian Islands	8, 857, 497	2,787,922	6, 069, 575
10	Porto Rico	6, 104, 263	1,569,205	
11	Central American states	6, 409, 015	2,762,531	4,535,058 3,646,484
12	Venezuela	6, 309, 580	3, 043, 609	3, 265, 971
13	British West Indies	10, 363, 381	7, 210, 879	3, 152, 502
14	Austria	5, 745, 580	2,714,537	3, 031, 043
15	Italy	14, 492, 908	11, 974, 417	2,518,491
16	Turkey	3, 153, 900	1, 402, 691	
17	Dutch East Indies	3, 261, 671	2, 103, 066	1,751,209
18	Uruguay	2, 734, 617	1, 682, 443	1, 158, 605
19		1, 764, 890	742, 105	1,052,174
20	Germany	63, 241, 753	62, 222, 791	1,022,785
21	Mexico	9, 267, 021	8, 340, 784	1, 018, 962 926, 237
22	All other countries in Africa not	1,044,204		TILL BOOK PERSON
23	elsewhere specified	854, 183	407,055 369,181	637,149
24	San Damings			485,002
	San Domingo	1,461,419	986, 701	474,718
25 26	All other countries in South America not elsewhere speci-	596, 707	207, 822	388, 885
27	Greenland, Iceland, and the Fa-	753, 601	428, 011	225, 590
	roe Islands	113,847		113,847
28	Roumania	47, 485	11,088	36, 397
29	French possessions, all other	387, 689	382,305	5, 354
	Total	358, 882, 856	188, 161, 543	170, 721, 313

From this table it appears that although we bought from Brazil in 1885 \$45,263,660 of her products, yet she bought from us only \$7,317,-293 of our products. It can not be said that she declined to buy from us, because her exports were subjected to the payment of tariff duties. Our purchases from her were chiefly coffee, india-rubber, and hides, all of which were admitted free of duty. The case was simply this: We found it to our advantage to buy her products, while she found it to her interest to buy elsewhere, or else to produce for herself what she might have bought from us. And it likewise appears that we sell vast quantities of materials to other countries and buy much less from them

Talue of the imports of merchandise from, and of the exports of merchan-dise to, those countries in our commerce with which the value of exports exceeded the value of imports during the year ending June 30, 1885.

Order.	Countries.	Imports of mer- chandise into the United States.	Exports of domes- tic and foreign merchandise from the United States,	Exports in excess of imports.
1	Great Britain and Ireland	\$136,701,780	\$398, 103, 203	\$261, 401, 423
2	Belgium	8,695,084	26, 458, 249	17, 763, 165
3	Netherlands	5, 652, 749	16, 804, 263	11, 151, 514
4	British possessions in Austral-	20.10 2 20.00 St.		
1	asia	2, 823, 393	10,648,192	7,824,799
5	Spain	4,703,945	11,991,068	7, 287, 123
6	Russia	3, 091, 449	7,762,746	4,671,297
7	Denmark	350, 451	4,538,523	4, 188, 072
8	Portugal United States of Colombia	1,007,150	4, 598, 346	3,591,196
9	United States of Colombia	2, 342, 077	5, 583, 368	3, 241, 291
10 11	Hong-Kong British North American posses-	983, 815	4, 149, 311	3, 165, 496
	sions	36, 960, 541	40, 124, 907	3, 164, 366
12	Chili	604, 525	2, 211, 007	1,606,482
13	Gibraltar	3,563	1, 261, 611	1,258,048
14	Hayti	2,471,436	3,307,307	835, 871
15	British Guiana	921, 354	1,640,657	719, 303
16 17	Sweden and Norway Miquelon, Langley, and Saint	2,610,671	3, 118, 278	507, 607
	Pierre Islands	18,686	414,547	395, 861
18	Argentine Republic	4, 328, 510	4,676,501	347, 991
19	All other countries in Asia not			
20	Azore, Madeira, and Cape Verde	57, 082	372, 821	315,739
	Islands	100,517	415, 738	315, 221
21	French possessions in Africa	142,856	450, 562	307, 706
22	Dutch West Indies	386, 668	666, 842	280, 174
23	French West Indies	1,147,515	1, 418, 973	271, 458
24	Danish West Indies	336, 303	586, 159	249, 856
25	All other countries not else-		- Suprasi	
-	where specified	9,142	165,803	156, 661
26	British Honduras	218, 360	369, 753	151, 393
27	French Guiana	1,803	110,844	109, 041
28 29	Dutch Guiana	265, 339	299,018	- 33,679
30	Tiborio	127, 366	157, 987	30,621
31	British possessions in Africa	71, 085 1, 509, 258	1,514,617	30,618
32	Portuguese possessions in Africa		5, 307	5, 359 5, 307
THE ALL			4,501	0,001
	Total	218, 644, 473	554, 028, 212	335, 383, 739

This table shows that in 1885 we sold \$261,401,423 more to Great Britain than she bought of us. If the question is asked why did we not buy more from Great Britain, the answer is promptly made, we needed no more of her productions, and, therefore, our purchases were limited to about 33 per cent. of our sales. If all the exports from Great Britain to our country had been free of duty it is doubtful if she would have taken more of our commodities than she did. She bought what she needed, and her purchases were limited by the requirements of her

In the course of the debate upon a bill providing for a horizontal re-In the course of the debate upon a bill providing for a horizontal reduction of 20 per cent. upon existing duties, offered in the Forty-eighth Congress, a distinguished gentleman upon this floor presented a table showing the increase of wealth per capita in the six New England States, New York, New Jersey, and Pennsylvania, and compared it with the increase shown in the other States of the Union. From this table it appeared that in 1850 these nine selected States had a total population of 8,626,851. In 1860 the same States had 10,500,000; in 1870 this had increased to 12,200,000; while in 1880 it was 14,500,000. All the States of this Union had 23,000,000 in 1850, 31,000,000 in 1860, 38,000,000 in 1870, and 50,000,000 of population in 1880. The percentage of population of the nine States named in 1850 was 37 per cent. of the

From 1850 to 1860 the percentage went down from 37 to 33 per cent.; from 1860 to 1880 they changed from 33 to 31 per cent., and from 1870

The per capita wealth of these nine States was \$360 in 1850; in 1860 it was \$527, and from 1860 to 1870, under a protective tariff, it jumped from \$527 to \$1,243 per head, and went from 1870 to 1880 to \$1,353 per head. In 1850 the per capita of the other States was \$274; in 1860 it was \$506; in 1870 it was \$562, and in 1880 it had increased to \$673 per head. I print this table with my remarks:

Wealth and population of the United States.

		Population.				Estimated tru	ne valuation.	
	1850.	1860.	1870.	1880.	1850.	1860.	1870.	1880.
The United States	23, 191, 876	31, 443, 321	38,558,371	50, 155, 783	\$7, 135, 780, 228	\$16, 159, 616, 068	\$30,068,518,507	\$43, 642, 000, 000
Maine New Hampshire Vermont Massachusetts Rhode Island Connecticut New York New Jersey Pennsylvania	317, 976 314, 120 994, 514 147, 545 370, 792 3, 097, 394 489, 555	628, 279 326, 073 315, 098 1, 231, 066 174, 620 460, 147 3, 880, 735 672, 035 2, 906, 215	626, 915 318, 300 330, 551 1, 457, 351 217, 353 537, 454 4, 382, 759 906, 096 3, 521, 951	648, 936 346, 981 332, 286 1, 783, 985 276, 531 622, 700 5, 082, 871 1, 131, 116 4, 282, 891	122, 777, 571 103, 652, 835 92, 205, 049 573, 342, 286 80, 508, 794 155, 707, 980 1, 080, 309, 216 200, 000, 000 722, 486, 120	190, 211, 600 156, 310, 860 122, 477, 170 815, 237, 433 135, 337, 588 444, 274, 114 1, 843, 338, 517 467, 918, 324 1, 416, 601, 818	348, 155, 671 252, 624, 112 235, 349, 553 2, 132, 148, 741 236, 965, 646 774, 631, 524 6, 500, 841, 264 940, 976, 064 3, 808, 340, 112	501, 000, 000 \$28, 000, 000 289, 000, 000 2, 795, 000, 000 420, 000, 000 852, 000, 000 7, 619, 000, 000 6, 433, 000, 000 5, 393, 000, 000
Total for nine States Per cent. of population and valuation of the nine selected States Per capita wealth of the nine selected States	37	10,594,268 33 \$527	12, 298, 730 31 \$1, 243	14, 507, 407 28 \$1, 353	3, 130, 989, 851 43, 88	5, 591, 607, 424 34, 60	15, 290, 032, 687 50, 85	19, 630, 000, 000 44. 98
All other States		20, 849, 053 \$506	26, 259, 641 \$562	35, 648, 376 \$673	\$4,004,790,377	\$10,568,008,644	\$14,778,485,820	\$24,012,000,000

From these facts he drew the inference that the increase of wealth in the nine selected States which he termed "unnatural" was the "direct result of the protective tariff system of which they are the beneficiaries!"

Let us examine these figures and see if he drew a proper deduction from them. The State of New York has long been the financial and commercial center of this nation. The imports and exports landed and shipped from the wharves of New York city, Philadelphia, and Boston largely exceeded those at all the other ports of the United States. Was not the profit derived from this source alone an important factor in making up the gross per capita of which the excess is complained of?

making up the gross per capita of which the excess is complained of?

New York city was the railroad center of the continent and held vast investments in railroad and other stocks. The riches of her wealthiest citizens did not come from the manufacturing interests that he complains are fostered by protective tariffs, but from other sources. If he had investigated the subject with care he would have found that few of the great fortunes accumulated by citizens of these cities were made in manufacturing enterprises, but most of them had their origin in speculation and trade. And in this respect America under protection differs from England under free trade. Here the fortunes of the men engaged in manufacturing are moderate, while a large proportion of their employés are the owners of the houses in which they live, and their earnings are sufficient to furnish them with good food, comfortable clothing, and the means of educating their children. In England vast fortunes are accumulated by the manufacturers, while their workmen never accumulate enough from their earnings to buy land. They are poorly fed and clothed, and their children are uneducated, because of the insufficient means of their parents and because they are put to work at an early age in order to help out the scanty wages of their parents. "In your fifteen years' experience," said a gentleman to Inspector Wheatley, "in which your jurisdiction has extended all over the borough of Leeds, embracing, as it does, three hundred and twenty thousand of the most thrifty industrial population in England, did you ever know the ordinary workingman to own the house in which he lived and the ground on which it stands? I mean the skilled artisan, the mechanic, the engineer, the carpenter, the masen, and the like." "If I was on my oath in court, sir," said the inspector, "I should be obliged to answer, in my experience, never."

But it is admitted that a part of the increased wealth per capita is due to the profits of manufacture. In the nine States named most of the manufactured goods consumed in the United States in the last twenty years were made. Vast sums of money have been expended in the construction of buildings and machinery, and still greater sums have been distributed as wages to the toiling thousands who have in these nine States contributed the product of their labor to the people of the United States. Keen competition with each other kept the profits of the manufacturers within reasonable bounds, and few who advocate a reduction of duties will go upon the platform and declare that the wages paid the workingmen were excessive. The products were sold at reasonable rates, and lower in almost every instance than the same goods could have been bought in the low-tariff period prior to

COMPARISON OF PRICES.

[From the New York Dry Goods Chronicle.]

It is interesting in the light of tariff discussions to compare the price of staple goods in 1880 with those current in 1886. Free-traders claim that our protective tariff has increased the cost of goods to consumers, whereas the facts are all the other way. Previous to the civil war tariff duties were very low as compared with the duties since imposed. According, therefore, to free-trade arguments, prices should increase in proportion to the increase of duties. The following table of jobbing prices, in cents, will best explain itself in connection with this matter.

Cotton goods.	1860.	1886.
Bleached cottons: New York Mills 4-4 Wamsutta 4-4 Utica Nonpareil 4-4 Lonsdale 4-4 Hill 4-4 Utica 6-4 Utica 9-4 Utica 10-4 Unbleached cottons (Atlantic A 4-4) Tickings (Amoskeag A C A) Drills (standard brown) Ginghams (Lancaster) Print cloths: 64 by 64 picks. 56 by 64 picks.	12 11‡	100 100 100 100 100 100 100 100 100 100

Middling cotton in 1860 was 10 to 11 cents; in 1886, from 91 to 91 cents.

If a profit is realized in the manufacture of goods for the American market to whom would the gentlemen who advocate a reduction of duties have it go? Would they distribute it between the foreign shipowner, who conveys crude products from America to Europe and brings back manufactured goods, and the man who manufactures them abroad, or would they prefer that the profit should be made and kept at home? If to the foreigner, it goes to build up the prosperity of our commercial rivals, whose interests are inimical to ours; if to the American, it becomes a part of the wealth of the nation. Its owner improves and builds up and beautifies our towns and cities; he contributes to the support of schools and churches and libraries and gives employment to thousands of our citizens who are dependent upon their labor for their support. It is a principle of protection that the laborers of a nation are entitled to their own market, and they should not be undersold by foreign competitors working for pauper wages and contributing nothing to the support of our nation or its institutions.

But if the wealth of these nine States has been augmented by the encouragement given to their industries by protective duties they do not enjoy these benefits exclusively. The same shield which protects them from overthrow is thrown around the same industries in other States; and if an increase of wealth flows from them in the nine States named will it not inevitably follow their establishment in the other twenty-nine States? The answer has been already given. Manufactories of cotton and iron and agricultural implements are springing up all over the South, and the riches that she lost by her suicidal attempt at secession will be restored by the new prosperity that the lately introduced industrial agencies will bring.

Instead of producing only raw cotton to be sent to the other side of the globe to be converted into fabrics to be returned to clothe her own people, may we not look forward to the time when she will reap not only the profit from the cultivation of her cotton but the profit of its manufacture also? The policy that I advocate will develop her industrial forces, will give value to the coal that lies in her unopened mines and the iron ore heretofore lying valueless in her mountains, and we will have not only a new Birmingham but a new Leeds, a new Sheffield, and a new Glasgow, differing from the old in having a well-paid, a well-fed, a well-educated, and a contented and prosperous industrial population. And for this we may not have long to wait

lation. And for this we may not have long to wait.

That a reduction in the rates of duty will not improve business nor the condition of our wage-workers is well shown by the present condition of Great Britain. Business depression prevails there to a greater

Vast numbers of men are out of employment from extent than here. Vast numbers of men are out of employment from this cause, and destitution and pauperism seem to be increasing. Late consular reports show that in 1885 trade, instead of reviving, "has crept along the ground" and in several important departments has become increasingly lifeless as the months went by. The consul at Birmingham, in England, reporting to the State Department the condition of trade at that place for 1825, save. trade at that place for 1885, says:

DEPRESSION OF TRADE AND CAUSES THEREOF,

There is no question that manufacturing interests are in a seriously depressed state, and the volume of trade materially lessened, coupled with smaller profit on most goods made, and my judgment is not wholly based on the very appreciable diminution in volume and amount that passes through this consulate to the United States, but by conversation with and through inquiry of the many prominent manufacturers I have met. No further testimony ueed be adduced as proof of the depression here when I state that there are in this city to-day twenty-five thousand unemployed workmen. And I am convinced that so far as this demoralization of trade and manufacture relates to this immediate district and its industries, it is going to stay and become permanent, subject, perhaps, to spasmodic periods of prosperity arising from wars or foreign complications rendering other countries incapable of entering into active compellition.

There are many reasons why England should have so long maintained a supremacy in many of her manufacturing and industrial interests, and equally good reasons why it can not be maintained, and why so many factories are idle and trades languishing.

And this is the story from almost all the consular districts in that coun-The decline in ship-building is shown by the following table:

Vessels built in the United Kingdom (exclusive of vessels built for foreigners).

Years.	Steam-	ressels.	s. Sailing vesse		
rears,	Number.	Tons.	Number.	Tons.	
1882 1883 1884	610 806 570	521, 575 621, 758 335, 208	362 368 431	145, 700 146, 818 162, 234	

One of our consuls alludes to it as follows:

Ship-building has not been brisk in Aberdeen for months, and many workmen in this and kindred branches have been idle. The shipping trade has also been very unremunerative, and, in consequence, some vessels have been laid up for a year.

This depression embraces almost all industries, and is followed by a reduction of wages as well as diminished prices, the consul for Dundee

Employers and employed have severely felt and are still feeling the effect of this extraordinary state of matters which has so long existed and is still continuing. They are experiencing a condition of commercial inactivity which for months has been gradually getting worse, and unfortunately there is very little sign of improvement. Even with the very cheap raw material that has been obtainable during the year, and the low wages that have been paid to workers, jute-mill owners declare they have been running their works for some time back at a loss, owing to the small prices that their manufactured productions realized. In consequence thereof the operatives have been compelled to sympathize practically with their employers by submitting to reductions of wages, amounting in all to about 10 per cent. Some of the employés in the Dundee mills refused to accept lower pay and struck work, but as the strike was not general these maleontents prudently gave in to their master's proposals. There were also reductions of wages that took place in 1884, so that jute-workers now receive from 15 to 20 per cent. less remuneration than they did two to three years ago.

Men are daily flying from this Utopia of free trade and seeking homes in countries where "robber" tariffs enable them to establish comfortable homes and rear and educate their children. The statistics of emigration from Britain for two years are as follows:

EMIGRATION AND IMMIGRATION.

Number of emigrants of British origin only to countries out of Europe.

Destination.	1883.	1884.
British colonies in North America. United States. Australia and New Zealand. Other places.	44,185 191,573 71,264 13,006	* 31, 134 155, 280 44, 255 11, 510
Total	320, 118 77, 039	242, 179 63, 722
Total emigration	397, 157	303, 901

"The total number of natives of Ireland who left the Irish ports from May 1, 1851, to December 31, 1879, was 2,541,670, comprising 1,356,539 males and 1,185,131 females. Emigration from Ireland has gone on steadily increasing from 37,587 in 1879 to 95,517 in 1880, 89,566 in 1882 and 108,724 in 1883. In 1884 only 75,863 left Irish ports." Remarkable as this depopulation of one of the richest agricultural countries of the world appears, the statistics of pauperism of the United Kingdom are equally surprising and deplorable.

Paupers, exclusive of vagrants, in receipt of relief in the several unions and parishes and boards of guardians for 1884.

Countries.	able- led, hers, sire of mts,		Total.			
Countries	Adult, bod	All of excluvagra	In-door.	Out-door.	Total.	
England and Wales	102, 427	681,728	190,184	593, 971	784, 155 90, 536	
Ireland	7,416	41,493		57,039	106, 717	
Total					981, 408	

England and Wales. Scotland. Ireland	\$76, 763, 455 4, 635, 450 7, 019, 050
Trade 1	00 417 0KK

The declaration of one of the leading statesmen of this country (England) lately made in a public political address, that one in every ten or fifteen is wholly or partially dependent upon charity for the necessaries of life, may be, as it is to be hoped, somewhat exaggerated; yet the fact that 981,408 persons, 1 in 36, are registered as paupers, is sufficiently appalling, and leads to the belief that the statement to which allusion has been made may be approximately

In England—	Inhabited houses,	Uninhabited liouses.		
In 1871 there were	4, 259, 117 4, 831, 519	261, 345 386, 676		

No comment of mine can add a darker hue to this somber picture. It speaks for itself. Although the condition of our wage-workers is not what it should be, nor what it would be if a revision of the tariff were made in the interests of labor, and duties were increased upon many articles which could be produced here, but which are now imported in excessive quantities, still we have no persons who are classified as "adult able-bodied paupers."

Our almshouses contain only the old and infirm and those who are No emigrants leave our shores to avoid pauperism and want, and no States are depopulated where the land is ample to maintain the We have no uninhabited houses; I mistake, there are in one

of the cities of my own State uninhabited houses.

The bright little city of Chester, until lately as busy and prosperous as any place in this country, has many vacant houses now. Formerly they were occupied by intelligent, industrious, and prosperous mechanics, whose daily toil received fair compensation from a skilled ship-builder. But the reckless hand of a Democratic Secretary of the Navy, wantonly and of his own wrong, drove John Roach out of business and his workmen out of employment, and uninhabited houses stand to mark the places where before were happy homes. And the wanton attacks of the free-traders of this House will, if successful, still further increase the number of "uninhabited houses."

But a new factor has suddenly sprung into the arena and has challenged the advocates of cheapness to a trial of strength. The workingmen who have seen their wages reduced and their hours of work increased, while the worship at the altar of the moloch of cheapness has been going on, have organized and are asserting their rights with no uncertain voice.

They appreciate their power and are determined to exercise it in a

way that will prevent the cheapening of men and women.

They have observed that cheap pig-iron and cheap coal can only be secured by reducing their wages, and they have determined that these things come at too high a price if to obtain them the men who produce them must be degraded. And they intend to see to it themselves that they shall be treated as men, and that their employers shall not be exposed to an unfair competition with those who are at liberty to treat their laborers as slaves or machines. The demand for a fair day's wages for an honest day's work has gone up, and woe be to the men who re-

Pauper labor and cheap capital may keep down the prices of manufactured goods abroad, but our people will not submit to be pauperized at the nod and beck of a set of theorists, who see merit only in cheapness, who toot the praises of foreigners and care more apparently for the thing made than for the man who made it. The men who assail our industries say let us remove the duties and secure cheap coal and cheap iron ore and cheap rice and oats and hay and salt and corn and potatoes, and then we can make cheaper iron and obtain cheaper

food and supplies.

But in this cheapening process they lose sight of the thousands who will be thrown out of employment by the competition of foreign rivals, of the diminished demand for home productions, of the idleness and misery and wantinto which so many of our own people will be plunged. The Moloch of cheapness can only be satisfied in this way, but they are willing to make the sacrifice. They fall into the error of believing that they can destroy the interests of a part of our people and thereby benefit the rest. This is a grave mistake. "The interest of every part and of every class of persons, whether in one part of the country or another, whether industrious or not industrious, so sympathizes and is so bound up and intertwined with that of the whole country that none can be injured without the blow affecting the whole country."

APPENDIX.

[Extracts from the messages of the Presidents of the United States, and other official documents, showing the principles upon which the revenue tariff of 1846 was based, the condition of the country at the time of its adoption, and the bankruptcy, both individual and national, which resulted from it.]

[Polk's first annual message, December 2, 1845.]

The attention of Congress is invited to the importance of making suitable modifications and reductions of the rates of duty imposed by our present tariff laws. The object of imposing duties on imports should be to raise revenue to pay the necessary expenses of Government. Congress may undoubtedly, in the exercise of a sound discretion, discriminate in arranging the rates of duty on different articles; but the discriminations should be within the revenue standard, and be made with the view to raise money for the support of the Government.

standard, and be made with the view to raise money for the support of the Government.

It becomes important to understand distinctly what is meant by a revenue standard, the maximum of which should not be exceeded in the rates of duty imposed. It is conceded, and experience proves, that duties may be laid so high as to diminish or prohibit altogether the importation of any given article, and thereby lessen or destroy the revenue which, at the lower rates, would be derived from its importation. Such duties exceed the revenue rates, and are not imposed to raise money for the support of the Government.

If Congress levy a duty for revenue of I per cent, on a given article it will produce a given amount of money to the Treasury, and will incidentally and necessarily afford protection or advantage to the amount of I per cent, to the home manufacturer of a similar or like article over the importer. If the duty be raised to 10 per cent, it will produce a greater amount of money and afford greater protection. If it be still raised to 20, 25, or 30 per cent, and if as it is raised the revenue derived from it is increased, the protection or advantage will also be increased; but if it be raised to 31 per cent, and it is found that the revenue produced at that rate is less than at 30 per cent, and it is ascertained from experience that the revenue is greatest is the maximum rate of duty which can be laid for the bona fide purpose of collecting money for the support of the Government. To raise the duties higher than that point and thereby diminish the amount collected is to levy them for protection merely and not for revenue.

[Extract from Polk's third annual message, December 7, 1847.]

[Extract from Polk's third annual message, December 7, 1847.]

[Extract from Polk's third annual message, December 7, 1847.]

During the past year the most gratifying proofs are presented that our country has been blessed with widespread and universal prosperity. There has been no period since the Government was founded when all the industrial pursuits of our people have been more successful or when labor in all branches of business has received a fairer or better reward.

The act of the 30th of July, 1846, "reducing the duties on imports," has been in force since the 1st of December last (1846), and I am gratified to state that all the beneficial effects which were anticipated from its operation have been fully realized. The public revenue derived from customs during the year ending on the 1st day of December, 1847, exceeds by more than \$\$,000,000 the amount received in the preceding year under the operation of the act of 1842, which was superseded and repealed by it.

'For the purpose of increasing the revenue, Mr. Polk recommends the imposition of duties upon tea and coffee.

[Polk's fourth annual message, December 5, 1848.]

Severe commercial revulsions abroad have always heretofore operated to de-ress, and often to affect disastrously, almost every branch of American in-

press, and often to affect disastrously, almost every branen of American in-dustry.

The temporary depression of a portion of our manufacturing interests is the effect of foreign causes, and is far less severe than has prevailed on all former

similar occasions.

[Fillmore's first annual message, December 2,1850.]

I strongly recommend a modification of the present tariff, which has prostrated some of our most important and necessary manufactures, and that specific duties be imposed sufficient to raise the requisite revenue, and making such discrimination in favor of the industrial pursuits of our own country as to encourage home production, without excluding foreign competition.

It is also important that an unfortunate provision in the present tariff which imposes a much higher duty upon the raw material that enters into our manufactures than upon the manufactured article should be remedied.

A duty laid upon an article which can not be produced in this country, such as tea and coffee, adds to the cost of the article, and is chiefly or wholly paid by the consumer.

the consumer.

But a duty laid upon an article which may be produced here stimulates the skill and industry of our own country to produce the same article, which is brought into the market in competition with the foreign article, and the importer is thus compelled to reduce his price to that at which the domestic article can be sold, thereby throwing a part of the duty upon the producer of the foreign article. The continuance of this process creates the skill and invites the capital which finally enables us to produce the article much cheaper than it could have been introduced from abroad, thereby benefiting both the producer and the consumer at home. The consequence of this is, the artisan and the agriculturist are brought together, each affords a ready market for the produce of the other, and the whole country becomes prosperous; and the ability to produce every necessary of life renders us independent in war as well as in peace.

[Fillmore's second annual message, December 2, 1851.]

[Fillmore's second annual message, December 2, 1851.]

[Fillmore's second annual message, December 2, 1851.]

The values of our domestic exports for the last fiscal year exhibit an increase of \$43,646,322. At first view, this condition of our trade with foreign nations would seem to present the most flattering hopes of its future prosperity.

An examination of the details of our exports, however, will show that the increased value of our exports for the last fiscal year is to be found in the high price of cotton which prevailed during the first half of that year, which has since declined about one-half.

The value of our exports of breadstuffs and provisions, which it was supposed the incentive of a low tariff and large importations from abroad would have greatly augmented, has fallen from \$68,701,921 in 1847, to \$26,051,373 in 1850, and to \$21,848,653 in 1851, with a strong probability, amounting almost to a certainty, of a still further reduction in the current year.

The aggregate values of rice exported during the last fiscal year, as compared with the previous year, also exhibit a decrease amounting to \$460,917, which, with a decline in the values of the exports of tobacco for the same period, make an aggregate decrease in these two articles of \$1,156,751.

The policy which dictated a low rate of duties on foreign merchandise, it was thought by those who promoted and established it, would tend to benefit the farming population of this country by increasing the demand and raising the price of agricultural products in foreign markets.

The foregoing facts, however, seem to show incontestably that no such result has followed the adoption of this policy.

On the contrary, notwithstanding the repeal of the restrictive corn laws in England, the foreign demand for the products of the American farmer has steadily declined, since the short crops and consequent famine in a portion of Europe have been happily replaced by full crops and comparative abundance of food.

The exports of specie to liquidate our foreign debt during the past fiscal year.

of food.

The exports of specie to liquidate our foreign debt during the past fiscal year have been \$24,263,979 over the amount of specie imported.

The export of specie during the first quarter of the present fiscal year have been \$14,651,827. Should specie continue to be exported at this rate for the remaining three-quarters of this year, it will drain from our metallic currency during the year ending 30th June, 1852, the enormous amount of \$58,607,308.

[Fillmore's third annual message, December 6,1852.]

[Fillmore's third annual message, December 6, 1852.]

Without repeating the arguments contained in my former message in favor of discriminating protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is, the effect of large importations of foreign goods upon our currency. Most of the gold of California, as fast as it is coined, finds its way directly to Europe in payment of goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost, thousands of honest and industrious citizens are thrown out of employment, and the farmer, to that extent, is deprived of a home market for the sale of his surplus produce. In the third place, the destruction of our manufactures leaves the foreigner without competition in our market, and he consequently raises the price of the article sent here for sale, as is now seen in the increased cost of iron imported from Bingland. The prosperity and wealth of every nation must depend upon its productive industry.

The farmer is stimulated to exertion by finding a ready market for his surplus products, and benefited by being able to exchange them, without loss of time or expense of transportation, for the manufactures which his comfort or convenience requires.

or expense of transportation, for the manufactures which his community venience requires.

This is always done to the best advantage where a portion of the community in which he lives is engaged in other pursuits.

But most manufactures require an amount of capital and a practical skill which can not be commanded unless they be protected for a time from ruinous competition from abroad. Hence the necessity of laying those duties upon imported goods which the Constitution authorizes for revenue in such a manner as to protect and encourage the labor of our own citizens. This policy would place the mechanic by the side of the farmer, create a mutual interchange of their respective commodities, and thus stimulate the industry of the whole country, and render us independent of foreign nations for the supplies required by the habits or necessities of the people.

[Pierce's third annual message, December 31, 1855.]

or necessities of the people.

[Pierce's third annual message, December 31, 1855.]

The principle that all moneys not required for the current expenses of the Government should remain for active employment in the hands of the people, and the conspicuous fact that the annual revenue from all sources exceeds by many millions of dollars the amount needed for a prudent and economical administration of public affairs, can not fail to suggest the propriety of an early revision and reduction of the tariff of duties on imports. It is now generally conceded that the purpose of revenue alone can justify the imposition of duties on imports; that in readjusting the impost tables and schedules, which unquestionably require essential modification, a departure from the principles of the present tariff is not anticipated.

[Bucknew's first annual message December 8, 1877.]

[Buchanan's first annual message, December 8, 1837.]

[Buchanan's first annual message, December 8, 1837.]

The earth has yielded her fruits abundantly, and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and, up till within a brief period, our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in rich abundance, and yet, not withstanding all these advantages, our country, in its monetary interests, is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions of agriculture and in all the elements of national wealth we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want.

The revenue of the Government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, while the appropriations made by Congress at its last session for the current fiscal year are very large in amount. Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove it to be a slight misfortune when compared with the suffering and distress prevailing among our people. With this the Government can not fail to deeply sympathize, though it may be without the power to afford relief.

[Buchanan's second annual message, December 6, 1858.]

[Buchanan's second annual message, December 6, 1858.]

[Buchanan's second annual message, December 6, 1858.]

When Congress met in December last the business of the country had just been crushed by one of those periodical revulsions which are the inevitable consequence of our unsound and extravagant system of bank credits and inflated currency. With all the elements of national wealth in abundance, our manufactures were suspended, our useful public and private enterprises were arrested, and thousands of laborers were thrown out of employment and reduced to want. Universal distress prevailed among the commercial, manufacturing, and mechanical classes. Our manufacturers everywhere suffered severely, not because of the recent reduction of the tariff of duties on imports, but because there was no demand at any price for their productions. The people were obliged to restrict themselves in their purchases to articles of prime necessity.

In the general prostration of business the iron manufacturers in different States probably suffered more than any other class, and much destitution was the inevitable consequence among the great number of workmen who had been employed in this useful branch of industry. There could be no supply where there was no demand. The same consequences have resulted from similar causes to many other branches of useful manufactures. It is self-evident that where there is no ability to purchase manufactured articles, these can not be sold, and consequently must cease to be produced.

[Buchanan's third annual message, December 19, 1859.]

It will appear from the report of the Secretary of the Treasury that it is ex-

[Buchanan's third annual message, December 19, 1859.]

It will appear from the report of the Secretary of the Treasury that it is extremely doubtful, to say the least, whether we shall be able to pass through the present and the next fiscal year without providing additional revenue. This can only be accomplished by strictly confining the appropriations within the estimates of the different Departments, without making an allowance for any additional expenditures which Congress may think proper in their discretion to authorize, and without providing for the redemption of any portion of the \$20,000,000 of Treasury notes which have been already issued.

Should such a deficiency occur, as I apprehend, I would recommend that the necessary revenue be raised by an increase of our present duties on imports.

The credit of the Government had been undermined by the preceding administration. The revenues had withered away without concern,

the public indebtedness had been increased, and money could be borrowed only at very high rates. When Congress met in December "the Treasury was empty, bankrupt. There was no money to pay the pub-There was no money to pay the public creditors, who were then pressing for payment. There was not money to even pay members of Congress." The Secretary of the Treasury had authority to issue ten millions of Treasury notes at par to creditors or others at the rates of interest offered by the lowest bidder after public advertisement of not less than ten days. On the 18th of December he invited proposals for \$5,000,000 of these notes. Offers at 12 per cent. or less were made for \$1,831,000. The remaining offers were for \$465,000 at rates ranging from 15 to 36 per cent. He did succeed in raising the small sum of \$5,000,000 at 12 per cent. interest. (See letter on condition of the Treasury January 18, 1861, Mis. Doc. No. 20, Thirty-sixth Congress, second session.)

[Buchanan's fourth annual message, December 9, 1860.]

It is now quite evident that the financial necessities of the Government will require a modification of the tariff during your present session for the purpose of increasing the revenue. In this aspect, I desire to reiterate the recommendation contained in my last two annual messages in favor of imposing specific instead of advalorem duties on all imported articles to which these can properly be applied. From long observation and experience, I am convinced that specific duties are necessary, both to protect the revenue and to secure to our manufacturing interests that amount of incidental encouragement which unavoidably results from ε revenue tariff.

[Extract from the letter of John A. Dix, Secretary of the Treasury, to Hon. John Sherman, chairman of the Committee on Ways and Means, January 18, 1861.]

Sherman, chairman of the Committee on Ways and Means, January 18, 1861.] In answer to your inquiry as to the facts connected with the negociation of the recent sale of Treasury notes, and how the proceeds were applied. I have the honor to state, that under the notice issued on the 18th ultimo inviting proposals for the exchange of \$5,000,000 for Treasury notes, offers at 12 per cent. or less were made only to the amount of \$1,831,000. Offers to exchange \$465,000 for notes bearing interest at rates ranging from 15 per cent. to 35 per cent. were also received. The offers at 12 per cent. were accepted; those above that rate were declined.

Inwediately after the decision of the Department on those offers had been

rate were declined.

Immediately after the decision of the Department on those offers had been made, the assistant treasurer at New York advised the Department that certain parties would take the balance through the Bank of Commerce at 12 per cent. This proposition was accepted on condition that the amount required to make up the \$5,000,000 be deposited without delay.

The whole amount has been applied to the payment of overdue Treasury notes and other pressing demands on the Treasury.

(See Miscellaneous Document No. 20, Thirty-sixth Congress, second session.)

Repeal of Timber-Culture, Pre-emption, and Desert-Land Laws.

SPEECH

HON. PRESTON B. PLUMB.

OF KANSAS,

IN THE SENATE OF THE UNITED STATES.

Wednesday, June 16, 1886.

The Senate, as in Committee of the Whole, having under consideration the bill (H. R. 7887) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber-culture, the laws authorizing the sale of desert lands, and for other purposes—

Mr. PLUMB said:

Mr. PRESIDENT: There is some force in what my colleague has said about the relative merit of the settlement laws as they now stand upon the statute-book: but the Committee on Public Lands in adopting the amendment now before the Senate took into consideration the fact that there are considerable areas of land lying in the Rocky Mountains or in the adjacent region which can only be made agriculturally productive by the artificial introduction of water upon them, and that it was necessary for those areas to be put under cultivation in order that the adjacent population engaged in mining might thereby be supplied with It would be well enough of course in a way to say that we would not permit any more land to be entered under the desert-land law because frauds have been committed under that law as heretofore administered; but to say that none of the land lying in these secluded regions shall be so entered as to secure its reclamation and cultivation would be to compel the population engaged in other pursuits than agriculture to go a long distance to obtain their food supplies.

This is very material to them, and inasmuch as this land can not be entered under the homestead law, that is to say, in the absence of water artificially put upon it it can not be made the subject of entry under the homestead law, it was deemed wise to so amend the law as that it might be entered under conditions of reclamation, so that the productive area of the country might be increased and the local needs I have

spoken of might be answered.

There would be no wisdom, I think, in saying that a tract of land upon which moisture never would be naturally precipitated to an extent to make cultivation possible should be left entirely untouched, never to be entered, continuing in a state of nature, when by a proper provision of law the land might be made cultivable by the introduction of water thereupon by means of a canal or ditch.

It is true that it is not necessarily nor in any obvious way the purpose of the land laws to stimulate production or to increase the productive area of the country simply for the purpose of adding to its aggregate production, but it is the wise and proper purpose of the law to so dispose of the public lands as that homes may and necessarily will be made upon them, and chiefly by those persons who, lacking in means for the purchase of land at even a moderate price, would otherwise be unable to procure sufficient land for the purpose to which I have referred and with which lands this amendment deals. Lands which require to be irrigated before they can be cultivated can not be homesteaded in the ordinary way. The average homesteader is too poor to dig the necessary ditch. It must be the result of associated effort, and the provision as now reported authorizes the individual settlers to combine for this purpose.

I do not agree with my colleague that frauds in the entry of public land under the desert-land act have been so great as he has stated them to be. No doubt there have been some, but the committee have re-

ported such amendments as will wholly prevent them in the future.

Mr. INGALLS. I spoke only relatively.

Mr. PLUMB. There has been exaggeration with reference to the whole question of frauds in the entry of public lands. So much has been said and widely circulated to the effect that a large majority of public-land entries were fraudulent, that the public mind has become aroused and a feeling engendered which is very unjust to the frontier communities and to the individual entryman. There is danger that this feeling may contribute to the passage of unwise and injurious legislation

The pre-emption law was passed on the 12th day of September, 1841. Under the operation of that law the States of Indiana, Illinois, Iowa, Wisconsin, Michigan, Minnesota, Kansas, Nebraska, California, and Oregon have been mainly settled. Dakota, Washington, and the other Territories have had the benefit of it. It has applied also to the States of Missouri, Arkansas, Louisiana, Mississippi, and Florida, and large areas have been and are still being entered under it in those States. Thatitsadministration has been accompanied by some frauds, even from its inception, I have no doubt. This fraud has not, however, been of a kind which involved serious moral turptitude and conscious wrongdoing, but only an evasion of the strict terms of the law, or rather I might say of the rules and regulations established by the Land Office for its execution; yet that the law has fairly accomplished its purpose the comparatively dense populations of these States will show. They contain more than one-half the population of the United States and contribute an equal proportion to the sum total of its agricultural production. A large proportion of this result may be fairly credited to the pre-emption law

Certainly these results do not warrant the charge of gross fraud in

the administration of the act of September, 1841.

I know something about the operation of the pre-emption law in the State of Kansas. That has gone on largely under my observation during the last thirty years. It is not a fact of importance to any one except myself, but still one which I at least may be permitted to here recall, that it will be thirty years to-morrow since I first set foot on Kansas soil. I was myself one of the beneficiaries of the act of September, 1841. Among my first ventures was the publication of a newspaper in a small town-no, not a town except in expectancy.

Like everybody else there I wanted a tract of land. of the principal attractions, and so I located upon a quarter-section under the pre-emption law, built a shanty upon it, broke some acres of ground, planted some trees, cultivated a little corn, and so on, and made that, according to the manner in which men then operated, my home, and thereby in due time, as the result of such settlement and the payment of \$200 in money, borrowed at 3 per cent. per month interest, obtained 160 acres of the public domain. Under the latter-day theory in regard to this law, under the general characterization which has been sent abroad all over the country by official sanction and utter-ance and in that sensational way which is characteristic of that which finds its way from official circles to the public prints concerning the land entries, I have no doubt that I committed a fraud upon the law; and still, in the sense in which it was then viewed and of the universal practice prevailing, I made my home upon that land, not a very good one, but as good a home as a person as poor as I was could make there or elsewhere. It was all the home I had, though I was printing a newspaper in a hamlet, now grown to be a city, a mile away.

When I had complied with the law as then understood by land offi-

cers and people, I entered the land and did not thereafter reside upon it, and in time the shanty I erected burned down. According to the practice and according to the law, residence after entry was not necessary, and I was not the only entryman whose needs were such that he was compelled to borrow money with which to enter his land and then work at his trade or other calling to earn money with which to pay the debt. Fortunately I was able to pay the debt I incurred and save my land until more than twenty years later I sold it to one more able to hold than I, and who paid me a fair price for it, but not enough to recompense for original cost, improvement, interest, and taxes. erally speaking there was no speculation in lands procured at that early

day, at least in that locality.

Under the administration of the pre-emption law not only were the

lands in Kansas settled upon under it in a large majority of cases in the utmost good faith for the purpose of home-making, but all except a handful are occupied now—nearly all highly improved as well, but not by those who originally entered them nor the descendants of them. There are 1,500,000 people in Kansas to-day, and it is safe to say that they are the result of the settlement in the State of at least three times that number; such has been the coming and the going, always the accompaniment of the growth in population of a new country. first settlers of Kansas, as of all new countries, were poor in ninety cases out of every hundred. The condition of those who take up the public lands is one of poverty. No man can live off the product of his claim the first year; nor the second, unless he be equipped fully with teams, means to build a house, fences, &c. The bulk of the settlers, then, are obliged to seek work from those more fortunate, often at a distance in the town, on the railroads, &c.

Life is a hard struggle the first few years to the poor settler, and even often to those fortunate enough to have some means. Pioneering is hard enough under the most favorable circumstances. There is always hard enough under the most favorable circumstances. There is always disappointment. The burden falls first and hardest upon the wife. Sickness often comes; medicine and doctors are distant, often impossible to get. There is lack of every convenience and comfort, and often of necessaries as well. Change of climate, food, water, are material conditions: lack of society absence of letters report these make heart conditions; lack of society, absence of letters, papers, these make heart and body sick. Those who are called upon to experience those vicissitudes are new to the experience. Is it any wonder that often after a few months' struggle, perhaps after death has come to some member of the family, the discouragement becomes final, and it is determined to go back East to family and friends? Then the land is entered, the witnesses often being those who are similarly afflicted, and all go back The land is almost always and of necessity mortgaged to get money for the trip, or often sold to some one just come from the East, perhaps a little more financially fortunate than the entryman, or at least who had not yet become discouraged. Often the entryman left, intending to return, but, again disappointed, did not, and the land remained vacant for years. It would take far more time than the Senate has to spare to enumerate the main facts, even, which have made up the inevitable conditions attending the settlement of what we call our frontier—the acquisition of homes on the public domain.

Those who have not seen the operations of the settlement laws of the

West, who have not seen the comings and goings that go to make up the settlement of the great spaces over which our population have dispersed themselves, and on which finally millions of people have made permanent homes, are ill-qualified to sit in judgment on the good faith

which has accompanied that settlement at every stage.

Residence is a compound of fact and intent. The man who has his feet upon a piece of land with the intent to stay there, although he may change it ten minutes later, at the time when the fact and the intent combined was a bona fide legal resident there.

I do not know of any rule of law or of ethics ever applied which re-I do not know of any rule of law of of ethics ever applied which requires any man to have that intent longer than necessary to perfect his entry. It may be that he has simulated, that he has falsified in matters of detail concerning his settlement. In some cases I have no doubt it has been so; and still, after all, there has been one universal desire and intent, the controlling motive in the minds of nine-tenths of those who have settled on the public lands, and that is to get a tract of land on which to make a home; and the result which the law intended has come, and come permanently, as the farms of the West show, as is evidenced by 600,000 population of Dakota, the million in Nebraska, the million and a half in Kansas, and so on. Does any one believe that all this occupation is bottomed on fraud—that the school-houses, the churches, that all the belongings of a high civilization are the fruit and outcome of wholesale theft of the public domain?

The act of the 12th of September, 1841, has not been a disadvantage to the West, and the authors and finishers of that instrument of legis lation need not be ashamed either of the intent in which it was conceived or of the manner in which it has been executed nor of the great results it has achieved. It has become the fashion nowadays to cry corruption about everything-to impute bad motives wherever possi-

ble—to always find a bad motive for an act rather than a good one, and upon one bad action predicate the general charge of corruption.

So it has been imputed to all the men—and I say all of them, because the difference between 95 and 100 per cent. is not worth mention that all the men who have made entries of the public domain in the West have been moved by a corrupt motive and the defrauding the Government of the United States out of its public domain, and that motive has been carried out to the extent of from 90 to 95 per cent. of all the entries made.

can not speak from personal observation for Dakota, nor Nebraska, nor Wyoming, nor Montana, but I can say that so far as this charac terization has been applied to the State of Kansas it has been in substance and in essence false. I know that men have entered upon land about which they have changed their minds. I know that men who have come out on the frontier with the intention of staying have changed their purpose and gone back East; but it has simply been the ebb and the flow of that immense tide of humanity which has constantly crowded the frontier westward, and crowded it to stay, which to-day was at low

tide and to-morrow was at high, and which has had only the varia-tions in proportion and in line of demarcation which have attended the movements of population everywhere west of the Alleghanies. The first settlers were like the pickets of an army, often thrown back upon the main line, and the main line itself was sometimes thrown back, but finally it moved forward again; it never lost ground permanently, as the constantly receding frontier shows

I was out on that frontier in my own State last fall to see the people who were building homes in what the maps and the chronicles term the arid region of the United States. How vividly I recalled my own first experience thirty years before, 200 miles east, in a section of country now highly favored. When the first settlers went into the vicinity of now highly favored. When the first settlers went into the vicinity of where I now live—and I was among the first—persons about Lawrence said, "You are going too far west; it never rains out there; crops can not be raised there." I was of a more hopeful temperament then than I am now. Ido not know that I formulated the idea which I shall now express, that the earth was made for man, and that man could and would bring it all under his all-conquering dominion; but some how or other I made light of unfavorable climatic conditions and said I would chance it, as did all who went there then and later. We had the feeling which has carried thousands and hundreds of thousands of men too far out on the frontier; the feeling which my colleague has elsewhere in that felicitous speech for which he is noted called the "hunger for horizon"—the feeling which carries the New England man fresh from the green hills of his birth-place out on to the plains far beyond settlement, as a boat is carried by favoring breezes out on to the bosom of the ocean-and the man of the hills is most captivated by the prairies, and is as unmindful of the treacherous storms which will come upon him as he who sails the Atlantic when all is fair. It is this impulse which has carried men beyond the conditions that were favorable; but who shall challenge their right or denounce or deride them for the failure which overtook them?

If in my effort to make a home upon the northeast quarter, section 9, township 19, range 11 east, in Kansas, I had made a failure of it, if I had been fortunate enough then to have been married and in my despair had thought of my wife's folks in the East, and thought perhaps they would like to see me, I might have changed my determination as to making a home on that piece of land and left it, but it would not have made my original conception, nor my original settlement, nor my entry under that settlement, fraudulent.

No man who has not confronted the climatic conditions of that frontier knows anything about them. It was said of the year 1860 in Kansas that in that year there were thirteen months of dry weather. fall of that year more than one-half of its population left the Territory on account of the great drought-driven out because of inability to raise upon their farms the means of support. Thousands returned, but other thousands did not. Should they have been deprived of their land as a punishment? Any one going from the old settled and cultivated East, from its orchards, from its green slopes, from its pleasant waters, from all the concomitants and surroundings of a highly cultivated country, knows little—in many cases absolutely nothing—of what he has got to meet on that frontier where his contention is with nature and without help from his fellow-man. The climate changes in time. The line of the cultivable area, the line within which agriculture is possible, moves westward year by year, and yet so subtly, so changeably, so coquettishly, that it is only after the lapse of a quarter of a century oftentimes that it can be absolutely demonstrated that the line has moved and that the point to which it has moved can be actually pointed out and fixed and determined.

It is the pioneer settler who has caused the climatic change. His domestic fires sending their blue wreaths to the sky, the evaporation of the moisture held in his patch of "breaking," instead of being carried off on the natural surface as before his plow disturbed the sod, the trees planted about his door, have conquered nature. to enjoy the fruits of it; he may have succumbed in the struggle, but the generations who come after him will enjoy the fruit of his courage and his toil, and should "rise up and call him blessed." But now it is proposed instead to pillory him as a thief and a scoundrel! For myself I propose to put the pioneer in a wholly different category. He

has been a public benefactor. His career has illustrated the virtues of enterprise and of courage and constancy.

The country owes him a debt, which it can never pay, scarce less than it owes to those who defended the Republic under arms; and the now abused pioneer performed his share of this service as well. He wrested an empire from the dominion of the desert; he has driven back the savage and brought him under subjection to the forces of civilization; he has added a cordon of new States, extending from the Alleghanies to the Pacific, to the galaxy of the imperial Republic without which it would still be the "shelving strip" which contended with the mother country in the days of the Revolution. It is too late now, when the country is in the enjoyment of the prosperity which his energy, his enterprise, and his courage has wrought, to characterize him as a thief and a robber for the purpose of party advantage. He is beyond the reach of petty assaults. His name and his achievements are part of our common history and are written on the pedestals of the nation's patriotism and those of its material growth and productions.

I am in favor of the repeal of the pre-emption law, and I have been

in favor of its repeal for many years, simply because I thought I could see more plainly perhaps than others who have not been upon the frontier how rapidly the public lands of the United States were being exhausted, and I did not want to live, as I do not now, to see the time when the changed condition of things will come to the people of the United States which will inevitably result from the fact that there are no more public lands subject to settlement. So I was in favor of limiting the quantity which an individual might acquire to 160 acres, and I am in favor of it to-day, not because I believe that 98 per cent., or 90 per cent., or 50 per cent., or 10 per cent. even of the entries under the pre-emption law have been actually fraudulent, but because I believe we ought, in view of the fast disappearance of the public domain, to attach new conditions to its disposal.

Growing out of this disappearance of the public domain and from the growth of the cattle industry there has latterly come to be a class of entries heretofore unknown. Persons desiring to get possession of the water of a certain section where grazing was good have employed herders and others to make the necessary entries under the pre-emption law with a view of having the lands transferred as soon as entered to the cattle company. While this class of entries have been infinitesimal in comparison with those honestly made, still they are not only made in gross violation of the law, but they establish a vicious principle and

are especially to be reprobated.

The fact that such entries can be made is perhaps reason enough of itself why the pre-emption law should be repealed; and all entries so made should not only be canceled but the persons implicated in making

them punished.

Now I come to another point. A great deal has been said not only about fraudulent entries but about the efforts and instrumentalities of the General Land Office to prevent them and to correct them. No doubt there has been in many respects a lax administration of the public-land laws. I remember once hearing an eloquent attorney before the Committee on Public Lands speaking of the law of Mexico in regard to its public lands. He said that every Mexican regarded himself as having title practically to an aliquot proportion of the public domain of Mexico. By reason of the great extent of our public domain here-tofore and the liberal character of our laws on the subject of its acquisition men have come to regard themselves as entitled to a quarter-section of public land. They do not always, perhaps, refine upon the requirements of the law as they ought to do, but in nearly all cases, as I before said, back of the entry there is the purpose to make a home, a purpose which is finally realized either in the person of the one who makes the entry or of some one who, the entryman failing in his purpose, purchases from him.

The purpose of the law being thus certainly realized, accidental or incidental violations of its strict terms are of comparative unimportance. The administration of the law for all practical purposes became part of the law. Local officers of the Land Department, regarding substance and general outcome as of superior consequence, and taking account of the necessities of the settler, which required the earliest possible proof so that he might make other and necessary shift for the care and support of his family, or that he might make the land the basis of credit in order to obtain means for the purchase of stock and the improvement of his land, accepted proofs without instituting an inquisition which would operate merely to delay but which could not wholly defeat entries. there came a change of administration, not only as to the personnel of those who administer the laws, but a change which is hostile for partisan and other reasons to all which has preceded its incoming, and now new, more stringent, and in some cases impracticable rules are to be ap-plied to future entries, which is of little or no consequence, but they are to be applied retroactively and be used to cast discredit upon and

to set aside entries heretofore made.

to set aside entries heretofore made.

For this purpose special agents are employed, detectives, who, like all detectives, know that the justification of their employment is to be found in their discovery of frauds—a premium upon their diligence in defamation—and, like other men of their class, liable to be "persuaded" as to their duty by improper means. And so out of the "spy" system now in full vogue, inspired by malevolence, the force is "organized to convict." But not organized to convict the wealthy cattleman who may have thousands of acres acquired fraudulently, but the pullucky may have thousands of acres acquired fraudulently, but the unlucky squatter whose total possessions are in 160 acres, and who has no persuasive power.

This is what is going on now under the special-agent system, by which men, good and bad, under no responsibility, sit in ex parte judgment upon the property rights of their fellow-men. It is both un-American and outrageous, no matter how apparently right the action may be, for no real investigation can be had, as the special agents have no authority to summon witnesses, and the consequence is injustice to individuals having the Government muniment of title. Justice to the Government does not require the doing of injustice to individuals.

To take from one man a tract of land for which he has paid the Government price in order to give it to another with whom the Government is not in privity should never be done except after a full hearing before a tribunal having full power to summon witnesses. thousands and tens of thousands of entries have been suspended upon mere suspicion and have been turned over to the Department spies

for pretended investigation. Entries made many years ago, and which have been transferred many times to the hands of innocent purchasers, are suspended, whereby loss and injustice is done to innocent people.

Many entries, I think perhaps thousands of them, have already been set aside upon ex parte hearings, upon the reports of these special agents who had no authority under the law to summon witnesses or to administer an oath, and who could only hear unsworn and interested testimony.

I will read to the Senate the section of the Revised Statutes under which every pre-emption entry since the 12th day of September, 1841, has been made:

SEC. 2262. Before any person claiming the benefit of this chapter is allowed to enter lands, he shall make eath before the receiver or register of the land district in which the land is situated that he has never had the benefit of any right of pre-emption under section 2259; that he is not the owner of 320 acres of land in any State or Territory; that he has not settled upon and improved such land to sell the same on speculation, but in good faith to appropriate it to his own exclusive use; and that he has not, directly or indirectly, made any agreement or contract, in any way or manner, with any person whatsoever, by which the title which he might acquire from the Government of the United States should inure in whole or in part to the benefit of any person except himself.

The succeeding portion of this section pames the penalties which

The succeeding portion of this section names the penalties which shall follow false swearing, in addition to the ordinary penalties provided by the statute as a punishment for perjury; and what are they? And if any person taking such oath swears falsely in the premises, he shall forfeit the money which he may have paid for such land, and all right and title to the same.

That is penalty No. 1; and penalty No. 2 is as follows:

And any grant or conveyance which he may have made except in the hands of bona fide purchasers, for a valuable consideration, shall be null and void, except as provided in section 2288.

And section 2288 simply gives the privilege to the pre-emptor to convey his land for cemetery purposes, and so on. The penalty of the statute is that he shall forfeit the money which he has paid, and that, except in the hands of a bona fide purchaser for a valuable consideration, the title of the man shall be forfeited.

Judge Deady, of the district court of the United States for the district of Oregon, has recently decided, in a case which I had hoped to quote but which I could not find, it not being in the Library, that when once a certificate has been issued by the proper land officer it is not in the power of the executive department of the Government to recall it or in any wise to impair its value as a conveyance of the title of the Government; that it can only be set aside in a proceeding instituted in the name of the United States in the proper district or circuit court for the purpose. And in the case of Myers vs. Croft (13 Wallace, page 291) Judge Davis, recently the presiding officer of this body, and whose knowledge of the subject on which this decision was rendered and generally in fact of all questions relating to the public lands will not be questioned, adding to that respect to which he was entitled as a judge and as a man of great ability and conscientiousness a thorough knowledge of the public-land system of the United States, says, in narrating what the law is for the purpose of bringing himself up to the decision of the particular case in point, in commenting on this section of the Revised Statutes, which I have read, as follows:

vised Statutes, which I have read, as follows:

This was felt to be a serious evil, and Congress, in the law under consideration, undertook to remedy it by requiring of the applicant for a pre-emption, before he was allowed to enter the land on which he had settled, to swear that he had not contracted it away, nor settled upon it to sell it on speculation, but in good faith to appropriate it to his own use. In case of false swearing the pre-emptor was subject to a prosecution for perjury, and forfeited the money he had paid for the land; and any grant or conveyance made by him before the entry was declared null and void, with an exception in favor of bona fide purchasers for a valuable consideration. It is contended by the plaintiff in error that Congress went further in this direction, and imposed also a restriction upon the power of alienation after the entry, and the last clause in the twelfth section of the act is cited to support the position.

I allude to this simply for the purpose of what I am about to say, to

I allude to this simply for the purpose of what I am about to say, to the effect that in this recent raid upon those who have entered public lands there have been acts committed which will result not in benefit to the United States, but in disadvantage and in injustice and wrong not only to men who have entered the public lands, but especially to the men who have entered the public lands, but especially to the men who have purchased from them, which, in my judgment, will far outrun in their consequences and in their effects all the good that has grown out of this sudden change of policy or that can ever grow out of it. Litigation that will outlive the life of any person now liv-ing, certainly of any person now having a seat on this floor, will grow out of it, and the money that will be spent in costs and in the employ-ment of attorneys will exceed in value all the lands in contraversy. ment of attorneys will exceed in value all the lands in controversy

Among the legal fraternity a great deal of contempt is expressed for what is called "judge-made law." This is a government not only of laws, but of written laws; and while there is committed to the executive department great discretion, especially in the administration of the land laws, at the same time finally the rights of all persons are intended to be settled by the words of the statute. It may be very nice and very enticing and agreeable for those who are charged with the administration of this law to tear it up root and branch and in the exercise of their brief power say that its stipulations, its requirements, the legal rights that have grown up under it shall not be observed and shall not be respected. That, in my judgment, is an evil greater than could ever have grown out of any ordinarily improper administration of the law. Congress makes or should make the laws. It is not within the proper power of any executive officer either to suspend the

execution of a law or to change its terms or qualifications or conditions under any pretense of public policy or public interest whatever.

As I have heretofore said, I am in favor of the repeal of the pre-emption law and have been for many years. One of the very first bills I introduced into this body was for the repeal of that law. It then had no public or popular sentiment back of it; the necessity of it was not as apparent to the great body of legislators as it then seemed to me, and it fell. I refer to that now simply for the purpose of showing that my opinion about this is no new one, but one that has existed ever since I have given attention to the subject. It was because I saw the time coming when by reason of the rapid absorption of the public domain there would be fewer chances for homes than there had been and than the necessities of the situation would require, and then the area which should be permitted to be entered by one person should be circumscribed. That I believed then as I believe now.

I am for limiting the acquisition of the public lands and all lands, so far as the Government can practically do it, to the actual necessities of the individual owning the same, to the land which he can properly cultivate and use with his own labor, leaving free in all other avenues the opportunities for speculation, but preventing in regard to the soil, for which it has been well said there is "no manure like the foot of the owner," so far as possible, speculation, and especially in those lands which form part of the public domain.

With reference to the timber-culture law, as my colleague says, the

purpose of it was beneficent. If it had been carried out in the spirit with which it was enacted it would have been of inestimable benefit to all the vast space lying west of the Mississippi River which is denuded of timber; but almost inevitably it became at once the shelter of speculation. The pers ins who entered the lands were not required to settle upon them. The pers his who entered the lands were not required to settle upon them. The condition of entry was the planting and cultivation of a certain amount of timber. Of course time was necessary for the preparation of the ground for the planting of the timber. And during this time the person who had filed could not be brought to book, and generally before this period had elapsed opportunity presented itself for disposing of the right to enter to some one who wished to claim the land under the homestead or pre-emption law, and in almost all cases this opportunity was availed of, and so very few entries have been perfected under the was availed of, and so very few entries have been perfected under the timber-culture law, but the thrifty and provident persons who first claimed the lands for timber-culture purposes were enabled to dispose of their claims to good advantage, and I think not even 5 per cent. of all the entries that were made under the timber-culture law have been pursued to final entry under that law. They have been disposed of to persons who desired to enter the lands under other of the public-land laws, and thus the purpose of the law has been defeated; not with great and serious effect, because the land finally had to come under the operation of the settlement laws, but it permitted a speculation on the part of the person who made the original entry, not designing perhaps to follow it out, or having only a feeble design, which was opposed to the intent and spirit of the law.

Instead of that, if there had been an amendment of the homestead law requiring each homestead settler to plant one or two acres of timber around his house in some convenient place for shelter, so that instead of there being a little forest of timber on one section in each township there would have been a smaller forest on each quarter-section, it would have accomplished a better purpose. It is too late now to go back to that; and the committee propose to repeal the timber-culture

I do not agree with the man who said that as posterity had done nothing for him he did not intend to do anything for posterity. willing and anxious to act with due regard for the coming generations; not too rapidly or with too much cupidity to exhaust the resources of the present and cut off all hopes for those who come after us. But there are to-day sixty million people upon American soil. The additions from natural increase equal 2½ per cent. per annum. The addition from immigration varies from half a million to a million and a half of souls each year besides. The present has some claims upon us as well as the future. He who can aid in so ordering things as that the man of his time and his generation shall be able to live in comfort reasonably as the result of his labor will deserve commendation.

I think that to-day the people now on American soil, now bearing the burdens and responsibilities of citizenship, and who now desire homes upon the public domain should have an opportunity to acquire them; and if they will go, as I would not, to the farthest recesses of the Rocky Mountains, into the little valleys and onto the foot-hills of the great ranges, and take small tracts of land of 40, 80, or 160 acres, making productive what before was absolutely unproductive for all purposes, and thereby give cheap food to the men who are unlocking those other resources of the Rocky Mountains, the gold and silver deposits, I would not prevent it under any sentiment that some other generation might thereby lose an opportunity. The present generation is entitled

to a fair chance.

This bill, Mr. President, was framed with a desire to save to the actual settler who was willing to take and be satisfied with 160 acres of the public domain, and with a desire to do justice to outstanding obliga-tions on the part of the Government. It protects all men who have

initiated proceedings under any of the land laws of the United States; it protects all outstanding obligations in the nature of warrants and scrip which the Government has issued heretofore and made payable scrip which the Government has issued heretolore and made payable in public lands, and which, if it does not take up in the manner nominated in the law by the application of lands to their discharge, must be satisfied by money out of the Treasury.

We have provided as matter of detail that there shall be estoppel within reasonable time against the Government, that there should be some time within which the Government should be constrained from in-

quiring into the validity of titles which it had granted, and that thereby

there should be security of title.

This bill, without seeking to interfere with the rights of the Government, goes as far as it can within proper limits to give that security of title, that stability which must be the foundation of social order and precede the march of progress. It recognizes the rights of innocent purchasers for value when such purchase and good faith shall be made apparent to the Land Department—which, as I believe, is only a recognition of rights already secured—and it sends cases of alleged frauds to the courts, where alone they can be tried as other issues are tried, by an impartial tribunal and with full power to secure and hear testimony.

I will not say that this bill is the sum of human wisdom; but the committee of which I am a member has labored over it faithfully. Perhaps they would amend it in some particulars if they had jurisdiction of it again, but substantially it is what they believe should be enacted. It represents at least the earnest judgment, the indefatigable labor of the committee, which has reason to say that it knows something about the practical administration of the land laws and of that which requires to be remedied. By this bill as a whole I am willing to stand or fall, and I bespeak for it at the hands of the Senate earnest consideration.

Treasury Surplus.

SPEECH

HON. WILKINSON CALL,

OF FLORIDA.

IN THE SENATE OF THE UNITED STATES,

Friday, July 30, 1886.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

on the public debt.

The joint resolution is as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That whenever the surplus or balance in the Treasury, including amount held for redemption of United States notes, shall exceed the sum of \$100,000,000,000, it shall be, and is hereby made, the duty of the Secretary of the Treasury to apply such excess, in sums not less than \$10,000,000 per month, during the existence of any such surplus or excess, to the payment of the interest-bearing indebtedness of the United States payable at the option of the Government. The surplus or balance herein referred to shall be the available surplus, ascertained according to the form of statement of the United States Treasurer, of the assets and liabilities of the Treasury of the United States employed on June 30, 1886."

The joint resolution was reported from the Committee on Finance with an amendment, to add the following proviso:

"Provided, That no call shall be made under the provisions of this resolution until a sum equal to the call is in the Treasury over and above the reserve herein mentioned: And provided further, That the Secretary of the Treasury, in his discretion, may have in the Treasury, over and above the foregoing sums, a working balance not exceeding \$20,000,000; and in the case of any extraordinary emergency, and when, because thereof, in the opinion of the Secretary of the Treasury, the public interests shall require it, he may, by written order, suspend the further call for the payment of such indebtedness for such period of time as shall be necessary to maintain the public credit unimpaired."

Mr. CALL said:

Mr. CALL said:

Mr. PRESIDENT: The resolution proposes to require the payment by law of a specific sum of money monthly upon the public debt of the United States, and not to leave it as it has been heretofore left to the judgment and discretion of the Secretary of the Treasury and the administration who shall be in charge of public affairs. If it were merely a question of holding a certain amount of money in the Treasury of the United States for which there was no well-ascertained public use it would be easy to dispose of it.

FINANCIAL CONDITION UNCERTAIN.

If it could be known as a certainty, as it has been treated by Senators here, as to what will be the financial condition of the country; if the reasons which they have given for forecasting the future could be relied upon with the confidence with which they assert them, there ought to be but little difference of opinion as to the wisdom and propriety of the resolution. I presume every one concurs in the proposi-tion that no money should be taken by taxation from the people for which there is not an immediate public use. Certainly the proposition is a very plain one and does not need to be enforced by argument that to gather great sums of money from the people of the country and hoard them in the public Treasury will bring calamity and ruin upon the

country just in proportion as the amount withheld from the uses of business and life shall bear to the business of the country and the great bulk of its circulating medium.

THE OPINION OF PRESIDENT AND HIS SECRETARIES

But the President of the United States and the sagacious man (and it is not always a politician who is the wisest man) who is at the head of the Treasury Department did not see this question in that light. Educated in the practical necessities of business, a man of strong practical judgment, of knowledge of affairs, he, with his First Assistant Secretary of the Treasury, who has shown himself in the communication which he has addressed to the Committee on Finance here to be a man of judgment and mind, regarded this question in a different light. They and the Treasurer came to consider it in the fight in which the practical business men of the country regarded it. They regarded it as a question connected with the permanent and equal value of the different kinds of currency which are known as the money of this country. The question to be considered before the Senate is not as to what

The question to be considered before the Senate is not as to what amount of money can be spared from the ordinary disbursements of the Government. To so treat it is to look upon it in a narrow and impracticable manner. The question which addresses itself to my mind upon this subject is that which seems to have actuated the President, whose sincerity of purpose, whose desire to promote the good of the country at large, whose practical good sense I think are evidenced in his treatment of this subject, treating it as a subject distinct from the question of what may be the permanent future of silver coinage, but as a matter of present practical necessity, treating it as a question simply of preserving the interchangeable equal value of gold and silver and of the paper money of the United States.

DIFFERENCE BETWEEN GOLD AND SILVER,

Mr. President, to reason upon any subject there must be correct processes of reasoning based upon some ascertained facts, and those facts clearly ascertained can be alone the basis of any sound reasoning. Intemperate assertion, rash and confident opinions drawn from facts which do not warrant them, are not the basis of a calm judgment in regard to

the finances and business of a country.

One fact presents itself to my mind as one that men who reason and who have judgment should attach some importance to, should measure and consider, and that fact is this: It is a fact ascertained and admitted that a pound of silver bullion is worth in the markets of the world about one-fourth less than the value as expressed by law of the coin which may be made from it. A pound of gold in the markets of the world is worth as much as the coin which may be made from it according to the prescribed standard of valuation by law. The value of this fact, the significance of it, the influence it may have on money and values are questions for the consideration of all thoughtful men, are subjects upon which Senators may well exercise whatever power of reasoning they may have.

It is a fact that a pound of silver bullion made into coin is worth one-fourth, or nearly one-fourth, less than the value which the law declares it to possess. A pound of gold made into coin is worth the full amount which the law declares it to possess. We have various explanations of this fact. By some it is asserted to be due to the want of an energetic effort on the part of the Government to increase the value of the one, by some to an effort to depress it, by some to combinations of great moneyed interests; but let the facts be what they may as the cause of the difference, what will be the influence of this fact and who shall

guarantee that it will not be greater than it is?

SIGNIFICANCE OF THIS.

Mr. President, there are causes for this, but I shall not weary the Senate by entering at large into the subject. The significance of this fact is that it has so impressed the judgment of men, and none can reverse it by declarations, harsh invectives against the great interests which manage and control, whether rightfully or wrongfully, the business interests and industries of the country. The significance of this fact is that it has so impressed the agencies which control commerce and finance and industry and labor, be they good or bad, that they distrust the future of the one and perhaps appreciate too largely the future of the other. Admit all that has been said by the Senator from Kentucky and those who have argued this question, still the fact remains that there is a difference between these two tokens of money which constitute to a large extent the representatives of value in this country and in the world.

HOW SHALL IT BE REMEDIED?

If it be true that from some cause the fact is that as between these two great representatives one is one-fourth less in value than the value which the law declares it shall possess and the other is up to the standard and requirement of the law, it remains for us to consider by what means shall the declination of the one be prevented and its appreciation obtained. That is the first great question. The abundance of this circulating medium, which all admit to be a proper and wise subject for encouragement, is another question. The present question for us is how shall we prevent the declination of the one and secure its appreciation to the equal standard prescribed by law for the currency of the country, which by law is proposed to be so regulated that the one shall be the equal of the other.

Some Senators have urged that it shall be done by increasing the

amount of the one, by making it unlimited. Suppose that proposition should be admitted, does it follow that there shall be nowhere a power left to prevent any abatement in the confidence of the people of the country in the one or the other? Does it follow that there can not be a want of confidence throughout the community and throughout the world in the one, and that that want of confidence may not be prevented by practical administration, by the Government being enabled at all times when there shall be an attempted appreciation of the one to pay out its gold dollars for the silver dollars—thus having the power (the greatest instrumentality of associated effort in the world, having the power to put millions of gold dollars as the substitute for silver dollars) to practically enforce to every man the idea that whatever may be the depreciation of this metal a great and powerful agency stands ready to make it good to the equal standard of the law.

In the argument of this question another very significant fact is presented, and that is that while the law prescribes an equal standard of value between two respective things, gold and silver, of certain proportions of weight and fineness, notwithstanding the law has made that a legal tender, notwithstanding there is always a vast multitude of contracts to be performed which by the law are dischargeable in silver or gold either at the choice of the debtor, notwithstanding this use is created by law, which is a great power, a use which can not be avoided, notwithstanding the law requires that all judgments, all failures to perform contracts wherever they are may be discharged in the silver dollar, still the silver bullion which constitutes that dollar is one-fourth less in market value than the gold dollar. With all the power of the Government, with the practical use to pay the revenues of the Government, with the practical use to discharge all future contracts and all contracts which are now to be enforced by judgment, still from some cause or other this fact exists.

Mr. President, I do not think it requires a great deal of reasoning to convince a man of sober judgment, who weighs facts as they are, that this depreciation, from whatever cause it has occurred, may continue, and that when it has gone to the extent of 50 or 25 per cent. there will be a diminution in values throughout this country the future effect of which no man can pretend to foretell. If that is not so, then the one may depreciate to nothing and the artificial uses which the Government by law may prescribe can still be carried on in a circulation which has no marketable value except for the purposes provided and required by law. This, in my judgment, is the practical view of this question.

THE FUTURE OF SILVER.

As to the future of silver coin, I am of the opinion, in my own humble judgment, that that is a future for which there need be no fear. I am of the opinion that the economists of the future will adjust these relations. How far it is within the power of the Government to maintain by law a fixed ratio between any two commodities is a question too large for discussion here. The reasoning man, the man of mind and judgment who weighs carefully causes and effects, may perhaps see in the future an abundant use for all the gold and all the silver coin that an unlimited coinage could supply. But it is a different question altogether from the proposition that the Government may by law prescribe a fixed and invariable ratio between the values of any two commodities. Those who have argued this question have argued it upon that basis and that theory, endeavoring to prove that by law or by a wise administrative policy the Government can preserve a fixed and inseparable ratio of value between gold and silver.

The taste and fashion of the world may prefer to-day silver or gold for all purposes of ornamentation, and yet they insist that while there may be a great and universal demand for the one and not for the other, the same fixed ratio of value between gold and silver will still exist, and that some process of administration, some process of compulsory use and necessity will be adequate to preserve that fixed and invariable ratio.

EQUAL VALUE OF GOLD AND SILVER AND PAPER.

This, then, to my mind is the question which reasonably addresses itself to the judgment of Senators. The proposition made by the Secretary of the Treasury in his reports, and antagonized by the specific provisions of the resolution of the House, is not one that concerns the future of the coinage of either of these metals. It is the simple proposition that there is in the United States in circulation something like \$2,000,000,000 of gold, silver, and paper currency, three different kinds; that to preserve the equality of these different species of money is an object of great public necessity; that the disappearance in the practical uses of the country of that equality would bring great financial calamity; that the organisms of credit, the banks, the depositaries, the men who have accumulated and become the sources of credit, by any great depreciation in these different species of currency, will be deprived of a very large portion of their resources; that the debtors of the country, in whose favor so much is said, when they are compelled by law to pay their debts and have not the money to do it with, will become the victims of the most harsh and oppressive terms; that those who have money due to them, by the depreciation of this legal-tender coin, either gold or silver or paper, would be required to be paid in a currency that was not of value; and that, as they had made their contracts upon the basis of an equality in the value of these different species of currency, they might be paid in that which represented nothing; and that to depreciate silver would strike off from

\$150,000,000 to \$200,000,000 of the values of the country in the hands

of its poorer people.

None will deny that this effect will follow from the continued depreciation of either one or the other of the several kinds of money commonly in use in this country. How is it to be prevented? It is to be prevented by a confidence in the public at large, by a confidence in other countries, a confidence in the great centers of trade, which, whether for good or for evil, have practical power in this country—a confidence that that depreciation will not occur. One powerful agency to prevent it certainly is that the Treasury Department of the United States shall be possessed of ample means to make the depreciated currency good whenever there shall be any want of confidence, anything extending to a panic, and that confidence will either exist or not exist according to the ability of this great agency to protect either of these species of money from depreciation of any kind.

To my mind there is no force in the suggestion that it is impossible that this will occur. The causes which produce a want of confidence are not within the forecast of man. They may occur with suddenness; they may be the result of combination; they may be the result of nat-They may come from wars; they may come from contin-

ural causes. They may come from wars; they may come from contingencies which can not now be foreseen.

I can see therefore no wisdom in this resolution, and I should vote against both these resolutions if I had it in my power to do so. I should leave it to the Secretary of the Treasury who has shown that kind of wisdom which is far beyond the wisdom of the politician, far beyond the wisdom of the man of letters, the practical knowledge of a well-informed judgment, of a sensible man conversant, thoroughly familiar, with the subject with which he deals. I know of no man who has exhibited more wisdom and more ability than the Secretary of the Treasury under this administration; and whatever differences of opinion I might have with him, I certainly should not condemn his judgment in advance or withhold from him a discretion to deal with this subject, being well advised and confident that every dollar of this money that could be spared from the public necessities would be appropriated suitably and wisely to the reduction of the public debt.

THE PRESIDENT WISE AND PRUDENT.

Neither do I see anything in the conduct of the President of the United States which should make us at all alarmed that there should be any want of wisdom and prudence in the administration of the finances of want of wisdom and prudence in the administration of the innances of the country. He shares, as do the whole people, in the desire that the public debt shall be extinguished as rapidly as possible. He certainly has enforced upon Congress the necessity of reducing the taxes as rapidly as possible. His sincerity of purpose, his practical good sense, his energetic devotion to the performance of his duties can not be questioned. There is, therefore, no reason in the conduct of the administration of the conduct of the administration. tration and no reason in the practical wisdom of the things required to be done which justifies a resolution forcing the payment of \$10,000,000 a month upon the public debt of the United States without reference to any of the exigencies that may arise in the conduct of the Treasury.

In my judgment this resolution predicated upon the idea that it may be done without any connection whatever with the interchangeable value of the different species of money that constitute the circulating medium of the United States is a dangerous error and without foundation. The reasoning is upon premises which do not justify it. You might admit every proposition of the Senator from Kentucky in his able speeches here, you might admit every proposition which the distinguished Senator from Colorado and the Senator from Kansas have made, and yet not touch the important question which is before the Senate. whether it is wise to deprive the Secretary of the Treasury of the United States of the power to protect either one of three species of currency belowing to the power to protect of the Secretary of the Treasury of the United States of the Power to Protect of the Secretary of the Treasury of the United States of the Secretary of the Treasury of the United States of the Secretary of the Treasury of the United States of the Secretary of the Treasury of the United States of the Secretary of the Treasury of the United States of the Secretary of the Treasury of the United States of the Secretary of the Treasury of the United States of the Secretary of the Treasury of the United States of the Secretary of the Treasury of the United States of the Secretary of the United States longing to the people of the United States from any cause which may depreciate it and to arrest the depreciation of the silver currency and the silver bullion which must carry with it the depreciation of the coin.

It does not touch the question of what means shall be provided to

effect that important purpose, and whether the only means is not hav-ing in the Treasury of the United States a fund sufficient at all times reasonably to make good any amount of silver dollars which may be put in question by substituting gold for them in the administrative process of the Treasury of the United States.

FACTS TO BE CONSIDERED.

For these reasons, Mr. President, I should, if I had it in my power to do so, defeat both the House resolution and the Senate amendment. In the absence of that power I shall vote for the amendment.

There are certain facts which must furnish the basis of sound reason-

ing and true conclusions on this as on all other subjects.

Money has no intrinsic value as money. It can neither sow nor reap. It has not the power of production or invention. It is the creation of human invention and the offspring of the necessities and convenience of men, and therefore subject to the laws and regulations which they may make.

Its function is to measure and represent values, and it derives its function and power from the consent of the people of the community, state, nation, or nations where it is or may be used. This consent for its use depends altogether on its value, and the uses to which it may

be put, and the permanence of this use.

When the Government coins metals of any kind for private persons

into different denominations and delivers them to the owner of the bullion or metal out of which they were made, declaring by law that certain standard measures and denominations and proportions of weight and fineness shall constitute the standard coinage of a country, it does no more than this, and its declaration by law of these facts can give no additional value to the metal out of which the coinage is made or to the coinage itself. If the action of Government is confined to this declaration of the names or denomination of coin of different weight and fineness, it leaves every one free to use it or not use it; and the use or non-use of it will depend entirely on the advantage or disadvantage it may be to the individual. Every man will take that in exchange for his labor or the results of his labor which will answer his personal needs the best. If this should be the personal promise of some individual, he will take that in preference to any coin of any denomination or standard that will not serve his purpose so well, provided, of course, that he knows the fact.

These admitted and apparent facts show conclusively that money has no intrinsic and inherent power, whether it be metallic money, gold or silver, or paper money, but that it must be, of whatever nature it may be, the subject of wise arrangement, predicated on some ascertained and stable causes.

REGULATION OF COIN VALUE.

This was the former method of Government action and regulation of coinage and money.

The Government declared what should be standard divisions of coin

and their respective weight and fineness, and having done this did no more. The uses and value of this coin, and the proportions of quantity and value which it should bear to production and labor and property, were left altogether to the voluntary actions of those who had occasion or necessity to use them and to the natural and business causes

which affected them.

Under such conditions as these, namely, unlimited coinage of the metals for the benefit of individual owners, it is quite evident that the quantity was in no sense material except as its abundance or scarcity was a matter of convenience. The greater or less quantity which might be given for one or another value or commodity would be regulated altogether by causes with which the Government had nothing to do, and no concern, and which could in no way affect the people except in the convenience and facility which the abundance or scarcity of an accepted representative of values might afford.

USE, NOT LAW, MAKES VALUE.

It is therefore quite clear that the action of Government in declaring that certain standards of weight and fineness of certain metals, and the coinage of these metals and their proportions on account of the individuals who may own them, will never of itself constitute them money and make them representatives of value and the instruments of exchange and commerce.

It is also quite evident that if there be any commodity or product or thing which is of a universal value in a community, State, nation, or the world of commerce, and such commodity, product, or thing is susceptible of convenient division and subdivision and transportationthat coined or uncoined, divided or undivided by law—such a product or thing possessing these qualities will constitute, if it can be had, the accepted and reliable representative of value and instrument of com-

merce.

It seems, however, equally clear that the proportions or quantities of such commodities which would be given in exchange for any particular article will depend not only on the scarcity or abundance of the article to be purchased or exchanged or its proper and relative cost, but also on all the causes, both natural and artificial, which affect the product or thing with which the purchase is to be made; and that while abundance or scarcity, the needs for and the uses of a commodity or thing, and the relative cost of its production are the natural and proper elements which should determine the relative quantities which should be given for different things, and the cost of production is the only just and proper measure of values; yet other elements will determine largely the value when the article with which the purchase is to be made is subject in any way to artificial control or monopoly, or to fluctuations

of scarcity or abundance.

It is also equally evident that the determination of values by the chance supply or the greater or less quantity of any one or more commodities without reference to the cost of production or the abundance or scarcity of other commodities is one of the results of the moneyed economies of the past, and that this evil is beginning to be remedied in part only by the systems of clearing-houses, by drafts on shipment, and by exchanges in kind through the instrumentalities of banking and

We have ascertained, then, that money as money has no intrinsic value; that its function is to measure and represent values; that the part which the Government performs is only to declare what shall be money and what shall be standards and proportions of weight and fineness of its coin and the name by which it shall be known; that all these offices being performed can not give value or use of themselves to money, and that any commodity of universal and steady value, susceptible of easy subdivision and transportation, will, by virtue of these qualities, become the representative of value and the means of exchange without the action of government, which, when added to these qualities, will only facilitate and regulate its use.

THE QUALITY LAW GIVES TO MONEY.

What quality, then, is it which the Government can impart to money which renders it so important and gives to it such power over men and their lives and fortunes and makes it so often a ruinous factor or a source of benefit in the welfare of communities, States, or nations? If we can ascertain this we may, perhaps, discern its limits, and the facts and the learned opinions which have been brought to this debate, first by the learned opinions which have been brought to this debate, first by the Senator from Kentucky [Mr. Beck], and then by the Senator from Alabama [Mr. Pugh], and the Senator from North Carolina [Mr. VANCE], and the Senators from Texas [Mr. Coke and Mr. Maxey], and the Senator from Louisiana [Mr. Eustis], and the Senator from Colorado [Mr. Teller], and Mr. Sherman, may have their true application, and we may thus ascertain precisely what direction legislation should take in view of the new economies of a new age of industry—economies looking to the inversible of labor. looking to the just rights of labor.

We may perhaps ascertain in how far these new economies by a better method may be supplanting the old method of measuring values by the abundance or scarcity of money, and substituting such measure by the cost of production, leaving to money as its chief function to furnish the convenient and ready standard of measurement and expression of

We may ascertain the meaning and importance of the statistics which show how small a proportion of the actual large exchanges of the world are effected by the actual use of money otherwise than as the mere expression of value, and how much larger a proportion of the small and every-day transactions of life and business are effected through its use both as a representative and a measure of the value of labor and the subsistence of labor. What, then, is the function which the action of government may give and has given to money, which gives to it such power and influence as to make its regulation and the declaration of its value a power of such great extent and influence?

LEGAL-TENDER QUALITY AND ITS EFFECTS.

The Constitution of the United States says Congress shall have power to coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures. No State shall make anything but gold and silver a legal tender for the payment of debts. The exercise of this power, the declaration by law that gold and silver shall be the current coin, and the regulation of its value, does not pretend to and can not enforce its use, nor confine business and exchanges to it, nor prescribe nor affect when used the quantities or proportions of value which it will bear to other things or values, nor make it a repre-

sentative of value.

Neither does the fact of the actual use of gold and silver coin or bullion or any other commodity or value as money give to it its great power for good or evil, for it is manifest that to-day a community or people may be exchanging in different proportions values for gold and silver or any other commodity, and a year hence the proportions or values may change or some other methods of exchange may be adopted, and beyond the loss or profit that may result to those who have bought and sold and kept there is no material result, as the number of those who will hold and keep the representative or measure of value will be small as compared with the number of those who have used it and for whom it has performed all its functions. The great function then which the law imparts to money, which gives to it its great power and influence over the lives and fortunes and the welfare of the people, is its legaltender quality—the power given by law of discharging all obligations and contracts by the delivery of agreed quantities and standards, and the compulsory exchange and transfer of the property of the debtor to the creditor, in all cases of damage or loss or wrongdoing, through judgment and execution at law.

The significance of this will be found in the fact that the debtors always exceed in large proportions the creditors; that the number of contracts to be performed in the future vastly exceed the number of those begun and completed at any particular time; that the contracts and obligations of men relate to the future more than the present, and of necessity must be performed in the future; hence the power of regulating and declaring the value of that thing alone in which they can be performed, and the exercise of it, constitutes the thing so declared a representative of value to the extent of this use

representative of value to the extent of this use.

It is true that the power to contract is left free, and men may contract to exchange commodities in kind or to receive drafts and notes of individuals, but still all failures to perform must be compensated in damages in the legal-tender money of a country, all judgments and executions and compulsory payments discharged and satisfied in it.

It is then the legal-tender quality and the compulsory payment of debts and obligations that give to money its power as a representative of value, so far as the positive precepts of the law or the action of the lawmaking power can effect it.

MONEY DERIVES ITS VALUE FROM ITS USES.

Money like everything else derives its value solely from its uses, and it is only by creating a use for it that the power of government or in-dividuals can be of any avail. All the enactments of power and the devices of individuals can not give value to that for which men can find no adequate current use, and the value is purely in proportion to the facility, convenience, and permanence of its use

When a government or an individual having need for any commodity or thing, whether wheat, or corn, or supplies, or bullion of metals, or coin, or drafts, or promissory notes, and having power to exact and compel the delivery of it, shall transfer this power to those who hold its obligations by the delivery of its promises which they agree to receive in place of or as a representative of the thing demanded, either in taxes or otherwise, they create a use and give a value to the promises thus issued. If the government has the power of exaction of three hundred millions a year, and the people are able to pay it, then the notes of the government will be of a current and universal use for this amount of value, and this use will constitute a value just as the use of any commodity will constitute a value; and this value will be limited to a particular community or country, or extended beyond it into other countries, precisely in proportion to the convenience of commerce and The value will exist and remain, and only be increased or diminished in proportion to the facility of its use in other countries and in wider spheres of business.

If this argument be true, money derives its value from the uses which may be made of it. These uses depend on its convenience of division and subdivision and transportation and the permanence and universality of its use and value, and this convenience of division and transportation and this permanence and universality of value and use may be created by the law to the extent of the income from taxes of a State

certainly, and perhaps to a much greater extent.

CENTERS OF EXCHANGE AND DISTRIBUTERS. It also appears that commerce has a law arising from necessity and convenience, from easy intercourse, by which it makes for itself centers of exchange, which become, as it were, clearing-houses for the settlement of balances in transactions, and which are a substitute for money and supersede its use for the bulk of transactions.

VARIATIONS OF MONEY VALUES

We have also ascertained that all money and all representatives of value hitherto used in the shape of money or currency are subject to a double variation: first, in the value of the article bought, which finds expression in the money representative; and, second, in the differing values of the money representative itself, which may be caused by its abundance or scarcity, by the greater demand for it in one place than in another, by the facilities for its transportation or removal, and by the combinations which may be made for its control, its circulation, or withdrawal from use

It also appears that the differing values of money as a representative of value have been and are the subject of unnecessary and arbitrary fluctuations and change caused by the devices of men, and that these, with the unnecessary and artificial fluctuation of commodities caused by the devices of interested men, are more powerful to-day in their combina-tions to rob labor of its just compensation and make all values and all property dependent on the will and interest of those who control those

causes than they have been in any past time.

THE REMEBY.

To remedy these evils is and will continue to be a great object of in-

telligent legislation by the friends of the people.

The question before us is supposed by its advocates to be connected with the continuance or suspension of silver coinage, on the theory that there may be too much money, and that when there is much of one kind and but little of another, and the money of one kind is of much greater value than the money of the other kind, the one will drive the other out of circulation, and that this would be a great public calamity, and that the measure of value and the sale of values payable indiscrimithat the measure of value and the sale of values payable indiscriminately in either will be a loss to the seller and a gain to the buyer by enabling him to make payment always in the cheaper metal or money. It is also contended that by having a great abundance of what is termed the cheaper money, and but one kind of money in foreign countries, all balances will have to be paid in the kind of money in demand where the balances are to be paid, and this will be in the dear money, by virtue of which all the dear money will leave the country. To investigate these propositions we shall have to find out what is meant by chean money. meant by cheap money.

CHEAP MONEY AS BETWEEN GOLD AND SILVER.

By what standard is its respective value to be measured? We shall have to apply the conclusions we have already reached as to representatives of value or money to balances between foreign countries, where the legal-tender quality of money does not apply, and where the law of relative values or commercial exchange does apply, where commodities find their exchange at their respective values in the country where the balance is made.

LONG USE OF GOLD AND SILVER, AND ITS CAUSES.

We shall have to commence this inquiry by ascertaining the true re-lations of gold and silver to the business of the world as money and the reasons for its long use as the measure and representative of values in the commerce and exchanges and transactions of the world, and in the course of this inquiry the facts which have been stated in this debate will find their appropriate place, and either refute or vindicate the opinions which have been expressed.

To what is the long use of the precious metals as the representative of value to be attributed? Certainly not to the fact that they are declared to be money and made into coin for convenience of use; nor to the fact that they are declared by authority to be a representative of value. Their valuation will neither create a use nor a desire for of value. Their valuation will neither create a use nor a desire for them, and without a use or desire for them by men the valuation of authority would be simply vain. They are precious because for some reason, as bullion, as metal, not as coin, they have always been an object of universal desire. This desire is predicated on their use and value for ornamentation and in the arts in the judgment and taste of much the greater part of the world. It is this universal use and desire for them and the comparative ease of their transportation that has made them as metals, as bullion, the measure and representative of value in Any other metal or commodity of the like qualities would have been and would be a representative of value equal to them in all these respects and all their uses, and would have divided their empire with them.

OTHER COMMODITIES AS REPRESENTATIVES OF VALUE.

What would have been the harm to the world or to business if there were other commodities of equal desire and equal general use with them which would make such other commodities equally a representative of value? What would be the harm if such other commodities were very abundant and easy to obtain. Men would exchange what they have for them because by reason of the universal desire for them they can be converted easily and cheaply into whatever they want.

Men would agree to take them as a consideration for labor and skill for the same reason. Government would make them a legal tender, because men contract to buy and sell and to take payment in them.

The Government coins and stamps them and declares the weight and

fineness and regulates their relative value to each other as money, not their relative value to other commodities or other values. In respect to other values they can have no fixed relation, because the value of other commodities is regulated by their abundance or scarcity either natural or forced, by the cost of transportation, by the combinations made among men, by the demand and use for them.

FUTURE PAYMENTS OR EXCHANGES.

He who agrees to exchange anything and take payment at some future time in either gold or silver coin or bullion does so subject to the chance that its value measured in commodities or property may be either greater or less than it is at the time of the transaction.

But it is said that if a contract be to sell a value for so many pounds of bullion of either silver or gold to be delivered at a future time, then there is some certainty about it. No other risk is taken than that at the time of payment the value of the pound of bullion may be greater or less measured in the things it will then buy than it was at the time of the contract; but he who sells exchanges labor or property to be paid in either gold or silver, or where either is a legal tender, if there be a difference between the commodities which the two will buy, runs the risk of having his payment made in that one of the two metals which will buy the least and which therefore will be of the least

This is obviously true; and the result necessarily will be that men contemplating this contingency will, in their contract or sales, fix the amount or value of the thing sold at that price which the cheaper money

will represent when measured by what it will buy.

Thus, for instance, if a man were to sell property, to be paid at some future time in so many ounces of gold or silver bullion, he would provide that such additional number of ounces of silver bullion more than of gold as its then or future value measured by what it would buy would be. But if he make a contract to take so many dollars for his prop-erty, and it be the law that either silver or gold dollars will discharge the obligation, and there be a difference in what gold or silver dollars will buy, unless he measures the value of his property by demanding the price for it equal to what silver dollars will buy, he might lose, and there will be then a gold value for property and a silver value for property, and by law the gold dollar and the silver dollar being each a legal tender of the same value all transactions will of necessity be based on the silver value; that is, the values of property will be increased to the amount necessary for silver dollars to cover it.

IS A FIXED RATIO POSSIBLE?

Now, the question for us to consider is how far this will be an evil, and whether it is greater than some other evils, and how far it is within the power of the Government to maintain a fixed ratio between gold and

silver coin, and if so by what means they can do it.

If contracts by law were payable in either gold or silver bullion at their respective market values at the time of payment, and a legal tender at their measure of value, the difficulty would seem in this respect to be obviated, without injustice to labor or business. It is true the element of uncertainty as to amount of payment would rest on both sides, but it might be further reduced by making the market value at the time of payment to be measured by the purchasing capacity of either of the great commercial staples.

We have then a proposition that the Government can maintain a fixed ratio of value between certain different coins of differing qualities, and

that this will be effected certainly by getting the consent of all governments to the proposition that so many grains of gold shall be of the same value as so many grains of silver; that is to say, if a government declares by law that 1 grain of gold is worth just 15½ grains of silver it will be worth just that much and no more.

Why this should be so does not appear, and why this should be so of gold and silver any more than it is true of any other commodity does

not appear.

Suppose the Government by law declares that 1 bushel of wheat shall be worth 10 bushels of corn, and no more and no less, will this

make it so?

Suppose when this law is made three-fourths of the wheat should be destroyed, and the corn increased three-fourths, and the demand and uses of wheat continue just the same, would the value of the bushel of wheat remain just the same, irrespective of the quantity or supply, or of the uses and demand for it? And if the value of the one bushel of wheat be increased or diminished by causes which do not affect in any way the value of the ten bushels of corn, and over which the Government has no control, how can the declaration by law that they shall be of the same value affect it?

I do not see that the consent of all governments that one grain of gold shall be worth so many grains of silver will any more make it so than

the consent of one government will make it so.

It seems very clear to me that the respective value of gold and silver is created by qualities and uses which governments did not make and can not unmake, and that their relative value depends on causes peculiar to each.

There may be a demand for gold in the fine arts or for other uses at one time much greater than the ordinary demand for silver, and this demand will increase the relative value of gold to silver and decrease

the relative value of silver.

How will the declaration by law that so many grains of gold coined and stamped as a dollar and so many grains of silver coined and stamped as a dollar shall be of equal value affect them in the supposed case? Let us see. We will suppose in the changes of fashion and the increase of luxury the demand for gold for the arts and for ornament and luxury should increase and that for silver diminish. The gold in the dollar and the silver dollar, for the purpose of paying debts, is of equal value; but the gold in the gold dollar, for the purpose of sale as a commodity, is worth twenty times as much as the silver in the silver dollar. Why will not everybody sell the gold dollar for use in the arts and keep and use the silver to pay debts and meet contracts? And how will the declaration of the Government, or of all governments and of all people, cause or prevent the fashion and taste of men from using the gold in the arts and preferring it to silver, or using silver in preference to gold?

But suppose all governments were to unite, if it were possible, to forbid and prevent the use of the precious metals in the arts or for any other purpose than money. How would this affect the matter and se-

cure a fixed ratio?

A man in this condition of things has property of some kind to sell. What does he say when he proposes to exchange this for something else, or for coin? He says, what will be the value of this coin to me? The answer is, it can be used only for money; it has no other use or value. It can not be used in the arts nor for the support and comfort Its use and value and purchasing power depend on the continuance of this agreement between the governments entirely. It depends on its legal-tender quality, and the quantities of which will be equal to other commodities in its purchasing power is purely arbitrary. It may be increased or diminished indefinitely. It is a representative of value only so far as it is a legal tender for debts and obligations, and the want of permanence and possible change and discontinuance will always disturb confidence in such a representative of value, while it is probably true that such a consent among nations in respect to the ratio of the precious metals would maintain it with some degree of

IS A FIXED RATIO NECESSARY?

But why should there be a fixed ratio of value between the two metals? We have already seen that each can perform the functions of money at their market value as bullion as they have always done without a fixed ratio of value, and that is not within the power of Government so long as differing uses in commerce and the arts exist for either the one or the other, to secure a fixed ratio between them. We have also seen that for convenience of use and cheapness of transportation the two metals are placed on an equality by the use of certificates of deposit granted by the Government and issuable for any amount, and that this method of use and circulation is the same in all respects as if the coin itself was really passed from hand to hand, facts demonstrate the following propositions: These several

First. That gold and silver, by virtue of their relations to and uses in the arts and commerce, and by their convenience and ease of transportation and their intrinsic qualities, have a special and intrinsic value as

representatives of value which we call money.

That to these qualities is due their long use for this purpose as a measure and representative of value. That a fixed ratio between them is not necessary to their performance of these functions, which may be

as readily done by their use as bullion at their respective market value

That the necessity of a fixed ratio has had relation and use only to this legal-tender power—an artificial use—and that this will be evaded whenever there is a difference of value and the amount of gold in a dollar will buy more silver than the dollar contains by making all prices based on the gold value of the silver in the dollar.

WHEN GOLD OR SILVER BECOMES MERCHANDISE,

This latter fact is proved by this statement: If the gold in a dollar will buy more silver than there is in the dollar in London or anywhere else, and the silver dollar will buy as much here as the gold dollar, why will it not pay any one to send the gold to London, sell it, and bring it back to the country in the shape of commodities—sugar, coffee, or anything else you buy—at the gold value abroad, which will buy just as much more as the gold dollar is worth more than the silver dollar; and unless by law you can regulate prices of commodities the price demanded here will be just that much more than the silver dollar is worth with profits and transportation and cost of sale added. If a man sends his gold dollar to London, worth there 20 cents more than a silver dollar, and buys 20 per cent. more silver than is in the silver dollar here, and brings the silver here, the Government says to him, "You can not use that silver here at its value abroad. We have a Government value by law, which makes it worth as much here as the quantity of gold in a gold dollar, and you can only get this for it."

This is only prescribing a price for it when used as money different

from its market value even in this country, and is avoided immediately by seeking investment at gold values in commodities-perhaps in silver bullion itself-to be used in commerce and the arts at its market value, which is just that much more value when used for this purpose; that is, he sells his silver bullion which he has bought with his gold dollar at the market price, which is 20 per cent. more than the silver dollar, and thus realizes a gold value and a different ratio right under your

laws to the contrary.

It is easy to see that this process may go on and the Government still maintain an arbitrary value of these metals by keeping up a fixed ratio for legal-tender, while a different ratio will exist for commerce and the markets; but this will be done at the country's loss

If for any reason you make silver answer all the purposes of gold, and the market value of gold anywhere is greater than the rates fixed by law for silver, it is an injury to the holders of gold if they do not use it at its greater commercial value, and if silver can perform its uses as money, wise economy both for the state and themselves demands that they shall do it; and the Government, therefore, can not maintain a fixed ratio or relative value between gold and silver any more than it can between any other values. A greater value of either gold or silver bullion in any of the great markets of the world will make a difference in the value of gold and silver coin in all parts of the world.

LEGAL-TENDER LAWS MAKE VALUES ONLY FOR LEGAL TENDER.

egal-tender laws will maintain and enforce relative values or a fixed ratio only for legal-tenders; but this will be avoided by fixing the contract price or money value in the cheaper metal or the greater amount, making allowance for the future depreciation.

PERMANENCE OF SILVER MONEY.

How is it then that France, as has been shown in this debate, with her successful industrial system, has always and still maintains both metals and a fixed relative ratio of value? And how is it that we ourselves have and are successfully doing so? And how is it that, as Mr. BECK has pointed out, gold has continued since silver coinage to flow in upon us in a continuous stream and to stay with us? How is it that a gold and silver dollar is equally with us the measure of values and

that men deposit gold and take a silver certificate in place of it?

A proper consideration of these facts and their causes will not lead us to any conclusions adverse to the conclusions we have reached, but will serve to demonstrate the solid and incontrovertible grounds on which a sound currency must rest and how they go hand in hand with the use of both silver and gold in almost and perhaps altogether un-

limited quantities as money.

How is it that the exclusion of either from use as money might be a calamity of vast and ruinous proportions, and the admission of both in unlimited quantities could only be a source of wealth and prosperity?

These facts will find their explanation and their cause first in the fact that silver, like gold, is a precious metal suited by its intrinsic qualities for the arts and ornamentation, an object of universal desire and demand, portable and divisible, and by reason of these qualities is in and of itself a measure and representation of value, and always will be, independent of and without any action of the Government. It is easily stored and kept and is not perishable, and therefore adapted by nature for accumulation and hoarding. It is to these qualities more than its legaltender properties that its real use as money is due; but when the coinage and legal-tender use is added it is easy to see that an additional use is provided, and by nature's eternal law not gold or silver but use alone can give value to anything.

USE AND VALUE INTERCHANGEABLE.

We reach, then, a clear conclusion as to which there can be no con-

tention-there can be no value without use. Human use and human values are eternally interchangeable. A use may be created by Government only to the extent of its own capacity to use. The uses of men for money are to measure values and represent values in other things, not for the moment but as permanently as possible, to the end only that the products of labor may be easily exchanged and transferred.

To give to anything the capacity of measuring another thing, and transferring it, we must understand that when I transfer to you a gold or silver dollar I only transfer to you a value which by comparison bears a relation to some other value, and when it is exchanged with another for something he possesses, it is only a barter or exchange of values according to the estimate each one places on the thing he has. The fact that one has money and the other has something else makes no difference. The gold or silver called dollars or half or quarter dollars is only a convenient device and substitute for pounds and ounces, grains and pennyweights, and when paper is used it is only a promise to transfer so much quantity of value of commerce.

THEORY OF MONEY.

The theory of money, as I understand it, is that the people of a community, State, or nation select some product of man's labor as a common standard of value. This may be wheat, or corn, or cotton, or cloth, or gold, silver, lead, or anything else. To be a standard of value it must first have a value or use to every one, or to so many people that it will remain a value and be in constant demand, so that it may always be itself exchanged for anything that any one has. Second, it must be susceptible of division into small and portable quantities convenient for use and carriage. Third, it must be imperishable. The community find these qualities necessary to anything that shall be a common means or standard of exchange for their labor or products.

To test this let us consider if it would be possible for the community to take some thing or product that had little or no value, and by agreement of every man in the community agree that it should be a common standard of value, and that each person will take it for his labor or products. It may be copper or iron. The quantity is abundant. Every one can get it, and no one needs it except for the purpose of convenient exchange or measurement of value. The man who wants payment for a day's labor is offered payment in the iron or copper which he has agreed shall be a common standard. The question immediately occurs, How much copper shall I take for my day's work? What proportion of quantity shall be borne by one to the other, and how shall it be determined? Unless there be a value of the copper in its relation to other commodities fixed by its use and the demand for it, there would be no other method than for the community by law to fix the quantity of copper which should now for the day's week and the constitution which copper which should pay for the day's work and the quantities which should pay for everything else. This would be to fix prices of everything, or the relative quantities which should be given.

If such a system should ever be adopted, that of fixing by some common arbiter relative values, some much more convenient method than a common money standard and measure of value would be adopted. It will be observed that our modern system of exchanges for cotton and produce and stocks, and transfers on warehouse certificates and drafts and clearing-houses for values are to some extent in this direction. But if the Government were to stamp a certain quantity of iron or copper and lay a tax of a certain amount, payable in commodities in wheat, corn, or anything else, and agree to receive this copper or iron or corn for such amount, they might thus pay it out for any obligations they might have, and create a use to this extent and give it a value, and it would only be a promise to pay or deliver to this extent, and thus give

a certain value to the coin.

To illustrate the nature of money and its relations to value and exchange and understand with precision and clearness let us suppose that all production of every kind was required in countries convenient to their production to be stored and certificates of deposit divided into small and large quantities delivered to each owner and the value of these products justly arranged each day in proportion to relative cost of production and quantity of supply and demand for their use

It is quite evident that these certificates of deposit would be readily and conveniently exchanged by those who needed such things as they And the certificates of deposit of the article most needed and most in demand would be the most frequently transferred, and for this reason would be best suited for the use of those who did not wish to use the article deposited, but instead to keep it, provided the article to be kept was not perishable. This class of certificates would be readily received by the laborer and by every one else; and if an article greatly in demand and of necessary use was in much less quantity or smaller supply than others, it is quite evident that its relative value to others would constantly increase and the value of the certificates which represented it would steadily increase.

The certificate representing the commodity or product most in demand and not perishable would evidently be the current and preferred representative and standard of value or money. It is also evident that it would cease to be money or a representative of value when there ceased to be a demand for it. It is also evident that in proportion to the abundance or scarcity of this commodity would be the quantity of the

products which would be exchanged for it.

It is a representative of value only because it can be and only so

long as it can be readily converted into other values. It can only be converted readily into other values so long as there is a use and demand for it. This use and demand may be either natural or artificial. And here we are to inquire how far an artificial use and demand may be substituted for a natural use and demand in making any article a commodity of universal use and demand and a representative of value.

ARTIFICIAL USE FOR MONEY CREATED BY LAW.

It will be borne in mind that being a representative of value is the special characteristic of money, and that the functions of mere exchange of commodities can be and are becoming readily and conveniently performed by other instrumentalities than money-by warehouse certificates which are assignable, by bills of lading, drafts on shipments,

and the obligations of individuals or associations.

It is therefore the legal-tender quality or power created by law that gives to money an artificial or fictitious value. And this it will be seen is a powerful factor in creating a use and demand and value, but has its limits. Suppose Government and all governments were to de-clare that copper bullion or iron should be a legal tender in the payment of all debts now existing, unless the moral sentiment of the people by its non-observance should render such a law nugatory it would create a value for copper to the extent of existing debts, but it would not be a permanent representative of value to discharge future obligations, because the confidence in its permanence which comes from tradition and long use, and the observance of natural value and use and demand which comes from it, would make people avoid its use and make exchanges in kind and substitute other methods and representatives of value.

If such a law could have an instantaneous effect it would give to the laborer for his day's work something which would not be a representative of value, and the aggregate of the amounts thus paid would be vastly more than all others, but its disastrous effect would be on those who own the sources of supply, the owners of commodities who had placed them on the market and distributed them on the faith of getting a value for them in other commodities. Money, then, is a permanent representative of value, so far as Government is concerned, solely because of its legal-tender power. And it is a grave question whether in the future economies anything but that which is agreed on or con-

tracted for should be a legal tender.

EFFECT OF THE ABUNDANCE OR SCARCITY OF MONEY.

Let us consider, then, the effect of the abundance or scarcity of any commodity which is a measure and a representative of value, for it is solely in its quality as a representative of value, whether it comes from its legal-tender power or from other causes, that we are concerned with

It is upon this quality of money that its good and bad uses depend; and by virtue of this it is that the ingenuity of men has made it a device and means for appropriating the labor and profits of the great body of the people and holding them in a subjection as hard and perhaps more oppressive than the milder forms of slavery-the subjection of

want and suffering.

ABUNDANCE OF MONEY.

It may be very abundant; its relative value to other things will be less than if it were very source; that is, you will give more money for a pound of cotton, corn, or wheat, or for a day's labor than you would if it were scarce. But how would this affect the relative value of corn, wheat, cotton, and labor to each other? The seasons will not change nor the soil either lose or acquire more fertility, or labor become steadier and more skillful because of the abundance or scarcity of money. All the causes which affect the relative value of these commodities to each other can not in any way be affected by the abundance or scarcity of money. What good or what harm will the fact do that a larger quantity of money will have to be given for these commodities? It is quite manifest that this fact would neither injure nor benefit any one.

If any one should be injured it would be the person who owned the money, which in relation to other things or its purchasing power, as it is termed, would be of less value. Hence it is very clearly the interest of those who own mines or have hoarded money or deal in money that it should not be too abundant, and that they should regulate its quantity. It is said the abundance or scarcity of money creates speculative values, or uses beyond the natural use and demand. And this is an evil inasmuch as these values will not be permanent, but their permanency will depend on the permanency of the abundance of money, and the relative value of commodities, at even an inflated value, can not be disturbed by the abundance of the representative of value or of money. The abundance of money can only affect values, whether real or speculative or inflated, by being exchanged or paid out for labor or commodities or products of labor.

Let us consider, then, how this occurs. The natural wants of men lead them to labor, for they sow and reap, and harvest and manufacture, and have as a result the products of the field, the forest, the sea, and the workshop. For all this nothing but labor and nature are neces Money of gold and silver or anything else can not produce these sary. I results. They are the result of nature and labor and the qualities of man. Having these products, they are to be exchanged in the quantities desired. Among them is a commodity of general and universal use and desire, which becomes, by virtue of this universal use and demand for it, and of its imperishable quality, a representative of value.

This is one of the products of labor, and its relative value to other commodities is measured just as they are, by the amount of labor it took to produce it, and by the use and demand for it. Its only natural use is for ornamentation or for art, but this is found to be a universal use and demand. The exchange can be made without it, but by degrees it is found to be a convenient use for effecting the exchange of these products. And so it is that in this community the miner gives his precious metals, valuable only for art, for other commodities, and being imperishable it is a product and a value both for ornament and for exchange.

The amount of this product depends on the labor invested in it and its chance discovery and production. It is not a necessary means of exchange nor a necessary representative of value, nor has it any arbitrary power of itself to alter values or change the relations of other products

to each other.

On the basis of permanent use and value, supplemented by and intermixed with other means of effecting exchanges, commerce has given permanent use to the product of the mines as a representative of value. Left to itself and to natural causes and to the relations of business, money would only bear its part in the exchange of commodities and as a measure of value, and be only of beneficial influence. Its value, like anything else, and its relation to other commodities would be regulated by natural causes, that is, cost of production, abundance or scarcity, and use or demand for it. But on the basis of this natural use Government has intervened certain arbitrary influences by making by law a particular commodity a legal tender, requiring that all debts, interests, and obligations be discharged in it. How far it was wise to interfere with the perfect freedom of contract or to seek to create an arbitrary value and use of a product of uncertain quality, and sometimes of impossible procurement, is a question which the wise and better economies of an age soon to come will determine for itself.

In connection with this resolution we can see that a power by law and custom now exists which compels all transactions to be paid and satisfied in legal-tender gold and silver and legal-tender paper money, and that the abundance and equal interchangeable value of these sev eral kinds of money is of the greatest and of equal importance; and whatever causes shall have the effect of withdrawing either of them from circulation by destroying the confidence of the people in either, and thus making that one which remains the most valuable the object and thus making that one which remains the most valuable the object of general and extensive desire, will be to limit and confine the use of the cheaper metal to the single purpose of paying such debts as may have been contracted before its depreciation, or to such debts as may be contracted on the basis of a future depreciation.

It is clear that on this basis the end would be soon reached when the cheaper and depreciated coin would cease to be used as money and the dearer metal and substitutes based on it would become the sole circulating medium, and the legal-tender law be avoided by the cessation of

all credits and contracts to be performed in the future.

We are led to the conclusion that in whatever view we may regard money, with its great power over the business and happiness of all the people, with the facility and success of combinations to affect its value, whether it be by an interference with the fixed ratio prescribed by law or in other ways, the preservation of the interchangeable value of gold and silver is an object worthy of the efforts of the Government, the treasure that may be necessary to be used to accomplish it is neither idle nor unemployed in the interests of the people.

Trade-Dollars-They Ought to be Redeemed.

SPEECH

HON. GEORGE SENEY. E.

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, August 4, 1886,

On the conference report on the disagreeing vote of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. SENEY said:

Mr. Speaker: Soon after the formation of our Government Congress authorized the coinage of a silver dollar and fixed its weight at 416 grains of standard silver. The law was passed in 1792, and was approved by George Washington, then President of the United States. This law was in force forty-five years. The number of silver dollars coined during this period (1792 to 1837) was 1,440,517. All of this

coin, except one thousand pieces minted in 1837, was coined before 1806.

The Congress, in 1837, reduced the weight of the silver dollar from 416 to 412½ grains of standard silver. The law making this change was approved by Andrew Jackson, then President of the United States. It was in force thirty-six years. While in force, 6,605,321 silver dollars and the silver dollars are considered to the control of the United States.

lars were coined.

The coinage of silver dollars under the law of 1837 ceased in 1873,

and was resumed five years later under the law of 1878. Our total coinand was resumed nve years later under the law of 1678. Our total coinage of silver dollars in eighty-one years (1792 to 1873) was 8,045,838. Of this number, I repeat, 1,440,517 were coined under the law of 1792 and 6,605,321 under the law of 1837. The former contained 416 grains of standard silver and the latter 412½ grains. While the dollar of 1792 contained the most silver, its money value was the same as the dollar of .1837. Both were a legal tender. The silver dollars coined under these two laws were current money at all times and in all places. Never, at home or abroad, was either at a discount. In our own country these silver dollars, prior to 1861, commanded a premium. The best paper dollar we had was below them in money value.

Perhaps no coin ever minted by the Government was prized as highly The dollar of Washby the people as the silver dollar of our fathers. ington and the dollar of Jackson are the endearing names given to the dollar of 1792 and the dollar of 1837 by the American people. Few, very few, of the Washington dollars remain. Long ago they ceased to circulate as coin. Of the 6,605,321 Jackson dollars put out between 1837 and 1873 many are lost-lost by shipwreck, by fire, and by other casu-Many have been consumed in the arts and in the manufactalties. Many have been consumed in the arts and in the manufactures. Thousands and thousands have gone into the melting-pots to be minted into subsidiary coins. A large number no doubt are in foreign countries—some to return, others to stay. Many of these dollars are hoarded, and not a few are held as keepsakes. The number of these coins at home or abroad in 1873 it is impossible to state. The number is believed to be small. We all know that none were in circulation.

For the twelve preceding years there were no silver dollars in circulation. From early in 1861 until years after 1873 the business of the country was transacted with paper money. Coin during most of this period commanded a high premium. During the war it centered in the hands of a few and seldom was any seen, except in some hiding-place. During the period to which I refer there were among our own countrymen millions whose eye never saw and whose hands never touched a piece of coin, either silver or gold. Never before in our history had the coin in our country been so completely hid from public view. Years after the close of the war, when silver coins again circulated, they were at first great curiosities. Well do I remember hearing a young man remark that he had never seen any silver coin. This was long after the war. No wonder. At the outbreak of the war the young man was a child.

Unquestionably one of the country's most pressing needs in 1873 was more silver dollars. Of the few then outstanding none, I repeat, were in active circulation. Then the business of the country was transacted in active circulation. Then the business of the country was transacted without the aid of silver dollars. Now they are indispensable. This is shown by the fact that during the past seven years 231,257,594 have been coined by the Government at its mints. Our paper currency in 1873 was irredeemable, and about \$732,000,000 was outstanding. The law of 1837 was then in force, and the silver dollar it authorized to be coined was worth in the legal-tender paper money of the United States (greenbacks) a premium of 11 to 17 per cent. Nothing stood in the way of executing this law. No legislation was necessary. A mere executive order would have put in motion all the machinery used at the mints for the coining of the dollar of 1837. Surely nothing could have been more pleasing to the people than the continued coinage of

their favorite dollar. This coin was no experiment. For thirty-six years it had met every

want and satisfied every expectation. It was a complete and perfect -a success in peace and a success in war.

The farmer and the mechanic, the day laborer and the wagemen and wage-women of our country were content with the dollar of 1837. Among all industrial classes the Jackson dollar had not a single enemy. The Democratic party was its friend. Outside of that party were those who disliked the Jackson dollar. They disliked it because they disliked those who made it. To them this Democratic dollar had no Their delight was in a dollar called by some other name. The enemies of the dollar of 1837 were the friends of the dollar of 1873.

The Jackson dollar was dropped from the coin-list and the trade-dollar put in its place. The law consummating this great wrong was passed February 12, 1873. At that time the Republican party was in the full and undisturbed control of every department of the Government. Of the more than one hundred thousand office-holders whose names were then upon the Government pay-roll, all, with a few unimportant exceptions, were representative men of the Republican party.

The trade-dollar law was approved by Ulysses S. Grant, then President of the United States. It passed the House of Representatives, composed of 134 Republicans and 104 Democrats, and of which James G. Blaine was the Speaker. In the Senate the presiding officer was Schuyler Colfax, then Vice-President of the United States. In that

body were 52 Republicans and 17 Democrats.

Who, then, but the Republican party is responsible for the coinage of the trade-dollars? Had the men in that party who favored tradedollars and now oppose redeeming them at their par value stood for the Jackson dollar no trade-dollars would have been made. All that were made, near forty millions, are still outstanding, worthless as money, but good as merchandise, at one-fifth less than their par or face value. The Republican party, I repeat, is responsible to the country for the trade-dollar.

The law authorizing its coinage was passed by Republican votes, in Republican Senate and in a Republican House, and was approved by a Republican Senate and in a Republican House, and was approved by a Republican President. The Republican party, through its office-holders, executed the trade-dollar law. Every Government official who assisted in getting trade-dollars into circulation, whether at home or abroad, was a member of the Republican party.

The trade-dollar law is a part and parcel of the financial legislation of the Republican party. Had the trade-dollar proved a success the Republican party would, in the language of all its platforms, "pointed with pride" to the trade-dollar law as one of its financial achievements.

The law was a very great failure. So, too, was the trade-dollar. Let the responsibility for flooding this and other countries with trade-

dollars rest where it belongs.

The trade-dollar law was passed in February, 1873. In less than two years thereafter 3,588,900 trade-dollars were coined at the United States mints and passed from the hands of the Government to the hands of the people. In 1875 and 1876 there were 11,829,550 coined. In the two years following (1877 and 1878) the coinage was 20,540,910. For six years the law was in active force, and during this period 35,-959,360 trade-dollars were made by the Government at its mints to be circulated as money at home and abroad.

Of this coinage \$15,418,450 was under the administration of Pres-

ident Grant and \$20,540,910 was during the time Mr. Hayes was acting as the executive head of the Government. Each and every one of these trade-dollars is in bad repute. None are current. All are depreciated. Their par value is \$1. Their money value is 20 cents less than a dollar. This experiment in finance foots up a loss in dollars and cents of

\$7,191,872.

The loss in good name and high honor and true faith admits of no estimate. Upon whom shall this loss of \$7,191,872 fall? Shall the loss be made good by the Government retiring these trade-dollars at their par value, or shall it be borne by the holders of this coin?

Ought the trade-dollar to be retired? This is not a new question. My information is that in each Congress since 1876 bills were introduced providing for retiring the trade-dollar. They were referred to the proper committee, and in committee they slept quietly for the re-

mainder of the session.

In the first session of the last Congress a bill to retire all outstanding trade-dollars at par passed the House April 1, 1884. The vote stood 198 yeas, 45 nays, 79 not voting. Two days thereafter the bill was before the Senate and was referred to the Finance Committee. In this committee the bill was permitted to sleep the remainder of the session, which ended in July. About five weeks (January 28, 1885) before the final adjournment of the last Congress the bill with amendments affecting the coinage of silver was reported to the Senate. General debate followed, and the Senate closed its labors on the 4th of March without voting for or against the bill.

In the debates in that body last session strong ground was taken against the passage of the House bill. Senators said that the Government is under no obligation to redeem the trade-dollar, and for this reason opposed the bill. The argument is that the trade-dollar is not a Government coin, and therefore the Government is under no obliga-

tion to make good to the holders their loss

Is the trade-dollar a coin of the United States? The answer to this question is found in the Revised Statutes. Section 3513 provides that "the silver coins of the United States shall be a trade-dollar, a halfdollar, or fifty-cent piece, a quarter-dollar, or twenty-five-cent piece, a dime, or ten-cent piece." That half-dollars, quarter-dollars, and dimes are by this section made United States coins no one disputes.

Why, then, is not a trade-dollar a United States coin? Section 3511 of the same statute provides that "the gold coins of the United States shall be a one-dollar piece; a quarter-eagle, or two and a half dollar piece; a three-dollar piece; a half-eagle, or five-dollar piece; an eagle, or ten-dollar piece; and a double eagle, or twenty-dollar piece." Are not each of these coins of the United States? The same statute, section 3515, provides that "the minor coins of the United States shall be a five-cent piece, a three-cent piece, and a one-cent piece." Are not these, too, United States coins? If not, why? Most unquestionally all of these coins are coins of the United States. The law so enacts. If they are not, then there are no United States coins. Except foreign coins, our laws know none other. These coins of our Government stand upon equal footing. If one is a Government coin, so, too, are each of the others

If the trade-dollar is not a United States coin, then neither of the others are entitled to that name. The trade-dollar had debt-paying power, and this, under our Constitution and laws, made it money. ion has no such power. Congress has exclusive power over coinage, and whatever is coined by its authority is, necessarily, Government coin. The weight and fineness of all our coin, including the trade-dollar, are préscribed by law. All are made at the Government mints and with

the labor of Government employés.

The same devices, legends, and inscriptions required to be put on the trade-dollar are found upon all the coins of the United States, except the one and three dollar gold pieces, and the dime, the five, three, Upon these excepted coins the figure of the eagle and one cent pieces.

is omitted, and weight and fineness are not required upon any coin except the trade-dollar.

While the law authorizing the trade-dollar was in force that coin had the same identical place in the statute-book which for thirty-seven years before had been occupied by the standard dollar of 1837. If the years before had been occupied by the standard dollar of 1837. If the latter is a coin of the United States, and this no one denies, why is not the former? From 1873 to 1878 the only silver-dollar piece made at the Government mints was a trade-dollar. Our laws, during those six years, provided for the coinage of no silver-dollar piece except the trade-dollar.

If the trade-dollar is not a Government coin, then it follows that the only silver dollars of the United States in circulation or outstanding in 1873 and in 1878 were those coined prior to 1873, under the laws of 1792 and 1837. Few of these, we have seen, were then in circulation. The further coinage of silver-dollar pieces was in 1873 one of the urgent demands of that time.

In meeting this demand the Congress changed the silver-dollar piece of 1837 in a few and it may be unimportant particulars, and provided for its coinage as changed under the name of a trade-dollar. In weight and fineness the old and the new dollar differ. In width and thickness, in form and appearance, they are substantially alike. The face of the one, like the face of the other, shows a dollar piece. To the unpracticed eye the difference between the two coins is not readily dis-

It is only upon close inspection that the real difference appears. Both are coins of the same Government and made only by its authority. It is not among the possibilities that the one is a Government coin and the other is not. Both are money, and both were intended for money by the coining power. Like all the Government coins, a trade-dollar was made a legal tender in payment of debts. All the gold coins of the United States are legal-tenders without limitation in amount.

The trade-dollar law made that coin a legal tender in amounts not exceeding five dollars in any one payment. This provision was in force for three years and more and then it was in effect repealed. All the

other silver coins of the United States are legal-tenders in like amount. So, too, are all our minor coins not above 25 cents in one payment. It is evident that in enacting the law the same value was given to

the trade-dollar as the law then existing gave to all other silver coin.

In sums of \$5, or less, the trade-dollar was made equal in value, dollar for dollar, with either of our gold coins. In legislating the trade-dollar into the coin-list what more could have been done than was done to make it good and lawful money of the United States? Manifestly, the Government did all it could do to make that coin the silver-dollar piece of the United States. To counterfeit a trade-dollar is a felony, punishable by heavy fine and long imprisonment.

Counterfeiting either of the other coins of the United States is a like offense and punishable in like manner. All general legislation respecting United States coins applies as well to the trade-dollar as to either of the other coins upon the list. There is no legislation special in character which makes a trade-dollar in any material respect difference of the control of the counterference of the count

in character which makes a trade-dollar in any material respect different from the other silver coins of the United States. In giving it le-

gal-tender value Congress made it coin.

In taking this value away, three years later, Congress made it bullion. The law is still on the statute-book. It has never been repealed. Why, then, is not the trade-dollar a Government coin? Can there be a doubt that in enacting the trade-dollar law that it was meant and intended to better the dollar of 1837 and make it, under a new name, the silver-dollar piece of the future? The dollar of 1837 then was at a high premium and unquestionably was the favorite coin of the peo-

The enemies of this dollar were bent on legislating it out of the coinlist, and equally bent on legislating something else into its place. More and finer silver, it was thought, would give the trade-dollar a value above that of the old dollar piece. An increase in weight and quality was well calculated to accomplish this end.

With two silver dollar pieces in circulation—one containing 420 grains of silver and the other 4121 grains it wight well be expected the

of silver and the other 412½ grains—it might well be expected the former would speedily drive the latter into the melting-pots and leave

the field clear for the trade-dollar.

But, probably, that which more than anything else secured for the trade-dollar popular favor both at home and abroad was the inscription upon its face, "In God we trust." These words express better, perhaps, than any others the religious belief of our people. Certainly there could be nothing upon our coin more appropriate and nothing that would inspire more confidence in the integrity of our Government.

Our own people, and people of like faith everywhere, looked upon this inscription as a covenant of the Government that the trade-dollar

was one of its coins, and that its par value would be always and ever

In the execution of the trade-dollar law its friends had everything their own way. Taking advantage of the demand for silver-dollar pieces they pushed the coinage and the circulation of trade-dollars by methods known and unknown.

Nearly thirty-six million were made and put into circulation by the Government within five years—almost five times the number of silverdollar pieces coined and circulated in the preceding eighty-one years.

Daily, from 1873 to 1878, the Government mints turned out twenty thousand trade-dollars. The coinage was forty each working minute

for a period of nearly six years.

In July, 1876, 15,631,000 trade-dollars were in the hands of the people. Each one of them was a full legal tender. Used singly or five at a time they had all the money value it was possible for the Government to give. In stamping upon the face of each of these money pieces the words "trade-dollar" the Government said to all to whom they might come, this is a good and lawful dollar of the United States.

Upon the faith of this imprint these coins were taken from the Gov-

Upon the faith of this imprint these coins were taken from the Government and passed from hand to hand among the people in every part of the country. The law, it must not be forgotten, obliged every one to take these trade-dollars at par. Labor, skilled and unskilled, was paid its wages in trade-dollars. They paid for the products of the farm and of the workshop. At the butcher's and the baker's, with the grocer and the shopkeeper, and at market places they were current coin.

In the face of all that the Government has said and done respecting

the trade-dollar are we under no obligation to make good what the people have lost by the depreciation in this money? Is not the Government bound to make good to the uttermost the gold coins made at its mints? Who will say that our silver coins less than a dollar are not the money of the Government, or that in honor the Government is not bound to keep them at par at all times and under all circumstances? If there is any obligation upon the Government to maintain the par value of our fractional silver coins, equally binding is the obligation to make good the trade-dollar.

For the redemption of the circulating notes of the Government (greenbacks) the faith of the Government is solemnly pledged. Equally strong should be the pledge respecting all of the coins of the Government. Look into the statute-books and you will find that the Government is obligated to redeem national-bank notes when their redemption has been refused by the issuing bank. Those who held trade-dollars when they fell below par have a stronger claim upon the Government to have their loss made good than have the holders of national-bank notes for the payment of their bills in case payment is refused by the

There is every reason why the Government should redeem its own issues, but no reason why it should stand good for the issues of individuals or of corporate bodies. The holders of our paper currency have all the indemnity against loss the Government can give. Equal indem-

nity ought to be given to the holders of our coins.

There is nothing to be lost by exchanging trade-dollars for the standard dollar of 1837, which the act of February 28, 1878, authorizes to be coined. The trade-dollar contains the most silver. Exact computation shows that fifty-five trade-dollars will make fifty-six standard dollars. The difference in the weight of the two coins is $7\frac{1}{2}$ grains. In this excess is value sufficient to meet the entire expense of melting the one to coin the other.

It is estimated, correctly it is believed, that the recoinage would make a profit to the Government of three-fourths of 1 per cent. on each dollar recoined, or \$7,500 on each one million pieces. Existing laws require the Director of the Mint to purchase monthly \$2,000,000 of silver bullion for coinage into standard silver dollars. Trade-dollars are bullion and have been since Congress in 1876 said they were not legal-tenders. Let them, then, be purchased at par, monthly, instead of other bullion, and in this way, if in no other, they will soon reach the

Mr. Speaker, it has been said that the Government is under no obligation, legal or moral, to redeem the trade-dollar, because that coin, it is alleged, was not made for use at home but for export and use abroad. Our trade with China and other remote countries it is claimed made a demand for a silver-dollar piece different from any previously coined, and that to promote this trade the law authorizing the coinage of trade-dollars was enerted.

of trade-dollars was enacted.

It is possible that in voting for the trade-dollar law a few had these considerations in their minds. It is possible, also, if not probable, that others in voting for the law had in their minds a silver-dollar piece for circulation and use among the people of our own country. The trade-dollar law, it will be noticed, is perfectly free from hint or intimation as to the purpose of Congress in enacting it. Nor is this purpose sug-gested by the words and figures which are inscribed upon the face of trade-dollars.

The law simply enacts that the trade-dollar shall be a silver coin of the The law simply enacts that the trade-dollar shall be a silver coin of the United States, that its weight and fineness shall be inscribed upon its face, and that in sums not exceeding \$5 it shall be a legal tender in payment of debts. Surely there is nothing in this to authorize the statement that trade-dollars were to be coined for the use of people living in countries far distant from our own. Indeed both the letter and the spirit of the law plainly show the legislative intent to be the making

of a coin for the use of our own people.

When it is remembered that the trade-dollar law put an end to the further coinage of the dollar of 1837, and that but few comparatively of these dollars were then outstanding, and that for five years thereafter trade-dollars were the only silver-dollar pieces authorized to be coined at our mints, it will be seen that the assertion that our people were to have none, but that other people were to have all, of the trade-dollar

coinage, has no foundation in fact. He who asserts that trade-dollars were not coined for general circulation among our own people certainly forgets that part of the trade-dollar law which makes them a legal

tender in sums not exceeding \$5 for the payment of debts.

If trade-dollars were coined for circulation in foreign countries this legal-tender provision was of no sort of account. If coined for circulation in our own country the provision was indispensable in making them acceptable to our people. But if it be true that trade-dollars were coined for the sole purpose of circulation and use abroad, are not the obligations of the Government respecting them the same as if the coinage had been made for the exclusive use of our own people?

Trade-dollars are United States money wherever they are held. The obligation of the Government to the holders of this money is the same whether they live in Asia or America. The people in foreign countries and the people in this country took these pieces of silver trusting that the Government, that said they were dollars, would keep good its words. In compelling our people to receive them at their par value the Government put itself under an obligation, binding in morals and in law, to maintain this value and make good any loss from deprecia-tion. This obligation in honor can not be ignored.

Perhaps the strongest opposition to redeeming trade-dollars comes from those who assert that the Government has no property in them and had none in the silver from which they were made. Neither of these assertions is founded in law or in fact. Trade-dollars in large numbers were made from silver bullion owned by the Government and in stock at the mint when the trade-dollar law was passed. Surely no one will claim that the property of the Government in this coinage is not absolute and exclusive. Large amounts of silver bullion were purchased by the Government after the passage of the law, and from it many trade-dollars were coined. That the Government had exclusive property in this coinage admits of no dispute.

The balance of the trade-dollar coinage was made from bullion owned by individuals and corporate bodies, and by them brought to the mint

to be coined into trade-dollars at their own expense.

In this bullion, and also in the coinage it made, it is said that the Government has neither property nor interest, and is therefore perfectly free from any and all obligation to redeem the trade-dollar coinage. The coinage law, we are told, authorizes this view of the subject.

The part relied upon enacts "that the owner of silver bullion may

deposit the same at any mint to be formed into bars, or into dollars of the weight of 420 grains troy, designated as trade-dollars." Another part of the same law is "that the owner of gold bullion may deposit the same at any mint, to be formed into coin or bars for his benefit." If the tenor or effect of these two laws is unlike it is in a single par-The gold bullion, it will be noticed, is to be formed into coin or bars for the benefit of its owner. For whose benefit the silver bull-ion may be coined into trade-dollars the law does not inform us.

There is therefore far greater reason for asserting that the Government is obligated to maintain the par value of the trade-dollar coinage than the gold coinage from bullion deposited to be formed into coin "for the benefit of its owner." If it has been claimed at any time or place that the Government is under no obligation to maintain this gold coinage at par, the fact has escaped general attention. In the particular under discussion this gold coinage and the trade-dollar coinage stand upon the same footing. The obligations of the Government respecting the

one are the same respecting the other.

Whether silver bullion after its deposit at the mint for trade-dollar coinage becomes the property of the Government, or remains the property of the depositor, is a question which the coinage law does not determine. Considerations outside of this law must necessarily settle this question. If bullion deposits were kept separate and apart so that the identity of each were preserved, and the depositor received the coinage from his own bullion, then, probably, in strict law, both bullion and coinage were the depositor's property.

On the other hand, if the deposits were mixed and mixed also with the bullion award by the Covernment

the bullion owned by the Government and all were kept together as common stock from which all silver used at the mint was taken, then, upon principles recognized in every American court, both the bullion and its coinage were Government property. From the mint we have the information that all silver bullion, after it is assayed, is put together and so kept as common stock. From this stock all silver is taken as needed for coinage or other use.

Upon the deposit of buillion to be coined into trade-dollars its value was ascertained, and this was paid to the depositor in trade-dollars. Those trade-dollars were coined from the general stock, and were kept

on hand in large numbers for exchange for deposited bullion.

In the light of these facts it will not do to assert that the Government has no property in the trade-dollar coinage. The assertion is not sustained by the facts or the law. From this course of dealing it may be well said that the Government upon paying the depositor the value of his bullion in trade-dollars was the absolute owner of the deposit. In discussing the duty of the Government respecting the trade-dollar coinage the claims of those who hold trade-dollars made from their

own bullion are not to be considered. Against such claims, if any there be, the objection that the Government has no property in what they hold might have force. But the objection has no strength against

those who hold trade-dollars by a different title. Those who hold trade-dollars received in the usual and regular course of business and trade have indefeasible claims upon the Government. To them the

Government stands as the maker of their money. They hold it for value.

Coined at the mint from Government silver and with Government labor, in the name of the Government and by its authority and by the Government put into circulation, why is not the Government bound to them for its face value? Look upon the two sides of these coins. Both are covered with inscriptions. What do they mean? Without them, these pieces are bullion; with them, they are United States coins. These inscriptions inspire confidence and trust. They imply, if they do not express, a guarantee as to value upon which the people might rightfully rely. No stronger pledge of honor and faith is it possible for the Government to give. In law, in equity, in sound morals, in good conscience the authoritative sayings and doings of the Government respecting trade-dollars estop it from denying its obligation to maintain their par value.

Nearly one-half of the trade-dollar coinage was made a legal tender

n payment of debts. This part, amounting to \$15,631,000, the Government compelled the people to accept at its par value. Is there no obligation upon the part of the Government to take it back at the same value? To say "no" is repudiation outright. When the bill to redeem the trade-dollar was under discussion in the Senate (February 5, 1885) it was stated that trade-dollars were made legal-tenders inadvertently. Somebody blundered, said the distinguished chairman of the Senate Finance Commitee, in making trade-dollars a legal tender. did the honorable Senator from Vermont [Mr. MORRILL] refer? Was it to the Republican House or the Republican Senate by whose vote trade-dollars were made legal-tenders? Did he refer to the Republican President who gave his approval to the legal-tender provision of the trade-dollar law?

Let this grave charge of inattention to public duty be answered by the party then in power. Legislation respecting the trade-dollar is open to a graver charge than that of blundering. The joint resolution July 22, 1876, is more than a blunder.

The resolution reads, that after July 22, 1876, trade-dollars should cease to be legal-tenders, and after that date all trade-dollars coined should be sent out of the country. On the day this resolution passed the Congress of the United States and was approved by the President there were 15,631,000 legal-tender trade-dollars in circulation among the people. The truth of this statement has been questioned.

The official reports show that 15,631,000 had been coined at the mints. Possibly the whole of this coinage had not reached the hands of the people. These trade-dollars were held largely by the laboring and industrial classes of our people. They were in the pockets of almost every wageman and wage-woman. Farmers held them. Trades-men, large and small, had them in their tills. The savings of the poor were in these coins, and they formed a part of the holdings of those classed as not rich and not poor. All had been honestly acquired and all were honestly held.

The law, then three years in force, said they were good and lawful money of the United States, and upon the faith of this law a million or more of our countrymen were the lawful owners of this trade-dollar coinage. Duty, obligation, faith, honor, all stood in the way of the Government impairing the value of these holdings. Without notice, with no warning, suddenly, while in the midst of great financial troubles, precipitated by the panic of 1873, the Congress legislated all money

value out of these trade-dollars.

By this quick transition from coin to bullion our people had \$15,-631,000 less money and \$12,304,800 more merchandise. Three million three hundred and twenty-six thousand and two hundred dollars of value wiped out by a single resolve of Congress may appear in this age as a mere blunder in legislation. Let us hope that those who are to come after us will not regard such work as rank repudiation. We are a debt-paying people. Anything savoring of repudiation is universally abhorred. All legislation, State or Federal, impairing in the slightest degree obligations, public or private, or rights which are vested, is repugnant to honor, to good faith, and to the organic law of the Govern-

The faith of the Government once pledged ought to be maintained inviolate. If these 15,631,000 United States coins were not satisfactory money the Congress ought to have retired them at par. This could have been done without the loss of a penny either to the Government or to the holders of this coinage. The holders of this legal-tender money had rights which were entitled to some respect at the hands of the lawmaking power of the Government. In any legislation which made de-preciation possible the honor of the Government was directly involved. But neither of these considerations seem to have had weight.

The fact, if it be such, that the greater part of these legal-tender trade-dollars were in foreign countries doing service as money does not relieve our legislation from the taint of repudiation. Whether they were coined for use in or out of this country, or whether few or many were held at home or abroad, their value was seriously impaired by the resolution of Congress. If to-day Congress would enact that from and after January next greenbacks or any of our gold coins should cease to be a legal tender the act would be regarded the world over as a breach of honor and faith. That part of the trade-dollar coinage (\$15,631,000) put out as legal-tender money, in the judgment of many of our people is still legal-tender money and will be as long as it is outstanding.

The power of Congress to make these coins legal-tenders no one dis-ntes. The power of Congress to make them non-legal-tenders in the hands of their holders is seriously questioned. But whether or not Congress in taking from trade-dollars their legal-tender property transcended the limits of its constitutional powers need not now be discussed. Nor is it necessary at this time to do more than refer to what is so generally claimed, that the Constitution itself makes all silver and gold coin legal-tender money, and that any act of Congress otherwise providing is void.

Upon the passage of the resolution declaring trade-dollars non-legaltenders the further coinage of these silver pieces ought, instantly, to have ceased. But the resolution otherwise provided. It authorized the coinage of these same silver pieces to be continued, without limit in amount, under the direction of the Secretary of the Treasury, upon the condition that all that was coined should be sent out of the coun-Upon the authority of this resolution, and within two years after its passage, 20,540,910 trade-dollars were made at our mints.

All of this coinage, it is said, was sent out of the country. How much of it has returned is, in this connection, a matter of no particular moment. It may be well enough, however, to state that of the entire trade-dollar coinage (\$35,959,360) it is estimated that the amount held in this country is from \$7,000,000 to \$10,000,000. Among people un-informed in our laws these silver pieces are treated as United States coins. Their appearance well justifies this belief. In form and in the inscriptions upon their face they are nearly identical with other United States coins. In other countries they were received in the belief that they were our money and in this country had money value: These people are deceived. The Government made the deceit possible, and for this reason, if for none other, it is obligated to make the trade-dollars they hold worth their face value.

We are told that the trade-dollar coinage held in this country is now in the hands of persons who bought them at less than their par value. This is urged as a reason why we ought not to retire this coinage. While I do not doubt that if we pass a law calling in all outstanding trade-dollars at par we will put money into the pockets of those who have speculated in these coins, and also make further speculation in them possible, still I am satisfied that many of these coins are in the hands of the same people who held them when they fell below par.

In my judgment it is the duty of the Government to redeem all tradedollars outstanding.

The fact that a few who are thought to be undeserving will be profited if this is done, ought not to prevent us from doing to others what we know to be just and right.

Until trade-dollars are called in and changed from coin to bullion, or

put to some other use, they will continue to speak loudly and truly of faith broken and duty not done. All outstanding trade-dollars ought to be retired at par, and that, too, within the shortest possible time.

If we would maintain our financial honor they should be withdrawn

If we would maintain our financial honor they should be withdrawn at once, and all losses made good. The public interests would be best subserved by relieving the people, and that speedily, of this depreciated money. All of it ought to be got out of the way. There should be but one silver-dollar piece. Now we have two. The intrinsic value of the one is greater than the other. The one is current, and the other is uncurrent. One is worth \$1, the other is worth 80 cents.

Payment of the Surplus on the Public Debt.

SPEECH

HON. JOSEPH G. CANNON.

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 14, 1886.

On the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. CANNON said:

Mr. CANNON said:

Mr. SPEAKER: The labor of the first session of the Forty-ninth Congress is now substantially completed. Before we adjourn I desire to submit a statement covering the provisions made by appropriations for the support of the Government for the fiscal year commencing on the 1st day of July, 1886, and ending on the 30th of June, 1887, and compare the same with the estimates submitted under direction of the President by the Secretary of the Treasury to Congress for such service, as well as an estimate of the revenues made by the Government to meet the expenditures. Also, in addition a comparison of the appropriations for the fiscal year 1887, with the expenditures for the fiscal years 1884, 1885, and 1886, respectively. I hold in my hand a letter from the Secretary

of the Treasury, transmitting tabular statements A and B, covering these matters.

I send the letter to the Clerk's desk to be read.

The Clerk read as follows:

TREASURY DEPARTMENT, August 5, 1886.

TREASURY DEPARTMENT, August 5, 1886.

SIR: In reply to your application of the 4th instant I hand you tabular statement A, comparing the expenditures of the Government for the fiscal year ending June 30, 1886, with those for the year ending June 30, 1885, noting the items of increase and decrease, respectively.

Also tabular statement B, showing amount of estimates submitted to Congress by the Secretary of the Treasury for fiscal year ending June 30, 1887, and the appropriations made by the regular annual and miscellaneous appropriation bills for that year. The permanent indefinite appropriations will no doubt exceed the estimates (\$118,000,000) owing to the claims arising under a decision of the United States circuit court for the district of New York, for refund of duties on cartons, covering at least \$5,000,000.

Table B also covers summary of the expenditures (total) for the fiscal years ending, respectively, June 30,1884, 1885, and 1886.

In further reply I have to say the expenditures for the sinking fund are less for 1885 and 1886, and will be still less for 1887, owing to the fact that in determining the amount to be applied to the fund for those years the aggregate of the various coin and currency certificates held in the Treasurer's cash, as well as the cash available for the reduction of the debt and the amount held as a reserve for the redemption of United States notes under the resumption act, were deducted from the outstanding principal of the debt, whereas in former years the amount was determined without such deductions being made.

Respectfully yours,

C. S. FAIRCHILD, Acting Secretary.

C. S. FAIRCHILD, Acting Secretary.

Hon. J. G. CANNON, House of Representatives.

I will insert table B, as follows:

TABLE B.

Title of bill.	Estimates, 1887.	Appropriations, 1887.
Pension. Military Academy Fortifications. Consular and diplomatic. Navy. Post-Office Indian. Army. Legislative. Agricultural. Sundry civil. District of Columbia.	\$75, 830, 200 00 412, 075 70 3, 396, 000 00 1, 604, 991 60 30, 836, 357 74 54, 986, 166 89 6, 051, 259 84 25, 356, 998 01 21, 525, 556 62 651, 875 00 33, 554, 600 33, 554, 600 33, 839, 888 99	\$76, 075, 200 00 297, 805 00 11, 364, 065 00 16, 489, 556 72 54, 365, 863 25 5, 561, 262 84 23, 753, 057 21 20, 654, 346 37 654, 715 00 22, 657, 510 58 3, 721, 000 98
River and harbor	10, 176, 920 00 3, 556, 519 45 15, 895, 122 81	14, 473, 900 00 †10, 769, 015 28 13, 967, 372 87
Total regular annual appropriations Permanent annual appropriations	287, 672, 492 24 118, 910, 955 00	264, 804, 721 11 118, 910, 955 00
Total regular and permanent annual appropriations	406, 583, 447 24	383, 715, 676 11
Expenditures for 1886, including \$44,551,043. fund, and \$42,830,438.18 for the postal service revenues	from the postal	329, 864, 620 04
Appropriations for 1887 in excess of the expen	ditures for 1886	53, 851, 056 07
Expenditures for 1885, including \$45,604,035, fund, and \$45,504,624,63 for the postal service revenues. Expenditures in 1885 in excess of expenditure		351, 335, 595 17 21, 470, 975 13
Expenditures for 1884, including \$46,790,229. fund, and \$47,083,869.48 for the postal service i revenues. Expenditures for 1884 less than expenditures f	from the postal	338, 000, 343 31 13, 335, 251 86

* Including \$3,500,000 for increase of the Navy.
† Including \$5,769,015.28 for judgment court of Alabama claims and expenses of court and laws approved and printed up to July 31, and bills which have passed both Houses.

The Secretary of the Treasury in his annual report to Congress estimated the revenues for 1887 at \$315,000,000; the Postmaster-General estimated the postal revenues for 1887 at \$47,542,252.64; total, \$362,-542, 252, 64.

So it appears that the new administration in the first year of its power asks appropriations for the service of the Government to the amount of over \$406,500,000 for 1887; which is, in round numbers, over \$44,000,000 in excess of the estimated revenues for the same year; in round numbers, \$75,000,000 more than the total expenditures for the fiscal year 1886.

It further appears that the appropriations for the year 1887 are, in round numbers, \$54,000,000 more than the expenditures for 1886, and the Secretary of the Treasury tells us in his letter just read that they will not cover the expenditures for 1887 by at least \$5,000,000 for re-

fund of duties payable from the permanent appropriations.

Mr. Speaker, it is true that the revenues for the fiscal year 1886 amounted to \$380,000,000, in round numbers, including postal revenues-a larger amount than was estimated by the Secretary of the Treasury in his annual report to Congress for the year 1887, but even if the revenues for 1887 should be as great as they were in 1886, still they will not be sufficient to pay these extraordinary appropriations.

The expenditures for 1886 were made under appropriations granted

by the second session of the Forty-eighth Congress while Chester A.

Arthur was President. I ask this Democratic House and the country, if in the first grant of appropriations made under this Democratic administration, with the elections next fall staring you in the face, you give, in round numbers, \$54,000,000, for 1887, more than was expended in 1886, what will the appropriations and expenditures be next year in event the people give you a further lease of power and you can feel that you are firmly seated in the saddle?

Mr. Speaker, when the country comes to realize the extraordinary record of this administration it will be justly alarmed.

Especially will this be the case when the country realizes that this enormous increase of expenditures has been provided for while the President and his admirers have been claiming the attention of the country by his one hundred and two vetoes of private pension bills, which if they gave \$20 per month to each claimant would only save \$24,480 per annum to the Treasury.

No wonder, Mr. Speaker, that on Tuesday last, when the conference

No wonder, Mr. Speaker, that on Tuesday last, when the conference as they are, I in report on the sundry civil appropriation bill was being considered, the watch-dog of the Treasury, Mr. Holman—who, by the by, has not been desk, as follows:

quite as vigilant as usual this session—in anguish and with indignation exclaimed, "I greatly regret the unexampled increase of offices in this bill; but at this late hour I will not, on that account, retard the adoption of the report."

Sir, the Democratic party came into power on the distinct allegation that the whole public service was honeycombed with extravagance, and with the distinct pledge that they would reduce expenditures. The truth is that there was not the extravagance they claimed; but instead of correcting abuses that did exist they have left them untouched—not only left them untouched but have multiplied them.

only left them untouched, but have multiplied them.

Mr. Speaker, my colleague [Mr. Speinger] claimed great credit for this administration a few days ago, stating that it had largely decreased the expenditures for 1886 over 1885. He did not stop to say that the appropriations for 1886 were made under a Republican administration. But that the expenditures for 1886 as compared with 1885 may be seen as they are, I insert Table A, transmitted by the Secretary of the Treasury, and referred to in his letter which I had read at the Clerk's

TABLE A. - Comparison of expenditures of the Government, fiscal years 1885 and 1886.

	1885.	1886.	Increase 1886.	Decrease 1886.	Items of increase and decrease,	
Customs service,	\$27,125,972 67	\$24, 165, 246 36		\$2,960,726 31	Decrease in— Repayment to importers Collecting the revenue and detection of frauds Debentures or drawbacks Furniture and repair of same, public buildings Fuel, light, and water for public buildings Light-house establishment	\$1,412,000 124,000 486,000 87,000
					Light-house establishment. Custom-house and other buildings Total	223, 00 645, 00 3, 004, 00 44, 00
					Net decrease	2, 960, 00
Internal revenue service	4,550,623 21	4,113,319 90		437,303 31	Decrease in— Salaries and expenses, agents, collectors, &c	269, 000 125, 000 105, 000 499, 000 62, 000
					Net decrease	437, 00
Dip'ematic and consular service	5, 439, 609 11	1,332,320 88		4, 107, 288 23	Decrease in— Payment judgments, Alabama claims Awards of French and American Claims Commission Miscellaneous items	3, 301, 006 594, 500 212, 000
					Total decrease	
g sarterly salaries	598, 986 61	616, 379 42	\$17,392 81	3,530,359 39	Decrease in—	4,107,00
reasury Department	36, 854, 109 06	33, 323, 749 66	•	3,000,000	Salaries Mints and assay offices Bureau of Engraving and Printing. Sinking funds, Pacific railroads. Mail trausportation, Pacific railroads. New Orleans, Cincinnati, and Louisville expositions Building for State, War, and Navy Departments Increasing water supply of Washington, D. C. Payment of judgments, Court of Claims. Miscellaneous items.	135, 00 197, 00 257, 00 4, 397, 00 947, 00 1, 000, 00 139, 00 485, 00 468, 00 615, 00
					Increase in— Court-houses, post-offices, and other buildings Louisyille and Portland Canal Deficiencies in postal revenues	1, 058, 00 400, 00 3, 652, 00
			100		Total	5, 110, 00
					Net decrease	3, 530, 00
Judiciary	3,945,691 37	3, 309, 689 19		636,002 18	Decrease in— Fees of supervisors of elections Expenses of United States courts and miscellaneous	255, 00 381, 00
	THE PARTY OF			10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Total decrease	636,00
Interior, civil	\$8, 979, 266 36	\$7, 306, 224 44		\$1,673,041 92	Decrease in— Salaries and miscellaneous expenses Building and grounds under Interior Department. Public-lands service Surveying public lands, &c. Deposits by individuals for surveying public lands	\$58,00 220,00 70,00 354,00 681,00

TABLE A Comparison of	expenditures of the	Government,	&c.—Continued.
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MS ACTUAL TO THE PARTY OF THE P	1885.	1886.	Increase 1886.	Decrease 1886.	Items of increase and decrease.	
War.	42, 670, 578 47	34, 324, 152 74		- 8, 346, 425 73	Decrease in— Rivers and harbors	6, 868, 000 117, 000 100, 000 332, 000 255, 000
essential and estimate					Horses and other property lost in the military service. Army transportation, Pacific railroads Miscellaneous items	224, 00 300, 00 150, 00
SERVICE OF THE SERVIC	HALL HALLAND		Charles III.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Total decrease	8, 346, 00
Navy	16,021,079 67	13, 907, 887 74	0	2,113,191 93	Decrease in— Double-turreted monitors. Steel cruisers, construction. Steel eruisers, ordnance. Pay, miscellaneous and contingent. Mileage, Navy (Graham decision). Steam machinery. Construction and repair. Provisions. Bounty for destruction of enemies' vessels.	290, 00 441, 00 217, 00 100, 00 208, 00 90, 00 30, 00 20, 00
					Extra pay to officers and men in Mexican war Lady Franklin Bay expedition. General account of advances Total decrease	63, 00 65, 00 1, 393, 00 3, 002, 00
					Increase in— Pay of Navy and Marine Corps Miscellaneous	630, 0 259, 0
				450 000 40	Net decrease	889, 0 2, 113, 0
ndian service	6,552,491.63	6,099,158.17		453, 336 46	Decrease in— Fulfilling treaties and treaty supports Miscellaneous supports Trust funds Miscellaneous expenses of Indian service Total decrease	4, 0 230, 0 9, 0 210, 0 453, 0
Pensionsnterest on public debt	56, 102, 267 49 51, 386, 256 47	63, 404, 864 03 50, 580, 145 97	\$7,302,596 54	806, 110 50		
Totals	260, 226, 935 11	242, 483, 138 50	7, 319, 989 35	25, 063, 785 96		
Decrease in 1886 in ordinary expendi-		17,743,796 61		17, 743, 796 61		
Postal service, from the postal revenues.	45,504,624 63 45,604,035 43	42, 830, 438 18 44, 551, 043 36		2,674,186 45 1,052,992 07		
West and the second	351, 335, 595 17	329, 864, 620 04	7, 319, 989 35	28, 790, 964 48		
Total decrease in 1886		21, 470, 975 13		21,470,975 13		

It will be noticed from the table that the total decrease of expenditures for 1886 over 1885 is, in round numbers, \$21,000,000. Now, this decrease comes from a few items, some of which fluctuate from year to year and some of which were exceptional for 1885, and do not in the slightest degree show extravagance in 1885 or economy in 1886. I give a summary of them from Table A:

Repayment to importers (fixed by law), and varies from year to year. \$1,412,000
Debentures and drawbacks fixed by law. 485,000
Payments, judgments Alabama claims, the money for which was recovered from Great Britain, and has been in the Treasury for many overed from Great Britain, and has been in the Treasury for many years.

Awards, French and American Claims Commission.

Sinking fund Pacific railroads, required by law under Thurman act to be invested in Government bonds, not invested on account of high price of bonds.

New Orleans and Louisville expositions.

Increasing water supply of Washington, D. C.; loan by the Government. 3,301,000 4,397,000 485, 000 468, 000 8, 343, 000 ment.

Judgments of the Court of Claims.

Rivers and harbors, soldiers' homes, and other war expenditures....

Decrease in expenditures for sinking fund, arises from different mode of computing same (see Secretary Treasury's letter). 1,052,000

Thus it will be seen that when you analyze the zealous speech of my colleague from Illinois, Mr. SPRINGER, it is but as the "sounding brass and tinkling cymbal."

I was struck with wonder while he was talking, that with his fertile genius he did not address himself to the extraordinary increase in appropriations of \$54,000,000 for 1887 over the expenditures for 1886, at which he points with so much pride. I beg the pardon of the House for detaining it with the details of a very dry subject, and yield the Payment of Treasury Surplus on the Public Debt.

SPEECH

OF

HON. WILLIAM D. BYNUM,

OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES.

Wednesday, August 4, 1886,

On the report of the conference committee on the disagreeing votes of the two Houses on the joint resolution (H. Res, 126) directing payment of the surplus in the Treasury on the public debt,

Mr. BYNUM said:

Mr. SPEAKER: It is not my intention to enter into any lengthy discussion of the main question involved in the scope of the resolution as passed by the House, requiring the Secretary to pay out the surplus in the Treasury upon the interest-bearing debt, subject to call.

I heartily supported the resolution as it passed this House, and thought then and now think that its provisions were not only wise

and just but, under the circumstances, eminently proper.

No issue was more distinctly made in the campaign of 1884, in the State which I have the honor, in part, to represent, than that the surplus in the Treasury should be applied, without delay, to the payment of so much of the national debt as might be due. That the Government should demand and collect from the people, by taxation, millions

of dollars annually and hoard the same up in the vaults of the Treasury instead of applying it to the payment of the interest-bearing debt, was considered not only bad financiering but a grievous offense against the general welfare. It was believed that such a policy resulted not only in an unwarranted increase of the burdens of the people, by the accumulation of interest upon the bonds which should be redeemed, but that the volume of money, already too small in the West, was contracted and debts already too large thereby increased.

When the present administration assumed control and management

of our national finance the surplus in the Treasury, by the revised and corrected statement, amounted to less than \$24,000,000. On the first day of the present month it had swollen to over \$80,000,000. During the time this immense sum has been accumulating there has been out standing, payable at the option of the Government, over \$140,000,000 of bonds drawing interest at the rate of 3 per cent. Industries, already paralyzed, and labor, already oppressed, have been compelled to give up a share of their meager earnings, which instead of being applied to the extinguishment of their obligations and a reduction of their burdens, have been secreted in the dark vaults of the Treasury and there re mained idle, while the debts which should have been promptly paid have been vigilant in their growth. This system of financiering was the result of an implied discretion claimed and exercised by the Secretary of the Treasury.

This House, for the purpose of taking away any discretionary power that the Secretary might have in the matter and compelling him to apply the surplus now on hand or which might hereafter accumulate to the payment of bonds now due, at the rate of not less than ten millions a month, so long as that amount should be in the Treasury, passed the resolution which was sent to the Senate.

When it was returned to this House I am confident a more complete transformation of a legislative provision was never beheld. millions of the surplus had been taken away and placed under the caption of a working reserve, and that discretion, heretofore claimed and exercised by the Secretary, and which the House had sought to extinguish, was not only rehabilitated, but absolutely clothed with Congres-

sional sanction and legal existence.

What have the conferees of the House presented to us as a compromise? They have not only wholly surrendered the position taken by the House and retraced their steps to the point from whence we started, but have traveled in the opposite direction and met the Senate conferees more than half-way. They ask that we agree to the establishment of the twenty millions as a working reserve, which can only increase the volume already idle, and that the Secretary, by direction of the President, shall cease to pay out the surplus whenever in the opinion of the President them. ion of the President there is a great emergency and the protection of the public credit requires it.

Mr. Speaker, for years I have tried to comprehend this mode of pre-serving and strengthening the public credit, and I confess I have not been able to do so. I have often thought that if individuals could preserve and strengthen their credit by hoarding up their money and suffering their interest-bearing obligations to remain outstanding what a revolution would take place in the commercial world; what immense, colossal financial standings many who are now at the bottom would soon be able to build up, and how low many who are now at the very top would soon sink. To my mind the Government, as individuals, can only strengthen her credit by paying off her interest-bearing obligations and reducing her debt.

The credit of this Government is not based wholly but only in a very slight degree upon the amount of money held in the Treasury. It has a foundation more substantial than if she possessed all the gold coin in the world. The great resources of our country are a continued pledge for the faithful performance of every contract and the payment of every obligation. To hinge the credit of this nation upon a few millions of obligation. money in the Treasury and the power of the President to issue a proclamation, is a confession which will and should be repudiated and

scorned by the people we represent.

I am in favor of requiring the Secretary to pay out the surplus with-out qualification or limitation, and am willing to answer to my con-stituents for any and all the evil consequences that may follow such a

I have the greatest confidence in our friends in the East to create an emergency—in fact, there is no emergency in the manipulation of finances for their benefit and our detriment so great but what they have always been equal to it. When there has been a stringency of money in New York they have been able to secure the payment of the surplus in the Treasury upon obligations held by them. When there has been a plethora of money in that great center they have been all-powerful in keeping the doors of the vaults closed and the money which was there secreted, and which was so much needed in other parts of the country, idle.

The attention of the country has been called to this question, and the people will no longer quietly submit to such a policy. Public sentiment will compel the present officials to pursue a policy different from that which has controlled them in the past.

My objection to the report of the conferees is that it confers greater power upon the Secretary of the Treasury than he now rightfully pos-

sesses, and will enable him to cease payment at the will and whim of the money-sharks, who will be the authors of an emergency whenever they desire to speculate upon the legitimate business of the country. gentleman from Kentucky [Mr. Breckinridge] says that the resolution as amended is a step in the right direction. I can not agree with him; in my judgment it is a step in the wrong direction, and I am unwilling to take it.



HON. JONATHAN H. ROWELL,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES. Wednesday, July 21, 1886.

The House having under consideration the bill (S. 1532) to to regulate com-

Mr. ROWELL said:

Mr. SPEAKER: I regret exceedingly that the Senate and the Commerce Committee of the House are so wide apart in their views of what is necessary and proper legislation in regard to interstate commerce. I regret it the more, because in my judgment it is the handwriting on the wall which notifies us that the Forty-ninth Congress is to adjourn without a compliance with the reasonable demands of the people that some effective legislation upon this subject shall be placed upon our statute-books.

The power of Congress to regulate interstate commerce is conceded on all sides. That the carrying of freight and passengers by rail falls withing the meaning of the word "commerce" has been judicially determined beyond any possible question is also conceded. The need of termined beyond any possible question is also conceded. The need of regulative national legislation is now so universally admitted that there is left for Congress, so far as discussion goes, only the duty of finding out the best method of correcting the evils resulting from unregulated

railway commerce.

Two propositions are before us—the Senate bill and the Reagan House bill. They are alike in the definition of interstate commerce, alike in declaring against extortion, unjust discrimination, rebates, and draw-backs, for in this respect they but reiterate the rules of the common law. In all other respects they are unlike. In proposed remedies—and this is what Congress ought to concern itself about—they are as wide apart as the poles. For eleven years, as often as Congress has assembled, this bill, known as the "Reagan bill," not in exact terms but

in substance, has made its appearance in the House.

It had its inception in the very infancy of the experimental railroad legislation of this country. Fifteen years ago witnessed the beginning of the attempt to regulate railway traffic in the United States. In that period of fifteen years the majority of all the States and Territories in the Union have tried their hands through State and Territorial legislation at the business of regulating railway traffic within the States. Four-fifths of that majority have pronounced judgment against the theory upon which the Reagan bill is constructed, originated within four years of the commencement of the period of experiments, and at a time when theories were plenty while practical knowledge upon this subject was very meager. We were feeling our way then in the States, subject was very meager. We were feeling our way then in flagging a road through the wilderness of untried theories.

Mr. REAGAN. 17my friend will allow me, I will say to him there never has been a State bill nor a Federal bill based upon the theories of

the bill that the House is now considering.

Mr. ROWELL. I was just going to state, Mr. Speaker, that notwith-standing the fact that a majority of the States of the Union have at-tempted to regulate railway traffic within the States, notwithstanding the fact that within the borders of those States the attention of the people has been constantly directed to this question, and their legislators have been the exponents of the best and most enlightened thought upon this subject, we are, and have been for eleven years, treated here to a bill which ignores the wisdom and experience of the States, a bill without a precedent, not based upon knowledge, a "floater" in the great sea of legislation, and we are told by the gentleman from Virginia [Mr. O'FERRALL] that this bill is to be adhered to through thick and thin in order to accomplish three purposes.

The first is to add luster to the fame of the gentleman from Texas

[Mr. Reagan]. Now, I object to that purpose because the gentleman does not need anything of the kind to add luster to his fame. That is

not our concern.

The second purpose, frankly announced, I must confess, is to give the Democratic party the credit of having initiated a measure of this character; and the third declared purpose is to throw the responsibility of failure to secure legislation upon the Republican Senate.

often get such refreshing frankness connected with such poor reasons. It amounts to this: For Democratic campaign purposes we are to pass a House rather than a Senate bill; we are to pass a bill which the Senate has rejected in former Congresses and which we know can not become law, and the people are to be deceived with this pretense. Weeks ago the Senate passed an interstate-commerce bill and sent it to the House.

That bill is not speculative in its character. It was framed after a most elaborate, thorough, and exhaustive investigation of the whole subject—a bill arrived at by taking the testimony of the various railroad commissioners of the States, taking testimony from railway experts, from shippers, from farmers, from all classes of people who have studied this great question, and by combining the knowledge and experience gathered in Europe since 1832 and in this country since 1870 in railway regulation by law. The result of all that investigation, knowledge, and study is presented here in a bill which needs only the approval of this House and the President to become a law; and we are nevertheless told that for the purpose of shedding additional luster upon the gentleman from Texas and giving the credit to the Democratic House of passing a bill upon this subject, which the Senate will not accept, we are to throw away all of that knowledge and all of that experience so laboriously

gathered during the last fifteen years.

It looks to me as though somebody had died a dozen years ago and left us a legacy of doubtful value, and we are to be required to ignore all our knowledge of the practical workings of regulative law upon the railway system of the country in order that the legacy may be pre-

served for us and some use be made of it. Now, what we want here is practical legislation rather than eloquent declamation. We can not afford to play at law-making in the interest

of personal fame and partisan advantage. I think I know something about this question.

It was my fortune, Mr. Speaker, to be connected as an attorney representing the State of Illinois with the first lawsuit, I believe, ever tried in the United States to test the question of State control over the railway companies. Our State was the pioneer in the attempt to enforce the doctrine that notwithstanding the charters granted by the State, there was a reserved right inherent in the Legislature to control these public corporations—to alter and amend their charters, and to compel obedience to such reasonable laws as should be enacted in the interest of the general public. All our railway companies had been chartered by special acts of the Legislature without any reservation of the right to amend or repeal, and it was strenuously insisted that these charters constituted a contract between the State and the company which could not be changed or impaired by subsequent legislation without the assent of both the parties to the contract. Under these supposed charter contracts the right to fix the amount of charges for carrying freight and passengers was claimed by the companies, subject only to the common-law rights and remedies as applied to common car-

The constitution of 1870 made it mandatory upon the Legislature to enact laws against extortion and unjust discrimination. In obedience to this mandate the first Legislature which assembled after the adoption of the constitution enacted such a law as our then experience suggested, providing for a railway and warehouse commission with extensive powers, among them the power and duty of seeing to the enforce-ment of the law. Out of that law and our experience under it has grown our present statute, and the Senate bill now before us is largely modeled upon it. Out of that law came the celebrated Granger cases in the United States Supreme Court, and the settlement forever of the right of the State to control the railway corporations, the settlement forever I hope of the doctrine that whoever invests his money in a railway enterprise does not invest it in the same way that a man does who invests in private business, but does put his money into a public business, subject to the interests of the public, dedicated to a public use, allowed to control his investment for personal profit, but subject at all times to such reasonable control as may be demanded for the

public good.

It is because of the misunderstanding of that doctrine that investers in railway property have insisted that the operation and conduct of their business is their individual concern, good for the public when public and private interests require the same policy, but when they

clash private interest being paramount.

If owners of railway property would only realize the true nature of the business under their control, we should hear less of robber legislation, of claims that freight charges should be as large as the nature of the freight will bear. Indeed we should have less need of any legislation upon the subject.

Now, I am earnestly in favor of such general legislation as will bring the railway system of the United States under the control of law. I want to reach such legislation, but so far as I am individually concerned I would about as soon have no law as the proposed measure of the House. It is a question of remedies, rather than a question of definitions.

In the Reagan bill we have a definition. It is a common-law defini-tion, and does not differ materially from the Senate bill. We have also a definition of unjust discrimination which goes further than the

common law, and which I shall have occasion to speak about further on. We also have a remedy. It is the same remedy we have had since courts were established and the common law was recognized as the right of Englishmen. It pertains only to the individual and to inthe right of Englishmen. It pertains only to the individual and to individual cases. A lawsuit under it settles nothing but the single case, nothing for the community. All the difficulties about evidence remain as now, and every lawyer knows that these are so great that it is next to useless to attempt to enforce a claim for unjust charges.

The Senate bill provides for a commission to see to the execution of

The objection to the commission, as stated by the gentleman from Virginia—and it is the one urged by all supporters of the Reagan bill is that you can not find five honest men for commissioners, that whoever compose the commission will be owned by the railroad companies, and that on that account the law will be executed or non-executed in

the interests of the roads and against the people.

Does the gentleman forget that in every judicial district in every State of the Union there sits a man with power of life and death, who holds the property, the liberty, the all of the citizen in his hands? And has it ever been difficult to find a pure judiciary, either in England or America, whether appointed or elected? And shall it be said that we, the American Congress, may not create another judicial body which shall be as pure and above reproach in the administration of the powers granted to it as the courts which from time immemorial have presided over the destinies of English-speaking people? Such an objection, in the light of experience, hardly reaches the dignity of argu-

The absence of a provision for a commission with defined powers and duties is the marked feature of the Reagan bill, which may be charac-

terized as the absence of all effective remedies.

There is a provision in the Reagan bill to which I desire attention for a few minutes, the provision which declares that in no instance shall there be a greater charge for a short haul than for a longer haul over the same road. It makes no difference whether the freight is goover the same road. It makes no difference whether the freight is going one way or another, whether it is eastbound or westbound, whether across the prairie or over the mountains. It takes no account of the different cost on different parts of the road. It ignores the question of return freight. It is oblivious of the fact that a large part of the cost of moving freight is made up of hauling dead freight in the weight of

Now, I call the attention of the gentleman from Texas to the fact that it has been judicially determined both in England and America that all discrimination is not necessarily unjust discrimination, and when he proposes as an unbending rule that there shall be no discrimination, he proposes to put upon the statute-books a requirement in some instances for an unjust discrimination.

Mr. REAGAN. My friend is mistaken.

Mr. ROWELL. I am not mistaken.

Mr. REAGAN. The declaration of the House bill is that there shall be no unjust discrimination. That is the language of the bill.

Mr. ROWELL. But the House bill says there shall be no greater

charge in any event for a shorter than for a longer haul. That is your definition of unjust discrimination as applied to distance. In practical application it amounts to pro rata mileage rates.

At the January term 1873, the supreme court of Illinois had this

exact question up for consideration in the case of The People ex rel Railroad and Warehouse Commissioners rs. The Chicago and Alton Railroad Company, the case which marked the beginning of litigation upon the question of State control of these corporations.

The Chicago and Alton Railroad Company charged more for hauling a car-load of lumber from Chicago to Lexington than from Chicago to Bloomington, the transportation being in the same direction over the same line, Bloomington being 20 miles farther than Lexington.

The constitution of Illinois directing the Legislature to enact laws against unjust discrimination, the Legislature enacted a statute like the Reagan bill forbidding a greater charge for a shorter than for a longer haul-with this difference, that it should be in the same direction and to or from the same terminal point.

The court decided that it was not necessarily unjust discrimination to charge more for the shorter than for the longer haul, in consequence of which our Legislature changed the statute to meet the requirements of the decision. This was based upon English decisions, and it was held that while ordinarily it would be unjust to charge more for a shorter than for a longer haul, yet in very many cases not to make such a charge would be unjust.

Mr. REAGAN. I will inquire of the gentleman whether the constitution of Illinois does not prohibit charging more for a shorter than for

a longer distance?

Mr. ROWELL. The constitution of Illinois makes no such prohi-

Mr. REAGAN. I was not certain on that point.

My. ROWELL. The constitution of Illinois makes it mandatory upon the Legislature to pass laws prohibiting unjust discrimination.

The law I speak of prohibiting the charging of more for a shorter than for a longer haul was made, as was supposed, in obedience to that mandate in the constitution and in accord with it. But the Supreme Court held that when the Legislature declared against all discrimination it en-acted what the constitution did not require or permit. It was a requirement to do what might be unjust, because discrimi-

nation may sometimes be just and a refusal to discriminate may be un-

All Legislatures that have enacted laws of longer and shorter hauls have confined their prohibition to hauls in the same direction to or from the same terminal point and not to hauls between intermediate points.

This distinction is left out of your bill, but is in the Senate bill. Your bill, if enacted into law, destroys competition-that vital element which controls prices in almost all kinds of business. My idea is that the objective point of all legislation, so far as may be, ought to be toward competition. The objective point of your legislation is opposition to competition.

Your legislation is for narrow bounds permissible, possibly, on the short hauls within the boundaries of a single State. We all understand that in every section of the country are great receiving and distributing depots, cities into which the crops of the country and the manufactured goods of the country flow to be distributed outward, and that within the power of State legislation largely is the traffic entering into these depots of distribution. Take away the right to reduce freights to compete with other railroad and with water routes, and you destroy the power of all these great distributing agencies in collecting and sending to market the produce of the country. You bring a blight upon all that to market the produce of the country. You bring a blight upon all that great western world at the other end of the long hauls; you benefit nobody; you do not cheapen rates; you bring upon yourselves the very difficulty you are trying to avoid.

In doing this thing you must necessarily destroy the advantage which comes from favorable location for the purpose of transferring it to less favored places, which amounts to nothing less than transferring one man's property to another without compensation. You take away the advantage of competing lines, which many communities have secured for themselves at great expense. You make it impossible for the longer line between two points to compete with the shorter line without sacrificing its local traffic.

Should the Reagan bill ever become law, and obedience be compelled, in my opinion it will result in freight charges regulated largely by non-competing points, and will bring misfortune upon the great West to such an extent that the demand for its repeal will be much greater than is the demand now for legislation.

But, Mr. Speaker, the Senate bill gives us a practical remedy. proposes a commission's court without expense to the individual, with ample power to enforce its decisions, not in a single case but in all cases within the law.

To it is given the right in a summary way to have the remedy of mandamus and injunction, to compel obedience to the law in all cases. It has ample power to investigate and declare the truth and to charge the burden of proof to the other side. The main trouble with the common law rests in the evidence not in the right. The Cullom bill, unlike the Reagan bill, takes away that difficulty and provides efficient remedies.

Under the Reagan bill you may take your case into court with the burden upon you of producing the evidence to maintain your rights, and at the end of the case you have settled nothing but the right in one case. You must have a new case for every unjust charge, involving, it may be, but a few dollars. How many shippers do you think will be willing to take the risks of such expensive litigation, so uncertain in results and so sure to provoke hostility on the part of the railroads. Pigmies do not invite giants to combat.

Why then shall we not turn to the Cullom bill and use the strong arm of the Government in this contest, which must sooner or later be

fought out with the great railroad power of the country?

It is no uncertain experiment. I undertake to say that in Illinois, after fifteen years of experience, the commission we have always had has proved to be as honest as our judiciary. I undertake to say there is no State in the Union which has come so near solving this question so far as State traffic is involved, and where from a condition of hostility in 1872 such real harmony has been secured between the roads and the people.

This has not been accomplished without trouble and litigation, for the railroad companies did not easily or willingly yield obedience to

Every question involved has been litigated and settled through our commission. The law has triumphed and the roads have yielded obedience. What is wanted now is a law which shall regulate interstate commerce as we in Illinois now regulate it within the State; a law which, through a commission, shall have elasticity enough to meet the varying exigencies which constantly arise in this kind of traffic, which shall be strong enough to protect individuals and communities from the unjust exactions and discriminations now practiced by the roads, and which will at the same time secure the same reduction of freight charges through healthy competition; a law which will emancipate the people from the undue power of the great railroad corporations and secure for them the full measure of good which is our right. Here is a universal demand; we all want an interstate-commerce law.

But we are told we shall not have it unless we launch out upon the

sea of experimental legislation; that we shall not have a tested law; that we shall not have that which has been proved to be successful and proper and legitimate; that we must go where no State has ventured, must take what no one outside of this House has approved; and all this that the Democratic party may be credited with something which it can call its own, while the people are left with the common-law reme-dies which they have had all along. Why not take the result of recent investigations as formulated in the Senate bill, and before this Congress adjourns let the people rejoice that we have given them a law upon this question, that we have not locked horns between a successful and

The Senate bill is not all that will be required, in my judgment, but it is a beginning. Eventually we shall go further. We shall break up pooling in all forms and shall get the full benefit of competition, not alone at competing points but at intermediate stations; and we shall do this in no spirit of hostility to railroads, and without taking from them any legitimate protection. We can not afford to destroy railroad prosperity if we could, because with all the attending evils which have come with this vast aggregation of wealth, this railway system has brought unnumbered blessings to our people, is capable of bringing more, is destined to be a bond of union between all our people, a promoter of good-will, a destroyer of sectionalism.

If we are but wise it will cease to be master and become our most valued servant.

> Treasury Surplus. SPEECH

HON. LITTLE. JOHN OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, August 3, 1886,

On the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H, Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. SPEAKER: I voted against the original resolution, but shall favor it with the Senate amendments recommended by the conference com-I desire briefly to submit some considerations influencing my There are three hundred and forty-six million legal-tender notes-greenbacks. The holders are entitled to receive coin therefor from the Government on due presentation.

from the Government on due presentation.

At the date of resumption, January 1, 1879, the Secretary of the Treasury had accumulated for their redemption or exchange over a hundred million dollars in coin. And that sum was set apart and has since been maintained with but few slight and temporary encroachments as a redemption fund. No law in terms requires this, though it has legislative recognition in the act of 1882 for the reorganization of national banks. It owes its existence rather to a principle or rule evolved from common experience and supported by the general judgment of financiers and financial concerns the world over and time out

Banks of issue-and as respects these notes the Government is little else—however powerful or well sustained by pledges of public support, experience teaches, should have at least 33 per cent. of their issues in coin for redemption purposes. So, while from that time (1879) till this administration came in, six years—and golden years they were in the growth of the country's credit and prosperity—that sum, one hundred millions, was set apart and kept as a redemption fund, a minimum redemption fund. The monthly average amount of coin in the Treasury available for this purpose was upward of one hundred and eighteen millions, or over 33 per cent. of the greenback issue.

The "surplus" during this period, that is, the accumulations of coin

above the hundred millions, was regarded as applicable and was applied as it accrued, save as to a "working balance" of, say, eighteen millions, to the reduction of the bond indebtedness. This was not done rigidly and with periodical regularity, but substantially. A wise discretion was exercised in calling bonds. The financial condition of the country and the prospective necessities of the Government had their proper bear-It sometimes happened the surplus was allowed to accumulate ing. It sometimes happened the surplus was allowed to accumulate and lie "idle," as one might unguardedly say, in the Treasury. But it was never idle for a great while. The reduction of the debt went on rapidly and with reasonable regularity, as pointed out the other day by my colleague, Mr. MCKINLEY. The present administration has continued this policy of its predecessors, with the exception that it has not used the surplus to the same extent in the reduction of the debt. They reduced the debt over a hundred millions yearly; it, with the same authority and no less means, only about forty millions. It has allowed the accumulations to go up to an average monthly surplus over the

hundred millions of near sixty millions as against eighteen millions under them.

The purpose of the resolution would seem to be to compel the administration to walk more closely in their footsteps. This, as a general pol-

icy, is unquestionably to be commended.

But possibly there may be some reason for the variance from Republican ways not apparent to us, having relation to the upholding of the parity between gold and silver coin, and consequently to the maintenance of specie payments and the public credit. It is due to remember that the commercial disparity between gold and silver is still widening, and that the point may presently be reached, under present laws, where the parity of the coins can not be maintained. Gold and silver coin being the money of the Constitution, and their joint use as money being impossible, with one at a premium over the other, it is plainly the duty of the President so to administer the laws, if possible, as to keep both in circulation side by side. And it is as plainly the duty of Congress so to legislate—or refrain from legislation perhaps I should rather say—as that this may be done. To drive gold to a premium would be to take it from the circulation as money, and thus greatly reduce the volume of the currency.

I think we may rest assured that any administration, both from pa-

triotic and party considerations, will always be ready and desirous to use the surplus revenues to the utmost safe limit for reducing the public debt as long as we have a debt. It may be assumed, therefore, that in the judgment of the President and the Secretary of the Treasury there is urgent reason for the course pursued. If that reason relates to the matters suggested and is well founded it would be a public misfortune to compel a departure so radical as the resolution in the shape it left the House contemplated. That proposed the use of all the "surplus" in reducing the debt, by ten-million installments. It contemplated a reversal of the past order of things. For a wise, and it seems to me necessary, discretion it substituted an inflexible rule. No option was to be

left to the Government in any emergency.

Commercial disturbances were to be ignored and financial crises dis-regarded. Come what might, calls must go on with iron rigidity as often as the surplus reached ten millions. Instead of the sum of a hundred millions being the minimum it was to become the maximum redemption fund. True the measure applied only to the callable bonds; but if wise legislation as to them, why not extend it to the '91's and all others as they mature? We are dealing with a principle as well as

with existing conditions.

I have said the original resolution would fix the redemption fund at one hundred millions as a maximum. That sum would probably be regarded as the fixed and only proper one for the fund. It being named by law, the Secretary would scarcely take the responsibility, even if he had the power, of suffering a reduction. Prudence, if not the law's command, would forbid. To avoid reduction the sale of bonds would be the resort. Three classes of bonds, under the resumption act, may be sold for redemption purposes, falling due in ten, fifteen, and thirty years, and bearing interest at 5, 4½, and 4 per cent. respectively.

It has seemed to me that the resolution in its original form might be

made to operate practically to substitute these long bonds for those called. Suppose when the surplus should be used under a ten-million callwhen, in other words, the redemption fund is down to the quick, ten millions in greenbacks should be presented for redemption, thus reducing the fund to ninety millions, what would happen? To repair it—supposing the Secretary to regard his obligation as suggested and that the revenues were only enough at the time to meet current demands—would not ten million of bonds have to be sold? Can it be doubted that such a result might be compelled if the bankers and brokers of the country, or even of New York, found it to their interest to do so? ten millions would not accomplish the end another ten could be added. Bankers would or might be put to extremities under this legislation, impelling to such action as would promise readiest relief.

It is said national banks hold on account of their circulation over a hundred millions of the callable bonds. They would be compelled in short order to substitute or liquidate, and liquidation of course means contraction of the currency. Regular ten-million calls would probably enhance premiums on other Government bonds. If the banks could compel sales by the Government to relieve them in the dilemma it would be the course of the release of the country of the course of the not be strange if they should do so. The very circumstance of such sales to meet ordinary obligations would tend to weaken confidence and keep down premiums. Doubtless banks are preparing now for substitution. But the process is not a forced one, such as the House measure would

precipitate.

I would not thus tie the hands of the Government in an invited con-

test with them.

Again, the House measure would bring about, as it seems to me, a hand-to-mouth condition of the Treasury necessarily embarrassing and harmful. Every available dollar in it when the surplus reached ten millions would be appropriated. Suppose the measure in force, that amount of surplus on hand, and a call made and pending, when Congress should make an appropriation for immediate use of five or ten millions, such as it is liable to do any day, where is the money to come from? Would we be required to wait till it accumulates?

It is common to hear the redemption fund and surplus spoken of as

"idle money," locked out of circulation. There could be no greater error in my opinion. It is no more idle than the specie reserve in the old banks of issue was idle. Every dollar represents and has \$3 in active use.

But it is said few greenbacks have been presented for payment, and therefore the coin is not needed. This shows only how effective the reserve is doing its work. The knowledge that the coin is ever ready to take it up keeps the greenback out. Destroy that confidence by making it impossible to redeem and you will see the Treasury flooded with greenbacks. If every greenback dollar had a representative coin dollar in the Treasury the latter would not be idle any more than gold and silver dollars there are unemployed which represent, dollar for dollar, the gold and silver certificates circulating as money. Such security would be useful in times of financial stress and storm. panic or breath of war would not start greenbacks to the Treasury for coin, as I fear would be the case with existing means of redemption. This is a consideration that reconciles one to the idea of buying silver and piling it up in the Treasury, cut into dollars, as a temporary policy. It broadens and strengthens the material and effective greenback foundation.

Mr. Speaker, the Senate amendments recommended in the conference report propose a working balance of twenty millions in addition to the hundred-million redemption fund, and give the Secretary of the Treasury power in emergency to suspend the execution of the law. I am willing for that. But I am not willing to indorse a measure in my

am willing for that. But I am not willing to indorse a measure in my apprehension founded in fallacy and involving, potentially, a contraction of the currency by the retirement of gold, an injury to the public credit, the subjection of Treasury operations to the will of syndicates, and the embarrassment generally of financial administration.

The Senate amendments are substantially retained by the conferees, except that relating to the trade-dollar. It is to be regretted that some measure could not have been agreed upon respecting it. But I shall vote to sustain the report. It gives us a law forcibly indorsing the methods on this subject of former administrations—and doing little else—without tying the hands of this one. That is well and timely. else-without tying the hands of this one. That is well and timely.

Coast and Geodetic Survey.

SPEECH

HON. HILARY A. HERBERT.

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, June 24, 1886.

The House being in Committee of the Whole on the state of the Union on the bill (H. R. 9474) making appropriations for the sundry civil expenses of the Government, the pending paragraph being in reference to the Coast and Geodetic Survey, &c.—

Mr. HERBERT said:

Mr. CHAIRMAN: The Coast Survey of the United States was inaugurated seventy-nine years ago. During that time this bureau has acquired considerable reputation among the scientific bodies of the United States and perhaps throughout the world; but it has so far failed to complete for the first time the survey of our coasts.

This has not resulted from any want of liberal appropriations, but, as

I shall endeavor to show, from a spirit which has animated that bureau from the beginning-a purpose to continue its existence as a bureau in-

Congress has been exceedingly patient about it; but occasionally it has made inquiry as to when this work would be completed. In 1857 Professor Bache, then the Superintendent of the Coast Survey, said in a letter to the Secretary of the Treasury:

In determining the scale and mode of executing the Coast Survey it should be considered that the work is a temporary one, having a limited object, the surveying of a definite extent of coast; taking all the operations into consideration, the Atlantic sections are more than half done, the Gulf (of Mexico) sections are nearly one-third done, and both can, at the present rate of appropriation, be completed in from ten to twelve years by close economy and thorough efficiency of arrangement.

Now, a special commission, of which I was a member, was organized two years ago to inquire into the work of this bureau.

We examined Professor Hilgard, and he stated that within five years from the time in which he then spoke the survey of the Atlantic coast would be completed, and that within nine years from that time the survey of the Pacific coast would be completed. In other words, what Professor Bache said twenty-nine years ago would be completed in ten to twelve years, the Atlantic coast, Professor Hilgard now says will be completed in five years. We have, therefore, in twenty-nine years gained at most only seven years. Now, if we count out the four years of the war, and I contend that that is certainly more than fair, because the work went on, appropriations were made, and the work progressed during that



period, we have twenty-five years in which we have done, upon Professor Bache's original calculations, simply seven years' work. In other words, if we were then twelve years off from the completion of the Atlantic coast, and we have since done twenty-five years' work and are still five years from the goal, it is a simple question of arithmetic as to when we will get there. We have only to divide the twenty-five years' work we will get there. We have only to divide the twenty-five years work we have actually done by the seven years of progress we have made, and we find that we must multiply the future calculations of Coast Survey Superintendents by three and one-half in order to approximate actual progress. Multiplying Professor Hilgard's five years for the completion of the Atlantic coast by three and one-half, and we find that seventeen years will take us into the beginning of the next century. Multiplying his nine years by three and one-half, and we find this thirty years will bring us at least to the year 1915 before we can expect the first survey of the Pacific coast to be completed.

The Coast Survey was organized in 1807; therefore this survey will have gone on for one hundred and eight years before it completes its first round of our coast. This survey was begun under Thomas Jefferson. It was his opinion that such a survey was needed then. When we consider the energy of our people and what private enterprise has accomplished, I venture to say that they should have consented to this extraordinary delay in the progress of an important public work is one of the most marvelous facts in the history of human affairs. The calculation I have made is more than fair to the Coast Survey because Professor Bache made his estimate expressly upon the hypothesis that the appropriation should continue at the rate of \$463,000 per annum—what was then allowed. The actual average since that time has been \$549,000. If we multiply the thirty years between us and the completion of this work (as we get it by testing Hilgard's prophecy by Professor Bache's) by the annual sum of \$549,000 we have \$17,470,000 necessary yet to

complete this work. Calculations like these I know, Mr. Chairman, are of little value for the purpose of ascertaining when this work will be completed, but they do serve to show how little can be placed on estimates of this character that may come from the Coast Survey. Professor Bache was one of its most illustrious men. No man in that bureau ever had a higher character. He estimated that in twelve years at \$463,000 per annum the work on the Atlantic and Gulf coasts would be completed; in other words, that it would take \$5,556,000 to do this work. Since he spoke over \$16,-000,000 have been expended, probably not one-fifth on the Pacific, and still Professor Hilgard estimates that it will take five years to finish the Atlantic coast. There is only one mode in which we can relieve the Atlantic coast. There is only one mode in which we can relieve Professor Bache's estimate from being absolutely discreditable to him, and that is by supposing that he calculated upon the hypothesis that the bureau would confine itself to the work in hand and that instead of doing this it has expended millions of money in departures from and additions to the purposes the Coast Survey had in view in 1857 when he spoke. That this is true, at least in part, and that this excuse for Professor Bache does exist to some extent, will appear, I think, as I proceed. Now, let us be a little more particular, a little more specific, and so back and see what was the purpose of this survey. I send to and go back and see what was the purpose of this survey. I send to the Clerk's desk the act of 1807 and ask that it be read.

Mr. WARNER, of Ohio. Will you tell us where the money has

Mr. HERBERT. I will tell all about that.

The Clerk read as follows:

An act to provide for surveying the coast of the United States.

Be it enacted, &c.. That the President of the United States shall be, and he is hereby, authorized and requested to cause a survey to be taken of the coast of the United States, in which shall be designated the islands and shoals, with the roads or places of anchorage within 20 leagues of any part of the shores of the United States, and also the respective courses and distances between the principal capes and headlands, together with other such matters as he may deem proper for completing an accurate chart of the coast within the extent aforesaid.

Mr. HERBERT. Now, you see, according to the purport of the original act, the sole purpose of this survey was to make an accurate chart of every portion of the coast of the United States; in other words, a nautical map to warn sailors against the perils of the sea. Nothing else at all. No other purpose appeared in any act or law relating to the survey of the coast until the year 1843. This bureau originally was under the Treasury Department. Its progress seemed to be very was under the Treasury Department. Its progress scenied to be very slow, and after remaining there for ten years the work was transferred to the Navy, where I think it ought to be now, because I believe that other countries are right when they put nautical map-making under the charge of their navy. I believe that the sailor, the man who looks upon the land from the sea, ought to make maps to be used on the sea, and not the landsman who looks upon the sea from the land. As I have said, Congress, because I suppose the progress was slow, transferred the said, Congress, because I suppose the progress was slow, transferred the survey of the coast in 1817 to the Navy. In 1832, the progress not being satisfactory, it was retransferred to the Treasury; then in 1834 again to the Navy; in 1836 again to the Treasury, and there it has remained ever since—for a period of fifty years this has been a civilian bureau. Now, in order to make nautical charts some survey of the land along

the coast is necessary, as a matter of course. But the purpose being to warn sailors against the perils of the sea, we would naturally suppose that the principal portion of the work was to be done on the water-

soundings in the channels for the rocks and shoals. These are to be delineated on the map; and you need on the map just enough of topography to enable the sailor to know where he is

You want for nautical purposes only those objects which can be seen

by the sailor from on shipboard.

In 1843 the whole bureau was reorganized, and from that time on till now naval officers, detailed to work under the civilian head of the Coast Survey, did the work on the water. They made the soundings and reported to the chief of the bureau, who had the maps made and the shore topography done.

That civilian bureau, as I have said, has been in possession of the Coast Survey from that time up to this. Up to 1843 the expenditures were not large; but all together they have been, according to the report of a majority of the present commission, \$20,000,000. In this estimate the majority include the four millions paid for the expenses of the work

done by the Navy.

Now, \$4,000,000 from the pay of the Navy have gone to this work and \$20,000,000 have been appropriated directly to the Coast Survey since its organization. The work on shore consists of trigonometrical work, astronomical work, and such other work as is necessary accurately to ascertain points and to determine the latitude and longitude. just by reason of its accuracy in these things and its great care that the bureau has gained reputation among the scientific people of the world. There is no doubt about the fact that its points have been determined and fixed with great accuracy. But the question is, have we not paid too dear for the whistle? Has not this cost more than it is worth?

While objecting to the plan which has been pursued, I find no fault

with the survey, because it takes pains to be accurate in its work. Its surveyors ought to be very careful, and they are. Sometimes they stay six months at one point to determine accurately the latitude and longitude. I do not object to this if it is necessary. But I call attention to it for the purpose of saying that work as expensive as this may easily be carried too much into detail. And the question arises, has not too much of this expensive work been done, and has not the Sur-

vey spent too much money-first on topography?

Professor Hilgard gave us an estimate as to the relative cost of the topography, the trigonometrical work, and the hydrography. It will be borne in mind that the hydrography is that portion of the work which is done upon the water, done by the sailors, under the control of this civilian department. Here are his figures: He estimates that the cost of the trigonometrical work is two-tenths of the whole, and the cost of the topographic work four-tenths of the whole. So that, taking \$20,000,000 as the aggregate, you have two-tenths of it, \$4,000,000, as the cost of the trigonometric work, and four-tenths, \$8,000,000, as the cost of the trigonometric work, and four-tenths, \$5,000,000, as the cost of the topographic work, the two items together making \$12,000,000. He then says that the hydrography, the work on the water, costs three-tenths of the whole; that would be \$6,000,000. So that the cost of the topography, the work done on the land, is twice as much as the cost of the hydrography, the work done on the water.

Mr. WARNER, of Ohio. Can the gentleman inform us how far back from the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the searlors that the cost of the hydrography are the cost of the hydrography.

from the seashore this topographic work extends?

Mr. HERBERT. Professor Hilgard answered that question. said that as a rule it extended back from 1 to 3 miles; sometimes very much more and sometimes very much less, but that he stated as the general rule.

Now, let us stop right here and ask ourselves the question, are these the just and proper proportions in which to expend this money? I con-

tend not.

Mr. WARNER, of Ohio. They could employ more men that way. Mr. HERBERT. Of course they could employ more men that way and spend more money and take more time, and before I get through with this bureau I propose to show that they have determined never to finish this work until they get themselves established as a bureau doing other work, geodetic work for example, throughout the whole country, which will last an indefinite length of time, and at which they can continue just as long as the money of the people of the United States will sustain it.

Mr. LORE. How does this method of coast survey correspond with that adopted by other nations?

Mr. HERBERT. I will answer that question presently. I wish to say now, as I was about to say when interrupted by a question, that the majority of the commission, my friend from Indiana, Mr. LOWRY, and my friend from Connecticut, Mr. WAIT, when they came to this point, in answer to these criticisms which were made in the commission and which I press here, said that they could not undertake to judge of this matter; that it was not for them to decide whether there was more topography than there ought to be, because the maps of this bureau had met the approval of scientific men in this and other countries. They were unwilling to criticise what the scientific men of the world said was properly done.

Who are these scientific men? Members of the Academy of Sciences, professors in colleges, gentlemen who sit in their studies and pore over mathematical and astronomical problems, and who may never have been to sea. Are they the men to judge of nautical maps? It seems to me that the educated sailor is the expert who should decide this

question.

Mr. WARNER, of Ohio. Yes. What does the sailor say about them?

Mr. HERBERT. They condemn this elaborate, extended, and expensive topography. Their judgment is, as I will show, that after it is all completed at this great expense, it really is not worth the cost of

engraving and printing.

But to go back to the question I was discussing—the cost of this topography. This is not the first time that this question has been raised.

Away back in 1878, when Congress had before it the question of the consolidation of the scientific bureaus, at the time when the present Geological Survey was formed out of the four surveys then running west of the Rocky Mountains, this question was considered. The Academy of Sciences reported upon it; it was examined and commented upon by Army officers and by naval officers, and these officers at that time contended that this topographic work was needlessly expensive. General Comstock undertook to say that it cost nearly \$500 a square mile, and the reply was made by the then superintendent of the bureau that the most expensive of it cost only some \$98 a square mile. I call attention now to this contention eight years ago for the purpose of showing that when the present commission asked Professor Hilgard for a statement of the relative cost of the topographic, the trigonometric, and hydrographic work he knew very well its importance and its bearing; he knew well that calculation was to be made which has been made, and of course when he gave his statement he made it as favorable to the bureau as he possibly could.

Mr. GLOVER. May I ask the gentleman a question?

Mr. HERBERT. Yes.

Mr. GLOVER. I want to ask the gentleman whether the law does

not require that these surveys shall be made for purposes of defense as well as for purposes of commerce, and whether that requirement does

not account for the details which he criticises?

Mr. HERBERT. My friend asks me whether there is not a provision that this work should be made for purposes of defense also. I will read the language which was used for the first time in the plan proposed by the board according to the act of Congress in 1843. As a part of that plan I read the following:

From the points thus furnished-

After speaking of the triangulation-

by the several triangulations, the topography shall be executed, using always the most approved instruments and principles, the topography to be carried inland as far as may be necessary for a proper delineation of the shore, and for purposes either of commerce or of defense.

Now, how much is necessary for purposes of defense? I will answer that question briefly here and more at length when I come to comment on those maps which illustrate my argument. For purposes of defense on those maps which illustrate my argument. For purposes of defense we want to know any commanding position and the roads. That is all. We do not wish to know the "cultural features," as they are called in the technical language used in this survey; that is to say, the houses and fences and things of this character; for as they change and shift, the delineation of such things, unless wanted for immediate military purposes, only tends to confusion. In this respect the delineation of them is worse than worthless. We have the testimony of Professor Hilgard himself on this very point. He states, on page 155, that the country has been built up so much on the coast of Long Island that the shores could not be recognized from the old mans. Why? Because of shores could not be recognized from the old maps. Why? Because of any changes in the shore itself? No; the changes have been in the "cultural features;" that is the reason the old maps are now confusing. If we had done as other governments have done, if we had exhibited on our maps only the roads and the prominent natural features, this confusion would not have arisen. If there is a stream or a hill or a mount-

ain it ought, of course, to be put down.

Mr. GLOVER. I would like to ask the gentleman whether the maps prepared under the direction of the Navy Department-the hy-

drographic map

Mr. HERBERT. I will answer that question when we get to thes maps. If the gentleman will allow me to progress regularly, I shall get through sooner and much more satisfactorily to myself. When the gentleman's question properly comes in I will answer it with pleasure, in fact I intend to answer it whether he asks it or not, but I shall be

very glad to have him call my attention to it.

I was discussing the cost of this topography. Professor Hilgard, when he was asked this question about the different proportions, knew when he was asked this question about the different proportions, knew that this very criticism would be made; it was with this understanding that he gave these proportions. The ascertainment, therefore, of the cost per square mile of the topography executed by the Coast Survey is simply a question of mathematics. We have merely to take the number of square miles of topography as reported by the Coast Survey and divide by that the amount of the money expended—\$20,000,000.

In document 270, an official publication of this Government, compiled by Captain Wheeler, we have exact data. In January of the present year he asked the Coast Survey (in order that he might put the answer in his book) how many miles of topography it had executed. The answer was given, and upon that answer the calculation was made

The answer was given, and upon that answer the calculation was made by Captain Wheeler. Taking altogether the \$4,000,000 expended by the Navy Department in executing the hydrography under this bureau

and these \$20,000,000 appropriated directly to the Coast Survey, the cost per square mile has been \$333. But if you deduct the \$4,000,000, giving Professor Hilgard the benefit of the supposition that he meant his remark to apply only to the Coast Survey, and there is no evidence that he did, we have as the result \$275 for every square mile of topography executed.

This is the very lowest figure that can for a moment be contended

for. But the fact seems to be that Captain Wheeler is right, and that

the cost is really \$333 per mile.

And now, sir, expensive as it is, do the real experts, the sailormen of this and other countries, do they approve of this topography? The

evidence is that they do not.

Let us look at one of these maps. Here is a Coast Survey map—a chart of New York Harbor. Here [illustrating] is the city of New York; this is the East River; this the Hudson River. Here is the topography; extending all over Long Island and away down to Coney Island. Upon that map we find delineated not only every road but all the fences, every watermelon patch, &c. Then coming down here to Staten Island we find portrayed, first, these heights. The topography

is executed with great care.

Mr. BOUTELLE. Is it not to be presumed that these minute topographic details have been given by the officers of the Government in pursuance of law? And has it not been the object to make these topographic graphic surveys as accurate and minute as possible for military purposes? That, it seems to me, would be a sensible assumption.

Mr. HERBERT. The law no doubt provided that so much of the topography should be portrayed as was necessary for purposes of com-

merce and defense.

But let me ask you whether there is any necessity, for purposes of defense, that these cultural features should be portrayed all over Long Island?

Mr. LONG (pointing to the map). Was not Washington's battle of Long Island fought right in here?

Mr. HERBERT. Yes; but these fences portrayed on this map were not there then and they are not there to-day, and if the fences now there should be put on a new map they would not be there five years

Now, let me tell you how much the topography on that map has cost the Government. An estimate has been made by a naval officer, and I suppose he is correct, that that topography cost something like \$90,000. Mr. LONG. On this one chart?

Mr. HERBERT. Yes, sir; the topography there on that one chart, not including engraving, cost the Government of the United States

Now, let us turn this chart over and look at the one beneath it. [Turning to another map.] Gentlemen will bear in mind that the map which have turned over was the chart made by the Coast Survey for the United States Government, costing \$90,000 for topographical work alone, and this chart which you now see is a reproduction, a reproduction from the other by the British admiralty.

Now, the British want on a map of New York Harbor precisely the same features we want. Whatever is necessary for our sailors on approaching the port of New York is necessary for theirs, and whatever features upon the map would be useful to us in defending would be useful to them in attacking our coast. We all know that the accurate

useful to them in attacking our coast. We all know that the accurate maps made by France were invaluable to the Germans in their successful campaign in the Franco-German war.

Here you see by this reproduction that the British admiralty in reprinting this map, putting on it all their sailors will need and all the topography they will ever want for the purpose of attacking us, have left off all the elaborate cultural features. The work that cost this Government tens of thousands of dollars they do not consider worth printing. Of course they put on the roads; they print all the soundings because they are needed.

Mr. DAVIS. Do they not get the elevations?

Mr. DAVIS. Do they not get the elevations?
Mr. HERBERT. Oh, yes; they get all the elevations on Staten Island. And everything else needed for attack. These are called natural features. There are the heights; they put them all down. They need them. They are not only useful but permanent cultural features. ures; houses, fences, and lots are evanescent. In a few years they change and then the map is misleading.

Mr. BOUTELLE. Is not that a Coast Survey map?

Mr. HERBERT. Oh, no; this is a British admiralty reproduction

of the Coast Survey map.

Mr. VIELE. Is it not a reproduction for the use of their sailors? Mr. HERBERT. The point I make is that elaborate topography is not necessary for their sailors or they would have it.

Mr. GLOVER. Was the original chart made by the Coast Survey or

the Geological Survey?

Mr. HERBERT. It was made by the Coast Survey. I will turn this chart over now so we can see the one that is under it. I have not stated heretofore what it costs to engrave these maps. Now, the engraving of that map of New York Harbor, the topography of which cost \$90,000, probably amounted to \$10,000 or \$20,000. But the engraving of this map which you now see is much less.

Mr. FARQUHAR. Is the gentleman certain the British Government

have not reproduced more than one chart—that it has not reproduced a navigation chart as well as a general topographical chart?

Mr. HERBERT. No; I know nothing about that.

Mr. FARQUHAR. There may be three charts furnished.

Mr. HERBERT. Let us see what the date of this is. It is 1877. Mr. DAVIS. Is it not necessary for us to go more into detail than

the British Government?

Mr. HERBERT. Well, the Coast Survey people seem to think it necessary to do a great deal of expensive topography which the British

do not seem to think is worth printing after it has been done.

Mr. DAVIS. This is our country.

Mr. HERBERT. Yes; and this is our Coast Survey, too.

Now, we turn to the charts of the coast taken by the Hydrographic

Office, which is now conducted by asailor, and is better, perhaps, than heretofore. In this map the topography is left out. Here you see the

Now, it is true the Hydrographic Office has in time past indulged in some of these topographical extravagances that are so unnecessary—

Mr. GLOVER. Does the gentleman mean recently?
Mr. HERBERT. I will come to that presently. I do not say they are entirely free from criticism; but the fact is that in these later days this elaborate topography is even more unnecessary than in the past, because we have now an expensive system of buoys, light-houses, rangebeacons, and other guards along our coast, so that the navigators are more frequently guided by them than they are by the topography as laid down in these charts. Topography is much less necessary on that

The Hydrographic Bureau of to-day makes these maps generally in the simple form indicated in the map now before us. The shore lines are indicated and the soundings marked. If there is any one map of theirs where topography has gotten in more than was necessary—
Mr. GLOVER. Let me ask the gentleman on this point if he has

seen the recent hydrographic charts,

Mr. HERBERT. I must decline to yield now. I was about to refer to the map of the Bahamas, and the continuation of the South American coast which was partially a reproduction of the Coast Survey map, and in which this topography was not eliminated. But the rule of the Hydrographic Office is as I have stated. That is also the rule of the British admiralty.

Here is another Coast Survey map I wish to show you as a specimen of expensive topography. This is the island of Mount Desert. These elevations are all shown not by contour lines, which would be cheaper, but by hachures, the most expensive kind of engraving. This is now a great watering place, but was not at the time this map was made. I

do not mean to say that this map was made in that interest.

Mr. BOUTELLE. This was made before anybody ever thought of

it for that purpose.

Mr. HERBERT. I am not asserting anything to the contrary; in fact, I had said that it was not a watering place when the map was made.

Mr. BOUTELLE. It was made at a time when Mount Desert was regarded as one of the greatest natural curiosities in the world, and

which it still is.

which it still is.

Mr. HERBERT. Of course, and just because it was one of the greatest natural curiosities in the world, and of little or no use to the sailor, this very elaborate map was produced. That map cost thousands of dollars, the mere engraving of it after the topographic survey had been made. That is a fair sample of the practical working of this bureau under the present system. Thousands of dollars are expended upon an elaborate map of this great natural curiosity, whereas 47 miles of your own coast are yet unsurveyed, and that too the very part of which accurate surveys would be most useful to your fishermen. This survey has been going on for seventy-nine years, and we find this island beautises. has been going on for seventy-nine years, and we find this island beau-tifully mapped and the coast of Maine neglected.

Mr. BOUTELLE. You might make the same application with ref-

erence to all the other surveys

Mr. HERBERT. I do; that is exactly my point. It is the same thing all along the coast; but I am calling attention to these particular points simply as illustrations.

Now we come to another Coast Survey map. This is the map of the coast of Massachusetts, with which my friend, Governor Long, is well acquainted, showing Martha's Vineyard and Nantucket. Here is Martha's Vineyard, and all of these fences and other features are portrayed very clearly. If gentlemen will put on their spectacles and look at it closely they will see how liberally the work has been done, showing the minutest details of natural and artificial features. This coast survey extends, as will be seen, 2, 3, or 4 miles back, across the entire width of the island. I do not know how wide it is at this point, and will ask the gentleman from Massachusetts.

Mr. LONG. It is perhaps ten or a dozen miles across, I should say,

at that point. Mr. HERBERT. All of this has been carefully and accurately surveyed. Now, what is the use of that? Certainly it is of no use to the sailor. Look here at all these lines of fences and other features illustrating the exact topography of the land; are they of any use whatever to the mariner? Are they useful for purposes of defense?

Now, for the purpose of contrast I wish to show you a map which is the result of private enterprise.

Mr. BOUTELLE. You hold that they went over more ground than was nece

Mr. HERBERT. I hold that they stopped too long and spent too much money on such features as I have pointed out.

Now, here is a map which is gotten up by a Mr. Eldridge, of Boston.

suppose some of you gentlemen here know him.

Mr. DAVIS. Before the gentleman passes from this point let me ask him if this is not a part of the general system of surveys of the interior of the country as furnishing base lines for correct geographical surveys of the whole interior of the country?

Mr. HERBERT. No, sir; the transcontinental surveys are estab-

lished for that purpose.

Mr. DAVIS. But they triangulate from the coast where the base

lines are fixed by the Coast Survey.

Mr. HERBERT. Yes, sir; sometimes. But this Coast Survey Bureau was not established for the purpose of furnishing points for such surveys. The survey under consideration has exclusively to do with coast work.

Now, this other map is made, as I have said, by Mr. Eldridge, of

Boston. Mr. LONG.

Mr. LONG. A private enterprise?

Mr. HERBERT. Yes, sir. This map represents that the surveying was done by Eldridge, the publisher; but we know he did not make the survey, although he may have made some corrections. is a reproduction of a Coast Survey chart. Now observe that he leaves out all the useless topography of Martha's Vineyard and Nantucket. He is making maps to sell to sailors and so he leaves out that topography, which is conclusive proof that it is not worth printing. Eldridge shows simply the shore lines and such objects as can be seen by the sailor from his ship.

Now, it will not be necessary to make that map over again so far as the shore line is concerned until the shore itself is so washed and changed that another survey will be necessary. But if this publisher had put upon it all this elaborate topography of the Coast Survey fences, had put upon it all this elaborate topography of the Coast Survey fences, houses, &c., then, whenever these fences should be changed and new houses built, new maps would be necessary. Otherwise, as Professor Powell said in his testimony, the map itself would be confusing. In some parts of Massachusetts, he says, you can not now tell the coast from the old map because these features have been growing and changing so rapidly. These maps of Eldridge are sold to the sailor at higher price than those of the Coast Survey. Eldridge makes money by his reprints because he knows what the sailor wants. If our Coast Survey had confined itself to practical propositions are because the most survey which are the sailor wants. had confined itself to practical map-making, seeking to meet the wants of the sailor instead of attempting to gain the applause of professors in their college chairs, this survey of the coast would have been finished long ago.

Now, sir, I have called attention to these maps for the purpose of showing that the judgment of the Hydrographic Office and the judgment of the British admiralty, sustained by that of the sailors of the world, condemus this elaborate topography as useless. Not only Americans, but all the world, buy maps from Eldridge, and sailors want no

more topography than he prints.
Mr. BOUTELLE. There is to

There is topography on that map. You can not do without it.

Mr. HERBERT. Of course there must be topography, but the gentleman can not have listened to me or he has not understood me if he thinks I mean to say that all topography is useless. I said no more topography was needed by the sailor than what he could see. What he can see from his ship he wants—that is, the permanent, natural feat-

Mr. BOUTELLE. Suppose on the coast the principal and only object observable is a mountain 5 miles inland-should that be on the map?

Mr. HERBERT. Certainly; that should be there.
Mr. BOUTELLE. What rule would you be guided by in putting on those objects? You would not put them on helter-skelter?
Mr. HERBERT. I repeat that the gentleman can not have listened

to me or he would not misunderstand me, as he seems to do. I say these features ought to be there—all the mountains, all the rivers, all the creeks should be there; but there is no necessity for any more. The natural features are enough. What I complain of is that the survey devotes too much time to, and spends too much money upon, elaborate topography, and neglects to complete the survey of the coast. The sailor wants maps of the whole coast. He ought to have had them long There has been an expenditure of \$12,000,000 on topography, while only six millions have been devoted to making these soundings.

Mr. LINDSLEY. Could they have made the soundings accurately

without first making the topography?

Mr. HERBERT. They could get the soundings accurately, of course, Mr. HERBERT. They could get the soundings accurately, of course, when they get the shore line and such of the objects on shore as Eldridge puts down, but I repeat there is no need of this elaborate topog-

raphy.

Mr. BOUTELLE. You refer to the drawings—

Mr. HERBERT. I refer to the taking down of every fence and the accurate delineation of everything that is there along the coast. I will show the gentleman another map.

Mr. DAVIS. I want to make another suggestion. Is it not a fact

that Eldridge's map is considered more valuable because it is of more Owing to the shifting character of the coast, when composed of live sand and the currents changing, is not Eldridge's map of more value because of the recent date? And is there not another reason for his map being valuable, that it is based on Mercator's Projection, which is more familiar to sailors?

Mr. HERBERT. It is taken from the Coast Survey map.

Mr. DAVIS. With some additions. I understand he claims it is more valuable because on some points where changes have occurred he has shown those changes, and I see it is published in 1885.

Mr. RANDALL. That is not a later work, but a later print. Mr. HERBERT. Let me go on. The Coast Survey is now resurvey-

ing Long Island Sound. Here is a map of Bridgeport, and I find here [pointing it out] figured Barnum's circus, his winter quarters. In another place is his residence. Will any of these inquisitive gentlemen, who seem to find it so difficult to understand the difference between such topography as Eldridge prints and that over which the Coast Survey lingers so long-will any of these gentlemen tell me that a coast chart ought to show where Barnum's menagerie is and where Jumbo made his headquarters?

Mr. CUTCHEON. That is for the information of the horse marines,

Mr. HERBERT. And for their information only. In this very bill we are considering there is an appropriation for a resurvey of Long Island Sound. One of the maps I exhibited shows that on both sides of that sound the topography was taken years ago. There [pointing to it] is the map showing the north and the south sides of the sound

and there is the topography extending back 3 or 4 miles.

This old survey which cost tens of thousands of dollars, and this new survey costing tens of thousands more, is rendered necessary solely because the old maps contained cultural or artificial features which have changed, and now in this new survey the same mistake is being committed. Barnum's circus and a thousand other features more ephemeral are being mapped at Government expense. At the very time this resurvey was going on at such great expense of time and money Professor Mitchell, one of the Coast Survey officials, testified before our commission that the soundings needed to be taken again along Nantucket shoals because the true location of those shoals was not known, and that millions of property passed there in a single day and could not take the shortest route but was compelled to go out of the way for want of resoundings. That is the way they have neglected the real work the Coast Survey was organized to perform.

Mr. LONG. Is not that the result of changes from the shifting of

the sands?

Mr. HERBERT. That the sands have shifted is true; but that the sailor does not know now, that he does not now know where the true channel is, is the result of neglect, a shameful neglect, by the Coast Survey of the work it was set to do. If a portion of the vast sums of money spent on Mount Desert and on this useless topography had been spent on resounding Nantucket shoals we should know to-day where the true channel is, and thus time and money would be saved to our coastwise commerce. Mr. Chairman, we shall always have a necessity for a coast survey; that is to say, for resoundings. As the gentleman from Massachusetts [Mr. Long] has suggested, the sands are always shifting, and these resurveys ought to be made in order to warn the sailor of the everchanging perils of the deep. That is where the money ought to go. But the fact is that the Coast Survey Bureau knows very well that the moment the topography of the country is completed Othello's occupation will be gone. Naval officers, under the direction of this civilian bureau, now make these soundings. They will always do this work, and there will be no excuse for the perpetuation of this expensive bureau for surveying the coast when this topographic work is completed.

Every one, I believe, admits that when that work is done the time will have come to consider the propriety of the transfer of the work to the Navy Department. The majority of the commission say that when this survey of the coast—the topographical work—shall have been completed we ought to consider this question; but they hold that the transfer ought not to be made before that time. Sir, that is a dangerous utterance. If the Coast and Geodetic Survey understands that it is to hold on to this work until it is completed, when will that day come? I venture to say, sir, it will not come during the life of any gentlemen who now listen to me. In my opinion we ought to transfer this work to the Navy now—all of it. It is true that years ago it was transferred two or three times back and forth between the Treasury and the Navy Departments; but at that time we did not have such a body of officers as we have now; we did not have our Naval Academy, which has given us a well-educated corps of officers, amply qualified, as the testimony before the commission shows, to take charge of this survey

Now, what else? I was asked the question whether this accurate triangulation was not a part of the work done to aid States in making

their surveys, and I answered that it was not.

But from the very beginning-and I have set forth in the minority report the evidence to establish the fact-from the very inception of this bureau there has been a disposition manifested and an intention

clearly shown to get out into that illimitable field of geodesy. the survey began on the coast of Maine the coast was neglected (47 miles of which is not yet surveyed), and triangles were extended entirely across the lower portion of the State, far back into Massachusetts. This disposition to get away from the coast and into the interior has been manifest from the beginning till now. Then afterward, about 1868, they began an independent system of triangulation along the Appalachian chain, commencing in Pennsylvania; they carried it along down that chain until now they have reached the State of Alabama. What is the purpose of that triangulation and where is the law to justify it? I asked a Coast Survey officer to cite me to the law authorizing this work. To me it seemed that it was done to consume time, or perhaps not so much for that as for the purpose of getting out into a new field of work which would perpetuate the existence of the bureau after the time should come, if ever, when the topography along shore should be completed and the Navy would claim the work. The officer could cite no statute authorizing this triangulation, but said that it was estimated for 1868.

I looked at the Book of Estimates for that year and found an estimate of, say, \$15,000 grouped with a lot of other estimates, amounting, we will say, to \$75,000 (I will not be accurate about the figures), and the appropriations for those items would amount to, say, \$40,000; so that from looking at the estimates and at the appropriations made, which did not mention anything of the kind, nobody could see that there was any such survey provided for. In that way, by these "unobtrusive appropriations" inserted in the annual bills, it went on for several years. This is a fair sample of the subtle methods resorted to by this bureau to draw money from the Treasury and perpetuate its existence.

Mr. HOLMAN. To what extent were geodetic surveys made by the

Coast Survey prior to 1868?

Mr. HERBERT. I think the first of that work was done in 1868. That is my recollection. In 1871 there was ingrafted upon one of the appropriation bills authority to fix points for State surveys and to run a grand system of triangles across the continent. What was that for? was done, of course, as all the evidence shows, at the instance of the Coast Survey, and the testimony quoted in the report of the commission abundantly establishes their intention to become a bureau for carrying on this geodetic survey before they should ever relinquish the work of the Coast Survey.

I make no criticism upon the character of the geodetic survey. There

is no doubt that it is very accurately and well done, and that in no country has it ever been done better; but it is also true that it is very expensive, and in my opinion it is far in advance of the wants of the present day, except possibly that portion of it which provides for the fixing of points for State surveys.

Mr. LONG. What do you say about that? Ought that to be inter-

Mr. HERBERT. I certainly do not think there ought to be any fixing of points for any State survey unless it is particularly estimated for and a request made for it beforehand, and even then I have great doubt whether the General Government ought to undertake it, because I believe that all the States ought to be treated alike. I do not think the Federal Government has a right to spend money to help the State of Massachusetts, for instance, because it is engaged in a State survey, while it does not help the State of Connecticut, which is not so engaged. If all are engaged in surveys and all are treated alike, then it may be right and proper; but for the General Government to spend money for the benefit of one State and not for another is not, in my opinion, in accordance with the principles on which we ought to make appropriations

Mr. HOLMAN. Are not geodetic points established by ordinary astronomical observations with substantially the same accuracy as by the

system of triangulation?

Mr. HERBERT. In order to establish those points it requires the use of telegraphic methods, of astronomical methods, and of geometri-

Mr. HOLMAN. But are not the results about the same? Mr. HERBERT. My own opinion, which is formed after My own opinion, which is formed after a careful study of the subject, is that in order to secure accuracy all the methods that are resorted to by the Coast Survey are essential.

Mr. HOLMAN. And there is no absolute accuracy after all? Mr. HERBERT. No; not absolute, but still very accurate.

Mr. HERBERT. No; not absolute, but still very accurate.

But to return to the point from which I was diverted. I asked Mr.

Colonna, when before the commission, for what purpose this triangulation was made down along the Appalachian chain. He answered that the object was to verify the work along the Atlantic coast. But in reply to that answer I said, "The maps have already been made down there; you have already triangulated that before making this triangulation out on the Appalachian chain." And that was not denied.

I ask gentlemen what can be more useless than the expenditure of thousands of dollars to "verify" the accuracy of maps already made? I think I should dignify this excuse if I should call it a subterfuge, especially from the Coast Survey, who were examined on this question, when we find that this very witness, Mr. Colonna, said there was no error in this triangulation along the coast that was greater than 150 or 160 feet, and that Mr. Schott, who is considered one of the most scientific men in the bureau, said there was no error greater than 50 or 60 feet; and both of them said that on none of the maps could such an error appear, for a mere line on the maps made would represent more space than would be included in 150 or 160 feet. This I take it is proof positive that the triangulation along the Appalachian chain is unnecessary for the purposes of nautical maps. Now, as to this survey across the continent

Mr. RANDALL. Has the gentleman yet touched on the expenditures for "furnishing points for State surveys?" ment of the manner in which the money appropriated for that purpose has been expended, and I would be glad if the gentleman could incorporate it as a part of his remarks.

Mr. HERBERT. I have not looked at the statement, but I will

The statement is as follows:

Statement of expenditures on account of the appropriation for "furnishing points for State surveys" for the fiscal year ending June 30, 1885, and for the period from July 1, 1885, to June 23, 1886, showing name, official position, name of college to which attached, "residence, character of expenditure, where expended, and the amounts expended by each person engaged on the work.

	Name. Official position. College. Residence. Character of expenditure.		Character of avnend-		Amount expended.		
Name.		Where expended.	1885.	1886.			
Barnard, Louis H. Bowser, E. A. Bradford, Gershom. Buchanan, A. H. Campbell, J. L. Davis, John E. Devol, R. S. Merriman, Mansfield. Perkins, F. Walley. Quimby, E. F. Tittmann, O. H.	Assistant, C. and G. S Acting assistant Assistant, C. and G. S	State College, Pa Rutger's College Cumberland Wabash University of Wisconsin	State College, Pa. New Brunswick, N. J. Baltimore, Md. Lebanon, Tenn. Crawfordsville, Ind. Madison, Wis. Athens, Ohio. Bethlehem, Pa. New Orleans, La. Hanover, N. H. Washington, D. C.	do	Pennsylvania New Jersey Massachusetts Tennessee Indiana Wisconsin Ohio Pennsylvania Massachusetts New Hampshire Pennsylvania	48 00 2, 350 00 996 55 1, 579 01 1, 600 00 2, 146 24 989 89 1, 486 55 1, 440 98	\$1,090 14 1,087 14 2,293 96 1,248 22 1,169 55 1,717 33 1,005 66 1,615 66 930 44 1,448 44 994 8 306 06
						13,997 91 14,000 00	14, 907 48 16, 300 00
Unexpended bala	ances					2 09	1,392 5

^{*}Referring to acting assistants temporarily employed under the provisions of paragraph 17, regulations Coast and Geodetic Survey, which reads as follows: "The superintendent may employ temporarily, from time to time, for periods not exceeding seven months in one year, as may be required in the execution of the geodetic and magnetic work, acting assistants, whose pay shall not exceed \$4 per working day, and who shall in no case be considered as attached to the normal or permanent force of the Coast and Geodetic Survey: Provided, That not more than two such acting assistants shall be employed in any one State at the same time without special authority from the Secretary of the Treasury."

One word more in order to answer the question about this transcontinental system of triangulations. When we asked Professor Hilgard for what purpose he wanted this system of transcontinental triangulations he said, "To tie together and bring into harmony the words the Atlantic and Pacific coasts." Now, that is a high-sounding phrase, Why? but it means absolutely nothing when you come to look into it. Because the lines of longitude are ascertained by astronomical and telegraphic methods with so much accuracy that it is claimed the officers of the Coast Survey have sat here in Washington and by means of the telegraph corrected the difference in longitude between Paris and Greenwich, which before that time had been relied upon by the English and the French.

Mr. WARNER, of Ohio. If it will not disturb the gentleman, I would like to ask to what extent this geodetic survey, this system of triangulations, is being carried across the continent?

Mr. HERBERT. I was about to say that there is no necessity for

this transcontinental system of triangulations, because the lines of longitude are ascertained with so much accuracy without it.

Mr. WARNER, of Ohio. But this triangulation is going on?
Mr. HERBERT. A single grand chain of triangles is being extended across the continent, and is about four-fifths completed.
Mr. WARNER, of Ohio. And what is expected to be accomplished

Mr. HERBERT. When we made that inquiry in the committee the answer was that there ought to be a general geodetic survey of this whole country; that systems of triangulations ought to be run across the country north and south and east and west, at distances of one or two

hundred miles apart, in order to afford the basis for a map to be made at some time in the future; that is all there is of it.

Mr. WARNER, of Ohio. But was not the original purpose to determine by those methods of triangulation the figure of the earth, its rotundity, which, of course, as the gentleman has said, can be much better ascertained by astronomical and telegraphic methods?

Mr. HERBERT. I do not agree with my friend that the shape of the earth can be determined by those means alone. Triangulation is also necessary for goedetic purposes, and, of course, one of the avowed purposes is to aid in ascertaining more accurately the shape of the earth.

Mr. STORM. I presume the object of this geodetic survey is to determine the prominent physical features of the continent.

Here the hammer fell.

Mr. RANDALL. I will take the floor and yield to the gentleman from Alabama, so that he may conclude his remarks.

Mr. HERBERT. I will finish what I have to say in a very few words. I desire to sum up very briefly the thoughts which I have endeavored to convey, and which have been expressed in a very desultory manner because of the many questions asked me.

Mr. WARNER, of Ohio. Will the gentleman be kind enough to state whether it is the Coast Survey or the Geological Survey that is

now carrying on this geodetic work, or whether it is being carried on

Mr. HERBERT. The Coast Survey is doing the strictly geodetic ork. The Geological Survey is doing work by the same methods, but with much less accurate results. The Geological Survey uses the points which have been fixed by the Coast Survey when it has them at hand, but does not wait for them. It does its work with a great deal of rapidity, but with much less accuracy than the Coast Survey; at least so the Coast Survey officers claim.

A MEMBER. Does the Geological Survey admit that?

Mr. HERBERT. It does not; but I have no doubt, from the whole testimony, it is true.

On the point that the expensive topographic methods of the surveys render resurveys more necessary, I desired to refer to the testimony of Mr. Hilgard. It will be found on page 155 of the evidence. He

The country is building up on the shores of Long Island Sound, for instance, so that you would not recognize the shore from the old maps.

It would not be so if the cultural features were not put down. Surveys and resurveys, therefore, become necessary. It is an extravagant system and ought to be discontinued.

Now, the gentleman from Pennsylvania asks me a question which I will answer.

Mr. RANDALL. I ask the gentleman from Alabama to insert that paper which states the matter of expenditure of \$12,000.

Mr. HERBERT. The Coast Survey has claimed that no one else could do this work as well as it could. That is to say, Mr. Chairman, that the naval officers educated at Annapolis are not competent to do this work. Yet this Coast Survey employs professors in the various colleges throughout the country to do it. In other words, sir, this geodetic work, much of it, is done by professors in colleges, who never had a theodolite in their hands, who know nothing practically about the matter. Every year, I think, the committee puts in an appropriation for that specific purpose, to pay for the employment of these professors. One of the Coast Survey witnesses said in his testimony, "It was to enable the professors better to educate the youth of the country." Is that reason satisfactory to any gentleman here? Is there not rather a political purpose in it? Is it not to secure strength upon this floor in order to prevent the Coast Survey being reformed? I leave you to judge for

Would it not be useful? Perhaps it is fair to say the changes which take place in the topographical features of the country at certain periods ought to be shown and presented by these surveys. We know old maps become valuable as showing the changes which have taken place in the country. How can we preserve any knowledge of these changes otherwise than by these topographical surveys and maps? Mr. HERBERT. As I take it, all the Government needs is a survey

to map out the natural features of the country. For practical purposes

all we want is to put down the shore lines, the rivers, the harbors, the bays, the inlets, the hills, and mountains. These are permanent featbays, the inlets, the hills, and mountains.

Mr. DAVIS. Take the harbor of New York, where at the present

time important topographical changes are occurring.

Mr. HERBERT. But not over the whole of Long Island. There is no necessity for making the chart of Long Island a cadastral, or property map, showing the boundaries of every man's property. That is what these maps are, really cadastral maps, because they survey every fence and mark them down with as great care as if they were fixing the boundaries of property. But they fix no landmarks for the owners, they settle no disputes about property, for they have no authority or power to do anything of the kind. In fact this elaboration is of no

Now, will this House sustain this unnecessary and extravagant system? If so, upon what ground will it be done? Is it because this old spendthrift has become so venerable by age we dare not reform it? I can not see any other reason. Or is it the reason given by the majority of the committee, and that is, we ought not to express any opinion on it because it is approved by scientific men of the world?

I have shown sailors everywhere have no sort of use for these topo graphical details. It seems to me, therefore, this appropriation bill has not even gone far enough. It proposes to retrench and save some \$160,000, but it should go further and cut out some of the appropriations for resurveys.

Mr. GLOVER. I would like to ask the gentleman if he has seen the map of the harbor of Corinto, prepared by the Hydrographic Office in

Mr. HERBERT. That is the map of which I have been speaking, after the establishment of the Coast Survey.

Mr. GLOVER. Does not that map contain the topography of a railroad line, a man's back yard, and all of the objectionable features which the gentleman has referred to in connection with the Coast Survey's maps?

Mr. HERBERT. Well, it is a Coast Survey map.
Mr. GLOVER. No, sir; it is a Hydrographic map.
Mr. HERBERT. I have said that there are some of the Hydrographic

maps that contained these features; but I condemn all such maps, no matter whether prepared by the Hydrographic Office or any other. Such a map is not worth the money it costs. No man can justify such an expenditure, or excuse it, unless by saying that he does not understand these things and will not set up his judgment against that of scientific men. That is the ground the majority take in their report.

Mr. RANDALL. You mean the majority of the commission, not of

the committee who reported this bill?

Mr. HERBERT. Yes; of the commission who examined this subject.

Mr. BOUTELLE. Let me interrupt the gentleman from Alabama for a moment.

Mr. HERBERT. Yes, sir.
Mr. BOUTELLE. I understood the gentleman to say that the Coast
Survey now recommend a resurvey of the Long Island coast by reason of topographical changes.

Mr. HERBERT. I did not understand the gentleman's question.
Mr. BOUTELLE. I understood you to say that the Coast Survey
was engaged upon a resurvey of Long Island.

Mr. HERBERT. Yes, sir.
Mr. BOUTELLE. Did I understand the gentleman to say that this resurvey was made necessary because of changes that had been made

in the topography of the island?

Mr. HERBERT. I say this: They are making a resurvey of Long Island, and the testimony of Professor Hilgard shows that it is rendered necessary by reason of the changes which have taken place in the cultural features delineated on the old map.

Mr. BOUTELLE. And not by reason of a change of the coast or of shoals along the coast?

Mr. HERBERT. Professor Hilgard gives the reason—

Mr. BOUTELLE. For if he has stated that as the reason, it seems to me to be a most remarkable statement.

Mr. HERBERT. I have given my authority. Professor Hilgard says it is by reason of the cultural features which have been changed since the former survey

Mr. BOUTELLE. Does he give that as the sole reason for making a

Mr. HERBERT. I have given the language of Professor Hilgard more than once. He says the country is building up on the shores of Long Island; and because it is building up, so that you would not recognize the shores from the old map, it is necessary that there should be a resurve

Mr. BOUTELLE. Is that the sole reason he gives?
Mr. HERBERT. That is the reason he gives. The testimony upon this point was very fully and carefully taken and is set forth in the minority report. Much of it is from Professor Powell.

The gentleman from Pennsylvania said that the Committee on Appropriations could not undertake to correct all of these abuses.

Mr. RANDALL. I said we could not undertake in this bill-

could not undertake to do what the gentleman has so elaborately set forth for the reason that it would be a change of existing law. We tried

in every possible way to meet his views by reducing the appropriation, and that is all we could do.

Mr. HERBERT. Yes; that was what I was about to say. The appropriation for shore work seems to have been reduced in this bill and most properly so. I trust the appropriation for this shore work will never again be so large as heretofore. Instead of resurveying Long Island shore they should complete the coast of Maine and the works elsewhere along the coast.

Mr. RANDALL. There is a provision in the bill looking to a survey of the coast of Maine from Machias Bay toward Quoddy Head.

Mr. HISCOCK. Let me ask the gentleman from Alabama how far

inland do they survey in connection with the soundings?

Mr. HERBERT. The testimony is that they take the topography of the shore from 1 to 3 miles inland, sometimes very much farther, and sometimes much less.

Mr. HISCOCK. Is not that absolutely necessary?
Mr. HERBERT. I think not.
Mr. HISCOCK. I would like the gentleman to answer this question: Does he not understand that every object which may be salient, which may be sighted from the sea, should be included in the survey and marked on the chart? Does he not understand that that is absolutely necessary for the safety of the sailors? Did the gentleman ask that question?

Mr. HERBERT. I did.

Mr. HISCOCK. And do you mean to say that they told you that

was not so?

Mr. BOUTELLE. If they did they do not know their business.

Mr. HISCOCK. The point I make is this: That so far as reducing this expenditure is concerned—and I have examined this question a little; I appropriated once for this matter—wherever within sight of the shore there are prominent hills, mountains, anything which is an object which the sailor may use, that the pilot employs and calls into use when he is upon the water, it is absolutely necessary his charts should take in those objects and be a perfect continuation of the survey he has contain the water. got on the water.

Mr. LONG. In justice to the gentleman from Alabama it should be

stated that that is what he has been saying over and over again.

Mr. HISCOCK. I understood the gentleman to say that they did not say that Mr. HERBERT. I have said half a dozen times that all these nat-

ural objects should be included. Mr. HISCOCK. Not natural objects merely, but also the artificial objects should be included—light-houses, steeples in the villages, every-

thing that can be recognized by the pilots.

Mr. HERBERT. That brings it right down to a point and is a good illustration of the difference between my contention and the practice of the Coast Survey. I said in the beginning, and I repeat it, that all natural objects should be put down because they are permanent. But in answer to the gentleman from New York [Mr. HISCOCK], I repeat that these cultural objects should not be put upon the map, because they are evanescent and perpetually changing; and if you do it your map will be, as Professor Hilgard says, confusing, because you must keep up with changes in those objects, and as often as a new house or a new steeple is built you must put that down; and if you do that it will cost more money than any government in the world will be will-ingeter more.

ing to pay.

Mr. HISCOCK. You will find, so far as pilots are concerned, that they will tell you it is a great convenience, to say the least of it, to have on their charts every object on the coast with which they become

Mr. HERBERT. Local pilots have little use for nautical charts. Except for the soundings, they seldom refer to them. They are on the spot all the time. They keep up with all the changes, natural and artificial. They know of the building of every church and every steeple. It is your pilot from a distance who undertakes to bring in his own ship that consults the chart. This is the pilot who wants the chart. If there could be a new survey every month and a new chart engraved and printed the same month, so that he could always have a map showing the cultural features as they exist, then, of course, he would want all the artificial features put down. But the fact is otherwise. These surveys can not be made every month. Years elapse from one survey to another. Years often elapse between the survey and the publication of a map, so that even on the day a map is printed it is incorrect and confusing if it undertakes to put down these features.

But the fact is, sir, that the modern sailor is mostly guided by beacon-ships, light-houses, buoys, &c. These things have increased in our country, and the appropriations for them in all our appropriation bills have increased rapidly for the last twenty years; and just in proportion as the sailor places increased reliance on these aids to navigation he has less and less need for the topography I have been speaking of.

Mr. BOUTELLE. Does the gentleman think the future topographer

should include the Bartholdi statue in his map?

Mr. HERBERT. I do, because that will be a permanent and prominent object like a light-house. But I do not think the future topographer will put down Barnum's circus. If he does and asks me to vote money for it I shall refuse to do it.

I thank the House for the courtesy it has shown me.

Pensions and Pension Legislation.

SPEECH

OF

HON. WILLIAM R. MORRISON,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, July 30, 1886.

The House having under consideration the message of the President returning without his approval the bill (H. R. 7436) granting a pension to Mary Ander-

Mr. MORRISON said:

Mr. Speaker: It would seem that very much of what is said here professedly in behalf of the soldiers of the country is not said alone for their benefit, nor for the sole purpose of obtaining for them that relief which we are so often told their patriotism, sacrifices, and sufferings

justify and demand.

In the vetoed case under consideration the widow's husband was in his lifetime a pensioner, and was no longer ago than 1882 killed by a railroad train, and in a way not fairly traceable to his Army service. All such cases appeal strongly to our sympathies, but I do not see upon what principle or rule of action we can grant a pension in any such case until we are ready to grant pensions to all the men and the widows of all the men who served in the war, which we are not yet able to do. We have not yet given a pension to the men who served in the Mexican

When the bill to increase the pension of General Hunter's widow, just disposed of, was under discussion the gentleman from Ohio [Mr. BUTTERWORTH] allowed himself to attribute the opposition to its increase to the fact that General Hunter was one of the officers who tried Fitz-John Porter, and in a spirit of general accusation against the majority the gentleman from Ohio referred to the too liberal pension granted to the widow of General Hancock, but which he says was very properly done and for which he very cheerfully voted. I did not vote for the \$2,000 pension to Mrs. Hancock. It was and is without a precedent. It is a new departure in pension legislation which is likely to be expensive. As compared with the great mass of the bereaved and widowed she lives in affittence and plenty. The yearly \$2,000 given her might, as I believe, have been more prudently and justly given in sums of \$100 each to twenty dependent widows.

The widow of General Hunter receives now \$30 per month, the

amount the law gives to all widows of officers of her husband's rank. She, too, is blest, at least favored, with great abundance and good fort-une. Exceptions and increases in the amounts allowed by general law ought to be allowed only in exceptional cases—in cases of great hardship and to relieve actual want or suffering. This is not one of

When one of the first vetoed pension bills was considered the President was criticised and accused of placing the stigma of desertion on the memory of the dead soldier, when the fact was the President but stated what appears in the records of the War Office, where the charge of desertion was placed twenty years ago and still remains.

Mr. TAULBEE. Will the gentleman allow me?

Mr. TAULBEE. Will the gentleman allow me?
Mr. MORRISON. Yes, sir.
Mr. TAULBEE. I presume you refer to the case—
Mr. MORRISON. Of Tiller, who claimed as alleged dependent father of the deceased soldier. I think it was the Tiller case.
Mr. TAULBEE. I will be glad if you will state who accused the President during that discussion. I advocated that claim.

Mr. MORRISON. Not the gentleman from Kentucky, who is always fair in debate, and who said that with the facts before the President the veto was justified. But that was not the character of all the discussion in the vetoed cases, much of which was in the same spirit of partisan, unfair, and unjust criticism which marks most of the pension discussion in and out of Congres

On Friday evening last when the bill giving a pension of \$50 a month to the widow of General Stannard, the dead messenger of the House, was passed with no vote against it the gentleman from Ohio (General GROSVENOR) availed himself of the customary courtesy and took leave to extend his remarks in the RECORD, which he did two days later, say-

ing, among other things:

I have no word to say against the honest confederate soldier. I do not wonder that they do not feel the zeal in this behalf that we do. I say, Mr. Speaker, that these confederate generals and colonels and majors and captains and statesmen have been vastly out of proportion in their liberality as compared with the Northern Democrates. The men who in this Congress have hedged the way to the relief of the soldier have not been the confederate gentlemen, but have been the Democratic members from the North, as I will proceed to show you.

I do not wonder, Mr. Speaker, that our Southern brethren—our erring Southern brethren—our returned brethren—the men who boast that they are "in their father's house," and have "come to stay"—I do not wonder that they have feeling upon this question. The brave men of the South who at the call of what they believed to be patriotism—mistaken, and horrible though the mistake was—are suffering as our men are suffering, and barred from participation in these bounties by constitutional provision, barred by public sentiment, and yet

no constitution, no public sentiment can bar humanity. You may pile constitutions as high as mountains between the vote of an ex-confederate Congressman and a suffering and dying comrade of his own command, and you can not strangle humanity; you can not stifle that feeling of comradeship which is as strong between the men of the South as between the men of the North. I hope it may never die. It ought to live.

Was this intended to help General Stannard's widow, whose pension no one opposed? Was it to help any soldier, soldier's child, or widow to a pension? No; not that. For long years the party associates of the gentleman, and I doubt not the gentleman himself, have been telling the people of the North that the Democratic party was so dominated by Southern men that when it got into power they would prenated by Southern men that when it got into power they would prevent payment or granting of pensions. But now comes the gentleman from Ohio and confesses the great wrong his party has done his Southern brethren, "these confederate generals and colonels and majors and captains and Southern statesmen," who he finds vastly more liberal in granting pensions than Northern Democrats. Why this shift of accusation from South to North? Is it because of that feeling of comradeship among Southern men which the gentleman from Ohio hopes may never die he believes to further accuse them of illiberality in granting pensions would lose them no votes? Is it because he believes to so accuse Northern Democrats might cause them to lose some votes? Or are we permitted to believe that the gentleman from Ohio is willing to subordinate the cause of meritorious pensions and give it over to votegetting?

In the furtherance of his purpose, which can hardly be misunderstood, the gentleman (General GROSVENOR) permitted himself to say:

To the proposition of certain Democrats to add a revenue measure to each pension bill I put up the answer of the committee on pensions of the Grand Army of the Republic made to Congress this year. It is as follows:

Boston, Mass., July 1, 1886,

SAMUEL S. BURDETT, Commander-in-chief Grand Army of the Republic:

Commander-in-chief Grand Army of the Republic:

The committee on pensions, appointed under resolution of the national encampment of the Grand Army of the Republic, and authorized to speak therefor, feel impelled, through you, in the name and behalf of three hundred and twenty-five thousand veterans, to enter an emphatic protest against the proposition now pending in Congress to attach to all pension bills—and pension bills only—a measure of special taxation to provide for the payment thereof.

This proposition is not to increase the revenues of the Government for general purposes by new taxation, but in effect a declaration that while all other expenditures of the General Government, for salaries, public baildings, river and harbor improvements, and the like, shall continue to be paid from existing sources of revenue, the debt due to the soldiers and sailors of the Republic, for which the most solemn faith of the nation has been plighted, the pensions to the men who gave sight and hearing, limbs and health, and who offered their lives in defense of the nation, shall mercilessly stand aside, unless subjected to the invidious distinction of a special method of taxation.

That every other obligation of the National Government shall be met from the usual and ordinary revenues, but the obligation to the soldier be singled out and alone made to bear the burden of a new and special tax.

That in the payment of pensions, and pensions alone, one class of the people shall be arrayed against another—the tax-payer against the beneficiary—by providing as to pensions, and for no other form of indebtedness, a particular tax for a specified purpose.

Speaking in behalf of our comrades of the Grand Army of the Republic, we protest against this measure as the most iniquitous possible, and which the Union veterans of the country will resent and repudiate.

Respectfully yours,

G. S. MERRILL, JAMES TANNER, JOHN C. LINEHAN, JOHN S. KOUNTZ, Committee on Pensions.

Mr. Speaker, we here find the gentleman writing down that "certain Democrats" proposed to add a revenue measure to "each pension bill" and indorsing the Grand Army of the Republic committee statement that it was proposed to attach such a measure to "all pension bills," that "the debt due to the soldiers and sailors shall mercilessly stand aside unless subjected to the invidious distinction of a special method of taxation." Now, he could but know that his own statement, as well as the statement of the Grand Army committee, was unfair and unjust, because both were untrue. No one has offered to add a revenue measure to each pension bill, nor proposed that the debt due the soldiers and sailors should mercilessly or otherwise stand aside unless subjected to a special or other method of taxation whatever. It has never been proposed by anybody to pay or to provide for paying the many private pensions annually granted or the debt due to the soldiers and sailors, amounting annually to more than \$65,000,000, otherwise than from the ordinary sources of revenue from which all other ordinary expenses and obligations of the Government are paid.

The proposition so misconstrued and misinterpreted imposed no condition upon the payment of any pension granted or to be granted. It laid no tax, made no loan, reached no hoarded surplus. It did provide a means by which the House might or might not, in its discretion, lay a tax, make a loan, or reach an idle and useless surplus to pay pension arrears or other new and largely increased amounts made payable by general pension bills and for the payment of which the ordinary revenues are or may be insufficient. In this measure the Grand Army committee pretend to find that iniquitous purpose which must be looked for among those who inspired the committee's statement.

In the effort to make it appear that his party has done everything and ours nothing for the soldier the gentleman from Ohio declares "there is the soldier than the soldier

notruth in the statement" that General Grant vetoed the bounty-equalization bill originated and passed in a Democratic House. He says "there

can not be found in the United States the original or a copy of any veto of that bill over issued by General Grant." This statement is the merest quibbling evasion. The bounty-equalization bill was passed by the House and by the Senate. It was sent to General (or President) Grant,

and did not become a law for want of his approval.

Comparisons are frequently made in discussions by the gentleman from Ohio and others between the relative amounts paid for pensions and for interest on the public or war debt. What relation this comparison has to the granting of pensions is not clear. Nor am I quite sure of its purpose, unless it is made in the belief that the payment of pensions falls largely upon the owners of the bonded debt and other public securities; and generally upon the fortunate owners of capital to whom the burden of payment would be no privation or hardship. Such a belief would be a grievous error. The taxes which were laid upon property, capital, and income during the war for the payment of its cost, including pensions, have all been removed. Now pensions, as well as interest on the public debt and all other money obligations of the Government, are paid by taxes laid on articles in every-day use, and therefore these obligations, including pensions, are paid in unequal proportion by those who are no further removed from want and suffering than are those to whom the pensions are paid.

But, sir, what are the facts and what justice is there in the state-

But, sir, what are the facts and what justice is there in the statement that the majority here has failed to respond to the just demand of the soldiers, their widows or dependent relatives? When the first Democratic House after the war met in 1875 the pension-roll was \$29,683,116, and was apparently falling off, for in 1878 it was less than \$27,000,000. Since then it has grown with the aid of legislation originating in a Democratic House to \$65,747,380 last year and we have appropriated \$75,000,000 for this year. In this Congress we have added \$4 per month estimated at \$6,000,000 a year, to the reprisons of widows. \$4 per month, estimated at \$6,000,000 a year, to the pensions of widows

After nearly forty years we have enrolled in the House the Mexican war soldiers at a cost of at least \$5,000,000 a year. This pension bill everybody favors, but it never gets through, and neither Northern Democrats nor "these confederate generals and colonels and majors and captains and Southern statesmen" have hedged the way.

Not only in legislation but in administration have the Democrats greatly exceeded their opponents in greatly exceeded their opponents in greatly exceeded.

Not only in legislation but in administration have the Democrats greatly exceeded their opponents in granting pensions. More than twenty years had elapsed before the appointment of the first Democratic Commissioner of Pensions after the war, General Black. In that time it might reasonably be supposed that all pension claims which were good or could be shown to be good had been allowed by his Republican predecessors, and that only such as were of doubtful propriety or very difficult of proof remained to be considered by him. It fell to him to adjust such claims only as his Republican predecessors would not, or at least did not, allow, or as the claimants in all that time were so doubtful of the justice of such claims they did not present them. In short, it fell to him to adjust claims which were largely of the shadowy kind-shadowy at least so far as the claimants were able to Black in the fiscal year ending with June last, his first full year in office, issued 81,222 pension certificates, which is 6,721 more than was ever issued in any previous year. And this great labor was done with a considerably reduced clerical force, saving in appropriations and reduction in the cost and expenses of the Pension Office, as shown by a statement here submitted.

The work of the Second Auditor's Office is, next to the Pension Bureau, the most important branch of the public service to those who served

the country in the late war.

The Second Auditor, Mr. Day, and the force in his office settle the claims of soldiers, their widows and orphans, for arrearages, back pay,

He came into office twenty years after the war, during which time his Republican predecessors with all the clerical force demanded had been adjusting these claims. Such as were easily adjusted and could be established without painstaking and great labor were no doubt settled; only those most difficult and hard to establish came down to him to settle; and yet left to the consideration of such claims only as his predecessors had not in twenty or more years been able to adjust, at least did not settle and pay, this faithful and effective officer settled in his first year more than three thousand claims in excess of those allowed by his predecessor in the previous year. His allowances were half as much more than the previous year. The accounts audited, vouchers handled, and all the business of his office increased in like proportion in the interest and for the health of the second second in the proportion in the interest and for the health of the live of the second second in the proportion in the interest and for the health of the live o tion in the interest and for the benefit of soldiers living or widows and children of soldiers dead, and all this has been accomplished with a less average number of clerks and a considerable decrease of expendi-

Mr. Day and his work in behalf of those whose claims come down to us from their war services has commanded the unstinted approval of the gentleman from Ohio [Mr. BUTTERWORTH], who, in his speech on one of the appropriation bills, said:

Mr. Day, the Second Auditor, is an energetic, conscientious, clear-headed man. Nobody can go about his office without appreciating the fact that the President was fortunate in choosing such a man for Second Auditor. He is crowding the business of his office.

In conclusion, I repeat that very much of what is said here and elsewhere on the subject of pensions is not intended for the single purpose of securing relief for those entitled to the gratitude and beneficent aid of the Government, but is said for partisan purposes and in terms and statements unfair and unjust because untrue.

APPENDIX A.

PENSION OFFICE STATEMENT.

Statement showing the amount of appropriations and the actual expenditures during the year 1886.

	Appropriated.	Expended.	Balance.
Salaries of clerks	\$1,954,650 00 210,000 00	\$1,789,774 05 165,045 75	\$164,875 95 41,954 25
clerks	350,000 00	807, 508 70	52, 491 80
Per diem and expenses of special ex-	220,000 00	176, 359 36	43,640 64
Total	2,744,650 00	2, 438, 687 86	305, 962 14

Of the balance (\$305,962.14) \$71,190 represents the amount saved by operation of law and \$234,772.14 by economy of office.

The records of the bureau further show a saving in the matter of stationery, printing, and binding during the year of \$13,683.55.

This immense work has been performed with a force of clerks less by over one hundred than for the years previous.*

The number of names added to the rolls was 43,166. For comparison see page 21 of Commissioner's report, 1885.‡

During the fiscal year ending June 30, 1885, there was paid out for pensions, including arrears, the sum of \$55,783,094.27.†

During the fiscal year ending June 30, 1886, the Pension Office issued \$1,422 pension certificates, a larger number by 6,721 than were ever issued in any previous year. In the month of June the number of pension certificates issued was 10,35.‡

For comparative statement of amounts expended, year by year, from 1873 to 1885, inclusive, with average clerical force, see below:

Statement showing the average clerical force, year by year, and the amount of money expended on account of pensions.

Year.	Disbursements on account of pensions.	Clerical force.
1873	\$29, 185, 289 62	341
1874	30, 593, 749 56	324
1875	29, 683, 116 63	330
1876	38, 351, 599 69	353
1877	28, 580, 157, 04	334
1878	26, 844, 415 18	335
1879	33, 780, 526 19	375
1880	57, 240, 540 14	375
1881	50, 626, 538 51	367
1882	54, 296, 280 54	759
1883	60, 431, 972 85	1.545
1884	57, 273, 536 74	1,547
1885	65, 733, 094 27	1,631
1886	65, 747, 380 00	1,519

APPENDIX B.

CTATEMENT OF ARREARS, BOUNTY, ETC.

In the Second Auditor's Office during the twelve months ending June 30, 1886, the average number of clerks employed was ten less than in the previous fiscal year, and there was a decrease of more than \$20,000 in the expenses.

In the matter of claims for arrears of pay and bounty there was an increase of 3,314 in the number settled and of \$247,652.78 in the amount allowed, the total amount certified in 1885 being \$540,064.52, and in 1886 \$787,717.30.

The record of money accounts audited shows an increase of 632 in number and \$9,285,000 in amount, and 425 more property accounts were examined and disposed of in 1886 than in 1885.

The correspondence of the office shows a large increase, 64,375 letters received and registered against 44,682 in 1885, an increase of 19,693, and 220,130 letters written against 20,362 in 1885, an increase of 19,768.

The other principal items of increase are:

Vouchers handled by file clerks in 1886	1,394,289 1,209,788
Increase	184, 501
Pay-rolls and other vouchers repaired in 1886	23,571 14,761
Increase	8, 810

* The following is a statement of the clerks borne upon the rolls at the periods named: June 30, 1884 March 16, 1885.

June 30, 1885.

June 30, 1886. 1,665 1,540 1,536

*† Of which 2.314 were restorations.

‡ From March 17 to June 30, 1885, the Pension Office was under the administration of the present Commissioner, and during said period 31,294 pension certificates were issued, of which 15,905, or 51 per cent., were originals, making a total issue from March 17, 1885, to June 30, 1886, inclusive, of 112,626, and a total addition to the rolls of 55,756 new names. The amount paid out for pensions during the period from March 17, 1885, to June 30, 1885, was \$23,643,851.77; to June 30, 1886, \$65,747,380; making a total of \$89,301,231.77.

Pages of defaced and mutilated pay-rolls copied and verified in 1886 Pages of defaced and mutilated pay-rolls copied and verified in 1885	1, 274 128
Increase	1,146
Pages of accounts, &c., journalized in 1886	3,068 1,997
Increase	1,071
Certificates of non-indebtedness issued to claimants in 1896	5, 602 4, 022
Increase	1,580
Requests for information received from the Pension Office, Third Auditor's Office, Adjutant-General's Office, and other bureaus in 1886 Requests for information received from the Pension Office, Third Auditor's Office, Adjutant-General's Office, and other bureaus in 1885	18, 138 14, 425
Increase	3,713
Requests as above answered in 1886	17, 212 13, 716
Increase	3,496
Settlements journalized and posted in 1886.	4, 283 3, 985
Increase	298
Signatures of officers and soldiers compared for the Pension Office and other bureaus in 1886	7, 979 5, 204
Increase	2,775

Republican Management of the Navy.

SPEECH

OF

HON. HILARY A. HERBERT,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, August 5, 1886.

On the subject of appropriations for the Navy and the bill to increase the effi-ciency thereof.

Mr. HERBERT said:

Mr. SPEAKER: Republican and Democratic methods are nowhere so aptly illustrated as by the history of our Navy read in the light of the figures made in the last twenty years. Other comparisons are apt to deceive. Our population has nearly doubled, our wealth has more than doubled, business and the expense of carrying it on in every department of the Government has increased, our pension-roll has grown to \$76,000,000 per annum, river and harbor bills carry \$14,000,000 annually, and so the aggregate sum necessary to carry on the Government has necessarily increased. But there is one department or arm of the Government that has not grown with the growth of the country,

and that is the Navy. Its personnel has remained nearly the same.

Let us look at that, comparing two decades. Over the expenditures for the Navy from 1867 to 1876, inclusive, the Republicans had absolute control. Not only had they the executive department which expended the money, but they controlled every Congress during that era. It was the Forty-third—a Republican—Congress which appropriated for 1876. Up to that time the Democratic party was so weak as not even to be a check upon Republican extravagance. But in 1874 the Democrats came into power in the House. Their consent was necessary to the appropriations for the year 1877, and we have had a Democratic House in every Congress since except the Forty-seventh. Let us now compare the two decades:

Year,	Expenditures on account of the Navy.	Year.	Expenditures on account of the Navy.
1867 1868 1869 1870 1871 1872 1872 1873 1874 1874	\$31, 034, 011 04 25, 775, 502 72 20, 000, 757 97 21, 780, 229 87 19, 431, 027 21 21, 249, 809 99 23, 526, 256 79 30, 932, 587 42 21, 497, 626 27	1877 1878 1879 1880 1881 1882 1883 1884 1884	\$14, 959, 935 36 17, 365, 301 37 15, 125, 126 84 13, 526, 984 74 15, 683, 671 66 15, 032, 046 29 15, 283, 437 17 17, 292, 601 44 16, 621, 079 67
Total	18, 963, 309 82 234, 191, 119 10	Total	15, 029, 704 95 155, 319, 889 46

The difference in the expenditures during the two decades is \$78, 871,229.54, enough to build and equip a respectable modern nav

But, Mr. Speaker, it may be said that this statement is unfair, be cause in 1867 and 1868 the Navy had not been fully reduced to a peace footing. That thousand men. That is true. In 1867 and 1868 the estimates were for fifteen

But the act of June 17, 1868, reduced the number of men to 8,500. It remained at this figure until June, 1876. Then it was reduced to 7,500 men. By the act of May 12, 1879, 750 boys were added, and the number allowed has since remained at 8,250 men and boys. So the difference in the number of sailors to be paid from 1889 onward is so slight that the difference in the expenditures can not be explained by attributing it to this. To make it absolutely clear that the difference results not from the amounts paid to men, or to men and officers, and to exclude every other conclusion except that it resulted from extravagant methods, I will leave out of the calculation the two years 1867 and 1868, and we have the total expenditures for the Navy during eight years, when Democratic influence was not felt in the councils of the Government \$177,381,605.34 against \$155,319,889.46 expended within ten years after the Democratic party began its policy of reform.

The average annual expenditures during eight years of complete Republican ascendency, from 1869 to 1876 inclusive, was \$22,172,625.64, and during the ten years which followed, from 1877 to 1886 inclusive, was \$15,531,988.94. In other words, there was a saving in the expenditures of the Navy during each year after the Democrats came into power in the House and exercised partial control over appropriations, everaging \$6.640.636.70, thus making a saving during the years of \$68.

power in the House and exercised partial control over appropriations, averaging \$6,640,636.70, thus making a saving during ten years of \$66,406,367, enough money to build and equip a respectable modern navy.

To make it still more clear that but very little of this great sum saved could have come from the pay of officers and men, I have had tables prepared showing the amounts actually paid out for this purpose during all these years. Thus it is shown that the average amount annually paid to officers and men of the Navy and to marines during the eight years of complete Republican control was only \$380,664.12 annually more than was paid for the same purpose during the ten-year period. Deducting this sum from \$6,640,636.70, the annual saving as above, and the amount saved annually remains \$6,259,971.58.

The exact figures showing the amounts paid out are as follows:

EIGHT YEARS.

Year.	Pay of the Navy.	Pay of Marine Corps.
1869	\$8,525,953 84	\$732,562 43
1870	7, 854, 330 53	674, 296 96
1871	7,093,732 00	807, 579 03
1872	7, 213, 133 75	700,000 00
1873	7,093,929 00	678, 145 00
1874	7,549,855 94	747, 639 00
1875	7, 248, 996 83	599, 279 99
1876	7,077,943 00	598, 845 15
Totals	59,667,873 96	5, 538, 347 56
Yearly average	7, 452, 234 24	692, 043 44
TEN YEARS.		
1877	\$7,021,758 45	\$023, 120 30
1878	7, 215, 082 36	606, 917 06
Deficiency 1877	2,574,233 81	
1879	6, 868, 275 00	614, 815 00
1880	6, 351, 892 21	559, 673 35
1881	6, 903, 581. 35	585, 610 64
1882	6,771,135 24	590,550 56
1883	6, 902, 777 87	636, 413 18
1884	6, 765, 523 67	613, 777 28
	7, 249, 589 41	602, 994 72
1885		
1885	6, 952, 264 28	626, 147 94
	6, 952, 264 28	6,060,020 03

This in ten years would amount to more than sixty-two and onehalf millions of dollars, enough still to build and equip a respectable modern navy. Where, then, was this extravagance? I have shown it was not money paid out to officers or men in the service. It was perhaps everywhere, in all the branches of the service, but especially in the Bureaus of Construction and Repair and Steam-Engineering.

the Bureaus of Construction and Repair and Steam-Engineering.

In the eight years of complete Republican control, eight years during which the Navy was on a peace footing, the total expenditure of the Bureau of Construction and Repair was \$30,811,257.67 and of the Bureau of Steam-Engineering \$12,776,394.68.

During the ten years after the Democrats came into power in the House the Bureau of Construction and Repairspent \$14,316,265.14, and the Bureau of Steam-Engineering \$9,785,075.81. I leave out of the calculation all special appropriations made for increase of the Navy during both periods. The tables presented do not, therefore, include the eight steam-vessels ordered in 1873 and built in 1874 of wood, and which have rotted and become worthless while other nations were build. which have rotted and become worthless, while other nations were building of iron and steel. As will be seen, all the expenditures for increase of the Navy during both periods are accounted for separately, as I am dealing now only with ordinary expenditures. It will be seen that the average annual expenditure of the Bureau of Construction and Repair under full Republican control was \$3,851,407.20. After the Democracy got control of the House the annual expenditure for the same purpose was \$1,431,626.51. So the average expenditures by the Bureau of Steam-Engineering during eight years of undisputed Republican control was Engineering during eight years of undisputed Republican control were \$1,597,049.33. After the Democracy got control of the House the expenditures by the same bureau were only \$978,507.58. showing the expenditures in full is as follows:

Year.	Bureau of Con- struction and Repair,	Bureau of Steam- Engineering.
1869	\$4, 932, 604 55 4, 267, 888 10 4, 829, 999 80 3, 489, 423 49 3, 300, 000 00 a3, 499, 994 00 3, 297, 708 97 3, 293, 818 76	\$1,981,605 19 1,085,439 23 1,000,000 00 1,160,000 00 2,299,784 00 1,799,946 64 1,799,619 62
Totals	30, 811, 257 67	12,776,394 68
Yearly average	3,851,407 20	1,597,049 00
1877	1,750,000 00 1,744,204 29 1,499,515 78 1,485,996 26 1,490,117 08 1,295,908 49 51,709,897 39 c1,356,139 85 d992,778 08 988,767 92	942,500 00 941,809 42 799,744 21 1,052,058 93 798,740 90 1,005,607 02 1,598,352 74 e1,068,551 84 f 894,765 16 682,955 59
Totals	14, 316, 265 14	9, 785, 075 81
Yearly average	1, 431, 626 51	978, 507 58

a Construction of steam-vessels, \$3,200,000.

b Double-turreted monitors, \$395,423.26; esteel cruisers, act of March 3,1883, \$1,300,000.00; d steel cruisers, act of July 7, 1884. \$972,209.77—total, \$2,667,633.03.

e Machinery for double-turreted monitors, \$861,163.63; f steel cruisers' machinery, \$626,866.89—total, \$1,488,030.52.

I have taken these two bureaus as a sample of Republican maladministration. No illustration could be more apt, for all the world knows that, notwithstanding these extravagant appropriations, the Navy has gradually dwindled into such insignificance that we are unable now to

cope with any modern fleet.

Take other bureaus, and we find under Republican control similar extravagance. The Committee on Naval Affairs during the present Congress ascertained that the Bureau of Equipment has on hand, in the language of Commodore Schley, enough canvas "to furnish two suits of sails and a foretop-sail to the whole British navy." Some of this canvas was bought thirteen years ago and now is worthless. The same bureau has on hand spectacle-clews for sails by the ton, and valued at \$18,744, enough to last the Government for eighteen years to come.

Then there is the Bureau of Provisions and Clothing. Many of the

purchases for this bureau can not be accounted for on any hypothesis consistent with honest and fair dealing. Estimated according to the sales made to sailors last year, there is now on hand a supply of peajackets for twenty years, monkey-jackets for five and one-half years, black-cloth trousers for four and one-half years, satinet for three and one-half years, canvas duck for twelve years, caps for four and one-half years, mattress covers for twenty years, and boots for twenty years; but in truth and fact much of this clothing has been on hand so long and has become so worthless that sailors refuse to buy it.

The extravagant policy, long acquiesced in, of keeping in store large supplies of clothing brings loss in two directions, first, from sales of condemned clothing, next from the necessary reductions in price which the Government is compelled to make in order to keep pace with a

falling market.

The losses in ten years last past have been

From sales of condemned clothing	\$272,000 438,000

The fund on hand, subject to the orders of this Bureau of Provisions and Clothing, was extravagantly large. It seemed to be a standing temptation to fraud. So the present Congress took away and returned into the Treasury \$325,000 of this fund. We also provided for the return to the Treasury of the surplus balances on hand to the credit of pay of the Navy and pay of the Marine Corps. At the close of the last fiscal year these sums were, respectively, \$576,380.24 and \$217,694.24. Thus we have returned to the Treasury of moneys unnecessarily appropriated over a million dollars and provided against a future similar accumulation.

I will not dwell longer on past expenditures, but will close by mak-

ing brief reference to the appropriations for the Navy at this session of Congress. The total sum included in the annual appropriation for the naval service for the fiscal year ending June 30, 1887, is \$12,989,907.20. Subtracting the amount included in the bill for completing and arming certain new vessels (\$186,898), we have the sum of \$12,801,009.20. This is less than the appropriation for last year, excluding from that also all appropriations toward a new navy, by the sum of \$333,695.75; and it is less by \$6,162,300.62 than the sum, \$18,963,309.82, which was recorded division to the last year are resided of full Republicans. expended during the last year of eight-year period of full Republican control, of which I have given the tables.

This Congress has appropriated toward increasing our Navy, including the \$186,898 I have already mentioned, the sum of \$3,686,898. Adding that to the amount in the regular bill for the naval service, we have for 1886 the sum of \$16,489,907.20 appropriated for all the pur-

poses of the Navy.

Ten years ago annual appropriations made by the Republicans, when undisturbed by Democratic ideas of economy, for the naval service alone amounted to \$2,273,402.62 more than this aggregate. In other words, amounted to \$2,273,402.62 more than this aggregate. In other words, the Republicans spent in 1876 on the naval service alone, not contributing one dollar to increase the Navy, \$18,963,309.82. Now, under Cleveland, we support the Navy, contribute more than three and a half millions to build a new navy, and still save over two and one-quarter millions upon Republican expenditures of ten years ago.

These figures, I think, show that Democrats can and will, if permitted hald a new navy on these ten permitted being a constant of the permitted being a constant of the permitted and will, if permitted hald a new navy on these ten than Pennshitsen according

mitted, build up our Navy on a less sum than Republicans expended when they allowed it to rot.

Interstate Commerce.

SPEECH

HON. WILLIAM P. HEPBURN,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 21, 1886.

The House having under consideration the bill (S. 1532) to regulate commerce-

Mr. HEPBURN said:

Mr. SPEAKER: It is not my purpose to attempt any very extended comparison of the respective merits of these two bills. urge upon the House such action as will result in some legislation on this question of interstate commerce. It is a question of primary importance. None other within my knowledge is regarded of more importance, at least in the section of country where I reside than that of wisely and justly controlling the railroad corporations. I want to secure some legislation on this subject. I want to secure at least a start in that direction. I am thoroughly satisfied that if the recommendation of the Committee on Commerce of this House be adopted there will be no legislation whatever on this question. They have to-day given us, substantially, the same proposition which they have been urging upon the House year after year; and so far as my knowledge goes, it has never received in the other branch of Congress more than 11 affirmative votes. It is, with slight changes, the Reagan bill of past sessions. It has been repudiated in the Senate upon every occasion when it has been presented; and I do not believe that any of its friends of the House Committee on Commerce have the slightest hope of securing favorable action upon it in

The Cullom bill, for which our Committee on Commerce propose to substistute the Reagan bill, while it is not all that we desire, is cersubstistute the Reagan bill, while it is not all that we desire, is certainly a step, and a long step, in the right direction. It will at least secure reasonable charges by the railroad companies and do away with very many evils. I admit that provisions looking to the same end are to be found in the Reagan bill, but the differences in the methods of enforcing the remedies are great. The bill of the House committee simply commends the aggrieved individual to litigation—litigation in the courts, in which all the odds of wealth, experience, and knowledge of the subject-matter involved are against him. Against these odds of wealth, experience, and knowledge he must fight his battle, alone and unaided.

I take it that no legislation is necessary to declare that extortion and overcharges shall not be permitted. Under the common law to-day, a person who suffers by extortion may bring his action in the courts and recover if he can make his proofs.

But the difficulty with him under the Reagan bill is to establish his cause of action. He has the affirmative of the issue, and the burden is upon him to show that a given rate—the one exacted from him—is excessive or extortionate. Under the other bill this is not true. He has a friend at court. It becomes under the Cullom bill the duty of the commission—skilled men, experts on the subject of transportation—to investigate for him and ascertain the very facts, to furnish the very

proofs of all that he may need. They have the broadest range, the amplest facilities, to procure the necessary information. They may resort to and examine all sources of information, and the expenses are paid by the Government. The bill provides that the commission shall have all of these ample opportunities for investigation, and they are required under the law to make their findings of fact; and these findings in the subsequent litigation that may occur are to stand as true These findings make out the complainant's case for him, shifting the burden of the proof from the weak, where it can not be made, onto the strong. That is on the supposition that the complainant is in the right.

Why, gentlemen, I regard this as a boon of inestimable value in equalizing the possibilities that may result from litigation. To-day if a suitor goes into court and attempts to establish an affirmative proposition against a railroad carrier he finds that the experts, the men who have the information upon the subject, are all of them upon the other side of the question, all of them hostile to his purpose. The great difficulty in the way of the overcharged shipper lies here: Suppose my friend from Nebraska is called as a witness to substantiate the proposition that a given rate is extortionate. He perhaps has much more information than the average suitor on subjects of this kind. He says the given rate in inquiry is extortionate. "How do you know?" is the question submitted upon cross-examination-I am trying to look at this and discuss it as a practical question, as something every man will have to meet under the terms of the Reagan bill—"how do you know that this is extortionate?" Perhaps the very best reason that he could give would be to suggest a comparison between the rate charged

and another rate charged by some other corporation.

Well, sir, the attorney would suggest, "What are your means of information? What is your knowledge as to the conditions in the two cases? What do you know of the elements of cost that enter into the thing we call transportation, forty or fifty or sixty distinct elements of cost—the grades here and there, the cost of construction of that road, the cost of this; how much of the time of that is impeded by snows or storms as compared with this; the amount of traffic of the two roads, the cost of fuel?" And so he would go through the whole list of factors

that aid in making the total of expense in moving freights.

The gentleman would undoubtedly be compelled to say, unless his information is more ample and his knowledge much greater than that of the average citizen, that he was unable to answer these questions. His evidence would have absolutely no weight, because not based on knowledge of the subject-matter, and the suit would fail. Hence it is a mere mockery to a man to say he shall have his right of action; it is a mere mockery to say that the railroad corporations shall not impose upon him when you give him no means to make good his assertion that they have imposed upon him. It is not enough to give him a right of action. If you intend to give him anything of value give him such a remedy as will enable him to assert and maintain his rights in the courts, if the corporation that has wronged him will not obey the find-ings and order of the commission and compel him to go to the courts for relief.

[Here the hammer fell.]

Mr. O'NEILL, of Pennsylvania. I yield to the gentleman the re-mainder of my time.

Mr. HEPBURN. The Cullom bill gives the facilities and furnishes the aids. Now, gentlemen, we can secure the advantages which are demanded if we refuse to vote for the adoption of the amendment and let the question come before the House as to whether we will have legislation upon this vital question, or whether, through an adherence to the report of the Committee on Commerce, we will suspend action between the two Houses and remain in precisely the same condition

we have been in for all time past.

If it were not for the known and well-known opinions and integrity of the gentlemen who are urging the adoption of the Reagan bili, we might almost suspect that they were the men who wanted no action at all; that they are pursuing a course they know will leave the cor-porations of the country absolutely untrammeled, and furnish the

people no relief whatever.

Mr. REAGAN. I desire to ask the gentleman a question. to ask the gentleman from Iowa how he gets the information that the Senate is so firmly fixed in its opinion that there is no compromise possible?

Mr. HEPBURN. I judge from the action of the Senate heretofore. The bill of the gentleman was before the Senate at the last session. It received merely 11 votes and no more. The gentleman knows the facts as well as I. The Cullom bill passed the Senate by a vote of 42 to 2, I believe. Mr. REAGAN.

Mr. REAGAN. I do not know that. Mr. HEPBURN. Then the gentleman is not so familiar with the

Mr. HEPBURN. Then the gentleman is not so lamiliar with the subject as I had supposed.

Mr. REAGAN. The gentleman is not authorized to speak for the Senate, or say that it will not agree to a compromise.

Mr. HEPBURN. I am only speaking from sources which are open to the gentleman in common with myself.

Mr. O'NEILL, of Pennsylvania. I gave the balance of my time to the gentleman from Iowa.

the gentleman from Iowa.

The SPEAKER. The gentleman's time had expired.
Mr. O'NEILL, of Pennsylvania. I think not, Mr. Speaker, until 5 eloek.

The SPEAKER. But the gentleman had occupied an hour. Chair was not aware of the fact that he had more time than that.

Mr. McMILLIN. Mr. Speaker, having been in the chair at the time, I will state that the gentleman's hour expired at five minutes before 5 o'clock, but he was entitled to an hour and five minutes, as the Chair understood.

The SPEAKER. Then the gentleman from Iowa will proceed until 5 o'clock.

Mr. HEPBURN. I will reserve the remaining five minutes until the evening session.

Mr. HEPBURN. Mr. Speaker, I sympathize with the gentleman from Virginia [Mr. O'FERRALL] in his very laudable desire to place new laurels upon the brow of the gentleman from Texas [Mr. REAGAN], and to enhance so far as he may the value of the distinguished service which that gentleman has rendered to this Government. I sympathize with him, too, in the hope he has expressed as to the results the great Democratic party is to accomplish in its new mission and with its new lease of power. Yet I am constrained to express the fear, judging from what we have up to this time witnessed, that all of his blissful anticipations as to the performances of that organization are not to be realized. believe that up to this time he could count on the fingers of his right hand, even if he had lost four-fifths of his fingers [laughter], all that that party in a year and a half has accomplished in the direction of performance of the extraordinary promises that it made before it ob-

tained its present lease of power.

I would have been glad if the gentleman, instead of giving us the essay, estimable as it is, upon the general subject of transportation and essay, estimable as it is, upon the general subject of transportation and the glories of the Democratic party, which he has just delivered, had met the requirements of the majority of his committee in view of the legislation they propose. There came to this House and was referred to his committee a proposition under and by which it was believed that control of the railroads would be possible. That proposition had received the attention and careful consideration of the other branch of the national Legislature for many months. It was the result of a carefully considered examination of this vexed subject. The Senate Commerce Committee, which framed it, had called many witnesses, had carefully examined them, was familiar with the views of all the railroad experts of the country upon this great question. The committee of the Senate appointed at a previous session had visited all parts of the United States; had invited all classes of persons interested in transportation to appear before it and express their views, to state their

rievances, and to suggest remedies. Shippers and carriers, boards of trade, and chambers of commerce in great numbers and in all parts of the country—East, West, North, and South—had availed themselves of this opportunity, and the committee had in this way collected a vast fund of valuable information bearing upon the subject, which as a public document has been published in two large volumes, and is a valuable contribution to the fund of information on the carrying trade of the country; and, as a result of all its investigations and all its efforts, had crystallized certain provisions into a proposed law passed by the Senate and sent to the House. The Committee of Commerce of the House, of which the gentleman is a member, now proposes at once to wipe out all that has been done in this direction, to do away with it instanter, and to give us something radically different in its place. It seems to me that it would have been wise for the gentleman who proposes this substitute for the Senate bill, wise for all the gentlemen upon the majority side of that commit-

tee, to have given some reason why it is better that we should not now, on this very day, secure legislation that so many of us want, by adopting the bill of the Senate. That ends the matter. That gives the people immediate relief. The passage of the substitute gives us nothing but a disagreement between the two Houses—no legislation.

Mr. O'FERRALL. Will the gentleman allow me to ask hima questions.

Mr. HEPBURN. Yes, sir. Mr. O'FERRALL. Are we legislating here for the people or for the Senate?

Mr. HEPBURN. We are legislating here for the people, but we can not legislate for the people without the aid of the Senate. It requires the concurrence of the two Houses in the same bill to enact law. The gentleman has seen fit to tell us of some of the propositions contained in the substitute he advocates, yet he has failed to tell us that every provision that he has alluded to is contained in the original Senate bill for which he proposes to substitute another-every one of them, save one; and I think I can show before I get through that the remark applies in a degree to every one of them.

My friend calls my attention to the pooling. I want to call the attention of the gentleman who may conclude this debate to this marked fact—that pooling is not prohibited in the substitute; it is only the money pool that is prohibited. Pooling can go on just as it exists today so far as combination is concerned, so far as private arrangement is concerned. All that the bill proposes is to prohibit the money pool,

and to say that after the combination has been made the members of that combination shall not divide the profits which may result from it. The gentleman has called attention to the fact that the bill which

he advocates provides that no discrimination in rates shall occur. Has he not found in the Senate bill, which he undertakes to ignore, pre-cisely the same provision? The Cullom bill, the Senate bill, prohibits

The gentleman says that in his measure there is a provision, which he extols as though it were a new discovery, requiring all rates to be reasonable. But a similar requirement is in the other bill. All rates

shall be reasonable in the language of the Senate bill.

Further, he says that all shall have the same facilities, the rich and the poor; that there shall be no classes; that here it shall not be held that one class or one locality shall have, either in the facilities for shipment or in rates, an advantage which is denied to another. The same provision is to be found in the bill of the Senate.

"Shipments shall be continuous." That is simply copied from the

Senate bill, in which everything relating to the continuousness of shipments found in the substitute is to be found in the original.

Mr. REAGAN. In that respect the Senate bill is copied from the

Mr. HEPBURN. "No pooling of earnings," says the gentleman

from Virginia. I have already spoken of that.
"There shall be no rebate, no drawback, and no undue advantage," says the gentleman. But he will find precisely the same provision in

"Schedules shall be published and schedules shall be permanent."
There is the same provision in the Senate bill. If there is any difference, the difference in my humble judgment is in favor of the bill which

the gentleman does not esteem.
"There shall be no greater charge for a shorter haul than for a longer "There shall be no greater charge for a shorter haul than for a longer one." This has been at all times the especial pet measure of the gentleman who drafted this bill. No matter what other changes he has made during the eleven years that he has been unsuccessfully advocating his measure he has clung tenaciously, with the utmost of affection, to this particular provision. Does not the gentleman find that provision word for word in the Senate bill? The author of this substitute lives near the seaboard. There might be an advantage secured by his constituents by the adoption of this provision, but it would be procured at the expense of those who live at a great distance from the seaports. But the Senate bill contains this with another wise provision. It is known, Mr. Speaker—I think no one will deny it—that the fourth section of the substitute would operate most harmfully against large classes of shippers.

of shippers.

There are localities, notably the city of Chicago, where because of an extraordinary west-bound traffic a large number of cars every week would have to pass back empty, increasing the cost of all the traffic on the seven great trunk line roads, if the carriers were not permitted to fill those cars at rates to meet the competition of the water route, by the extraordinarily low charges which shippers from that point get Twenty-two thousand tons was the amount of east-bound rail freight from the city of Chicago, which by reason of these low rates was able to compete with the water route from Chicago to New York the week before last-22,000 tons-more than a thousand car-loads, and the shipments by rail have in some months reached the enormous proportions of 235,000 tons in a single month. Now, suppose the provisions of the Reagan bill should become the law of the land, suppose a company could charge no less rate from its western terminus than from intermediate points, what would be the result? The gentleman would assume, and would argue, that necessarily the rates to intermediate points would be lowered to correspond with the low rate from Chicago. But that would not be the case.

The companies must necessarily raise the terminal rate—the Chicago rate—and lose all of that traffic. They would lose it because the increased rate would be greater than the water rate. As it is to-day, it may not pay the actual cost of transportation; but it pays something more than the cost of hauling the cars that would be hauled back empty but for it; in many instances it barely pays for carrying back the empty cars. But that is an advantage to the intermediate shipper. There is a certain sum which must be raised by the carrier, the sum that will cover the fixed charges upon the road and that will pay the operating expenses. Shippers have to pay for this. If no portion of this can be earned from the terminal station it is absolutely necessary that the intermediate station shall pay it. All classes are benefited by a provision which allows the currier to charge this less rate in instances of this character. lows the carrier to charge this less rate in instances of this character. By the Reagan bill the carrier is not permitted to do this. By the Senate bill, while it contains precisely the same provision as the Reagan bill, the commission is permitted in cases of this kind to suspend the operation of the fourth section and give to the Western shipper the benefit of the low rate given by the roads that are brought in competition with water rates.

"Ah," says the gentleman, "you are opening the door to all kinds of fraud and all kinds of black-mail." Mr. Speaker, is it not possible for the present Executive of the United States to find within all the borders of the land among the 12,000,000 of voters of this country five

men who can and will honestly administer this law? It seems to me that those gentlemen who say "no" are disposed to put a stigma upon their species which I at least am not willing to indorse. I am fully persuaded that the present Executive, that any President we have ever had, could and would select from the citizens of this land five men who could and would faithfully and honestly administer this law, and in cases where they were satisfied it was necessary to suspend the operation of this section, could safely be permitted to use their power to suspend it and give to localities situated as is the city of Chicago (which

I use for example), and the people farther away from the seaboard, to which all of their products are ultimately sent, the right to secure these lower rates that now come from the competition with the water routes. The gentleman tells us further that "all prohibited acts are declared to be unlawful and made criminal." Why, sir, that is a provision of the other bill. So it is with the next suggestion which he makes, that where recoveries are had under the bill which he advocates the attorney's fee shall be charged among the costs. That is one of the provisions of the Senate bill. He further urges that books are required to be produced and officers and employés required to testify. That is also a provision of the other bill. "Persons doing prohibited acts are guilty of misdemeanor." That is also a provision of the other bill. But the penalties under the Senate bill are more rigorous than under the bill which the gentleman advocates.

Thus, Mr. Chairman, all the provisions which the gentleman so earnestly extols in the substitute he advocates are to be found among the provisions of the bill which he declares to be utterly worthless, which he condemns and contemns with all the severity of denunciation and rhetoric.

But, Mr. Speaker, there are some provisions of great importance in my judgment to be found in the original bill which are not to be found in the substitute.

The gentleman went through with the entire schedule of virtues to be found in his bill. He did not advert to any of those provisions, which are remedial in their nature and wonderfully beneficial to be found in the Senate bill that are not in the Reagan bill.

Under the provisions of the Senate bill the circuit courts of the country are always to be open for the hearing of cases growing out of this statute. Under the provisions of that bill the equity side of the court is appealed to, the cumbersome system of equity pleading is abandoned, and the fact statement, the informal pleading, is the system adopted.

Again, cases arising under the Senate bill are to be heard instanter. There are to be none of the law's delays. Again, under the provisions of the bill which the gentleman prefers the suitor has no new remedy whatever. He must appeal to the courts, as he does in any other litigation.

The gentleman is not willing to trust to a commission. There is not virtue among all our citizenship to meet the emergency of furnishing relief under a commission system. But he is compelled under his own bill to resort to the aid of some class of men. He must rely on human

agency after all.

Courts can be corrupt, the gentleman need not be reminded, as well as commissioners; and here to possibly a corrupt court—there are few of them, but there may be some under the gentleman's bill—the suitor is remanded. He is remanded to it without any aid from any law other than that to-day possessed by all suitors. He stands there alone, weak and poor and ignorant though he may be, with a ten-dollar case or a onehundred-dollar case. He must make his own case against a wealthy corporation. He must do that, too, without technical knowledge of the matters litigated. He has no witnesses who are better informed than himself. The witnesses which must establish his case are the experts that belong to the other side of the question. The employes of the

that belong to the other side of the question. The employes of the carrier are the only experts he can secure.

Under the Senate bill the law mercifully provides him with his witnesses. That gives to him where he makes his complaint the aid of the commission. It becomes their duty at once to investigate. They may send for persons and for papers. They may resort to the books of the corporation. They can compel the attendance of the employés as experts, and the members of the commission will soon be experts themselves; and from the mass of testimony they make up a finding which becomes in the future litigation one of the records of the court and stands there prima facie as true, throwing the burden of proof upon the

corporation.

The gentleman proposes in his love for the poor man, in his desire to secure him redress, to take that from him, and to leave him without assistance save that which nature has given to him.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. DUNHAM. I will yield the gentleman five minutes of my time.

Mr. HEPBURN. Mr. Speaker, I have five minutes of my own time

The SPEAKER pro tempore. The gentleman will proceed.

Mr. HEPBURN. Under the bill, which the gentleman seems to think is entirely without fault, there is no provision investing these courts with the power to punish disobedience as contempt.

Under the procedure authorized by the Senate bill that corporation

found to be in the wrong may be compelled by the order of the court

to extend redress, but if there is failure, then the strong arm of the law, the whole power of the Government, compels obedience to the mandate of the court.

Under the provisions of the substitute it is a strong corporation against a weak suitor. In the other it is the majesty of the Government against

a creature which it has created.

Mr. Speaker, it has been suggested that a commission of five would be entirely inadequate to transact the immense business that would come before it. Suppose this is true—I do not believe it would be found to be true—but should it be, the shipper would have, without the aid of the commission, all of the remedies, under the Senate bill, that he could have under the substitute. The man aggrieved is not compelled to resort to the commission. He may proceed at once to invoke the aid of the courts. He may bring his suit precisely as he must do under the substitute. All of the aids given him by the commission are in addition to those of the substitute, and in addition to the court

remedies also provided for by the Senate bill.

But there is another marked difference between the remedies provided for by the two bills. All actions under the Reagan bill are private actions, and bind only the parties to the suit. The suit of A against a carrier affects in its results only the parties. Suppose that at a given point a carrier pursues a course that harms all the shippers at that point, to protect themselves each one must resort to litigation. This is not the case under the Senate bill. Under its provisions the commission would investigate the grievance and make its order, which would be general and apply to all cases, which, if not promptly obeyed, would impose upon it the duty of procuring the writ of injunction or mandamus of the proper court, compelling the righting of many wrongs at once. The Reagan bill operates upon individual cases; the Senate bill operates upon groups of cases. Under the latter many cases are disposed of at once that under the other would be separated into many actions. The Senate bill is the measure for the people; the Reagan bill is the measure for the lawyers, whose interest it would be to fill the dockets of the courts and multiply indefinitely the litigation of the country.

Another marked difference between these measures is this: The Reagan bill does not pretend to give any relief or remedy against extortionate passenger charges. The Cullom bill includes them within its ample provisions. Just why the gentleman from Texas should ignore complaints of this kind I do not know. Fortunately the Senate bill is not silent on the subject. And as these passenger charges constitute nearly one-fourth of the earnings of the carriers, and as they are often extravagantly high, it seems to me the subject was one worthy of the attention of the House Committee on Commerce, and worthy of our

earnest consideration.

The gentleman is anxious for legislation. I have no doubt that is true, but if he is, I beseech him to abandon the substitute he now favors and aid us in securing this Senate bill. It is practical, and it is possible we can secure the redress we need simply by the abandonment of his favorite idea of "crowning the gentleman from Texas with new laurels and showering new honors upon his worthy head" and voting for the bill that has already passed one House and needs only our sanction to become law. If we will agree to the Senate bill we can have this needed legislation before the end of this week. I urge gentlemen to enable us now to accomplish this great good.

If he will simply abandon his bill that has never received favor in

If he will simply abandon his bill that has never received favor in the Senate and devote himself to those measures that are attainable, practical, we can have before the week closes an enactment which, if it is not perfect in itself, is so far beyond the present status that it will

be a relief to the great majority of cases.

The gentleman says the commission system is not in good repute. I think he is mistaken in that statement. So far as my own experience goes (and of course it can apply only to State commissions, to such as can be controlled by the States), where there are commissions they have resulted most beneficially to the people in respect to all State traffic.

In the State in which I live, among all of the grievances which have been submitted, among all of the cases called to the adjudication of the commission, there has been but one solitary case, according to the last report of that commission, where the railroad company has not yielded to the moral power and influences brought to bear upon them through

the action of this commission.

I know that litigation between the people and the corporations has wonderfully decreased. While a few years ago our courts were througed and glutted with this kind of litigation, it is now seldom that disputes between the shipper and the carrier are carried to the courts, so far, I mean, as they involve simply questions of State commerce and are within the jurisdiction of the commission. They settle them; and in my humble judgment they would be settled in this broader field of interstate commerce if we had that class of commission or if jurisdiction over that class of cases was conferred upon a commission concurrent with the courts.

Mr. Speaker, I am a friend of the Cullom bill. I want to see it passed. I am acting not only in obedience to the declared will of my State, instructing its Senators and requesting its Representatives

to vote for that bill, and of my party, which at its last State convention declared in favor of this system, but I am acting in harmony with the dictates of my own judgment in the premises. I believe it will produce relief. I believe it will settle these vexed questions. I believe we will hear no more of the extortions of corporations; that the extortions will cease to exist under the beneficent influences of this beneficent law, and therefore I am heartily and thoroughly in favor of its adoption.



HON. RANSOM W. DUNHAM,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, July 21, 1886.

The House having under consideration the bill (S. 1532) to regulate commerce—

Mr. DUNHAM said:

Mr. SPEAKER: The object of all legislation is to accomplish some good, either to government or people. I think it will be admitted that legislation which benefits neither is no good and it would be better to avoid it. Beyond doubt legislation that results in injury to great interests is unwise. An exception to this rule may be allowed if the people derive a benefit that does not stop with temporary gain, but if the final result is a disadvantage, then it were better never to have been done.

Dangers beset the pathway when prejudice or imaginary grievances stand as guideboards to action. The crooked road of blind passion is not the straight, smooth highway that true statesmanship seeks to

tread.

The bill now under consideration proposes to deal with the largest single interest in this country, to control and regulate its business. The railroads of the United States represent some \$7,000,000,000 in capital, cover 130,000 miles of track, and give employment to nearly one million men, and directly give support to at least five millions of people. Should the result of our action prove ruinous to this immense interest the people, who will finally become the real sufferers, will justly hold us responsible.

No one will attempt to deny but what unrestrained license has been injudiciously taken advantage of by railroad corporations until public

entiment has demanded a correction of evils.

An admission of this fact must be accompanied with the statement that corrections have been largely made, in some sections in obedience to positive law, in others by advice and recommendation of commissions, and in others by the law of necessity known as competition. Positive law in many cases has reduced rates of freight and passenger tariffs, but competitive necessity has carried the figures lower than any legislative body ever dared to positively demand.

Now comes the question, how shall evils still existing be reached? Shall it be done moderately, in a spirit of fairness, within the bounds of reason, or shall severe and stringent measures be taken, such as can

only min and leave desolation to follow?

Any real friend to the people, any true believer in doing the greatest good to the greatest number, will promptly say a cautious movement is the best. To creep before you attempt to walk is natural, and if you attempt to overreach nature you will certainly fall.

General and not individual interests or benefits must be looked to.

General and not individual interests or benefits must be looked to. Whole communities or States or several States, and not localities, justly claim the greatest consideration. True, a proper regard for the rights of all earnestly prescribes that all shall be treated as nearly allike as possible, but the rule of law is as old as the centuries that what benefits

the public must control against private interests.

Legislation on the subject of commerce between the States claims the attention of Congress. All know it is a difficult subject to handle. The conflicting interests of capital and labor; the question of how far legislation can go against corporations; to what extent they can be regulated and yet not interfere with the demands of the people, not ruin the wages that go to the thousands of employés. These considerations claim our careful attention. I do not believe we should treat a great business subject like this under a spirit of party politics, or allow our action to be controlled by hopes or fears as to how many votes it will make or lose. That corporations have no souls has repeatedly been proven to be correct; that legislative bodies have often met them on their very ground and in their action cut to the quick does not admit of argument.

The gentleman from Texas [Mr. Reagan] is the father of a proposed

The gentleman from Texas [Mr. REAGAN] is the father of a proposed act to regulate and control interstate commerce, so far as it is carried on by railroads. In my judgment the bill in its present form is un-

wise, uncalled for, unjust, and if ever enacted into law is so proscrip-tive in its terms that it will defeat itself, at the same time it may work ruin to the great interests it seeks to control, and in the end cause troubles innumerable, such as vexatious and expensive law suits, delays to business, practical ruin to the capital invested, discourage the building of new lines, thereby hindering and checking the growth of new communities, and what is more important at this time than all other points its certainty of interfering with the rights of labor. The terms of the bill are arbitrary and not flexible as ought to be the case. It is particularly objectionable in that no authority is given to any officer or board to meet the varied questions as they arise and decide them in a spirit of fairness and justice to all concerned. Our best authorities universally agree that commissions are the best remedies thus far produced, and in all the States that have adopted them not one has failed to work admirably, and in scarcely a case have they failed to equitably adjust and satisfactorily settle all differences. The interests of railroads and the people are so closely blended that

the necessities of both are supplied from each other, but in case of disputes arising a prompt and equitable settlement is advisable and desirable for both. Now, admitting this, what better mode can there be for regulating interstate commerce than by means of a board of com-

The bill under consideration ignores all chance for fair adjustments, and proceeds upon the theory that iron-clad law is the best. A great railroad is nothing more than an immense commercial house. rules for manner of conducting the business and government of employés are necessary, but danger of disaster might lie in the path should they be so firmly bound as to be unable to follow the laws of trade.

One of the difficulties in the way of Congressional legislation on this subject is the fact that any United States law can only affect property passing from one State to another; therefore many roads must necessarily be wholly exempt, and in that way may make rates which may prove ruinous to others. The Reagan bill does not establish rates directly, but in its terms so controls them that perhaps their position would be no worse if it absolutely and arbitrarily did make them. Section 4 refers to what is commonly known as the short and long haul, and prohibits the charging more for the former than the latter. This and prohibits the charging more for the former than the latter. subject is the one that creates more discussion, more complaint, than any other, and yet is less understood than any one of the various rail-

road problems.

The natural tendency of every one is to condemn the practice, and the general public, not being familiar with all the items that go to make up the business and plans of a railroad company, jump at conclusions, saying it stands to reason it must be wrong. A wise legislator will examine carefully his footing, and doing this he must admit that men who have spent their lives in the transportation business, men who have studied the question in all its forms, looked at it in every direction and from every standpoint, surely ought to know more about it than the mere theorist. Who would think of engaging a blacksmith to handle the delicate mechanism of a watch? Who would employ a chimney sweeper to clean the walls of an elegant mansion? What manufacturer would place his machinery in charge of a house carpenter? What great mercantile house would place its business in the hands of a contracting mason? Where is the legislator so wise in his own conceit as to deny the conclusions of practical railroad experts?

Let us suppose a few cases where the prohibition of short-haul charges

may work an admitted injury. For instance, the rate of freight from Boston to San Francisco is \$1 per 100 pounds, and this is divided among six railroads in certain proportions to each. Suppose the Lake Shore road, running from Buffalo to Chicago, through a part of six States, receives for its proportion of the work 15 cents per 100 pounds; under the terms of this Reagan bill it is prohibited from collecting more than that rate on all similar freight shipped over its line, either between its extreme terminal stations, or from any one station to another on any part of its line. This, also, applies to all the other roads that form a part of the contracting line from the Atlantic to the Pacific Oceans. In other words, Boston being a competing point for various lines of roads to the Pacific coast, and also with water communication claiming a share of business, rates for through freights made from that city must be no less in proportion than from one small inland point to another.

Again: suppose, as is often the case, the rate of freight from Chicago to New York via Jersey City is 15 cents per hundred pounds, shipped by railroad through seven States, must every interior non-competing point have the same? Has Chicago, that has water communication all the way to New York, no advantage over the non-competing interior places? Can not a railroad company be allowed to make a low rate that will enable it to compete with the water route without being compelled to do the same for every other point that has no water advantages, and whose business compares with Chicago as a bucket of water

to the great ocean?

Shall a railroad running from Chicago, obliged to compete at that point with several other roads, all anxious for business, be tied down at all its non-competing stations to accept rates forced frequently by ruinous competition? Why should Kansas City, Omaha, Minneapolis, Cincinnati, Indianapolis, Saint Louis, great Western cities of trade and transportation, favored by nature in location, and, like Chicago, cov-

ered with a network of railroads reaching out in every direction, be placed on an equal footing with intermediate stations?

Some may claim that local points east of Chicago are entitled to same rates to local stations west of great Eastern cities like Baltimore, Philadelphia, New York, and Boston as are allowed between Chicago and the Eastern cities just named. There is no denying it does look so to the superficial observer. But let us examine the question. Chances are an empty car must have been hauled to the western point and that it must after discharging be hauled to the eastern terminal. Railroad experts say there is more work in this than through hauling. Facilities for loading and unloading at the interior points rarely equal the extreme stations. Neither the shipping nor discharging point has any competition, and probably the road is getting no more than fair compensation which may be necessary to in a measure regain what it has lost by the competition of water and other roads. This brings forward the question why the country should apparently be at a disadvantage over the city terminal point. The reply is, it has always been so, and is due to necessity and not always to justice.

Now, let us look at another view of the case—the standpoint of a

manufacturing concern—the difference between two companies in the same business, one located in a large city, the other in a country town; one pays perhaps \$250 per front foot for land whereon to erect its buildings, the other pays \$250 per acre; one pays enormous city taxes, the ings, the other pays \$250 per acre; one pays enormous city taxes, the other very little; high city rents and prices for provisions force one to pay its employés much more than the other; both of these concerns sell their product perhaps in the same sections; the city goods must go by rail directly through the town occupied by the other. The question arises, how is the city company to compete? How can it be done except by the railroad company charging more for the short than for the long haul, and thus enabling both to lay down their goods at a given distance at precisely the same cost? Locate New York as the city and 50 miles in the interior of New Jersey as the country, with Virginia and other Southern States as their market. The Pennsylvania road must give the New York dealer lower rates or he must close up his business. Unless the Pennsylvania road does charge the New York manufacturer less than the Jerseyman, then it certainly discrim-

inates in favor of New Jersey.

Mr. REAGAN. May I ask the gentleman a question?

Mr. DUNHAM. Certainly.

Mr. REAGAN. Is it your conception that it is any part of the business of the railroads to equalize the profits of private parties by decreasing the profits of one and enlarging those of another?

Mr. DUNHAM. I will say in response that it may not be a part of the business of the railroads. I am willing to concede that it is not; but it is a necessity at times to communities; and I understand, and in fact it is claimed, that the railroads are run for the benefit of the people. If it is necessary for the benefit of a community to place that community, in reference to freight rates, at any time equal to another community, then the railroad company may do so by making a concession to one so as to enable it to compete with the other.

Mr. REAGAN. Does my friend think that a State government or the United States Government would dare to do such a thing as that? Mr. DUNHAM. I do not know that they would. I do not think it is the business of States; but it is probably the business of railroads, for two objects; one to make money for their stockholders, the other for

the people.

Mr. O'NEILL, of Pennsylvania. Does not my colleague from Illinois understand that the railroads in that part of the country represented by the chairman of the Committee on Commerce, generally have been failures? They pay neither interest on their bonds nor dividends on their stock; and he speaks from the standpoint of broken-down rail-

Mr. REAGAN. No; I do not speak from that standpoint. take any road; take the Pennsylvania road, for example, if you call that a broken-down road.

Mr. O'NEILL, of Pennsylvania. No, sir, I do not; but I speak of the general experience of the gentleman from Texas in reference to rail-

Mr. REAGAN. The gentleman misapprehends the position I take. Mr. DUNHAM. And not only is it for the benefit of the railroads to make these concessions to the towns or to manufacturing concerns, but it is for the benefit of the people, and the railroads and the people belong together, their interests harmonize. If the people crush out the railroads they crush out themselves. If the people by a series of obnoxious measures of legislation or of injurious legislation compel the railroads to do business at a rate that is ruinous to them they might as well close out their own business, because a railroad company is like a mercantile establishment; if it constantly loses money it goes to the wall. If a railroad company constantly loses money they go into the hands of a receiver, wiping out the stock; in fact they fail. Now, it is for the interest of the railroads to help the towns through which they run; and if the city of New York needs a rate lower to Virginia, North Carolina, or Texas, owing to the increased cost of manufacturing business in that city over a town 50 or 100 miles in the interior, it certainly is for the benefit of the people of New York that they should have that rate, and it is no injury to the town 50 or 100 miles away, especially

as they both sell their manufactured goods 500 miles off at the same

The Reagan bill prohibits what is proper and legitimate in such a case as this, and yet it inconsistently says, "all charges for such services

shall be reasonable."

Now, we will turn in another direction. Millions of bushels of grain arrive at the port of Buffalo each year via the lakes from the West. There are several ways of getting this grain to New York—one all water, one all rail; other, part rail and part water. The New York Central road is wholly within the State of New York. If it carries any of If it carries any of this grain it must compete with the Erie Canal which last year carried millions of bushels of grain at under 5 cents per bushel. It can do this, has done it in the past, will do it in the future; and yet from Buffalo to interior points it charged and collected a higher rate than 5 cents and also a higher rate from interior points to New York.

Can the Erie, West Shore, and other roads that reach New York by going through another State compete, under this Reagan bill, with the New York Central? You may say they can, but if they take grain for one person from Buffalo to New York, then they must do it from Buffalo to all points and from all points to New York at the same rate. In other words, severe United States law forces several roads toward bankruptcy, while another with no better facilities bears off the palm, collects the profits, and does all the business. How much better would it be to have a railroad board of commissioners that could adjudicate promptly upon such cases and place such parallel roads on equal terms. Here is a discrimination, or rather here is proposed to be a discrimina-tion, in favor of the New York Central Railroad upheld and supported

by law. The scales of justice will never balance under such weights as this. Under this short-haul prohibition section railroads that now make through rates up and down the Atlantic coast from Maine to Texas must retire from the business, for they surely can not afford to do local work at prices they must concede in order to compete with the ocean Must the lines of railroad that take cotton and sugar from New Orleans or other Southern and Western cities to Pittsburgh, thence New Orleans of other Southern and Western cities to Pittsburgh, thence on to Philadelphia and New England, making rates that compete with the Mississippi and Ohio Rivers, be compelled to do all their local business at the same rate? Shall the great Southern ports, like New Orleans, Mobile, and Galveston, blessed by nature with extra means of communication, have no advantages over interior towns?

I say to you your theory of anti-short haul is wrong; that your idea is nothing but a theory; it is based purely on an imaginary grievance. Enforce this principle and the immense through business from extreme Western points to Eastern cities will surely cease. More than half the time through contracts are made at bare cost and frequently for much The roads can not afford to and will not do the local traffic at prices

forced by ruinous competition.

Pass this bill and the Western roads can only haul their freight to the lake and river cities during the season of navigation. bound winter settles upon the water ways the West must keep its products, and the East failing to accumulate in the fall must go without. Adopt such a measure as this and you turn back the car of progress

twenty-five years.

Argue, if you please, that local points between Chicago and Saint Louis and the scaboard are entitled to the same rates or even the same proportionate rates—you must concede that the great country west of the lakes and Mississippi River is the gainer by the low rates made by railroads to the Atlantic coast. Between Chicago and the seaboard lie great commonwealths, great cities that enable the agriculturist to obtain prices that approach at least fair remuneration for their labors. Through rates by railroads tend to bring remote sections of one common country on to a par with others. What matters it to the consumer of breadstuffs in New York whether they come from Ohio or Iowa, Dakota, and Nebraska? What matters it to him whether one shipping point pays more or less than another? It so happens that the great consuming part of this country is east of the Alleghanies. What they want is cheap food, and they have no more partiality for Ohio than for

What the great producing States and people want is cheap freights and rapid transit, and any interference by legislation that will eventually become a stumbling-block on their road to wealth will not be allowed to stand. The great law of competition briefly mentioned in the first part of my remarks has so far worked wonders in favor of both sections and drawn each, financially, commercially, and agriculturally, much nearer together; and more than likely they are both better off to-day than they would have been had the Reagan proposition been

law many years ago.

Now, having considered the short-haul subject, let us look a little at another one of the prohibitions of this Reagan scheme. I refer to rebates or drawbacks, and while it would be well to prohibit in certain cases, I think it would not be in all. For the same kind of service and from and to same points rebates should not be given to one shipper over another. For instance, through shipments from West to East or East to West should be equal; no advantage should be given to the exclusive gain or benefit of one shipper and some other one left out in the cold. Suppose it could be demonstrated to a board of commissioners, if such

were established, that in certain cases rebates should be allowed, mightit not also be proven that the allowance was just, proper, and for general benefit? The Reagan bill says positively it shall not be done. matter how plain figures may demonstrate its fairness, an iron-clad law stands, like a solid wall, face up against honest competition.

We all know the differences that have existed among the great trunk lines as to rates from the West to Philadelphia, New York, and Bostondifferential rates. New York and Philadelphia terminal roads have long practically quarreled upon this subject. One demanded a concession, the other refused; result, cuts, private running of each other, unsettling of prices, uncertainty, doubt in commercial circles. Suppose, now, the rate on grain from Chicago to New York be 25 cents per hundred pounds, and to Boston 30 cents. Both are seaboard points; both have ocean connections to Europe, and universally the rates by water are the same. Under this difference of 5 cents in favor of New York will the Chicago shipper send anything via Boston? You may say the ocean carrier must get less from Boston than from New York. When he is carrying grain from New York to Liverpool for rates from 2 cents per bushel down to ballast, how much less must be accept from Boston 9

That argument must drop from its own weight. Why should the Boston roads claim it from the additional distance. Third, because less competition enables them to obtain it. Fourth, because materially less business warrants it. Now, how is the Boston exporter to compete with New York? Simply by the railroad company saying to the exporter, If you put this grain on board a vessel and ship it to Europe we will reate you 5 cents per 100 pounds on your rail freight." Who has lost bate you 5 cents per 100 pounds on your rail freight." Who has lost anything by this rebate? Who would lose if this rebate was not made? First, the Boston railroad would not have the business at all; second, the workman who handled the property in Boston would look elsewhere for his labor; third, Boston as a terminal point would suffer because of advantage given to another. Who would gain in this transaction? New York railroads would get all the haul, New York laborers get the handling, and New York elevators the transfer charges.

In this case what harm is a rebate? Why is it not a positive benefit to Boston? The Reagan bill will not allow this. A railroad commission would, and justly so, too. Give authority to a board to study the whole situation, ascertain all the facts, their bearing on the interests of different cities, needs of the nation in general, natural laws of trade and commerce, facilities requisite to successfully compete in a lawful way with others, and they can readily decide what is fair between all. In such a case as I have instanced a denial of rebates places one great city at a disadvantage compared with another and restricts men to certain routes. It would in fact be a discrimination. The Reagan bill is so straight in such a matter as this as to fall over backward. phrase is old and homely, but goes to the root of the situation, shows its iron-clad rule and the usual result of overdoing.

The Reagan bill allows no rebates whatever-the commission might allow them, but not to one man more than to another. In so far as either bill prohibits special privileges to any one shipper more than to all, it meets an universal demand for proper legislation that shall pre-

vent what is usually called unjust discrimination.

I might continue this subject and present other cases justifying rebates—giving additional emphasis to my position—but their general nature would be the same. I believe it can be asserted without fear of successful contradiction that rebates on freights are at times necessary to bring business-that by them no harm is done; further failure to allow them would work injury in some quarters. The more we export of our products the better is our financial condition. No one ought to complain if our railroads encourage shippers by giving them facilities such as they need. Other countries are now so strongly competing with us that it requires the closest possible figuring to place our goods in the markets of the purchasing nations.

Right here may be given a business transaction only a few weeks old, perhaps bearing more on the "long and short haul" question than on "rebates."

A New York exporter presented to certain railroad freight agents the price at which he could sell a certain quantity of wheat in London—the expenses of shipment aside from freight—the cost of the wheat on board the cars in Chicago, and allowing for himself the smallest kind of commission, and proving that the business could be done by their giving him an extremely low rate of freight from Chicago to New York.

The rate asked was less than 8 cents per bushel, while all-water rates at that date were fully 9 cents. The terms of the London offer required the grain delivered in London at such an early date that the shipper could not, no matter at what rate of freight, avail himself of the all-water route from Chicago. Time was the essence of this contract. The railroads, anxious to do business and get something for their cars rather than have them stand idle, accepted the terms and hauled the grain. Any one with the slightest business knowledge can readily see that if compelled to carry out the "short-haul" prohibition of the Reagan bill they never would have taken this contract. America never could have shipped this wheat. Chances are India would have once more reaped an advantage. Who for one moment would claim as a business or

financial principle that roads can afford to carry grain 1,000 miles for 8 cents per bushel, or \$2.65 per ton, equal to 2.64 of a mill per ton per

What figures demonstrate to be true as to grain shipments will apply with equal effect to cotton or any other product that we export, and railroad experts know the necessity of these concessions at different times and in different places

We all know the importance of our exports; how they regulate the balance of trade; how prosperity rises and falls in their volume.

Railroads thrive when the country is prosperous; why should not they by liberality and concessions contribute to help the general welfare? It is for their interest to do so. Is it for our interest to tie them down, bind them so that they can not meet necessary cases?

Section 2 of the Reagan bill is chiefly noted in its prohibition of pooling, and the people have come to look upon a pool among railroads as one of the great evils. I have no particular defense for them, and yet am sure they are not as black as many would paint them. Men call them combinations to "extort unreasonable rates." This may be true in some cases, but in many it is not. Pooling does sustain rates, but rarely if ever does it raise them. If a pool breaks, rates "go to pieces." If another pool grows up from the ruin the new rates are generally less than before the "break-up."

A well-established pool gives stability to rates so that business men can safely enter into contracts for the purchase and sale of goods, relying upon established rates as against unsettled and shifting figures

One Western pool has been maintained for years, and yet the country through which its roads run has grown rapidly in population and

The object of pools is to prevent rate-cutting—an operation that breeds disaster to roads concerned, and rarely proves of permanent benefit to the community. Railroad wars frequently end in squeezing shippers all the more to get even for foolishness. Perhaps a law that beyond all question prevents unjust discriminations would render unnecessary absolute prohibition of pools. Pools rigidly adhered to bring all shippers on to precisely the same platform.

It is claimed by the author of the Reagan bill that it does not fix rates; but when it prohibits pools it practically says there shall be no permanent rates, and in a measure sustains "rate wars" and general

Before I close some review of the course of rates and business during the last quarter of a century may not be out of place, and in my judgment the points are worthy of attention as bearing upon this question of regulating "interstate commerce." The great reductions in rates in shipping by various routes, rail and water, are perfectly marvelous. Our ablest business men, our great statesmen, were all utterly unable to even imagine that what has occurred could possibly have come to

Within twenty-five years I have personally known of 50 cents per bushel having been paid on corn shipped all water via lake and canal from Chicago to New York. Marine insurance at the same time ranged from 1 per cent, in the summer season to 3 per cent, in the dangerous seasons of early spring and late fall navigation.

In the early days lake vessels usually carried from 14,000 to 20,000 bushels, and the first appearance in the Chicago River of a 25,000bushel-capacity vessel was the talk and wonder of the town. From that day to this the increase in size has continued, until now boats steam from

Chicago to Buffalo carrying 100,000 bushels.

With the increased capacity have come decreased rates of freight, With the increased capacity have come decreased rates of freight, and within three years corn has been moved at 1 cent per bushel from Chicago to Buffalo. During the summer of 1885 many a cargo was shipped via all-water way from Chicago to New York at 4\frac{3}{4} cents per bushel. During the days of high lake freights railroads hauled grain to Chicago from the West, and no one dreamed that they would ere many years be discharging their cars at the scaboard instead of Chicago. The early car-loads rarely exceeded 350 bushels, while now 600 bushels is common and 700 to 800 bushels not unusual. is common and 700 to 800 bushels not unusual.

For more than fifteen years the railroads have been delivering large quantities of freight from Western points to the seaboard without breaking bulk.

About the first heavy business was done in the winter of 1873 and 1874, induced mainly by the short wheat crop in Europe. The demand at that time was so large that all-rail rates of 36 cents per bushel were freely accepted by shippers from Chicago to New York, and millions of bushels went forward during that winter. Against these rates the maximum tariff is 25 cents per 100 pounds or 15 cents per bushel.

All over the country railroads are to-day competing with the water ways for business. The question naturally arises, What has brought about all these changes? Reasons are plenty. Steel rails, larger cars, better roadbeds, reduction in grades, improved machinery, heavy and more powerful locomotives, cheaper money, cheaper fuel, large decline in cost of building roads and in cost of all rolling-stock, and in additional competitions.

as highways. One can hardly think of a city or town of any importance but what has more than one road running to or through it. Great cities have been built, hundreds of millions of wealth added to them, peace and prosperity showered in blessings upon the inhabitants, and all the direct result of rail connections.

Very few people, following the natural unreasonableness of mankind and the general disposition to imagine grievances, stop to think how low freight and passenger rates have become. Some remote sections may not be on full equality with the more populous divisions, but the inhabitants thereof should "possess their souls in patience" and remember the others have been where they are now, and that their good

time is coming.

The great West has been developed and peopled by the railroads, and no one thing has done so much toward its improvement as the giving of the cheaper rate for the long over the short haul.

I am surprised that the Western members in this House are so de-termined against this principle of railroad transportation. Prohibit this and the products of the West will not and can not be so cheaply laid down in Eastern and foreign markets as now. It is not for the interest of East or West to legislate against the universal laws of trade.

In direct connection with my reference to the large reductions that have taken place in freight charges, I now call the attention of the House to the following article from a leading journal in Philadelphia showing conclusively that rates have fallen to what seems to me about as low a point as people can ever expect:

as low a point as people can ever expect:

The Pennsylvania Railroad's freight tonnage moved 1 mile in 1885 was the largest in the history of the company, being 235,936,277 tons greater than the total tonnage moved 1 mile in the preceding year. The average rate per ton per mile charged to the shipper in 1885 was 0.627 cents, being the lowest rate ever received by the company since its organization, and 0.113 cents per ton per mile less than the rate received in 1884. In the year 1865 the total amount of freight moved 1 mile was 420,060,260 tons, a very large quantity for that period, but in 1885 the total tons of freight moved the same distance had gown to the enormous amount of 3,318,466,263 tons. In 1895 the average rate per ton per mile received for carrying freight was 2,665 cents, while in 1885 the average rate was but 0,627 cents. The amount of reduction in the charge for transportation in 1885, computed on the difference between the rate in that year and that which was charged in 1865, made a saving to shippers of \$67,630,342.44. The total reduction for twenty years, computed upon the same basis, shows a saving of \$565,238,590.22. Had the Pennsylvania Railroad charged 1 mill per ton per mile more for the transportation of freight in 1885 than the rate paid the receipts of the company would have been \$3,318,466 greater than they were. The following statement, showing for each year since 1865, the number of tons of freight moved 1 mile, the rate per ton per mile, and the amount of reduction in any given year by the Pennsylvania Railroad Division, computed on the difference between the rate in that year and that which was charged in 1865, will be found interesting:

Years.	Total tons one mile.	Average rate per ton per mile.	Amount of reduc- tion each year, computed on rate of 1865.
1865x 1866 1867.	420, 060, 260 513, 102, 181 555, 657, 813	2, 665 2, 282 2, 092	\$1,965,181 35 3,241,219 27
1868	765, 775, 500	1.906	5, 129, 136 50
1869	752, 711, 312	1.718	7, 128, 176 12
1870	825, 979, 602	1.549	9, 217, 933 36
1871	1,011,892,207	1.389	12, 911, 744 56
1872	1, 190, 144, 036	1.415	14, 864, 899 01
1873	1, 384, 831, 970	1.416	17, 296, 551 31
1874	1, 372, 566, 976	1.255	19, 353, 194 36
1875	1, 479, 414, 466	1.958	23, 774, 190 47
1876	1, 629, 742, 021	0.892	28, 895, 326 03
1877	1, 494, 798, 198	0.980	25, 187, 349 64
1878	1,732,003,131	0.918	30, 258, 094 70
1879	2, 136, 708, 877	0.796	39, 935, 088 91
1880	2, 298, 317, 323	0.880	41, 024, 964 22
1881	2, 655, 438, 764	0.799	49, 550, 487 34
1882	2, 879, 542, 701	0.817	53, 213, 949 11
1883	2, 996, 892, 567	0.819	55, 322, 636 79
1884	3, 082, 499, 986	0,740	59, 338, 124 73
1885	3, 318, 466, 263	0.627	67, 630, 342 44
· Total reduction for twenty years			565, 238, 590 22

These figures are wonderful, and I will venture the opinion that carcely any one, including even railroad men, has ever realized their importance. They show the average rate per ton per mile to have been 2.665 cents in 1865 and .627 in 1885. Beyond, and what is more astonishing, had the rate been the same in 1885 as in 1865, then the road would have received in excess of what they did collect \$67,630,342.44. What is true of this road is true in a proportionate manner with nearly every other railroad in America. Such statements are worthy of careful conother railroad in America. Such statements are worthy of careful consideration by those who habitually condemn on sight everything connected with a railroad. They dispose pretty effectually of the argument that all railroads do nothing but oppress the people.

tion to all the above increased and constantly increasing competition. No sooner is one road built than capital, ever anxious for investment, crowds along another.

Division of business naturally breeds jealousies—each anxious to outdo the other—result lowering of rates, and, of course, monetary gain to the business interests. Railroads are fast becoming as plenty

I have estimated that five millions of our people to-day draw their support from the railroads of the country. Figures I will now give show former and present wages paid to employés by the Pennsylvania Railroad Company and the Chicago and Northwestern Railway Company.

PENNSYLVANIA RAILEOAD COMPANY, OFFICE OF THE FOURTH VICE-PRESIDENT, Philadelphia, April 1, 1886.

My Dear Sir: I beg to inclose a statement showing the reduction in freight rates on our railroad from 1885 to 1885, by which you will see that the rate per ton per mile was 2.665 cents at the former date and .627 cents at the latter, or that the rates are now less than one-quarter what they were twenty years ago. We have had our check rolls carefully examined in order to ascertain what wages have been paid to our employes during the same period of time, and whether there has been any reduction therein to correspond with the decreased rates of freight. We find that the wages paid the men employed in our shops between 1890 and 1885 are as follows:

TEF A	CTE	DED	HOUR

Occupation.		1860.				1880.				1885.					
Blacksmiths. Boiler-makers. Machinists Arpenters. Sheet-iron workers Laborers	00000	15 111 15 12 8	to to to to	0000	18 171 25 17 10	00000	15 15 16 15 16 10 15	to to to to	00000	32 24 15 22 22 16 22	0 0 0	15 17 17 17 19 10 16	to to to to to	0 0 0 0	26 35 25 25 16
Molders	0	15	to	0	16	0	12		0	21	0	17 15	to	0	23 24
Philadelphia division	0	10 10 10	to	0		0	11 11 11		0	13 12 14	0	12 10 10	to to		13

Passenger enginemen				\$3 :		100			\$3 8						80
Passenger conductors				2 :	25	100			2 5						25
Passenger firemen	. 100			1	80	1			18	80				1	80
Passenger brakemen				1 :	25				1 2	25				1	25
Freight enginemen	84	00	to	4	10	84	00	to	41	0	\$4	00	to	4	10
Freight conductors	2	80	to	3 !	50	2	80	to	3 5	0	3	10	to	3	50
Freight firemen	1	99	to	2 (00	2	00	to	2 2	20				2	20
Freight brakemen						1					1	90	to	2	10

I think this will satisfy you that your position is entirely correct, that while the railroads are carrying freight at rates equal to about one-quarter of those charged twenty years ago, their employes are if anything receiving higher wages than at that time.

If you would like to have the detailed statements from which I have taken these items, of course I shall be glad to send them to you.

Very truly yours,

JNO. P. GREEN, Vice-President.

Hon, Ransom W. Dunham, United States House of Representatives, Washington, D. C.

United States House of Representatives,

CHICAGO AND NORTHWESTEEN RAILWAY COMPANY,

OFFICE OF SECOND VICE-PRESIDENT AND GENERAL MANAGER,

Chicago, April 26, 1886.

Dear Sir: Absence from the city has prevented an early reply to your esteemed favor of April 6.

I attach herewith a statement giving the figures you ask for, and also giving the average rate per ton earned on freight and per mile for passengers on this company's lines in 1868 and 1885 respectively.

I trust this statement will be useful to you.

Truly yours,

M. HUGHITT.

Hon. R. W. Dunham, House of Representatives, Washington, D. C.

CHICAGO AND NORTHWESTERN RAILWAY.

	18	60.	18	96.		
	Perday.	Per month.	Perday.	Per month.		
Engineers	\$2 50 1 25	\$65 00 32 50	*\$3 75 *2 11			
Conductors, passenger		{ 65 00 75 00		\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		
Conductors, freight		55.00		\$ \\ \frac{160 00}{75 00}		
Brakemen, freight		30 00		145 00 50 00		
Brakemen, passenger		30 00		45 00		
Baggagemen		35 00		₹ 50 00		
Machinists	$\left\{\begin{array}{c} 1.50 \\ 2.00 \\ 80 \\ 1.00 \end{array}\right.$	}	{ 1.75 2.90 1.25	(60 00		

*Runs of 100 miles.

†Runs of 2,000 miles.

CHICAGO AND NORTHWESTERN RAILWAY,

Owing to the destruction of many of our records by the Chicago fire we can not give you the earnings received in 1860, but in 1868 they were as follows:

Ce	ents.
Average rate per ton per mile for freight	3.13
While in 1885 they were as follows:	U.S.
Average rate per ton per mile for freight	1.19 2.38

The significance of these figures, it will readily be seen, is in the fact that, notwithstanding all the reduction in freight rates, the wages have in most cases been increased and never decreased. The moral to be observed in this is that apparently rates are now at a minimum figure, and any hostile legislation that shall result in crippling must of necessity affect the labor. When we take into consideration the large number of railroads now running in this country barely paying expenses, many returning nothing to their stockholders, many in the hands of receivers, practically bankrupt, it stands as a warning to us against in-

creasing burdens already too heavy to bear.

As bearing upon the question of earnings, expenses, and wages, I will read extracts from a letter written by the president of one of the leading New England roads. It is another interesting statement of the past and the present, and demonstrates the tendency, namely, while increased earnings, at same time increased percentage of expenses, no decrease

but increase to labor.

but increase to labor.

APRIL 9, 1886.

My Dear Sir: I am unable to answer fully the questions which you ask me regarding the amount of wages paid the employés of railroads and "the cost of running a railroad before the war and at present."

Of course I can answer these questions regarding our own road, but what I suppose you desire to obtain is the amount of wages generally paid railroad employés in New England before the war and since, and the percentage of expenses to the cost of operation.

This can be done only by taking the reports of the different railroad companies for the two periods of time and by comparison making a general average.

The first railroad returns made to the Legislature of Massachusetts of which I have knowledge were published in 1859. This series of reports, commencing at that date, can undoubtedly be found in the Congressional Library.

These reports show the wages paid switchmen, gate-keepers, signalmen, and watchmen. The wages paid the common laborer and trackmen are not given in these reports, but were from 90 cents to \$1 per day.

There has been up to the present time an advance upon these wages of 35 to 50 per cent., with fewer hours of work and less severe requirements. These reports also show the amount of the gross increase of the different roads in this State, the cost of operation, the net income, &c., and in fact most of the information desired about the railroads of that period, excepting the rates charged for the passenger and freight business. A comparison of the cost and income of the present day.

On our own road the report of November 30, 1860, shows the freight income to have been \$147,173.95, the expenses to income to have been \$4 per cent, and the average receipts per ton of freight per mile, \$3.05 cents.

The report of September 30, 1884, shows the freight income to have been \$46,551.95, the expenses to carnings to have been 70 per cent.; average receipts per ton of freight per mile, \$3.05 cents; showing a reduction of 43 per cent, in rate per ton per mile, and an

The National Board of Trade at its annual session held in Washington in January last fully considered the whole question of interstate commerce. This body is composed of delegates from the several commercial organizations of the country—business men noted for their careful study of questions that affect the commercial and financial interests of the land, conservative in their views, conscientious and earnest in their opinions. Their discussion of this matter is well worthy the attention of Congress, and I will therefore publish a portion of the debate that followed a report from their committee:

[National Board of Trade—Report and debate on interstate commerce—Friday, January 22, 1886.]

Mr. Pope, of Chicago, presented the following report:

"The committee appointed by the National Board of Trade to consider the several propositions upon its official programme relating to interstate commerce report that very recently 'A bill to regulate commerce' was presented to the Congress of the United States by a special committee of the Senate empowered to take testimony and fully investigate the wants of the entire country upon this important subject. The bill referred to is the result of the great labor and intelligent consideration of the whole question by the very able Senatorial committee mentioned.

After a careful examination of the bill named your committee offer the following:

mittee mentioned.

After a careful examination of the bill named your committee offer the following:

Resolved, That the bill to regulate commerce introduced into the Senate of the United States by its special committee, January 18, 1886, and known as Senate bill 1993, is (subject to the exceptions hereinafter named) heartily approved by the National Board of Trade; that it is to be commended, perhaps, as much for what it does not undertake to accomplish (all attempts to fix arbitrary rates being wisely avoided) as for the provision made for the appointment of a national commission with ample power to regulate and remedy most of the evils now existing in interstate traflic.

We respectfully suggest the following amendments, which, in our judgment, would contribute materially to the efficiency and usefulness of the bill:

First. The striking out of section 4, which prohibits the charging or receiving of any greater compensation in the aggregate for the transportation of passengers or property for a shorter than for a longer distance, over the same line in the same direction, and from the same original point of departure. This board deems this to be an unnecessary restriction upon the freedom of transportation, and one in which its practical application would result in increasing rates charged for long distances rather than in diminishing those charged for shorter ones. It would debar many important transportation lines from participating in through traffic for long distances where the rates are too low to admit of their application to business terminating at local points on their several lines, such through traffic being a source of additional revenue at comparatively small additional cost. The remedy provided by appealing to the commission would impose upon the transportation lines a serious burden, and the multiplicity of cases arising would overtax the commission.

Second. The text of the second clause of section 1, on page 2, makes the pro-

transportation lines a serious burden, and the multiplicity of cases arising would overtax the commission.

Second. The text of the second clause of section 1, on page 2, makes the provisions of the bill apply to the transportation of passengers or property by any vessel or vessels. In the judgment of this board all matter relating to transportation conducted wholly upon or by water should be exempt from the terms of the bill, the nation's water ways being open to free competition, and such competition being sufficiently extensive to afford ample protection to public interests, without further legal restriction.

Third. The salary named for each commissioner, \$7,500 per annum, seems in-

adequate to secure that high grade of talent which the important service contemplated clearly demands. The administration of these great trusts in all their varied and delicate bearings requires that order of character, intelligence, and executive ability that is never idle, and always at a premium. The yearly compensation should not be less than \$10,000, WILLIAM J. POPE, of Chicago, E. P. BACON, of Milwaukee, CHAS. B. MURRAY, of Cincinnati, PHILO PARSONS, of Detroit, A. FOSTER HIGGINS, of New York, Special Committee of the Board on Interstate Commerce.

WILLIAM J. POPE, of Chicago,
E. P. BROUN, of Milwauben, mail,
P. PHILO PARSONS, of Detroit,
White the subject is now before you for discussion.

The PRESEDENT. Gentlemen, you have heard the report, with the resolution attached to it, and the subject is now before you for discussion.

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The present of the second of the present in this direction. I am not entirely clear, however, in regard to this section 4, whether the aliasion to this subject of long put matters of that kind in a bill without exceptions. I have not examined the put matters of that kind in a bill without exceptions. I have not examined the put matters of that kind in a bill without exceptions. I have not examined the put matters of the point of the carrier. The great trouble heretofore in all transportation questions has been that there were two parties in interest, and that the carrier discusted absolutely to the shipper.

Bellipper and that if matters were reversed there would still be injustice done. The present of the United States and that of the present of the United States and that the present of the United States and the present of the United States and the present of the United States and the present of the United States—for instance, take points in Ohio and West Virelevant of the present of the United States—for instance, take points in Ohio have been especially excessive.

The present of the United States—for

ommend are greater than those that would come from the adoption of the law looking in the opposite direction.

Mr. Thurber has raised the point that in many places in West Virginia and Ohio, and especially in Idaho, grievous and severe rates are charged. I would like to ask him if he really believes that those rates would be reduced if the specially low rate from the Pacific coast to the Atlantic, for example, or to other points were entirely withdrawn. Our observation has taught us that wherever the lines can not maintain their local rates, from which they derive their chief revenue, they will withdraw entirely from the through business, which is taken at low figures, and leave the local communities to pay the same as before. That is the consideration which led us to the conclusion which we have reached. Not that the local rate would not be too high, but how would the withdrawal of the through rates affect the people who pay the higher local rate?

There is another element that enters into it. Observation has shown that wherever a low through rate does exist it tends to reduce the local rate. The intelligence of shippers is such, and the force of public sentiment is such, that the officers of railroad lines are more ready to make moderate charges for local business when their through rates are very low, because unless they do the contrast would become so sharp that it would provoke the indignation of the people. So the fact is that the lower rate on through traffic helps the parties at local points.

Mr. Broov of Milwaukee. Mr. President and gentlemen, I hardly feel able.

so the fact is that the lower rate on through traffic helps the parties at local points.

Mr. Bacox, of Milwaukee. Mr. President and gentlemen, I hardly feel able to add anything to the able elucidation of this subject which you have heard from the chairman of our committee. The substantial points have been fully eovered by his remarks.

It seems to me that after the statements he has made it is almost incontrovertibly shown that this provision of the bill is not only unnecessary, but that it would become entirely inoperative because of the latter part of the section, which provides, by appeal to the commission, for exemption from the restrictions imposed by it.

It may be of interest, however, to look a little further into the merits of the question. It is, at first sight, a very plausible proposition that rates for a long distance should not be, in the aggregate, to say the least, any less than for the intermediate or shorter distances. But if that principle were put into effect, as has been indicated by Mr. Pope, we should find that the remote sections of our country would be almost debarred from the use of railroad trusportation facilities. The business of any line of railways consists largely of that which is naturally tributary to it at the local points, either originating or terminating at those points, and that is the class of business which every railroad first looks after.

those points, and that is the class of business which every railroad first looks after.

The rates for such business are fixed with reference to the cost of the service, and with a view of obtaining revenue from it. But when it reaches the termini of its line, it does not fix the rates with reference to the cost of transportation with the addition of a suitable amount for profit. It fixes its rates with reference to what it can obtain for doing the service, and we all know that that service is to a very large extent surplus business. We also know that the sperities is rates with reference to what it can obtain for doing the service, and we all know that that service is to a very large extent surplus business. We also know that the operating expenses of a railroad are, to a certain extent, fixed; that is, that they will necessarily reach a certain aggregate. While the addition to the volume of its transportation might be perhaps 50 per cent., or even 100 per cent., as is often the case, from the through business, yet there would only be added to its operating expenses perhaps not more than 10 or 15 or 20 per cent. If railroad companies are to be debarred from that through business, as they would be by the application of such a rule as this, and the public be debarred from transportation facilities by rail over long distances, it would necessitate actually a higher charge for transportation to and from local points than are now charged, as the companies would be driven to derive their entire revenue from local business.

One word as to the justice of the matter, and I may take the illustration which has been cited by my friend, Mr. Thurber, in relation to the Pacific coast. The rates between the Pacific and Atlantic coasts are fixed, as every one of us at all conversant with transportation is well a ware, by what it costs to transport merchandise by sea. The railroad lines between the Atlantic and Pacific are obliged to charge precisely the same rates, but they can only charge a sufficiently higher rate, in view

a sufficiently higher rate, in view of the greater dispatch, as will enable them to secure the business. But the starting-point is what it costs to do that business by sea. Our friends on the Pacific coast are entitled to that privilege.

If the railroads, after doing their intermediate business, find it remunerative to undertake this through traffic at rates which compete with the ocean service, the railroads at those rates. Why is the man in Utah or Colorado, or any other intermediate point, entitled to the same rate? He complains to the railroad company for charging him such price as the company deems necessary, and at which it can make a profit for performing the service, that rate being the same as for twice the distance. He might as well complain that the Almighty did not extend an arm of the Pacific Ocean into the heart of the continent by means of which he might have access to the Atlantic Ocean by water. If the rate charged to Utah or Colorado, or any point in those States, is reasonable and equitable, that is all that the man in Utah or Colorado can reasonable and quist, and that any person who thinks himself aggrieved in regard to the rate for transportation may have his remedy by applying, either by letter or in person, to the railroad commission and stating his case before it. He could probably apply more easily by letter than in person. The commission is then enpowered to investigate it, and if, in its judgment, the rate charged is unreasonable and unjust, it is made its duty to so inform the railroad company. It is found, where State commissions exist, that such action on the part of the State commissioners is sufficient to correct the evil complained of, if it be proved to be an evil. It seems to me that in this way there is full protection to the State commissioners is full protection to the public without any such artificial restriction as is now proposed in the fourth section of the bill. We all know that pro rata charge was a favorite cry for years and years, especially in the State of New Y

law.
Mr. NELSON, of Chicago. In short, the law is not enforced in that particular.

Mr. Bacox. It has fallen into disuse by permission of the State commission. It has never been repealed, as I understand.

Mr. Bacox. The fact that the commissioners found themselves in a position where they really had to recognize a violation of the letter of the law for the sake of both the public and of the railroad interests; it seems to me is conclusive. Mr. Corner, of Portland (Oreg.). My friend, Mr. Bacon, has alluded to the Pacific Coast.

Mr. Roce, and I have thought that possibly I might throw some light on that subject which I have considered to some extent, being a merchant of long standing on the Pacific Coast.

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Mr. Allow the law the second of the property o

tlemen the privilege they have had of considering this question so fully in all its bearings, and especially in its bearings upon the bill which has been reported in Congress.

We have had placed in our hands a bill of twenty-one pages, and we have heard read a synopsis of that bill, making its provisions very clear and distinct. Now, Mr. President, I am not afraid, as a member of this board, and never have been, to vote for a particular bill or question in detail. But I do not want to see this board vote for anything until it thoroughly understands it, although I should like an expression of the opinion of the board this morning. I consider I should like an expression of the opinion of the board this morning. I consider I utterly impossible, however, for us to properly consider a bill of twenty-one pages in length in the three hours before the absolute close of our meeting. If this bill were brought up in the shape expressed in the first section I should be prepared to vote most heartily for it.

Mr. Higgins. The bill does nothing more.

Mr. McLarren. I have not been able to read the bill; I have only glanced at it sufficiently to see that there are some things in it that I very seriously question. There are certainly some changes I should like to suggest before indorsing the bill. Still, I have been very glad to see that the board has taken a step in advance of its previous action on this subject. The board has taken a step in advance of its previous action on this subject. The board has taken a step in advance of its previous action on this subject. The board has the tame from the New York Board of Trade and Transportation, as follows:

"Resolved, That Congress should, without delay, enact a law for the regulation of interstate commerce; that acknowledged wrongs should be probibled, and remedies provided so simple and practicable that the individual citizen in any part of the country may avail himself of them; that a national board of raliroad commissioners should also be established as an executive and supe

council or to the board. It seems to me, Mr. President, that, at the expense of a year's delay in this matter, it would be wisdom in us to wait and see that we are sure before we take any such definite and minute action as is proposed to us now. I should like the subject to have such consideration as could only be given by weeks and months of thought and investigation. Let us take the resolutions to our respective boards of trade for them to consider; and let us consider them, and when we send our delegates here another year we shall have some thoughtful, careful, well-advised, fully considered expressions of opinion to make upon this very important subject.

Mr. Pope. This committee, I beg to assure you in advance, will not feel personally aggrieved or affronted with any disposition whatever that you may choose to make of the report. We are but your servants. I desire to say, however, that I think it is my duty, as a member of the committee, to correct some misapprehensions that seem to exist in regard to this measure. As to what Mr. McLaren has said, from the report of last year, and also from the action that has been taken by this national board during the four years that it has been my pleasure to be a delegate, we have, from time to time, in the plainest terms, recommended the appointment of a national commission for the control or regulation, or at least for the consideration, of this whole question of interstate commerce. We are on record two, three, or four times on that subject, and at our last session we passed the following:

"Resolved, That Congress should, without delay, enact a law for the regulation of interstate commerce: that acknowledged wrongs should be prohibited, and remedies provided so simple and practicable that the individual citizen in any part of the country can avail himself of them"—
and recommending finally the appointment of a commission. There seems to be a misapprehension about the bill. It is proposed to do just what Mr. Mc-Laren, to my certain knowledge, has voted for year by

shall refund to you all costs to which you have been put together with your counsel fees, &c. If you are unsuccessful, then the cost is borne by the United States. The commission, ander the proposed bill, does not necessarily have to sit at Washington all the time, but may hold sessions at any place in the United States.

It is desired to correct any wrong impression that may have been left on your minds to the effect that we did not read the bill which followed the report, we did read it most thoroughly. I desire you to bear in mind the distinction between the report and the bill. The report of the testimony that accompanies the bill covers two hundred and sixteen pages of printed under the title "National commission; it is establishment recommended for the enforcement of legislative provisions."

Mr. Albert Pink and Mr. Charles Francis Adams, president of the Union Pacific Railroad, are some of the men who testified before that committee upon the railroad side of the question. Upon the opposite side, those favoring a commission of the cuestion. Upon the opposite side, those favoring a commission of the subsets men upon railroad matters anywhere; Mr. Clark, of Philadelphia; Mr. Medill, of Iowa; Mr. Dalrymple, and Mr. Deane. All these gentlemen gave their testimony as to the appointment of a commission, but he wants the appointment but off. Can you ever get a commission appointed without a law which will in the first place enable the members to draw their salary and providing methods of procedure and for the hearing of complaints? That is all that this bill proposes to do. With this explanating of complaints? That is all that this bill proposes to do.

Mr. McLAREN. I desire to offer a resolution. My friend, Mr. Pope, has stated that I was in sympathy with the proposition that a commission should be appointed with the stated that quite correctly. I am on record in the proceedings of the National Board of Trade upon that question. I accept Mr. Pope's statement as to the scope of this bill, but I do not like the i

by which they can be carried out: That reasonable and just rates shall be established and maintained; that the public shall have the right of appeal to the commission for alleged wrongs done; that in case of failure in sustaining any complaint the United States bears the expense incident to the decision of the matter. Its purpose is to give to the citizens of the United States an opportunity of remedying any evils to which they are subject, without requiring them to retain counsel, costing vast sums of money, to contend against counsel who are under annual pay from the railroad companies, and without requiring them to follow their cases from one court to another until they reach the court of last

nity of remedying any evils to which they are subject, without requiring them to retain counsel, costing wast sums of money, to content against counsel who are under annual pay from the railroad companies, and without requiring them to follow their cases from one court to another until they reach the court of last resort.

It is not to be considered to the content of the railroad companies to resist companies to the content with a railroad company is a serious thing. My colleague from Milwaukce has referred to the contest we have been having in Wisconsin. Now, while I regret that that has been referred to, I will say in reference to it that I have been told by a number of my friends that they could not see why I should undertake to bear the obloquy and self-sacrifice involved in initiating and maintaining such a contest. But I felt that there were rights to be maintained, and I did it from a sense of the content of the con

stand.

We have been studying this question for years. We have had these State laws before us, and have been informed as to the workings of the State commissions; and still we seem inclined—even the horny-handed granger from Wisconsin, raising crops in Wall street [laughter] still seems to be inclined to the opinion that the question as to this country and this nation (with a big N) has not been settled. I supposed it was settled years ago, and I thoroughly believe it was. I move, Mr. Chairman, to lay the motion of Mr. McLaren on the table.

The motion was seconded.

The PESIDENT. The motion of Mr. Nelson is to lay the resolution of Mr. McLaren on the table. That does not admit of debate. The secretary will read the resolution.

the resolution.

The secretary read the pending resolution.

The PRESIDENT. There can be no debate upon the motion to lay upon the

The PRESIDENT, There can table.

A division was called for, which resulted in 21 ayes to 8 noes.

So the resolution was laid upon the table.

The question recurred upon the adoption of the report of the committee with the resolutions attached thereto. A division was demanded; which resulted in 22 ayes to 8 noes.

The PRESIDENT. The resolution is agreed to by more than the requisite two-thirds majority.

As the minority report of the Committee on Commerce on the Reagan bill states the situation very clearly I give it in full as part of my remarks:

The minority, never for one moment seeking to depreciate the importance of enacting a law upon the subject of interstate commerce, but believing that wise and well-digested legislation will be gladly accepted by the people and by the railroad companies engaged in transportation between the States and between

the United States and adjacent foreign countries, have looked with due deliberation upon this matter as one equally as grave as any pending before Con-

the United States and adjacent foreign countries, have looked with due deliberation upon this matter as one equally as grave as any pending before Congress.

This interstate commerce of the country, which it is proposed to supervise and The Interstate commerce of the country, which it is proposed to supervise and The Interstate commerce of the country, which during the supervise and investment approaching \$8,000,000,000,000 tons of rollway representing an investment approaching \$8,000,000,000 tons of religibly the year 1884 nearly 300,000,000 passengers and nearly 400,000,000 tons of religibly the year 1884 nearly 300,000,000 passengers and nearly 400,000,000 tons of religibly the year 1884 nearly 300,000,000 passengers and religibly controlled the propositions of the proposed bill, usually designated as the Reagan bill, it should be borne in mind that the interstate freight traffic earlied over the railroads of the United States is composed largely of products coming in direct competition with the products of foreign countries. World upon equal terms, it can readily be seen that the question of regulating the rates upon that freight traffic is a most serious one. The cost of transportation directly affects the price at which the citizen of the United States is enabled to place his products in those common markets, and any unwise restriction or regulation may render it impossible for him to meet his competitors or our country.

It will be seen at a glance that cotton, coal, wheat, provisions and breadstuffs of all kinds, and generally all commercial and agricultural products, form the great bulk of the interstate commerce of the country, and it is universally concurred to the country, and it is universally concurred to the country of the country of the country to the transported by rail to the scaboard and thence by water to foreign countries, must be very clear. Certainly no seen paid off and its prosperity enormously increased. That this could not have been accomplished except for the country to be transporte

porter. A carefully digested section might be incorporated in the law to meet this point.

The conclusion of the minority is, however, unfavorable to positive legislation other than the above suggested, believing that it is impossible for Congress, limited necessarily in practical knowledge of railway movements, prejudiced perhaps against the railway system by some local disagreement not yet settled, led to think that an occasional instance of what appears to be unfair dealing with the shipper is the transporter's general course, and beg leave to suggest that the most available present remedy for imaginary as well as real grievances is the creation by law of a board of interstate-commerce commission.

It is the province of legislators to ascertain by intelligent experience the legislation required, and that experience can best be secured through the proposed commission. It should be a permanently established bureau of an appropriate department; should be composed of the ablest men of the country; salaries should be large enough to attract men from the very highest and most lucrative positions of the varied business life of our citizens. This board should have power to investigate all complaints connected with the management of interstate commerce; power to secure their redress through the voluntary action of transporters or through legal proceedings instituted by it through the proper legal officers of the United States.

We desire to impress the House with our implicit belief in the present advantage of a board of interstate-commerce commissioners. We ask you to defer radical legislation until we have tried the commission, which, with powers to hear grievances, will also be required to report annually to Congress, and to suggest from time to time the legislation necessary to create harmony between shippers and transporters.

All which we submit.

CHAS. O'NEILL. ROBERT T. DAVIS. RANSOM W. DUNHAM. FREDERICK A, JOHNSON.

In conclusion let me say the people demand legislation, but the busi-

ness interests generally unite for a commission.

The Reagan bill is too sweeping in its requirements. If enacted into law it would, in the opinion of many of our wisest commercial and financial citizens, work more harm than good. Especially would the West be crippled in sending its products to the seaboard, for through rates would have to give way to local rates.

contlemen, give us the commission bill.

Oleomargarine.



SPEECH

HON. BENTON McMILLIN,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Friday, May 28, 1886.

The House being in Committee of the Whole on the state of the Union on the bill (H. R. 8328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine—

Mr. CHAIRMAN: We are seeking here to enter upon a new field of legislation in the name of agriculture and for the protection of agri-

From every part of this country where internal-revenue laws are en-From every part of this country where internal-revenue laws are enforced have come complaints against the method of their enforcement and against their unnecessary rigor. From Virginia, from North Carolina, from my own State, from Kentucky have come complaints against the tyranny and oppression of Federal courts. There is hardly a man within the sound of my voice who represents a rural district whose constituents have not at some time or other within the last twenty-five years been placed under the wheels of that Juggernaut. Agents for the enforcement of those laws have gone to the hills and hollows, to the highways and byways, and even to our cellars to smell around for bungs of whisky barrels and to arrest those charged with violating internalrevenue laws. Men have been dragged hundreds of miles charged with selling a twist or armful of tobacco. The annoyance to farmers engaged in tobacco raising has been intense.

But not content with that, in the name of agriculture it is proposed now to turn internal-revenue officers loose in the pantry; to have them inspecting the quality of butter our families use, and if it does not have the regulation taste and smell who can tell but that ere long that immense throng moving to Federal courts charged with violating the whisky law and the tebacco law will be swelled by those offending against the elec-

margarine law?

Mr. Chairman, I would be glad to vote for a proper relief measure for the benefit of dairymen, but I will be compelled to vote against this bill if not amended. Look at the eleventh section:

Packages, each containing not less than 10 pounds, as prescribed in this act for oleomargarine manufactured in the United States before the stamps are affixed; and the owner or importer of such oleomargarine shall be liable to all, &c.

It provides for spies and informers, and gives them a part of the penalty incurred and recovered. This commodity is guilty of an offense, and finable to the extent of \$50. Where is the penalty enforced? In his county court? No. In his circuit court? No. But he is to be dragged, in all probability, 100 or 200 miles to a Federal court, to dance attendance for twenty days, and then to be sent off if found guilty to a Federal prison.

All the gentlemen who have spoken upon this question, both in favor of the bill and against it, have said it is impossible for the best article of oleomargarine to be detected from a second-class of butter, except by an expert or chemical analysis. And yet you fix it so that any laboring man purchasing it, who lives in a city and does not know the difference between butter and oleomargarine, is liable to have his pantry visited and his butter or oleomargarine subjected to an analysis that will land him in a Federal prison. Is the House ready to enact such a

law as that?

When the manufacturers of the best articles of cloth come here and say that the manufacture of shoddy is injuring their industry are you going to put your hand on that article? When manufacturers of morocco come and complain because the manufacturers of imitations of morocco are injuring them do you propose to interfere for their protection? Do you propose to go out into all that unknown region of legislation, where the patriots and statesmen of this country have supposed men had sense to take care of themselves, and will you undertake to take care of everybody by your legislation? Is this to become a paternal government, pretending to protect everybody and yet oppressing all? If so, what will be the result? Your Congress will dwindle down from what it should be-a legislator for the masses of the people under

wise and wholesome laws-into making a puerile and futile effort to

protect every man, and you will protect none.

I believe in that government which lets the people govern themselves so far as they can. What they can not do in their individual capacity let the States do, and then what neither the individual nor the State can do let the Government of the United States, so far as it can under the Constitution, do. There is none who will go further than I to force the manufacturers or sellers of this commodity to manufacture and sell it for what it is in the Territories and District of Columbia. If I were in a State Legislature I should vote for the most ultra measare requiring producers of this oleomargarine to label it as oleomargarine. I would do everything to prevent a fraud in its sale. But when you come to laying the hand of the Government upon it to tax it out of existence you have entered upon an experiment that can only end in disaster. Who will come next to ask us to legislate against butter?

Here the hammer fell.

Mr. McADOO was recognized and yielded ten minutes to Mr. Mc-MILLIN

Mr. McMILLIN. I thank my friend from New Jersey. Chairman, the founder of the Democratic party promulgated some of his wisest sayings against the encroachments of the Federal courts. As early as 1821 Jefferson wrote to Livingston saying in substance: "The great object of my apprehension is the Federal courts. They are stealing out over the fields of jurisdiction like a thief in the night. They begin in the day and at night they hold the conquests of the day, until we can hardly claim that we have within the States an exclusive jurisdiction that Federal power can not tamper with." The gentleman from Virginia [Mr. O'FERBALL] the other day raised his voice in favor of this bill, although he has witnessed the sad spectacle of a Federal index in that grant old. State series into States court and distribute. of this oill, atthough he has witnessed the sad spectacle of a Federal judge in that grand old State going into a State court and dictating to a State judge what sort of jurors he should have to try State criminals. Yet now it is proposed to extend the jurisdiction of this already too powerful body, the Federal judiciary.

What more? Not content with placing the administration of our revenue laws (which was unavoidable under the system) in the hands of the Federal judicious and the federal indicious the state of the state of the federal indicious the state of the state o

of the Federal judiciary, we propose to add enormously to their power. It was bad enough to see them invested with power to authorize the plaintiff in an action, after he had gone into a State court, to remove his cause into a Federal tribunal, but we have seen not merely this; we have seen, as I have said, Federal judges dictating to a State judge what sort of jurors he should have to try parties arraigned for offenses

against State laws.

Is this House ready to go still further and not only send these Federal officials to the polls, but send them into the dining rooms of the people and into their dairies, to arrest them and carry them off for trial before a Federal court? I do hope that that spectacle will not be presented. I hope that if this bill is to pass it will be limited to the territory over which the United States has jurisdiction, and that it will not go beyond the extent of wise legislation. For all of that I would

I had occasion once to examine the encroachment of Federal authority upon the rights of the people and of the State courts, and made a speech against that encroachment on the bill which sought to limit the jurisdiction, and from that I make the following extract:

Mr. Speaker, I have said that unwarranted encroachments have been made upon the State courts by Federal tribunals. We have only to look at the United States statutes and the judicial construction of them for painful proof of this fact. Let us first examine the law as to civil cases. By the judiciary act of 1789, Revised Statutes, section 639, subsection I, it is provided that—
"When the suit is against an alien or is by a citizen of the State wherein it is brought and against a citizen of another State, it may be removed on the petition of such defendant filed in such State court at the time of entering his appearance in such State court."

It will be observed that before the cause could be removed under this act the party removing must be a defendant, must also be an alien or a non-resident of the State in which the cause is pending, and must make his application for removal at the time of entering his appearance. These requirements tended to restrict the jurisdiction of the Federal courts. But in 1866

CONGRESS LIFTED THE FLOOD-GATES,

and since that a tide of litigation sufficient to arouse the gravest apprehension has flowed continuously into the United States courts. By the act of 1866 aliens and citizens of other States than that in which the suit was brought are authorized to divide the suit under certain circumstances, removing a portion to the United States courts and leaving it as to part of the defendants in the State courts, a thing unheard of in former times, and an innovation which should never hear telegrated.

courts, a thing unheard of in former times, and an innovation which should never have been tolerated.

The next step taken to degrade the State courts was the act of 1839, which authorized either the plaintiff or the defendant to remove the cause, and at any time before final hearing. In other words, a party might select his court, and commence his suit therein, and after experimenting he might turn his back upon the forum of his choice, and upon his own petition have the cause removed to the United States courts, and there still further harass his victim, till, from exhaustion or want of means to defend his rights, he yielded the matter in controversy. What justice is there in allowing the party bringing a suit to abandon and fly from the forum of his choice? What justice in permitting him to yex his victim by requiring him to dance attendance on every court known to our complex system?

THE FEDERAL COURT TAKES JURISDICTION OF THE NAVIGABLE RIVERS.

THE FEDERAL COURT TAKES JURISDICTION OF THE NAVIGABLE RIVERS.

What more? The Federal judiciary have not only had their jurisdiction extended over the lands of the United States, but over the waters also. In the earlier history of our Government, the Federal court assumed jurisdiction over the waters only so far as tide water extended. But in this, as in everything clse, the jurisdiction of these courts has been enlarged till it extends now over

all of our navigable rivers. It is true that thus far the courts have only exercised jurisdiction of civil causes on the water courses; but how long will it be, at their present rate, till they take jurisdiction of crimes committed there?

THE CIVIL RIGHTS BILL

was passed and jurisdiction given to the United States courts of causes arising under it, without any regard to whether the parties to the suit were citizens of the same or of different States, and without any limitation of time within which the application for transfer shall be made. By this legislation, for the first time in the history of this or, so far as I know, any other country, the complexion of the suitor determined the court that should administer justice to him, and we had established one court for one color and a different tribunal for the other, when all the parties were citizens with equal rights and privileges under the Constitution.

THE FEDERAL COURT ASSUMES CONTROL OF GUARDIANS.

THE FEDERAL COURT ASSUMES CONTROL OF GUARDIANS.

Mr. Speaker, this all-pervading Federal judiciary, by virtue of section 5486, assumes the right to go into our county courts under certain circumstances, take the ward's guardian therefrom, and carry him to the Federal court to be tried for not discharging the duties of his trust. The section is in these words:

"If any guardian having the charge and custody of the pension of his ward shall embezzle the same in violation of his trust, or fraudulently convert the same to his own use, he shall be punished by fine not exceeding \$2,000, or imprisonment at hard labor for a term not exceeding five years, or both, at the discretion of the court."

Is any man deluded enough to suppose that the founders of the Republic ever anticipated that this authority would be claimed by the Government or be yielded by the States? If because the money came from the Government as a pension the Government may follow up and punish the custodian for embezzlement, why may it not for the same reason follow it for all purposes and control the ward, guardian, and fund to the exclusion of the county courts of the States? If this assumption of authority goes unchallenged, who can tell but that ere long we shall have the General Government, through its judiciary, directing where the ward shall live, how much shall be paid for support, supervising settlements, directing the investment of the fund, and determining who shall inherit upon the death of the ward?

REMOVAL OF CAUSES BY CORPORATIONS.

REMOVAL OF CAUSES BY CORPORATIONS

But, Mr. Speaker, as if not content while a vestige of exclusive jurisdiction remained to the States, Congress in its wild career went further and provided that corporations and individual members of corporations organized under the laws of the United States might remove their causes from the State to the Federal court. This change is made by section 640 of the Revised Statutes, which

that corporations and individual includes the causes from the State to the Federal court. This change is made by section 640 of the Revised Statutes, which is as follows:

"Any suit commenced in any court other than a circuit or district court of the United States against any corporation other than a banking corporation organized under a law of the United States or against any member thereof, as such member, for any alleged liability of such corporation, or of such member as a member thereof, may be removed for trial in the circuit court for the district where such suit is pending," &c.

As to corporations organized under the laws of any State, the courts have held that the residence of all of the persons owning or controlling the corporation within the State where the suit is instituted makes no difference. They are still entitled to the removal if the corporation was organized out of the State. Nor will the court hear evidence upon the question of residence of the individuals composing the corporation.

We have reached a point where the citizen is almost powerless in a litigated contest with an immense corporation, and yet we give foreign corporations, or those that are not wholly within a single State, an advantage over the resident citizen in the right to remove the cause to a distant court. Without the people, through their representatives, rise in their legal might and check them, I fear that the day is not far distant when individual property and constitutional liberty may both give way in the unequal contest. Let us take

RAILROAD CORPORATIONS

RAILROAD CORPORATIONS
for an example. They are allowed the full protection of the law along their lines, as is the citizen, which is right. They even have the privilege of charging the resident on the line more per mile for carrying his freight than is charged for carrying freight the full length of the line. But when the citizen conceives himself aggrieved and sues he may find himself suddenly carried into the Federal court, to wait for years and expend much in costs before he gets justice administered. Year after year the people pour out their treasures and build new roads, and year by year larger corporations swallow them up at reduced prices. They never die. If a small road ceases to exist under its charter name, it is only to begin a state of immortality as a branch of a large corporation.

Daniel Webster and the Baltimore and Ohio road were in Washington together. The great constitutional lawyer has been gathered to his fathers a quarter of a century, but the corporation which bore him to "the Monumental City" is yet in its infancy, and only strengthened by the years which have elapsed. When another century shall have passed, and the United States teem with two hundred millions of people, these roads will be more active and powerful than to-day by the increase of commerce from an increase of population.

Men may come and men may go, But they flow on forever.

Where is the necessity for extending superior advantages to those so able to take care of themselves and so able to crush out the individual? Let favoritism for them cease. Let those who build or support corporations be placed on an equality before the law with them. Let corporations be subject to the judicial authority of the State where they do business. If there is no conflict between the citizen and the corporation, no injury can result from this course. If there is a conflict, let us give the people an equal chance in that conflict.

INSURANCE COMPANIES FREED FROM THEIR AGREEMENTS.

To illustrate the maternal care with which our Federal system hovers over and protects corporations, let us look to the decisions of the courts concerning them. An act was passed by the Legislature of Wisconsin in 1870 providing—
"That any fire insurance company, association, or partnership incorporated by or organized under the laws of any other State of the United State, desiring to transact any such business as aforesaid by any agent or agents in this State, shall first appoint an attorney in this State, on whom process of law can be served, containing an agreement that such company will not remove the suit for trial into the United States circuit court or Federal courts, and file in the office of the secretary of state a written instrument, duly signed and scaled, certifying such appointment, which shall continue until another attorney is substituted."

This statute being in force, the Home Insurance Company of New York, a corporation organized under the laws of the State of New York, established an agency in Wisconsin, complying with the requirements of the act quoted, and agreeing as follows:

"And said company agrees that suits commenced in the State courts of Wisconsin shall not be removed by the acts of said company into the United States circuit or Federal courts."

The Supreme Court of the United States, in the case of the Insurance Com-

pany vs. Moss, 20 Wallace, 445, have held that notwithstanding this State statute, notwithstanding the solemn agreement of the corporation to the contrary, it may remove the suit to the United States court. The same has been held in the case of the Hartford Fire Insurance Company vs. Doyle, reported in 3 Central Law Journal, 41.

Law Journal, 4il.

It is not my purpose to enter into any argument concerning the soundness of these decisions. It is sufficient for us to know that they stand. They are a barrier over which no State Legislature or State constitution can pass and take hold of corporations. The people, after years of patient, hopeful, but unavailing forbearance, cry out for relief. There is but one tribunal on earth which can give it to them, and that is the Congress of the United States. I hope that this, their only city of refuge, will not close its gates against them. They ask nothing more than to be placed on an equality before the courts with corporations, and nothing less should be accorded them.

Congress can not, and should not attempt to, interfere with the rightful and constitutional jurisdiction of the Supreme Court. There are also some classes of cases which are properly triable in the inferior United States courts. But Congress may regulate the jurisdiction and practice of such inferior courts, and should do so to the extent of relieving us of the hardships which the present system entails.

CRIMINAL JURISDICTION OF THESE COURTS.

The evil does not stop with civil causes. Congress has, by various acts which I will not delay the House by reading, given the district and circuit courts of the United States jurisdiction to remove criminal causes thereto which arise in the State courts against internal-revenue officers and their assistants for offenses committed by them against the State laws. The gentleman from Indiana [Mr. Orth], in a speech delivered here on this subject, defends the right and propriety of the giving of this jurisdiction to the inferior courts of the United States, and says:

"Such jurisdiction of both civil and criminal cases carries with it as an inseparable incident the laws of the State, so far as applicable and necessary, from whose courts such transfer has been made."

I insist that this is not in harmony with the genius of our institutions, is not consistent with reason or sound policy, and is in direct conflict with the law as decided by the Supreme Court of the United States. In proof of this position I read from the case of the United States vs. Hudson and Goodwin, 7 Cranch Reports:

ports:

"The powers of the General Government are made up of concessions from
the several States. Whatever is not expressly given to the former the latter expressly reserve. The judicial power of the United States is a constituent part
of these concessions. That power is to be exercised by courts organized for the
purpose and brought into existence by an effort of the legislative power of the
Union. Of all the courts which the United States may under their general
powers constitute, one only—the Supreme Court—possesses jurisdiction derived
immediately from the Constitution, and of which the legislative power can not
deprive it.

Union. Of all the courts which the United States may under their general powers constitute, one only—the Supreme Court—possesses jurisdiction derived immediately from the Constitution, and of which the legislative power can not deprive it.

"All other courts created by the General Government possess no jurisdiction but what is given them by the power which created them, and can be vested with none but what the power which ceded to the General Government will authorize them to confer. * * * The legislative authority of the Union must first make an act a crime, affix a punishment to it, and declare the court that shall have jurisdiction of the offense. * * Certain implied powers must necessarily result to our courts of justice from the nature of their institution, but jurisdiction of crimes against the State is not among these powers. * * * To fine for contempt, &c., * * * are powers which can not be dispensed with in a court; but all exercise of criminal jurisdiction in common-law cases we are of opinion is not within their implied powers."

This case is cited and approved in the case of The United States v. Cooledge et al., I Wheaton, 415:

"In the case of The United States vs. Burr, which arose in the circuit court of Virginia in 1807, the Chief-Justice of the United States declared that the laws of the several States could not be regarded as rules of decision in trials for offenses against the United States, because no man could be condemned or prosecuted in the Federal court on a statute law."—Kent's Commentaries, volume 1, section 334.

Further:

"The great difficulty and danger is in leaving it to the courts to say what is an offense against the United States when the law has not sufficiently defined it. The safer course undoubtedly is to confine the jurisdiction in criminal cases to statute offenses duly defined and to cases within the express jurisdiction given by the Constitution."—Kent's Commentaries, volume 1, section 341.

Under these authorities the district and circuit courts of the United States c

The same position has been assumed by others who have spoken in opposition to this bill.

Mr. Speaker, no such consequence flows from the legislation proposed in this Congress. A complete, ay, the best, remedy for the transfer of all causes containing a Federal ingredient, or against parties on account of any act done as officers or representatives of the Government, is left. Section 700 of the Revised Statutes is not touched by the legislation, and provides for a transfer to the highest court in our Republic. I send it to the Clerk to be read, that members may see that we are not attempting any inroad upon constitutional rights nor to leave officers of the Government without an impartial hearing.

The Clerk read as follows:

"A final judgment or decree in any suit in the highest court of the State in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under, the United States, and the decision is against their validity; or where is drawn in question the validity of a statute of, or an authority exercised under any State, on the ground of their being repugnant to the Constitution, reaties, or laws of the United States, and the decision is in favor of their validity; or where any title, right, privilege, or immunity is claimed under the Constitution, or any treaty or statute of, or commission held or authority exercised under, the United States, and the decision is against the title, right, privilege, or immunity specially set up or claimed by either party under such Constitution, treaty, statute, commission, or authority, may be re-examined and reversed or affirmed in the Supreme Court upon a writ of error. The writ shall have the same effect as if the judgment or decree complained of had been rendered or passed in a court of the United States.

"The Supreme Court may reaffirm, reverse, modify, or affirm the judgment or decree of such State court." &c.

CONSEQUENCES OF THESE CHANGES

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And what are the consequences of these changes in the forums of justice? The expense of litigation is increased enormously. The trouble of attending to it is more than doubled. By the process of dividing the suit already mentioned there are two suits where there should be but one, and they probably hundreds of miles apart, and possibly standing for trial on the same day. Strong corporations and wealthy individuals are able to attend and litigate in these courts, while the poor are not, and are virtually deprived of their legal "right to a speedy * * * trial" on account of the crowded state of the dockets and the impossibility of reaching the courts.

One of the charges our fathers made against the King of England in the Declaration of Independence was that of "transporting us beyond seas to be tried for pretended offenses." We had as well be tried "beyond seas" as beyond our county, if in both instances we are alike deprived of the power of obtaining justice. The world has heaped anathemas upon the tyrant who placed his laws so high they could not be read. How much more blamable was he for placing his laws out of sight than we are when we place our courts (through which alone the laws can be enforced) out of reach?

Again, by the present judicial system the citizen may be twice tried for the same offense—once by the State and once by the Government, where the same act is made criminal by the statutes of both. It is true that this grows out of our anomalous dual system of government. But that fact should restrain us from extending the jurisdiction of Federal courts further than is absolutely necessary.

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our anomalous dual system of government. But that fact should restrain us from extending the jurisdiction of Federal courts further than is absolutely necessary.

If there was one feature of our judicial system in the States held more sacred by our forefathers than all others, it was that which secured to parties a trial before an impartial jury of the county or vicinage where the cause of action arose. So sedulous were they in the protection of this right that most of the States ingrafted it into their constitutions. It is virtually destroyed in the Federal courts. There the juries are taken from remote parts of the State or district, and had almost as well come from a different State, being total strangers to the parties and their surroundings.

I have already spoken of the great cost to litigants from the administration of justice in the Federal courts. But this is not all; they are immensely costly to the Government. Under Democratic rule, before the changes of which I have spoken, the cost of these courts was only a few hundred thousand dollars a year. Now it is millions, and increasing yearly. Too true is it, as stated by Judge Dillon in his work on the Removal of Causes, that "the small title of litigation that formerly flowed in Federal channels has swollen into a mighty stream." He might have added "and that stream threatens to deluge the country with cost and bear away the dearest privileges of the citizen."

There is another great evil which flows from our present judicial practices. Deputy marshals and their posses may go through the States amed, shooting, destroying property, driving off hogs and cattle of the citizens, beating and killing citizens, and when arrested and prosecuted by the States afficials they are permitted to file their petitions in the United States hereto away from those who witnessed the offense and suffered by it. What more? The district attorney and the Attorney-General for the United States are instructed by the Government to appear and defend the criminal and try to turn hi

"CENTRALIZATION TENDENCIES

"The centralizing tendency of our national legislation is dangerous for another reason, namely: It is creating discontent and poisoning the affections of the people toward the Government, thus weakening the spirit of patrictism, upon which exists the ultimate hope of that Government for its just authority and long-continued existence. The humble citizen who for some technical violation of law is arrested and taken two hundred or three hundred miles to be tried in a United States court, and after much delay is perhaps mulcted in the trifling sum of \$10\$, and finds that the expenses attending the same have amounted to several hundred more, very likely causing the loss of his home and the impoverishment of his family, is painfully impressed with the idea that injustice has been done him, and he becomes from that momenta disaffected member of society.

poverishment of his family, is painfully impressed with the idea that injustice has been done him, and he becomes from that momenta disaffected member of society.

"He sees in such treatmenta wrong that forever after rankles in his bosom, and causes him to look upon the Governmant as his oppressor and enemy rather than his protector and friend. In vain may you explain that her shield covers him as one of her children. In vain may you point to the insignia of her power and the evidence of her wealth and magnificence. In vain may you contrast the splendor of those granite temples which lavish folly is so rapidly multiplying all over the land for the dispensation of Federal justice, with the modest courthouse of his home, for to him what are they all but the domed and turreted mausoleums of expiring liberty?

"Such courts are not the courts of the people. No matter how learned and impartial their judges may be; no matter how pure the ermine with which they are clothed; no matter how exalted the social position which they occupy, they are the creatures of encroaching power, and like the magnates of the Church of England are expected to 'magnify their offices.' Their rules are arbitrary and their predilections are in the line of absolutism. They live in the gilded sphere of power and luxurious splendor and their sympathies are not with the homely virtues of the masses. No system that takes the citizen along distance from his home to be tried for general offenses can be satisfactory to a people imbued with a proper spirit of liberty."

These are words of warning from a man who is of the political party which has been most instrumental in passing these laws. Surely he can not be accused of political bias. I have seen some of the citizens whom I have the honor to represent arrested and carried more than 100 miles to be tried in a Federal court for a simple misdemeanor. I have seen them required to attend term after term when there was either no case ever made out against them, or so light a case that a mere nominal fin

FINALLY IT SEIZES THE BALLOT-BOX.

Mr. Speaker, unfortunately the story of the aggressions of the Federal court, backed up by Congressional legislation, does not end even here. There is a glorious privilege for which our fathers fought and died—a privilege "dearer * * * than light and life" to every freeman through whose viens Anglo-Saxon blood flows. It is the right of local self-government through an untrammeled ballot. Sacred as is this franchise—blood-bought though it was—it, too, has been seized by the Federal court and prostrated by the power which Jefferson

predicted would be the destruction of our institutions. Section 2012 of the Revised Statutes, passed in 1871, provides for the appointment of supervisors of elections. By section 2017 they are required—
"To personally inspect, from time to time, and at all times, on the day of election, the manner in which the voting is done, and the way and methods in which the poll-books, registry-lists, and tallies or check-books, whether the same are required by any law of the United States, or any State, Territorial, or municipal law, are kept."

Section 2021, also passed in 1871, provides for the appointment of special deputy marshals.
Section 2022 provides that—

Section 2021, also passed in 1871, provides for the appointment of special deputy marshals.

Section 2022 provides that—

"The marshal and his general deputies, and such special deputies, shall keep the peace, and support and protect the supervisors of election in the discharge of their duties, preserve order at such places of registration and at such polls, prevent fraudulent registration and fraudulent voting thereat, or fraudulent conduct on the part of any officer of election, and immediately, either at the place of registration or polling-place, or elsewhere, and either before or after registering or voting, to arrest and take into custody, with or without process, any person who commits, or attempts or offers to commit, any of the acts or offenses prohibited herein, or who commits any offense against the laws of the United States," &c.

Thus it will be seen that a deputy marshal appointed by a United States court is sent into States to control elections there. He is made the judge of the qualifications of voters and of their good or bad intentions in voting. With no higher process than the policeman's club he may arrest and carry away from the ballot-box an American freeman about to engage in the exercise of the highest political privilege ever bestowed on man.

Can these things be and our liberties last? Can they continue and we be other than slaves? Unfortunately they can not. They are the handwriting upon the wall which requires neither a prophet nor the son of a prophet to interpret, and which tell us that our republican institutions are in danger.

"STRONG GOVERNMENT" THE FLEA.

"STRONG GOVERNMENT" THE PLEA.

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"STRONG GOVERNMERT" THE PLEA.

Under what plea have all these wrongs been perpetrated? What excuse is given for this subversion of the grand system devised and bequeathed to us by the founders of the Republic? It is the same plea under which Napoleon I tore down the Republic and built up the Empire of France. It is the same excuse given by Napoleon III for destroying the liberties of his people and placing upon them monarchy. It is the same under which ambitious men and tyrants have worked from the downfall of the first republic to the establishment of the last despotism—"Necessity for a stronger government."

What is the necessity for a stronger government than we have? It is already, when considered in all its bearings, the most powerful upon which the sun shines. It resisted successfully, when much weaker than it is to-day, the greatest shock to which any free government was ever subjected—far greater than can menace it now. When our unfortunate civil war came and scattered the States of the Union this mighty Republic was strong enough to gather them up, replace them in their orbits, and move on, the brightest constellation in the firmament of nations. And all of this without the post befus legislation which I have mentioned. This cry of "necessity for strong government" is only a subterfuge. It is the cloak under which are working those who are not content with our form of government. Let us not, after the "lightnings of heaven have yielded to our philosophy, permit the temptations of earth to seduce our patriotism."

The Maelstrom on the coast of Norway is the most celebrated whirlpool of the world. Over an area of more than 125 square miles the circling flood sweeps. It is known now to be very dangerous to navigation, and according to ancient mariners whatever came within the compass of this monster of nature, whether ship or shark, whether whale or whaler, was drawn into the vortex, hurled to the center, and dashed to destruction by the whirl

despotism, and ruin.

Its doom is like the Dead Sea air, And nothing lives that enters there.

Its doom is like the Dead Sea air,
And nothing lives that enters there.

There may be seen the wrecks of Rome, of Greece. Strong as they were when
they started toward centralized despotism, they were as powerless to resist as
is the straw to resist the tornado which impels it. Had the proud Roman been
asked whether his country's liberties would not be thrown away, he would have
replied indignantly, "No; they are to be perpetual." Yet the pretonal guards,
standing upon the ramparts of the "Eternal City," "with a loud voice proclaimed that the Roman world was to be disposed of to the best bidder by public
auction," and it was done. Didius Julianus became the purchaser, and was
thereby made emperor; and mankind were shocked to see the "mistress of the
world" bought, paid for, and controlled by the money of one selfish, scheming,
ambitious man.

The Appian Way now no longer resounds with the shouts of victorious Roman freemen, and the soft-voiced Italian has sung his sad song in misery and
chains in the "City of the Cæsars."

Had the Greek been asked how long his freedom would last, he would have
replied with the same infatuation which seems to have seized us, "Forever!"
And yet the matrons who raised up sons for the state, and sent them forth commanding them to "return bearing their shields or borne on them," have been
succeeded by the groveling tenants of the harem, and slavish degenerate sons
have succeeded free and noble sires all over the land of Leonidas and Lycurgus.
Let us take warning by their sad fate, and not permit ourselves to be drifted
into this focus of centralized despotism and destruction, either by Congressional
mal-legislation or by judicial construction.

[Here the time expired and the hammer fell.]

Thus it will be seen that step by step Federal power has advanced Thus it will be seen that step by step Federal power has advanced over fields of jurisdiction that in the beginning were the undisputed possession of the States. Where is this encroachment to end? What is the object and the outcome of it? Who will have a hand strong enough to stay its progress? Who with voice eloquent enough to rally the people to resist its evil tendencies? It is bad enough to think of inaugurating new methods of taxation when the people are already taxed to destruction; it is worse to contemplate the fastening of an internal-revenue system upon the country perpetually; but worse by far than those, than these, than all, is the invocation of the taxing power for the purpose of crushing one important industry at the expense of another, for protection's sake in its wildest career never advocated the taxation

for protection's sake in its wildest career never advocated the taxation of one American citizen for the purpose of crushing him out of existence, even when it was run mad it did not go to this extent.

It claimed, then, for the sake of protection to American industries foreign imports should be taxed, but to-day a new doctrine is inaugurated. At this time a new political economy is talked, and we are asked to impose more burdens upon the people who are too heavily

taxed, not because the Government needs money but because somebody else needs the incidental privileges that will flow from the imposition of taxes.

I raised my voice, feeble though it was, against the encroachment of Federal power a year ago. I predicted then that the further degradation of the States and oppression of the citizens would inevitably flow from it. Almost within a fortnight of the time that I made the prophecy, and much earlier than I expected, its fulfillment began. Since that time we have seen the Federal courts of Virginia claiming the right to force the judge of the State court to the selection of certain classes of jurors; we have seen it assert the right to determine what sort of taxes should be paid by the people of Virginia, and we have seen decisions rendered in the Federal branch of our jurisprudence going very far toward the destruction of that reserved authority of the States which has been the boast of the people and the safeguard of the commonwealth which constitutes our Federal Union. We have seen in the city of Cincinnati alone over five hundred deputy United States marshals, appointed by Federal authority, standing around the polls in one day, supervising the citizen in the exercise of his noblest right—the right

Not content with the aggressions of the Federal courts we are called Not content with the aggressions of the Federal courts we are called upon to-day to add immensely to their jurisdiction and authority. We have long since put the tobacco-grower under the surveillance of Federal authority, and he is not permitted to sell his product without the consultation and assent of Federal power. That power has also for a quarter of a century held rigorous sway over distilleries. Federal courts have been filled to overflowing with those who had the misfortune to come within the range of Federal informers. But, not satisfied with all of these, this Congress is to-day rushing pell-mell to a greater increase of Federal power, and proposes to bring the deputy marshal to your grocery store and your pantries.

Sir. I believe firmly that when you have protected the citizen in his

Sir, I believe firmly that when you have protected the citizen in his life, liberty, and pursuit of happiness you have done all that free government was ever intended should be done, and all that can be safely When you have restrained one citizen from injuring another, when you have protected the weak from the oppression of the strong, you may well content yourself with permitting the citizen to choose his vocation and pursue it unhampered by Federal interference. I believe, sir, that it is a sound doctrine of government that the Government of the United States ought not to attempt anything in the way of government which can be well done by the States or individuals; and I believe that the State should do nothing that can be as well done by the individual.

Mr. Jefferson put it very tersely when he said that "the object of government was to prevent citizens from injuring one another." We have the grandest system of government ever devised by man. It is a division of power between the individual and State and the Government of the United States. The latter can do nothing the right to do which is not expressly granted in the Constitution of the United States or inevitably implied from the powers that are so expressly granted. The construction of the Constitution is certainly the best and safest construction, and wherever the power has not been delegated in the way indicated it is reserved to the people and the States.

The platform of the Democratic party adopted at Chicago, under which this House was elected and the present Executive placed in the White House, proclaimed the reduction of taxes, and yet in the very first days of our triumph we are violating that promise and propose instead of reducing taxes to increase them. While I am ready and anxious to assist every American industry in every legitimate way I do not think that this legislation is wise. I do not believe that an increase of Federal power can benefit either the State or the individual. So believing I must necessarily stand by the eath I have taken and my So believing I must necessarily stand by the oath I have taken, and my conviction under that oath opposes the bill.

Treasury Surplus-What Labor owes to a Democratic House of Representatives.

SPEECH

HON. JAMES E. CAMPBELL, OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, August 4, 1886,

On the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 126) directing payment of the surplus in the Treasury on the public debt.

Mr. CAMPBELL, of Ohio, said:

Mr. SPEAKER: Having voted for this resolution upon its passage by the House of Representatives I shall support it now upon its return and alteration after a conference with the Senate, although the two plans—the original and the amended—are in some respects dissimilar,

and neither precisely meets my personal views of the measure. ready to favor any reasonable proposition to apply the surplus in the Treasury toward the liquidation of the public debt, and thereby reduce the interest-bearing obligations of the Government. I would do this largely on behalf of the laboring poor, who, under our systems of tariff and internal revenue, pay the greater share of Federal taxes. I support the pending measure, as I have supported numerous others by which this Democratic House has made a record as the friend of labor

and laborers of which the party and the country well may boast.

In the last Congress a Democratic House, for the first time in our history, went systematically to work to provide for and nurture legislation in the interest of the laboring classes by creating a "Committee on Labor," which should have charge of and formulate for Congressional action all measures looking to the organization of labor and the relief of its growing burdens. One of the first results of this action was the creation of the long-desired and much-needed "Bureau of Labor Statistics," by which the facts bearing upon all productive labor and its needs and wishes, upon all oppressions of or movements against laboring people, upon all proceedings in derogation of their rights and privileges, and upon all matters of intelligence either useful or interesting to the workingmen of the country should be gathered and disseminated at the public expense. This work is now being carried on honestly, thoroughly, and satisfactorily, and is of enormous value to every workingman in America—valuable not only in its present performance, base incalculably so in its future possibilities.

Another of the good results of the formation of the Committee on Labor by the last Congress is the prohibition of the importation of contract labor. We all know how the honest laborers of the country, whether native or naturalized, competed a few years ago with cheap, imported, vicious workmen from the slums of the Old World. I recall to memory now the gross charges of importing cheap and inferior la-Interior has been been been a pensylvanian, I believe, who was one of the moneyed heads of the last Republican national committee. To fairly exhibit the situation as to imported labor which existed before a Democratic Congress came to the rescue of the workingman I quote the following from a lecture delivered in aid of District Assembly No. 1, Knights of Labor, at the Academy of Music, in Philadelphia, on May 22, 1886, by Maxwell Stevenson.

Would that we could stop here and say we have truly shown every wrong of which labor complains, but worse remains behind. Men have been returned year after year to the national councils who have pretended to legislate for the whole country. Tariff laws were enacted for the "benefit of labor," and the same legislation which kept the goods out let the labor in; nay, encouraged and permitted employers to import, at the cost of passage and advances, over four hundred thousand workmen—Chinese, largely coolies; Italians, largely under the padrone system; Bohemians, largely Anarchists; Russians and Poles, largely nihilists; Hungarians, largely barbarians—nearly all men; few women or children. Until 1877 the immigration from these countries was almost nothing, but this fact, from the immigration statistics, is not necessary to prove our claim that the increase of four hundred thousand was largely, if not wholly, due to direct efforts and assistance from employers, benefiting wholly by a tariff existing under the false pretense that the wage-carner is protected. What sentiment but greed, what motive but hate, could have moved men for whom legislation has been thus prostituted for years to drive their workmen with their wives and little ones into the wilderness to starve, while men without one or the other, with no knowledge of our laws or sympathy for our people or our ways, whose sole object and hope was to accumulate money to return to the land they were aided to leave, were imported to take their places?

Now, however, owing to legislation by the last Congress, the situa-

Now, however, owing to legislation by the last Congress, the situa-tion is different, and in addition to what was done then this Democratic House at this session has passed and sent to the Senate an amendment whereby the Secretary of the Treasury may enter into contract with such State commission, board, or officers as may be designated for that purpose by the governor of any State to take charge of the local affairs of immigration in the ports within said State, or may designate any person in any State to execute the provisions of this act, and it is their duty to examine into the condition of passengers arriving at the ports, to go on board of any ship or vessel; and if on examination there shall be found among the passengers any person who is a contract laborer, imported for that purpose, such person shall not be permitted to come ashore; and all such persons shall immediately be sent back to the nations to which they belong and from whence they came, the expense of return of the persons not permitted to land to be borne by the owners of the vessels in which they came, any vessel reference of the vessels in which they came, any vessel reference of the vessels in which they came, any vessel reference of the vessels in which they came, any vessel reference of the vessels in which they came, any vessel reference on the contract of the vessels in which they came, any vessel reference on the contract laborer. ers of the vessels in which they came; any vessel refusing to pay such expenses not to be thereafter permitted to land at or clear from any port of the United States, and such expenses to be a lien on the vessel.

Under these stringent provisions the free, laboring manhood of America can no longer be insulted and overborne by Chinese coolies, Italian lazzaroni, Hungarian anarchists, or Polish nihilists. It is time that every workingman knew (as many of them already do) that this glorious protection is sought for them by a Democratic House of Representa-

Of all the important services rendered to wage-earners, whether organized as Knights of Labor or wholly unorganized, was the passage of the law, originating in this House, known as the "arbitration bill." To those liberty-loving and peaceful citizens who desire to see labor secured in its rights, and capital protected but circumscribed within its legitimate sphere; who do not wish the streets of our cities to be scenes of bloody strife between the people and their own militia, this great measure is hailed with universal joy.

Its provisions to recite them briefly are, that in all arbitrations between railroad companies and their employés, and it is this clashing of interests which has produced the most dangerous strikes, the United States shall empower the arbitrators with all authority to swear witnesses, send for persons and papers, pay all expenses of the arbitration, receive and file the award with the Commissioner of Labor who shall make it public, and hold the sitting of the arbitrators at a place near the scene of trouble. As has well been said by the gentleman from Texas [Mr. CRANE]:

Another feature of this bill is that it directs the preservation of the testimony taken in each case in the office of the Commissioner of Labor, which might operate as a check upon the arbitrators, but which would be principally valuable in the preparation of the annual reports of the Commissioner of Labor and for the consideration of Congress and of the Legislatures of the various States in dealing with the great labor question. This testimony would be infinitely more valuable than any amount of theoretical disquisitions delivered before a traveling committee of Congress, because it would be actual, practical, tangible evidence, germane to real, live issues joined by and between parties in interest, and would not be wild, visionary theories upon the general condition of labor throughout the country.

For the first time in our history this attempt by Congress to create a public sentiment by providing peaceful means of solving labor troubles, has made real and tangible the doctrine that labor is an ingredient of commerce and entitled to regulation by the Federal authority as foreshadowed in Chief-Justice Marshall's decision in Gibbons vs. Ogden, 9 Wheaton, 229, when he says:

Commerce, in its amplest signification, means an exchange of goods, but in the advancement of society, labor, transportation, intelligence, care, and various mediums of exchange become commodities and enter into commerce; the subject, the vehicle, the agent, and their various operations, become the object of commercial regulations.

Another measure for the advancement of labor, and its more complete organization, is the act to legalize the incorporation of national trades unions. This act originated in the Senate but the two Houses can justly claim an equal share in its enactment. By the terms of this act a national trades union means any association of working people having two or more branches in the States or Territories of the United States for the purpose of aiding its members to become more skillful and efficient workers, the promotion of their general intelligence, the elevation of their character, the regulation of their wages and their hours and conditions of labor, the protection of their individual rights in the prosecution of their trade or trades, the raising of funds for the benefit of sick, disabled, or unemployed members, or the families of deceased members, and other purposes. Why should not labor incorporate, organize, combine? Why should not the wealth of the nation as represented in its peaceful, honest, properly-directed labor "capital organizes? In the eloquent language of a gentleman on the other side of States for the purpose of aiding its members to become more skillful ganizes? In the eloquent language of a gentleman on the other side of this Chamber, Mr. ANDERSON, of Kansas:

ganizes? In the eloquent language of a gentleman on the other side of this Chamber, Mr. Anderson, of Kansas:

We have reached an era in the world's movement new in history. Owing to the dissemination of knowledge through the press and by the telegraph, owing to the development of science in all of its forms and directions, there has come to be such a growth of the masses, such a development of individual intelligence, such an increased personality and manhood, that to-day and as a nation we have fully entered that new era when combinations on the one side not only suggest but force combinations upon the other.

For years we have had, and we have seen them in this Hall, the combinations of aggregated capital. We have had the poolings of railways; we have had the combinations of manufacturing, of importing, of banking, and of railway interests; we have had capital in its aggregated form, no matter what might be its specific shape, we have had it in all forms standing shoulder to shoulder in this Hall and abroad all through the land. And what is the result? You now have on the other hand precisely the same development. You have the combination of the employes of these railways so to protect themselves against the greed and avarice of the corporations that they may secure fair pay for faithful work. You have the combination of farmers all over the continent seeking to protect themselves and to retain in their own pockets some of that profit of which railways rob them by raising freights; you have the combinations of mechanics, miners, and laborers. And to-day—not to such an extent perhaps as will be true next year, and certainly not to such an extent as will be true within ten years—but yet to-day the spirit of mutual interest and sympathy is uniting these various combinations of all workmen, and this great raovement is so powerful and taking such direction that it is clear to any man who will look into the future that the question which Congress will have to meet, sooner or later, is the question of protecting the

COMBINATION OF WORKMEN LAWFUL.

It is said that when workmen combine they do an unlawful act. Suppose I believe in the divinity of Christ and in salvation by His grace, which I do, and that other gentlemen entertain the same belief; we combine, we form a church. It is a combination of men holding the same doctrines and desiring to effect the same purposes; is not that combination lawful? Suppose that men entertain the same political opinions, may they not combine in a party? A caucus is a combination. Is that caucus therefore unlawful? Or suppose that workmen choose to combine, is that combination perse unlawful? Suppose they do nothing unlawful, can it be said that their combination is a conspiracy or illegal? Men may combine, men do combine. God created them to combine. This Republic is the result of combination, and itself a combination. And to say that these men, risking their lives upon the engine, upon the car, whirling trains over the country in the dark, working for pittances in order that their wives and their children may have a roof, may have food and clothing—to say that the combination of these men is a conspiracy is simply to repeat the malignant slander of a railway lobby. There is no conspiracy about it. They have a perfect right to cembine.

Four other measures of great consequence to the workingmen of the nation are the following, which are found scheduled in their order in

the short but pithy speech of the chairman of the Committee on Labor, Mr. O'NEILL, of Missouri. They are as follows:

TO PROTECT MECHANICS, LABORERS, AND SERVANTS IN THEIR WAGES (H. R. 5310). By providing that for all personal services rendered by any person acting in the capacity of mechanic, laborer, or servant, in the District of Columbia and Territories of the United States, no property shall be exempt from seizure and sale under execution.

CONVICT LABOR (H. RES. 142).

Authorizing and directing the Commissioner of Labor to make a full investigation as to the kind and amount of work performed in the penal institutions of the several States and Territories of the United States and the District of Columbia, as to the methods under which convicts are or may be employed, and as to all the facts pertaining to convict labor and the influence of the same upon the industries of the country.

CONVICT LABOR (H. R. 1622).

To prohibit any officer, agent, or servant of the Government of the United States to hire or contract out the labor of prisoners incarcerated for violating the laws of the United States.

CONVICT AND ALIEN LABOR (H. R. 5541).

To prevent the employment of convict labor and alien labor upon public buildings and other public works, and convict labor in the preparation or manufacture of materials for public buildings and other

public works, and to regulate the manner of letting contracts therefor.
Thus, in the short time I have to consume, I have portrayed briefly
the outlines of the great work which the Democratic House has done
for the bone and sinew of the land—the hardy sons of toil, in the sweat of whose brows has been wrought the prosperity and glory of our country. I would I could here give an outline also of the other work done in this House, as, for instance, the enormous forfeitures of railroad land grants, whereby nearly a hundred million acres of rich and fertile lands have been, so far as this House is concerned, wrested from the grasp of cormorant railroad monopolies and restored to the people to be made into homes for the children of the poor.

But space forbids, and I forbear the further recital of the priceless boons conferred by this House on the yeomanry of the land.

As contrasting this action with the party lately deposed from power I say nothing in my own words, but append the following appropriate and true quotation from a document recently issued by the workingmen to their own people:

men to their own people:

Capital and labor should be friends, and are friends when wholesome laws control and govern the relations between them. It is only when legislation is enacted to advance capital at the expense of labor that the relations between become strained and unnatural. The legislation, national and State, for twenty-four years has been largely in the hands of the Republican party. The policy of that party has been, and is, to foster capital, invite to extravagant investment, and incite it to the formation of syndicates and large and graspling corporations. The evidences of these facts are so patent that it would be a folly and a burden to strengthen them by illustration. The policy of the Democratic party has been, and is, to conform the relations of capital to the just rights of labor; not by oppressing the former, or enacting laws that endanger its safety, but by an adjustment of the rights of each on the most equitable basis.

The administration of President Cleveland exhibits the keenest sense of justice on this subject, and its action as to the public domain, which it demands shall be held in reserve for the laboring men of the country, evidences its desires and intents, while the forfeitures it has claimed from the great railroad companies, which were subsidized by the Republican party, attests its determination to hold the great railroads to a strict observance of the conditions which accompanied their incorporation. The Democracy will protect the weak against the strong and will jealously guard the rights of the many against the grasping disposition of the few.

Post-Office Appropriation Bill.

SPEECH

HON. SETH L. MILLIKEN,

OF MAINE.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, May 20, 1886.

The House being in Committee of the Whole on the state of the Union, and having under consideration the amendments of the Senate to the bill (H. R. 5887) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1887—

Mr. MILLIKEN said:

Mr. CHAIRMAN: My friend from Alabama in the course of his remarks said that we seemed to be very fond of imitating Germany, her empire, her Iron Duke, and all that sort of thing. Germany is a pretty bright nation, and while I do not desire that we shall imitate either her emperor, her Iron Duke, her form of government, or her oppressive laws, yet when that government has proved the success of a public measure I do not know why we should not profit by her experience.

But let me ask my friend if he and his party do not stand ready in

this House always to imitate the economic system of a foreign government as opposed to the American system of collecting our revenues? Indeed they urge the English revenue system upon us in the morning and in the evening, at all times and upon all occasions, and when it is proposed that we shall establish new lines of steamers in order to carry the products of this country abroad so that we may open new markets for our manufacturers and furnish employment for our workingmen at home, these gentlemen cry out that that is taxing one portion of the people for the benefit of another; and when we attempt to protect di-reptly by revenue laws our workingmen in the receipt of fair wages for their labor, these gentlemen again raise the same cry and parade before us the same bug-bear.

The gentleman from Texas said the other day that the difference be-tween him and me upon this question, the method of raising revenue, was that he was in favor of a tariff for revenue only, with such incidental protection as it might give, but that I was in favor of "a protective tariff—that is, a robber tariff." I desire to say in the first place that a tariff for revenue only, with incidental protection, is an impossibility. It can not exist. A tariff for revenue only is a tariff levied upon such articles as will produce the largest revenue with the least taxation, and of course that revenue must be raised entirely upon articles that are produced abroad, so that such a tariff can not give a single dol-

lar's worth of protection.

As to the robbery of which gentlemen so bitterly complain, where, I pray, does it come in? He who would rob the people is not the protective-tariff man who would so levy duties upon imports as to sustain the industries by which our workingmen live, but it is he who desires "a tariff for revenue only," a tariff that would tax the mouths and backs of the people and give them nothing in return. And why do gentlemen complain of our thrift? Why do they not rather emulate it? Can not they understand that if they will apply the advantages of protection in their own States they may thereby achieve as much good to themselves as we have done? Is it not more manly for them to try to get even with us by building themselves up than by tearing us down? Have they not the enterprise to make such an effort? How can they become richer by destroying our prosperity? They seem to think they can. The manufactures of the North appear to be their especial abhorrence. Take notice with what a ruthless hand the leader of their party in this House would crush the industries of my own State.

Of this I will speak more at length hereafter, but I wish now to refer to the fact that the tariff bill which they have reported would relegate our lumbering interests to Canada, our fisheries to the maritime provinces of a foreign power, would destroy the avocation of our wool-growers, stop our cotton and woolen manufactories; that legislation introduced by the Democratic friends of this measure would annihilate our ship-building industry, while they have defeated legislation intended

to prevent our foreign carrying trade from entirely disappearing.

Indeed, if gentlemen had endeavored to legislate for the sole purpose of punishing the people of Maine, they could hardly have framed bills better calculated to accomplish that result.

When the Roman senators said to their northern conqueror, whose hard terms of capitulation they felt to be too grievous to bear, "If we submit to these things, what, oh king, do you leave us?" the grim, laconic reply was, "your lives." Well may the people of Maine repeat this question to the free-trade Democracy, and well may the latter repeat the reply of the barbarian king. You do, indeed, gentlemen, leave us our lives, but how many of our avocations do you leave us by which we may support our lives? I think our people will owe you small thanks for what will remain to them if you succeed in enacting your proposed legislation. But it is not alone because this legislation strikes a fatal blow at the industries of my own State that I oppose it.

It attacks American labor and American industries. It is the attack that is made upon the dignity of American labor and the welfare of the American laborer, and the fatal blow which it directly and indirectly deals against American industries in all sections of our land, that I desire to repel. The working men and women of this country should receive the protection of the Government in the pursuit of their various

avocations for many reasons.

In the first place, they deserve it. Their hands of toil mold the resources of the country into available wealth. They make the wilderness blossom and the waste places to become fruitful, the rivers to resound with humming spindles, the seas to bear the burdens of the commerce of nations, the mountains and valleys to disgorge their riches, and the continent to be spanned and checkered with roads of steel.

They deserve all the good that can come to them.

But the Republic also needs that they should be prosperous. Their hands hold up our fabric of government. Whatever weakens them weakens the foundation of our institutions. Whatever destroys them weakens the foundation of our institutions. destroys the national life. Alone upon an independent, intelligent, self-asserting class of workingmen upon the farm, in the channels of commerce, at the mechanic's bench, behind the merchant's counter, in the quarry where forms of beauty and grand structures are chiseled from the solid stone, and wherever men toil with hands and brain, can a republic live and flourish.

Cheap labor means degraded, ignorant, wretched, and vicious labor. Whoever would come to this country to cheapen labor should be excluded from it, and every measure of legislation which, like the tariff bill recently reported, would either cheapen American labor or destroy our great industries and drive our people into idleness and poverty,

should be cursed and branded like Cain, and go forth to meet in every

patriotic man an enemy.

Cheap Chinese labor, if unrestricted, would make of California a land of rich property-holders and degraded toilers, an aristocracy continually diminishing in numbers and an ill-paid class of laborers ever growing more numerous and more wretched, with no prosperous middle class to sustain free government.

The same would free trade, toward which the bill referred to is an advancing step, do for the country by placing American working men and women in competition with foreign pauper laborers and reducing

them to the latter's helpless condition.

MUST EXTEND OUR FOREIGN MARKETS.

But, says the free-trader, we must extend our foreign markets by abolishing protective duties and allowing the foreigner to compete freely in our own markets with his pauper-produced goods. Both reason and experience conclusively demonstrate that we can not enter the foreign market by this avenue; and also that it would not be desirable to do so even if it were possible, for it could be done only at a cost with

which the advantage gained would be in no degree commensurate.

"There is no friendship in trade" is a proposition as true as it is old. The foreigner of every country will purchase where he can do so with the greatest advantage to himself, without considering where his

own sales are made.

So long as we can offer our wheat, beef, coarse cottons, implements of agriculture, and other goods in the markets of the world upon terms more favorable to the buyer than he can obtain them elsewhere, just so long and no longer will he be our customer. Though we should allow him free access to our markets with his cheap goods so that he might drive out every similar, article made or raised in America, still he would not buy a pound of our cotton or a bushel of our wheat if he could procure them more cheaply of another.

TRADE IS NO BARTER.

The proposition of the free-trader is that trade is barter. This is his fundamental error. To be sure this proposition in early days was true. It is true to-day of our intercourse with barbarous nations. We exchange rum, beads, and brass jewelry for ivory and oil with some tribes of Africa; but among civilized nations the invention of money has abolished this practice. This medium of exchange has unfettered trade, taken away the necessity of getting from him to whom we sell what we want in return, and enables us to sell where we can sell best and purchase where we can buy cheapest. Barter, which is almost wholly abandoned in our domestic transactions, is made even less use of in our foreign trades, as the statistics of our commerce abundantly prove.

Our purchases from England are but a little more than one-third in

value of what we sell to her. To Scotland our exports are double the value of our imports from that country. We sell to Ireland nine times as much as we buy of her, to Denmark nearly twenty times as much, to Belgium twice as much, to Holland three times as much, to Russia more than five times as much; while from Cuba we buy six times as much as we sell to her, from the British West Indies ten times as much, from China and Brazil five times as much, while of Germany and France, almost alone, can it be said that our exports and imports are nearly of equal value?

The fact is that we sell the great bulk of our surplus products to Europe, where we buy comparatively little, and use the balance in our favor there to pay the balance against us in the West Indies, South

America, and China.

If the proposition of the free-trader that by opening our markets to the foreigner we should make him a larger purchaser from ourselves were not a fallacy, why does not Cuba, whose sixty-five millions of dollars' worth of imports to our country, with the exception of tobacco, are nearly all upon the "free-list," buy more than a dozen millions of us? Why does China, who, without payment of duties, send her goods to the value of \$23,000,000 to us, purchase only the pitiable amount of \$4,500,000 worth here? Why is Brazil, who sends untaxed amount of \$4,500,000 worth here? Why is Brazil, who sends untaxed \$50,000,000 worth to be consumed here, our customer to the extent of only \$9,000,000; and why does Great Britain buy of us \$475,000,000 worth, while we purchase less than half that value of her? In the light of these statistics and many others which might be quoted, what reason have we to believe that by opening our markets to foreign manufacturers we should receive any adequate return? 'We have none.

Trade is not barter; and this fact, established beyond question by the

commercial dealings of civilized nations, is a conclusive answer to the proposition that we should establish free trade in order to enter freely

into foreign markets ourselves

Why, England to-day, with her free trade and cheap labor, her immense capital and great establishments, is sorely pressed to find markets for her goods; and are we so simple as to believe that by waiving the wand of free trade we can force her from the commercial positions she holds abroad, unless we so reduce the wages of our working people as to enable us to sell our commodities as cheaply as she can sell hers? Indeed, it is because she is so overloaded with surplus manufactures that she is now pushing, with ever-unwonted activity and determination, by the aid of the Cobden Club and the pro-British party in this country, her assaults upon our industries.

But I am not yet done with this branch of the subject. I assert that not only are we not debarring ourselves from foreign markets by pro-tecting our own, but that in this way are we gaining them, and we will

continue to gain them.

In 1868 our exports amounted in value to \$68,000,000. aggregate five times that sum. By protecting our industries we have vastly multiplied them and stimulated the inventive genius of our peo-The better wages that protection has given to the mechanic have enabled him to shorten his hours of daily labor, and so afforded him time to study, reflect, and evolve problems which, practically applied, have given him machinery by the use of which he is already in many pursuits outstripping his foreign competitor. Thus came the American watch, the best in the world, which not only supplies our own markets, but is sold in every civilized country on the globe, forcing even the Swiss and the Englishman to become its purchaser. Thus we can send Swiss and the Englishman to become its purchaser. Thus we can send abroad 150,000,000 yards of coarse cotton and 400,000 clocks annually. globe, and so we are increasing our exports every year.

In this connection I desire to read an article from the Scientific American of February 27, 1886: Thus we can sell our agricultural implements in every quarter of the

AMERICAN BRIDGES ABROAD.

The Union Bridge Company, of New York, has been awarded the contract for constructing a bridge across the Hawksberry River, in New South Wales. It is to be a double-track railway bridge, consisting of seven steel trusses, 415 feet long, resting upon stone piers. The river at the proposed site for the bridge is practically an arm of the sea, having a tidal current which averages 4 miles an hour. The work will be unique in one respect, for the piers will have to go to the unprecedented depth of 170 feet below the low-water mark. The foundations will be of beton inclosed in iron caissons. The depth and current will make the work one of great difficulty. The contract is with the Government of New South Wales, and calls for the completion of the work in two years and a half. Including the approaches, the bridge will be about a mile in length, and will cost probably something between one and a half and two million dollars. When the work was contemplated, a commission of three noted English engineers was appointed to prepare specifications and invite bids. Their own estimate of the cost was \$3,000,000. Sixteen bids were submitted. They came from English, Scotch, French, German, Flemish, Australian, and American engineers. Fourteen of these bids were rejected by the commission. The two forwarded to the Government of New South Wales came from American firms, the Union Bridge Company and the Edge Moor Iron Company, of Wilmington, Del. These were the only American companies who entered the competition. Though the bid of the former was \$150,000 the higher, their plan was accepted as being more feasible. It is understood that the stonework has been sublet to Anderson & Barr, of New York. The steel work will all be made at the company's establishment in Buffalo, N. Y. It is very gratifying that American orighe builders, in spite of the higher rates of wages prevalent in this country, are able to compete successfully with the older European firms. It is a large compliment to American engineers that such an important work shou

That is, to say the least, highly complimentary to American mechanical skill. Protect our workingmen, give them fair wages for their labor, so that they need not delve all the day long for subsistence. Let ten hours be the extreme length of their day's toil. I would have it rather less than more. Let them have time to exercise their ingenuity and utilize their practical knowledge, and they will solve the question of obtaining foreign markets for American products without surrender-

ing our incomparable valuable markets at home.

What they need to aid them in doing this is not the free-trade legislation provided in the Morrison tariff bill, but the direct communication with foreign countries, and especially the South American Republics and Brazil, which the Senate amendment to the pending bill is designed to give and which our Democratic friends in this House so stubbornly

oppose.

HOME MARKET.

I have just spoken of our home markets. I say they are incomparably valuable, for certainly when compared with them the foreign markets for American goods are seen to be insignificant. They take but 8 per cent., while our home markets absorb 92 per cent. of our manufactures. We send to them even a smaller per cent. of our agricultural products, and yet, glutted as they are all over the globe, gentlemen would exchange for a delusive hope of extending our sales in them our rich home markets, with the princely rewards which they bestow upon our producers. They would exchange fertile fields for barren waste, clean wheat for almost useless chaff, fine gold for dross.

What a rich feast would we present to the foreigner if our free-trade, pro-British Democracy should succeed in its efforts to break down the

protecting muniments of our industries and allow him to revel in the spoils of our American markets! This splendid home market, so broad as to absorb not only our staple but perishable products upon which the largest profits are realized, secure from the fluctations caused by mutations abroad, saving two transportations across the ocean upon all that is sold and bought, the best-paying to the producer because supported by the best-paid consumers on the globe, has never been properly valued by our people. It sends the egg-peddler, the poultry-buyer, the potato and grain merchant, with cash in hand to every farmer's door. It offers him 30 per cent. more than he could sell for twentyfive years ago. Nowhere in the world can a man find so favorable a market for what he has to sell, whether it be the product of the land or the sea, the labor of his hands or the ingenuity of his brain, as in this good, free land of ours.

And so it will continue to be as long as we maintain such duties as shall adequately protect the labor of our people from a ruinous competition with cheap labor. No wonder this home market ravishes the

eyes of the foreign merchant and manufacturer, that his heart beats with aching avarice as he gazes upon it, that his soul swells with earnest longing to embrace it. Never did famished Highland clan look more eagerly down upon well-stored granaries and fattened herds of Lowlander; never did Goth or Hun, or half-fed German horde gaze upon the yellow harvests and purple vine-clad hillsides of Italy and Gaul more lustfully and hungrily than do the greedy, grasping British manufacturers and merchants to-day urged by their own avarice and the clamor of their ragged, poorly-housed, and ill-fed laborers, look upon the better than golden treasure of our American markets; and never was traitor in Lowland, Roman, or Gallic camp a more grievous and fatal betrayer of his countrymen than the self-deluded doctrinaries, the English-aping dudes, and the foreign-bought gentlemen who seek by shot and shell of sophistry to batter down the walls of protection to our industries, founded in the experience of our forefathers and reared high in the wise counsels of the most eminent sons, and let these foreign enemies in upon us to capture our advantages and ruin our prosperity, as the Vandals captured the wealth and ruined the splendors of Rome.

WE HAVE NO SURPLUS REVENUE.

Gentlemen would abolish duties to the amount of our surplus revenue so as to reduce taxation to that extent. Well, I am as ready to reduce taxation upon the people as any tariff reformer in the land when it can be done really for the people's benefit. But there is more humbug and demagogism mixed with some grains of deluded honesty concealed under the mask of this phrase, "reduce taxation," than most any other in the English language. And the curious fact is that it is scarcely used by the people on whom the burdens of taxation bear hardest, but is a shibboleth in the mouths of our British cousins, who, while they feign to be so anxious that we should not be oppressed by taxation, scruple not to oppress their own people with rags and hunger; by some of our capitalists in the great cities, our doctrinaire professors, and a lot of dudes who never felt the pressure of taxation nor anything else, save that of tight pants and pinching shoes.

But have we any surplus revenue? Have we had any in the last

How can a man be said to have a surplus income when twenty years? by the use of all he can get he can not support himself and pay his debts? How can that country be said to have a surplus of revenue, when, after providing for its necessary expenditures, it has enough left

to pay but a small part of what it owes

What has been done in the past with what gentlemen please to call e surplus income of the Government? I will tell you. It has been the surplus income of the Government? I will tell you. It has been applied to the reduction of our great war debt of \$3,000,000,000 in 1865 to \$1,400,000,000 now; to the reduction of the \$150,000,000 of interest upon that debt, which the people paid in taxes in 1865, to less than fifty millions which they paid for the year when this administration came into power; and I hope it will continue to be so applied until the last

dollar of the public debt shall have been paid.

Such applications of it have raised the credit of the nation, which borrowed money in 1860 at 12 per cent. interest, to a plane higher than that of any other nation on the globe. Do you believe that we could have resumed specie payments and borrowed money at 3 per cent, interest had we raised no revenue to reduce our debt? I am no believer in the doctrine that "a public debt is a public blessing." That doctrine will do for a monarchy where a public debt is desired to help bayonets protect a crown. It may uphold an oppressive dynasty, it may support a crushing despotism, it may cause submission to a grinding aristocracy, but in a republic it should be the subject of abhorrence, and the republic that needs it should not exist.

So long as our own great Republic shall continue to be the Republic that it is to-day, a republic in fact as well as in name, improving with experience in self-government which time shall give to the people, so long as it shall be a Government of the people, by the people, and for the people, it will have the love of the people, and that will be enough for its protection. If it shall ever cease to be this (God grant that it never may), if the time shall come when it shall be such that every citizen shall need to have its bond in his pocket to secure his allegiance to it, then it will no longer merit the people's love and respect, and deserve no

longer to survive.

No, sir, we want none of these extrinsic, unreliable bonds of union. Let this great Republic continue to be a beneficence to the people, then their patriotism shall be its sufficient bond of union and its solid foundation-stone; then it shall be firm as the immovable mountain, as enduring as the storm-beaten, wave-washed rock, which neither winds nor waters can disturb.

I repeat, let the last dollar of the public debt be paid as soon as it can prudently and reasonably be done, and thus shall we set a most salutary example before the great nations of the other hemisphere, and do an act almost as useful and glorious as that of the men who founded our Government, and those, who, but a few years ago, by their brave deeds and great sacrifices, saved its life and baptized it anew in the

love and pride of the nation.

But what right have we to expect a surplus in the future? Indeed, have we not according to the estimate of the Treasury Department a probable deficit not far in the distance confronting us, instead of the good oldfashioned Republican surplus, by which the public debt was reduced \$1,500,000,000 and the annual interest upon it was reduced \$100,000,000 in twenty years? The present reform Congress has already provided for the appropriation of so much money that leaders upon the other the House dare not allow the just obligations of the nation to be met lest our expenditures shall be so large that the purpose of the free-trade Democracy can not be accomplished. And so the reasonable pension legislation asked for by the counsel of the Grand Army of the Republic is refused because it might leave no room for the reduction of protective duties. The repeal of the limitation of the pension-arrears act is denied to those modest and brave soldiers who hesitated to ask the Government for the reward which they richly deserved because that repeal would perhaps so swell our expenditures as to give no opportunity for a successful attack upon American interests. Private-bill day is dispensed with or filibustered away, because if the claims of the nation's private creditors be considered and those that are just shall be paid, the hope of the "pro-British" Democracy to surrender our great home market to the foreigner, stop our manufactures, or reduce our workingmen to the poor condition of foreign laborers will have vanished.

The proposition of these gentlemen is twofold. It seeks to curtail our revenues so as to bankrupt our national Treasury, and at the same time to let in upon us unrestricted foreign competition which must ruin

our industries and impoverish our people.

Surely what more that is harmful to us could the bitterest enemies of our country do? But if the national debt were paid, if we had a real surplus, and the phrase "reduce taxation" expressed an honest purpose instead of being uttered to cover an ulterior and unpatriotic one, could we reach the end desired through the doors of free trade? When have we ever made progress toward that end by reduction of duties? We put tea and coffee on the free-list. We thereby cut off many millions of revenue which had poured annually into the public Treasury, and which, if it had been continued, might have been applied to the reduc-tion of our debt and interest and so lightened the burdens of taxation. But did any American citizen thereafter purchase his tea and coffee more cheaply than before? We put hides on the free-list, but who on that account has bought at a less price his boots and shoes? And do gentlemen believe that if they shall succeed in placing lumber on the free-list, thus handing over the lumber industries of Maine, Michigan, Wisconsin, and Minnesota to the Canadians, the latter having obtained a monopoly of the business will sell us their boards, timber, shingles, and clapboards upon more reasonable terms than we can obtain them from our own mills now? This would be a denial of all our past experience on the subject. Competition among our own people has been our protection against high prices. This has reduced the cost of manufactures more than 30 per cent. in the last twenty-five years.

In almost every instance where new industries have been started in this country under the encouragement of protective duties they have given to the people, within no long time after they have begun to operate, their product at a cost materially less than that at which we had before purchased similar goods from abroad; and I make the prediction that with the continuance of our present revenue system the mills of New England, leaving the manufacture of the coarser fabrics to the West and South, will, in a few years, furnish to our people, at considerably reduced prices, many grades of fine goods which are now imported from Great Britain.

WHO ASKS FOR THIS BILL?

Now, who desires the passage of the Morrison tariff bill? Where are the petitions that have come up to Congress asking for it? Who has seen them or heard of them? From what source have they been sent here? Who originated them, if they exist? Have the farmers sent them here? Does he who from his own well-tilled and fertile acres produces all the prime necessaries of life, he who gives to the world its food and to the cities their manhood, whose practical wisdom is as proverbial as his patriotism, does he petition for this legislation? Certainly no pains have been spared by the free-trader to misinform him upon the

subject of protection duties and array him against them.

The Cobden Club and their Democratic pro-British allies in this country have flooded him, as they have all of us, with pamphlets and documents arguing his unfavorable condition under a protective tariff, urging him to arouse to a sense of the injustice of our American reve-

nue system to most every one in the world and to him in particular.

But he does not make any demonstration here in the direction that our pro-British Democracy desires. He does not take their endlessly proffered doses of misinformation worth a cent. He neither frightens nor arouses against protection worth a mill. He has been accustomed to deal with facts rather than theories. He never makes a good audience for a mere doctrinaire's guesses, and he also knows that the doctrinaire always guesses, and never practically and by experience has any information at all.

Seeing, as he does, that almost everything he raises upon his land is directly protected, so that his hay, potatoes, cattle, and sheep sell for 20 per cent. more than those of his Canadian neighbor, when he looks over the price-current and discovers that protection has encouraged manufactories near his own home, which, competing with each other, have so reduced prices that they furnish him with all the goods he wishes

hands of our workmen, 30 per cent. cheaper than he could buy them twenty years ago from the foreigner, then sending his purchase-money out of the country instead of retaining it at home as he now does; when he realizes that these manufactories have created for him a home market which takes almost his entire produce at a price 30 per cent. higher than he received under the low tariff of little more than a quarter of a century ago, he hesitates not to say of the free-trade Democracy as the old frontiersman said of a body of Sioux Indians whom he saw in the distance approaching on horseback, "Perhaps I do not know exactly who and what you are and what may be your purposes, but I feel mighty sure that you are no friends of mine." He has the intelligence to know that to crush out great manufacturing industry by free trade or a low tariff would not only destroy his best market, but turn out of employment thousands of men, who, being driven from their former avocations, would become his competitors upon the land.

No; the farmer is not here petitioning for a reduction of protective duties. Well, is it the laboring man who asks for this legislation? It is not he, indeed. Go into any protectionist club in the country and a large majority of those whom you will meet there will be found to be men who live by the work of their hands. It is not there that the retired capitalists, the rich dudes, the theorizing professors, and the hired emissaries of the Cobden Club are pleased to congregate. It is in the free-trade leagues, where the American workingman is not seen, that

these gentlemen are to be found.

The laboring man knows that the protective tariff alone saves him from receiving no more than the wages of his foreign fellow-workman. As he would not be forced to toil for the starvation wages given to labor abroad, as he would not exchange his clean, decent home for the wretched hovels of workingmen there, his sufficient and wholesome food for the miserable pittance allowed to them, his comforts and the dignity of his position for their misery and degradation, so he will not be argued or cajoled into raising his hand to strike down the industries by which he so well and respectably lives. He knows, even if our free-trade politicians do not, that whenever he is forced to accept the pitiable wages of the foreign laborer he must accept at the same time the wretched conditions of their existence.

The gentleman from Texas [Mr. Reagan] who calls protection robbery of the laboring men, and the gentleman from Arkansas [Mr. Dunn] who has treated us to a long, dreary waste of words upon the same subject, do not know what educated, intelligent, and industrious laboring men and women are. They have never lived among them. a race of laborers whom they and their ancestors have robbed of all their wages for five generations, to whom they have given neither homes nor schools but bought and sold like cattle. These are cheap laborers; cheap because recently oppressed and ignorant. Such would gentlemen make the workingmen of the North. That we mean shall not be done. The gentleman from Arkansas fears that unless we reduce the tariff and thereby reduce wages we can not compete with the wheat-growers of India. The rate of wages in India for farm laborers wheat-growers of India. The rate of wages in India for farm laborers is 30 cents per week. Does the gentleman think it desirable to reduce wages in this country to that figure in order to save the limited advantages we have in the foreign wheat market?

When I asked him this question upon the floor of the House during his speech in favor of free ships, he said, "We must confront that position." This furnishes a key to the position held by our opponents. Their plan is to reduce the price of production by diminishing the wages of labor, and hence they march forth under the banner of "tariff for revenue only" to secure, if possible, a victory for free trade.

I do not blame the gentleman for not entertaining the same respect for behavior and the composition of the same for the desired the same respect.

for labor and the same solicitude for the comfort and prosperity, the dig-nity and independence of the American workingmen that we do. They have bought and sold and despised labor so long that it is not strange that they should desire to cheapen it now.

Is it the merchant who petitions for this legislation? No; he is not so unwise as not to appreciate that the thrift of his occupation depends upon the ability of his customers to buy and make payment, and that a reduction of the tariff, which would reduce the people's earnings, would

leave him but a lean market.

Neither the farmer, the laborer, the merchant, nor the manufacturer desires the passage of the bill which the committee have reported to the House. No one of them has petitioned for it; for each has the in-telligence to see in it only ruin for himself and disaster for the whole people. Who then is it that favors legislation to abolish our protective duties? Above all others it is the British manufacturer. With the shrewdness and greed of his nation, he is pushing to recover his grasp upon the American market, which our protective tariff has, in so large upon the American market, which our protective taril has, in so large measure, wrenched away from him and given to our own producers. His purchased allies in this country are aiding him to the best of their abilities in this endeavor. He has the help, too, of a lot of theorists, who know nothing practical, nothing of the cares and conflicts of business or the wants of the toiler. And not the least of all, he has upon his side the prejudices of a large portion of the South and its hostility to Northern prosperity.

This combination, using the Democratic party as its organ and instru-

have so reduced prices that they furnish him with all the goods he wishes to buy, made of our own raw material, in our own country, and by the pose may be accomplished, attack in detail almost every branch of

American industry. The gentleman from Arkansas and his friends want free ships. He knows, and so do they, that if his object could be gained it would utterly destroy our ship-building industry and close every American ship-yard now in existence. It would deprive the nation of the plant, equipment, and skill necessary in case of foreign war to build a navy, make us entirely dependent upon others, and perhaps place us at the mercy of our enemies. They want free fish. They would hand this New England industry over to the Canadians. It does not matter to them that the fishing fleets furnish the most reliable nursery to produce seamen to man our vessels of war.

Our free-trade Democrats say that their vocation must go, that their

employment must be taken from them, and that this element of national safety and wealth shall be transferred to a foreign power. They say to Maine that her great lumber manufactories must cease to operate, that the vast amount of capital invested in them must be destroyed, and that the thousands of workmen employed in them must leave our State to escape idleness and consequent poverty. They place wool upon the free-list and leave our wool-growers no alternative but to slaughter

With the loss of these industries, together with our cotton and woolen factories, our ship-yards and fisheries, what would this combination, this pro-British Democracy, leave for our people to do? What avenues to wealth or competency or comfortable conditions of existence would be left to us? Nothing less than the reduction of wages to the low price of foreign labor could save our industries from extinction, a reduction which would bring our working people to rags and wretchedness; and in this respect Maine presents an example of what this party has in store for all the most enterprising, industrious, and prosperous States of the country. I repeat, they attack the whole line of American avocations in which the foreigner competes with us. Our manucan avocations in which the foreigner competes with us. Our manufactures seem to loom up before their vision as gigantic enemies. The gentleman from Texas [Mr. REAGAN] says they are in a particular locality, that is, in the North; but why this demonstration of hostility against our section of the country? Do gentlemen feel that we destroyed their property in slaves, and that they would therefore retaliate by crushing our manufactures? Let them feel so no longer. It was the first shot upon Sumter, fired at the national heart, that missed its mark and killed slavery. The attack upon the national life assured the death of that iniquitous institution. The South broke the shackles of the slave in attempting to tighten them.

But our manufactures are to be no longer confined to one locality. Already extending over the West and Pacific States, they are making a rapid progress into the South, and gentlemen will have to look well to their solid free-trade column in that section of our country or they will find it shattered and themselves attacked in the rear, while their faces are turned to the North and they are directing their weapons against the land of busy hands and active, inventive brains.

If gentlemen would act wisely and patriotically they would seek rather to attain to the prosperity of those States which have availed themselves of the advantages of protection, by imitating their example, than persist in their endeavor to reduce them to what they declare to

be their own deplorable condition.

You are not suffering, gentlemen, by our prosperity. A part of it is your own, for we are now one nation, and we will continue to be so, and our great manufactories, which you would use the hand of foreign cheap labor to ruin, are furnishing you with their products 30 per cent. cheaper than you once purchased abroad. Could you succeed in your purpose of destroying them, thus giving to Great Britain a monopoly of our market, do you doubt she would then charge you her old price?

FREE TRADE DURING THE CONFEDERATION

Gentlemen lay down their free-trade proposition and discuss the constitutionality of the protective tariff as if we had never suffered the misfortunes of the one nor had a history bearing upon the other. fathers experienced the full fruition of free trade during the period of the confederation. And what was it? It certainly was not such as they enjoyed, nor such as we can look back upon, with any degree of satisfaction. The war of the Revolution had acted as a protective tariff to the colonies. It had excluded the free introduction of foreign goods to their markets, and many new industries sprang up to give employment to mechanics and laborers and markets to the farmers, but at the close of the war the colonies found themselves practically without protective duties. The inflow of foreign goods was so great as to glut the markets and crush the growing industries of the Americans. Mills were shut down, factories were closed, fires went out in the forges, and mining operations ceased. Cheap goods from Europe took the money from the colonies. All industries were embraced in the general disaster. The mechanic got no employment, the laborer found no market for his toil, and the farmer could not sell his produce because the money to pay for it had gone across the Atlantic to purchase cheap foreign goods. Cattle were used for exchange, farms were sold for a song, stock upon every hand went off under the auctioneer's hammer, commerce was prostrate, and ruin was everywhere. Language has been exhausted in describing the wreck, the misery, the almost utter despair of the period from 1783 to 1789, the only almost absolute free-trade period in our history.

"The pinching shrinkage of home industries and consequent scarcity of opportunities for labor, the exhaustive drain of specie to Europe, the sore distress for lack of money, the unendurable conditions in the relation of debtor and creditor, the resentful discontent, the weakened respect for law and its tribunals, the decay of allegiance to the Government, the loss of personal confidence between man and man, the weakening of the ties of society, the disturbance, the antagonism to the constituted authorities, the insurrectionary commotions and appeals to arms in search of unnatural redress which brought the new Government and American freedom to the verge of destruction," make a not overdrawn picture of what in the present depression we hear some mutterings of and what must inevitably occur upon a wider field and with vastly more direful consequences if Great Britain, with the aid of her Democratic allies here, shall unfasten the gates that hold back the flood of her pauper-produced products that threaten to inundate our country

and sweep from existence our manifold and almost countless industries.

But this free-trade disaster did one good thing. It produced the Constitution and the Union! From South Carolina to Massachusetts, from the Atlantic to the Western frontier, the people clamored for a government that should have power to regulate commerce and protect their avocations. The necessity of complying with this demand, as well as the justice of it, was readily recognized by the prominent men of that time. George Washington, James Madison, and their distinguished contemporaries earnestly exerted their great powers to bring together the colonies under a government with power to "regulate commerce," a phrase which, in the vocabulary of the time, was universally understood to include the right to levy protective duties. Indeed, this was the main purpose and controlling impulse that brought the colonies together as States under the Constitution, and the first law enacted by the new Government was one which provided for a protective tariff.

They enacted this law in compliance with the prayers of a multitude of petitions, in compliance, indeed, with the universal understanding that to protect American industries was one of the most important purposes for which the new and stronger government was to be established. In all the debates in the First Congress under the Constitution, wherein were so many members who were members of the convention that framed and adopted that great charter, while the right to regulate com-merce was openly and uniformly construed to include the power to protect American industries by levying duties upon imports, while protective laws were enacted, and laws also to secure to us our coasting trade, no doubt of the constitutionality of these laws was ever expressed.

Indeed, this question was left to be raised by men of a subsequent generation, men who had nothing to do with framing the Constitution, men who in all probability would never have framed it, men who attempted to nullify it, and who inculcated into their sons doctrines that led them to attempt to destroy it. It was when the cotton-gin had been invented and slave labor was believed to have become profitable, when the South desired to import cheap goods to clothe her slaves, to discourage Northern manufacturers and make the North a purely agricultural country, so that she might obtain for her slaves cheap food, that the astute politicians of the South, including John C. Calhoun, who had been a radical protectionist, discovered that the Constitution forbade that we should levy duties upon imports except for revenue only

It is a peculiar fact, in connection with this branch of the subject, that a tariff for revenue was not of American origin, that it came to us from Great Britain, and that our forefathers repudiated and resisted its application to the Colonies, while they never denied the right of the mother country to regulate commerce, and this right, including the power to levy protective duties upon imports, they ingrafted into the Constitution.

With the establishment of the new Government and the institution of protective duties prosperity sprang up on every hand, and the faces of the people, like the face of the country, wore a brighter and happier aspect. And so it has been during every period of protective duties in our country's history, while our periods of nearest approach to free trade have been times of disaster and distress. The history of protection is, indeed, its best champion, while the record of free trade remains to condemn it.

In 1883 we made more than \$7,000,000,000 worth of goods, and paid to the men and women who were employed in their manufacture \$1,500,000,000. This \$7,000,000,000 was the product of our raw material and our labor. Our free-trade Democracy, could they have had their way, would have sent this money to Europe and left our resources undeveloped and our labor unemployed.

In 1884 we imported \$668,000,000 worth of foreign goods, more than half of which was sold in our market in competition with goods of American manufacture. The money to pay for these goods was sent abroad. Every dollar of it should have remained here. It should have been paid to develop our own resources and to the willing hands seeking employment, and so have added to our country's wealth. The exportation of money is a direct tax upon our capital and labor. should send abroad for nothing that we can with reasonable facility produce at home. There is but one reason for occupying a great country—that is, to develop its resources into actual wealth. The resources of our own land are almost infinite in variety and extent. Why should we ignore them and let them lie dormant while we have an abundance of skillful labor that anxiously waits to be employed in their develop-

Such a policy is cruelty to our people, and detrimental to the nation; it is as blind as the eyeless fish which are found in the sunless caverns of the earth. We must stand firm for our American revenue policy. The pro-British Democracy were never more aggressive and persistent in their attacks upon it than they are to-day. Let us be as brave and faithful in resisting them as were our forefathers in establishing the Constitution and the Union to crush the monster of free-trade, whose blighting influence many American prosperity they had so sadly and blighting influence upon American prosperity they had so sadly and

Our labor must not be pauperized, our manifold industries must not be sacrificed, our rich home market must not be surrendered to the foreigner. The hands of the toiler must be employed, and he must receive a just remuneration for his labor. The brain of the inventor must be stimulated by proper rewards. I have never seen wages too high. There is health to the country in the thrift of those who produce something of value. America must be for Americans, native and adopted; for those who till her soil, sail her ships, subdue her forests, develop her mines, raise her flocks and herds, build up and sustain her institutions, and turn her vast resources into means of comfort and

happiness for her people.

We have before us the old question that came up so sharply during the Confederation. It is whether the American Congress shall protect Americans or make revenue laws in the interest of a foreign nation. Americans or make revenue laws in the interest of a foreign nation. I would reply, let us take good care of those who inhabit our own land. I know it is related that when Alexander the Great made known his purpose to build the city of Alexandria in Africa, and his people complained that he was about to establish a city which would compete with and injure his own country, he replied, "Mankind are my countrymen." It was a magnanimous reply, broader than patriotism. But we have no one so great as Alexander, and mankind are many more and have vastly greater interests to be cared for now than three hundred and twenty-five years before Christ. It would be worse then folly for us to attend the years before Christ. It would be worse than folly for us to attempt the task that Alexander so signally failed to accomplish. We can not take into our care all mankind. America must be for herself and her own, dealing fairly with all nations but surrendering her advantages to no one. Thus shall she grow strong and prosperous; thus shall she continue to be an asylum for the oppressed and a land of the free; thus shall her beneficence command the love of her people, and her justice and greatness challenge the admiration of the world.

Increase of the Naval Establishment.

SPEECH

HON. PERRY BELMONT,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, July 24, 1886,

On the bill (H. R. 6664) to increase the naval establishment,

Mr. BELMONT said:

Mr. CHAIRMAN: Although I shall vote for the substitute, I desire to say that I would gladly have supported the original bill of the Naval Committee had that committee presented it for the consideration of the House. I am earnestly in favor of any measure that will restore to the United States Navy its former efficiency, and therefore I shall vote for any proposition which looks toward its reconstruction upon principles sanctioned by modern experience and adapted to our national requirements.

So much has been said about the necessity of a navy as a precaution against war that I will claim the indulgence of the House for a few moments while I briefly recall some of the purposes to which our Navy

has been and is applied in times of peace.

In the ports of Africa, South and Central America, the East and West Indies, and the islands of the Pacific it is absolutely essential for the protection of American commercial interests that our consular and diplomatic representatives should be able, if need be, to give weight to their just demands by the presence in those waters of United States ships of war. The Navy in its present condition is frequently unable to meet the requisitions made upon it by the State Department for vessels to assist consular officers at remote ports or to investigate occurrences upon which the Government might find it necessary to act. But among recent services of this kind which it has been able to render may be named the visit of the United States warsteamer Lancaster to Tangiers, last year, to demand the release of two agents of Mr. William Howland,

of New York, improperly held under duress; the visit of the United States war steamer Wachusett to Guayaquil, Ecuador, last year, to investigate the imprisonment of Julio Santos, a naturalized citizen of the United States, since released on the peremptory demand of the State Department; and the protection afforded American missionaries in China in January last by the United States war steamer Marion, at the request of the United States consul at Ching-Kiang through the Secretary of State.

The presence of United States men-of-war has frequently prevented

threatened disturbances, which, unrepressed, might have led to serious results; and the moral influence of the neighborhood of a United States cruiser has been potent in securing justice for American citizens from those who recognize no other argument but a display of force.

The navies of the maritime powers are the police of the high seas, and every civilized nation with an ocean seaboard is in honor bound to furnish its quota for the general good. They act in concert to put down piracy, to maintain inviolate the free navigation of the ocean as the common highway of nations, and to prevent traffic condemned by general consent of civilized powers as against public morals. Some of the past achievements of the American Navy in this regard, in the suppression of the slave trade on the coast of Africa and of the piratical tribute

levied by the Barbary powers in the Mediterranean, are among the most noticeable features in our early history.

Vessels of the United States Navy have often served as a refuge for American citizens in countries where war was imminent or actually in progress, and in cases of shipwreck, earthquakes, and other calamities. progress, and in cases of shipwreck, earthquakes, and other calamities. Hundreds of lives were saved by the presence of the American squadron at Alexandria, Egypt, in June and July, 1882. The United States man-of-war Shenandoah rendered valuable service in protecting American interests jeopardized at Mollendo, Peru, in 1885. The United States man-of-war Wachusett protected the American cable in Central America during the same year. Vessels of the United States Navy rendered humane assistance to the sufferers by the terrible earthquakes at Arica and Chios. The United States war steamer Swatara, in March, 1885 was specially dispatched to Guatemala to rescue seventy-eight 1885, was specially dispatched to Guatemala to rescue seventy-eight destitute Americans, and the Lancaster has recently been sent to Madagascar and the Comorro Islands to rescue the crew of the American barque Surprise. The list of humanitarian services performed by our Navy for citizens of the United States abroad might be almost indefinitely extended.

The United States, by treaty obligation, is bound to maintain the free transit of the Isthmus of Panama, and has been repeatedly compelled to employ a naval force for this purpose. Whatever may be the outcome of the different plans of crossing the Isthmus, it is obvious that the United States, if it desires to carry out the obligations it has sol-emnly assumed, must maintain a sufficiently strong naval force to sustain the protectorate over the Isthmus it has so frequently asserted in

Congress and elsewhere.

Our Navy has been conspicuously identified with geographic and hydrographic researches, and the results accomplished by its means have been of great advantage to civilization. As to ante-bellum services, I need only instance the Wilkes exploring expedition of 1839, the John Rodgers exploring expedition of 1853, the Perry expedition to Japan of the same year, and Lieutenant Maury's discoveries as to the currents of the ocean.

In more recent times, we have had effected by the instrumentality of officers of the Navy a complete survey of all the transit routes of the American Isthmus. The path of commerce has been made easier by the charting of shoals and other dangers to navigation in distant channels and harbors. Deep-sea soundings have advanced scientific knowledge and greatly simplified the work of ocean cable laying; and the chronometers and other navigating instruments of mariners all over the country have been corrected by the observations of our naval officers. The gallant part taken by the Navy in the relief of polar explorers is recent history, as is also the valuable aid rendered in many astronomical expeditions.

Our existing Navy, of twenty three commissioned vessels, is divided into five squadrons, employed as follows:

The North Atlantic squadron, consisting of the Tennessee, the Galena, the Swatara, and the Yantic, is at Portland, Me., awaiting orders. This is an obviously proper disposition, in view of the pending fisheries question.

Of the European squadron, the Kearsage and the Pensacola are at Constantinople, and the Quinnebaug has been lying off Lisbon at the request of our minister to Portugal and at the suggestion of the State

The Omaha, the Ossipee, and the Alert, of the Asiatic squadron, under orders from the Navy Department, are at Yokohama, Japan, for court-martial purposes; the Marion is at Foo Chow, and the Monocacy at Canton, China, for the protection of American interests, at the request of United States consuls; the Palos has been detailed to convey our minister to the Corea; and the Trenton is on her way home under orders, touching at several ports to display the flag and to inquire after American interests

The seven vessels composing the Pacific squadron are stationed as

follows: The Hartford and Adams are at Payta, Peru, where it will readily be believed from recent events there is reason for their presence; the Shenandoah is en route for San Francisco, stopping at ports in Central America; the Mohican is at Samoa, at the request of the State Department; the Iroquois and the Monongahela are at Callao and Co-quimbo, Peru, respectively, looking after American interests; and the Pinta is at Alaska, where it has rendered valuable service to the Ter-ritorial government of that remote possession.

Of the two vessels composing the South Atlantic squadron the Lancaster is on her return from the east coast of Africa, where she went to investigate certain matters at the request of the State Department, and

the Tallapoosa is off the coast of Brazil.

I am quite certain many will agree with me, Mr. Chairman, that the powers and influence of our Navy ought to be greatly extended be-yond the limits thus disclosed. The United States Government is so strong in itself and so strong in the policy, from which I trust it will never deviate, of abstaining from interference with other powers, that never deviate, of abstaining from interference with other powers, that it is not necessary for it to attempt to keep pace with cumbrous and costly experiments of other nations by the construction of floating fortnesses in the disguise of ships. But it is absolutely necessary, not only for the maintenance of our international obligations, but for the protection and development of our commerce, that a serviceable navy of swift-sailing, well-armed cruisers should be established to replace the sels that are now doing duty in foreign waters as the representatives of the naval power of the United States, and the experimental ironplated batteries constructed during the war, which to a large extent are now unseaworthy.

We are not courting war, Mr. Chairman; we are not expecting it. All that is asked is that the American Navy may be so re-established that it will represent more adequately the power and resources of the

nation.

Private Claims in Congress.

SPEECH OF

HON. WILLIAM M. SPRINGER

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, August 4, 1886.

The House having under consideration the report of the conference committee on the disagreeing votes of the two Houses on the bill for the relief of the Phonix National Bank, of New York—

Mr. SPRINGER said:

Mr. SPEAKER: I desire to state briefly the substance of this report and then I am sure the gentleman from Missouri [Mr. GLOVER] will

In 1861 there was deposited by the Georgetown Bank, of South Caroina, in the Phœnix Bank of New York, \$12,000. The Congress of the United States passed a law confiscating all such deposits in Northern banks that were owned by citizens in the Southern States. A check was presented shortly after that act was passed to the Phœnix Bank for this money, and the bank refused to pay on the ground that proceedings in rem had been instituted by the United States against these deposits

and the money had been paid over to the United States marshal.

Soon after the close of the war the party holding the check of the Georgetown Bank brought suit against the Phœnix Bank to recover The case was taken through all the courts of the State of New York and finally to the Supreme Court of the United States, which court held that the plea of the Phœnix Bank that this money had been confiscated by a proceeding in rem was not good, and entered a judgment against the bank compelling the bank to pay the sum of money to the private depositor. He recovered a judgment against the bank for the amount originally deposited and the interest allowed in the State of New York from the time the check was presented until the judgment was paid. The interest was paid under the judgment of the State of New York from the time the check was presented until the judgment was paid, amounting in the aggregate, the whole amount of the judgment and the costs, to the sum which is recommended to be passed.

Before the vote is taken on agreeing to this report I want to state in reference to private bills that we have been able, owing to the great pressure of public business here, to consider only a small number of the vast mass of such cases that have been brought before us during this session of Congress. There have been introduced into this House during this session 10,014 bills and 214 joint resolutions, in all 10,228. Of these 7,650 were private and 2,578 were public bills.

I call attention to the following statement showing the introduction

of bills and other business of the first session of this Congress as compared with both sessions of the Forty-eighth Congress:

	Forty-ninth Congress, first session: House bills introduced House joint resolutions introduced	10,017 216
I	Total.	10, 233
	House reports	3,475
	Senate bills introduced	2, 891 83
	Total.	2,974
	Number of public bills which became laws. Public joint resolutions which became laws. Number of private bills which became laws. Private joint resolutions which became laws.	183 35 752 3
	Total.	973

The House has passed 95 public bills and 7 public joint resolutions; also 146 private bills and 3 private resolutions, which have not been acted upon by the Senate.

The Senate has passed 192 public bills and 7 public joint resolutions; also 325 private bills and 4 private resolutions which have not been

acted upon by the House.

This statement does not include 75 House bills and 38 Senate bills which have been vetoed, and 4 Senate bills and 4 House bills and 1 House joint resolution (surplus) which have been pocketed; also 1 House joint resolution (distribution of the Official Register) which was not received by the President until five minutes after 4 o'clock on the day of adjournment.

	Forty-eighth Congress, first session : Bills introduced	7,509 287
	Total.	7, 796
	Forty-eighth Congress, second session: Bills introduced	781 60
	Total.	841
	Total number of bills and joint resolutions introduced in Forty-eighth Congress.	8, 637
	Reports made to Forty-eighth Congress: First session. Second session.	2, 165 532
107070	Total.	2,697

During the first session of the last Congress there were introduced in both Houses 7,509 bills and 287 joint resolutions, making a total of 7,796; being an increase of 5,411 bills at this session over the whole number introduced during the first session of the last Congress. The cost of the printing of these bills, private and public, at this session has amounted to over \$80,000.

Mr. Henry H. Smith, the Journal Clerk of the House of Representa-tives, in an article published in the Chicago Current of December 5, 1885, thus referred to the subject of private legislation in Congress:

1885, thus referred to the subject of private legislation in Congress:

The present membership of the House is three hundred and thirty-three—including eight Delegates—an increase of two hundred and sixty members since the First Congress. The steady increase of business in the House has keep pace with the increase of representation, and will undoubtedly continue. "From the organization of the Government," said Speaker Carlisle in his valedictory address on the 4th of March last, "to the Twenty-fifth Congress, a period of fifty years, there were introduced into the House 8,777 bills and joint resolutions, while during the Forty-eighth Congress there were 8,637, almost as many as during that half century."

Referring to the fact that the House was compelled to leave unfinished so large a percentage of its business, he said:

"It is evident that unless some constitutional or legislative provision can be adopted which will relieve Congress from the consideration of all, or at least a large part, of the local and private measures which now occupy the time of the committees and fill the calendars of the two Houses, the percentage of business left undisposed of at each adjournment must continue to increase from year to year. It is not reasonable to suppose that an alteration of the Constitution can be effected, but it is worthy of serious consideration whether a general law might not be enacted which would authorize the several Executive Departments and the courts of justice to hear and determine these matters under such rules and regulations as would amply protect the interests of the Government and at the same time secure to the citizen a more expeditious and appropriate remedy than is now afforded. If this shall be done to me and opportunity will be afforded here for the deliberate consideration of those great public questions which the Constitution has committed to the legislative department, and something might be done to promote the welfare of the whole people without neglecting the special interests of any."

O

came laws have steadily fallen off, with the exception of the last two Congresses, when a very unusual number of private pension bills were passed:

Congress.	Bills.	Acts.	Per cent.
Thirty-eighth Thirty-ninth Fortieth Forty-first Forty-second Forty-third Forty-fourth Forty-fifth Forty-sixth Forty-sixth Forty-eighth Forty-eighth	1,608 2,358 3,723 5,314 5,943 6,435 6,230 8,736 10,067 10,704 11,441	515 619 769 772 1,015 856 712 742 450 772 966	31 26 21 14 17 13 11 8 4 4 7 8

Of the 966 bills which became laws in the last Congress 682—nearly two-thirds—were of a private character, of which 588 were pension bills. Urgent recommendations have been made by Presidents Grant, Hayes, and Arthur in their annual messages to Congress for legislation that would relieve both Congress and the Departments from the burden of a large class of private claims, but, beyond the passage of the "Bowman bill"—which affords but slight relief—nothing has been done.

I call the attention of the House to these facts for this reason, that our present system of dealing with private bills is a denial of justice to the claimants and ought to be abandoned at once. I hope the time is not far distant when Congress will see fit to establish some tribunal by which all who have claims against the United States can go into a court of justice and have those claims adjudicated in accordance with the rules provided in the courts.

In 1874 the subject began to attract the serious attention of Congress and the country. At that time Mr. John W. Forney, who had large experience in Congressional legislation, was the editor of the Washington Chronicle, a newspaper published in this city. I ask attention to an editorial which appeared in that paper at that time, as follows:

on Chronicle, a newspaper published in this city. I ask attention to an editorial which appeared in that paper at that time, as follows:

We call attention to an article printed in the Chronicle this morning from the pen of an able and experienced member of Congress on the subject of the proper disposition of private claims pending before the two Houses, which is well worth careful perusal on the part of his fellow-members.

It was not our purpose in the article to which our honorable friend refers to censure the members generally for inattention to this branch of their public duty. No doubt it now receives an equitable share of the time of the hard-working members, of whom the writer is known to be one of the most indefatigable. It is to be regretted that all do not, perhaps can not, work with the same degree of effectiveness. The capable and industrious ought not, certainly, to be condemned on account of the incapacity or indolence of others of their associates. And it is a truth, that the most capable Senators and Representatives of experience will heartily indorse, that a committee of Congress is, in many respects, an unfit and unsafe place for the adjudication of such causes, unfit because the members of committees will not attend and give their attention to the business. The whole work, consequently, devolves on a few persons, who can not carefully examine all the cases of this description sent to them for investigation. And the small part which is reported can not, as the writer shows, secure the deliberate consideration of the House and Senate, so that the bulk of the work performed by the committees is not finally acted on by the Congress to which it is submitted, and must be abandoned by the claimants, or continue to be presented from Congress to Congress, constantly accumulating in magnitude.

It is an unfit place, because an adverse decision does not necessarily terminate the application of the claimant for redress. He is almost certain to attribute his defeat to the stupidity or instention of commi

With the exception of what is known as the Bowman act nothing has been done to relieve Congress from the burden of private legislation. The Bowman act is practically inoperative, owing to the fact that no claims can be considered under it which are barred by the statute of limitations. An effort has been made at this session to enlarge the provisions of that act, and also to afford other relief to claimants. The Committee on Claims of this House has reported a bill (H. R. 5314), which remains unreached on the Calendar, "conferring jurisdiction upon the Court of Claims to investigate private and domestic claims and demands, other than war claims, against the United States." The Committee on the Judiciary has reported a bill (H. R. 6974) "to provide for the bringing of suits against the United States," and the Senate passed a bill (S. 2643) supplemental to the Bowman act, which is now pending before the Committee on Claims of this House. Without anticipating the action of the committee I would suggest that the Senate bill referred to be amended by incorporating the provisions of the two House bills just mentioned. The amended bill would then be as follows:

A bill supplemental to an act approved March 3, 1883, entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government."

Beit enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any bill shall be pending in either House of Congress providing for the payment of a claim against the United States, legal or equitable, or for a grant, gift, or bounty to any person, the House in which

such bill is pending may refer the same to the Court of Claims, who shall proceed with the same in accordance with the provisions of the act approved March 3, 1833, entitled "An act to afford assistance and relief to Congress and the Exceutive Departments in the investigation of claims and demands against the Government," and report to such House the facts in the case and the amount, where the same can be liquidated, including any facts bearing upon the question whether there has been delay or laches in presenting such claim or applying for such grant, gift, or bounty, and any facts bearing upon the question whether the bar of any statute of limitation should be removed, or which shall be claimed to excuse the claimant for not having resorted to any established legal remedy. legal remedy.

Amend the said Senate bill by adding thereto the following as additional sections, taken from House Claims Committee bill:

tional sections, taken from House Claims Committee bill:

SEC. 2. That at the adjournment of each Congress, all bills relating to private and domestic claims and demands, against the United States, which may be pending in either House, of Congress or before any committee of either House, shall, by the Secretary of the Senate and the Clerk of the House, respectively, be referred to the Court of Claims, together with all papers relating thereto, as hereinbefore provided; and all such claims and demands shall be investigated by the court as provided by law. The Secretary of the Senate and the Clerk of the House shall enter in the Journals of the respective Houses, and in the Congressional Record, a statement showing what bills have been so transferred.

SEC. 3. That after the passage of this act neither House of Congress shall consider or entertain, for any purpose other than that of referring the same to some judicial tribunal or commission under existing law, any private or domestic claim or demand against the United States which involves the investigation of facts, until such facts shall have been investigated by such judicial tribunal or commission and the findings of facts reported to Congress.

SEC. 4. That it shall be the duty of the Attorney-General, or his assistants under his direction, to appear for the defense and protection of the United States in all cases which may be transmitted to the Court of Claims under this act, or the act to which this is an amendment.

SEC. 5. That reports of the Court of Claims to Congress under this act, and the act to which this is an amendment, if not finally acted upon during the session at which they are reported, shall be continued from session to session and from Congress until the same shall be finally acted upon.

Also add the following sections, taken from the House Judiciary Com-

Also add the following sections, taken from the House Judiciary Com-

Congress to Congress until the same shall be finally acted upon.

Also add the following sections, taken from the House Judiciary Committee bill:

SEC. 6. That the Court of Claims shall have jurisdiction to hear and determine the following matters:

First. All claims founded upon the Constitution of the United States, or any law of Congress, or any regulation of an Executive Department, or upon contract, expressed or implied, with the Government of the United States, or for damages, liquidated or uniquidated, in respect of which claims the party would of the Constitution of the United States, or for damages, liquidated or uniquidated, in respect of which claims the party would or admirally if the United States were suable, and of all other claims which may be referred to it by either House of Congress.

Second. All set-offs, counter-claims for damages, whether liquidated or uniquidated, or other demands whatsoever on the part of the Government of the United States against any person making claim against the Government of the United States against any person making claim against the Government of the United States against any person making claim against the Government of the United States against any person making claim against the Government of the United States against any person making claim against the Government of the allowed the claim is made.

Sec. 7. That the circuit and district courts of the United States shall have concurrent jurisdiction, as to all matters named in the preceding section, with the Court of Claims, where the amount of the claim shall not exceed the sum of \$10,000 in money value.

Sec. 10. That the circuit and district courts of the United States proceeding under this act shall be in personal to the claim shall not exceed the sum of \$10,000 in money value.

In the court of the claim shall be appetition, duly verified, with the clerk of the provisions of this act; and the course of proceeding section with the provisions of the section of this act shall life a petition, duly verified, wi

to transmit to the Attorney-General of the United States certified copies of all the papers filed in the cause, with a transcript of the testimony taken, the written findings of the court, and his written opinion as to the legality and justice of the verdict or finding; whereupon the Attorney-General shall determine and direct whether an appeal or writ of error shall be taken or not; and when so directed the district attorney shall cause an appeal or writ of error to be perfected in accordance with the terms of the statutes and rules of practice governing the same: Provided, That no appeal or writ of error shall be allowed after six months from the judgment or decree in such suit. From the date of such final judgment or decree interest shall be computed thereon, at the rate of 4 per cent, until the time when an appropriation is made for the payment of the judgment or decree.

cent., until the time when an appropriation is made for the payment of the judgment or decree.

SEC. 15. That the Attorney-General shall report to Congress, and at the beginning of each session of Congress, the suits under this act in which a final judgment or decree has been found adverse to the Government, giving the date of each, with a statement of the costs taxed in each case.

SEC. 16. That whenever there shall be pending before the Department of State a claim in behalf of any alien against the United States, founded on or growing out of any treaty with a foreign power or any international obligation, the Secretary of State may, with the consent of the representative of the government of such alien, refer such claim to the Court of Claims, which shall thereupon have jurisdiction to hear and determine the same upon the principles of justice and international law, and to render such judgment as those principles shall require. From any such judgment either party may appeal to the Supreme Court in the manner provided by law in other cases of appeal from the Court of Claims.

require. From any such juagment cutter party may appear to the Court of Court in the manner provided by law in other cases of appeal from the Court of Claims.

SEC. 17. That when any claim or matter may be pending in any of the Executive Departments which involves controverted questions of fact or law, the head of such Department, with the consent of the claimant, may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said Court of Claims, and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall enter judgment thereon, and shall report its findings and judgment to the Department by which it was transmitted.

SEC. 18. That in every case which shall come before the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883, if it shall appear to the satisfaction of the court, upon the facts established, that it has jurisdiction to render judgment or decree thereon under existing laws or under the provisions of this act, it shall proceed to do so, and report its proceedings therein to either House of Congress or to the Department by which the same was referred to said court.

SEC. 19. That the costs of court in proceedings under this act shall be taxed in favor of the prevailing party therein, unless otherwise specially ordered by the court. For failure to prosecute a petition filed under this act with reason.

to said court.

SEC. 19. That the costs of court in proceedings under this act shall be taxed in favor of the prevailing party therein, unless otherwise specially ordered by the court. For failure to prosecute a petition filed under this act with reasonable diligence, the same may be dismissed, in the discretion of the court.

SEC. 20. That all laws and parts of laws inconsistent with this act are hereby repealed.

Amend the title so that it will read as follows:

A bill to provide for the investigation and adjudication of claims and demands against the United States, and for other purposes.

At the next session of Congress I hope something will be done to relieve Congress from the increasing burden of private législation. I ask the attention of members to this subject during the approaching vacation, and I will print as a part of my remarks the bills mentioned in order that the whole subject may be considered.

One step further than the proposed legislation will be required before Congress will obtain perfect relief from the accumulating mass of pri-That step is a constitutional amendment prohibiting special legislation by Congress. I have proposed such an amendment, and it is

now pending before the Committee on the Judiciary of this House.

ARTICLE

ARTICLE—.

If Congress will pass the bills referred to and submit a constitutional amendment to the States for ratification, I believe it will receive prompt approval. No greater reform could be inaugurated. The immense mass of bills now pending, and the great increase of such from session to session, admonish us that some new departure is demanded. The whole subject of private legislation must be driven from the Halls of Congress, and the people's representatives must be relieved of this burden and be permitted to devote their whole time and attention to subjects of national importance.

Labor Arbitration.

SPEECH

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, March 31, 1886,

On the bill (H. R. 7479) to provide for the speedy settlement of controversies and differences between common carriers engaged in interstate and Territorial transportation of property and passengers and their employés.

Mr. WHEELER said:

Mr. CHAIRMAN: One hundred and ten years ago, thirteen years before the Constitution was framed, a body of men endowed with virtue, honor, and courage met together, and to attain a grand purpose they pledged to each other their lives, their fortunes, and their sacred honor.

These men said:

We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments were formed among men, deriving their just powers from the consent of the governed.

These words came from the pen of Thomas Jefferson, the great apostle of the democratic idea of man's right and ability to govern himself. The Government, based upon such principles, founded by Jefferson and men like him, baptized in blood, cradled in adversity, and reared in suffering, has become a great democratic republic, a refuge for the oppressed of all the world, a government of the people, by the people, and for the people; and for eighty-seven years the laws under which they lived were but the reflections of the wishes of those who were governed by those laws, willingly submitting to their restraints and gratefully accepting their blessings. During all that period we had peace, happiness and prosperity. Since the termination of that blessed era we have had a different form of government. The laws have not been for the benefit of the many; they have been for the advantage of the few, and for the few of specially favored sections. They have tended to make the few very rich and the many very poor; and to-day we see the victims of this unjust legislation banded together demanding what they believe to be justly due them.

For twenty-five years the tendency of all legislation has been against those who labor and in favor of the capital which employs labor. now the laboring masses come and ask for a law which they hope will ameliorate their condition. In 1830 Daniel Webster condensed the principles of the Declaration of Independence in these words:

The people's government, made for the people, made by the people, and auswerable to the people.

In 1850 Theodore Parker adopted the idea in these words:

A government of all the people, by all the people, for all the people.

In 1863 the sentiment was repeated by Mr. Lincoln, who said:

And that government of the people, by the people, for the people, shall not perish from the earth.

And in 1886 let the American Congress emphasize this grand idea by the enactment with unanimous voice of laws to protect the rights of

the people. I believe, Mr. Chairman, that if not another law was enacted for fifty years to protect capital that it would be amply protected by the laws that now stand on the statute-books, and in that belief I shall

advocate all measures which are calculated to improve the condition of those who work.

For this reason I shall vote for the bill now being considered, although it is not all that I desire; and for the same reason I support and advocate the bill to aid our common schools, and thus place at least the rudiments of education within the reach of the children of the laboring people of our country.

Coast Defenses and their Armament. SPEECH

OF HON. JOSEPH R. HAWLEY,

OF CONNECTICUT.

IN THE SENATE OF THE UNITED STATES,

Wednesday, July 28, 1886.

The Senate, as in Committee of the Whole, having under consideration the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purpose

Mr. HAWLEY said:

Mr. PRESIDENT: I may as well say what I have to say upon the general question now, before the adoption of the pending amendment, for the second and fifth sections are both involved in one discussion. I hesitate a good deal about occupying the time of the Senate, because it is late in the session; but the Senator from Massachusetts [Mr. DAWES] and the Senator from Kentucky [Mr. BECK] have both very kindly suggested that I should in some measure repeat what I said before the committee. If it will help to inform or convince anybody here or help the measure elsewhere, I shall be very glad to do it. The danger is that having read and heard so much about it, and being so much interested in it, I may talk too long. I shall be willing to be checked, and I shall esteem any question by a Senator as a favor.

I hardly need to lay down the proposition, for everybody already knows it, that the country is to-day practically defenseless. Though it be so now, there was a time when this country was with the foremost of all the world in the excellence and the relative cost of its coast defenses and their armament. I do not know how we lived just after the Revolution until about 1816, but between 1816 and 1826 there was adopted a general system of coast defense. Under it we built strong granite and brick forts, some with walls 8 feet thick, but thinning down to 5 feet near the embrasures, and good against the guns of those days. The system was excellent, and for the numbers and wealth of the people it was costly. There is not one of those old fortifications, which were formerly a matter of great national pride, that is anything more than a death-trap to-day when faced by the best modern weapons.

We have been considering our coast and naval defenses over since the war of the rebellion. It is fortunate for us now that we have done nothing. Divine Providence has saved us from any serious controversy with any foreign nation. In the mean time all the great nations of Europe, whose several existences depend upon their keeping up with the highest state of the military art, have been spending money by the millions and tens and scores, yes, and hundreds of millions, constantly following the progress of invention, abandoning to-day what cost them millions yesterday, and jumping to-morrow to meet the newest idea. All they have expended is as fully for our benefit as if it had been spent by ourselves. They have reached a stage in the arts of offense and defense that no longer excuses delay on our part. They have come to certain conclusions with regard to works of defense and the armament thereof which are not likely to be very seriously, at any rate essentially, disturbed within a few years. Whatever we build or make now can not very soon become useless.

There have been a surprising number of investigations and reports upon these subjects. Every year our engineer officers have pointed out to us the defenseless condition of the coast and have asked us to do this, that, and the other thing, now in forts and then in guns. On the whole, I am very glad we did not follow their advice. At the time it would have been apparently wise to do it, but we now see that we have no need for what we should have done a few years ago.

Within a few years there have been several boards especially ap-ninted and instructed to inquire into the general question. They have pointed and instructed to inquire into the general question. inquired so thoroughly and are so nearly agreed that I must briefly notice them. And first, the "armament board," so-called, organized

notice them. And first, the "armament board," so-called, organized under the appropriation act of July 5, 1884, and instructed thereby—
To cause the various calibers, lengths of bore, greatest and least admissible weights of guns for each caliber, together with the greatest and least weights of projectiles for each caliber, of all the various calibers required for the service, together with the number of each caliber of gun required, to be determined, and to make the same known to manufacturers of ordnance on their application and to report the same to Congress at its next session for its approval.

On that board were such officers as Col. Thomas G. Baylor, Ordnance Department; Col. James C. Duane, Corps of Engineers; Maj. William R. King, Corps of Engineers; Maj. George W. McKee, Ordnance Department; Capt. Charles Shaler, Ordnance Department, and Capt. Edward Maguire, Corps of Engineers. Their report was transmitted to Congress December 5, 1884, and printed as Senate Executive Document No. 5, Forty-eighth Congress, second session.

That very able board after full deliberation recommended a series of heavy steel guns, beginning with 8 inches caliber running up to 16 inches caliber and adding thereto a 12-inch mortar. They gave an estimate of the weights of guns, charges, projectiles, velocity, penetration, &c.
The tabular statements are as follows:

				TAB	E I.					
Caliber.		Number of each caliber.		Length of-				1	ht of	reight of charge.
				Bore		Gun.	Weight of gun.		Weight of projectile.	Weig
Inches, 8		125 226 306 50 512		libers. 30 30 32.06 31,74		Feet, 21.5 26.875 35.11 45.93 10.33	Tons. 13 25 48 107.77 13.06	1	285 575 804 4,631.4	Pounds. 100 225 456 650, 4 52
1 6 00 50				Таві	E II.	1970				
	Velocity of projectile in feet per second at									
Caliber.	Muz- zle.	1,00 yard		2,000 yards.	3,000 yards.				6,000 yards.	7,000 yards.
Inches. 8	1,800 1,900 1,853 1,985	1,76	7.7	1,488 1,642,2 1,641 1,750	1, 350 1, 523, 1, 508, 1, 641	1, 230 3 1, 410 5 1, 405 1, 536	1,11 1,9 1,30 1,1 1,31 1,9 1,45	9 8.5 0.2 7.1	1,049 1,217.5 1,225.5 1,344.5	995 1, 138, 6 1, 150, 9 1, 260, 6
		100		TABL	E III.					

	Penetration of wrought iron in inches at—									
Caliber.	Muz-	1,000	2,000	3,000	4,000	5,000	6,000	7,000		
	zle.	yards.	yards.	yards,	yards.	yards,	yards.	yards.		
Inches. 8	16, 43	14. 97	13, 63	12.40	11,31	10, 39	9.67	9, 19		
	21, 08	20. 38	18, 96	17.61	16,33	15, 16	14.13	13, 23		
	24, 24	22. 68	21, 21	19.81	18,47	17, 25	16.15	15, 18		
	30, 49	28. 96	26, 95	25.29	23,71	22, 20	20.74	19, 52		

The following table will give an approximate estimate of the rough-bored, turned, and tempered steel required for the guns recommended by the armament board:

Kind.	Caliber.	Number.	Weight, each.*	Total weight.
Breech-loading rifles	Inches. 8 10 12 16 12	125 226 306 50 512	Tons. 14 31 53 131 14	Tens. 1,750 7,006 16,218 6,550 7,168

*Approximate.

These figures do not vary materially from what would be adopted

These lightes do not have a solution of the best judges.

The next board is known as the gun foundry board of which we have heard so much, which was organized under the naval appropriation bill of March 3, 1883, making appropriations for the fiscal year ending June 30, 1884, and for other purposes, being authorized by the following paragraph of that act:

That the President of the United States is hereby authorized and requested to select from the Army and Navy six officers, who shall constitute a board for the purpose of examining and reporting to Congress which of the navy-yards or arsenals owned by the Government has the best location and is best adapted for the establishment of a Government foundry, or what other method, if any, should be adopted for the manufacture of heavy ordnance adapted to modern warfare, for the use of the Army and Navy of the United States, the cost of all buildings, tools, and implements necessary to be used in the manufacture thereof, including the cost of asteam-hammer or apparatus of sufficient size for the manufacture of the heaviest guns; and that the President is further requested to report to Congress the finding of said board at as early a date as possible: Provided, That no extra compensation shall be paid the officers serving on the board hereby created.

This covers a wider ground, but includes the secret.

This covers a wider ground, but includes the question we are now discussing. Let me remark incidentally that they were required to report upon a steam-hammer. Such has been the progress in Europe that now we do not care to know what a steam-hammer would cost excepting the comparatively smaller size for certain minor purposes. A better process has superseded the great steam-hammer for most of the heavy work in ordnance.

heavy work in ordnance.

The board was composed of the following persons: Commodore Edward Simpson, United States Navy, president; Capt. Edmund O. Matthews, United States Navy; Col. Thomas G. Baylor, Ordnance Department, United States Army; Lieut. Col. Henry L. Abbot, Engineer Corps, United States Army; Maj. Samuel S. Elder, Second Artillery, United States Army; Lieut. William H. Jaques, United States Navy, secretary—all able men and specially informed upon these subjects. That report was made to the President February 16, 1884, and is known as House Executive Document No. 97 first session Forty-eighth. known as House Executive Document No. 97, first session Forty-eighth Congress. A supplementary report was made December 20, 1884. They were printed together as Senate Executive Document No. 13, second session Forty-eighth Congres

The conclusions of the gun foundry board have been read to you. They are substantially that we are to make hereafter only forged steel guns of the general classes described; that we ought to enter upon their manufacture immediately; that the great manufacturers of the country stand ready to reproduce the best and heaviest guns known to the world upon satisfactory contracts being offered, and that these great manufacturers will not begin the work, will not invest the large sum necessary for new machinery depending upon an annual appropriation from Congress. Nor would any sensible business man do it.

They say if the Government wishes to contract for a large number of tons of forged steel to be furnished during a series of years the manufacturers will assent. They will agree to spend from five hundred thousand to a million and a half of dollars in putting down a plant; the Government to inspect the work, inspect at every stage, and to pay only as satisfactory forgings are delivered

The gun foundry board further reported that this work ought to be divided between private parties and the Government as the most economical way, as almost the only certain way of getting it. Suppose the Government undertakes the whole operation of gun-building. Then it must have that which it never has had—enormous furnaces and forges, processes for the manufacture of this steel from the ore up to the heavy forgings and also the plant precessary to what is called a the heavy forgings, and also the plant necessary to what is called a gun-factory, but which will be better understood if I call it the finishing and assembling factory, where the rough-bored, rough-turned, and tempered parts are finished to the finest gauge, and shrunk together or assembled as the finished gun. The Government will not undertake that; it ought not to; it would be an expensive and unnec-The Government will not It is far better that all the preliminary stages of manuessary work. facture should be conducted by private parties.

The gun foundry board reported that this work ought to be so di-ded. It would be matter for congratulation if there were private establishments like those of Krupp, at Essen, Germany, and Schneider & Co., at Le Creusot, in France, and Sir William G. Armstrong, Mitchell

& Co., Newcastle-upon-Tyne, in England, who would take a contract for a whole gun, delivering the perfected work; but there is nobody to do it. There is nobody prepared to undertake either the first or second stage, and citizens undertaking the whole would have to contem-

plate very heavy investments.

They would rather divide it; they would rather take a lighter risk. So that on the whole every board that has discussed this subject has come to the conclusion that we can very easily get from private establishments rough parts of a great variety of guns such as we need, and bring them together in a Government establishment, there finishing, assembling, and perfecting the guns. Furthermore, it is considered that it is better on the whole that there should be two of these factories, or finishing establishments. The needs of the Army and Navy are somewhat different. Too great a variety of guns is undesirable, and it is to be hoped that those who administer this law will see that as far as possible the Army and Navy use the same calibers, and that the same gauges are used upon the same calibers, so that projectiles of the same nominal caliber may be interchangeable between land and naval forces. Circumstances not infrequently make this a convenience and economy.

The guns we have now in forts and arsenals are of nine varieties and require thirty-three kinds of ammunition. The naval great guns are of twenty-two varieties, and they require thirty kinds of ammunition. But it must be admitted that there will be sometimes a necessity for a gun of a special caliber for the Navy. It might do to establish for the Army an arbitrary scale of 6-inch, 8-inch, 10-inch, 12-inch, and 16-inch guns for siege and coast-defense purposes, but in constructing vessels of unusual types and for peculiar duties the Navy may prefer an in-termediate caliber—for example, a 9-inch gun. The difference between an 8 and a 10 inch gun is greater than most persons would suppose at first thought. They are to each other as the cubes of their like dimensions—as 512 is to 1,000. Sometimes the Navy may wish to build a shorter gun than others of the same caliber, and make it stouter, that

on the whole, therefore, without dwelling further on these details, it seems wise that the Army and Navy should each have a gun factory. There will then be a wholesome rivalry between the two arms of which

the Government will get the benefit.

By and by, as the private manufacturers become strong and confident and are dealt with on sound business principles, they may be willing to undertake also the work of finishing guns. If so, the Government's gun factories may be allowed to wear out and disappear, but it will probably be deemed good policy to maintain them to serve as a partial check upon private firms and as schools of experiment and instruction.

Returning from my divergence, I must not omit another board whose conclusions are worthy of the very highest respect. The board on fortifications was organized under act of Congress approved March 3, 1885, making appropriations for fortifications, &c., for the fiscal year ending June 30, 1886, being authorized by the following paragraph of that act:

And the President of the United States shall appoint a board of which the Secretary of War shall be a member and president, to be composed of two officers of the Engineer Corps, two from the Ordnance Corps, two officers of the line of the Navy, and two civilians, which board shall examine and report at what ports fortifications or other defenses are most urgently required, the character and kind of defenses best adapted for each, with reference to armament, the utilization of torpedoes, mines, or other defensive appliances; and for the necessary and proper expenses of said board and for the compensation of the two civilians at \$10 per day while so employed in the discharge of said duty the sum of \$40,000, to be immediately available, is hereby appropriated; and the report of said board shall be transmitted to Congress by the Secretary of War.

The board was composed of the following-named persons: Hon. Will-The board was composed of the following-named persons: Hon. William C. Endicott, Secretary of War, president; Brig. Gen. Stephen V. Benét, Chief of Ordnance; Brig. Gen. John Newton, Chief of Engineers; Lieut. Col. Henry L. Abbot, Corps of Engineers; Capt. Charles S. Smith, Ordnance Department; Commander W. T. Sampson, United States Navy; Commander Caspar F. Goodrich, United States Navy; Mr. Joseph Morgan, jr., of Pennsylvania; Mr. Erastus Corning, of New York.

Mr. Morgan is connected with the Cambria Iron Works, and Mr. Corning is an eminent manufacturer. Their report was transmitted to Con-

ing is an eminent manufacturer. Their report was transmitted to Congress by the Secretary of War January 23, 1886, and it was ordered to be printed by the House of Representatives January 26, 1886, as House Executive Document No. 49, Forty-ninth Congress, first session.

That board was divided into subcommittees, each taking up an important branch of the subject. The conclusions of the joint report, which I hold before me, are precisely such as I have stated of the other boards and such as were arrived at by the Senate select committee, namely, that we are to have hereafter the forged steel, built-up, breechloading rifle-gun. Moreover, they say that we are to have along the shore near the mouths of the great harbors iron or steel clad turrets similar to those put upon monitors, in which shall be put the very greatest guns; that after those there may come other guns, lighter guns, to be placed en barbette—that is to say, in the open air—and protected there by heavy masonry or plates of iron or steel, and the steel will un-doubtedly be ultimately adopted.

Harbor defenses will consist of heavy ships outside; within them torpedo vessels of various sizes; next, the heavy fortifications I have noted; and lastly, a thorough system of torpedo defense. This will I nent in his calling, was asked-

consist, first, of the class technically known as mines—that is, globular cases of iron, containing explosive material, anchored in the channels at suitable distances from the surface of the water and connected by wire with electric batteries on shore, and exploded either by contact with ships passing over them or by a touch of the operator; secondly, of movable and governable torpedoes sent out from the shore; thirdly of the stations of the torpedo corps, protected by armor and guarded by artillery of the lighter classes and by machine-guns against the enemy's attempts to reach the operators or disable the torpedoes by cutting the wires or otherwise.

At present we are dealing only with the heavy armament of the for-tifications. The fortification board in that report selected a number of the harbors that specially needed defense, and named the number and kind of guns that were required there. The pending bill, if amended as proposed by the Committee on Appropriations, will be precisely in line with that report.

Immediately following it came the report of the select committee appointed by the Senate, of which I had the honor to be a member and chairman. That committee examined a large number of the leading manufacturers of steel in the United States. It visited many of their establishments. Through a subcommittee it visited establishments upon the Pacific coast.

Another subcommittee had the great pleasure of entering and examining, as a special favor, the most advanced establishments in England. The sum and conclusion are in general harmony with those of every board that has reported and with those of the leading nations of

So far as they relate to securing heavy ordnance they are followed in the amendments before us. Permit me to give those conclusions in full, from Senate Report No. 9, submitted February 8, 1886:

(1) The United States is metallurgically independent for all purposes of war-

(1) The United States is incutating learly independent for an purposes of warfare.

(2) The manufacture of iron and steel for peaceful purposes has kept pacewith the foremost science and skill of the world. For steel-making, the casting capacity is ample, but the heavy forging and finishing of guns and armor will require new and costly plants.

(3) The machinery and machine-tools of the navy-yard are sufficient for the building of engines, but much of it is obsolete and no longer economical; the means of building iron or steel ships are lacking; one yard has a good plant of limited capacity for finishing steel guns, and has done some good work.

(4) As a partial check upon private builders and as a resource in ease of necessity, some ships should be built in navy-yards, the parts to be furnished by private foundries. Ships in general should be built by private contract, and private yards are capable of doing the work. The uncertain nature of repairs is such that some Government yards should be kept ready to make them.

(5) Armor plate and engines should be obtained wholly from private manufacturers.

facturers.

6. The costly experiments of twenty-five years have reached a stage which justifies certain conclusions. Guns should be made of open-hearth steel, forged, breech-loading, chambered, of calibers ranging from 5 to 16 inches, of lengths ranging from 30 to 35 calibers. Armor and projectiles should be made of forged steel. The hydraulic forging press produces better results than the steam-hammer, costs much less, and should be used for Government work. Ships should be constructed of steel, but certain minor classes may be composite of steel and wood.

be constructed of steel, but certain minor classes may be composite of steel and wood.

7. The manufacture of guns suitable for ships and coast defense should be divided between private foundries and Government shops; the former providing the forged and tempered parts, and the latter finishing those parts and assembling them.

8. The Government should establish two factories for machine-finishing and assembling guns. The weight of opinion among Army and Navy experts and prominent manufacturers of heavy work in steel decidedly indicates the Washington navy-yard and the Watervliet Arsenal as the best sites for such factories. When the determination to contract for heavy guns shall have been reached, the localities for finishing them can easily be determined.

9. All needed private capital is ready for cheerful co-operation with the Government in whatever it may require.

10. Proposals for armor and guns should require such quantities and extend over such a series of years as to justify private persons in securing the best plant. Payments should be made only for completed work, and only the guaranteed bids of persons having capital and experience should be considered.

Respectfully submitted.

J. R. HAWLEY, Chairman.

J. R. HAWLEY, Chairman, N. W. ALDRICH. W. J. SEWELL. J. T. MORGAN, M. C. BUTLER.

These conclusions of your select committee were reached after a year and a half of investigation, calling before it the best manufacturers and the scientific men best qualified to judge. In the first place, it is said that "the United States is metallurgically independent for all purposes of warfare." The question was asked during the debate here as to whether we in reality could make steel of the proper kind and quality. Mr. Swank, vice-president of the American Iron and Steel Association, on page 261 of this report, says:

If the question were asked whether this country could, if required, supply from within its own borders all of the iron ore needed in every branch of its iron and steel in lustries, including the manufacture of the finer kinds of crucible steel, the answer might unhesitatingly be made in the affirmative. We can make as good iron for crucible steel as the Swedes do if we would only be as painstaking as they are. We have ores in great abundance for the manufacture of Bessemer steel by the original, or acid, process, which is the only process for the manufacture of this kind of steel that now exists in this country, if we except one unsatisfactory experiment that has recently been made with the Thomas-Gilchrist, or basic, process, and one establishment for the manufacture of steel by the Clapp-Griffiths process.

Mr. Fritz, of the Bethlehem Steel Works, and other able men coincided with him. I will not read at length. Mr. Fritz, who is emi-

The Chairman. Is there any reason why the steel manufacturers of the United States should not be restricted to the use of home material?

Mr. Fritz. There are several reasons for not restricting the manufacturer to home ores; an important reason being the purer quality of many of the foreign ores, which insures a higher grade and better quality of steel.

This bill requires that these heavy guns shall be made entirely of American products. I hope that will not be construed to compel a manufacturer to use only American ores throughout. I wish the expression were out. The forging, the building, is to be done in this country. All the great plant is to be here. If the manufacturer can by mixing certain qualities of Cuban or Mediterranean ore more easily make the gun-steel, let him do so. If foreign governments should for-bid and prevent our bringing in any ore, on the breaking out of hostilities or the threatening of hostilities, we can resort to our own ores and do the whole work here. Take it altogether, we are better equipped than any other nation, because we can produce our own ferro-manganese and all other things necessary in the making of steel; indeed, we export now something of ferro-manganese to Great Britain, which has it not. Great Britain could not make a single steel gun of the quality she has now if she were required to make it all out of her own material, nor could Germany, nor any of the European nations, except perhaps Sweden, and I am not sure as to that. I suppose she may, however, because she furnishes a certain quality of ore that all seem to prefer for certain valuable purposes

Mr. Fritz was asked by the chairman:

Why do steel manufacturers import foreign material?

Referring to the ferro-manganese.

Mr. Fritz. Because they can feel more certain of obtaining a high quality of product within the necessary limits of cost.

The Chairman. Can any works in the United States (with present plant) produce any grade of steel that would probably be called for by Government specifications for guns and armor equal, metallurgically, to foreign?

Mr. Fritz. Several-works in the United States are capable of supplying steel equal metallurgically to the foreign steel.

The Chairman. Under existing conditions what will be the additional cost of such steel as compared with the foreign of the same quality, laid down in the United States, duty free?

Mr. Fritz. About the difference in the price of labor.

So I would not forbid the Bethlehem works, the Cambria works, or any of them, to take an ounce of foreign ore. They could get along without it if that were a necessity, but they will produce more easily and economically by mixing. They have been in the habit of sprinkling in a certain degree of the foreign ore chiefly because it is deficient in phosphorous and other irreducible and hostile elements—the constant vexation of the steel-maker.

Now, sir, in response to suggestions from preceding speakers, a word as to the processes of making steel guns. In my judgment, which simply accepts the judgment of the world's scientific and practical leaders, the day of cast-iron guns of any description whatever is gone feaders, the day of cast-iron guns of any description whatever is gone forever. The largest and most effective guns can not be made of cast-iron with safety. If you undertake to make a 60 or 70 ton cast-iron gun you will fail a large number of times in the casting and an additional large number of times in the firing tests. I am opposed to any further tinkering in making hybrid guns, cast-iron guns lined with steel, or cast-iron guns hooped with steel.

I myself have seen the result of the experiments made during the war in combining cast-iron and wrought-iron in the famous Parrott gun which was good in its day an advance in its time of great serv-

war in combining cast-iron and wrought-iron in the lamous Parrott gun, which was good in its day, an advance in its time, of great service to us on many occasions, but it was unreliable. There were two metals that were not homogeneous. There was the cast-iron that had its own different crystallization, its planes of weakness, resulting from irregularities of form. It was attempted to strengthen it by a good wrought-iron band around the breech. I have seen two one-hundred pound Parrotts go all to pieces, wrought-iron band and all, under my own eyes in the siege of Charleston. So many of them broke in firing on Fort Fisher that, if I recollect aright, orders were given to stop using them.

Why can not some heavy cast-iron guns be utilized is a question often asked. Why not line them with steel tubes and make them breech-loaders? One reason is that so cheaply do we make steel now nrecen-loaders? One reason is that so cheaply do we make steel now under the new processes that it is better to make a new gun for the same money. Another reason is that the old cast-iron guns were made for using a quick powder. They were short and the charge of powder was small. We have by improvements in powder raised the charge of the 15-inch guns from some 35 pounds of the old quick powder up to 120, or 130, or 140 pounds of the slower burning powder. The improvement in powder has been as great as that in the manufacture of steel or the form of the gun.

steel or the form of the gun.

It results that by making a longer gun of steel the slow-burning powder has time for complete combustion, expending its full and due powder has time for complete combustion, expending its full and due force upon the projectiles and giving it an enormous velocity and an enormous energy. The term "energy" is equivalent to what is popularly called crushing force. The force of the 16-inch steel gun weighing from 105 or 115 pounds is said approximately, for illustration, to be equivalent to taking a column of steel 16 inches in diameter and 1 mile high and letting it drop 33 feet. That helps to give a conception of what is meant by over 50,000 tons of foot-energy or crushing effect. Cast-iron will not stand these strains. Cast-iron guns of the requisite

length, say 47 feet, and weighing 110 tons, rifled to carry a 2,000-pounds projectile simply, can not be physically or economically successful.

Innumerable costly experiments, vastly improving powder and steel, and marvelously reducing the cost and increasing the quality of steel especially, and testing all known kinds of guns, powder, projectiles, and armor, have led to the total abandonment of cast-iron for guns in any form. We are told to the contrary by gentlemen of worth expenses. and armor, nave led to the total abandonment of cast-ron for guns in any form. We are told to the contrary by gentlemen of worth, experience, and sincerity, but they are surely belated and mistaken.

Let me describe briefly, because the Senate Committee on Appropriations did me the honor to be interested in this matter and to suggest

that I should repeat some of these things here which assisted them in framing the pending amendments-let me describe hastily what I saw, and what very few persons outside of the art have ever seen in Europe, of the improvements in Sir Joseph Whitworth's works in Manchester, England, to which Lieutenant-Commander Chadwick and Lieutenant Jaques of the Navy and myself were kindly admitted.

I saw 30 tons of boiling steel put into a vertical cylinder, perhaps 40

inches in diameter. A piston with a gradually increasing pressure, running up in thirty-five minutes to 6 tons per square inch, was thrust upon that boiling column, and out from the sides darted fine jets of blue burning gas. The pressure was shortly reduced to 3,000 pounds. When the cylinder is so far cooled that contraction no longer goes on the pressure was removed. There is found in its interior little, comparatively, of the honey-combing usually shown in large masses of iron or steel casting. A metallic casting can not be made wholly without it.

The metal cools from and contracts toward the outside, leaving within, apparently, empty spaces. My Southern friends, familiar with the operations of casting bullets for the old-fashioned rifles, will find in each bullet, if they pare it down carefully, a little hole the size of a pinhead. Whitworth's process of fluid compression reduces the honeycombing to a minimum, and leaves no large mass of porous and refuse metal at the top of the column, as other methods must. In the ordinary method of casting, this matter, technically called "sinking-head," is from 25 to 33 per cent. of the whole mass.

When the column of steel I have described—40 inches in diameter, and, I roughly estimate, 15 feet long—is bored out, taking away the honey-combs, it leaves a cylinder of steel of better quality for its cost than any other process gives.

But that is not all. The steel manufacturers of England, led by the

necessities of their government and the high rewards it offered to improve the treatment of masses of steel far heavier than ordinary trade requires, have vastly improved and enlarged the machinery of hydraulic forging. I saw in the Whitworth shops a cylindrical ingot of steel 42 inches in diameter and 92 inches (7 feet 8 inches) long, weighing 16 tons, taken easily from the glowing furnace and carried quickly and gently to the forge, where one end was laid upon an anvil between two uprights, a frame of strong pillars and cross-beams. Close above the white and sparkling metal hung a hammer-head adjustable to the bulk of the metal to be forged. The face of the ram that bears upon the steel was, perhaps, 2 feet long and 8 inches wide. Its longer di-mension coincided with the axis of the steel cylinder. Near by stood mension coincided with the axis of the steel cylinder. Near by stood a lad to control the ordinary levers or throttle bars by which steam or hydraulic power is applied. For his guidance there hung a dial, marked as the clock-face is, and with an index that indicated precisely the travel of the ram, upward and downward.

The lad pulled the lever, the hammer went down gracefully and silently, with a pressure of 3,000 tons, six or eight inches into the cylinder, and the mass of 16 tons gave way, spread and flowed from end to end as dough gives way under the fist of the baker. After each successive pressure the cylinder was revolved a few degrees by hydraulic

cessive pressure the cylinder was revolved a few degrees by hydraulic power to be ready for the next, as the blacksmith turns the rod with his left hand for successive strokes of the hammer. ans left hand for successive strokes of the hammer. There was but a few seconds interval between the pressures, the work being conducted more rapidly than with the heavy steam-hammer. In one heat more than half the cylinder was drawn down into a solid steel shaft 20 inches in diameter and 17 feet long. Ingots of 30, 40, or 60 tons weight can be forged by this machine. The gross weight of the tube, the heaviest forging for the 16-inch gun, is 46 tons.

The grunfoundry heard after witnessing similar work declared that

heaviest forging for the 16-inch gun, is 46 tons.

The gun-foundry board, after witnessing similar work, declared that "as to the treatment of metal after casting, there can be no doubt of the superiority of the system adopted by Sir Joseph Whitworth over that of all other manufacturers in the world." The British admiralty require that the propellers, shafting, and the working barrels of all the cylinders shall be made of Whitworth's fluid-compressed steel, and that the cranks shall be made of the same or of Vicker's steel. Hotchkiss, the famous American builder of small steel guns for France, Germany, and England, would have none but Whitworth's steel.

The previous method of treating masses for guns and armor, and still in use in other establishments, is by the steam-hammer. The largest in the world is in the works of Schneider & Co., Creuzot, France. The hammer weighs 100 tons and has a fall of 16.4 feet. The anvil-block is 18.4 feet high and weighs 720 tons, the largest piece of it weighing 120 tons. The cost of such a structure in the United States would probtons. The cost of such a structure in the United Blacks and a structure in the United Blacks and the ability behalf a million dollars. Its work is obviously inferior to hyably beard's estimate cost of the hydraulic forging, and the gun-foundry board's estimate cost of the hydraulic forge is \$150,000. It does not require an expert to decide that

the steel produced by the lathe is more suitable for heavy guns. After witnessing its work one would as soon use a hammer to work dough as to

There is nothing done in the United States to justify American manufacturers in introducing the costly processes used in England for guns and armor, but leading firms and corporations stand ready and eager to contract to reproduce the plants here. There is not the slightest doubt that the moment they should begin to do so they would begin to improve the machines, processes, and products, and doubtless also we could again lead the world in heavy guns, as we did in former times, under the instruction of Bomford, Dahlgren, and Rodman.

Enough about that; nor will I dwell further upon the condition of our forts except to tell you was to be proven as easily as a simple statement of accounts that there are a days region in the world the

statement of accounts that there are a dozen nations in the world that can sail straight into New York Harbor to-day in spite of anything and all things we have there, anchor in the lower bay within a mile of the Battery, and put that entire city under contribution, and it can be done within a fortnight, it can be done within less time than that, from the

day of threatened hostilities.

Halifax, a splendid English port and a coaling station, may well be a rendezvous of British supplies at any time, and is within thirty-one hours from Portland. Bermuda is but a few more hours from New York or from Hampton Roads. Havana, a rallying point for the Spanish navy, is forty-five hours from New Orleans. So these nations have their great coaling depots, and their naval stations, ten days or twelve days' sail from home and from thirty-one to seventy-two hours from our absolutely defenseless ports.

We have been living along and living along. The Divine Providence has taken care of us as He is said to take care of children and fools and drunkards. "It is the unexpected that happens" is an old saying, but it is truer in war than in anything else. The list of the wars of one hundred years shows that most of them have come suddenly. It is the

policy of attacking nations to let them so come.

There are two thousand millions of destructible property in New York city within the reach of the first-class ships of England. What is to prevent her levying upon it if the two nations should resort to war, which God forbid. In eight of the great scaports of the country there are four billions and a half (\$4,500,000,000) of taxable, ascertained, returned property, destructible property of all descriptions, within reach of foreign guns that may come within reach of them any day without

Are we to go on in this way? If so, unless the history of nations hereafter shall be altogether different from what it has been heretofore, there will some time come to us a day of humiliation.

as men of common-sense, courage, and patriotism ought to live.

I do not complain of the delay, because it is useless, and, thank God, we have not lost honor by it. What is of less consequence, we have not lost money by it. We have saved the cost of twenty years of experiment; longer delay is inexcusable. While this bill does not contain all I wish nor all that is indispensable; while it does not provide for torpedoes, forts, gun platforms and carriages, and heavy armor for casemates and turrets, yet it is so much of a step that I am thankful for it and take courage. It does provide for the manufacture of 10,000 tons of the parts of heavy steel guns and for the beginning of the work here

of finishing them, and if we do thus much we shall not stop with it.

As we stand here to-day, we must go and beg of busy English and
German and French manufacturers to give us the steel plate for our
monitors, to give us the steel plate for the vessels authorized one year ago, and to give us the heavy, rough parts for the steel guns those ships will need; to give us also the steel armor-plate and the rough gunforgings for the ships that we are to order this afternoon, I hope, in the bill just reported from the Naval Committee. Yet foreign makers can not be depended on. They may contract to furnish it. They may get the work half or quite done, and their governments may say to them: "The relations between us and the United States are changed; send them no munitions of war."

Such things have frequently happened. Great Britain has frequently put her hand upon her home manufacturers and said: "Hold those ships and guns; we will take them ourselves."

ships and guns; we will take them ourselves."

If we must make such contracts abroad, we must continue to live at the mercy of strangers, live defenseless as to our seacoasts.

Let us begin. The people want this done. There is no doubt about that. I am amazed, at seeing the anxiety of the American politician and legislator to discover what is politic and what is popular, that they have not discovered that we can not do a better thing to obtain the good-will of the nation and at the same time sincerely serve our country than to begin a well-judged, even if necessarily expensive system of coast defense. The cost is a fraction only proportionately of what it was in 1830 and 1840 for the fortifications that we then had the courage to undertake.

Shall I say that there are some aspects of the situation that are not altogether reassuring? I will say frankly what they are, and I am glad I have the attention of some of my friends on the other side. I am not going to discuss party politics; but is not this true that I am about to say, that a considerable portion of this country was engaged for a number of years in not only denouncing but in bitterly fighting the Govern-

ment of the United States? That true, and there is scarcely anything short of the Divine miracles that equals the wonder of the forgetfulness that has largely come over us as to the resentments of it and the reconthat has largely come over us as to the resentments of it and the reconciliations that have followed. Our Southern Democratic friends and our friends, late confederates in arms, all say, "We would stand by the old flag; we would give our lives for it in any war with any foreign power; we would show whether we are Americans or not." So they would, I doubt not; but has the long habit of a party out of power, and so terribly out of power as to be fighting the Government—has that long labit of conversions the Foderal Government entirely been habit of complaint concerning the Federal Government entirely been overcome? Are we all yet indeed Americans? Has the Democratic party become Americanized as it ought to have been, as it will be, as it is becoming, I hope?

With what favor are these propositions received? How have they come begging at the doors of Congress year after year? Why should there be any party disagreement about these questions? Will you, my Democratic friends, look at the history of Democratic administrations and Democratic Secretaries of the Navy and see what a nationality and what a national spirit we had during those twenty years before the war, when the Democratic party, largely a Southern party, almost wholly controlled this Government? We had possible war with Spain; we had a war with Mexico; we did not know where or whither poli-tics might drift us. The institution of slavery was a great national interest as you then regarded it—one to be defended and extended. It was a prime element in our relations with Mexico and Spain and in the ealousy with which England was regarded. So we made the best Navy in many respects in the world before the war. See the Wabash and the Minnesota and their sister ships, and there is nothing more stately or finer on the water now. The modern art of ship-building for war at sea has given us hideous and clumsy black monsters terrible for de-Nothing in them approaches the beauty of the old Wabash as she lies now a veteran on the retired-list. With her twenty-six 9-inch guns upon a side and pivot-rifles fore and aft, I saw her delivering her fire at Port Royal, and no more beautiful picture ever greeted the eyes of man-if one could forget the dreadful meaning of her work.

Our Government tried to get the best in all things. The Rodman and Dahlgren ideas of gun-building were ours, an advance from all that was previously known of cast-iron guns. The building, sailing, and arming of our ships was of the best. But when we were suddenly put in the face of new problems in the beginning of the war, see with what ingenuity the people on both sides directed themselves to the tasks. The little fight between the Monitor and the Merrimac revolutionized the navies of the world. I have a pamphlet issued soon after by an eminent English engineer, acknowledging the demonstration, and entitled

England without a Navy."

We invite gentlemen without reference to party to take into consideration the serious character of these propositions before us. Let us agree that we will wisely and prudently vote to renew and rejuvenate our Navy and our coast defenses in accordance with the highest demands of modern science and art. Five or ten millions a year will do it in a

The bills 623 and 624, which I had the honor to report by direction of the Committee on Coast Defenses, cover the ground under discussion more thoroughly; but as their passage this session, or even their consideration this session, is out of the question, our only hope lies in the two pending sections reported by the Committee on Appropriations as amendments to the regular annual fortifications bill. As that bill comes to us it appropriates the beggarly sum of \$100,000 for the protection, preservation, and repair of fortifications and works of defense hardly enough to keep the grass cut and check the weather's destructive work. It gives \$50,000 to continue the sea-wall around Governor's Island; \$20,000 to continue torpedo experiments, and \$500,000 "for the armament of seacoast fortifications, including the procurement of steel forgings for heavy guns, for guns, carriages, projectiles, fuses, powder, implements, and materials, which shall all be of American production, their trial and proof, and the testing of improvements of the same and all necessary expenses incident thereto."

Fifty thousand dollars is reappropriated to finish the cast-iron guns contracted for with the South Boston Iron Works, and sixty to a hun-

dred thousand dollars for cast-iron mortars.

The pretense of authorizing the expenditure of a fraction of \$500,-000 to buy steel forgings for heavy guns which must be of American production is wretched. The plant necessary to begin the work of heavy forging would cost not less than \$500,000, and no manufacturer would make the investment save under a contract for several millions, running through a series of years.

I insert in my remarks the committee's proposed substitute for the

second section, which I have quoted:

For the purchase, manufacture, and erection of the necessary tools and machinery for the finishing and assembling of heavy ordnance at the Frankfort arsenal, Philadelphia, Pa.; for gun-carriages, projectiles, fuses, powder, implements, and materials for the trial and proof of such ordnance, and to complete the two 10-inch breech-loading steel guns now under fabrication, their trial and proof, and all necessary expenses incident thereto, including compensation of draughtsman on gun construction, \$400,000, to be available until expended.

And I also give section 5 in full:

SEC. 5. That the Secretary of War and the Secretary of the Navy be, and

hereby are, authorized jointly to make contracts with responsible steel-manufacturers, after suitable advertisements, to continue not less than thirty days, in newspapers most likely to reach the manufacturers addressed, for the supply of rough-bored, rough-turned, and tempered steel in forms suitable for heavy ord-nance adapted to modern warfare, for Army and Navy purposes, in quantity not to exceed 10,000 gross tons, in quality and dimensions conforming to specifications, subject to inspection and tests at each stage of manufacture and including all the parts of each caliber specified: Provided, That no money shall be expended except for steel accepted and delivered; and each bidder shall contract to deliver yearly a specified quantity of each caliber, the time of delivery of the smaller calibers to commence at the expiration of not more than eighteen months and the largest calibers at the expiration of not more than three years from the date of the execution of the contract; and all the forgings shall be of American product and manufactured in the United States; and one-half of the material purchased under this provision shall be for the use of the War Department, and one-half for the use of the Navy Department, in the armament of ships heretofore or hereafter authorized by Congress; and for the purposes of the foregoing provision the sum of \$5,000,000 is hereby appropriated, to be available during six years from the date of the execution of the contract.

Six million dollars is to be available for six years, the payments to

Six million dollars is to be available for six years, the payments to be made upon the delivery of inspected goods. The first payment would not be required under eighteen months. The average payments would be, say, a million and a quarter a year. Not much for an assured beginning of a great patriotic work.

Let me as strengthening and fortifying what I have said here read

a few words from a most distinguished gentleman. As in duty bound by his political creed, a Republican must dissent from certain opinions of Hon. Samuel J. Tilden, but no statesman of the country has made so terse, compact, vigorous, manly, and patriotic statement of truth and duty as he has in a letter which I have lately had the honor to receive from him. I give the following extract from his letter of June 9, 1886:

The apathy of Congress on this subject would be incredible if it did not confront us. It contrasts with the rivalry which is so conspicuous to insist on our taking a high tone toward foreign nations on every occasion of difference between them and us. It contrasts also with the favor which is shown to schemes of prodigality and schemes to waste the public resources on things known to be absolutely useless.

Among the people the desire for liberal appropriations toward the means of public defense is well nigh unanimous. I am well informed as to the popular feeling from the circumstance that more than seven hundred newspapers from all parts of the country, and representing all political parties, containing expressions upon the subject, have been sent to me.

Very truly, yours,

I have not the slightest doubt that those newspapers represent the real sentiment of the American people, and that nothing we can do will on the whole be received with more popular favor than the work proposed in this bill of beginning to be ready to defend ourselves.

A PERMITE AND A CONTRACTOR AND A PERMITE The state of a second s Available Description & Special Conference

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